CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
JANUARY 5, 2022

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, January 5, 2022 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.

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

Warren H. Taylor*
Robert C. Smith
Mary G. Singleton
Carol A. Stroker
Robert M. Aubuchon
Don W. Ryan
Daniel T. Herin
Matthew G. Robinson

Council Member Lisa M. Matlock 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 Warren H. Taylor arrived at 7:39 p.m.

AGENDA There being no amendments proposed, Mr. Aubuchon moved, seconded by Mr. Herin, the adoption of the agenda as printed. The motion passed unanimously.

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

AYE - 8	NAY - 0
Mr. Taylor	
Mr. Smith	
Mrs. Singleton	
Mrs. Stroker	
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 consult with the City Attorney in accordance with the provisions of RSMo 610.021(1) and to discuss a personnel matter in accordance with the provisions of RSMo 610.021(3), was adopted.

APPROVAL OF MINUTES Mr. Aubuchon moved, seconded by Mr. Herin, to approve the minutes of the December 15 regular and closed Council meetings as submitted. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS

EMPLOYEE INTRODUCTION — Firefighter/Paramedic Greg Kraft was not present and will be introduced at a later meeting.

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 Assistant City Manager-Finance David Tuberty.

Mr. Tuberty stated the City has received this award for 24 consecutive years and he was honored to accept it on behalf of the Finance Department staff.

PRESENTATION OF 2020-2021 CAFR — Mollie Malone, of Stopp & VanHoy, LLC briefly reviewed the fiscal year 2020-2021 Comprehensive Annual Financial Report and audit.

PROCLAMATIONS AND RESOLUTIONS

SALES TAX EXEMPTION RESOLUTION — Mayor Robinson called for the reading of a resolution authorizing the provision of a sales tax exemption certificate for 4872 Park 370 Boulevard.

Assistant City Manager-Economic Development Becky Ahlvin stated HITS Scanning Solutions, Inc. intends to develop a new headquarters and scanning operations facility at 4872 Park 370 Boulevard at a cost of approximately $15 million. To make the facility financially feasible, the Company is requesting real and personal property tax abatement through a Chapter 100 industrial revenue bond transaction, with years one through five being abated at 100% and years six through 10 being abated at 25%.

There were no objections and Resolution 2201 was read by title only:

RESOLUTION AUTHORIZING CITY STAFF AND CONSULTANTS TO TAKE CERTAIN ACTIONS WITH RESPECT TO A PROPOSED PROJECT FOR HITS SCANNING SOLUTIONS, INC.

Mr. Taylor moved, seconded by Mr. Aubuchon, the adoption of Resolution 2201. The following vote was recorded on the motion:

AYE - 7	NAY - 0
Mr. Taylor	
Mr. Smith	
Mrs. Singleton	
Mr. Aubuchon	
Mr. Ryan	
Mr. Herin	
Mayor Robinson	

Resolution 2201 was adopted.

PARK GRANT — Mayor Robinson called for the reading of a resolution authorizing an application to the Municipal Park Grant Commission to complete planning for Pershall Park.

There were no objections and Resolution 2202 was read by title only:

A RESOLUTION OF THE COUNCIL OF THE CITY OF HAZELWOOD, MISSOURI, SUPPORTING THE APPLICATION FOR GRANT FUNDS AIMED AT MASTER PLANNING; TO BE USED FOR UPDATING ONE LARGE PARK MASTER PLAN, PERSHALL PARK.

Mr. Aubuchon moved, seconded by Mr. Taylor, the adoption of Resolution 2202. The following vote was recorded on the motion:

AYE - 8	NAY - 0
Mr. Taylor	
Mr. Smith	
Mrs. Singleton	
Mrs. Stroker	

Mr. Aubuchon
Mr. Ryan
Mr. Herin
Mayor Robinson

Resolution 2202 was adopted.

RETIREMENT PROCLAMATION — Mayor Robinson called for the reading of proclamation expressing recognition and appreciation to retiring Fire Captain Dale Kelle.

There were no objections and Proclamation 2201was read.

Mr. Aubuchon moved, seconded by Mr. Smith, the adoption of Proclamation 2201 expressing recognition and appreciation to Fire Captain Dale Kelle for 39 years of dedicated service to the Hazelwood community and extending sincere good wishes for a happy retirement. The motion passed unanimously.

KIWANIS PROCLAMATION — Mayor Robinson called for the reading of a proclamation designating January 13, 2022 as Kiwanis International Day.

There were no objections and Proclamation 2202 was read.

Mrs. Stroker moved, seconded by Mr. Ryan, the adoption of Proclamation 2202 designating January 13, 2022 as Kiwanis International Day, and calling upon all citizens of the City of Hazelwood to support the members of this organization and to make themselves aware of Kiwanis International, whose members are providing meaningful service to our families, schools, and community. 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.

CITY CHARTER AND ORDINANCES — Hazelwood Fire Shop Steward Randy George requested a new provision to the Charter and ordinances, which would permit City employees to engage in election hearing activities as long as they are off duty and not in uniform.

Mr. George stated this request should extend to individual, Mayoral, and Council elections.

Mayor Robinson stated this request would be added to the agenda for the January 19 meeting to discuss further action.

CITIZENS TO SAVE HAZELWOOD AND FIRE SERVICES PRESENTATION	Jennifer Guyton of 1205 Woodcrest Lane stated she would like to schedule a time to make a presentation to the Council and public of findings regarding Robertson Fire Protection District (RFPD).

Ms. Guyton stated the Citizens to Save Hazelwood and Fire Services website had been updated with new information and encouraged the Council and citizens to go to the website for more information.

Mayor Robinson stated the presentation would be added to the January 19 agenda.

HAZELNUTS	Clara Faatz of 8 Bon Vue expressed gratitude to City staff and the Council for the use of Civic Center East to hold the Hazelnuts meetings and stated the January Hazelnuts meeting is cancelled due to the rise in Covid-19 cases.
CODE AMENDMENT RE: HORSES	Mike Willen of 2405 Barwick Lane requested a change of zoning to allow horses in residential areas.

Mr. Zimmerman replied that stables are prohibited within City limits and directed Mr. Willen to petition the City Council to amend the code to permit stables. If Council members would like to consider an amendment, staff would prepare proposed regulations.

The Council directed staff to move forward with the request.

SLUP EXTENSION	A request for an extension of the Special Land Use Permit deadlines to commence construction and full operation of Caliber Collision at 4782 Park 370 Boulevard.

City Planner Kate Crimmins stated Caliber Collision have experienced delays due to the labor shortage and supply chain issues. They are planning to begin construction in a few weeks and have requested a six month extension.

Architect Brett Flory, representing Caliber Collision was present for any questions.

Mr. Smith moved, seconded by Mr. Aubuchon, to extend the Special Land Use Permit deadlines to commence construction and full operation of Cross Development CC Hazelwood, LLC d/b/a Caliber Collision by six months and to place the draft bill on the agenda for introduction. The motion passed unanimously.

PUBLIC HEARINGS - None

COMMUNICATIONS

EWGCG BRIEFINGS	The December 16 issue of Briefings was received from the East-West Gateway Council of Governments.
PROPOSAL TO AMEND CODE	A proposal to amend Chapter 405. Zoning Regulations regarding dance halls and nightclubs was received from City Planner Kate Crimmins.
CID BUDGET F.Y. 2023	The 370/Missouri Bottom Road/Taussig Road Community Improvement District budget for the 2023 fiscal year was received from Armstrong Teasdale LLP.
EWGCG BRIEFINGS	The December 23 issue of Briefings was received from the East-West Gateway Council of Governments.

Mr. Aubuchon moved, seconded by Mr. Herin, to refer the petition 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	Mr. Aubuchon moved, seconded by Mr. Taylor, to cancel the January 12 council work session. The motion passed unanimously.
REVIEW OF RFPD BUDGETS	Mr. Zimmerman reviewed the 2021 and 2022 RFPD budgets.

Mr. Zimmerman stated RFPD's 2021 and 2022 budgets continue the trend of building cash reserves. RFPD's 2021 operating budget includes a surplus of $378,052 and a surplus of approximately $536,000 for the 2022 budget. Mr. Zimmerman stated the interim agreement between the City and RFPD, from this past August, caps the City's payment at RFPD's 2020 tax levy that is $4.5 million. Mr. Zimmerman stated over the past five fiscal years RFPD's revenues were higher than budgeted and expenses were less than budgeted. When reviewing the cost comparison between RFPD and the City, the City's costs are 40% of RFPD's costs within Hazelwood, and the City's cost per resident is 23% of RFPD's. RFPD's tax rates declined during reassessment years, in part to tax cap limitations under the Hancock amendment. In non-reassessment years, RFPD's tax rates increased in part due to decreased in assessed valuation. RFPD significantly increased their tax rate in 2018, the year the City did not make their payment. Based on RFPD's 2021 levy the payment from the City to RFPD increases by $823,000.

Mayor Robinson asked what the payment would be next year with the retirement of the TIF.

Mr. Zimmerman replied that if there were not an interim agreement for calendar years 2022 and 2023, the payment would be $5.9 million.

Mr. O'Keefe stated that during the course of litigation the City and RFPD were able to reach an interim agreement with respect to the disputed 2018 payment. The City was able to make the settlement payment due to federal funds that were received because of Covid-19. The City and RFPD have yet to come to an agreement on the structure of their relationship or finances. Judge Thomas Prebil, the courts intermediary, notified the St. Louis County Judge handling the case that there is no further effort on his part that would be worthwhile and he does not believe a settlement is achievable. Judge Prebil has withdrawn from the mediation. At this time, the parties are on track to go to trial.

Mr. Ryan expressed his displeasure regarding the circumstances surrounding the court case and information provided in their budget. He stated that he would like to see the presentation from the citizens group.

Mrs. Singleton stated staff and Council have exhausted their options and she is looking forward to working with residents to provide a fair outcome for the City.

CITY MANAGER'S REPORT

AMEND TITLE III TRAFFIC CODE RE: GOLF CARTS	Mr. Zimmerman reported staff recommends an amendment to Title III. Traffic Code, Chapter 340: Miscellaneous Driving Rules, Article I General Provisions regarding regulating golf carts and low speed vehicles on City roadways.

Mr. Zimmerman stated golf carts on City roadways would have a maximum speed of 20 miles per hour and low speed vehicles would be limited to between 20 and 25 mph. These vehicles would only be permitted to drive on local streets with a maximum speed limit of 25 mph and would be prohibited from being operated on City sidewalks. Operation of a golf cart or low speed vehicle would require the operator to have a valid driver's license, insurance coverage, seating in designated seats with safety restraints, adequate brake system, and have two headlights and taillights. While the City has not received complaints about the operation of golf carts and low speed vehicles, staff believes it would be practical to establish regulations due to the increasing popularity of these types of vehicles.

Ms. Faatz stated she is opposed to having golf carts on the roadways.

Mrs. Singleton asked if this activity was taking place and adopting an ordinance will regulate use.

Mr. Zimmerman replied affirmatively.

Mayor Robinson stated he would like to have input from the public and suggested waiting until the next Council meeting for consideration of first reading.

Mr. Aubuchon moved, to concur with staff recommendation to amend Title III. Traffic Code, Chapter 340: Miscellaneous Driving Rules regarding regulating golf carts and low speed vehicle on City roadways. The motion died for lack of second.

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT

CANDIDICY FILING REPORT — Mrs. Lowery reported the deadline to file for candidacy for the April 5, 2022 ballot has expired as of December 28, 2021 at 5 p.m.

As of December 28, 2021, William Hoops Jr. has filed for Ward 1. Don Ryan, Larry McCune, and Richard Smith have filed for Ward 3, there were no certified petitions received for Ward 5, and Helena Smith and Robert Smith have both filed for Ward 7.

COMMISSION AND BOARD REPORTS — Mr. Aubuchon moved, seconded by Mr. Herin, to receive and file the minutes of the November 8 Neighborhood Watch Commission meeting, November 9 Community Enrichment Commission meeting, and November 22 Historic Preservation Commission meeting. The motion passed unanimously.

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

SLUP EXTENSION 4782 PARK 370 BLVD. — Mayor Robinson called for the first reading of a bill to extend the Special Land Use Permit deadlines for Caliber Collision for a vehicle service and repair facility and vehicle painting at 4782 Park 370 Boulevard.

There were no objections and Bill 4992 was read by title only:

AN ORDINANCE AMENDING ORDINANCE 4833-21 BY EXTENDING THE SPECIAL LAND USE PERMIT DEADLINES TO COMMENCE CONSTRUCTION AND FULL OPERATION OF CALIBER COLLISION FOR A VEHICLE SERVICE AND REPAIR FACILITY AND VEHICLE PAINTING, AT 4782 PARK 370 BOULEVARD.

Bill 4992 will be on the agenda for second reading on January 19.

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 4990 AMEND CHAPTER 607 — The second reading of Bill 4990, to amend Chapter 607 pertaining to licensing and operational requirements for hotels and motels, was postponed.

BILL 4991
MO BOTTOM/370 TIF

Mayor Robinson called for the second reading of Bill 4991 terminating 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.

Mr. Taylor moved, seconded by Mr. Smith, the adoption of Bill 4991 as an ordinance. The following vote was recorded on the motion:

AYE - 8	NAY - 0
Mr. Taylor	
Mr. Smith	
Mrs. Singleton	
Mrs. Stroker	
Mr. Aubuchon	
Mr. Ryan	
Mr. Herin	
Mayor Robinson	

Bill 4991 was unanimously adopted as Ordinance 4874-22.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

CITY HALL CLOSED

Mayor Robinson announced City Hall will be closed to the public on Martin Luther King Jr. Day, January 17.

COUNCIL MEETING

Mayor Robinson announced the next regular Council meeting will be held Wednesday, January 19, 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 8:54 p.m.

ATTEST:

_____
Julie Lowery - City Clerk
City of Hazelwood, Missouri

_____
Matthew G. Robinson - Mayor
City of Hazelwood, Missouri