

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
APRIL 20, 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, April 20, 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:

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

City Clerk Julie Lowery declared a quorum was present.

Also present were City Manager Matt Zimmerman and City Attorney Kevin O'Keefe.

AMEND AGENDA

Mr. Aubuchon moved, seconded by Mr. Ryan, to amend the agenda by moving item 11.d., a discussion of amending the City Charter, to item 6.d.

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

CONSENT AGENDA

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

AYE - 9

NAY - 0

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

Ms. Matlock
Mr. Taylor
Mr. Smith
Mrs. Singleton

The motion passed unanimously and the consent agenda was adopted.

**APPROVAL OF
MINUTES**

Mrs. Singleton moved, seconded by Mr. Smith, to approve the minutes of the April 6 regular and closed Council meetings as submitted. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS

**CERTIFIED RESULTS
OF 04/05/22 ELECTION**

Mrs. Lowery reported the certified results of the April 5 general municipal election.

Mr. Hoops ran unopposed and received 164 votes for Ward 1, Mr. Ryan received 71% of the votes for Ward 3, Ms. Matlock received 77% of the votes for Ward 5, and Mr. Smith received 56% of the votes for Ward 7.

OATHS OF OFFICE

Mrs. Lowery administered the oaths of office to newly elected Council member William C. Hoops, and reappointed Council members Mr. Ryan, Ms. Matlock and Mr. Smith.

RECEPTION

A reception was held in honor of retiring Councilwoman Carol Stroker and for the newly elected and re-elected Council members.

RECONVENE

The meeting was reconvened with all Council members in attendance. Mr. Hoops took his seat at the dais.

PROCLAMATIONS AND RESOLUTIONS

**BUILDING SAFETY
MONTH PROCLAMATION**

Mayor Robinson called for the reading of a proclamation designating the month of May 2022, as "Building Safety Month."

There were no objections and Proclamation 2206 was read.

Mr. Herin moved, seconded by Mr. Ryan, the adoption of Proclamation 2206 designating the month of May 2022, as "Building Safety Month" and encouraging citizens to take appropriate steps to ensure the safety of our built environment and recognize the implementation of safety codes by local and state agencies that have saved lives and protected homes and businesses. The motion passed unanimously. The motion passed unanimously.

MUNICIPAL CLERKS Mayor Robinson called for the reading of a proclamation
WEEK PROCLAMATION designating the week of May 1 through May 7 as Municipal
 Clerks Week.

Mrs. Singleton moved, seconded by Mr. Aubuchon, the adoption of Proclamation 2207 recognizing the week of May 1 through May 7, 2022 as Municipal Clerks Week and further extends appreciation to our City Clerk Julie Lowery and Deputy City Clerk Jennifer Chappie and to all municipal clerks for the vital services they perform and their exemplary dedication to the communities they serve. The motion passed unanimously.

CHAPTER 100 Mayor Robinson called for the reading of a resolution
INDUCEMENT authorizing city staff and consultants to take certain actions
RESOLUTION with respect to a proposed project for Marson Foods, LLC.

Assistant City Manager-Economic Development Becky Ahlvin stated Marson Foods, LLC is the manufacturer of waffles for K-12 schools and other food services. Marson Foods is looking to invest \$4.2 million in tenant improvements and \$29.4 million in manufacturing equipment and other personal property. Marson Foods plans to create at least 53 full-time jobs with an average annual salary of \$112,400. Mrs. Ahlvin stated years one through five would be abated at 100%, and years six through ten would be abated at 50%.

Marson Foods, LLC representative Tyler Wallace was available for questions.

Steadfast City representative Margaret Riter gave a presentation. She stated Marson Foods, LLC believes in serving communities and that over the next three years, the company is pledging to donate 11 million meals through Feeding America's network of 200 food banks, 60,000 food pantries and meal programs.

There were no objections and Resolution 2205 was read by title only:

RESOLUTION AUTHORIZING CITY STAFF AND CONSULTANTS TO TAKE CERTAIN ACTIONS WITH RESPECT TO A PROPOSED PROJECT FOR MARSON FOODS, LLC.

Mr. Smith moved, seconded by Mr. Herin, the adoption of Resolution 2205. The following vote was recorded on the motion:

<u>AYE - 9</u>	<u>NAY - 0</u>
Mr. Hoops	
Mr. Aubuchon	
Mr. Ryan	
Mr. Herin	
Mayor Robinson	
Ms. Matlock	
Mr. Taylor	
Mr. Smith	
Mrs. Singleton	

Resolution 2205 was unanimously adopted.

AMENDMENT TO CITY CHARTER AND SURVEY RESULTS	Hazelwood Firefighter/Paramedic Randy George reported the Fire Department is no longer seeking an amendment to the City Charter.
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Mr. George stated that State Statute 67.145 allows first responders to participate in political activity while off duty and not in uniform, and provides that political subdivisions shall not prohibit this activity. Mr. George stated this legislation was before the voters in 2016, passed, and is a part of the City Code. Mr. George stated the Fire Department is supportive of a charter amendment for non-first responder employees.

Mr. Zimmerman stated a survey gauging the interest of employees being able to participate in City election processes was conducted. He stated there was a 59% response rate showing that participation in election processes is favored.

Mayor Robinson expressed his disappointment with firefighters outside of the Hazelwood Fire Department participating in the campaigning of the April 5 election.

Ms. Matlock asked if City employees that live in Hazelwood could help with campaigning.

Mr. O'Keefe responded that the Charter prohibits participation.

Mayor Robinson stated further discussion on this topic would be added to the May 4 agenda.

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 CITY CODE	Vienna Austin of 1652 Laurel Bluffs Drive asked for an update to her proposal for more inclusive language in the City Code.
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Mayor Robinson responded that staff is considering staff recommendations on amending the City Code.

COUNCIL MEETINGS	Clara Faatz of 8 Bon Vue Drive stated she is pleased the City is continuing to stream Council meetings to Facebook and stated she believes it helps keep residents informed.
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Ms. Faatz asked about the interim payment agreement between the City and Robertson Fire Protection District (RFPD), and how much money the City would save from the TIF at the Mills Mall expiring.

CITY MANAGER'S STATUS REPORT

Mr. Zimmerman reported on concerns expressed at the April 6 regular Council meeting.

Mr. Zimmerman stated the announcement and letter received from the RFPD Board of Directors pledged to reduce the property tax rate from \$2.40 per \$100 assessed valuation to \$.99 for residential properties. The letter states that this will save the City of Hazelwood \$638,000 and that the reduction is partly due to the expiration of the Missouri Bottom/370 TIF. Mr. Zimmerman stated if it was RFPD's intent to save Hazelwood \$638,000, as it represents in the letter, the interim payment agreement between the City and Robertson would have to be amended. The parties agreed in September 2021 that the City would pay \$4.5 million, in monthly installments, during the course of the litigation. Based on the City's calculations, reducing the Robertson residential rate to \$.99 would not save the City any money. There is no guarantee that RFPD would not increase its other tax rates to offset any reduction in the residential rate. The tax cap only applies to the total levy by a governmental agency and does not apply beyond one year.

Regarding the request for a stop sign and streetlight in the Villes, staff will conduct a traffic study and explore lighting options if the Council desires.

In response to questions regarding tax abatements, Mr. Zimmerman stated there is no way of calculating that information and that many of the developments would not have occurred without tax abatement.

PUBLIC HEARINGS

SLUP EXTENSION 9085 DUNN ROAD

A request for an extension of the Special Land Use Permit deadlines to commence construction and full operation of 9085 Dunn Kitchen & Bar LLC d/b/a Bar 270 located at 9085 Dunn Road.

City Planner Kate Crimmins stated the owner has experienced delays in closing on the purchase of the building and is working on the interior and plans to open in late spring.

Owner Sara Winbush-Mosley 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.

Mr. Aubuchon moved, seconded by Mrs. Singleton, to extend the Special Land Use Permit deadlines to commence construction and full operation of 9085 Dunn Kitchen & Bar d/b/a Bar 270, by six months 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.

LIQUOR LICENSE
7401 N. LINDBERGH
BOULEVARD

Mayor Robinson stated the public hearing to consider the application by Jesus Casillas for a Full Liquor License, with Sunday, for Si Senor at 7401 North Lindbergh Boulevard has been postponed until May 4.

COMMUNICATIONS

EWGCG
BRIEFINGS

The March 31 issue of Briefings was received from the East-West Gateway Council of Governments.

EWGCG
BRIEFINGS

The April 7 issue of Briefings was received from the East-West Gateway Council of Governments.

MLMSTL
NEWSLETTER

The April issue of The Link was received from Municipal League of Metro St. Louis.

LIQUOR LICENSE
EXPANSION REQUEST

A request for a liquor license expansion to include an outdoor area at 725 Campus Court for a special event on May 5 was received from La Nortena Mexican Restaurant.

Mrs. Singleton moved, seconded by Mr. Smith, 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 May 11 Council work session agenda.

RFPD FINANCIAL
REPORT & SUNSHINE
REQUEST

Mr. Zimmerman stated the Sunshine request made to RFPD has gone unfulfilled and the City would continue to wait for their records.

Mr. Zimmerman notified the Council that the City has filed a claim with St. Louis County regarding the Sunshine Law requests not being fulfilled. Mr. Zimmerman stated City staff continues to research the cost of fire service in Hazelwood, with a focus on the cost differential between the municipal fire department and fire districts. The cost per firefighter includes all operating costs and does not include compensation costs. While compensation is typically 70% of a department's costs, using the cost per firefighter is an accurate measurement tool since other operating costs should be similar. He stated the City's overall cost is 73% lower per firefighter than RFPD. This includes personnel as well as other operating costs such as utilities, fuel, and communications. Excluding personnel costs shows a similar result. Non-personnel operating costs per firefighter are 20% less for Hazelwood than RFPD.

Mr. Zimmerman stated another component of compensation being reviewed is the cost of health care. He said RFPD employees, Board members, retired board members, and all family members receive health insurance at no cost and either co-share for monthly premiums or out-of-pocket expenses. The City pays for the individual, and family plans are covered at half the difference between the monthly premiums and any other type of coverage.

**ELECTION OF
MAYOR PRO
TEMPORE**

After discussion, Mrs. Singleton moved, seconded by Mr. Aubuchon, to appoint Mr. Ryan as 2022/2023 Mayor Pro Tempore to act as mayor in the absence of Mayor Robinson. The motion passed unanimously.

CITY MANAGER'S REPORT

FIVE-YEAR CIP

Presentation of the five year Capital Improvement Fund was postponed to the May 11 Council work session meeting.

**REPORT ON ED
PROJECTS**

Mrs. Ahlvin stated Council has requested a report on economic development projects.

Mrs. Ahlvin stated the City has several incentive projects, including economic development loans, Chapter 100 tax abatement for building materials and equipment, and Chapter 353 real property tax abatement. Mrs. Ahlvin gave an update on the following companies/projects: NorthPoint Development (133 McDonnell Boulevard), 8th Avenue Food and Provisions, Inc., Artur Express, Aviator Business Park (Panattoni), Bommarito Automotive Group, Bunzl Distribution, CABKA North America, Green Street (8930-8940 Pershall), Dive Bomb Industries, Hazelwood Logistics Center, Hazelwood TradePort, Imperial Dade, MiTek, Presence From Innovation, Pallet Logistics Management, Quiet Logistics, Silgan Plastics, Stroco, and Village Square (Somera Road). Loans that have closed out include the following: Buse/Major Custom Assemblies, Nature's Own Bakery, POWERplex and Trans-Lux Corporation.

POOL FEE INCREASE

Parks and Recreation Superintendent Doug Littlefield reported staff recommends increasing pool fees due to a rise in operating costs.

Mr. Littlefield stated the combination of higher prices for operating expenses such as chemicals, safety equipment, and concessions combined with the \$2.40 increase in minimum wage over the last 3 years has increased our operating expenses significantly. Staff recommends increasing the resident pool fee by one dollar and increasing the non-resident fee by two dollars. The City has not adjusted pool admission fees since 2010.

Mr. Aubuchon moved, seconded by Mr. Ryan, to concur with the staff recommendation to increase the resident pool fee by one dollar and increase the non-resident fee by two dollars. The motion passed unanimously.

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT - None

**COMMISSION AND
BOARD REPORTS**

Mrs. Singleton moved, seconded by Mr. Smith, to receive and file the minutes of the December 13, 2021 Board of Adjustment meeting, January 10 Neighborhood Watch Commission meeting, and the March 8 Community Enrichment Commission meeting. The motion passed unanimously.

NEW BUSINESS – None

INTRODUCTION AND FIRST READING OF BILLS

**SLUP EXTENSION
9085 DUNN ROAD**

Mayor Robinson called for the first reading of a bill to extend the Special Land Use Permit deadlines to commence construction and full operation of 9085 Dunn Kitchen & Bar, LLC d/b/a Bar 270 for a restaurant.

There were no objections and Bill 5008 was read by title only:

AN ORDINANCE AMENDING ORDINANCE 4821-21 BY EXTENDING THE SPECIAL LAND USE PERMIT DEADLINE TO COMMENCE CONSTRUCTION AND FULL OPERATION OF 9085 DUNN KITCHEN & BAR, LLC D/B/A BAR 270 FOR A RESTAURANT AT 9085 DUNN ROAD.

Bill 5008 will be on the agenda for second reading on May 4.

SECOND READING OF BILLS AND ACTION ON BILLS

**BILL 5004
SLUP EXTENSION**

Mayor Robinson called for the second reading of Bill 5004 to extend the Special Land Use Permit deadlines to commence construction and operation at 623 Dunn Road.

There were no objections and Bill 5004 was read by title only:

AN ORDINANCE AMENDING ORDINANCE 4851-21 BY EXTENDING THE SPECIAL LAND USE PERMIT DEADLINES TO COMMENCE CONSTRUCTION AND FULL OPERATION OF ENTERPRISE LEASING COMPANY OF STL, LLC AT 623 DUNN ROAD.

Mr. Aubuchon moved, seconded by Mr. Taylor, the adoption of Bill 5004 as an ordinance. The following vote was recorded on the motion:

AYE - 9

NAY - 0

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

Bill 5004 was unanimously adopted as Ordinance 4888-22.

BILL 5005
AMEND CH. 405

Mayor Robinson called for the second reading of Bill 5005 to amend Chapter 405: Zoning Regulations relative to dancing establishments and nightclubs.

There were no objections and Bill 5005 was read by title only:

AN ORDINANCE AMENDING CHAPTER 405 OF THE HAZELWOOD, MISSOURI, CITY CODE PERTAINING TO NIGHTCLUBS AND DANCING ESTABLISHMENTS.

Ms. Matlock moved, seconded by Mrs. Singleton, the adoption of Bill 5005 as an ordinance. The following vote was recorded on the motion:

AYE - 9

NAY - 0

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

Bill 5005 was unanimously adopted as Ordinance 4889-22.

BILL 5006
SLUP

The second reading of Bill 5006, to grant a Special Land Use Permit at 7401 North Lindbergh Boulevard, was postponed.

BILL 5007
CHAPTER 100 BONDS
DIVE BOMB

Mayor Robinson called for the second reading of Bill 5007 to authorize the issuance of Chapter 100 bonds for Dive Bomb Industries, LLC.

There were no objections and Bill 5007 was read by title only:

AN ORDINANCE AUTHORIZING THE CITY OF HAZELWOOD, MISSOURI, TO ISSUE ITS TAXABLE INDUSTRIAL REVENUE BONDS (DIVE BOMB INDUSTRIES, LLC PROJECT), SERIES 2022, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$22,000,000 FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COSTS OF ACQUIRING, CONSTRUCTING AND IMPROVING 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. Aubuchon moved, seconded by Mr. Ryan, the adoption of Bill 5007 as an ordinance. The following vote was recorded on the motion:

AYE - 9

NAY - 0

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

Bill 5007 was unanimously adopted as Ordinance 4890-22.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

COUNCIL MEETING Mayor Robinson announced the next regular Council meeting would be held Wednesday, May 4 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 9:47 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

Julie Lowery - City Clerk
City of Hazelwood, Missouri