

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
JULY 20, 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, July 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:

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

Council Members Daniel T. Herin and Robert C. Smith were not present. 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, Mr. Taylor moved, seconded by Ms. Matlock, the adoption of the agenda as printed. The motion passed unanimously.

CONSENT AGENDA

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

AYE - 7

NAY - 0

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

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 proprietary matter in accordance with RSMo 610.021(15), was adopted.

**APPROVAL OF
MINUTES**

Mr. Taylor moved, seconded by Mr. Hoops, to approve the minutes of the July 6 regular Council meeting as submitted. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS - None

PROCLAMATIONS AND RESOLUTIONS

**AMERICAN METAL
SUPPLY COMPANY
PROCLAMATION**

Mayor Robinson called for the reading of a proclamation recognizing American Metals Supply Company for being named as a 2022 Top Work Place Gold Badge Award winner by the St. Louis Post Dispatch.

There were no objections and Proclamation 2212 was read.

Mr. Taylor moved, seconded by Mr. Ryan, the adoption of Proclamation 2212 recognizing and celebrating American Metals Supply Company for being named as a 2022 Top Work Place Gold Badge Award winner by the St. Louis Post Dispatch. The motion passed unanimously.

**ARTUR EXPRESS
PROCLAMATION**

Mayor Robinson called for the reading of a proclamation recognizing Artur Express Inc. for being named as a 2022 Top Work Place Gold Badge Award winner by the St. Louis Post Dispatch.

There were no objections and Proclamation 2213 was read.

Mr. Hoops moved, seconded by Mr. Ryan, the adoption of Proclamation 2213 recognizing and celebrating Artur Express Inc. for being named as a 2022 Top Work Place Gold Badge Award winner by the St. Louis Post Dispatch. 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
RE: DISCRIMINATION
BILL 5022**

Vienna Austin of 1562 Laurel Bluffs Drive requested the Council's support in moving forward with Bill 5022, which amends the code to enhance protections against discrimination, and is on the agenda for second reading.

**OPPOSITION TO
BILL 5022**

Stan Jackson of 1619 Ville Gloria Lane stated he is opposed to amending the City Code to add language pertaining to identity and sexual orientation.

**RFPD BOARD OF
DIRECTORS RECALL**

John Zamudio of 4827 Orange Blossom Lane stated the Citizens to Save Hazelwood and Fire Services group collected approximately 2,300 signatures to put the recall of the Robertson Fire Protection District (RFPD) Board on the November 8, 2022 ballot.

Jennifer Guyton of 1205 Woodcrest Lane thanked all the Bridgeton and RFPD service area residents for supporting the recall petition effort.

**SUPPORT FOR
BILL 5022**

Vikthor Rose of 5037 Tulip Tree Lane expressed support for Bill 5022 to amend the code to enhance protections against discrimination.

Linus Tuck of 2705 Holiday Hill Drive also expressed support for Bill 5022.

**CITY MANAGER'S
STATUS REPORT**

City Manager Matt Zimmerman stated numerous residents in the 800 and 900 blocks of Holiday Avenue spoke at the July 6 Council meeting concerning backups in their basements due to flooding from a water main break.

Mr. Zimmerman stated numerous homes were affected by flooding. Mayor Robinson called for a City Council Work Session to be held on July 13 with Missouri American Water, Metropolitan St. Louis Sewer District, and affected residents. Missouri American Water and MSD discussed the status of their investigation. They will inform the City and residents when their joint investigation is completed. The residents have requested another public meeting to discuss the results. Staff will keep the Council informed as new information becomes available.

PUBLIC HEARINGS - None

COMMUNICATIONS

**EWGCG
BRIEFINGS**

The June 30 issue of Briefings was received from the East-West Gateway Council of Governments.

PIPELINE SAFETY

A brochure on pipeline safety was received from Phillips 66 Pipeline LLC.

**EWGCG
BRIEFINGS**

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

COMMISSION RESIGNATION	A letter of resignation from the City Plan Commission was received from Tim Parson.
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Mr. Taylor moved, seconded by Mr. Hoops, 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 September 14 Council work session agenda.
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EMPLOYEE APPRECIATION PARTY	Mr. Aubuchon commended Parks and Recreation Superintendent Doug Littlefield and staff for the effort they put into the employee pool party.
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RFPD FINANCIAL REPORT	Mr. Zimmerman stated there is no update for the Council at this time
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CITY MANAGER'S REPORT

AMEND EMPLOYEE PENSION PLAN	Mr. Zimmerman reported staff recommends authorizing amendment to the employee pension plan relative to the Setting Every Community Up for Retirement Act (SECURE Act).
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Pension Plan Board Attorney Stephanie Zorn, of Jackson Lewis, stated the federal government adopted the SECURE Act in 2020. Every governmental pension plan has to adopt the regulations in the federal law by end of 2024. The age as of which retirees must begin required minimum distributions has increased from 70½ to 72 for those born after June 30, 1949 who turn 70½ after December 31, 2019.

Mr. Aubuchon moved, seconded by Mr. Ryan, to concur with the staff recommendation to amend the employee pension plan to comply with the SECURE Act 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.

AMEND COUNCIL PENSION PLAN	Mr. Zimmerman reported staff recommends authorizing amendment to the Council pension plan relative to the SECURE Act.
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Mr. Ryan moved, seconded by Mr. Hoops, to concur with staff recommendation to amend the Council pension plan to comply with the Secure Act 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.

FEE TITLE INTEREST Mr. Zimmerman reported staff recommends approving a fee
HAZELWOOD and leasehold deed of trust and security agreements in
TRADEPORT connection with the Hazelwood Tradeport Industrial
Development Project.

Mr. Zimmerman stated NorthPoint intends to complete a refinancing and restructuring where Northwestern Mutual Insurance Company will exit as an equity investor and upon its exit, will make loans secured by mortgages to refinance various buildings. Since the City is the fee title owner, the City must agree to the deeds of trust securing the mortgages.

Attorney Stephanie Bogue with Gilmore and Bell was present for questions.

Mr. Hoops moved, seconded by Mr. Ryan, to concur with the staff recommendation to authorize a fee and leasehold deed of trust and security agreements in connection with the Hazelwood Tradeport Industrial Development Project 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.

VEHICLE PURCHASE Director of Public Works David Stewart reported staff
recommends the purchase of a 2023 Chevrolet Traverse
AWD from Don Brown Chevrolet at a cost not to exceed
\$28,889.

Mr. Stewart stated the Capital Improvement Fund budget includes \$30,000 to purchase a new vehicle for the City Manager's office.

Mr. Ryan moved, seconded by Mr. Hoops, to concur with the staff recommendation to purchase a 2023 Chevrolet Traverse AWD from Don Brown Chevrolet at a cost not to exceed \$28,889. The motion passed unanimously.

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT - None

COMMISSION AND Mr. Taylor moved, seconded by Mr. Hoops, to receive and
BOARD REPORTS file the minutes of the April 7 Pension Board and June 14
Community Enrichment Commission meetings. The motion
passed unanimously.

NEW BUSINESS – None

INTRODUCTION AND FIRST READING OF BILLS

AMENDMENT TO
EMPLOYEE PENSION
PLAN

Mayor Robinson called for the first reading of a bill to authorize an amendment to the employee pension plan relative to the SECURE Act.

There were no objections and Bill 5025 was read by title only:

AN ORDINANCE AUTHORIZING AMENDMENT TWO TO THE 2015 TOTAL RESTATEMENT OF THE RETIREMENT PLAN FOR POLICE OFFICERS, FIREFIGHTERS, AND OTHER EMPLOYEES OF THE CITY OF HAZELWOOD RELATIVE TO COMPLIANCE WITH THE SETTING EVERY COMMUNITY UP FOR RETIREMENT ACT OF 2019 (“SECURE ACT”) REQUIRED MINIMUM DISTRIBUTION RULES.

Bill 5025 will be on the agenda for second reading on August 3.

AMENDMENT OF
COUNCIL PENSION
PLAN

Mayor Robinson called for the first reading of a bill to authorize amendment to the Council pension plan relative to the SECURE Act.

There were no objections and Bill 5026 was read by title only:

AN ORDINANCE AUTHORIZING AMENDMENT TWO TO THE TOTAL RESTATEMENT OF THE RETIREMENT PLAN FOR CITY COUNCIL MEMBERS OF THE CITY OF HAZELWOOD, MISSOURI RELATIVE TO COMPLIANCE WITH THE SETTING EVERY COMMUNITY UP FOR RETIREMENT ACT OF 2019 (“SECURE ACT”) REQUIRED MINIMUM DISTRIBUTION RULES.

Bill 5026 will be on the agenda for second reading on August 3.

FEE TITLE INTEREST
HAZELWOOD
TRADEPORT
INDUSTRIAL

Mayor Robinson called for the first reading of a bill to authorize a fee and leasehold deed of trust and security agreements in connection with the Hazelwood TradePort Industrial Development Project.

There were no objections and Bill 5027 was read by title only:

AN ORDINANCE APPROVING FEE AND LEASEHOLD DEED OF TRUST AND SECURITY AGREEMENTS IN CONNECTION WITH THE HAZELWOOD TRADEPORT INDUSTRIAL DEVELOPMENT PROJECT.

Bill 5027 will be on the agenda for second reading on August 3.

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 5021 Mayor Robinson called for the second reading of Bill 5021 to
SLUP grant a Special Land Use Permit for a vehicle wash facility at
406 CANDLE LIGHT LN. 406 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.

Mr. Aubuchon moved, seconded by Ms. Matlock, the adoption of Bill 5021 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 7</u>	<u>NAY - 0</u>
Mayor Robinson	
Ms. Matlock	
Mr. Taylor	
Mrs. Singleton	
Mr. Hoops	
Mr. Aubuchon	
Mr. Ryan	

Bill 5021 was unanimously adopted as Ordinance 4905-22.

BILL 5022 Mayor Robinson called for the second reading of Bill 5022 to
AMEND CHAPTER 230 amend 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.

Mayor Robinson moved, seconded by Mr. Aubuchon, the adoption of Bill 5022 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 1</u>	<u>NAY - 6</u>
Mayor Robinson	Ms. Matlock
	Mr. Taylor
	Mrs. Singleton
	Mr. Hoops
	Mr. Aubuchon
	Mr. Ryan

Bill 5022 failed by a vote of one in favor and six opposed.

BILL 5023
ED LOAN AGREEMENT
MARSON FOODS

Mayor Robinson called for the second reading of Bill 5023 to approve 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.

Mr. Hoops moved, seconded by Mr. Ryan, the adoption of Bill 5023 as an ordinance. The following vote was recorded on the motion.

<u>AYE - 7</u>	<u>NAY - 0</u>
Mayor Robinson	
Ms. Matlock	
Mr. Taylor	
Mrs. Singleton	
Mr. Hoops	
Mr. Aubuchon	
Mr. Ryan	

Bill 5023 was unanimously adopted as Ordinance 4906-22.

BILL 5024
HYDRANT

Mayor Robinson called for the second reading of Bill 5024 to order the installation of one fire hydrant at 4980 Tradeport Industrial Court.

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

AN ORDINANCE ORDERING THE INSTALLATION OF ONE FIRE HYDRANT ON TRADEPORT INDUSTRIAL COURT.

Mr. Ryan moved, seconded by Ms. Matlock, the adoption of Bill 5024 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 7</u>	<u>NAY - 0</u>
Mayor Robinson	
Ms. Matlock	
Mr. Taylor	
Mrs. Singleton	
Mr. Hoops	
Mr. Aubuchon	
Mr. Ryan	

Bill 5024 was unanimously adopted as Ordinance 4907-22.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

COUNCIL MEETING Mayor Robinson announced the next regular Council meeting will be held Wednesday, August 3 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 8:24 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

Julie Lowery - City Clerk
City of Hazelwood, Missouri