

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
OCTOBER 5, 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, October 5, 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:

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

Council Member Daniel T. Herin 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.

AGENDA

There being no amendments proposed, Mr. Aubuchon moved, seconded by Mr. Taylor, 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 - 8

NAY - 0

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

The motion passed unanimously and the consent agenda, including a closed meeting immediately following the regular meeting to consult with the City Attorney in accordance with the provisions of RSMo 610.021(1), and to discuss a personnel matter in accordance with the provisions of RSMo 610.021(3), was adopted.

**APPROVAL OF
MINUTES**

Mr. Taylor moved, seconded by Mr. Hoops, to approve the minutes of the September 21 regular and closed Council meetings as submitted. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS

**EMPLOYEE
INTRODUCTION**

Public Works Director David Stewart introduced newly promoted Code Enforcement Officer Rachel Fry.

**GFOA CERTIFICATE OF
ACHIEVEMENT FOR
FINANCIAL REPORTING**

City Manager Matt Zimmerman presented the Government Financial Officers Association's Certificate of Achievement for Financial Reporting to Assistant City Manager-Finance Dave Tuberty.

Mr. Tuberty stated the City has received this award for 25 consecutive years and he was honored to accept it on behalf of the Finance Department staff.

**FLOOD RELIEF
UPDATE**

U.S. Small Business Administration (SBA) Representatives Corey Williams and Susheel Kumar gave an update on the flood relief.

Mr. Williams stated the Federal Emergency Management Agency has extended their deadlines to register for disaster relief until November 7, 2022.

Mr. Kumar stated the application for relief may be filled out online and the disaster relief centers are open to come in person. Mr. Kumar stated if the first home mortgage and the loan needed for restoration are an amount less than \$200,000; interest rates are as low as 1.66%. Additionally, there is help with the relocation process.

Business owner Jesus Casillas stated he has received no help for damages.

Mr. Williams responded that there is help for business owners, up to \$2 million dollars, for restoration and keeping businesses employees paid.

Mr. Kumar stated many business owners do not know they can receive help with a Working Capital Loan that will be 2.9%. Churches and non-profit businesses are at a rate of 1.8%. He stated the SBA is involved in helping all 92 municipalities to reestablish their tax base and liquidity for cities.

Mr. Zimmerman stated FEMA notified him their last day to be operational in the City of Hazelwood is October 12.

PROCLAMATIONS AND RESOLUTIONS

FIRE PREVENTION WEEK PROCLAMATION Mayor Robinson called for the reading of a proclamation designating the week of October 9 through October 15 as Fire Prevention Week.

There were no objections and Proclamation 2215 was read.

Mr. Aubuchon moved, seconded by Mr. Ryan, the adoption of Proclamation 2215 designating the week of October 9 through 15, 2022 as Fire Prevention Week and urging all residents to plan and practice a home fire escape, and to support the public safety activities and efforts of the Hazelwood Fire Department. The motion passed unanimously.

DOMESTIC VIOLENCE AWARENESS MONTH PROCLAMATION Mayor Robinson called for the reading of a proclamation designating the month of October 2022 as Domestic Violence Awareness Month.

There were no objections and Proclamation 2216 was read.

Mr. Aubuchon moved, seconded by Mr. Ryan, the adoption of Proclamation 2216 designating the month of October 2022 as Domestic Violence Awareness Month and promoting awareness of the daily occurrence of domestic violence and child mistreatment and encouraging support for a collaborative effort to end domestic violence and the terror those victims feel in their own homes. 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.

HISTORIC ST. LOUIS Gina Siebe of 990 St. Francois Street in Florissant stated she is the President of Historic Florissant, and Historic St. Louis and would like to include Brookes Park as one of their historic sites.

Mrs. Siebe handed out a brochure detailing all the historic sites and buildings and stated the fee to participate is \$75 annually.

SLUP EXTENSION 7401 N. LINDBERGH A request for an extension of the Special Land Use Permit deadlines to commence construction and full operation of Si Senor Mexican Restaurant at 7401 North Lindbergh Boulevard.

City Planner Kate Crimmins stated Si Senor, LLC is asking for a six-month extension due to contractor delays.

Howdershell Road 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.

SLUP
1125 HOWDERSHELL Mayor Robinson called to order the public hearing to consider a Special Land Use Permit for a vehicle wash facility at 1125 Howdershell Road.

Mrs. Crimmins stated that 1125 Howdershell Road is a single-tenant building designed for automotive service and is located at the rear of a commercial lot that also contains a multitenant retail building known as Hazel Forest Plaza. The two buildings share an entrance off Howdershell Road and a parking lot. The proposed vehicle wash facility would perform vehicle wash, interior detailing, and ceramic car coatings. The ceramic car coating does not require specialized equipment or ventilation but does require 24 hours indoors for the coating to cure. Mr. Watson would have two full-time employees and services would be scheduled as appointment only, which will limit the number of cars on the site at any one time. The number of appointments per day would be approximately three to six. The owner has been in business as a mobile detailing company since 2017 and will continue to operate that portion of the business out of another location. No alterations to the building are proposed. The hours of operation would be 9 a.m. to 7 p.m., Monday through Friday, and 9 a.m. to 4:00 p.m. on Saturdays.

Mr. Aubuchon asked about drainage, stating the property has known issues.

Mr. Smith asked where the runoff goes from the vehicle washing.

Mrs. Crimmins replied runoff must flow to a drain, and is not allowed to flow into any grass or yard area.

Owner Antoine Watson was available for questions.

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

Lamont and Tiffany Perry of 1004 Pratt Place stated there is an erosion issue on their property. Mr. Perry stated rock has been laid to fill in a hole on the property but feels it will not address the issue and a large tree on the property looks as though it will fall very soon.

Mrs. Crimmins replied the tree has been reported to Code Enforcement and will be required to be felled before an occupancy permit would be issued.

Mr. Smith asked if the property in question is a single owner, or if the property is subdivided.

Mrs. Crimmins replied affirmatively, it is a single-owner property.

Mr. and Mrs. Perry asked how the issue would be addressed in the future if there were any further problems, and would they be contacted.

Mayor Robinson stated staff would be following up.

Owner of 1101 and 1125 Howdershell Road properties Rob Copithorne stated he became aware of these issues a few months ago, and he has hired a management company to address and correct the erosion in this area of the property.

Ms. Matlock asked if he would remove the problematic tree on the property.

Mr. Copithorne replied affirmatively.

Owner of Woodland Dental Care Dr. Rosenberger, located at 1133 Howdershell Road, stated he is in favor of the vehicle wash facility and welcomes new business coming to Hazelwood.

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 1125 Howdershell Road, Ward 7, with the following conditions:

1. Vehicles being detailed shall not remain on the property for more than a seven-day period.
2. Vehicles without current license plates shall not be parked at the site.
3. Tires, vehicle parts, or vehicle wash supplies shall not be stored at any location on the exterior of the premises.”

She stated the motion passed unanimously.

Mr. Smith moved, seconded by Mr. Taylor, to concur with the City Plan Commission recommendation to grant the Special Land Use Permit for a vehicle wash facility at 1125 Howdershell Road 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.

COMMUNICATIONS

EWGCG BRIEFINGS

The September 22 issue of Briefings was received from the East-West Gateway Council of Governments.

SLUP PETITION 6186 HOWDERSHELL

A petition for a Special Land Use Permit for a restaurant at 6186 Howdershell Road was received from Wilkes Fam4, LLC d/b/a Anotha Round Bar & Grill.

SLUP PETITION
8784 PERSHALL

A petition for a Special Land Use Permit for a self-storage facility at 8784 Pershall Road was received from Hazelwood Self Storage, LLC d/b/a TriLink Storage.

Mr. Taylor moved, seconded by Mr. Hoops, to refer the petitions 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 November 14 Council work session agenda.

RFPD FINANCIAL
REPORT UPDATE

Mr. Zimmerman reported the audit has been released and published by the State.

Mr. Zimmerman stated the audit revealed Robertson Fire Protection District's (RFPD) revenue increased, and property taxes increased in Bridgeton by \$1.2 million and increased by \$400,000 for Hazelwood due to the interim agreement. The interim agreement showed \$500,000 was paid, and staff is unsure about this discrepancy. Ambulance fees, personnel, and benefits also increased. Mr. Zimmerman stated RFPD's cash balance increased by \$4.5 million dollars and 77% of their expenses were for personnel, whereas 70% is typical for governmental agencies. Pertaining to their reserves, RFPD states to the public they have \$3.7 million dollars, but the auditors show a reserve of \$5.2 million dollars. Auditors identified several deficiencies in RFPD's accounting procedures. Examples are unreconciled checks dating back several months, a general lack of performing reconciliations, and corrections needed to payroll cash and liability accounts.

Mr. Ryan asked who does their accounting.

Mr. Zimmerman stated a hired accounting firm.

Mr. Ryan asked if the Board members oversee the accounting for RFPD.

Mr. Zimmerman responded affirmatively.

Mr. Zimmerman stated that RFPD recently posted misleading information on its website stating a new property tax rate for 2022 has been adopted that lowers the residential rate from \$2.40 to \$.99 per \$100 assessed value. Their claim is this will save a home with a \$200,000 assessed valuation of \$500 per year. The savings will be \$275 or less than what is claimed. RFPD states this will decrease their request for payment by the City under the terminated fire service agreement by over \$600,000, although rates are levied based on the tax rate. RFPD has publicly stated its wages are average in comparison to other St. Louis area departments. The RFPD website also states that the courts ruled the

City must continue to make monthly payments to RFPD. This is misleading since the City and RFPD mutually agreed to the interim contract that states the City would make monthly payments at an amount not to exceed \$4.5 million per year. The Courts have not ruled on RFPD's lawsuit to negate the City's termination of the contract.

Mr. Smith asked if this audit is to be turned into the State.

Mr. Zimmerman responded affirmatively.

Mr. O'Keefe stated past audits did not indicate, as this audit indicates, the deterioration of Board oversight.

WARD 1 MEETING Mr. Hoops announced that he is holding a Ward 1 meeting on October 12 at Armstrong Elementary School.

COMMISSION Mayor Robinson nominated DeCarol Timmons for
APPOINTMENT appointment to the Community Enrichment Commission.

Mr. Taylor motioned, seconded by Ms. Matlock, to approve the preceding appointment. The motion passed unanimously.

CITY MANAGER'S REPORT - None

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT – None

COMMISSION AND Mr. Taylor moved, seconded by Mr. Hoops, to receive and file
BOARD REPORTS the minutes of the July 11 and August 8 Neighborhood Watch Commission meetings. The motion passed unanimously.

NEW BUSINESS – None

INTRODUCTION AND FIRST READING OF BILLS

SLUP EXTENSION Mayor Robinson called for the first reading of a bill to extend
7401 NORTH the Special Land Use Permit deadlines to commence
LINDBERGH BLVD. construction and full operation of Si Senor, LLC d/b/a Si Senor Mexican Restaurant at 7401 North Lindbergh Boulevard.

There were no objections and Bill 5042 was read by title only:

AN ORDINANCE AMENDING ORDINANCE 4891-22 BY EXTENDING THE SPECIAL LAND USE PERMIT DEADLINES TO COMMENCE CONSTRUCTION AND FULL OPERATION OF SI SENOR, LLC DBA SI SENOR MEXICAN RESTAURANT AT 7401 NORTH LINDBERGH BOULEVARD.

Bill 5042 will be on the agenda for second reading on October 19.

SLUP	Mayor Robinson called for the first reading of a bill to grant
6827 HOWDERSHELL	a Special Land Use Permit for a restaurant at 6827
	Howdershell Road.

There were no objections and Bill 5043 was read by title only:

AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO BAROQAH INC., D/B/A KASABI RESTAURANT FOR A RESTAURANT AT 6827 HOWDERSHELL ROAD AND PROVIDING THE CONDITIONS OF SUCH USAGE.

Bill 5043 will be on the agenda for second reading on October 19.

SLUP	Mayor Robinson called for the first reading of a bill to grant
1125 HOWDERSHELL	a Special Land Use Permit for a vehicle wash facility at 1125
	Howdershell Road.

There were no objections and Bill 5044 was read by title only:

AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO DOLPHIN'S MOBILE DETAIL SERVICE, LLC FOR A VEHICLE WASH FACILITY AT 1125 HOWDERSHELL ROAD AND PROVIDING THE CONDITIONS OF SUCH USAGE.

Bill 5044 will be on the agenda for second reading on October 19.

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 5041	Mayor Robinson called for the second reading of Bill 5041 to
CONTRACT	authorize a contract with Ford Asphalt Co., Inc., for the 2022
ASPHALT PROJECT	asphalt improvement project.

Mr. Zimmerman stated at the last meeting, Mrs. Singleton wished to include the east entrance of Riverwood Trails. The addition of this entrance will add an additional \$20,500 to the contract price.

Mrs. Singleton motioned, seconded by Mr. Smith, to amend Bill 5041 by the text of Bill 5041.1. The motion passed unanimously.

There were no objections and Bill 5041, as amended, was read by title only:

AN ORDINANCE AUTHORIZING A CONTRACT WITH FORD ASPHALT CO., INC., FOR THE 2022 ASPHALT IMPROVEMENTS PROJECT AT A COST NOT TO EXCEED THREE HUNDRED FORTY THOUSAND FIVE HUNDRED DOLLARS (\$340,500).

Mr. Taylor moved, seconded by Ms. Matlock, the adoption of Bill 5041, as amended, as an ordinance. The following vote was recorded on the motion:

AYE - 8

NAY - 0

Mr. Taylor

Mr. Smith

Mrs. Singleton

Mr. Hoops

Mr. Aubuchon

Mr. Ryan

Mayor Robinson

Ms. Matlock

Bill 5041, as amended, was unanimously adopted as Ordinance 4924-22.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

COUNCIL MEETING

Mayor Robinson announced the next regular Council meeting will be held Wednesday, October 19, 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 8:54 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

Julie Lowery - City Clerk
City of Hazelwood, Missouri