

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
SEPTEMBER 4, 2019**

CALL TO ORDER

A regular meeting of the Hazelwood City Council was called to order by Mayor Pro Tempore Warren H. Taylor at 7:30 p.m. on Wednesday, September 4, 2019, in the Council Chambers of Hazelwood City Hall, 415 Elm Grove Lane.

Mayor Pro Tempore Taylor 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

Mayor Matthew G. Robinson 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, Mrs. Singleton moved, seconded by Mrs. Hendon, the adoption of the agenda as printed. The motion passed unanimously.

CONSENT AGENDA

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

AYE - 7

NAY - 0

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. Aubuchon moved, seconded by Mr. Ryan, to approve the minutes of the August 21 regular and closed Council meetings as submitted. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS - None

PROCLAMATIONS AND RESOLUTIONS

CONSTITUTION WEEK PROCLAMATION Mayor Pro Tempore Taylor called for the reading of a proclamation designating the week of September 17 through September 23 as Constitution Week.

There were no objections and Proclamation 1913 was read.

Mr. Aubuchon moved, seconded by Mrs. Singleton, the adoption of Proclamation 1913 designating the week of September 17 through September 23, 2019 as Constitution Week and asking our citizens to reaffirm the ideals the framers of the constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained. The motion passed unanimously.

SAFE COMMUNITIES PROCLAMATION Mayor Pro Tempore Taylor called for the reading of a proclamation urging the community to support our Celebrate Safe Communities event on Thursday, September 26.

There were no objections and Proclamation 1912 was read.

Mr. Aubuchon moved, seconded by Mrs. Hendon, the adoption of Proclamation 1912 urging all citizens, government agencies, public and private institutions, and businesses to support our Celebrate Safe Communities event on Thursday, September 26, 2019, and calling upon everyone to invest in the power of prevention and community cooperation to ensure the City remains a safe, strong and caring community where all may safely live, learn, work and play. The motion passed unanimously.

CITIZENS HEARINGS AND PRESENTATION OF PETITIONS

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

No one came forward to address the Council.

CITY MANAGER'S STATUS REPORT

Mr. Zimmerman reported on concerns expressed by Larry Jansen at the August 21 Council meeting relative to high grass on the lot at the corner of Lindbergh Boulevard and Tamma Lane.

The lot has been vacant for many years. The City contacts the out-of-state owner annually about maintenance of the lot, but invariably must obtain a warrant from the court to get it mowed. The City was already in the process of obtaining the warrant. It was obtained on Thursday and the lot was mowed on Friday. Mr. Jansen was notified that the grass has been mowed and the situation will be monitored.

Mr. Aubuchon asked if a warrant had to be issued each time. Mr. Zimmerman replied affirmatively.

Mrs. Hendon asked how much the City charges to cut lots. Mr. Stewart responded the grass abatement services are awarded through a contract and prices are based on lot size and if the lot is single or double cut.

In response to questions from Mr. Todd, City Planner Earl Bradfield stated the lot is zoned residential and isn't buildable because of the 60 foot setback requirement along Lindbergh Boulevard.

PUBLIC HEARINGS

SLUP
7008 N. HANLEY ROAD

Mayor Pro Tempore Taylor called to order the public hearing to consider the petition by Y & Y Grill LLC, d/b/a Miami Grill, for a Special Land Use Permit for a fast food restaurant at 7008 North Hanley Road.

Mr. Bradfield reported the site is surrounded by R-5 Single-Family Dwelling District to the north, Musick Park to the east, C-2 General Commercial District to the south and I-1 Light Industrial District to the west. It was formerly utilized by American Laminating Company and has received extensive rehabilitation to transform it into a restaurant. The Special Land Use Permit previously issued for the restaurant has lapsed. Mr. Bradfield noted the work being done in front of the building is for a retaining wall. In addition, he stated, the City granted an easement in Musick Park for extension of the restaurant's sewer line. Proposed parking is sufficient and the use is consistent with the Comprehensive Master Plan.

The engineer representing Miami Grill, Matt Wolfe, stated there have been issues that have delayed this project and the project has stalled until the final plumbing permit is issued. Mr. Wolfe stated the parking requirements have been exceeded and showed an interior layout plan. The hours of operation would be Monday through Saturday from 9 a.m. until 12 a.m. and Sunday from 10 a.m. until 11 p.m.

Mayor Pro Tempore Taylor asked how long it will take to get the plumbing fixed and how soon the restaurant would open. Mr. Wolfe replied one to two weeks and they would open as soon as the Special Land Use Permit is granted and St. Louis County health inspections are completed.

Mayor Pro Tempore Taylor 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 Pro Tempore Taylor 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 a restaurant, fast food, located at 7008 North Hanley Road, Ward 6.” She stated the motion passed unanimously.

Mayor Pro Tempore Taylor moved, seconded by Mrs. Hendon, to concur with the City Plan Commission recommendation to grant a Special Land Use Permit for a fast food restaurant at 7008 North Hanley Road 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.

SLUP 11950 MO. BOTTOM	Mayor Pro Tempore Taylor called to order the public hearing to consider the petition by Focal Pointe Outdoor Solutions, Inc., for a Special Land Use Permit for outdoor storage at 11950 Missouri Bottom Road.
--------------------------	--

Mr. Bradfield reported the site is surrounded by I-1 Light Industrial District to the north and south, I-2 Heavy Industrial District to the east, and the City of Bridgeton to the west. There are two warehouses on the property and an illegal non-conforming trailer. The petitioner proposes to remove the trailer and utilize the buildings for their landscape business. Items to be stored outdoors would include mulch, top soil and other products commonly used by landscape businesses. Storage bins would be located at the southwest corner of the existing asphalt parking lot and would be approximately 500 feet from Missouri Bottom Road. The gravel areas would be removed and grass would be planted. Proposed parking meets requirements and the proposed use is consistent with the Comprehensive Master Plan.

Matt Poston of THD Design Group stated the non-conforming gravel parking and storage area and storage trailers will be removed upon closing on the property.

Mayor Pro Tempore Taylor 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 Pro Tempore Taylor declared the hearing closed.

Mrs. Thomas read the City Plan Commission motion “to recommend approval to the City Council of the petition for a Special Land Use Permit for outdoor storage located at 11950 Missouri Bottom Road, Ward 2.” She stated the motion passed unanimously.

Mr. Aubuchon moved, seconded by Mrs. Singleton, to concur with the City Plan Commission recommendation to grant a Special Land Use Permit for outdoor storage at 11950 Missouri Bottom Road 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.

COMMUNICATIONS

AMEND COMPREHENSIVE PLAN	A proposal to amend the 2009 Comprehensive Plan by revising the Land Use & Street Plan map and the Sub-Area Plan Aubuchon Road/Missouri Bottoms map was received from City Planner Earl Bradfield.
CHARTER PRICE ADJUSTMENTS	Notice of price adjustments for unreturned equipment was received from Charter Communications.
SLUP PETITION 6101 N. LINDBERGH	A petition for a Special Land Use Permit for a vehicle service and repair facility and vehicle painting at 6101 North Lindbergh Boulevard was received from Next Gen Liquid Wraps, LLC.
SUBDIVISION PETITION 5951 HOWDERSHELL & 3738 DUNN	A petition for subdivision of 5951 Howdershell Road and 3738 Dunn Road from two parcels into three lots and two parcels was received from The Palmer Group, LLC.
SLUP PETITION 5951 HOWDERSHELL	A petition for a Special Land Use Permit for a vehicle wash facility at 5951 Howdershell Road was received from Edison Real Estate Eight, LLC.
SLUP PETITION MEDICAL MARIJUANA FACILITIES	A petition for a Special Land Use Permit for a medical marijuana cultivation facility and an infused products manufacturing facility at 11990 Missouri Bottom Road was received from CannaVer, LLC.

Mr. Aubuchon moved, seconded by Mr. Ryan, to refer the petitions 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 September 11 Council work session agenda.

BOARD/COMMISSION
APPOINTMENTS Mayor Pro Tempore Taylor nominated Lisa Kozieja, 1995 Caposele Lane, for appointment to the City Plan Commission and the following for reappointment to their respective board/commission: James Russell, Civil Service Board; Florence Gillespie, Community Enrichment Commission; and John Gannon, Sr., Industrial Development Authority.

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

Mrs. Thomas will invite the newly appointed and reappointed board and commission members to the September 18 Council meeting to receive their oaths of office and commission certificates.

CITY MANAGER'S REPORT

AMEND TITLE III.
TRAFFIC CODE Police Chief Gregg Hall reported staff recommends an amendment to *Title III. Traffic Code, Schedule IV. Parking Restrictions, Table IV-A. Parking Prohibited at All Times on Certain Streets* relative to parking restrictions on Barnwood Drive and English Oak Drive.

Chief Hall stated the primary concern is that parking is restricted on both sides of English Oak Drive, from Cortena Drive to Barnwood Drive, as a driver enters the circled streets. The revision will make the parking regulations consistent with the rest of the circle and only prohibit parking on one side of the street as the residents had requested.

Mrs. Hendon moved, seconded by Mrs. Singleton, to concur with the staff recommendation to amend *Title III. Traffic Code, Schedule IV. Parking Restrictions, Table IV-A. Parking Prohibited at All Times on Certain Streets* relative to parking restrictions on Barnwood Drive and English Oak Drive 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.

PURCHASE OF
COMPUTERS FOR
PATROL VEHICLES Chief Hall reported staff recommends the purchase of 12 Dell Latitude 14 Rugged 5414 laptops with Havis docking stations and antennas from Dell, Inc., at a total cost of \$32,904.

Chief Hall stated the proposed purchase is the last phase of an ongoing replacement program. The majority of the computer systems in the police vehicles are out-of-date and unsafely mounted. Chief Hall stated this fiscal year's Capital Improvement Budget includes \$33,240 and the complete cost for the replacement systems totals \$32,904, which is \$335 less than the budgeted amount.

Mrs. Hendon moved, seconded by Mr. Todd, to concur with the staff recommendation to purchase 12 Dell Latitude 14 Rugged 5414 laptops with Havis docking stations and antennas from Dell, Inc., at a total cost of \$32,904. The motion passed unanimously.

2019 AD VALOREM TAX RATES	Finance Director Dave Tuberty reported staff recommends establishing the 2019 ad valorem tax rates as follows (per \$100 assessed valuation): \$.692 for residential property, \$.622 for agricultural property, \$.662 for industrial property, \$.754 for personal property, and \$.222 for all classes of property for street bond principal and interest.
--------------------------------------	---

Mr. Tuberty explained Missouri statutes require that the City establish the tax rates for all real and personal property every year. These rates are to be reported to St. Louis County to be included in the property tax collection for 2019. The total assessed valuation for 2019 is \$577 million and includes a reduction for the TIF areas of \$47 million and is also pre-Board of Equalization, which means the county has not determined the final assessment. The post-Board of Equalization values will not be published until the third week of September. Mr. Tuberty stated the public hearing will be held at the September 18 regular Council meeting and a full presentation will be given.

Mr. Ryan moved, seconded by Mr. Todd, to concur with the staff recommendation to establish the 2019 ad valorem tax rates 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 - None

COMMISSION AND BOARD REPORTS	Mr. Aubuchon moved, seconded by Mr. Ryan, to receive and file the minutes of the August 12 Neighborhood Watch Commission meeting. The motion passed unanimously.
---	--

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

SLUP Mayor Pro Tempore Taylor called for the first reading of a bill
7008 N. HANLEY RD. to grant a Special Land Use Permit at 7008 North Hanley Road.

There were no objections and Bill 4825 was read by title only:

AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO Y & Y GRILL LLC, D/B/A MIAMI GRILL, FOR A FAST FOOD RESTAURANT AT 7008 NORTH HANLEY ROAD AND PROVIDING THE CONDITIONS OF SUCH USAGE.

Bill 4825 will be on the agenda for second reading on September 18.

SLUP Mayor Pro Tempore Taylor called for the first reading of a bill
11990 MO. BOTTOM RD. to grant a Special Land Use Permit at 11950 Missouri Bottom Road.

There were no objections and Bill 4826 was read by title only:

AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO FOCAL POINTE OUTDOOR SOLUTIONS, INC., FOR OUTDOOR STORAGE AT 11950 MISSOURI BOTTOM ROAD AND PROVIDING THE CONDITIONS OF SUCH USAGE.

Bill 4826 will be on the agenda for second reading on September 18.

AMEND TITLE III. Mayor Pro Tempore Taylor called for the first reading of a bill
TRAFFIC CODE to amend *Title III. Traffic Code* relative to parking restrictions on Barnwood Drive and English Oak Drive.

There were no objections and Bill 4827 was read by title only:

AN ORDINANCE AMENDING THE HAZELWOOD CITY CODE, TITLE III: TRAFFIC CODE, SCHEDULE IV. PARKING RESTRICTIONS, TABLE IV-A. PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS RELATIVE TO PARKING RESTRICTIONS ON BARNWOOD DRIVE AND ENGLISH OAK DRIVE.

Bill 4827 will be on the agenda for second reading on September 18.

2019 AD VALOREM Mayor Pro Tempore Taylor called for the first reading of a bill
TAX RATES to establish the 2019 ad valorem tax rates.

There were no objections and Bill 4828 was read by title only:

**AN ORDINANCE ESTABLISHING THE ANNUAL RATE OF AD VALOREM TAXES
LEVIED FOR THE YEAR 2019 FOR GENERAL AND OTHER MUNICIPAL
PURPOSES ON ALL REAL AND PERSONAL PROPERTY IN THE CITY OF
HAZELWOOD, MISSOURI, AND THE ANNUAL FEE FOR THE CITY'S SEWER
LATERAL SERVICE LINES REPAIR PROGRAM.**

Bill 4828 will be on the agenda for second reading on September 18.

SECOND READING OF BILLS AND ACTION ON BILLS - None

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

COUNCIL MEETINGS Mayor Pro Tempore Taylor announced a Council work session will be held on Wednesday, September 11, at 6 p.m. in the Council Chambers and the next regular Council meeting will be held Wednesday, September 18, 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 8:07 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

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