

**CITY OF HAZELWOOD  
REGULAR COUNCIL MEETING  
NOVEMBER 1, 2017**

**CALL TO ORDER**

A regular meeting of the Hazelwood City Council was called to order by Mayor Matthew G. Robinson at 7:30 p.m. on Wednesday, November 1, 2017, in the Council Chambers of Hazelwood City Hall, 415 Elm Grove Lane.

Mayor Robinson 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:

Robert M. Aubuchon  
Don W. Ryan  
Matthew G. Robinson  
Russell Todd  
Rosalie Hendon  
Mary G. Singleton  
Carol A. Stroker

Council Member Robert Parkin II and Council Member Warren Taylor were not present. Mrs. Thomas declared a quorum was present.

Also present were City Manager Matt Zimmerman, Associate City Attorney Ken Heinz, and City Clerk Christine Thomas.

**AGENDA**

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

**CONSENT AGENDA**

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

AYE - 7

NAY - 0

Mr. Aubuchon  
Mr. Ryan  
Mayor Robinson  
Mr. Todd  
Mrs. Hendon  
Mrs. Singleton  
Mrs. Stroker

The motion passed unanimously and the consent agenda was adopted.

**APPROVAL OF MINUTES**

Mr. Aubuchon moved, seconded by Mr. Todd, to approve the minutes of the October 18 regular and closed Council meetings as submitted. The motion passed unanimously.

**SPECIAL ORDER OF BUSINESS**

**WHAT'S NEW**

Communications Coordinator Tim Davidson provided the What's New in Hazelwood report.

**PROCLAMATIONS AND RESOLUTIONS**

**FUNDING AGREEMENT RESOLUTION**

Mayor Robinson called for the reading of a resolution approving and authorizing execution of a preliminary funding agreement with NorthPoint Development, LLC regarding completion of an economic development opportunity for the City of Hazelwood.

Mr. Zimmerman reported the City has been approached by NorthPoint Development about possibly developing a new industrial park north of the St. Louis Outlet Mall. The City is in preliminary discussions with NorthPoint. However, the City doesn't move forward with projects unless the agency signs a funding agreement to reimburse the City for all out-of-pocket costs. Mr. Zimmerman stated NorthPoint is prepared to sign an agreement as they did before the Hazelwood Logistics Center project started.

There were no objections and Resolution 1711 was read by title only:

**A RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A PRELIMINARY FUNDING AGREEMENT WITH NORTHPOINT DEVELOPMENT, LLC REGARDING COMPLETION OF AN ECONOMIC DEVELOPMENT OPPORTUNITY FOR THE CITY OF HAZELWOOD.**

Mr. Ryan moved, seconded by Mrs. Stroker, the adoption of Resolution 1711. The following vote was recorded on the motion:

AYE - 7

NAY - 0

Mr. Aubuchon  
Mr. Ryan  
Mayor Robinson  
Mr. Todd  
Mrs. Hendon  
Mrs. Singleton  
Mrs. Stroker

Resolution 1711 was unanimously adopted.

## **CITIZEN HEARINGS AND PRESENTATION OF PETITIONS**

Mayor Robinson explained the procedures to be followed during a hearing. He invited anyone desiring to make a comment to come forward at this time.

**HAZELWOOD SCHOOL DISTRICT UPDATE** Hazelwood School District Superintendent Dr. Nettie Collins-Hart gave a brief presentation and update on the district.

Dr. Collins-Hart reported the district is fully accredited again and working towards being accredited with distinction. She also stated the district is developing a five year strategic plan and working on a plan to redraw the district boundaries.

Dr. Collins-Hart distributed a packet of information to the Council which included the district's mission, vision and goals. The handout also included information on the district's new initiative, "Hazelwood Now".

Dr. Collins-Hart invited the Council to participate on a variety of committees.

**RESOLUTION INQUIRY** Ingrid Harrop, 1452 Teson Road, asked for more information on the resolution authorizing an agreement with NorthPoint Development, LLC.

Mr. Zimmerman will meet with Mrs. Harrop and provide her with information on the proposal.

## **PUBLIC HEARINGS**

**SLUP 5830 FEE FEE ROAD** Mayor Robinson called to order the public hearing to consider the petition received from Eagle Fence Distributing, LLC for outdoor storage at 5830 Fee Fee Road.

City Planner Earl Bradfield reported the proposed outdoor storage is part of the fencing company's warehouse and distribution operation. Chain link, aluminum ornamental, steel ornamental, vinyl and wood fencing would be stored on racks located towards the rear of the lot. Eagle Fence Distributing, LLC will have approximately 10 employees and share the building and lot with two other companies.

Eagle Fence Distributing, LLC representative, Angie Woodworth, stated the company is a wholesale distributor. Ms. Woodworth gave a presentation on the company and their operations.

Mr. Aubuchon asked if there is a building on the lot. Ms. Woodworth responded affirmatively.

Mayor Robinson 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 Robinson declared the hearing closed.

Mrs. Thomas read the City Plan Commission motion “to recommend approval to the City Council of the petition for Special Land Use Permit for outdoor storage located in an I-2 Heavy Industrial District at 5830 Fee Fee Road, Ward 2.” She stated the motion passed unanimously.

Mr. Aubuchon moved, seconded by Mrs. Hendon, to concur with the City Plan Commission recommendation to grant the Special Land Use Permit for outdoor storage at 5830 Fee Fee Road and place the draft bill on this agenda for introduction. The motion passed unanimously and the bill was added to the agenda as item 17.a.

SUBDIVISION 8930, 8940 & 8950 PERSHALL ROAD	Mayor Robinson called to order the public hearing to consider the subdivision to consolidate 8930 and 8940 Pershall Road from two lots into one lot and to dedicate a portion of 8950 Pershall Road as 30 foot Polson Lane right-of-way.
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The petition by Green Street Hazelwood Investors, LLC to consolidate 8930 and 8940 Pershall Road into one lot was considered by the City Plan Commission on September 14. The commission recommended approval of the subdivision with the condition that the 30 foot Polson Lane right-of-way is extended into 8950 Pershall Road. A hearing was held before the City Council on October 4. However, since the public hearing notice and draft bill didn’t include the right-of-way dedication, it was necessary to process additional public hearing notices and hold a second hearing and to revise the bill that is on this agenda for second reading as item 18.a.

City Planner Earl Bradfield reviewed the subdivision proposal.

Mayor Robinson 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 Robinson declared the hearing closed.

**COMMUNICATIONS**

EWGCG LOCAL BRIEFINGS	The October 12 issue of Local Government Briefings was received from the East-West Gateway Council of Governments.
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EWGCG	The October 19 issue of Local Government Briefings
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LOCAL BRIEFINGS was received from the East-West Gateway Council of Governments.

COMMISSION RESIGNATION A letter of resignation from the City Plan Commission was received from Pat Piotrowicz.

A letter thanking Ms. Piotrowicz for her service to the City was sent.

SLUP PETITION 5951 HOWDERSHELL ROAD A petition for a Special Land Use Permit for a fast food restaurant at 5951 Howdershell Road was received from BRG NLD Development, LLC, d/b/a Burger King.

SUBDIVISION PETITION A petition for subdivision of 5951 Howdershell Road was received from BRG NLD Development, LLC

EWGCG LOCAL BRIEFINGS The October 26 issue of Local Government Briefings was received from the East-West Gateway Council of Governments.

SLUP 7323 N. LINDBERGH BOULEVARD A petition for an expansion of the Special Land Use Permit to increase the convenience store area at 7323 North Lindbergh Boulevard was received from Hazelwood 67, Inc., d/b/a Hazelwood Phillip 66.

Mr. Aubuchon moved, seconded by Mr. Todd, to refer the petitions to the City Plan Commission and to receive and file all communications. The motion passed unanimously.

### **UNFINISHED BUSINESS**

FIRE DISTRICT MERGER Mrs. Hendon reported on the October 24 meeting of the Council Fire Services Merger Committee with the Robertson Fire Protection District Board of Directors.

Mrs. Hendon stated The Kelley Group, a public relations firm, gave a presentation. The Kelley Group explained the first step would be a poll. The cost for the poll could be shared with Robertson Fire Protection District (RFPD), the City and possibly the union local. The total cost would range from \$22,000 to \$30,000.

Mayor Robinson stated the poll would be a good start towards soliciting resident input even though there is a cost. He also stated, due to time constraints, it would be best to use a professional service.

Mrs. Hendon asked if the Council could take a vote to proceed with The Kelley Group.

Mrs. Singleton stated funding should be determined before taking a vote.

Mr. Zimmerman responded the money would come from the General Fund. Per City Attorneys Kevin O’Keefe and Ken Heinz, public funds can be used for this purpose.

Mr. Ryan asked for clarification on the amount the City would pay. Mr. Zimmerman replied up to \$20,000.

Mr. Aubuchon stated the poll would be a first step in moving forward and the results will determine whether or not to proceed.

Mrs. Singleton stated it is scientific and a good way to get the truest information from the citizens.

Mr. Aubuchon noted The Kelley Group is experienced and did the Proposition P campaign for St. Louis City.

Mayor Robinson stated there needs to be a contract to specify the services to be provided.

Mr. Zimmerman explained, due to time constraints, the Fire Services Merger Committee would like the Council to consider authorizing an expenditure of up to \$20,000 for the poll prior to execution of an agreement.

Mayor Robinson asked how the poll would be conducted. Mrs. Hendon responded by phone only.

Mr. Zimmerman explained the mechanics of the phone poll process.

Mr. Aubuchon moved, seconded by Mr. Todd, to authorize a City contribution of up to \$20,000 for the fire district merger poll. The motion passed unanimously.

Mayor Robinson emphasized timing is an issue as to whether or not the merger proposition will make the April ballot.

## **MAYOR AND COUNCIL REPORTS**

### **WORK SESSION AGENDA ITEMS**

Mr. Aubuchon requested the addition of a discussion on the fire services merger to the November 8 Council work session agenda to answer any Council questions and affirm their support.

Discussion of Fire Services Merger will be added to the November 8 work session agenda.

## CITY MANAGER'S REPORT

**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 World Wide Technology, Inc., at the total cost of \$31,969.60.

Chief Hall stated this proposal is the sixth and last phase of the replacement program. Chief Hall reported \$33,200 has been included in the current fiscal year Capital Improvement Fund budget for the purchase. The purchase would be made through the State of Missouri contract. The vendor awarded the state contract this year is World Wide Technology.

Since this has been a six year replacement program, Mrs. Singleton expressed concern that it has not kept pace with technological changes. Chief Hall replied they are getting rid of the older hard drive systems. There are three different versions of the Panasonic Arbitrator video system in the police vehicles. This purchase will phase out the last hard drive systems.

Mrs. Hendon moved, seconded by Mrs. Singleton, to concur with the staff recommendation to authorize the purchase of five Panasonic Arbitrator 360 HD wireless in-car digital video systems from World Wide Technology, Inc., at the total cost of \$31,969.60. The motion passed unanimously.

**AMEND CODE RE: PARADE PERMITS** Mr. Zimmerman reported staff recommends revision of *Section 605.080: Temporary or Seasonal Sales or Services* related to the parade permit process.

Mr. Zimmerman explained Mrs. Thomas determined that the Hazelwood City Code contains two separate sections directly related to issuing parade permits, *Section 605.080: Temporary or Seasonal Sales or Services* and *Section 340.060: When Permits Required for Parades and Processions*. Section 605.080 states the City Manager issues the permit and Section 340.060 states the Chief of Police issues the permit. The proposed amendment would eliminate the conflict and provide efficiency. The Chief of Police would review the parade route and issue the permit.

Mr. Ryan moved, seconded by Mrs. Hendon, to concur with the staff recommendation to amend *Section 605.080: Temporary or Seasonal Sales or Services* relative to parade permits 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.

**AGREEMENT PECKHAM, GUYTON, ALBERS & VIETS, INC.** Mr. Zimmerman reported staff recommends authorizing an agreement with Peckham, Guyton, Albers & Viets, Inc., for project design review at a cost not to exceed \$65,000.

Mr. Zimmerman stated the contract is a preliminary step in redeveloping the St. Louis Outlet Mall. Mr. Zimmerman explained the timeframe is constricted. Therefore, staff recommends first reading of a bill to authorize this agreement to keep the project moving forward. The bill could be tabled or passed out, if necessary. The agreement includes an initial preliminary review for \$12,500. The Industrial Development Authority has agreed to split this cost with the City. If the initial review is positive and financial and marketing projections are reasonable, the City hopes to engage in a preliminary funding agreement with the developer and move forward at the remaining cost of \$45,000.

John Brancaglione, representative from Peckham, Guyton, Albers & Viets, Inc., stated they have experience with the proposed use in other parts of the country. Mr. Brancaglione explained the second part of the contract is a bond/revenue study and may be the bond company's responsibility. Mr. Brancaglione stated they have completed some preliminary analysis and are close to being able to share what is good about the project from a financing standpoint. He explained it is the most unique reuse of a mall development in the country. However, it has a complex financing scenario.

Mrs. Hendon moved, seconded by Mrs. Singleton, to concur with the staff recommendation to authorize an agreement with Peckham, Guyton, Albers & Viets, Inc., for project design review at a cost not to exceed \$65,000 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.

AGREEMENT GILMORE & BELL	Mr. Zimmerman reported staff recommends authorizing an agreement with Gilmore & Bell, PC for bond counsel services.
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This proposed contract would retain Gilmore and Bell as bond counsel for the same project as the previous agenda item. Although the City generally retains the firm as bond counsel, they have requested a separate agreement due to the unique nature of this project. Again, the bill authorizing the contract can be given second reading if the project moves forward. Otherwise, it can be tabled or passed out.

Mrs. Hendon moved, seconded by Mrs. Stroker, to concur with the staff recommendation to authorize an agreement with Gilmore & Bell, PC for bond counsel services 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.

**CITY ATTORNEY'S REPORT - None**

**CITY CLERK'S REPORT**

APRIL 3, 2018 ELECTION CANDIDACY FILING	Mrs. Thomas announced filing for the April 3, 2018 election will open on December 12, 2017 at 8:00 a.m. and close on January 16, 2018 at 5:00 p.m.
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Petitions for three year terms for Mayor can be picked up from the City Clerk's office during regular business hours. Candidates must be 21 years of age, a registered voter, and have lived in the City of Hazelwood for at least two years immediately prior to the election.

**COMMISSION AND BOARD REPORTS**

Mr. Aubuchon moved, seconded by Mr. Todd, to receive and file the minutes of the September 14 City Plan Commission meeting and the September 11 and October 9 Neighborhood Watch Commission meetings. The motion passed unanimously.

**NEW BUSINESS - None**

**INTRODUCTION AND FIRST READING OF BILLS**

SLUP  
5830 FEE FEE ROAD

Mayor Robinson called for the first reading of a bill to grant a Special Land Use Permit to Eagle Fence Distributing, LLC for outdoor storage at 5830 Fee Fee Road.

There were no objections and Bill 4695 was read by title only:

**AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO EAGLE FENCE DISTRIBUTING, LLC FOR OUTDOOR STORAGE AT 5830 FEE FEE ROAD AND PROVIDING THE CONDITIONS OF SUCH USAGE.**

Bill 4695 will be on the agenda for second reading on November 15.

CODE AMENDMENT  
RE: PARADE PERMITS

Mayor Robinson called for the first reading of a bill to amend *Chapter 605: Business Licenses, Section 605.080: Temporary or Seasonal Sales or Services*, of the Hazelwood City Code relative to parade permits.

There were no objections and Bill 4696 was read by title only:

**AN ORDINANCE AMENDING *CHAPTER 605: BUSINESS LICENSES, SECTION 605.080: TEMPORARY OR SEASONAL SALES OR SERVICES, OF THE HAZELWOOD CITY CODE* RELATIVE TO PARADE PERMITS.**

Bill 4696 will be on the agenda for second reading on November 15.

AGREEMENT  
PECKHAM, GUYTON,  
ALBERS & VIETS, INC.

Mayor Robinson called for the first reading of a bill to authorize an agreement with Peckham, Guyton, Albers & Viets, Inc., for project design review at a cost not to exceed \$65,000.

There were no objections and Bill 4697 was read by title only:

**AN ORDINANCE AUTHORIZING AN AGREEMENT WITH PECKHAM GUYTON ALBERS & VIETS, INC., FOR PROJECT DESIGN REVIEW AT A COST NOT TO EXCEED \$65,000.**

Bill 4697 will be on the agenda for second reading on November 15.

AGREEMENT Mayor Robinson called for the first reading of a bill to  
GIMORE & BELL, PC authorize an agreement with Gilmore & Bell, PC for bond  
counsel services.

There were no objections and Bill 4698 was read by title only:

**AN ORDINANCE AUTHORIZING AN AGREEMENT WITH GILMORE & BELL, PC FOR BOND COUNSEL SERVICES.**

Bill 4698 will be on the agenda for second reading on November 15.

**SECOND READING OF BILLS AND ACTION ON BILLS**

BILL 4694 Mayor Robinson called for the second reading of Bill 4694 to  
SUBDIVISION approve the subdivision to consolidate 8930 and 8940  
Pershall Road from two lots into one lot and to dedicate a  
portion of 8950 Pershall Road as Polson Lane right-of-way.

The Council had been provided with Bill 4694.1, in redline format, which includes the right-of-way dedication.

Mr. Aubuchon moved, seconded by Mr. Todd, to amend Bill 4694 by the text of 4694.1. The motion passed unanimously.

There were no objections and Bill 4694, as amended, was read by title only:

**AN ORDINANCE APPROVING THE SUBDIVISION TO CONSOLIDATE 8930 AND 8940 PERSHALL ROAD FROM TWO LOTS INTO ONE LOT AND TO DEDICATE A PORTION OF 8950 PERSHALL ROAD AS POLSON LANE RIGHT-OF-WAY.**

Mr. Aubuchon moved, seconded by Mr. Ryan, the adoption of Bill 4694, as amended, as an ordinance. The following vote was recorded on the motion:

<u>AYE - 7</u>	<u>NAY - 0</u>
Mr. Aubuchon	
Mr. Ryan	
Mayor Robinson	
Mr. Todd	
Mrs. Hendon	

Mrs. Singleton  
Mrs. Stroker

Bill 4694, as amended, was unanimously adopted as Ordinance 4582-17.

**MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS**

**VETERANS DAY** Mayor Robinson announced City Hall will be closed on November 10 in observance of Veterans Day.

**COUNCIL MEETING** Mayor Robinson announced the next regular Council meeting will be held Wednesday, November 15, 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 8:24 p.m.

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Matthew G. Robinson - Mayor  
City of Hazelwood, Missouri

ATTEST:

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Christine Thomas, CMC - City Clerk  
City of Hazelwood, Missouri