

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
DECEMBER 21, 2022**

CALL TO ORDER

A regular meeting of the Hazelwood City Council was called to order by Mayor Matthew G. Robinson at 7:33 p.m. on Wednesday, December 21, 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
Robert M. Aubuchon
Don W. Ryan
Daniel T. Herin
Matthew G. Robinson
Warren H. Taylor
Robert C. Smith

Council Members William C. Hoops, Jr. and Lisa M. Matlock 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 Mr. Smith, the adoption of the agenda as printed. The motion passed unanimously.

CONSENT AGENDA

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

AYE - 7

NAY - 0

Mrs. Singleton
Mr. Aubuchon
Mr. Ryan
Mr. Herin
Mayor Robinson
Mr. Taylor
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**

Mr. Aubuchon moved, seconded by Mr. Taylor, to approve the minutes of the December 7 regular and closed Council meetings as submitted. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS

**EMPLOYEE
SERVICE AWARDS**

As his biography was read, Firefighter/Paramedic John Drouant was presented with a 15-year service award.

**PRESENTATION OF
2021/2022 CAFR**

Molly Malone of Stopp & VanHoy, LLC reviewed the fiscal year 2021/2022 Comprehensive Annual Financial Report and audit.

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.

CITIZEN CONCERNS

Kevin Foley of 5274 Ville Rosa expressed concerns regarding trash and debris in his neighborhood and commercial areas of Hazelwood.

Mr. Foley stated the road is washing out at Highway 270 and Missouri Bottom Road and maintenance of the fence on the overpass is needed. Mr. Foley stated a homeless encampment is located at Missouri Bottom Road and the Highway 270 exit. He stated he noticed box trucks, trash, old tires, and oilcans left at Anglum Road and Phantom Road.

Mayor Robinson stated staff would look into the issues presented and have answers at the next Council meeting.

PUBLIC HEARINGS - None

COMMUNICATIONS

**EWGCG
BRIEFINGS**

The December 1 issue of Briefings was received from the East-West Gateway Council of Governments.

**EWGCG
BRIEFINGS**

The December 8 issue of Briefings was received from the East-West Gateway Council of Governments.

Mr. Aubuchon moved, seconded by Mr. Taylor, to receive and file all communications. The motion passed unanimously.

UNFINISHED BUSINESS

AMEND CITY CHARTER	Discussion continued from the December 7 Regular Council meeting regarding allowing employees to participate in City election processes.
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Mrs. Singleton maintained her position that allowing employees to campaign for elected officials gives the appearance of impropriety. She stated per the guidelines of the Missouri Ethics Commission, there can be no influencing of employees for monetary gain.

Mr. O'Keefe stated no law should be enacted creating or fixing the powers, duties, or compensation of any municipal office or employment for any city framing or adopting its charter under this or any previous constitution. He stated Missouri State Law 67.145 is questionable, stating no political subdivision of this state shall prohibit any first responder from engaging in any political activity while off duty and not in uniform, being a candidate for elected or appointed public office, or holding such office unless state or federal law otherwise prohibits such political activity or candidacy.

Mr. Ryan concurred with Mrs. Singleton and stated he believes allowing employees to participate would create chaos.

Mrs. Singleton motioned, seconded by Mr. Ryan, to leave the Charter as is and not allow employees to participate in City election processes. The following vote was recorded on the motion:

<u>AYE - 7</u>	<u>NAY - 0</u>
Mrs. Singleton	
Mr. Aubuchon	
Mr. Ryan	
Mr. Herin	
Mayor Robinson	
Mr. Taylor	
Mr. Smith	

The motion passed unanimously.

MAYOR AND COUNCIL REPORTS

WORK SESSION AGENDA ITEMS	No items were added to the January 11 Council work session agenda.
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AMEND CITY CODE COUNCIL PROCEDURES	Mr. O'Keefe provided the Council with a draft bill amending the City Code relative to Council procedures.
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Mrs. Singleton moved, seconded by Mr. Smith, to amend Section 110.010 of the Hazelwood City Code to change the start time of regular Council meetings, incorporate Charter provisions for legislative actions and related matters 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.

CITY MANAGER'S REPORT

PROPOSITION FOR Mr. Zimmerman stated a bill to place a proposition on the April
3% SALES TAX ON 4, 2023 ballot to impose an additional 3% sales tax on the sale
ADULT USE MARIJUANA of adult use marijuana has been prepared.

A constitutional amendment approved by voters in November permits municipalities to impose an additional 3% sales tax on adult use marijuana. The sales tax would not apply to the sales of medical marijuana. If approved, the City would start to collect the sales tax in October.

Mr. Aubuchon moved, seconded by Mr. Ryan, to call for submission to the voters of a proposition authorizing an additional sales tax on the sale of adult use marijuana 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.

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT - None

COMMISSION AND BOARD REPORTS Mr. Aubuchon moved, seconded by Mr. Taylor, to receive and file the minutes of the September 6 and December 6 Parks and Recreation Board meetings, the October 10 and November 14 Neighborhood Watch Commission meetings, and the November 28 Historic Preservation Commission meeting. The motion passed unanimously.

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

AMEND CODE Mayor Robinson called for the first reading of a bill to amend
RE: COUNCIL Section 110.010 of the City Code to change the start time for
PROCEDURES regular Council meetings and incorporate Charter provisions for legislative actions.

There were no objections and Bill 5051 was read by title only:

AN ORDINANCE AMENDING SECTION 110.010 OF THE HAZELWOOD CITY CODE TO CHANGE THE STARTING TIME FOR REGULAR MEETINGS OF THE CITY

COUNCIL, INCORPORATE CHARTER PROVISIONS FOR LEGISLATIVE ACTIONS, AND RELATED MATTERS.

Bill 5051 will be on the agenda for second reading on January 4.

ELECTION FOR SALES TAX ON ADULT USE MARIJUANA	Mayor Robinson called for the first reading of a bill calling for submission to the voters of a proposition authorizing an additional 3% sales tax on the sale of adult use marijuana.
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There were no objections and Bill 5052 was read by title only:

AN ORDINANCE LEVYING AN ADDITIONAL SALES TAX ON SALES OF ADULT USE MARIJUANA AND CALLING AN ELECTION FOR VOTER APPROVAL OF SUCH TAX.

Bill 5052 will be on the agenda for second reading on January 4.

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 5047 AMEND PDM	Mayor Robinson called for the second reading of Bill 5047 to amend the Planned District, Mixed Use, regulations relative to signage.
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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.

Mr. Aubuchon moved, seconded by Mr. Smith, the adoption of Bill 5047 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 7</u>	<u>NAY - 0</u>
Mrs. Singleton	
Mr. Aubuchon	
Mr. Ryan	
Mr. Herin	
Mayor Robinson	
Mr. Taylor	
Mr. Smith	

Bill 5047 was unanimously adopted as Ordinance 4930-22.

BILL 5048 SUBDIVISION	Mayor Robinson called for the second reading of Bill 5048 to authorize the subdivision of 6068 and 6084 North Lindbergh Boulevard.
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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.

Mr. Aubuchon moved, seconded by Mr. Ryan, the adoption of Bill 5048 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 7</u>	<u>NAY - 0</u>
Mrs. Singleton	
Mr. Aubuchon	
Mr. Ryan	
Mr. Herin	
Mayor Robinson	
Mr. Taylor	
Mr. Smith	

Bill 5048 was unanimously adopted as Ordinance 4931-22.

BILL 5049	Mayor Robinson called for the second reading of Bill 5049 to
AMEND CHAP. 600	amend <i>Chapter 600</i> : 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.

Mr. Aubuchon moved, seconded by Mr. Ryan, the adoption of Bill 5049 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 7</u>	<u>NAY - 0</u>
Mrs. Singleton	
Mr. Aubuchon	
Mr. Ryan	
Mr. Herin	
Mayor Robinson	
Mr. Taylor	
Mr. Smith	

Bill 5049 was unanimously adopted as Ordinance 4932-22.

BILL 5050	Mayor Robinson called for the second reading of Bill 5050 to
AGREEMENT	authorize an agreement 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.

Mr. Ryan moved, seconded by Mr. Smith, the adoption of Bill 5050 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 7</u>	<u>NAY - 0</u>
Mrs. Singleton	
Mr. Aubuchon	
Mr. Ryan	
Mr. Herin	
Mayor Robinson	
Mr. Taylor	
Mr. Smith	

Bill 5050 was unanimously adopted as Ordinance 4933-22.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

CITY HALL CLOSED Mayor Robinson announced City Hall would be closed on December 23, at noon; Monday, December 26; and Monday, January 2.

COUNCIL MEETING Mayor Robinson announced the next regular Council meeting would be held Wednesday, January 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 8:47 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

Julie Lowery - City Clerk
City of Hazelwood, Missouri