

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
DECEMBER 18, 2019**

CALL TO ORDER

A regular meeting of the Hazelwood City Council was called to order by Mayor Matthew G. Robinson at 7:32 p.m. on Wednesday, December 18, 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
Tyler Wilson
Matthew G. Robinson
Russell Todd
Warren H. Taylor
Rosalie Hendon

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

AYE - 9

NAY - 0

Mrs. Singleton
Mrs. Stroker
Mr. Aubuchon
Mr. Ryan
Mr. Wilson
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 litigation in accordance with the provisions of RSMo 610.021(1) and to discuss a proprietary matter in accordance with the provisions of RSMo 610.021(15), was adopted.

APPROVAL OF MINUTES

Mr. Taylor moved, seconded by Mr. Todd, to approve the minutes of the December 4 regular Council meeting as submitted. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS

EMPLOYEE SERVICE AWARDS

As their biographies were read, the following were presented with service awards: Code Administrator/Building Official Dave Clemens, 5 Years; Fire Captain Ted Naughton, 15 Years; Law Enforcement Information Specialist Glen Robinson, 20 Years; Deputy Fire Chief Dan Luley, 20 Years; and Battalion Chief Tom Stone, 35 Years.

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.

INTRODUCTION

Ben Gruender, field representative for Senator Josh Hawley's office, introduced himself and thanked the Council for their service to the City.

CITY MANAGER'S REPORT ON CITIZEN'S CONCERNS

Mr. Zimmerman reported on concerns with residents' safety expressed by Rick Chatfield of 5257 Ville Rosa Lane during the December 4 Council meeting.

Mr. Zimmerman stated following the December 4 Council meeting, Sergeant Shane Parrish talked to Mr. Chatfield to get more information, to discuss the Police Department's programs and patrols, and to invite him to the December 9 Neighborhood Watch Commission meeting. A neighborhood meeting has been scheduled for January 2, at 6:30 p.m., at City Hall in the Council Chambers to discuss specific issues in the Villa Maria neighborhood. Mr. Zimmerman stated, in addition, Code Enforcement met with the owners of the Villa Rosa Apartments on December 10 and gave them a deadline to bring the property into compliance. Failure to comply will result in a court summons.

Mr. Chatfield stated he is satisfied with the City's response.

PUBLIC HEARINGS - None

COMMUNICATIONS

**SPEEDING ON
LYNN HAVEN LANE** A letter expressing concerns with speeding on Lynn Haven Lane was received from LaTasha Allen, a resident on Lynn Haven Lane.

Mrs. Allen recapped her letter and reiterated her concerns with speeding on Lynn Haven Lane.

Kelly Lewis of 715 Lynn Haven Lane stated she was concerned for the safety of her grandchildren, who live with her, when they are waiting at the bus stop.

Mayor Robinson suggested scheduling a Lynn Haven neighborhood meeting.

Mrs. Allen stated there must be a way to slow down speeders. She asked what will be done with the information gathered from the radar trailer.

Police Chief Gregg Hall stated there is a robust plan to deal with speeding on Lynn Haven and suggested more grant money could be used. Chief Hall stated the Police Department is there daily and will stay diligent.

Mrs. Allen suggested posting larger signs stating "slow down".

Mr. Zimmerman stated staff will consider options and bring them to the neighborhood meeting.

**CHARTER
REMOVAL OF TIERS** Notice of the removal of the MLB Strike Zone and Outdoor Channel Tiers was received from Charter Communications.

**EWGCG
LOCAL BRIEFINGS** The November 21 issue of Local Government Briefings was received from the East-West Gateway Council of Governments.

**MAYORS FOR 100%
CLEAN ENERGY** An invitation to join the Mayors for 100% Clean Energy initiative was received from Margo McNeil.

After discussion, there were no objections and Mayor Robinson will sign the Mayors for 100% Clean Energy Endorsement.

**CID
PROPOSED F.Y. 2021
BUDGET** The 370/Missouri Bottom Road/Taussig Road Community Improvement District proposed budget for the 2021 fiscal year was received from Armstrong Teasdale LLP.

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

UNFINISHED BUSINESS - None

MAYOR AND COUNCIL REPORTS

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

CITY MANAGER'S REPORT

RECONSTRUCTION Public Works Director David Stewart reported staff
OF PHANTOM ROAD recommends authorization of an agreement with the
FROM Missouri Highways and Transportation Commission for the
MO. BOTTOM RD. reconstruction of Phantom Road from Missouri Bottom Road
TO MCDONNELL BLVD. to James S. McDonnell Boulevard.

Public Works Director David Stewart stated the City was successful in obtaining grants for Phase 1 and Phase 2 of the Phantom Road improvements project. The Missouri Department of Transportation and East-West Gateway have agreed to combine both phases into one project for a total project cost of \$4,252,755. Mr. Stewart stated the grant will cover \$2,126,378 or 50% of the total project cost. These types of projects take three to four years to complete. Construction is scheduled to start in 2022.

Mr. Aubuchon moved, seconded by Mr. Ryan, to concur with the staff recommendation to authorize the agreement for the reconstruction of Phantom Road from Missouri Bottom Road to James S. McDonnell Boulevard 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.

AMEND Mr. Zimmerman reported staff recommends an amendment
EMPLOYEE to the employee retirement plan relative to the designation
RETIREMENT PLAN of a beneficiary annuitant.

Mr. Zimmerman explained if an unmarried employee who is vested in the retirement plan dies during employment, the employee must have designated a beneficiary annuitant in order for that party to receive the employee's pension benefit. The retirement plan provides that the beneficiary will receive 120 monthly payments. The City doesn't have a form for employees to designate a beneficiary. Therefore, the Pension Plan Board of Trustees has recommended the retirement plan be amended to allow payment of the benefit to the estate for employees who have not designated a beneficiary. The amendment can be made retroactive to July 1, 2019, the beginning of the current fiscal year. In addition, the board will be approving a form for employees to designate a beneficiary annuitant.

Mrs. Hendon moved, seconded by Mrs. Stroker, to concur with the staff recommendation to amend the employee retirement relative to the designation of a beneficiary annuitant

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. Aubuchon asked if this change includes the Council. Mr. Zimmerman stated he would review the Council's retirement plan.

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT - None

COMMISSION AND BOARD REPORTS	Mr. Taylor moved, seconded by Mr. Todd, to receive and file the minutes of the October 10, November 14, and November 21 City Plan Commission meetings; the October 14 Neighborhood Watch Commission meeting; and the October 28 and December 6 Historic Preservation Commission meetings. The motion passed unanimously.
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NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

AGREEMENT PHANTOM ROAD RECONSTRUCTION	Mayor Robinson called for the first reading of a bill to authorize an agreement for the reconstruction of Phantom Road from Missouri Bottom Road to James S. McDonnell Boulevard.
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There were no objections and Bill 4850 was read by title only:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AND EXECUTE A SURFACE TRANSPORTATION PROGRAM-URBAN AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR THE RECONSTRUCTION OF PHANTOM ROAD FROM MISSOURI BOTTOM ROAD TO JAMES S. MCDONNELL BOULEVARD.

Bill 4850 will be on the agenda for second reading on January 8.

AMEND EMPLOYEE RETIREMENT PLAN	Mayor Robinson called for the first reading of a bill to amend the employee retirement plan relative to the designation of a beneficiary annuitant.
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There were no objections and Bill 4851 was read by title only:

AN ORDINANCE AUTHORIZING AMENDMENT ONE TO THE 2015 TOTAL RESTATEMENT OF THE RETIREMENT PLAN FOR POLICE OFFICERS, FIREFIGHTERS, AND OTHER EMPLOYEES OF THE CITY OF HAZELWOOD RELATIVE TO THE DESIGNATION OF A BENEFICIARY ANNUITANT.

Bill 4851 will be on the agenda for second reading on January 8.

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 4842 Mayor Robinson called for the second reading of Bill 4842 to
SLUP EXTENSION extend the Special Land Use Permit for Burger King at
5951 HOWDERSHELL 5951 Howdershell Road.

There were no objections and Bill 4842 was read by title only:

AN ORDINANCE AMENDING ORDINANCE 4619-18 BY EXTENDING THE SPECIAL LAND USE PERMIT DEADLINES TO COMMENCE CONSTRUCTION AND OPERATION OF BURGER KING AT 5951 HOWDERSHELL ROAD.

Mr. Aubuchon moved, seconded by Mrs. Hendon, the adoption of Bill 4842 as an ordinance. The following vote was recorded on the motion:

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

Bill 4842 was unanimously adopted as Ordinance 4728-19.

BILL 4843 Mayor Robinson called for the second reading of Bill 4843 to
SLUP grant a Special Land Use Permit for a medical marijuana
7766 N. LINDBERGH dispensary facility at 7766 North Lindbergh Boulevard.

There were no objections and Bill 4843 was read by title only:

AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO V3 MO VENDING 2, LLC, D/B/A LEVEL, FOR A MEDICAL MARIJUANA DISPENSARY FACILITY AT 7766 NORTH LINDBERGH BOULEVARD AND PROVIDING THE CONDITIONS OF SUCH USAGE.

Mr. Todd moved, seconded by Mr. Ryan, the adoption of Bill 4843 as an ordinance. The following vote was recorded on the motion:

AYE - 9

NAY - 0

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

Bill 4843 was unanimously adopted as Ordinance 4729-19.

BILL 4844 SUBDIVISION 159 & 161 TAYLOR RD.	Mayor Robinson stated the second reading of Bill 4844, to subdivide 159 and 161 Taylor Road from two lots into three, has been postponed.
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BILL 4845 REZONE PORTIONS OF 159 & 161 TAYLOR RD.	Mayor Robinson stated the second reading of Bill 4845, to rezone Lot 2 of McGhee subdivision (portions of 159 and 161 Taylor Road), has been postponed.
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BILL 4846 CHAPTER 100 BONDS TRADEPORT LOT 1	Mayor Robinson stated the second reading of Bill 4846, to authorize the issuance of Chapter 100 bonds for Building IV of Tradeport Lot 1, has been postponed.
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BILL 4847 CHAPTER 100 BONDS TRADEPORT LOTS 5-9	Mayor Robinson called for the second reading of Bill 4847 to authorize the issuance of Chapter 100 bonds for TradePort Lots 5 through 9.
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There were no objections and Bill 4847 was read by title only:

AN ORDINANCE AUTHORIZING THE CITY OF HAZELWOOD, MISSOURI TO ISSUE ITS TAXABLE INDUSTRIAL REVENUE BONDS (NP HAZELWOOD TRADE PORT PROJECT SITE), SERIES 2019, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$11,000,000, FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COSTS OF ACQUIRING REAL PROPERTY FOR AN INDUSTRIAL DEVELOPMENT PROJECT IN THE CITY; AND AUTHORIZING THE CITY TO ENTER INTO CERTAIN AGREEMENTS AND TAKE CERTAIN OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF THE BONDS.

Mrs. Hendon moved, seconded by Mrs. Singleton, the adoption of Bill 4847 as an ordinance. The following vote was recorded on the motion:

AYE - 9

NAY - 0

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

Bill 4847 was unanimously adopted as Ordinance 4730-19.

BILL 4848
DEVELOPMENT
AGREEMENT &
BILL 4849

ED LOAN AGREEMENT

Mr. Zimmerman had provided the Council with a memo requesting postponement of the second reading of Bill 4848 to amend the Master Development Agreement with Big Sports Properties and the second reading of Bill 4849 to approve an Economic Development Loan Agreement with Big Sports Properties because the term sheet for the Transportation Development District bond buyout is not complete.

Mrs. Hendon moved, seconded by Mrs. Singleton, to postpone the second readings of Bill 4848 and Bill 4849. The motion passed unanimously.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

CITY HALL CLOSED

Mayor Robinson announced City Hall will close at noon on December 24 and City Hall will be closed on December 25 and January 1.

COUNCIL MEETING

Mayor Robinson stated the January 1 regular Council meeting has been rescheduled to Wednesday, January 8, 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 8:23 p.m.

ATTEST:

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

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri