

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
JULY 17, 2024**

CALL TO ORDER

A regular meeting of the Hazelwood City Council was called to order by Mayor Matthew G. Robinson at 6:30 p.m. on Wednesday, July 17, 2024 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:

William C. Hoops, Jr.
Robert M. Aubuchon
Kelly Wadlow
Matthew G. Robinson
Lisa M. Matlock
Warren H. Taylor
Robert C. Smith
Jen Hatton

Councilman Don W. Ryan was not present. City Clerk Julie Lowery 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. Aubuchon moved, seconded by Mr. Hoops, the adoption of the agenda as printed. The motion passed unanimously.

CONSENT AGENDA

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

AYE - 8

NAY - 0

Mr. Hoops
Mr. Aubuchon
Ms. Wadlow
Mayor Robinson
Ms. Matlock
Mr. Taylor
Mr. Smith
Mrs. Hatton

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

APPROVAL OF MINUTES

Mr. Taylor moved, seconded by Ms. Matlock, to approve the minutes of the July 3 regular and closed Council meetings as submitted. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS

EMPLOYEE RECOGNITION

Court Clerk Tabatha Grothoff was recognized for receiving her Court Administration certification.

COMMISSION OATH OF OFFICE

Ms. Lowery administered the oath of office to Sharon Dash who was recently appointed to the City Plan Commission.

EMPLOYEE SERVICE AWARDS

As their biographies were read, Public Works Director David Stewart received his 15-year service award and Telecommunicator Dawn Watkins received her 20-year service award.

EMPLOYEE INTRODUCTIONS

Police Chief James Hudanick introduced newly hired Police Officers Kyle Franklin, Zach Dodson, Giuseppe Migliazzo, and Magamet Barakhayev.

Chief Hudanick also introduced the Police Department's Wellness Canine Mijka and newly promoted Police Sergeants Joshua Little, Nicholas Paulda, and William Russ.

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.

CODE ENFORCEMENT CONCERNS

Kevin Foley of 5274 Ville Rosa Lane expressed concerns with Code Enforcement.

Mr. Foley stated on August 18, 2022, he received an infraction notice for flashing blue and red lights on his commercial building. He believes there is a lack of knowledge and proper enforcement of the codes. The notice cited Chapter 510.090 of the City's Code which prohibits flashing lights. According to the new ordinance, these lights are considered signs conveying a message of security for properties. Mr. Foley questioned whether this is an enforceable code or a form of discrimination and harassment towards him. Mr. Foley brought up travel trailers and campers parked in driveways or unimproved

surfaces, stating the code does not allow for this. He presented the Council with pictures of several violations.

JACKLIN AVENUE UPDATE Ron Simpson of 8421 Jacklin Avenue requested an update regarding neighboring properties.

Code Administrator/Building Official Angie Pingel stated tickets have been issued to three individuals at 8421 Jacklin Avenue and she was in discussion with the City's Prosecutor to obtain a warrant to fly a drone over the property. Ms. Pingel stated the easement area shows that it belongs to 8425 Jacklin Avenue and they are not permitted to enter that property.

Mayor Robinson stated he was aware the property easement belonged to the Simpson's and if he states it is allowable, Code Enforcement may enter that area.

Ms. Pingel asked Mr. Simpson if they had a survey of the property.

Mr. Simpson answered affirmatively.

Mr. O'Keefe stated this is not the forum to resolve this issue. He stated an easement is the right of one person to use someone else's land for a specified purpose. It does not grant ownership to the easement holder.

PROPERTY CONCERNS Marvin Davis of 677 Coachway Lane expressed concerns with properties in his neighborhood that do not cut the grass and gutters hanging from the roofline.

CITY MANAGER'S STATUS REPORT Mr. Zimmerman reported on concerns from the July 3 Council meeting.

Regarding issues with trash pickup service, Republic Services agreed to improve their efforts and asked to be contacted directly in case of future problems.

In response to concerns about fireworks, Mr. Zimmerman stated the Police Department does remind residents of the prohibition in Hazelwood and will issue tickets if warnings are not heeded.

Replying to concerns at Elm Ridge Senior Apartments, Mr. Zimmerman stated City staff had informed the owners about the need for a second bench outside the gazebo. He stated the sidewalk along Dunn Road has been repaired.

PUBLIC HEARINGS - None

COMMUNICATIONS

EWGCG BRIEFINGS	The July 3 issue of Briefings was received from the East-West Gateway Council of Governments.
MLMSTL NEWSLETTER	The July issue of The Link was received from the Municipal League of Metro St. Louis.
STLCO 2050 COMP PLAN	A letter from St. Louis County Planning regarding the 2050 Equitable and Sustainable Comprehensive Plan was received.
LETTER	A letter to the Council was received from Heather Jones.
EWGCG BRIEFINGS	The July 11 issue of Briefings was received from the East-West Gateway Council of Governments.

Mr. Taylor moved, seconded by Ms. Matlock, to receive and file all communications. The motion passed unanimously.

UNFINISHED BUSINESS

COMMITTEE APPOINTMENT	Mayor Robinson appointed Heather Jones and Helena Smith to the Comprehensive Plan Committee.
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Mrs. Hatton motioned, seconded by Ms. Wadlow, to approve the appointments to the Comprehensive Plan Committee. The motion passed unanimously.

MAYOR AND COUNCIL REPORTS

COUNCIL RETREAT	Mayor Robinson stated the retreat is confirmed for August 13 and 14.
COUNCIL COMMUNICATIONS	Mayor Robinson stated communications are going well and Council is receiving answers to requests in a timely manner.
PROPERTY INQUIRIES	Mr. Smith asked when the court date for Ville Rosa Apartments would take place, and for an update on Bar 270.

Mr. Zimmerman responded that the owner has stopped making progress at Ville Rosa Apartments and the last court hearing took place in April. The owner is aware that this is not acceptable. The new owners of Bar 270 have been notified the property needs to come into compliance. He stated that Code Enforcement continues to follow up with the owners.

LETTER Ms. Wadlow read a letter to the Council regarding her property and the activities taking place at Gateway Mower Repair, located at 12529 Missouri Bottom Road.

COLDWATER CREEK Ms. Hatton asked if any permits have been sought pertaining to signage along Coldwater Creek.

Mayor Robinson states a request has been made to the Army Corps of Engineers to give an update to the Council.

CELEBRATE SAFE COMMUNITIES Ms. Lowery announced Celebrate Safe Communities would be held on September 26 from 6 p.m. to 9 p.m. at Aubuchon Park.

LETTER Ms. Matlock asked that the letter she disseminated to the Council previously be added to the August 7 Council agenda.

CITY MANAGER'S REPORT

MSD OPERATION MAINT. CID Public Works Director David Stewart stated Brett Berthold, Executive Director of Metropolitan Sewer District, was present to brief the Council on the Prop S storm water funding.

Mr. Berthold stated with the recent passage of the countywide MSD Prop S for storm water funding, MSD has requested input from municipalities regarding what to do with existing storm water Operation, Maintenance, Capital, and Improvement (OMCI) property tax. Within Hazelwood, this property tax has been applied and funding can be used in the area of Hazelwood mostly east of Howdershell. The new Prop S storm water funding will grant the City of Hazelwood \$300,000 per year and will no longer be limited where the money can be used. The Council's decision will be compiled with the results from other cities in the Coldwater Creek district and presented to the MSD Board for consideration. It is recommended that cities send a letter of support or not participate. Mr. Berthold stated that approximately 75% of municipalities need to support this effort to leave some level of tax in place.

Mr. Smith asked Mr. Zimmerman if the current OMCI mechanism is to repay the City for the flood buyout project.

Mr. Zimmerman responded that the City share could come from the OMCI rather than from the General Fund.

Mr. Smith asked if cities collaborate, then who would take the lead on projects.

Mr. Berthold responded that MSD would not be involved with that decision.

After discussion, the Council chose to continue discussion on August 21, to make a recommendation by September.

PROPOSED CHANGES PENSION PLAN Mr. Zimmerman stated the Pension Plan has not been updated since 2015.

Mr. Zimmerman stated the plan is in need of a thorough review. The plan is outdated and may be out of compliance with state and federal regulations. The Pension Board has retained Stephanie Zorn of Jackson Lewis, the City's labor attorney, to help review and advise with regard to legal requirements.

Stephanie Zorn gave an overview of the recommendations from the Pension Board.

The proposed Pension Plan changes will be brought to Council on August 7 for consideration.

DISPATCHING SERVICES EMS/FIRE Fire Chief Dan Luley stated staff recommends approving a contract with Central County Emergency 911 dispatching services beginning on January 1, 2025 through December 31, 2029.

Chief Luley stated the current contract expires on December 31, 2024, and requires Hazelwood to provide notice at least 6 months before the expiration of the contract if the City does not want to renew services.

Mr. Aubuchon moved, seconded by Mr. Hoops, to concur with the staff recommendation to contract with Central County Emergency 911 dispatching services beginning on January 1, 2025, through December 31, 2029 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.

MOWER PURCHASE Public Works Director David Stewart reported staff recommends the purchase of a 16' Toro 5900 Groundsmaster mower from MTI Distributing for \$130,271.54.

Mr. Stewart reported that \$150,000 has been allocated in the current fiscal year Capital Improvement Fund budget to purchase a 16' Toro 5900 Groundsmaster mower. Mr. Stewart stated this would replace an existing 12-year-old 16' Toro 5900 Groundsmaster mower that will be sold on Purplewave to maximize value.

Mr. Smith asked what the turnaround time is for the purchase.

Mr. Stewart responded within a week of purchase.

Mr. Aubuchon moved, seconded by Mr. Hoops, to concur with the staff recommendation to purchase a 16' Toro 5900 Groundsmaster mower from MTI Distributing for \$130,271.54. The motion passed unanimously.

**ADOPTION OF 2021
IPMC & BUILDING
CODES**

Ms. Pingel reported staff recommends adoption of the 2021 International Property Maintenance Code, 2021 International Building Code, 2021 International Residential Code, 2021 International Mechanical Code, 2021 International Existing Building Code, 2021 International Energy Conservation Code, and 2021 International Fuel Gas Code with certain modifications, deletions and insertions.

Ms. Pingel stated updating these codes would bring the City of Hazelwood more in line with current standards adopted by all three fire entities serving our City as well as neighboring communities such as Florissant. The addition of the International Existing Building Code will permit the City of Hazelwood to set out requirements for repairs, alterations and additions to existing buildings and structures. This ensures the safety of the public is maintained while avoiding unnecessary financial burdens on current and prospective businesses and homeowners.

Mr. Aubuchon moved, seconded by Mr. Hoops, to concur with the staff recommendation to adopt the 2021 International Property Maintenance Code 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.

Mr. Hoops moved, seconded by Mr. Smith, to concur with the staff recommendation to adopt the 2021 International Building Code, 2021 International Residential Code, 2021 International Mechanical Code, 2021 International Existing Building Code, 2021 International Energy Conservation Code, and 2021 International Fuel Gas Code 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.

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT - None

COMMISSION AND BOARD REPORTS - None

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

**DISPATCHING
SERVICES EMS/FIRE**

Mayor Robinson called for the first reading of a bill to approve a contract with Central County Emergency 911 dispatching services beginning on January 1, 2025 through December 31, 2029

There were no objections and Bill 5136 was read by title only:

AN ORDINANCE AUTHORIZING A CONTRACT WITH CENTRAL COUNTY EMERGENCY 911 DISPATCHING CENTER FOR DISPATCHING SERVICES FROM JANUARY 1, 2025 THROUGH DECEMBER 31, 2029, WITH A PROVISION FOR RENEWAL ON AN ANNUAL BASIS.

Bill 5136 will be on the agenda for second reading on August 7.

ADOPT 2021 INT'L PROPERTY CODE	Mayor Robinson called for the first reading of a bill to amend <i>Chapter 500: Building Codes and Building Regulations</i> by the adoption of the 2021 International Property Maintenance Code.
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There were no objections and Bill 5137 was read by title only:

AN ORDINANCE AMENDING CHAPTER 500: BUILDING CODES AND BUILDING REGULATIONS OF THE HAZELWOOD CITY CODE BY THE ADOPTION OF THE 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE AND ALL MODIFICATIONS, ADDITIONS, INSERTIONS AND CHANGES THERETO.

Bill 5137 will be on the agenda for second reading on August 7.

ADOPT 2021 INT'L CODES: RESIDENTIAL BUILDING, FUEL, GAS, MECHANICAL, EXISTING, AND ENERGY CONSERVATION	Mayor Robinson called for the first reading of a bill to amend <i>Chapter 500: Building Codes and Building Regulations</i> by the adoption of the 2021 International Building Code, 2021 International Residential Code, 2021 International Mechanical Code, 2021 Existing Building Code, 2021 International Fuel Gas Code, and 2015 International Energy Conservation Code.
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There were no objections and Bill 5138 was read by title only:

AN ORDINANCE AMENDING CHAPTER 500: BUILDING CODES AND BUILDING REGULATIONS OF THE HAZELWOOD CITY CODE BY THE ADOPTION OF THE 2021 INTERNATIONAL BUILDING CODE, 2021 INTERNATIONAL RESIDENTIAL CODE, 2021 INTERNATIONAL MECHANICAL CODE, 2021 EXISTING BUILDING CODE, 2021 INTERNATIONAL ENERGY CONSERVATION CODE, AND 2021 INTERNATIONAL FUEL GAS CODE AND ALL MODIFICATIONS, ADDITIONS, INSERTIONS AND CHANGES THERETO.

Bill 5138 will be on the agenda for second reading on August 7.

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 5135 AGREEMENT	Mayor Robinson called for the second reading of Bill 5135 to authorize an agreement with Justin Rapoff, D.O.
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There were no objections and Bill 5135 was read by title only:

AN ORDINANCE AUTHORIZING AN AGREEMENT WITH JUSTIN RAPOFF, D.O. FOR MEDICAL DIRECTION AND ADVANCED LIFE SUPPORT SERVICES TO THE CITIZENS OF THE CITY OF HAZELWOOD AT A COST NOT TO EXCEED FIFTEEN THOUSAND DOLLARS (\$15,000).

Mr. Aubuchon moved, seconded by Mr. Hoops, the adoption of Bill 5135 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 8</u>	<u>NAY - 0</u>
Mr. Hoops	
Mr. Aubuchon	
Ms. Wadlow	
Mayor Robinson	
Ms. Matlock	
Mr. Taylor	
Mr. Smith	
Mrs. Hatton	

Bill 5135 was unanimously adopted as Ordinance 5017-24.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

COUNCIL MEETING Mayor Robinson announced the next regular Council meeting would be held Wednesday, August 7 at 6:30 p.m. in the Council Chambers.

ADJOURNMENT There being no further business to come before the Council, the meeting was adjourned at 8:42 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

Julie Lowery, CMC - City Clerk
City of Hazelwood, Missouri