

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
DECEMBER 5, 2018**

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, December 5, 2018, 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:

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

Mrs. Thomas declared a quorum was present.

Also present were City Manager Matt Zimmerman, City Attorney Kevin O'Keefe, and City Clerk Christine 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

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

<u>AYE - 9</u>	<u>NAY - 0</u>
Mr. Todd	
Mr. Taylor	
Mrs. Hendon	
Mrs. Singleton	
Mrs. Stroker	
Mr. Aubuchon	
Mr. Ryan	

Mr. Parkin
Mayor Robinson

The motion passed unanimously and the consent agenda, including a closed meeting immediately following the regular meeting to consult with the City Attorney in accordance with the provisions of RSMo 610.021(1), was adopted.

APPROVAL OF MINUTES

Mrs. Hendon moved, seconded by Mrs. Singleton, to approve the minutes of the November 7 regular and closed Council meetings and the November 19 special 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.

BOARD OATH OF OFFICE

Tony Soukenik, Board of Appeals, was not present to receive his oath.

EMPLOYEE INTRODUCTION

Mr. Zimmerman introduced newly hired Economic Development Coordinator Becky Ahlvin.

PROCLAMATIONS AND RESOLUTIONS

SALES TAX EXEMPTION RESOLUTION Mayor Robinson called for the reading of a resolution authorizing the provision of a sales tax exemption certificate for an industrial development project at 4812, 4824 and 4832 Park 370 Boulevard.

Mr. Zimmerman stated the City has approved a \$400,000 Economic Development Loan Agreement with Artur Express. This resolution would authorize sales tax exemption on the purchase of construction materials. Artur intends to begin construction before the end of the year.

There were no objections and Resolution 1819 was read by title only:

A RESOLUTION AUTHORIZING THE PROVISION OF A SALES TAX EXEMPTION CERTIFICATE FOR AN INDUSTRIAL DEVELOPMENT PROJECT LOCATED AT 4812, 4824 AND 4832 PARK 370 BOULEVARD.

Mrs. Hendon moved, seconded by Mr. Aubuchon, the adoption of Resolution 1819. The following vote was recorded on the motion:

AYE - 8

Mr. Todd

Mr. Taylor

Mrs. Hendon

Mrs. Singleton

Mrs. Stroker

Mr. Aubuchon

Mr. Ryan

Mayor Robinson

NAY - 1

Mr. Parkin

Resolution 1819 was adopted by a vote of eight in favor and one opposed, with Mr. Parkin casting the dissenting vote.

CITIZENS 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.

TEAM FOOD PANTRY Mark Behlmann, president of The Emergency Assistance Ministry (TEAM), presented a certificate of appreciation to Police Captain Mark McKeon for participating in a food drive challenge with the Florissant Police Department. and thanked the City for providing temporary storage.

The food pantry was the true winner, with a total of 18,000 pounds of food collected.

DISPATCHING FOR EMS/FIRE SERVICES Hazelwood Fire Department (HFD) Captain Eric Kiehl stated Mr. Zimmerman attend the HFD's recent shop meeting and discussed dispatching service.

Captain Kiehl stated he was pleased to hear the City plans to continue utilizing North Central County.

EMS/FIRE SERVICES IN NORTHWEST ANNEXATION AREA Robertson Fire Protection District (RFPD) Shop Steward Jason Crady gave a history of the 1995 annexation and the agreement between the City and RFPD for the provision of EMS and fire services in the northwest annexation area.

He expressed concerns related to pending litigation between the City and the RFPD and the petition drive by the citizens' "You Choose" committee.

Dennis Murray, president of International Association of Firefighters Local 2665, complimented the City on the decision to continue utilizing North Central County's dispatching services. He noted generally a fire district takes over fire services for a municipality, not vice versa. He stated he spoke with Mayor Robinson on the City's RFPD service issue about a year and a half ago and knew it was coming to a head. He

WASTE REDUCTION & RECYCLING GRANT	Information on the 2019 Waste Reduction and Recycling Grant Program application process was received from the St. Louis-Jefferson Solid Waste Management District.
MML NEWSLETTER	The November 2018 issue of The Link newsletter was received from the Municipal League of Metro St. Louis.
EWGCG LOCAL BRIEFINGS	The November 15 issue of Local Government Briefings was received from the East-West Gateway Council of Governments.
APPOINTMENT OF PARK GRANT COMMISSIONER	Notice of a meeting on November 29 to consider the appointment of a park grant commissioner to represent the 2nd County Council District was received from the Municipal Park Grant Commission of St. Louis County.
AMEND ZONING REGULATIONS RE: VARIANCE LAPSE	A proposal to amend <i>Chapter 405: Zoning Regulations</i> by adding <i>Section 405.778: Lapse of a Variance</i> was received from City Planner Earl Bradfield.
SLUP PETITION 6101 N. LINDBERGH	A petition for a Special Land Use Permit for a vehicle service, repair and painting facility at 6101 North Lindbergh Boulevard was received from Next Gen Liquid Wraps, LLC.

Mrs. Hendon moved, seconded by Mrs. Singleton, to refer the petition and Code amendment proposal to the City Plan Commission and 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 the January 9 Council work session agenda.
HCC CID APPOINTMENTS	Mayor Robinson nominated the following for appointment to the Hazelwood Commerce Center Community Improvement District Board of Directors: R. J. Agee as successor director with a term expiring April 18, 2022 and Larry Lapinski as successor director with a term expiring April 18, 2022.

Mr. Aubuchon moved, seconded by Mr. Taylor, to approve the appointment of R. J. Agee and Larry Lapinski as successor directors on the Hazelwood Commerce Center Community Improvement District Board of Directors with terms expiring April 18, 2022. The motion passed unanimously.

CITIZENS PETITION Mr. Parkin stated he's been receiving calls from residents in his ward who felt they were misled into signing the "You Choose" citizens' petition and believed they were signing it to help the RFPD.

Mr. Parkin stated he believes the City has an obligation to pay RFPD the 2017/2018 payment. Mr. Parkin moved to pay the RFPD the 2017/2018 payment.

Mr. Zimmerman explained the resolution passed in December 2017, which terminated the contract with RFPD, stated half of the RFPD's excess unencumbered cash reserves that had been garnered from the City would be withheld from the January 2018 payment. The payment would have been about \$4 million and a payment of approximately \$800,000 was made.

The motion failed for lack of a second.

CITY MANAGER'S REPORT

PURCHASE OF DEFIBRILLATORS Fire Chief Dave Herman reported staff recommends the purchase of two LifePak 15s cardiac monitor/defibrillators from Physio Control, Inc., at the total cost of \$67,045.72.

Chief Herman stated the current fiscal year Capital Improvement Fund budget includes \$75,000 to purchase two LifePaks. Chief Herman explained the devices are multi-functional. He explained Physio Control is a single source provider because everything they currently have is LifePak and switching to another brand would be costly and inefficient. The cost is approximately \$8,000 under budget.

Mrs. Hendon moved, seconded by Mr. Aubuchon, to concur with the staff recommendation to waive the bidding requirements and authorize the purchase of two LifePak 15s cardiac monitor/defibrillators from Physio Control, Inc., at the total cost of \$67,045.72. The motion passed unanimously.

AMEND TRAFFIC CODE YIELD INTERSECTION Captain McKeon reported staff recommends an amendment to *Title III: Traffic Code, Schedule VII. Yield Intersections, Table VI-A. Yield Intersections and Location*, by the addition of Fernwood Trail Drive from Fernwood Trail Court.

Captain McKeon stated the Police Department Traffic Team did a traffic study at Fernwood Trails Court and Fernwood Trails Drive and determined a yield sign should be installed for safety.

Mrs. Singleton moved, seconded by Mr. Ryan, to concur with the staff recommendation to amend *Title III: Traffic Code* by adding Fernwood Trail Drive from Fernwood Trail

Court as a yield intersection 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.

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT - None

COMMISSION AND BOARD REPORTS

Mrs. Hendon moved, seconded by Mrs. Singleton, to receive and file the minutes of the October 9 Community Enrichment Commission meeting, the October 11 City Plan Commission meeting, and the October 22 Historic Preservation Commission meeting. The motion passed unanimously.

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

**SLUP EXTENSION
7323 N. LINDBERGH**

Mayor Robinson called for the first reading of a bill to grant one year extensions of the Special Land Use Permit deadlines to commence construction and operation of an expanded convenience store at Phillip 66, 7323 North Lindbergh Boulevard.

There were no objections and Bill 4767 was read by title only:

AN ORDINANCE AMENDING ORDINANCE 4596-18 BY EXTENDING THE SPECIAL LAND USE PERMIT DEADLINES TO COMMENCE CONSTRUCTION AND FULL OPERATION OF AN EXPANDED CONVENIENCE STORE AREA AT PHILLIP 66, 7323 NORTH LINDBERGH BOULEVARD.

Bill 4767 will be on the agenda for second reading on December 19.

AMEND TRAFFIC CODE

Mayor Robinson called for the first reading of a bill to amend *Title III: Traffic Code* by adding Fernwood Trail Drive from Fernwood Trail Court as a yield intersection.

There were no objections and Bill 4768 was read by title only:

AN ORDINANCE AMENDING THE HAZELWOOD CITY CODE, TITLE III: TRAFFIC CODE, SCHEDULE VI. YIELD INTERSECTIONS, TABLE VI-A. YIELD INTERSECTIONS AND LOCATION, BY ADDING FERNWOOD TRAIL DRIVE FROM FERNWOOD TRAIL COURT.

Bill 4768 will be on the agenda for second reading on December 19.

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 4761 Mayor Robinson called for the second reading of Bill 4761 to
AMEREN FRANCHISE authorize a franchise agreement with Union Electric Co.,
AGREEMENT d/b/a Ameren Missouri.

There were no objections and Bill 4761 was read by title only:

AN ORDINANCE RENEWING AN EXISTING FRANCHISE AND GRANTING FOR A PERIOD OF TWENTY (20) YEARS TO UNION ELECTRIC COMPANY, D/B/A AMEREN MISSOURI, A CORPORATION, ITS SUCCESSORS AND ASSIGNS, A NON-EXCLUSIVE FRANCHISE, RIGHT, PERMISSION AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, EXCAVATE FOR, PLACE, MAINTAIN, OPERATE, AND USE ALL EQUIPMENT, FACILITIES, DEVICES, MATERIALS, APPARATUS OR MEDIA INCLUDING BUT NOT LIMITED TO DUCTS, LINES, PIPES, HOSES, CABLES, CULVERTS, TUBES, POLES, TOWERS, WIRES, CONDUITS, CONDUCTORS, MANHOLES, TRANSFORMERS, UNDERGROUND VAULTS, SWITCHGEAR, CAPACITORS, RECEIVERS, AND TRANSMITTERS, WITH ALL NECESSARY OR APPROPRIATE APPURTENANCES AND APPLIANCES IN CONNECTION THEREWITH, IN, ALONG, ACROSS, OVER, AND UNDER, THE STREETS, ROADS, ALLEYS, SIDEWALKS, SQUARES, BRIDGES, AND OTHER PUBLIC PLACES IN THE CITY OF HAZELWOOD AND AREAS DEDICATED TO THE CITY FOR PUBLIC UTILITY USE, FOR THE PURPOSE OF TRANSMITTING, FURNISHING AND DISTRIBUTING ELECTRICITY WITHIN AND THROUGH SAID CITY, PRESCRIBING THE TERMS AND CONDITIONS OF SUCH GRANT, IMPOSING CERTAIN OBLIGATIONS UPON THE GRANTEE, ITS SUCCESSORS AND ASSIGNS, SUCCESSIVELY, IN CONNECTION THEREWITH.

Mrs. Singleton moved, seconded by Mr. Todd, the adoption of Bill 4761 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 9</u>	<u>NAY - 0</u>
Mr. Todd	
Mr. Taylor	
Mrs. Hendon	
Mrs. Singleton	
Mrs. Stroker	
Mr. Aubuchon	
Mr. Ryan	
Mr. Parkin	
Mayor Robinson	

Bill 4761 was unanimously adopted as Ordinance 4648-18.

BILL 4762
SLUP
155 CHAPEL RIDGE

Mayor Robinson called for the second reading of Bill 4762 to grant a Special Land Use Permit for an extended-stay hotel at 155 Chapel Ridge Drive.

Mr. O'Keefe stated the Council has been provided with Bill 4762.1 in redline format. A new subsection 6, on page 4, concerning occupancy durational limits has been inserted. The applicant concurs with the revision.

Mr. Aubuchon moved, seconded by Mr. Ryan, to amend Bill 4762 by the text of Bill 4762.1. The motion passed unanimously.

There were no objections and Bill 4762, as amended, was read by title only:

AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT FOR A HOTEL (EXTENDED STAY) AT 155 CHAPEL RIDGE DRIVE, TO J & R HOSPITALITY, LLC, D/B/A STUDIO 6, AND PROVIDING FOR THE REGULATION OF SUCH USAGE.

Mr. Aubuchon moved, seconded by Mrs. Hendon, the adoption of Bill 4762, as amended, as an ordinance. The following vote was recorded on the motion:

<u>AYE - 9</u>	<u>NAY - 0</u>
Mr. Todd	
Mr. Taylor	
Mrs. Hendon	
Mrs. Singleton	
Mrs. Stroker	
Mr. Aubuchon	
Mr. Ryan	
Mr. Parkin	
Mayor Robinson	

Bill 4762, as amended, was unanimously adopted as Ordinance 4649-18.

BILL 4763
SUBDIVISION

Mayor Robinson called for the second reading of Bill 4763 to authorize the subdivision of 975 Anglum Road and 5733 and 5755 Campus Parkway.

There were no objections and Bill 4763 was read by title only:

AN ORDINANCE APPROVING THE SUBDIVISION OF 975 ANGLUM ROAD AND 5733 AND 5755 CAMPUS PARKWAY TO CONSOLIDATE THREE LOTS INTO ONE LOT.

Mr. Aubuchon moved, seconded by Mr. Ryan, the adoption of Bill 4763 as an ordinance. The following vote was recorded on the motion:

AYE - 9

NAY - 0

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

Bill 4763 was unanimously adopted as Ordinance 4650-18.

BILL 4764
SUBDIVISION

Mayor Robinson called for the second reading of Bill 4764 to authorize the subdivision of 4812, 4824 and 4832 Park 370 Boulevard.

There were no objections and Bill 4764 was read by title only:

AN ORDINANCE APPROVING THE SUBDIVISION OF 4812, 4824 AND 4832 PARK 370 BOULEVARD TO CONSOLIDATE THREE LOTS INTO ONE LOT.

Mrs. Hendon moved, seconded by Mrs. Singleton, the adoption of Bill 4764 as an ordinance. The following vote was recorded on the motion:

AYE - 9

NAY - 0

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

Bill 4764 was unanimously adopted as Ordinance 4651-18.

BILL 4765
AMEND PDM
CONDITIONS

The second reading of Bill 4765, to amend the Planned District, Mixed Use, conditions for a retail shopping mall by establishing conditions for a sports facility, has been postponed.

BILL 4766
POLICE DEPARTMENT
MOU

Mayor Robinson called for the second reading of Bill 4766 to approve a Memorandum of Understanding for Police Department employees.

There were no objections and Bill 4766 was read by title only:

AN ORDINANCE APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF HAZELWOOD AND THE LABORERS' INTERNATIONAL UNION OF NORTH AMERICA AND LABORERS' LOCAL 42 WITH REGARD TO TERMS AND CONDITIONS OF EMPLOYMENT FOR CERTAIN EMPLOYEES OF THE HAZELWOOD POLICE DEPARTMENT FOR THE PERIOD FROM OCTOBER 1, 2018 THROUGH JUNE 30, 2021.

Mr. Aubuchon moved, seconded by Mrs. Hendon, the adoption of Bill 4766 as an ordinance. The following vote was recorded on the motion:

AYE - 9

NAY - 0

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

Bill 4766 was unanimously adopted as Ordinance 4652-18.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

COUNCIL MEETING Mayor Robinson announced the next regular Council meeting will be held Wednesday, December 19, 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 8:18 p.m.

ATTEST:

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

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