

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
MARCH 2, 2022**

CALL TO ORDER

A regular meeting of the Hazelwood City Council was called to order by Mayor Matthew G. Robinson at 7:34 p.m. on Wednesday, March 2, 2022 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
Daniel T. Herin*
Matthew G. Robinson
Lisa M. Matlock
Warren H. Taylor
Robert C. Smith

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 Herin arrived at 8:25 p.m.

AMEND AGENDA

Mr. Aubuchon moved, seconded by Mrs. Singleton to amend the agenda by adding a liquor license extension as item 7.a. The motion passed unanimously.

Mrs. Singleton moved, seconded by Mr. Aubuchon, to adopt the agenda as amended. The motion passed unanimously.

CONSENT AGENDA

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

AYE - 8

NAY - 0

Mrs. Singleton
Mrs. Stroker
Mr. Aubuchon
Mr. Ryan

Mayor Robinson
Ms. Matlock
Mr. Taylor
Mr. Smith

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), was adopted.

**APPROVAL OF
MINUTES**

Mr. Taylor moved, seconded by Mr. Ryan, to approve the minutes of the February 16 regular and closed Council meetings as submitted. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS

**EMPLOYEE
INTRODUCTIONS**

Firefighter/Paramedic John Parris, City Hall Receptionist Rosalyn Wooten, Code Enforcement Officer Bryan Harrell, part-time Code Enforcement Officer George Mudd, and Permit Technician Rachel Fry will be introduced at a later meeting.

PROCLAMATIONS AND RESOLUTIONS

**DIVE BOMB
CHAPTER 100
RESOLUTION**

Mayor Robinson called for the reading of a resolution authorizing City staff and consultants to take certain actions with respect to a proposed project for Dive Bomb Industries, LLC.

Mark Spykerman of Gilmore and Bell, the City's bond counsel, stated Dive Bomb Industries intends to develop an approximately 215,000 square foot facility at 4875 Park 370 Boulevard. 100,000 square feet of the building would be used for manufacturing and selling waterfowl hunting equipment and lifestyle apparel, and lease the remaining portion of the facility to other users. Dive Bomb Industries intends to have 56 employees at a median salary of \$51,000 per year. To make the facility feasible, Dive Bomb Industries is requesting the City participate in a Chapter 100 industrial revenue bond transaction, with real property tax abatement years one through five are 100% abated, and 50% abatement for years six through ten.

Dive Bomb Industries representative Rob Golterman gave a brief overview of the company and stated they are moving because they are in need of more space.

Dive Bomb Industries owner Cody Stokes was available for questions.

Mr. Smith asked when the company will be operational.

Mr. Golterman replied they should be operational by spring 2023.

There were no objections and Resolution 2204 was read by title only:

RESOLUTION AUTHORIZING CITY STAFF AND CONSULTANTS TO TAKE CERTAIN ACTIONS WITH RESPECT TO A PROPOSED PROJECT FOR DIVE BOMB INDUSTRIES, LLC.

Mr. Smith moved, seconded by Mr. Taylor, the adoption of Resolution 2204. The following vote was recorded on the motion:

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

Resolution 2204 was unanimously adopted.

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.

AMENDMENT TO CHARTER	Vienna Austin of 1652 Laurel Bluffs stated he wishes to propose an amendment to the Hazelwood Charter to establish foreign language ballot access for all residents.
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TEMPORARY LIQUOR LICENSE	A request for an extension of the temporary liquor license for Love's Restaurant at 7217 North Lindbergh Boulevard had been received from Hycinth Vincent, the managing officer.
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Mrs. Lowery stated upon review of the food/alcohol sales information the data is not sufficient to grant a permanent liquor license. Mrs. Lowery stated a two-week extension is being requested in order for Ms. Vincent to provide more documentation.

Mr. Aubuchon moved, seconded by Mrs. Singleton, to grant a two-week extension of the temporary Full Liquor License, with Sunday, for Love Restaurant at 7217 North Lindbergh Boulevard. The motion passed unanimously.

PUBLIC HEARINGS

CHANGE OF ZONING 316 ELMGROVE AVE. &	Mayor Robinson stated the petition by Ozark Association Management, LLC for change of zoning from C-2 General
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318 ELMGROVE AVE. Commercial District to R-4 Single-Family Dwelling District for at 316 and 318 Elmgrove Avenue has been withdrawn.

SUBDIVISION PETITION Mayor Robinson called to order the public hearing to consider
6122 FEE FEE ROAD a petition by Sean Cox, for subdivision of 6122 Fee Fee Road from one lot into three lots.

City Planner Kate Crimmins reported 6122 Fee Fee Road is currently a legal non-conforming lot containing three single-family homes. Records indicate the three homes were built in 1810, 1869, and 1961, making two of the dwellings among the oldest structures in Hazelwood and long predating the City's incorporation. All three homes are currently rented. Mr. Cox has stated that he is unable to refinance the property in its current state because of the difficulty finding comparable properties with multiple residences on one lot. He would like to subdivide the property to provide each house with its own lot. The City has worked with Mr. Cox's surveyor to create a subdivision plat that meets the current subdivision and zoning code requirements for R-4 Single-Family Dwelling District. The R-4 minimum lot size and setbacks are met. No private roads or flag lots are created. Although Mr. Cox states he does not plan to sell any of the properties at this time, the City's position is that all three must be independently functioning lots in terms of access and utilities. In accepting the subdivision plat, the City is requiring that Mr. Cox bring all three properties into conformance with the Zoning Code. Currently, the three houses are served by a shared gravel driveway and parking area. Per Zoning Code, each dwelling must have off-street parking for a minimum of two vehicles.

Mayor Robinson asked if anyone present wished to speak in favor of or in opposition to the proposal.

Tina Claxton of 6123 Fee Fee Road stated she and her husband have concerns with Mr. Cox not maintaining his property. Mrs. Claxton stated over the years, there has been a constant turnover of renters. She stated Mr. Cox repeatedly violates ordinances and fears there will be more issues in the future if his petition is passed.

Mr. Ryan and Mr. Aubuchon asked about the condition of the property, and if Mr. Cox will be cleaning up the debris.

Property owner Sean Cox responded he is in the process of cleaning the property up, and he would have the property in compliance by the next Council meeting.

Mr. O'Keefe suggested the Council delay their vote until the first meeting in April, giving time for Mr. Cox to clean up the property.

Katie McDuffie of 411 Fee Fee Hills Drive stated that this property has been like this for 20 plus years, with the grass always overgrown, numerous cars on the property, and the property not being maintained.

Mr. Zimmerman responded that the Council is here tonight to consider the subdivision. He stated the concerns expressed would be handled by the Code Enforcement Department.

Clara Faatz of 8 Bon Vue Drive stated this property has always been an issue. She asked if the property division would mean there is no longer a driveway, and if another street would be created.

Mrs. Crimmins responded that the City does not permit private streets and Mr. Cox has been asked to create separate driveways for each of the residential properties.

Mayor Robinson declared the hearing closed.

Mrs. Lowery read the City Plan Commission motion “to recommend approval to the City Council of the petition to divide one lot into three lots called, “AIRSHIRE AT FEE FEE” at 6122 Fee Fee Road, Ward 2.” She stated the motion passed unanimously.

Mr. Aubuchon moved, seconded by Mr. Taylor, to concur with the City Plan Commission recommendation to authorize the subdivision of 6122 Fee Fee Road to divide one lot into three lots 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.

SLUP PETITION 7541 N. LINDBERGH	Mayor Robinson called to order the public hearing to consider a petition by TRM RE Holdings, LLC d/b/a Imo’s Pizza for a Special Land Use Permit for a fast food restaurant at 7541 North Lindbergh Boulevard.
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Mrs. Crimmins reported the existing building at 7541 North Lindbergh is a nearly 5,000 square foot restaurant space, originally constructed in 1980. Surrounding zoning is C-2 General Commercial District. Mrs. Crimmins stated the owner plans to redevelop the building into two separate commercial units. The south side of the building is the proposed fast food restaurant and the north side of the building would likely be used for retail. Due to the increased demand for take-out and minimal contact restaurant service, the restaurant chain is moving toward only having restaurants with drive-through pick up windows. The pick-up window would be located on the south side of the building and would only be used for paid pick-up orders. Although the site plan shows stacking for seven cars, the operation is unlikely to see more than two cars at a time. There would be a maximum of three employees on shift at any time. The hours would be 10 a.m. to 10 p.m., Sunday through Wednesday, 11 a.m. to 11 p.m., Thursday, and 10 a.m. to 12 a.m., on Friday and Saturday.

Ms. Matlock asked where the drive through window would be located.

Mrs. Crimmins responded it would be on the south side of the building near Starbucks.

Mark Doering, President of Doering Engineering, gave a brief presentation and was available for questions.

Mayor Robinson asked if anyone present wished to speak in favor of or in opposition to the proposal.

No one spoke in favor of or in opposition to the proposal and Mayor Robinson declared the hearing closed.

Mrs. Lowery read the City Plan Commission motion “to recommend approval to the City Council for a Special Land Use Permit for a fast food restaurant at 7541 North Lindbergh Boulevard, Ward 2, with the following condition: signage and pavement markings shall be added to direct customers to exit the drive-through lane via the property’s own access onto Lindbergh Boulevard” She stated the motion passed unanimously.

Mr. Aubuchon moved, seconded by Mr. Ryan, to concur with the City Plan Commission to grant the Special Land Use Permit for a fast food restaurant at 7541 North Lindbergh 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.b.

COMMUNICATIONS

COMMISSION RESIGNATION	A letter of resignation from the Community Enrichment Commission was received from Adam Bagwell.
EWGCG BRIEFINGS	The February 17 issue of Briefings was received from the East-West Gateway Council of Governments.
PROPOSAL TO AMEND CODE RE: STABLES	A proposal to amend the Zoning C, Appendix A: Use Regulations and Section 405.040 Definitions of Terms to permit the use of “Stable, private” in R-4 Single-Family Dwelling Districts was received from City Planner Kate Crimmins.
SLUP PETITION 6011 N. LINDBERGH	A petition for a Special Land Use Permit for an outdoor storage facility at 6011 North Lindbergh Boulevard from Orlando Pace.
SLUP PETITION 7401 N. LINDBERGH	A petition for a Special Land Use Permit for a restaurant at 7401 North Lindbergh Boulevard was received from Si Senior, LLC.
EWGCG BRIEFINGS	The February 24 issue of Briefings was received from the East-West Gateway Council of Governments.

PICNIC LICENSE ST. MARTIN DE PORRES	An application for a Picnic License for June 17 and 18 and a request for waiver of the \$37.50 license fee was received from St. Martin de Porres Catholic Church, 615 Dunn Road.
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Mr. Taylor moved, seconded by Mr. Ryan, to refer the petitions to the City Plan Commission, to approve the liquor license request and 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 agenda and Mr. Taylor moved, seconded by Mr. Ryan, to cancel the March 9 work session. The motion passed unanimously.
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RFPD FINANCIAL REPORT & SUNSHINE REQUEST	Mr. Zimmerman stated the Sunshine request made to Robertson Fire Protection District (RFPD) has gone unfulfilled and the City would continue to wait for their records.
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CITY MANAGER'S REPORT

TRAFFIC SAFETY GRANT APPLICATION	Chief Hall recommended authorization to participate in Missouri's Highway Safety Program.
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Chief Hall stated the Police Department submits an application to the Missouri Department of Transportation every year for grant funds through this program for highway safety and traffic enforcement.

Mr. Ryan moved, seconded by Mr. Smith, to authorize participation in the Missouri Highway Safety Program. The motion passed unanimously.

STREET STRIPING	Public Works Director David Stewart reported staff recommends authorizing a contract with Traffic Control Company for the 2022 Street Striping Project at a cost not to exceed \$39,244.
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Mr. Stewart stated two bids were received for this project and the most responsive, responsible bid was received from Traffic Control Company.

Mr. Aubuchon moved, seconded by Mr. Smith, to concur with the staff recommendation to authorize a contract with Traffic Control Company for the 2022 street striping project at a cost not to exceed \$39,243.25 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.c.

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT - None

COMMISSION AND BOARD REPORTS Mr. Taylor moved, seconded by Mr. Ryan, to receive and file the minutes of the January 11 Community Enrichment Commission and the January 13 City Plan Commission meetings. The motion passed unanimously.

NEW BUSINESS – None

INTRODUCTION AND FIRST READING OF BILLS

SUBDIVISION Mayor Robinson called for the first reading of a bill to approve
6122 FEE FEE ROAD the subdivision of 6122 Fee Fee Road.

There were no objections and Bill 5001 was read by title only:

AN ORDINANCE APPROVING THE SUBDIVISION OF 6122 FEE FEE ROAD FROM ONE LOT INTO THREE LOTS.

Bill 5001 will be on the agenda for second reading on March 16.

SLUP Mayor Robinson called for the first reading of a bill to grant a
7541 N. LINDBERGH Special Land Use Permit for a fast food restaurant at 7541 North Lindbergh Boulevard.

There were no objections and Bill 5002 was read by title only:

AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO TRM RE HOLDINGS, LLC FOR A FAST FOOD RESTAURANT AT 7541 NORTH LINDBERGH BOULEVARD AND PROVIDING THE CONDITIONS OF SUCH USAGE.

Bill 5002 will be on the agenda for second reading on March 16.

2022 STREET Mayor Robinson called for the first reading of a bill to authorize
STRIPING PROJECT a contract with STF, LLC d/b/a/ Traffic Control Company for the 2022 street striping project at a cost not to exceed \$39,244.

There were no objections and Bill 5003 was read by title only:

AN ORDINANCE AUTHORIZING A CONTRACT WITH STF, LLC D/B/A TRAFFIC CONTROL COMPANY FOR THE 2022 STREET STRIPING PROJECT AT A COST NOT TO EXCEED THIRTY-NINE THOUSAND TWO HUNDRED FORTY-FOUR DOLLARS (\$39,244).

Bill 5003 will be on the agenda for second reading on March 16.

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 4999 Mayor Robinson called for the second reading of Bill 4999 to
CONTRACT authorize a contract with TRC Outdoor LC for nuisance
 abatement services.

There were no objections and Bill 4999 was read by title only:

AN ORDINANCE AUTHORIZING A CONTRACT WITH TRC OUTDOOR LC FOR NUISANCE ABATEMENT SERVICES FOR A TWO YEAR TERM, WITH A ONE YEAR RENEWAL OPTION.

Mrs. Singleton moved, seconded by Mr. Aubuchon, the adoption of Bill 4999 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. Herin	
Mayor Robinson	
Ms. Matlock	
Mr. Taylor	
Mr. Smith	

Bill 4999 was unanimously adopted as Ordinance 4883-22.

BILL 5000 Mayor Robinson called for the second reading of Bill 5000 to
AMEND CHAPTER 500 amend Chapter 500: Building Codes and Building Regulations
 by adopting St. Louis County's updated Plumbing Code and
 Electrical Code.

There were no objections and Bill 5000 was read by title only:

AN ORDINANCE ADOPTING THE LATEST VERSIONS OF THE ST. LOUIS COUNTY ELECTRICAL AND PLUMBING CODES AND AMENDING SECTIONS 500.080 AND 500.090 OF THE MUNICIPAL CODE RELATING TO SAME.

Mr. Aubuchon moved, seconded by Mr. Taylor, the adoption of Bill 5000 as an ordinance. The following vote was recorded on the motion:

AYE - 9

NAY - 0

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

Bill 5000 was unanimously adopted as Ordinance 4884-22.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

COUNCIL MEETING

Mayor Robinson announced the next regular Council meeting will be held Wednesday, March 16, 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 9:20 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

Julie Lowery - City Clerk
City of Hazelwood, Missouri