

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
JANUARY 19, 2022**

CALL TO ORDER

A regular meeting of the Hazelwood City Council was called to order by Mayor Matthew G. Robinson at 7:30 p.m. on Wednesday, January 19, 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
Robert M. Aubuchon
Don W. Ryan
Daniel T. Herin*
Matthew G. Robinson
Lisa M. Matlock

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 Daniel T. Herin arrived at 8:05 p.m.

AGENDA

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

CONSENT AGENDA

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

The motion passed unanimously and the consent agenda was adopted.

APPROVAL OF MINUTES

Mrs. Singleton moved, seconded by Mr. Ryan, to approve the minutes of the January 5 regular and closed Council meetings as submitted. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS

EMPLOYEE SERVICE AWARD

As his biography was read, Fire Chief Dave Herman was presented with a 5-year service award.

PROCLAMATIONS AND RESOLUTIONS

BLACK HISTORY MONTH PROCLAMATION

Mayor Robinson called for the reading of a proclamation designating the month of February 2022 as Black History Month.

There were no objections and Proclamation 2203 was read.

Mrs. Singleton moved, seconded by Mr. Taylor, the adoption of Proclamation 2203 designating the month of February 2022 as Black History Month in the City of Hazelwood, Missouri, and calling upon all citizens, public officials, and educators to observe February with appropriate programs, ceremonies, and activities. The motion passed unanimously.

GNCCC 2022 CHAIR OF BOARD OF DIRECTORS PROCLAMATION

Mayor Robinson called for the reading of a proclamation congratulating Carl Lathan, 2022 Chair of the Greater North County Chamber of Commerce Board of Directors.

There were no objections and Proclamation 2204 was read.

Mr. Aubuchon moved, seconded by Mr. Smith, the adoption of Proclamation 2204 congratulating Carl Lathan on his new position as 2022 Chair of the Greater North County Chamber of Commerce Board of Directors. 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.

GOLF CART REGULATIONS

Mike Feldman of 919 Zohner Court spoke in favor of allowing the use of golf carts on City roadways and stated riding the golf through their neighborhood has been a good way of getting to know more of their neighbors.

Nick Zlotopolski of 915 Zohner Court spoke in favor of allowing golf carts in Hazelwood and stated his family has enjoyed having a golf cart for approximately 11 years. Mr. Zlotopolski stated allowing golf carts is a good way to connect subdivisions and create pathways.

Jim Ervin of 1466 El Camino Drive spoke in favor of utilizing golf carts on City roadways. He stated Hazelwood is losing stable families to surrounding cities due to the removal of many City services. Mr. Ervin stated allowing golf carts would improve community engagement.

Maggie Schneider of 615 Coach House Drive spoke in favor of regulating the use of golf carts. Mrs. Schneider stated the belief that golf carts are unsafe is not based upon fact, and reports from Florissant and O'Fallon show no significant accidents since allowing their use. Mrs. Schneider stated she believes using golf carts could bring the community together.

Clara Faatz of 8 Bon Vue spoke in opposition to regulating the use of golf carts. She stated she does not believe Hazelwood roadways were designed for golf cart use. Ms. Faatz stated regulating the use of golf carts would drain an already overworked Police Department. Ms. Faatz stated if the Council allows golf carts there are several modifications to the draft bill she would like considered such as, golf carts should be in good working condition, should not be altered and should not be used after sunset. In regards to low speed vehicle regulations, Ms. Faatz stated there seems to be more restrictions. She stated this would mean a child or anyone who uses a motorized vehicle could not leave their property if they do not have a license. Ms. Faatz stated this is very restrictive for handicapped persons and she feels differently about a person who has a handicap not being allowed the freedom of movement. Ms. Faatz submitted her comments for the record.

Michael Schneider of 615 Coach House Drive stated he is in favor of regulating the use of golf carts.

Alan Orban of 1112 Woodcrest Lane spoke in opposition to regulating the use of golf carts. Mr. Orban stated there are state statutes in place to regulate the use of golf carts and low speed vehicles and does not believe the City should add more restrictions.

PUBLIC HEARINGS - None

COMMUNICATIONS

EWGCG BRIEFINGS	The December 30 issue of Briefings was received from the East-West Gateway Council of Governments.
EWGCG BRIEFINGS	The January 6 issue of Briefings was received from the East-West Gateway Council of Governments.
MSD ANNUAL REPORT	The 2021 Popular Annual Financial Report was received from the Metropolitan St. Louis Sewer District.
EWGCG BRIEFINGS	The January 13 issue of Briefings was received from the East-West Gateway Council of Governments.

Mrs. Singleton moved, seconded by Mr. Ryan, to receive and file all communications. The motion passed unanimously.

UNFINISHED BUSINESS

AMEND TITLE III GOLF CARTS	Mr. Zimmerman stated the City Council deferred action at the January 5 Council meeting on regulating the use of golf carts and low speed vehicles on City roadways in order to seek public feedback.
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Assistant City Manager-Economic Development Becky Ahlvin stated the topic of regulating golf carts and low speed vehicles was posted on Facebook and Nextdoor platforms and on the City website. The community is split in their opinions.

Mrs. Singleton asked what would happen if nothing were done with this legislation.

Mr. Zimmerman replied that the Police Department would be able to ticket individuals if regulations were not being followed.

Mr. Ryan replied he understood that the state would like local governments to create their own ordinances relative to golf carts and low speed vehicles.

Mr. Aubuchon stated he would rather be proactive than not do anything. He asked if motorized wheelchairs were included in the draft legislation.

Mr. Zimmerman responded he would check and report at the next meeting.

MAYOR AND COUNCIL REPORTS

WORK SESSION AGENDA ITEMS	No items were added to the March 9 Council work session agenda.
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CITIZENS TO SAVE HAZELWOOD AND FIRE SERVICES PRESENTATION	Jennifer Guyton of 1205 Woodcrest Lane stated the public presentation by the Citizens to Save Hazelwood and Fire Services has been postponed until the February 2 regular Council meeting.
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Mayor Robinson stated that the citizens group is not affiliated or backed by the City. However, he extended his congratulations to the group for assembling all the data and information to share with the public regarding the Robertson Fire Protection District (RFPD) budget. Mayor Robinson stated the City continues negotiations with RFPD and is exploring every option to keep Hazelwood out of bankruptcy. The City has cut many services, reduced workforce and programs for residents in order to avoid bankruptcy. Because of one-time revenues, such as the American Rescue Plan Act (ARPA) funds, the City is sustaining. Hazelwood would be in bankruptcy discussions if the ARPA funding had not been received. Mayor Robinson directed staff to provide the Council with a budget comparison analysis between the Hazelwood Fire Department and RFPD and to include salaries, benefits, expenditures and purchases.

CITY CHARTER POLITICAL ACTIVITY AND PROHIBITION OF INTERFERENCE	In response to a request received at the January 5 regular Council meeting, from Firefighter Randy George, the Council discussed consideration of amending the City Charter to allow employees to participate in political activity.
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Mayor Robinson stated that a few years ago, Missouri law was passed that allowed first responders to be involved in campaigns, but the Hazelwood City Charter prohibits that action.

Mayor Robinson stated employees believe they are not allowed to speak with Council Members. The Council encourages employees to follow policy and address their supervisors and the City Manager before speaking with the Council.

Mayor Robinson advised the Council if an employee brings concerns or questions to them, to ask if they have first conversed with their superiors and the City Manager.

Messrs. Herin, Aubuchon and Ryan stated they are in favor of amending the City Charter to allow employees to participate in political activity.

Mrs. Singleton stated she believes it is important to receive employee feedback on topics/issues that affect them.

Mayor Robinson stated any consideration of Charter changes should affect all employees, not just one group.

Mrs. Singleton stated she would like to know if amending the Charter is something that all employees want.

Mr. O'Keefe replied there are separate divisions in the Charter relating to political activity. He stated that in Article VII there is a specific prohibition regarding contributing to campaign funds, or taking part in the political campaign of any City office.

Mayor Robinson requested staff and the City Attorney draft an amendment to the Charter for employees to engage in political activity. This topic will be placed on a future agenda for consideration.

CITY MANAGER'S REPORT

DEMOLITION Public Works Director David Stewart reported staff
192 ANISTASIA DRIVE recommends the demolition of the structure at 192 Anistasia
Drive by Skyscraper Marine, LLC d/b/a Tubbs & Sons
Construction at a cost not to exceed \$13,500.

Mr. Stewart stated 192 Anistasia Drive is a vacant, dilapidated property that has been a nuisance property for years. He stated five bids were received for demolition and the lowest, most responsive bid is from Tubbs & Sons Construction.

Mr. Taylor moved, seconded by Mrs. Singleton, to concur with the staff recommendation authorize a contract with Skyscraper Marine, LLC d/b/a Tubbs & Sons Construction for the demolition of the structure at 192 Anistasia Drive and 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.

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT - None

COMMISSION AND BOARD REPORTS - None

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

DEMOLITION Mayor Robinson called for the first reading of a bill
CONTRACT authorizing a contract for the demolition of the structure at 192
Anistasia Drive.

There were no objections and Bill 4993 was read by title only:

AN ORDINANCE AUTHORIZING A CONTRACT WITH SKYSCRAPER MARINE, LLC D/B/A TUBBS & SONS CONSTRUCTION FOR DEMOLITION OF THE STRUCTURE LOCATED AT 192 ANISTASIA DRIVE AT A COST NOT TO EXCEED \$13,500.

Bill 4993 will be on the agenda for second reading on February 2.

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 4990 Mayor Robinson called for the second reading of Bill 4990 to
AMEND CHAPTER 607 amend Chapter 607 of Title VI pertaining to licensing and
operational requirements for hotels and motels.

Mr. Zimmerman stated subsequent to first reading of Bill 4990 staff and the City Prosecutor had met with representatives from two of the long-term stay facilities in Hazelwood. While the establishments are supportive of the concept, they expressed concerns about the requirement that guests must relocate rooms every eight weeks. They propose the rooms must be cleaned by hotel staff at least weekly instead. City staff and the City Prosecutor discussed their requests and proposed several additional requirements if the City would agree to waive the room relocation provision. The Council had been provided a list of those changes as well as Bill 4990.1 in redline format.

Mr. Aubuchon moved, seconded by Mrs. Singleton, to amend Bill 4990 by the text of Bill 4990.1. The motion passed unanimously.

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

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

Mr. Aubuchon moved, seconded by Mr. Taylor, the adoption of Bill 4990, as amended, as an ordinance. The following vote was recorded on the motion:

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

Bill 4990, as amended, was unanimously adopted as Ordinance 4875-22.

BILL 4992
SLUP EXTENSION

Mayor Robinson called for the second reading of Bill 4992 to extend the Special Land Use Permit deadlines to commence construction and operation 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.

Mr. Smith moved, seconded by Ms. Matlock, the adoption of Bill 4992 as an ordinance. The following vote was recorded on the motion:

AYE - 8

NAY - 0

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

Bill 4992 was unanimously adopted as Ordinance 4876-22.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

COUNCIL MEETING Mayor Robinson announced the next regular Council meeting will be held Wednesday, February 2 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 9:25 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

Julie Lowery - City Clerk
City of Hazelwood, Missouri