

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
MARCH 20, 2019**

CALL TO ORDER

A regular meeting of the Hazelwood City Council was called to order by Mayor Matthew G. Robinson at 7:34 p.m. on Wednesday, March 20, 2019, 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:

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

Council member Robert Parkin II was not present.

City Clerk Christine Thomas declared a quorum was present. Also present were City Manager Matt Zimmerman and City Attorney Kevin O'Keefe.

AGENDA

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

CONSENT AGENDA

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

AYE - 8

NAY - 0

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

The motion passed unanimously and the consent agenda, including a closed meeting immediately following the regular meeting to discuss proprietary matters in accordance with the provisions of RSMo 610.021(15), was adopted.

APPROVAL OF MINUTES

Mrs. Singleton moved, seconded by Mrs. Hendon, to approve the minutes of the March 6 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.

EMPLOYEE SERVICE AWARDS

As his biography was read, Recreation Supervisor Greg Viehman was presented with a 10 year service award.

PROCLAMATIONS AND RESOLUTIONS - None

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.

MSD STORMWATER IMPROVEMENT PROJECTS

John Moll of 7315 Elm Grove Court stated he attended a Metropolitan Sewer District (MSD) presentation on their proposed rate increase for stormwater improvement projects.

Mr. Moll stated his home backs to Coldwater Creek which frequently floods and asked if MSD has notified the City of any potential property buyouts or improvements to alleviate flooding in this area.

Mr. Zimmerman replied staff has had several meetings with MSD and has attended their public hearings. If the rate increase passes, MSD will develop a list of projects. The City will be invited to propose projects. Mr. Zimmerman stated Mr. Moll can contact him for updates.

PUBLIC HEARINGS

PETITION TO AMEND SLUP 6065 N. LINDBERGH

The public hearing to consider the petition by CL OPCO LLC, d/b/a Hometowne Studios by Red Roof, to amend the Special Land Use Permit for a hotel at 6065 North Lindbergh Boulevard to change the permittee name, was continued from the March 6 Council meeting.

Mr. Zimmerman stated there is a disagreement as to whether or not the Special Land Use Permit amendment is required. He and Mr. O’Keefe met with management and legal representatives of Hometowne Suites and the petitioner has agreed to all but one issue.

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

Krishna Patel, representative from Studio 6 hotel located at 155 Chapel Ridge, stated when their Special Land Use Permit was recently before the Council they agreed to all the proposed conditions and understood any extended stay hotels needing a new Special Land Use Permit would be subject to the same conditions. Mr. Patel stated he would like the conditions in the bill to be made public.

Mr. O’Keefe stated the conditions are the same as those in the Studio 6 permit. Mr. O’Keefe explained Hometowne Suites has questioned the need for a new permit because they are rebranding the hotel, not changing ownership. He stated the draft bill is public record and the City Clerk will provide Mr. Patel with a copy.

Mr. Aubuchon moved, seconded by Mr. Ryan, to recess the public hearing and table the matter to the call of the chair. The motion passed unanimously.

SIGN VARIANCE Mayor Robinson called to order the public hearing to
12202A MO. BOTTOM consider a request from Midwest Petroleum Company for a
variance of the sign regulations at 12202A Missouri Bottom
Road for a single-tenant monument sign.

City Planner Earl Bradfield stated the proposed monument sign would have the company’s logo and advertise gas prices. The sign would be 48.25 square feet, where a single tenant is only allowed 20 square feet. Mr. Bradfield stated the gas station located to the east has a 60 square foot monument sign.

Mr. Todd asked if the sign would be two-sided. Mr. Bradfield responded affirmatively.

Mr. Zimmerman stated the proposed sign is consistent with other signs in that corridor.

Mr. Todd stated most cities permit 50 or 60 square foot monument signs.

Project Engineer Dan Koziatek, Civil & Environmental Consultants, Inc., showed a rendering of the sign. He restated the sign would display the company’s branding and advertise regular unleaded gas and diesel prices. Mr. Koziatek stated the sign would not display any other wording besides gas prices. He explained it would be an LED sign and pointed out the proposed location on an aerial map.

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.

Mr. Aubuchon moved, seconded by Mrs. Hendon, to grant a 28.25 square foot variance of the 20 foot maximum size regulation for a single-tenant monument sign at 12202A Missouri Bottom Road. The motion passed unanimously.

COMMUNICATIONS

SUBDIVISION PETITION A petition for subdivision of 6250 North Lindbergh Boulevard from one lot into four lots was received from Aviator Business Park, LLC.

MLMSTL NEWSLETTER The March 2019 issue of The Link newsletter was received from the Municipal League of Metro St. Louis.

Mrs. Singleton moved, seconded by Mrs. Hendon, to refer the petition 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 to the July 10 Council work session agenda.

COMMISSION APPOINTMENTS Mayor Robinson nominated Heidi Ham of 3931 Dunn Road, Ward 7, for appointment to the City Plan Commission and Liz Blanton of 731 Carriage Lane, Ward 3, for appointment to the Neighborhood Watch Commission.

Mr. Ryan moved, seconded by Mrs. Stroker, to approve the preceding appointments. The motion passed unanimously.

Mrs. Thomas will invite the newly appointed commission members to the April 3 Council meeting to receive their oaths of office and commission certificates.

CITY MANAGER'S REPORT

FIVE YEAR CIP The Council had been provided with copies of the proposed five year Capital Improvement Fund and Economic Development Fund plans that are part of the fiscal year 2020 budget.

Finance Director David Tuberty stated total Capital Improvement Fund revenue for the 2020 fiscal year budget is \$3.5 million with \$1.6 million coming from sales tax. Total expenditures are estimated at \$4 million. Mr. Tuberty explained with a \$500,000 balance at the end of fiscal year 2019, fiscal year 2020 is projected to end with a Capital Improvement Fund balance of approximately \$28,310. Mr. Tuberty stated the Capital Improvement Fund works in collaboration with the Economic Development Fund to fund major projects. For fiscal year 2020, economic development sales tax revenue is estimated at \$1.5 million. With planned expenditures, fiscal year 2020 is projected to end with an Economic Development Fund balance of \$3.6 million. Mr. Tuberty explained some of the major projects planned for 2020 include acquisition of a third Hazelwood firehouse, a study to determine needs for a new Firehouse #1, a study to determine needs for a new combined community center, major park improvements, purchase of police vehicles, concrete street replacements, and continuing payments on long-term debt for assets purchased in prior years.

Mr. Zimmerman stated there is a noticeable decline in sales tax revenues which will be discussed in more detail at the budget meetings.

AMENDMENT TITLE V. RE: SMALL WIRELESS FACILITIES	Mr. Bradfield reported staff recommends amendment of Title V. Building and Construction of the City Code by adding a new chapter regarding standards for small wireless facilities.
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Mr. Bradfield reported the proposed change is due to the Missouri legislature enacting changes in statutes related to small wireless facilities. The proposed change adds a new Chapter 525 and would provide for the public welfare, health, safety, comfort and convenience of the citizens of Hazelwood. Mr. Bradfield stated the standards are intended to encourage and streamline the deployment of small wireless facilities in the City and to ensure robust and dependable wireless radio-based communication services and networks are available throughout the City, consistent with state and federal laws. The state has imposed an April 12, 2019 deadline for municipalities to adopt small wireless facility standards.

Mr. Todd asked if these wireless facilities are the small boxes attached to utility poles. Mr. Bradfield replied affirmatively and stated the boxes are located on Ameren electric poles and City owned poles.

Mr. Todd moved, seconded by Mr. Taylor, to concur with the staff recommendation to amend Title V. Building and Construction of the Hazelwood City Code by the addition of a new chapter regarding standards for small wireless facilities 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.a.

CDS CONTRACT	Assistant City Manager Lisa Powers reported staff recommends authorizing an agreement with CDS Office Systems, Inc., for computer network services for a one year
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term at a cost not to exceed \$81,996 with a one year renewal option.

Ms. Powers stated CDS already provides technology support to the City by assisting our IT staff. Ms. Powers explained this contract will expand their scope of services and allow our IT staff to operate more progressively, rather than reactionary.

Mrs. Singleton moved, seconded by Mrs. Hendon, to concur with staff recommendation to authorize an agreement with CDS Office Systems, Inc., for computer network services for a one year term at a cost not to exceed \$81,996, with a one year renewal option, 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.

SLUP REVOCATION Code Administrator/Building Official Travis Ham reported
6879 HOWDERSHELL staff recommends revocation of the Special Land Use Permit (SLUP) for Cobra Wheels, LLC, located at 6879 Howdershell Road.

Mr. Ham stated Code Enforcement has issued multiple Courtesy Infraction Notices and court summonses for violations of the SLUP. Mr. Ham explained Code Enforcement has walked the property twice with the owner and pointed out violations and there has been no effort made to bring the property into compliance.

Mr. Zimmerman stated the Council may appoint an officer or a subcommittee to conduct the hearing and report back to Council with a recommendation. Mr. Zimmerman explained the City must give a minimum of 15 days' notice of a revocation hearing to the owners.

After discussion, Mr. Ryan moved, seconded by Mr. Taylor, to appoint Mrs. Hendon, Mrs. Singleton, and Mr. Aubuchon to the Special Land Use Permit Revocation Committee. The motion passed unanimously.

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT - None

COMMISSION AND BOARD REPORTS - None

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

AMEND TITLE V. BUILDING AND CONSTRUCTION Mayor Robinson called for the first reading of a bill to amend *Title V. Building and Construction* by the addition of a new chapter relative to standards for small wireless facilities.

There were no objections and Bill 4786 was read by title only:

AN ORDINANCE AMENDING TITLE V. BUILDING AND CONSTRUCTION OF THE HAZELWOOD CITY CODE BY THE ADDITION OF A NEW CHAPTER REGARDING STANDARDS FOR SMALL WIRELESS FACILITIES.

Bill 4786 will be on the agenda for second reading on April 3.

AGREEMENT Mayor Robinson called for the first reading of a bill to
COMPUTER NETWORK authorize an agreement with CDS Office Systems, Inc., for computer network services.

There were no objections and Bill 4787 was read by title only:

AN ORDINANCE AUTHORIZING AN AGREEMENT WITH CDS OFFICE SYSTEMS, INC., FOR COMPUTER NETWORK SERVICES FOR A ONE YEAR TERM, WITH A ONE YEAR RENEWAL OPTION, AT A COST NOT TO EXCEED \$81,996.

Bill 4787 will be on the agenda for second reading on April 3.

SECOND READING OF BILLS AND ACTION ON BILLS

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

BILL 4774 Mayor Robinson called for the second reading of Bill 4774
SLUP to grant a Special Land Use Permit for a vehicle service and
6101 N. LINDBERGH repair facility and vehicle painting at 6101 North Lindbergh Boulevard.

Mr. Zimmerman explained the business was operating without a Special Land Use Permit and, per City policy, has been allowed to continue operating while they went through the permit process. The applicant was notified of the need to submit building plans for the paint booth, but has not submitted them. He noted staff believes they are painting. Therefore, staff requests the Council consider passing the bill out of consideration. Staff will then take appropriate action against the business.

Mr. Aubuchon moved, seconded by Mr. Ryan, to pass out Bill 4774. The motion passed unanimously.

BILL 4781 Mayor Robinson called for the second reading of Bill 4781 to
SLUP EXTENSION extend the Special Land Use Permit deadline to commence
7008 N. HANLEY RD. operation of Miami Grill at 7008 North Hanley Road.

Mr. Zimmerman stated the applicant had previously submitted payment for an easement in Musick Park. Late this afternoon, they submitted a proposed easement agreement. Although staff has not had an opportunity to review it and assure it meets MSD approval, staff recommends the Council grant the extension.

There were no objections and Bill 4781 was then read by title only:

AN ORDINANCE AMENDING ORDINANCE 4577-17 BY EXTENDING THE SPECIAL LAND USE PERMIT DEADLINE TO COMMENCE OPERATION OF MIAMI GRILL, A FAST FOOD RESTAURANT AT 7008 NORTH HANLEY ROAD, TO JUNE 20, 2019.

Mr. Taylor moved, seconded by Mrs. Hendon, the adoption of Bill 4781 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 8</u>	<u>NAY - 0</u>
Mrs. Singleton	
Mrs. Stroker	
Mr. Aubuchon	
Mr. Ryan	
Mayor Robinson	
Mr. Todd	
Mr. Taylor	
Mrs. Hendon	

Bill 4781 was unanimously adopted as Ordinance 4666-19.

BILL 4782	Mayor Robinson called for the second reading of Bill 4782 to
SLUP	grant a Special Land Use Permit for a vehicle service and
7766 N. LINDBERGH	repair facility and vehicle wash facility at 7766 North
	Lindbergh Boulevard.

There were no objections and Bill 4782 was read by title only:

AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO MIDWEST AUTO DETAIL, LLC FOR A VEHICLE SERVICE AND REPAIR FACILITY AND VEHICLE WASH FACILITY AT 7766 NORTH LINDBERGH BOULEVARD AND PROVIDING THE CONDITIONS OF SUCH USAGE.

Mr. Todd moved, seconded by Mrs. Hendon, the adoption of Bill 4782 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 8</u>	<u>NAY - 0</u>
Mrs. Singleton	
Mrs. Stroker	
Mr. Aubuchon	
Mr. Ryan	

AN ORDINANCE AMENDING SECTIONS 412.080, 412.090 AND 412.120 OF THE HAZELWOOD CITY CODE REGARDING REGULATION OF LAND DISTURBANCE.

Mrs. Hendon moved, seconded by Mrs. Singleton, the adoption of Bill 4785 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 8</u>	<u>NAY - 0</u>
Mrs. Singleton	
Mrs. Stroker	
Mr. Aubuchon	
Mr. Ryan	
Mayor Robinson	
Mr. Todd	
Mr. Taylor	
Mrs. Hendon	

Bill 4785 was unanimously adopted as Ordinance 4669-19.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

COUNCIL MEETING Mayor Robinson announced the next regular Council meeting will be held Wednesday, April 3, 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 8:28 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

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