

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
DECEMBER 16, 2020**

CALL TO ORDER

A regular meeting of the Hazelwood City Council was called to order by Mayor Matthew G. Robinson at 7:49 p.m. on Wednesday, December 16, 2020, in the Council Chambers of Hazelwood City Hall, 415 Elm Grove Lane.

In response to the coronavirus (COVID-19) public health emergency, some members of the City Council attended in-person in the Council Chambers at Hazelwood City Hall and others attended and participated by video conference in accord with Section 610.015, RSMo (“All votes taken by roll call in meetings of a public governmental body consisting of members who are all elected ... shall be cast by members ... who are physically present ... or who are participating via videoconferencing.”) It was impossible and impractical to hold the meeting in a manner physically accessible by the public. Section 610.020.2, RSMo (“Each meeting shall be held at a place reasonably accessible to the public ... unless for good cause such a place ... is impossible or impractical.”) Public access to the meeting was accommodated in person and via access to video conference pursuant to notice provided in accord with Section 610.020, RSMo.;

On roll call the following members of the Council were present:

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

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. Taylor moved, seconded by Mr. Aubuchon, 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 - 9

NAY - 0

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

The motion passed unanimously and the consent agenda was adopted.

**APPROVAL OF
MINUTES**

Mrs. Singleton moved, seconded by Mrs. Hendon, to approve the minutes of the December 2 regular and closed Council meetings as submitted. The motion passed unanimously.

PROCLAMATIONS AND RESOLUTIONS

**MAJOR KEN JEWSON
RETIREMENT
PROCLAMATION**

Mayor Robinson called for the reading of a proclamation expressing recognition and appreciation to retiring Police Major Ken Jewson.

There were no objections and Proclamation 2018 was read.

Mrs. Singleton moved, seconded by Mr. Todd, the adoption of Proclamation 2018 expressing recognition and appreciation to Major Ken Jewson for 41 years of dedicated service to the Hazelwood community and the Hazelwood Police Department and extending sincere good wishes for a happy retirement. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS

GFOA CERTIFICATE OF ACHIEVEMENT FOR FINANCIAL REPORTING City Manager Matt Zimmerman presented the Government Financial Officers Association's Certificate of Achievement for Financial Reporting to Finance Director David Tuberty.

Mr. Tuberty stated the City has received this award for 22 consecutive years and he was honored to accept it on behalf of the Finance Department staff.

**PRESENTATION OF
2019/2020 CAFR**

Allen Schulte, of Botz, Deal and Company, briefly reviewed the fiscal year 2019/2020 Comprehensive Annual Financial Report and audit.

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.

No one came forward to address the Council.

Mayor Robinson stated written comments may be submitted to: Hazelwood City Council, 415 Elm Grove Lane, Hazelwood, MO 63042 or CityClerk@hazelwoodmo.org with "Citizen Comment" in the subject line.

Mayor Robinson asked Mrs. Lowery if any written comments had been received for this evening's meeting.

Mrs. Lowery replied none were received.

PUBLIC HEARINGS

SLUP EXTENSION 7766 N. LINDBERGH	A request for an extension of the Special Land Use Permit (SLUP) deadline to commence full operation of V3 MO Vending 2, LLC d/b/a Level, at 7766 North Lindbergh Boulevard was received.
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City Planner Kate Crimmins reported the petitioner was granted a SLUP for a medical marijuana dispensary in December 2019 and requested an extension in June 2020 due to delays related to Covid-19 and that extension is scheduled to expire in the middle of January 2021. The request is for an additional four-month extension.

V3 MO Vending 2, LLC owner Bret Withey stated construction began in October 2020 and the renovations are coming along. However, an extension to May 1, 2021 is being requested in case any unforeseen circumstances arise.

Mr. Todd moved, seconded by Mr. Ryan, to extend the Special Land Use Permit deadline to commence operation of V3 MO Vending 2, LLC d/b/a Level, at 7766 North Lindbergh Boulevard to May 1, 2021 and to place the draft bill on the agenda for introduction. The motion passed unanimously and the bill was added to the agenda as item 17.a.

PUBLIC HEARINGS - None

COMMUNICATIONS

EWGCG BRIEFINGS	The December 3 issue of Briefings was received from the East-West Gateway Council of Governments.
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HCC CID 2020/2021 BUDGET	The Hazelwood Commerce Center Community Improvement District budget for fiscal year 2020/2021 was received from Development Dynamics.
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**EWGCG
BRIEFINGS**

The December 10 issue of Briefings was received from the East-West Gateway Council of Governments.

UNFINISHED BUSINESS - None

MAYOR AND COUNCIL REPORTS

**WORK SESSION
AGENDA ITEMS** No items were added to the January 13 Council work session agenda.

**RCM PUBLIC
PARTICIPATION** The Council discussed citizen participation in Council meetings.

Mayor Robinson stated he would like to see more public participation during the Council meetings. He stated Zoom isn't reaching enough residents and social media is the future and gives us more opportunities to reach the public.

Mrs. Singleton asked if the meetings could be live-streamed to YouTube.

Mayor Robinson replied staff would look for more options and send a memo to Council.

**RFPD FIRE SERVICES
UPDATE** Mr. O'Keefe reported mediation continues and there is nothing new to report to the Council.

CITY MANAGER'S REPORT - None

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT - None

COMMISSION AND BOARD REPORTS - None

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

**SLUP EXTENSION
7766 N. LINDBERGH** Mayor Robinson called for the first reading of a bill to extend the Special Land Use Permit deadline for operation of a medical marijuana dispensary facility at 7766 North Lindbergh Boulevard.

There were no objections and Bill 4917 was read by title only:

AN ORDINANCE AMENDING ORDINANCE 4729-19 BY EXTENDING THE SPECIAL LAND USE PERMIT DEADLINE TO COMMENCE OPERATION OF V3 MO VENDING 2, LLC, D/B/A LEVEL, AT 7766 NORTH LINDBERGH BOULEVARD TO MAY 1, 2021.

AYE - 9

NAY - 0

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

Bill 4911 was unanimously adopted as Ordinance 4796-20.

BILL 4912
REZONE
3746 DUNN ROAD

Mayor Robinson called for the second reading of Bill 4912 to rezone 3746 Dunn Road from R-6 Multiple-Family Dwelling District to Planned District, Residential (PDR).

The Council had been provided with Bill 4912.1, in redline format, which reflects the addition of certain conditions.

Mr. Aubuchon moved, seconded by Mr. Ryan, to amend Bill 4912 by the text of Bill 4912.1. The motion passed unanimously.

There were no objections and Bill 4912, as amended, was read by title only:

AN ORDINANCE REZONING PROPERTY AT 3746 DUNN ROAD FROM R-6 MULTIPLE-FAMILY DWELLING DISTRICT TO PLANNED DISTRICT, RESIDENTIAL (PDR) AND AMENDING THE ZONING MAP TO REFLECT SUCH CHANGE.

Mr. Aubuchon moved, seconded by Mrs. Hendon, the adoption of Bill 4912, as amended, as an ordinance. The following vote was recorded on the motion:

AYE - 9

NAY - 0

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

Bill 4912, as amended, was unanimously adopted as Ordinance 4797-20.

BILL 4913 Mayor Robinson called for the reading of the Bill 4913 to grant
SLUP a Special Land Use Permit for a medical marijuana cultivation
6850 HAZELWOOD AVE. facility at 6850 Hazelwood Avenue.

The Council had been provided with Bill 4913.1, in redline format, which reflects the addition of certain conditions.

Mr. Todd moved, seconded by Mrs. Hendon, to amend Bill 4913 by the text of Bill 4913.1. The motion passed unanimously.

There were no objections and Bill 4913, as amended, was read by title only:

AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO GROWING JOBS MISSOURI, LLC FOR A MEDICAL MARIJUANA CULTIVATION FACILITY AT 6850 HAZELWOOD AVENUE AND PROVIDING THE CONDITIONS OF SUCH USAGE

Mr. Todd moved, seconded by Mr. Ryan, the adoption of Bill 4913, as amended, as an ordinance. The following vote was recorded on the motion:

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

Bill 4913, as amended, was unanimously adopted as Ordinance 4798-20.

BILL 4914 Mayor Robinson called for the reading of Bill 4914 to grant
SLUP a Special Land Use Permit for a medical marijuana cultivation
6850 HAZELWOOD AVE. facility at 6850 Hazelwood Avenue.

The Council had been provided with Bill 4914.1, in redline format, which reflects the addition of certain conditions.

Mr. Todd moved, seconded by Mr. Taylor, to amend Bill 4914 by the text of Bill 4914.1. The motion passed unanimously.

There were no objections and Bill 4914, as amended, was read by title only:

AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO TC APPLICCO, LLC FOR A MEDICAL MARIJUANA CULTIVATION FACILITY AT 6850 HAZELWOOD AVENUE AND PROVIDING THE CONDITIONS OF SUCH USAGE

Mr. Todd moved, seconded by Mr. Ryan, the adoption of Bill 4914, as amended, as an ordinance. The following vote was recorded on the motion:

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

Bill 4914, as amended, was unanimously adopted as Ordinance 4799-20.

BILL 4915	Mayor Robinson called for the second reading of Bill 4915 to
E.D. AGREEMENTS	authorize a total amendment and restatement of Economic
WITH BSP	Development and New Employment Training and
	Opportunities Forgivable Loan Agreement with Big Sports
	Properties, LLC.

Mrs. Hendon moved, seconded by Mrs. Singleton, to withdraw from consideration and pass out Bill 4915. The motion passed unanimously.

BILL 4916	Mayor Robinson called for the second reading of Bill 4916 to
AMEND ORD. 4773-20	amend Ordinance 4773-20 regarding the fire sales tax.

There were no objections and Bill 4916 was read by title only:

AN ORDINANCE AMENDING ORDINANCE 4773-20 REGARDING THE CITY OF HAZELWOOD SALES TAX FOR OPERATIONS OF THE HAZELWOOD FIRE DEPARTMENT

Mr. Aubuchon moved, seconded by Mrs. Singleton, the adoption of Bill 4916 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 9</u>	<u>NAY - 0</u>
Mr. Ryan	
Mr. Herin	
Mayor Robinson	
Mr. Todd	

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

Bill 4916 was unanimously adopted as Ordinance 4800-20.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

CITY HALL CLOSED Mayor Robinson announced City Hall will be closed on Christmas Eve, December 24, at noon; Christmas, December 25; and New Year's Day, January 1

COUNCIL MEETING Mayor Robinson announced the next regular Council meeting will be held Wednesday, January 6, 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 8:44 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

Julie Lowery - City Clerk
City of Hazelwood, Missouri