

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
DECEMBER 7, 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, December 7, 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
William C. Hoops, Jr.
Robert M. Aubuchon
Don W. Ryan
Daniel T. Herin
Matthew G. Robinson
Lisa M. Matlock
Robert C. Smith

Council Member Warren H. Taylor 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. Hoops, the adoption of the agenda as printed. The motion passed unanimously.

CONSENT AGENDA

Mayor Robinson requested the addition of a communication item to the consent agenda and an addition of a closed session to consult with the City Attorney.

Mrs. Singleton moved, seconded by Mr. Ryan, to amend the consent agenda by the addition of item 9.64, a petition referral to the City Plan Commission from Industrial Commercial Properties, Inc. for a for amendment of the Planned District, Mixed, Regulations at 5555 St. Louis Mills Boulevard, to add a closed session to consult with the City Attorney, and to adopt the consent agenda as amended. The following vote was recorded on the motion:

AYE - 8

Mrs. Singleton
Mr. Hoops

NAY - 0

Mr. Aubuchon
Mr. Ryan
Mr. Herin
Mayor Robinson
Ms. Matlock
Mr. Smith

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), was adopted.

APPROVAL OF MINUTES

Mrs. Singleton moved, seconded by Mr. Ryan, to approve the minutes of the November 16 regular and closed Council meetings and the November 30 closed Council meeting as submitted. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS

EMPLOYEE INTRODUCTIONS

Fire Chief Herman introduced newly hired Firefighter/Paramedic Mason Gillette.

Police Chief Jim Hudanick introduced newly hired Telecommunicator Chris Witczak.

PRESENTATION OF PROCLAMATION

Past President of the Board for the National Stars and Stripes Museum and Library Jim Martin presented the City with a proclamation recognizing Hazelwood as a Stars and Stripes City.

PRESENTATION OF CERTIFICATIONS

City of Wildwood City Clerk Megan Eldridge and City of Florissant Deputy City Clerk Savanna Burton presented Ms. Lowery with certificates for achieving her Missouri Registered City Clerk and Certified Municipal Clerk designations.

PROCLAMATIONS AND RESOLUTIONS - None

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.

RECREATIONAL MARIJUANA

Terrabis Medical Marijuana Dispensary owner Nicholas Liaromatis stated on November 8 voters of Missouri passed Amendment 3 regarding recreational use of marijuana.

Mr. Liaromatis stated he is reaching out to municipalities where Terrabis Medical Marijuana Dispensary Company are located and asking for approval from the City Council to amend the language of their code to add recreational marijuana and remove medical marijuana verbiage.

INVITATION TO MLK TRIBUTE Alexis Robinson, member of the Community Enrichment Commission, invited the City Council and staff to the 21st annual tribute to Doctor Martin Luther King Junior on January 15, at 7 p.m., at Civic Center East.

AMEND PDM
RE: SIGNAGE City Planner Kate Crimmins reported staff recommends an amendment to the Planned District, Mixed Use, (PDM) regulations for Aviator Business Park pertaining to building signs.

Mrs. Crimmins stated Aviator Business Park is requesting an amendment to the existing zoning ordinance that approved regulations for the business park. The first requested amendment is regarding sign setbacks. MotoMart has proposed to construct a service station at 6068 and 6084 North Lindbergh Boulevard. They have proposed to locate their monument sign north of a new entrance off North Lindbergh Boulevard and the setback requirement is 30 feet from public rights-of-way. The proposed sign would be 1.75 feet from the right-of-way. She stated the North Lindbergh Boulevard right-of-way is particularly wide at this location, with the right-of-way extending approximately 15' inside the sidewalk. Mrs. Crimmins stated that the Hazelwood Police Department evaluated the proposed site for traffic safety and concluded the proposed sign does not present a safety concern. The second request is to allow electronic message board signs. The Aviator PDM ordinance currently expressly prohibits them. MotoMart's proposed sign has a 36 square foot full-color electronic screen.

Gordon Forsyth, Director of Development for MotoMart, Bill Behrens with Warren Sign Company, and Erik Staley with Clayton Engineering were present for any questions.

Mr. Forsyth gave a history of the company and showed renderings of existing stores.

Mr. Aubuchon moved, seconded by Mr. Ryan, to concur with staff recommendation to amend the Planned District, Mixed Use, regulations for Aviator Business Park, established by ordinance 4042-09, relative to permitted signs regulations 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.

PUBLIC HEARINGS

SLUP PETITION Mayor Robinson called to order the public hearing to consider
6186 HOWDERSHELL a Special Land Use Permit for a restaurant at 6186
Howdershell Road.

Mrs. Crimmins stated the application from Wilkes Fam 4, LLC d/b/a Anotha Round Bar & Grill, was withdrawn.

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.

SUBDIVISION PETITION Mayor Robinson called to order the public hearing to consider
6068 & 6084 a petition for subdivision of 6068 and 6084 North Lindbergh
NORTH LINDBRGH from two lots into one lot.

Mrs. Crimmins stated the petition is to consolidate two lots of 1.01 and 1.69 acres into one lot of 2.7 acres at 6068 and 6084 North Lindbergh Boulevard.

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 of the petition to consolidate two lots into one lot called, “AVIATOR BUSINESS PARK PLAT 10” at 6068 and 6084 North Lindbergh Boulevard, Ward 2.” She stated the motion passed unanimously.

Mr. Aubuchon moved, seconded by Mr. Ryan, to concur with the City Plan Commission recommendation to authorize the subdivision of 6068 and 6084 North Lindbergh Boulevard to consolidate two lots into one lot 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.b.

COMMUNICATIONS

EWGCG The November 10 issue of Briefings was received from the
BRIEFINGS East-West Gateway Council of Governments.

SLUP PETITION A petition for a Special Land Use Permit for a hotel at 7350
7350 N. HANLEY ROAD North Hanley Road was received from Deluxe Hospitality,
LLC d/b/a Haven Inn.

SUBDIVISION PETITION A petition for subdivision to divide one lot into two lots at 189
189 ELBRING DRIVE Elbring Drive was received from New City Investors, LLC.

SLUP EXPANSION A petition for an expansion of Special Land Use Permit for an outdoor storage facility 5720 Fee Fee Road was received from Pool Tron, Inc.

SUBDIVISION PETITION A petition for subdivision of 7934 and 7950 North Lindbergh Boulevard was received from GNVZ, LC.

SLUP PETITION A petition for a Special Land Use Permit for a vehicle wash facility at 7934 North Lindbergh Boulevard and 7950 North Lindbergh Boulevard was received from Zips Car Wash, LLC.

SLUP PETITION A petition for a Special Land Use Permit for a restaurant at 6186 Howdershell Road was received by Wilkes Fam 4, LLC d/b/a Saint Louis Mix Sports Bar & Grill.

EWGCG The November 17 issue of Briefings was received from the East-West Gateway Council of Governments.

CHARTER A notice of upcoming program changes was received from Charter Communications.

Mrs. Singleton moved, seconded by Mr. Ryan, 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 No items were added to the January 11 Council work AGENDA ITEMS session agenda.

EMPLOYEE Ms. Matlock requested a meeting with staff and the Police and RETENTION Fire Departments regarding retention of employees.

Mayor Robinson asked staff for a report of tenured employees.

COUNCIL MEETING After discussion with Councilmembers, Mayor Robinson START TIME stated the start time for Council meetings would be 6:30 p.m.

Mr. O'Keefe stated to change the time would require an amendment to the City Code and can be prepared for the next Council meeting.

AMEND CITY Mayor Robinson discussed a request by City employees to CHARTER repeal the prohibitions against political involvement in City elections.

Mayor Robinson stated there is conflicting material in the Charter that may need to be addressed. He would like available options and scenarios to make a decision. Mayor Robinson stated he thinks a vote of the people is necessary and would like everyone to be able to express his or her First Amendment Rights and change conflicting verbiage in the Charter if necessary.

Mrs. Singleton stated laws prohibiting employees from participating in elections are for the safety of everyone involved and to stop corruption. In her opinion, a change in procedure is not a good idea and may be harmful to employees.

Kevin Foley of 5274 Ville Rosa Lane asked what aspects of an election an employee would be involved in.

Mr. Smith stated that employees should not be put in a position to create a conflict of interest.

Mayor Robinson stated the 2015 State law amendment conflicts with the City Charter. If changes are to be made to the City Charter a referendum would be submitted for a vote of the residents.

Mr. Foley stated he would like more information regarding what an employee can or cannot be involved in with the election processes.

Mayor Robinson stated employees who work on elections could have their civil service rights taken away from them and a policy would be necessary. A patronage system may need to be in place if rights are taken away.

AMEND CHAP. 600 ALCOHOLIC BEV.	Mrs. Lowery reported staff recommends amending <i>Chapter 600: Alcoholic Beverages</i> .
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At the November 16 Regular Council meeting, the Council agreed to increase the package liquor license limit from 15 licenses to 18 licenses. Also, in August 2021 the Missouri State Statute regarding alcohol sales on Sunday was amended to be able to sell alcohol until 1:30 a.m. on Monday. In addition to those changes, Ms. Lowery and Chief Hudanick met and are proposing the following changes: Section 600.070. Qualifications for Liquor License: no person shall be granted a license under this Chapter if their license has been revoked or suspended in any jurisdiction by any licensing authority.

Section 600.120. Alcoholic Beverages License Near School or Church: increase the 100-foot buffer back to 300 feet, and measure distance in a straight line from the nearest point on the property line upon which the liquor establishment sits to the nearest point on the property line of the school or church. Also, adding childcare centers, daycare centers, and nursery schools, within the buffer measurement. The City Council may waive or reduce the proximity restrictions of this Section if the Council determines, in the exercise of legislative discretion, that the purposes of separating conflicting land uses would still be substantially served.

Mr. Aubuchon moved, seconded by Mr. Ryan, to concur with the staff recommendation to amend *Chapter 600: Alcoholic Beverages* 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.c.

WARD 8
ANNOUNCEMENT

Mrs. Singleton announced she would not seek re-election in April 2023.

CITY MANAGER'S REPORT

AGREEMENT
LEGISLATIVE
SERVICES

Mr. Zimmerman reported staff recommends authorization to enter into an agreement with AT Government Strategies for strategic government affairs and legislative services, for a period from December 2022 through May 2023, at a cost of \$8,000 per month.

Special Counsel John Dalton was present to answer questions.

Ms. Matlock moved, seconded by Mr. Smith, to concur with the staff recommendation to authorize an agreement for strategic government affairs and legislative services 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.

POWERPLEX MASTER
DEVELOP. AGRMT.

Mr. Zimmerman stated staff is working to finalize the Master Development Agreement.

Mr. Zimmermann gave an overview of the development stating Industrial Commercial Properties (ICP) are planning to redevelop approximately 60% of the former mall into light industrial uses. The remaining 40% and outlots would be developed by a joint venture controlled by ICP and Big Sports Properties for POWERplex.

Industrial Commercial Properties Chief Operating Officer Chris Salata gave an overview of how their business does redevelopment projects and showed renderings of previous developments and conceptual site plans for the Hazelwood Business Park endeavor.

Mr. Smith asked what the turnaround time is for tenants.

Mr. Salata replied turnaround is anywhere from 18 to 24 months.

Mr. Aubuchon asked if the church would remain.

Mr. Salata replied they would be relocating.

Mr. Smith asked if vocational outreach opportunities would be provided.

Mr. Salata responded affirmatively.

Mr. Smith asked what the estimated construction cost would be.

Mr. Salata responded that the total project estimate would be approximately \$80 million.

POWERplex owner Dan Buck gave an overview of the proposed site plan. Mr. Buck stated POWERplex would offer more than 12 different sports, in seven athletic venues, with an anticipated 150,000 hotel rooms booked across the St. Louis area. The campus would host more than 300 events and tournaments per year and bring approximately 2.2 million annual visitors to the campus for just scheduled events.

Mr. Ryan asked if they would hold Esports.

Mr. Buck responded affirmatively.

Mr. Aubuchon asked about competition and the impact it may have on the complex.

Mr. Buck responded no, surrounding venues hold different events, while they are focusing on female sports.

Mr. Smith asked about the 2.2 million estimated visitors.

Mr. Buck responded this number is based on a national average. 2.2 million visitors is based on an 80% capacity rate.

Mr. Smith asked about the amount of police presence.

Mr. Buck responded there would be in house security and they would welcome opening a sub-station at the facility.

Mr. Smith asked what the estimated POWERplex condo construction costs to be.

Mr. Buck responded approximately \$42 million, with private equity at \$17 million.

Mr. Ryan asked about when construction will begin.

Mr. Buck responded spring of 2023 and ballfields in October 2023.

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT

APRIL 4, 2023	Ms. Lowery announced filing for the April 4, 2023 election
ELECTION	opened on December 6 and will close on December 27
CANDIDACY FILING	at 5:00 p.m.

Petitions for three-year terms for Council members of Wards 2, 4, 6, and 8 can be picked up from the City Clerk's office during regular business hours. Candidates must be 21 years of age, a registered voter, have lived in the City of Hazelwood for at least two years immediately prior to the election, and reside in the ward for which they seek office.

**COMMISSION AND
BOARD REPORTS**

Mrs. Singleton moved, seconded by Mr. Ryan, to receive and file the minutes of the October 13 City Plan Commission meeting. The motion passed unanimously.

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

**AMEND PDM
AVIATOR BUSINESS
PARK**

Mayor Robinson called for the first reading of a bill to amend the Planned District, Mixed Use, regulations established for Aviator Business Park relative to signage.

There were no objections and Bill 5047 was read by title only:

AN ORDINANCE AMENDING THE PLANNED DISTRICT, MIXED USE, REGULATIONS ESTABLISHED FOR AVIATOR BUSINESS PARK, BY ORDINANCE 4042-09, RELATIVE TO PERMITTED SIGNS.

Bill 5047 will be on the agenda for second reading on December 21.

**SUBDIVISION
6068 & 6084
NORTH LINDBERGH**

Mayor Robinson called for the first reading of a bill to approve the subdivision of 6068 North Lindbergh Boulevard and 6084 North Lindbergh Boulevard.

There were no objections and Bill 5048 was read by title only:

AN ORDINANCE APPROVING THE SUBDIVISION OF 6068 NORTH LINDBERGH BOULEVARD AND 6084 NORTH LINDBERGH BOULEVARD FROM TWO LOTS INTO ONE LOT.

Bill 5048 will be on the agenda for second reading on December 21.

**AMEND CHAP. 600
ALCOHOLIC BEV.**

Mayor Robinson called for the first reading of a bill to amend *Chapter 600: Alcoholic Beverages*.

There were no objections and Bill 5049 was read by title only:

AN ORDINANCE AMENDING CHAPTER 600 OF THE HAZELWOOD CITY CODE RELATING TO ALCOHOLIC BEVERAGES.

Bill 5049 will be on the agenda for second reading on December 21.

AGREEMENT Mayor Robinson called for the first reading of a bill to LEGISLATIVE SERVICES authorize a contract for legislative services.

There were no objections and Bill 5050 was read by title only:

AN ORDINANCE AUTHORIZING AN AGREEMENT WITH AT GOVERNMENT STRATEGIES FOR STRATEGIC GOVERNMENT AFFAIRS AND LEGISLATIVE SERVICES.

Bill 5050 will be on the agenda for second reading on December 21.

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 5046 Mayor Robinson called for the second reading of Bill 5046 to
AGREEMENT authorize an utilization agreement with CDS Office Systems
CDS OFFICE SYSTEMS for the lease of 44 Lenovo ThinkCentre M70q's.

There were no objections and Bill 5046 was read by title only:

AN ORDINANCE AUTHORIZING AN UTILIZATION AGREEMENT WITH CDS OFFICE SYSTEMS, INC., FOR THE LEASE OF 44 LENOVO THINKCENTRE M70Q'S AT A COST NOT TO EXCEED \$56,232.

Mrs. Singleton moved, seconded by Mr. Smith, the adoption of Bill 5046 as an ordinance. The following vote was recorded on the motion:

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

Bill 5046 was unanimously adopted as Ordinance 4929-22.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

COUNCIL MEETING Mayor Robinson announced the next regular Council meeting would be held Wednesday, December 21, 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 10:00 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

Julie Lowery - City Clerk
City of Hazelwood, Missouri