

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
DECEMBER 15, 2021**

CALL TO ORDER

Mayor Matthew G. Robinson called a regular meeting of the Hazelwood City Council to order at 7:32 p.m. on Wednesday, December 15, 2021 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.;

Mayor Robinson asked those present to join in a moment of silent meditation followed by the Pledge of Allegiance led by Boy Scout Troop 739.

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

Lisa M. Matlock
Warren H. Taylor
Mary G. Singleton
Robert M. Aubuchon
Don W. Ryan*
Daniel T. Herin
Matthew G. Robinson

Council member Carol Stroker 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.

*Council member Don Ryan arrived at 7:50 pm.

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 Ms. Matlock, the adoption of the consent agenda as printed. The following vote was recorded on the motion:

AYE - 7

NAY - 0

Ms. Matlock
Mr. Taylor
Mrs. Singleton
Mr. Aubuchon
Mr. Ryan
Mr. Herin
Mayor Robinson

The motion passed unanimously and the consent agenda, including a closed meeting immediately following the regular meeting to discuss litigation and to consult with the City Attorney 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 Ms. Matlock, to approve the minutes of the December 1 special Council, regular Council and closed Council meetings as submitted. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS

OATH OF OFFICE

Mrs. Lowery administered the oath of office to Robert Smith who was appointed by the Council on December 1 to fill the Ward 7 vacancy until the April 2022 election.

Mr. Smith took his seat at the dais.

PROCLAMATIONS AND RESOLUTIONS

PILOT WAIVER RESOLUTION

Mayor Robinson called for the reading of a resolution authorizing a waiver of additional payment in lieu of taxes for MiTek USA, Inc.

Assistant City Manager-Economic Development Becky Ahlvin stated in 2017, the Council authorized issuance of Chapter 100 industrial revenue bonds to facilitate real and personal property tax abatement for the MiTek USA, Inc. manufacturing facility. In connection with the Chapter 100 bond issuance, the City and the company entered into a performance agreement, which provided MiTek would employ at least 150 persons at the manufacturing facility and make additional payments in lieu of taxes (PILOTs) if there were less than 150 jobs. The performance agreement also allowed the Council to, by resolution and sole discretion, waive the additional PILOTs if the company certified that there were unforeseen business conditions that resulted in the lower than anticipated

employment. MiTek reported that due to the Covid-19 pandemic, they are not able to meet the required job numbers for this past year but that they will soon have over 100 employees once a second shift and skeleton weekend shift is added in the next few months. The company has raised wages 10% and is offering referral, sign-on, and retention bonuses to attract and retain employees. As such, they are requesting a waiver of the additional PILOTs for this year.

There were no objections and Resolution 2109 was read by title only:

RESOLUTION WAIVING ADDITIONAL PAYMENTS IN LIEU OF TAXES FOR MITEK USA, INC.

Mr. Aubuchon moved, seconded by Mr. Taylor, the adoption of Resolution 2109. The following vote was recorded on the motion:

AYE - 7

NAY - 0

Ms. Matlock

Mr. Taylor

Mr. Smith

Mrs. Singleton

Mr. Aubuchon

Mr. Herin

Mayor Robinson

Resolution 2109 was unanimously adopted.

PARKS AND REC.	Mayor Robinson called for the reading of a proclamation
FACILITY MANAGER	expressing recognition and appreciation to retiring Parks and
RETIREMENT PROC.	Recreation Facility Manager Jill Arnold.

There were no objections and Proclamation 2122 was read.

Mr. Aubuchon moved, seconded by Mr. Herin, the adoption of Proclamation 2122 expressing recognition and appreciation to Parks and Recreation Facility Manager Jill Arnold for 32 years of dedicated service to the Hazelwood community and extending sincere good wishes for a happy retirement. The motion passed unanimously.

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.

LIQUOR LICENSE	An application for Package Liquor License, with Sunday,
6085 N. LINDBERGH	had been received from Imtiaz Ahmad for Mueez, Inc. d/b/a
	7-Eleven at 6085 North Lindbergh Boulevard.

The requisite record check has been conducted and Police Major Jim Hudanick has recommended approval of the application.

Mrs. Lowery stated the application is due to a change in ownership.

Imtiaz Ahmad, managing officer of 7-Eleven, was present to answer any questions.

Mr. Aubuchon moved, seconded by Ms. Matlock, to approve the application by Imtiaz Ahmad for a Package Liquor License, with Sunday, for 7-Eleven at 6085 North Lindbergh Boulevard. The motion passed unanimously.

PUBLIC HEARINGS – None

COMMUNICATIONS

NCI APPRECIATION	A letter of appreciation for the City's support of the 2021 Golf Tournament was received from North County Inc.
EWGCG BRIEFINGS	The December 2 issue of Briefings was received from the East-West Gateway Council of Governments.
EWGCG BRIEFINGS	The December 9 issue of Briefings was received from the East-West Gateway Council of Governments.
POWER OUTAGES	Notification regarding power outages in the Hazelwood area due to the Pershall Project, which will modernize the electrical distribution system, was received from Ameren Missouri.

Mr. Taylor moved, seconded by Ms. Matlock, 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 January 12 Council work session agenda.
RFPD BUDGET	Mayor Robinson asked Mr. Zimmerman to obtain the newest budget from Robertson Fire Protection District to review at the next regular Council meeting.

CITY MANAGER'S REPORT

AMEND CH. 607
RE: HOTELS

Mr. Zimmerman reported staff recommends amending Chapter 607 of Title VI relative to long-term guests and business license inspection and re-inspection fees.

Mr. Zimmerman stated the City Council passed an ordinance in November 2020 requiring all hotel, motels and lodging places to obtain a separate business license each year. The ordinance established certain minimum standards, including that guests cannot stay for more than 30 days nor more than 60 days in a 6-month period. Subsequently, owners of area extended stay hotels have approached the City about allowing longer-term guests. Each hotel was specifically designed and built to have longer-term guests, including separate kitchens and sleeping areas. Staff has proposed changes to the original ordinance that would permit longer-term guests, subject to specific conditions. These conditions include: (a) a kitchenette with separate sink and appliances; (b) a vent hood; (c) dry storage for food; (d) on-site laundry with washer and dryer pairs at a ratio of one per 25 rooms; and (e) at least one staff member is on-site and on duty at all times. Each property must designate an emergency contact to the City and have someone available to respond to guest calls and emergencies. Lodging places with longer-term guests would be required to re-register every eight weeks and change rooms when re-registering. Hotels are permitted by state law to eject guests for non-payment, if they are intoxicated, reasonably believe they are using the room for illegal purposes, creating a danger, or may be violating the law. In the event a hotel fails to comply with these regulations and/or fails to eject guests for violating the above statutory provisions, the City has the right to revoke their license. All other regulations adopted by the ordinance passed in November 2020 would remain in effect. However, staff has determined that there was an oversight and inspection fees were not included in the original hotel licensing ordinance. This is concerning as hotels require inspections by multiple City departments and often require re-inspections. Mr. Zimmerman stated staff is proposing to establish an inspection fee of \$100. This is the standard inspection fee for commercial properties.

Mr. Aubuchon asked if hotels are adhering to the guidelines set forth by the initial ordinance.

Mr. Zimmerman replied there are fewer calls for service.

Mr. Aubuchon moved, seconded by Ms. Matlock, to concur with the staff recommendation to amend Chapter 607 of Title VI pertaining to licensing and operational requirements for hotels, motels and lodging places 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.

MO BOTTOM/370 TIF
TERMINATION

Mr. Zimmerman reported staff recommends terminating tax increment financing (TIF) within the Missouri Bottom/370 Redevelopment Area.

Mark Spykerman of Gilmore and Bell, the City's bond counsel, stated that 23 years ago the Council adopted an ordinance approving the Missouri Bottom/370 TIF. TIF's under Missouri law survive for 23 years. All TIF bonds have been paid in full and there are no

other obligations payable from TIF revenues. It is appropriate for the City to take the action to terminate the TIF district and dissolve the TIF's special allocation fund.

Mrs. Singleton asked Mr. Spykerman to explain what this means for the City.

Mr. Spykerman replied that before there was any development in that area a TIF was put in place, it froze the assessed values, and any additional assessed values were diverted into a special allocation fund that paid for redevelopments in the 370/Missouri Bottom area.

Mrs. Singleton asked if this means more taxes or fewer taxes for the City at this property.

Mr. Spykerman responded the taxes remain the same due to paying taxes on the assessed value, although now the City and any other taxing entities will receive the full benefit of the assessed value.

Mr. Zimmerman stated that City revenues will increase and payments to Robertson Fire District will increase. He stated based on the 2020 assessed valuation, the City would collect \$400,000 and the payments to Robertson Fire Protection District will increase approximately \$1.1 million.

Ms. Matlock moved, seconded by Mr. Taylor, to concur with the staff recommendation to terminate tax increment financing within the Missouri Bottom/370 Redevelopment Area 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.

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT

APRIL 5, 2022	Mrs. Lowery announced filing for the April 5, 2022 election
ELECTION	opened on December 7, 2021 at 8:00 a.m. and will close on
CANDIDACY FILING	December 28, 2021 at 5:00 p.m.

Petitions for three-year terms for Council members of Wards 1, 3, 5, and 7 can be picked up from the City Clerk's office during regular business hours. Candidates must be 21 years of age, a registered voter, have lived in the City of Hazelwood for at least two years immediately prior to the election, and reside in the ward for which they seek office. Mrs. Lowery reported that one packet had been picked up for Wards 1, 5 and 7, and two packets had been picked up for Ward 3.

COMMISSION AND BOARD REPORTS	Mr. Taylor moved, seconded by Ms. Matlock, to receive and file the minutes of the September 27 Historic Preservation Commission meeting. The motion passed unanimously.
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NEW BUSINESS – None

INTRODUCTION AND FIRST READING OF BILLS

AMEND CHAPTER 607 Mayor Robinson called for the first reading of a bill to amend
RE: HOTEL/MOTEL Chapter 607 of Title VI pertaining to licensing and operational
REQUIREMENTS requirements for hotels and motels.

There were no objections and Bill 4990 was read by title only:

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF THE MUNICIPAL CODE PERTAINING TO LICENSING AND OPERATIONAL REQUIREMENTS FOR HOTELS AND MOTELS.

Bill 4990 will be on the agenda for second reading on January 5, 2022.

MISSOURI BOTTOM/370 Mayor Robinson called for the first reading of a bill terminating
TIF TERMINATION tax increment financing within the Missouri Bottom/370
Redevelopment Area.

There were no objections and Bill 4991 was read by title only:

AN ORDINANCE TERMINATING TAX INCREMENT FINANCING WITHIN THE 370/MISSOURI BOTTOM ROAD REDEVELOPMENT AREA; DISSOLVING THE SPECIAL ALLOCATION FUND RELATED THERETO; AND AUTHORIZING CERTAIN ACTIONS RELATING THERETO.

Bill 4991 will be on the agenda for second reading on January 5, 2022.

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 4973 Mayor Robinson called for the second reading of Bill 4973 to
SUBDIVISION authorize the subdivision of 6235 and 6245 North Lindbergh
Boulevard.

There were no objections and Bill 4973 was read by title only:

AN ORDINANCE APPROVING THE SUBDIVISION OF 6235 NORTH LINDBERGH BOULEVARD AND 6245 NORTH LINDBERGH BOULEVARD FROM TWO LOTS INTO ONE LOT.

Mr. Aubuchon moved, seconded by Mr. Ryan, the adoption of Bill 4973 as an ordinance.
The following vote was recorded on the motion:

AYE - 8

Ms. Matlock

Mr. Taylor

Mr. Smith

NAY - 0

Mrs. Singleton
Mr. Aubuchon
Mr. Ryan
Mr. Herin
Mayor Robinson

Bill 4973 was unanimously adopted as Ordinance 4866-21.

BILL 4974	Mayor Robinson called for the second reading of Bill 4974 to
REZONE	rezone 6235 North Lindbergh Boulevard from C-2 General
6235 N. LINDBERGH	Commercial District to C-3 Highway Commercial District.

There were no objections and Bill 4974 was read by title only:

AN ORDINANCE AMENDING CHAPTER 405: ZONING REGULATIONS, OF THE MUNICIPAL CODE OF THE CITY OF HAZELWOOD, MISSOURI, BY REZONING 6235 NORTH LINDBERGH BOULEVARD, FROM C-2 GENERAL COMMERCIAL DISTRICT TO C-3 HIGHWAY COMMERCIAL DISTRICT.

Mr. Aubuchon moved, seconded by Mr. Herin, the adoption of Bill 4974 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 8</u>	<u>NAY - 0</u>
Ms. Matlock	
Mr. Taylor	
Mr. Smith	
Mrs. Singleton	
Mr. Aubuchon	
Mr. Ryan	
Mr. Herin	
Mayor Robinson	

Bill 4974 was unanimously adopted as Ordinance 4867-21.

BILL 4975	Mayor Robinson called for the second reading of Bill 4975 to
SLUP	grant a Special Land Use Permit for a vehicle service and
	repair facility and vehicle auto sales at 6235 North Lindbergh
	Boulevard.

City Planner Kate Crimmins stated that Bommarito had an application before the Board of Adjustment for a 0-foot green space at the rear property line that abuts a single-family zoning district. After meeting with the neighboring residents, Bommarito created a revised plan with a 6-foot green space buffer along the rear property line. The Council had been provided with a copy of the revised site plan.

Mr. Aubuchon moved, seconded by Mr. Ryan, to amend Bill 4975 by substituting the new Exhibit A, the revised site plan, for the previous Exhibit A. The motion passed unanimously.

There were no objections and Bill 4975, as amended, was read by title only:

AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO LINDBERGH PROPERTY HOLDINGS, LLC FOR A VEHICLE SERVICE AND REPAIR FACILITY AND VEHICLE, AUTO SALES AT 6235 NORTH LINDBERGH BOULEVARD AND PROVIDING THE CONDITIONS OF SUCH USAGE.

Mr. Aubuchon moved, seconded by Mr. Ryan, the adoption of Bill 4975, as amended, as an ordinance. The following vote was recorded on the motion:

AYE - 8

NAY - 0

Ms. Matlock

Mr. Taylor

Mr. Smith

Mrs. Singleton

Mr. Aubuchon

Mr. Ryan

Mr. Herin

Mayor Robinson

Bill 4975 was unanimously adopted as Ordinance 4868-21.

BILL 4985
SLUP

Mayor Robinson called for the second reading of Bill 4985 to grant a Special Land Use Permit for a vehicle service station/minimart at 6085 North Lindbergh Boulevard.

There were no objections and Bill 4985 was read by title only:

AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO MUEEZ, INC., D/B/A 7-ELEVEN FOR A VEHICLE SERVICE STATION/MINIMART AT 6085 NORTH LINDBERGH BOULEVARD AND PROVIDING THE CONDITIONS OF SUCH USAGE.

Mr. Aubuchon moved, seconded by Ms. Matlock, the adoption of Bill 4985 as an ordinance. The following vote was recorded on the motion:

AYE - 8

NAY - 0

Ms. Matlock

Mr. Taylor

Mr. Smith

Mrs. Singleton

Mr. Aubuchon

Mr. Ryan

Mr. Herin
Mayor Robinson

Bill 4985 was unanimously adopted as Ordinance 4869-21.

BILL 4986
SLUP
Mayor Robinson called for the second reading of Bill 4986 to grant a Special Land Use Permit for a restaurant at 209 Village Square Shopping Center.

There were no objections and Bill 4986 was read by title only:

AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO SIMPLYCOOKINGWITHDONNA, LLC D/B/A SIMPLY COOKING WITH DONNA FOR A RESTAURANT AT 209 VILLAGE SQUARE SHOPPING CENTER AND PROVIDING THE CONDITIONS OF SUCH USAGE.

Mr. Aubuchon moved, seconded by Mr. Taylor, the adoption of Bill 4986 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 8</u>	<u>NAY - 0</u>
Ms. Matlock	
Mr. Taylor	
Mr. Smith	
Mrs. Singleton	
Mr. Aubuchon	
Mr. Ryan	
Mr. Herin	
Mayor Robinson	

Bill 4986 was unanimously adopted as Ordinance 4870-21.

BILL 4987
SLUP
Mayor Robinson called for the second reading of Bill 4987 to grant a Special Land Use Permit for a medical marijuana infused products manufacturing facility at 12045 Missouri Bottom Road.

There were no objections and Bill 4987 was read by title only:

AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO GROWING JOBS MISSOURI, LLC FOR MEDICAL MARIJUANA INFUSED PRODUCTS MANUFACTURING FACILITY AT 12045 MISSOURI BOTTOM ROAD AND PROVIDING THE CONDITIONS OF SUCH USAGE.

Mr. Aubuchon moved, seconded by Mr. Ryan, the adoption of Bill 4987 as an ordinance. The following vote was recorded on the motion:

AYE - 8

NAY - 0

Ms. Matlock
Mr. Taylor
Mr. Smith
Mrs. Singleton
Mr. Aubuchon
Mr. Ryan
Mr. Herin
Mayor Robinson

Bill 4987 was unanimously adopted as Ordinance 4871-21.

BILL 4988
AGREEMENT

Mayor Robinson called for the second reading of Bill 4988 to authorize an agreement for legislative services.

There were no objections and Bill 4988 was read by title only:

AN ORDINANCE AUTHORIZING AN AGREEMENT WITH AT GOVERNMENT STRATEGIES FOR STRATEGIC GOVERNMENT AFFAIRS AND LEGISLATIVE SERVICES.

Mr. Ryan moved, seconded by Mr. Taylor, the adoption of Bill 4988 as an ordinance. The following vote was recorded on the motion:

AYE - 8

NAY - 0

Ms. Matlock
Mr. Taylor
Mr. Smith
Mrs. Singleton
Mr. Aubuchon
Mr. Ryan
Mr. Herin
Mayor Robinson

Bill 4988 was unanimously adopted as Ordinance 4872-21.

BILL 4989
CHAPTER 100 BONDS

Mayor Robinson called for the second reading of Bill 4989 to authorize the issuance of Chapter 100 bonds for 1600 TradePort Drive, Building 7.

There were no objections and Bill 4989 was read by title only:

AN ORDINANCE AUTHORIZING THE CITY OF HAZELWOOD, MISSOURI TO ISSUE ITS TAXABLE INDUSTRIAL REVENUE BONDS (NP HAZELWOOD 370 BUILDING 7, LLC PROJECT), SERIES 2022, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$35,000,000, FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE

COSTS OF ACQUIRING, CONSTRUCTING AND IMPROVING A FACILITY 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.

Mr. Herin moved, seconded by Mr. Ryan, the adoption of Bill 4989 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 8</u>	<u>NAY - 0</u>
Ms. Matlock	
Mr. Taylor	
Mr. Smith	
Mrs. Singleton	
Mr. Aubuchon	
Mr. Ryan	
Mr. Herin	
Mayor Robinson	

Bill 4989 was unanimously adopted as Ordinance 4873-21.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

CITY HALL CLOSED Mayor Robinson announced City Hall will be closed on December 23, at noon; Christmas Eve, December 24; and New Year's Eve, December 31.

COUNCIL MEETING Mayor Robinson announced the next regular Council meeting will be held Wednesday, January 5, 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 8:19 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

Julie Lowery - City Clerk
City of Hazelwood, Missouri