

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
JULY 6, 2022**

CALL TO ORDER

A regular meeting of the Hazelwood City Council was called to order by Mayor Matthew G. Robinson at 7:31 p.m. on Wednesday, July 6, 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:

Daniel T. Herin
Matthew G. Robinson
Lisa M. Matlock
Warren H. Taylor
Robert C. Smith
Mary G. Singleton
William C. Hoops, Jr.
Robert M. Aubuchon
Don W. Ryan

City Clerk Julie Lowery declared a quorum was present. Also present were City Manager Matt Zimmerman and City Attorney Kevin O'Keefe.

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

AYE - 9

NAY - 0

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

The motion passed unanimously and the consent agenda was adopted.

**APPROVAL OF
MINUTES**

Mr. Aubuchon moved, seconded by Mr. Ryan, to approve the minutes of the June 15 regular and closed Council meetings as submitted. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS

COMMISSION OATHS

Mrs. Lowery administered the oath of office to Vineva Grimes and Heather Jones who were recently reappointed to the Community Enrichment Commission.

**POLICE
COMMENDATIONS**

Police Chief Gregg Hall presented former Hazelwood Police Officer Kyle Case with the Police Chief's Certificate of Recognition.

On June 16, 2021, Officer Case arrived on scene at 8452 Latty Avenue, observed two victims lying on the ground, and immediately began rendering first aid. Officer Case applied a tourniquet to a female victim with a gunshot wound to her left leg while directing another officer to render CPR to the other victim. Officer Case is being recognized for his quick response and calming presence towards the victims in directing the scene until a supervisor arrived.

On June 17, 2021, officers responded to a fire at the Comfort Inn hotel. Sergeant Ryan Enge entered into the Comfort Inn risking his own safety and helped evacuate 88 guests. Sergeant Enge continued until the smoke was too much to bear and exited the hotel, notifying the on-scene Fire Captain and the Battalion Chief of a section he could not check. Chief Hall presented Sergeant Enge with the Distinguished Service Citation for Valor.

Chief Hall also presented Officer Case with the Meritorious Service Citation for his actions at the Comfort Inn fire. Officer Case entered and directed guests to exits, and went room to room checking for guests who may be unaware of the building fire.

Chief Hall presented Officer Preston Billingsley, Officer Ken Jaseckas, and Officer Blake Thornton with the Police Chief's Certificate of Recognition for their immediate response and for directing guests to safety at the Comfort Inn.

On January 1, 2022, Police Officer Dan Chamblin arrived at the scene of an accident involving an overturned vehicle in the ditch. Officer Chamblin quickly assessed the situation and found the driver unresponsive. When other officers arrived, they pulled the unresponsive victim from the vehicle and started administering CPR immediately. Under the guidance of Officers Shane Olmsted and Josh Little, Officers Chamblin, Josh West and Brandon Runyon began taking turns providing lifesaving efforts until the Hazelwood Fire Department and Robertson Fire Protection District (RFPD) arrived to provide advanced lifesaving efforts. The victim regained a pulse, started breathing again, but

would not have without the quick thinking and decisive actions of all officers involved. Chief Hall presented Police Officers West, Chamblin and Runyon with Life Saving Awards, and Police Officers Little and Olmsted with Letters of Recognition.

PROCLAMATIONS AND RESOLUTIONS

NATIONAL DEAF EVANGELISM MINISTRY PROCLAMATION	Mayor Robinson called for the reading of a proclamation designating July 11 through July 15 as National Deaf Evangelism Ministry week and recognizing the 50 th Anniversary of the National Deaf Evangelism Ministry.
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There were no objections and Proclamation 2211 was read.

Mrs. Singleton moved, seconded by Mr. Ryan, the adoption of Proclamation 2211 designating July 11 through July 15 as National Deaf Evangelism Ministry week and recognizing the 50th Anniversary of the National Deaf Evangelism Ministry. 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.

AMENDMENT TO CITY CODE	Vienna Austin of 1652 Laurel Bluffs Drive stated she is seeking the Council's support for a code update that includes more inclusive language to enhance protections against discrimination.
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WATER MAIN BREAK	Czarina Easley of 912 Holiday Avenue expressed concerns regarding a water main break that happened on Holiday Avenue.
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Ms. Easley stated on June 17, 2022 she woke to her basement flooded. She has contacted Missouri American Water and Metropolitan St. Louis Sewer District and neither company will accept responsibility for the damage to her home.

Mayor Robinson responded that City staff and Council Members have been trying to gather more information regarding this situation. He stated he understands and sympathizes with the residents. Mayor Robinson stated last week he spoke to two state representatives and they have suggested setting up a meeting with the water and sewer companies for the residents to communicate with them directly.

Mr. Zimmerman stated they are trying to impress upon Missouri American Water and Metropolitan St. Louis Sewer District that telling residents this is 'not their problem' is not an acceptable response. The City is awaiting a response from both companies about how

to move forward. He stated the City is waiving any dumpster and building permit fees that residents may need to help with the cleanup and construction efforts.

Diana Kepford of 834 Holiday Avenue stated she was grateful that the water company came to her home and cleaned up. However, she stated they would not be paying to replace what has been damaged.

CITY MANAGER'S STATUS REPORT

Mr. Zimmerman reported on concerns expressed by Don Courtois at the June 15 Council meeting relative to trash service.

Mr. Zimmerman reported staff met with Republic Services and they have agreed to provide a credit to all yard waste accounts, for interrupted service.

Mr. Smith asked if the credit was automatically applied.

Mr. Zimmerman responded affirmatively.

PUBLIC HEARINGS

SLUP PETITION 406 CANDLE LIGHT LANE

Mayor Robinson called to order the public hearing to consider a Special Land Use Permit for a vehicle wash facility at 406 Candle Light Lane.

City Planner Kate Crimmins stated Chuck's Mobile Carwash and Detailing located at 406 Candle Light Lane has been in operation since 2017. The car wash business was started in conjunction with Chop Shop, a barbershop. The property is a strip mall with two vehicle bays in the rear. The business model is that the car wash and barbershop operate together in the same location, so that customers may make an appointment for a haircut and car wash at the same time. Services offered are car wash, wax, polishing, and interior cleaning. The washing and detailing takes place in the building's two interior bays. Mr. Morgan's hours would be Tuesday through Saturday, 8:30 a.m. until 5:30 p.m.

Owner Charles Morgan was present for questions.

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 of the petition for a Special Land Use Permit for a vehicle wash facility at 406 Candle Light Lane, Ward 2, with the following conditions:

1. Vehicles shall be parked in a designated parking space that shall be striped according to the Zoning Code.
2. Vehicles without current license plates shall not be parked at the site.
3. Tires or vehicle parts shall not be stored outdoors at the site.

4. All vehicle wash and detailing shall be completed in the interior bays.
5. Vehicle painting is prohibited without a Special Land Use Permit Expansion for that use.”

She stated the motion passed by a vote of six in favor and one opposed.

Mr. Aubuchon moved, seconded by Mr. Hoops, to concur with the City Plan Commission recommendation to grant the Special Land Use Permit for a vehicle wash facility at 406 Candle Light Lane 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.

COMMUNICATIONS

EWGCG BRIEFINGS	The June 16 issue of Briefings was received from the East-West Gateway Council of Governments.
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MUNICIPAL PARK GRANT COMMISSION	The 2021-2022 annual report was received from the Municipal Park Grant Commission of St. Louis County.
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SLUP PETITION 7023-C HOWDERSHELL	A petition for a Special Land Use Permit for a restaurant at 7023-C Howdershell Road was received from The Two Loko's, LLC.
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EWGCG BRIEFINGS	The June 23 issue of Briefings was received from the East-West Gateway Council of Governments.
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Mr. Aubuchon moved, seconded by Mr. Ryan, 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	No items were added to the agenda and Ms. Matlock moved, seconded by Mr. Ryan, to cancel the July 13 work session. The motion passed unanimously.
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UPDATE ON TRASH COLLECTION	Manager of Municipal Sales for Republic Services Susan Piazza thanked everyone for their patience and understanding while Republic has been experiencing driver shortages in this difficult labor market.
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To mitigate the driver shortage issue, Ms. Piazza stated Republic is providing is a driver-training program. Ms. Piazza stated the company is also hosting job fairs, running print ads, using digital billboards, and using laborers from temporary agencies when available.

In regards to trash service in Hazelwood, Ms. Piazza stated a \$4.14 credit has been given to all residents.

RFPD FINANCIAL Mr. Zimmerman reported that June 30 was the deadline for
REPORT & REQUEST RFPD to file their year-end audit with the State.

Mr. Zimmerman stated their audit was not available online as of today, and when it is filed staff will complete an analysis and report to the Council. Mr. Zimmerman reported that the City received a reply from the RFPD Board of Directors on June 14 regarding their pledge to lower the residential property tax rate, and has drafted a reply for the Council's consideration. He stated that lowering the tax rate does not save the City money due to the interim agreement.

Mrs. Singleton expressed concerns with the tone of the letter. She stated the City has always been diplomatic and would like this letter to be similarly formatted.

Mayor Robinson stated he is frustrated about the audit and similar information not being handled in a timely manner by RFPD. He suggested hiring an outside audit firm to do a complete financial audit of RFPD to be disseminated to the public.

Mrs. Singleton agrees an audit should be completed, but would prefer that the City not pay for it. She asked how much an audit would cost.

Mayor Robinson replied that staff could find out this information and notify the Council.

Mr. Smith asked what authority the auditor would have.

Mayor Robinson replied an auditor would have the authority to look at all information provided by RFPD.

AMEND CH. 230 A request was made to the Council to consider amending the
RE: DISCRIMINATION City Code relative to human rights.

Mr. O'Keefe stated Council has been provided a draft ordinance to amend the City's anti-discrimination provisions to include sexual orientation and gender identity.

Mrs. Singleton stated she does not see how these terms will improve the City Code.

Mr. Smith stated if someone reading the code felt it did not encompass their orientation and they could be discriminated against, changes need to be made.

Mr. O'Keefe stated decisional law holds that prohibition against discrimination based on sex includes gender identity and orientation. Under the Federal Fair Housing Act in Federal litigation, this is covered under the term sex. He stated there is no state court decision on this subject concerning municipal ordinances. It is strictly an interpretation of the Federal Fair Housing Act.

Mr. Smith moved, seconded by Ms. Matlock, to amend City Code Chapter 230: Human Rights to include sexual orientation and gender identity and to place the draft bill on this agenda for introduction. The following vote was recorded on the motion:

<u>AYE - 7</u>	<u>NAY - 2</u>
Mr. Herin	Mrs. Singleton
Mayor Robinson	Mr. Ryan
Ms. Matlock	
Mr. Taylor	
Mr. Smith	
Mr. Hoops	
Mr. Aubuchon	

The motion passed by a vote of seven in favor and two opposed, with Mrs. Singleton and Mr. Ryan casting the dissenting votes. The bill was added to the agenda as item 17.b.

BOARD & COMMISSION APPOINTMENTS Mayor Robinson made the following new appointments to the Community Enrichment Commission: Francine McCloud and Donald Williams.

Mr. Ryan moved, seconded by Mr. Herin, to approve the preceding appointments. The motion passed unanimously.

CITY MANAGER'S REPORT

E.D. LOAN AGREEMENT Assistant City Manager-Economic Development David Leezer reported staff recommends authorizing an Economic Development and New Employment Training and Opportunities Forgivable Loan Agreement with Marson Foods, LLC.

Mr. Leezer stated the loan will be forgiven over a ten-year period, and is contingent upon them moving into Hazelwood and opening for business by the end of this year.

Mr. Hoops moved, seconded by Mr. Aubuchon, to concur with the staff recommendation to approve an Economic Development and New Employment Training and Opportunities Forgivable Loan Agreement with Marson Foods, LLC 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.

FIRE HYDRANT Chief Herman reported staff recommends approval of the installation of one fire hydrant at 4980 Tradeport Industrial Court.
4980 TRADEPORT INDUSTRIAL COURT

Chief Herman explained Missouri American Water requires authorization by ordinance to install fire hydrants.

Mr. Hoops moved, seconded by Ms. Matlock, to concur with the staff recommendation to install one fire hydrant at 4980 Tradeport Industrial Court 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.d.

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT - None

COMMISSION AND BOARD REPORTS

Mr. Aubuchon moved, seconded by Mr. Ryan, to receive and file the minutes of the May 9 Board of Adjustment meeting, May 10 Community Enrichment Commission meeting, May 12 City Plan Commission meeting and May 23 Historic Preservation Commission meeting. The motion passed unanimously.

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

SLUP	Mayor Robinson called for the first reading of a bill to grant a
406 CANDLE LIGHT	Special Land Use Permit for a vehicle wash facility at 406
LANE	Candle Light Lane.

There were no objections and Bill 5021 was read by title only:

AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO CHUCK'S MOBILE CAR WASH & DETAILING, LLC FOR A VEHICLE WASH FACILITY AT 406 CANDLE LIGHT LANE AND PROVIDING THE CONDITIONS OF SUCH USAGE.

Bill 5021 will be on the agenda for second reading on July 20.

AMEND CODE	Mayor Robinson called for the first reading of a bill to amend
CHAPTER 230	Chapter 230: Human Rights to enhance protections against discrimination.

There were no objections and Bill 5022 was read by title only:

AN ORDINANCE AMENDING CHAPTER 230 OF THE HAZELWOOD, MISSOURI, CITY CODE TO ENHANCE PROTECTIONS AGAINST DISCRIMINATION.

Bill 5022 will be on the agenda for second reading on July 20.

LOAN AGREEMENT Mayor Robinson called for the first reading of a bill to authorize
MARSON FOODS LLC an economic development loan agreement with Marson
Foods, LLC.

There were no objections and Bill 5023 was read by title only:

**AN ORDINANCE APPROVING AN ECONOMIC DEVELOPMENT AND NEW
EMPLOYMENT TRAINING AND OPPORTUNITIES FORGIVABLE LOAN
AGREEMENT WITH MARSON FOODS, LLC AND AUTHORIZING EXECUTION OF
DOCUMENTS RELATING THERETO.**

Bill 5023 will be on the agenda for second reading on July 20.

FIRE HYDRANT Mayor Robinson called for the first reading of a bill to authorize
4980 TRADEPORT installation of one fire hydrant at 4980 Tradeport Industrial
INDUSTRIAL COURT Court.

There were no objections and Bill 5024 was read by title only:

**AN ORDINANCE ORDERING THE INSTALLATION OF ONE FIRE HYDRANT AT 4980
TRADEPORT INDUSTRIAL COURT.**

Bill 5024 will be on the agenda for second reading on July 20.

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 5018 Mayor Robinson called for the second reading of Bill 5018 to
SLUP EXTENSION extend the Special Land Use Permit deadlines to commence
construction and full operation of Caliber Collision of a vehicle
service and repair facility and vehicle painting at 4872 Park
370 boulevard.

There were no objections and Bill 5018 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.**

Ms. Matlock moved, seconded by Mr. Smith, the adoption of Bill 5018 as an ordinance.
The following vote was recorded on the motion:

AYE - 9

Mr. Herin

Mayor Robinson

Ms. Matlock

NAY - 0

Mr. Taylor
Mr. Smith
Mrs. Singleton
Mr. Hoops
Mr. Aubuchon
Mr. Ryan

Bill 5018 was unanimously adopted as Ordinance 4902-22.

BILL 5019 SALT STORAGE FACILITY	Mayor Robinson called for the second reading of Bill 5019 to authorize a contract for the construction of a salt storage facility at the City Maintenance Facility at a cost not to exceed \$332,361.
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There were no objections and Bill 5019 was read by title only:

AN ORDINANCE AUTHORIZING A CONTRACT WITH GREENFIELD CONTRACTORS, LLC FOR CONSTRUCTION OF THE SALT STORAGE FACILITY AT THE CITY MAINTENANCE FACILITY AT A COST NOT TO EXCEED \$332,361.

Mr. Aubuchon moved, seconded by Mr. Hoops, the adoption of Bill 5019 as an ordinance. The following vote was recorded on the motion:

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

Bill 5019 was unanimously adopted as Ordinance 4903-22.

BILL 5020 SERVICE AGREEMENT FLOCK CAMERAS	Mayor Robinson called for the second reading of Bill 5020 to authorize a service agreement for the lease, installation and access to nine license plate reader cameras for a two-year term at a cost not to exceed \$51,550.
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There were no objections and Bill 5020 was read by title only:

AN ORDINANCE AUTHORIZING A SERVICE AGREEMENT WITH FLOCK GROUP, INC., FOR LEASE, INSTALLATION AND ACCESS TO NINE (9) LICENSE PLATE

READER CAMERAS FOR A TWO YEAR TERM AT A COST NOT TO EXCEED \$51,550.

Mr. Ryan moved, seconded by Mr. Aubuchon, the adoption of Bill 5020 as an ordinance. The following vote was recorded on the motion:

AYE - 9

NAY - 0

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

Bill 5020 was unanimously adopted as Ordinance 4904-22.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

COUNCIL MEETING Mayor Robinson announced the next regular Council meeting will be held Wednesday, July 20, 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