

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
SEPTEMBER 21, 2016**

CALL TO ORDER

A regular meeting of the Hazelwood City Council was called to order by Mayor Pro Tempore Rosalie Hendon at 7:30 p.m. on Wednesday, September 21, 2016, in the Council Chambers of Hazelwood City Hall, 415 Elm Grove Lane.

Mayor Pro Tempore Hendon asked those present to join in a moment of silent meditation followed by the Pledge of Allegiance.

On roll call the following members of the Council were present:

Russell Todd
Warren H. Taylor
Rosalie Hendon
Mary G. Singleton
Carol A. Stroker
Robert M. Aubuchon
Don W. Ryan

Mayor Matthew G. Robinson and Councilman Robert Parkin II were not present. Mrs. Thomas declared a quorum was present.

Also present were City Manager Matt Zimmerman, City Attorney Kevin O'Keefe, and Deputy City Clerk Chris Thomas.

AGENDA

There being no amendments proposed, Mr. Taylor moved, seconded by Mrs. Singleton, the adoption of the agenda as printed. The motion passed unanimously.

CONSENT AGENDA

Mr. Todd moved, seconded by Mrs. Stroker, the adoption of the consent agenda as printed. The following vote was recorded on the motion:

AYE - 7

NAY - 0

Mr. Todd
Mr. Taylor
Mrs. Hendon
Mrs. Singleton
Mrs. Stroker
Mr. Aubuchon
Mr. Ryan

The motion passed unanimously and the consent agenda was adopted.

APPROVAL OF MINUTES

Mr. Todd moved, seconded by Mrs. Stroker, to approve the minutes of the September 7 regular Council meeting and the September 14 Council work session as submitted. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS

WHAT'S NEW

Communications Coordinator Tim Davidson reported on City news, events, and programs.

City staff did a great job preparing for Harvestfest despite rainstorms the night before and the event was a success, offering fun activities for all ages.

On September 14, Police Officer Craig Tudor had an impressive escort as he was transported to Spirit of St. Louis Airport to be flown to a rehab facility in Colorado. Many local police officers and firefighters escorted the ambulance and gave him a hero's salute.

Hazelwood police officers and fire explorers joined the Green Committee in a litter pickup event at Village Square Center on Saturday, September 17, improving the appearance of the entrance to our City.

In partnership with Hazelwood Baptist Church, the Police Department co-hosted a breakfast last Saturday for the Hazelwood West High School varsity football team as part of an ongoing program to build better relations with local youth.

The first phase of the Your Library Renewed campaign will wrap up this month with the reopening of three library branches, including Prairie Commons which reopens on September 28. New features include an enhanced children's area, large teen space, business center, computer lab, community meeting room, and private study rooms.

Upcoming events include Celebrate Safe Communities on September 22, the Habitat for Humanity wall raising event on September 30, and Food Truck Night on October 4. Additional information on City programs and upcoming events is available on the City's website at www.hazelwoodmo.org.

INTRODUCTION OF MISS HAZELWOOD

Mayor Pro Tempore Hendon introduced Miss Hazelwood 2016 Alyssa Hotze.

EMPLOYEE SERVICE AWARD

As his biography was read, Lieutenant Andrew Eagan was presented with a 25 year service award.

BOARD/COMMISSION OATHS OF OFFICE

Mrs. Thomas administered the oath of office to Lisa Clever who was appointed to the Civil Service Board.

EMPLOYEE
INTRODUCTION

Police Chief Gregg Hall introduced new Telecommunicator Colleen Dunne.

RECYCLING PLEDGE
CARD DRAWING

Winners were drawn for the 2016 Recycling Pledge Card Campaign held during Harvestfest.

PROCLAMATIONS AND RESOLUTIONS - None

CITIZEN HEARINGS AND PRESENTATION OF PETITIONS

Mayor Pro Tempore Hendon explained the procedures to be followed during a hearing. She invited anyone desiring to make a comment to come forward at this time.

CHICKEN
DISPENSATION

Timothy and Michelle Steinborn, 1397 Gerard Park Lane, requested a special dispensation to keep six hens.

Mr. Steinborn stated they've kept chickens for over two years with minimal investment. He stated they have a good enclosure and coop and a five foot privacy fence. However, they're not in conformance with the recently adopted Code requirements. To comply with Code would make keeping the chickens cost prohibitive. Mr. Steinborn stated the chickens were brought to the attention of the animal control officer when they allowed him to enter their back yard to look for a stray kitten and not because of a neighbor complaint. He noted the new Code was adopted two years after they started keeping chickens and grandfathering isn't an option. He stated they've demonstrated good care of the chickens and asked for an exemption from the regulations.

Mrs. Steinborn explained they got involved with raising chickens as a science lesson for their four boys. She stated a lot of time has gone into raising the chickens and they are loved pets. She provided a written Dispensation Request and letters of support from five neighbors, with a diagram of the locations of the neighboring properties, which were circulated among the Council.

Mr. O'Keefe explained this portion of the meeting gives the Council an opportunity to listen and isn't a debate or dialog forum. It's a time for a citizen to present their prospective and for the Council to hear it. He stated those who possessed domestic fowl as of June 16 were given 120 days to come into compliance with the new Code. That period has not yet expired. Approximately one month remains until the new regulations are applicable. With respect to the petition for a special dispensation, few could listen to the background and context of the Steinborn's situation without being affected. However, there isn't a process by which individuals whose motives are pure can receive forgiveness from the law as opposed to others. The law isn't written to allow individual circumstances to override. It's written to apply to the community as a whole and there isn't a process for an individual to get a special dispensation. There are circumstances where the balance struck for the community as a whole may be a difficult balance with respect to the circumstances of individuals. Sympathetic feelings are not a

Mr. Zimmerman responded the City has many more requests for trailers than are available. He stated Gerard Park Lane will be added to the list and a trailer will be placed there when one's available.

SLUP EXTENSION A request for a six month extension of the Special Land Use
COMPLETE LAWN CARE Permit deadline to commence operation of Complete Lawn
Care, Inc., at 5735 Fee Fee Road was received.

City Planner Earl Bradfield reported the Special Land Use Permit for outdoor storage was approved on October 7, 2015. An extension to April 7, 2017 has been requested. The installation of a fence has been completed and renovations to the building are underway.

Mark Becker, the business owner, stated he doesn't believe renovations will be complete prior to the October 7, 2016 deadline. He stated the canopy has been removed, the fence has been installed, and ramps to move the equipment into the building should be installed this week. The grass has been cut more regularly than it was with the previous owners.

Mr. Aubuchon asked if the building will be ready for occupancy in six months.

Mr. Becker replied affirmatively stating they are nearing completion.

Mr. Aubuchon moved, seconded by Mrs. Stroker, to extend the Special Land Use Permit deadline to commence operation of Complete Lawn Care at 5735 Fee Fee Road to April 7, 2017 and to place the draft bill on the agenda for introduction. The motion passed unanimously and the bill was added to the agenda as item 17.a.

LIQUOR LICENSE An application for a Package Liquor License, with Sunday,
WALLIS PETROLEUM and a Tasting License for Wallis Petroleum, LC, d/b/a
Dirt Cheap, at 7927 North Lindbergh Boulevard had been
received from Rachel Andreasson.

The requisite record check had been performed and Chief Hall has recommended approval of the application.

Mark Jordan of Wallis Petroleum stated they're purchasing all the assets of both U-Gas and Dirt Cheap. The transaction is expected to close next Tuesday.

Mrs. Singleton asked if the name of the store will change.

Mr. Jordan stated there may be changes later. However, there will be no changes for the remainder of this year.

In response to Mr. O'Keefe's inquiry, Mr. Jordan confirmed the facility does not sell gasoline.

Mr. Ryan moved, seconded by Mr. Todd, to grant the Package Liquor License, with Sunday, and the Tasting License for Wallis Petroleum, LC, d/b/a Dirt Cheap, at 7927 North Lindbergh Boulevard. The motion passed unanimously.

PUBLIC HEARINGS

2016 PROPERTY TAX RATES & SEWER LATERAL REPAIR FEE Mayor Pro Tempore Hendon called to order the hearing to consider establishment of the 2016 property tax rates and Sewer Lateral Service Line Repair Fee.

Finance Director Lori Helle gave a PowerPoint presentation. Assessed valuation is \$511 million which is down 2.8% from last year. Since this isn't a reassessment year, there's little change in the real estate portion. The biggest change has been in personal property. The City is ranked 13th among approximately 90 St. Louis County municipalities and 3rd in North County, with Maryland Heights ranked 1st and Florissant 2nd. The City's trend in assessed valuation from 2008 to 2016 shows a decrease of \$141 million or 2.7% per year. The tax rates will generate revenue of \$3.5 million for the General Fund and \$1 million for the Debt Service Fund, assuming a 98% collection rate. The residential, commercial, personal property, and debt levy rates will remain the same at \$.767, \$.77, \$.754, and \$.222, respectively. The agricultural rate will increase from \$.491 to \$.506 because the assessed valuation for agricultural property has decreased which allows the City to increase the tax rate. The Sewer Lateral Service Line Repair Fee will remain \$5. Based on a house value of \$120,000, property taxes for the City of Hazelwood would remain the same as last year at \$328. Ten percent of a resident's total tax bill goes to the City and 75% goes to the school district. Hazelwood has the lowest total residential tax rate when compared to the top 14 St. Louis County municipalities, primarily because we do not have a residential utility tax.

In response to comments by Mrs. Stroker, Ms. Helle stated the decrease in total assessed valuation is attributable mostly to a decrease in personal property.

Mr. O'Keefe noted state statute requires the City to certify the rates with the County by October 1. Since the data needed to calculate the rates is received so close to the deadline, staff is requesting two readings of the bill this evening in order to meet the statutory deadline.

Ms. Helle explained the data was received late last week. Once received, the calculations were performed and the proposed rates were submitted to the state auditor's office for approval.

Mayor Pro Tempore Hendon asked if anyone present wished to speak in favor of or in opposition to the proposal.

No one spoke in favor of or in opposition to the proposal and Mayor Pro Tempore Hendon declared the hearing closed.

Mrs. Singleton moved, seconded by Mrs. Stroker, to establish the 2016 real and personal property tax rates and Sewer Lateral Service Line Repair Fee and to place the draft bill on this agenda for introduction. The motion passed unanimously and the bill was added to the agenda as item 17.b.

COMMUNICATIONS

EWGCG
LOCAL BRIEFINGS The September 1 issue of Local Government Briefings was received from the East-West Gateway Council of Governments.

EWGCG
LOCAL BRIEFINGS The September 8 issue of Local Government Briefings was received from the East-West Gateway Council of Governments.

BOARD
RESIGNATION A letter of resignation from the Board of Adjustment and Architectural Board of Review was received from Scott Sokolich.

A letter thanking Mr. Sokolich for his service to the City will be sent.

IDA RESIGNATION A letter of resignation from the Industrial Development Authority was received from John Schmidt.

A letter thanking Mr. Schmidt for his service to the City will be sent.

CHARTER
CHANNEL LINEUP
CHANGE Notification that Cable Noticias will be replaced with Cuba Play on the Latino View Tier was received from Charter Communications.

MLMSTL
NEWSLETTER The September issue of the Link newsletter was received from the Municipal League of Metro St. Louis.

Mr. Todd moved, seconded by Mrs. Stroker, to receive and file all communications. The motion passed unanimously.

UNFINISHED BUSINESS - None

MAYOR AND COUNCIL REPORTS

WORK SESSION
AGENDA ITEMS No items were added to the November 9 Council work session agenda.

CITY MANAGER'S REPORT

ROOFTOP HVAC UNIT FOR CCE Parks and Recreation Superintendent Doug Littlefield reported staff recommends authorization of a contract with Waldinger Corporation for the purchase and installation of a rooftop HVAC unit at Civic Center East for a cost not to exceed \$18,412.

Mr. Littlefield stated in August bid specifications were sent to nine prospective bidders. Four bids were received. The best and lowest bid was submitted by Waldinger Corporation. Funds in the amount of \$30,000 have been allocated in the Capital Improvement Fund budget for the project.

Mr. Aubuchon moved, seconded by Mr. Taylor, to concur with the staff recommendation to authorize the contract with Waldinger Corporation for the purchase and installation of a rooftop HVAC unit at Civic Center East and to place the draft bill on this agenda for introduction. The motion passed unanimously and the bill was added to the agenda as item 17.c.

SEALING OF CITY STREETS Maintenance Superintendent Paul Williams reported staff recommends authorization of a contract with Corrective Asphalt Materials, LLC, for sealing of various asphalt streets, at a cost not to exceed \$48,863.

Mr. Williams stated in September bid specifications were sent to five prospective bidders. One bid was received from Corrective Asphalt Materials. The company has worked for the City in the past and has performed satisfactorily. Funds in the amount of \$50,000 have been allocated in the Capital Improvement Fund budget for the project.

Mr. Aubuchon moved, seconded by Mr. Ryan, to concur with the staff recommendation to authorize the contract with Corrective Asphalt Materials, LLC, for sealing of various asphalt streets and to place the draft bill on this agenda for introduction. The motion passed unanimously and the bill was added to the agenda as item 17.d.

VIDEO CAMERAS FOR POLICE VEHICLES Police Chief Gregg Hall reported staff recommends the purchase of five Panasonic Arbitrator 360 HD wireless in-car digital video systems from CDS Office Technologies, Inc., at the total cost of \$33,200.

Chief Hall explained this is the fourth year of a six year program to replace the mobile video recording units in all patrol vehicles. The purchase would be made by a cooperative purchasing agreement, through the State of Illinois contract. Funds in the amount of \$34,000 have been allocated in the Capital Improvement Fund budget for the purchase.

In response to Mr. Todd's inquiry, Chief Hall stated the old units had a hard drive that had to be installed/removed from the trunk with shift changes. The new units are wireless and store the video in the unit until it's sent to the police station server and the Community Center backup server.

Mr. Taylor moved, seconded by Mr. Todd, to concur with the staff recommendation to authorize the purchase of five Panasonic Arbitrator 360 HD wireless in-car digital video systems from CDS Office Technologies, Inc., at the total cost of \$33,200. The motion passed unanimously.

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT - None

COMMISSION AND BOARD REPORTS Mr. Todd moved, seconded by Mrs. Stroker, to receive and file the minutes of the July 25 Pension Plan Board of Trustees meeting, the August 25 Industrial Development Authority and Economic Development Sales Tax Board meetings, and the September 8 City Plan Commission meeting. The motion passed unanimously.

REPORT & SCHEDULE OF COMPENSATION Chairman of the Compensation Commission Sessie Spenser was not present.

Mr. O'Keefe stated the Council has been provided with the minutes of the August 1 Compensation Commission meeting and, as provided in the Charter, a Report of the Commission and Schedule of Compensation which have been filed in the office of the City Clerk. This process gives notice of that filing. The presence of Mr. Spenser is not critical to the process defined in the Charter. The schedule shall apply effective December 1 unless disapproved by a resolution approved by a two-thirds majority vote of the Council before that time.

Mr. Todd moved, seconded by Mrs. Singleton, to acknowledge receipt of the minutes of the August 1, 2016 Compensation Commission meeting and the September 21, 2016 Report of the Commission and Schedule of Compensation as filed in the City Clerk's office. The motion passed unanimously.

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

SLUP EXTENSION Mayor Pro Tempore Hendon called for the first reading of a bill to extend the Special Land Use Permit deadline to
COMPLETE LAWN CARE commence operation of Complete Lawn Care at 5735 Fee
5735 FEE FEE ROAD Fee Road to April 7, 2017.

There were no objections and Bill 4618 was read by title only:

AN ORDINANCE AMENDING ORDINANCE 4430-15 BY EXTENDING THE SPECIAL LAND USE PERMIT DEADLINE TO COMMENCE OPERATION OF COMPLETE LAWN CARE, INC., AT 5735 FEE FEE ROAD, TO APRIL 7, 2017.

Bill 4618 will be on the agenda for second reading on October 5.

2016 AD VALOREM TAX Mayor Pro Tempore Hendon called for the first reading of a
RATES & SEWER bill to set the 2016 ad valorem tax rates and Sewer Lateral
LATERAL REPAIR FEE Service Line Repair Fee.

There were no objections and Bill 4619 was read by title only:

AN ORDINANCE ESTABLISHING THE ANNUAL RATE OF AD VALOREM TAXES LEVIED FOR THE YEAR 2016 FOR GENERAL AND OTHER MUNICIPAL PURPOSES ON ALL REAL AND PERSONAL PROPERTY IN THE CITY OF HAZELWOOD, MISSOURI, AND THE ANNUAL FEE FOR THE CITY'S SEWER LATERAL SERVICE LINES REPAIR PROGRAM AND DECLARING AN EMERGENCY EXISTS FOR ITS IMMEDIATE PASSAGE.

Mr. O'Keefe noted the draft bill contains a clause declaring an emergency exists with respect to its adoption as an ordinance this evening.

Mr. Taylor moved, seconded by Mr. Todd, to find and declare an emergency exists with respect to the adoption of Bill 4619, in accordance with Section 8 of Article II of the City Charter, and to give it second reading and consideration for adoption this evening. The motion passed unanimously.

Bill 4619 was read a second time by title only:

AN ORDINANCE ESTABLISHING THE ANNUAL RATE OF AD VALOREM TAXES LEVIED FOR THE YEAR 2016 FOR GENERAL AND OTHER MUNICIPAL PURPOSES ON ALL REAL AND PERSONAL PROPERTY IN THE CITY OF HAZELWOOD, MISSOURI, AND THE ANNUAL FEE FOR THE CITY'S SEWER LATERAL SERVICE LINES REPAIR PROGRAM AND DECLARING AN EMERGENCY EXISTS FOR ITS IMMEDIATE PASSAGE.

Mr. Taylor moved, seconded by Mr. Aubuchon, the adoption of Bill 4619 as an ordinance. The following vote was recorded on the motion:

AYE - 7

NAY - 0

Mr. Todd

Mr. Taylor

Mrs. Hendon

Mrs. Singleton

Mrs. Stroker
Mr. Aubuchon
Mr. Ryan

Bill 4616 was unanimously adopted as Ordinance 4505-16.

CONTRACT Mayor Pro Tempore Hendon called for the first reading of a
ROOFTOP HVAC UNIT bill to authorize a contract with Waldinger Corporation for the
FOR CCE purchase and installation of a rooftop HVAC unit at Civic
Center East.

There were no objections and Bill 4620 was read by title only:

AN ORDINANCE AUTHORIZING A CONTRACT WITH WALDINGER CORPORATION FOR THE PURCHASE AND INSTALLATION OF A ROOFTOP HVAC UNIT AT CIVIC CENTER EAST AT A COST NOT TO EXCEED \$18,412.

Bill 4620 will be on the agenda for second reading on October 5.

CONTRACT Mayor Pro Tempore Hendon called for the first reading of a
STREET SEALING bill to authorize a contract with Corrective Asphalt Materials,
LLC for sealing of various asphalt streets.

There were no objections and Bill 4621 was read by title only:

AN ORDINANCE AUTHORIZING A CONTRACT WITH CORRECTIVE ASPHALT MATERIALS, LLC FOR SEALING OF VARIOUS ASPHALT STREETS AT A COST NOT TO EXCEED \$48,863.

Bill 4621 will be on the agenda for second reading on October 5.

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 4616 Mayor Pro Tempore Hendon called for the second reading of
SLUP EXPANSION Bill 4616 to grant an expansion of the Special Land Use
8700 PERSHALL ROAD Permit for a fast food, drive-in restaurant at 8700 Pershall
Road to include a second drive-in.

There were no objections and Bill 4616 was read by title only:

AN ORDINANCE AMENDING ORDINANCE 3320-02 BY GRANTING AN EXPANSION OF THE SPECIAL LAND USE PERMIT FOR A FAST FOOD, DRIVE-IN RESTAURANT AT 8700 PERSHALL ROAD TO INCLUDE A SECOND DRIVE-IN AND PROVIDING FOR THE REGULATION OF SUCH USAGE.

Mr. Todd moved, seconded by Mr. Taylor, the adoption of Bill 4616 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 7</u>	<u>NAY - 0</u>
Mr. Todd	
Mr. Taylor	
Mrs. Hendon	
Mrs. Singleton	
Mrs. Stroker	
Mr. Aubuchon	
Mr. Ryan	

Bill 4616 was unanimously adopted as Ordinance 4506-16.

BILL 4617
AGREEMENT

Mayor Pro Tempore Hendon called for the second reading of Bill 4617 to authorize an agreement with Bommarito TMC of St. Louis, Inc., for City use of the Bommarito Toyota electronic message board.

There were no objections and Bill 4617 was read by title only:

AN ORDINANCE APPROVING AN AGREEMENT BETWEEN THE CITY OF HAZELWOOD AND BOMMARITO TMC OF ST. LOUIS, INC. REGARDING CITY USAGE OF A FREE-STANDING ELECTRONIC MESSAGE BOARD SIGN.

Mr. Aubuchon moved, seconded by Mr. Ryan, the adoption of Bill 4617 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 7</u>	<u>NAY - 0</u>
Mr. Todd	
Mr. Taylor	
Mrs. Hendon	
Mrs. Singleton	
Mrs. Stroker	
Mr. Aubuchon	
Mr. Ryan	

Bill 4617 was unanimously adopted as Ordinance 4507-16.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

COUNCIL MEETING

Mayor Pro Tempore Hendon announced the next regular Council meeting will be held Wednesday, October 5, at 7:30 p.m. in the Council Chambers.

ADJOURNMENT

There being no further business to come before the Council,
the meeting was adjourned at 8:58 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

Colleen Wolf, MMC - City Clerk
City of Hazelwood, Missouri