

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
AUGUST 21, 2019**

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, August 21, 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:

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

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, Mrs. Singleton moved, seconded by Mr. Taylor, the adoption of the agenda as printed. The motion passed unanimously.

CONSENT AGENDA

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

AYE - 8

NAY - 0

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

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

**APPROVAL OF
MINUTES**

Mr. Taylor moved, seconded by Mr. Aubuchon, to approve the minutes of the August 7 regular and closed Council meetings as submitted. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS

WHAT'S NEW

A What's New in Hazelwood report was not provided.

**EMPLOYEE SERVICE
AWARDS**

The following were presented with service awards as their biographies were read: Public Works Director David Stewart, 10 years; Park Ranger Keith Robinson, 20 years; Police Officer David Roth, 25 years; Police Captain Jim Hudanick, 30 years; and Police Officer Brian Hale, 25 years.

PROCLAMATIONS AND RESOLUTIONS

**OFFICER HALE
PROCLAMATION**

Mayor Robinson called for the reading of a proclamation expressing recognition and appreciation to retiring Police Officer Hale.

There were no objections and Proclamation 1911 was read.

Mr. Ryan moved, seconded by Mrs. Singleton, the adoption of Proclamation 1911 expressing appreciation to Brian Hale and extending best wishes for a happy retirement. The motion passed unanimously.

**FINANCIAL
DISCLOSURE
RESOLUTION**

Mayor Robinson called for the reading of a resolution to readopt and reaffirm Chapter 125: Conflicts of Interest relative to financial disclosure.

There were no objections and Resolution 1911 was read by title only:

A RESOLUTION READOPTING AND REAFFIRMING CHAPTER 125: CONFLICTS OF INTEREST, OF THE HAZELWOOD CITY CODE, RELATIVE TO THE FILING OF FINANCIAL INTEREST STATEMENTS.

Mr. Taylor moved, seconded by Mr. Aubuchon, the adoption of Resolution 1911. The following vote was recorded on the motion:

AYE - 8
Mayor Robinson
Mr. Todd

NAY - 0

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

Resolution 1911 was unanimously adopted.

QUEEN ANN PARK RESOLUTION Mayor Robinson called for the reading of a resolution authorizing an application to the Municipal Park Grant Commission for construction funding for Queen Ann Park.

Mr. Stewart stated he is ready to proceed with the application for park grant funding for Queen Ann Park improvements. Improvements total \$475,000 with the grant covering 95% of the project cost, for an overall cost to the City of \$23,750. Mr. Stewart stated some of the improvements include a new pavilion, multi-tiered rope climbing structure and new swingset if funding allows.

There were no objections and Resolution 1912 was read by title only:

A RESOLUTION OF THE COUNCIL OF THE CITY OF HAZELWOOD, MISSOURI, SUPPORTING THE APPLICATION FOR GRANT FUNDS TO BE USED FOR IMPROVING QUEEN ANN PARK.

Mr. Aubuchon moved, seconded by Mr. Ryan, the adoption of Resolution 1912. The following vote was recorded on the motion:

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

Resolution 1912 was unanimously adopted.

F.Y. 2019 BUDGET APPROPRIATIONS TRANSFER RESOLUTION Mayor Robinson called for the reading of a resolution to amend the fiscal year 2019 budget to increase expenses and to transfer unencumbered appropriations as requested by the City Manager.

Finance Director David Tuberty explained the General Fund is over budget due to payments made to the Robertson Fire Protection District (RFPD). In January 2019, the City began making monthly payments of \$333,540 to RFPD for fire protection services. Fire district fees exceeded the budget by over \$2 million. Mr. Tuberty stated the General Fund is over budget by \$342,000, the amount of the additional appropriation requested. In addition, staff is also requesting appropriation transfers within the General Fund. Mr. Tuberty explained legal expenses exceeded budget by \$460,000 as a result of the fire services litigation, fire district fees, and \$19,000 for increased court operation costs due to new requirements placed on all municipal courts by the Missouri Supreme Court.

There were no objections and Resolution 1913 was read by title only:

A RESOLUTION AMENDING THE FISCAL YEAR 2019 BUDGET TO INCREASE EXPENSES AND PROVIDING FOR THE TRANSFER OF UNENCUMBERED APPROPRIATIONS AS REQUESTED BY THE CITY MANAGER.

Mr. Aubuchon moved, seconded by Mr. Todd, the adoption of Resolution 1913. The following vote was recorded on the motion:

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

Resolution 1913 was unanimously adopted.

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.

VACANT LOT	Larry Jansen of 10 Tamma Lane expressed concerns about a vacant lot located at Tamma Lane and Lindbergh Boulevard being a safety hazard due to the tall grass.
CITY MANAGER'S STATUS REPORT	Mr. Zimmerman reported on concerns expressed by Tyler Wilson of 3980 Dunn Road, during the August 7 Council meeting, regarding his desire to put a manufactured home on property located at 4001 Dunn Road.

Mr. Zimmerman stated the issue is with the definitions in the zoning Code. The City defines all houses on wheels as mobile or manufactured homes which are not permitted within the zoning district where he proposes to live. Manufactured homes are only permitted in the I-2 Heavy Industrial District and mobile homes must be in a mobile home park in the R-6 Multiple-Family Dwelling District. Mr. Zimmerman stated City codes have not caught up with the technology. St. Louis County accepts these types of homes as long as they are certified by the United States Department of Housing and Urban Development. St. Louis County inspects the foundations and how the homes are tied to the foundation. Mr. Zimmerman explained the Council could amend the zoning Code to clarify that homes brought to the site by wheels are not considered mobile or manufactured homes.

Mr. Ryan asked if manufactured and mobile homes are considered single-family residences. Mr. Zimmerman replied not under the City's code, but St. Louis County recognizes manufactured and mobile homes as single-family residences.

Mr. Todd added Maryland Heights and Kirkwood allow manufactured homes.

Mrs. Hendon and Mr. Ryan asked staff to prepare a recommendation for the October City Plan Commission meeting.

RFPD Assistant Fire Chief Maynard Howell stated manufactured homes have been around for a long time. He stated Carrolton and Carrolton Oaks subdivisions are all manufactured homes.

Mr. O'Keefe asked if RFPD has regulations for manufactured homes. Mr. Howell replied St. Louis County does the inspections.

PUBLIC HEARINGS - None

COMMUNICATIONS

ELECTION BOARD The Saint Louis County Election Board's 2018 Biennial
2018 BIENNIAL REPORT Report was received.

Mr. Taylor moved, seconded by Mr. Aubuchon, to receive and file the communication. The motion passed unanimously.

UNFINISHED BUSINESS - None

MAYOR AND COUNCIL REPORTS

WORK SESSION No items were added to the September 11 Council work
AGENDA ITEMS session agenda.

CITY MANAGER'S REPORT

STORMWATER IMPROVEMENTS

Mr. Zimmerman reported the St. Louis Metropolitan Sewer District (MSD) Board of Directors is considering re-establishing an Operation, Maintenance and Construction Improvement (OMCI) property tax levy of up to \$.10 per \$100 of assessed valuation in 12 sub-districts, which includes part of Hazelwood located in the Coldwater Creek watershed.

Mr. Zimmerman stated MSD is seeking input on the proposal from affected municipalities and has scheduled a meeting with those in the Coldwater Creek sub-district on September 17. The following options are proposed: 1) do not re-instate the tax levy, which would leave no funding for flood and erosion issues, 2) re-instate the levy at \$.096 with MSD to administer the funds, or 3) re-instate the levy with MSD to administer 50% of the funds for priority projects and municipalities to administer 50% of the funds collected in their cities to be used for projects in their cities.

Rich Unverferth, director of engineering for MSD, explained in 2016 voters approved Proposition S to provide equal operation and maintenance throughout the district. The tax generated \$30 million a year. The district is in the process of completing a total of \$70 million in projects. When they're complete, there will be no funding to address flooding and erosion. In April 2019, MSD asked voters throughout the district to approve an impervious rate which would have cost the average single-family customer approximately \$27 a year. The proposition failed, leaving MSD no mechanism for funding flood and erosion projects. The district plans to place another district-wide proposition before the voters. However, in the interim, the district is considering reinstating the OMCI tax and is attempting to gage the level of support of the municipalities in the sub-districts that represent the customer base in those areas. There are currently \$17 million in flood and erosion projects needed in the Coldwater Creek sub-district. If reinstated, the tax would generate approximately \$1.9 million in this sub-district. The City would generate \$266,000 annually. Under option three, \$133,000 would be available to the City on an annual basis for stormwater projects. Mr. Unverferth stated the district would be flexible and the City could, for example, use the funds to install storm sewers for a street project. In addition, the City could accumulate funds for projects greater than \$133,000.

Mrs. Singleton asked why a municipality wouldn't support this proposal. Mr. Unverferth replied small municipalities don't have projects or the ability to administer funds.

Mr. Zimmerman stated staff is seeking direction on which option Council prefers. Council agreed they are in favor of option three.

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT - None

**COMMISSION AND
BOARD REPORTS**

Mr. Taylor moved, seconded by Mr. Aubuchon, to receive and file the minutes of the June 13 Industrial Development Authority meeting and the June 13 Economic Development Sales Tax Board Notice of No Quorum. The motion passed unanimously.

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS - None

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 4821 Mayor Robinson called for the second reading of Bill 4821 to
1600 TRADEPORT DR. authorize the subdivision of 1600 TradePort Drive.

There were no objections and Bill 4821 was read by title only:

**AN ORDINANCE APPROVING THE SUBDIVISION OF 1600 TRADEPORT DRIVE
FROM ONE PARCEL INTO ONE LOT, TWO COMMON GROUND AREAS AND TWO
AREAS FOR FUTURE DEVELOPMENT.**

Mrs. Hendon moved, seconded by Mr. Taylor, the adoption of Bill 4821 as an ordinance.
The following vote was recorded on the motion:

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

Bill 4821 was unanimously adopted as Ordinance 4707-19.

BILL 4822 Mayor Robinson called for the second reading of Bill 4822 to
SLUP grant a Special Land Use Permit to Asset Towing &
7314 HAZELWOOD AVE. Recovery Services, LLC for a vehicle service facility and
 vehicle storage at 7314 Hazelwood Avenue.

There were no objections and Bill 4822 was read by title only:

**AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND
USE PERMIT TO ASSET TOWING & RECOVERY SERVICES, LLC FOR A VEHICLE**

**SERVICE FACILITY AND VEHICLE STORAGE AT 7314 HAZELWOOD AVENUE
AND PROVIDING THE CONDITIONS OF SUCH USAGE.**

Mr. Todd moved, seconded by Mr. Taylor, the adoption of Bill 4822 as an ordinance.
The following vote was recorded on the motion:

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

Bill 4822 was unanimously adopted as Ordinance 4708-19.

BILL 4823	Mayor Robinson called for the second reading of Bill 4823 to
CID	establish the Village Square Community Improvement
VILLAGE SQUARE	District.

There were no objections and Bill 4823 was read by title only:

**AN ORDINANCE APPROVING A PETITION FOR THE CREATION OF THE VILLAGE
SQUARE COMMUNITY IMPROVEMENT DISTRICT; ESTABLISHING THE VILLAGE
SQUARE COMMUNITY IMPROVEMENT DISTRICT AS A POLITICAL SUBDIVISION
OF THE STATE OF MISSOURI; AND DIRECTING THE CITY CLERK TO NOTIFY
THE MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT OF THE
CREATION OF THE DISTRICT.**

Mr. Ryan moved, seconded by Mrs. Hendon, the adoption of Bill 4823 as an ordinance.
The following vote was recorded on the motion:

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

Bill 4823 was unanimously adopted as Ordinance 4709-19.

BILL 4824
CHAPTER 353
VILLAGE SQUARE

Mayor Robinson called for the second reading of Bill 4824 to approve a Chapter 353 redevelopment plan and agreement for Village Square.

There were no objections and Bill 4824 was read by title only:

AN ORDINANCE DESIGNATING A CERTAIN TRACT OF LAND IN THE CITY OF HAZELWOOD, MISSOURI AS A “BLIGHTED AREA” PURSUANT TO CHAPTER 353, REVISED STATUTES OF MISSOURI; APPROVING A DEVELOPMENT PLAN SUBMITTED FOR THE REDEVELOPMENT OF THAT BLIGHTED AREA; APPROVING A DEVELOPMENT AGREEMENT IN CONNECTION WITH THE REDEVELOPMENT OF A PORTION OF SUCH AREA; AUTHORIZING CERTAIN ACTIONS IN CONNECTION THEREWITH; AND CONTAINING A SEVERABILITY CLAUSE.

Mrs. Stroker moved, seconded by Mrs. Singleton, the adoption of Bill 4824 as an ordinance. The following vote was recorded on the motion:

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

Bill 4824 was unanimously adopted as Ordinance 4710-19.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

CITY HALL CLOSED Mayor Robinson announced City Hall will be closed on Labor Day, Monday, September 2.

COUNCIL MEETING Mayor Robinson announced the next regular Council meeting will be held Wednesday, September 4, 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 8:31 p.m.

ATTEST:

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

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri