CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
MARCH 15, 2023

CALL TO ORDER A regular meeting of the Hazelwood City Council was called to order by Mayor Matthew G. Robinson at 6:32 p.m. on Wednesday, March 15, 2023 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:

Don W. Ryan
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

Deputy City Clerk Jen Chappie 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. Hoops, the adoption of the consent agenda as printed. The following vote was recorded on the motion:

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

The motion passed unanimously and the consent agenda, including a closed meeting immediately following the regular meeting to discuss litigation 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. Aubuchon moved, seconded by Mr. Hoops, to approve the minutes of the March 1 Council meeting as submitted. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS

EMPLOYEE SERVICE AWARDS	As their biographies were read, Custodian Raymond Higginbotham received his five-year service award and Park Ranger Victoria Hall received her 20-year service award.

PROCLAMATIONS AND RESOLUTIONS

RETIREMENT PROCLAMATION	Mayor Robinson called for the reading of a proclamation expressing recognition and appreciation to retiring Fire Private Eric Kiehl.

There were no objections and Proclamation 2304 was read.

Mr. Aubuchon moved, seconded by Mr. Hoops, the adoption of a Proclamation 2304 expressing recognition and appreciation to Fire Private Eric Kiehl for 41 years of dedicated service to the Hazelwood community and extending sincere good wishes for a happy retirement. The motion passed unanimously.

GRANT APPLICATION RESOLUTION	Mayor Robinson called for the reading of a resolution supporting the application for 2023 Waste Reduction Grant Funds.

City Planner Kate Crimmins stated City staff is planning to host the 12th annual Recycle Day event on June 10, 2023, at Village Square Shopping Center. The event offers a drive-through and drop-off recycling of hard-to-recycle items such as all types of electronics, tires, motor oil, car and motorcycle batteries, and scrap metal. Mrs. Crimmins stated the event is funded through a grant from the St. Louis-Jefferson Solid Waste Management District. She stated most services at the event are free, but there is an extra cost for recycling certain items. It is $10 to recycle a flat-screen television or monitor, and $30 to recycle an older style tube television or monitor. Mrs. Crimmins stated City staff became aware that St. Louis County offers a grant specifically for covering this extra cost and is in the process of applying for this grant to allow residents to recycle their televisions and monitors for free. St. Louis County requires municipalities applying for the grant to pass a resolution of support.

There were no objections and Resolution 2302 was read by title only:

RESOLUTION ENDORSING SAINT LOUIS COUNTY'S GRANT PROGRAM FOR THE CITY OF HAZELWOOD'S REDUCTION EFFORTS.

Mr. Hoops moved, seconded by Mr. Aubuchon, the adoption of Resolution 2302. The following vote was recorded on the motion:

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

Resolution 2302 was unanimously adopted.

OPIOID SETTLEMENT AGREEMENT

Mayor Robinson called for the reading of a resolution to approve and authorize execution of a National Opioid Settlement agreement.

Mr. Zimmerman stated the City was notified it could participate in a national opioid settlement agreement with Teva, Allergen, CVS, Walgreens and Walmart. The State of Missouri has approved the agreement, which allows municipalities to opt in or out and the deadline to participate is April 18, 2023. The amount the City will receive is unknown and is dependent on the number of states and municipalities that approve the agreement.

Mr. Smith asked if the money would have to be earmarked for a specific program.

Mr. Zimmerman replied the intent is to spend the money on drug prevention programs.

Mrs. Singleton asked if the funds could be used for the D.A.R.E program.

Mr. Zimmerman responded affirmatively.

There were no objections and Resolution 2303 was read by title only:

A RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF NEW NATIONAL OPIOID SETTLEMENT AGREEMENTS.

Mr. Taylor moved, seconded by Mrs. Singleton, the adoption of Resolution 2303. The following vote was recorded on the motion:

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

Resolution 2303 was unanimously adopted.

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.

CALL-A-RIDE CHANGES — Alan Orban of 1112 Woodcrest Lane stated there are upcoming changes to the Call-A-Ride service.

Mr. Orban stated because of staffing issues, Metro Transit Service would be discontinuing some regular bus routes. Due to this change, his wife, who is legally blind, is now outside the new service area and does not have the independence and mobility she once had. Mr. Orban is asking everyone to advocate for persons with disabilities and contact Metro Transit Services through Jeanette Oxford, the Public Policy and Advocacy Manager.

Mayor Robinson stated City staff would prepare a letter in support of this matter.

CRIME CONCERNS — Cynthia Whitaker of 8828 Santa Bella Drive expressed concerns with the amount of vehicle thefts, break-ins, and cut-through foot traffic occurring in her neighborhood.

Ms. Whitaker stated residents have witnessed drug use at the bus stop and liquor store. One resident witnessed a person urinating in the hallways of the complex. She stated there is not enough lighting at her condominium complex, and they are in need of more patrols by police.

Mr. Aubuchon stated the complex owner is responsible for lighting.

Ms. Whitaker stated they cannot afford more lighting and she is here asking for assistance from the City.

Mr. Smith asked if anyone has contacted Ameren to find out if lighting can be increased.

Ms. Whitaker replied that this would be at the expense of the complex.

Mrs. Crimmins stated she would look into any programs that may exist to assist the complex with this issue.

PUBLIC HEARINGS - None

COMMUNICATIONS

EWGCG BRIEFINGS	The February 23 issue of Briefings was received from the East-West Gateway Council of Governments.
TIP FUND OBLIGATION DEADLINE	A reminder of the Transportation Improvement Program fund obligation deadline for the Phantom Drive–Missouri Bottom Road to James S. McDonnell Boulevard lane reduction project was received from East-West Gateway Council of Governments.
CHARTER COMMUNICATIONS	A notice of a channel rebrand of Decades to Catchy was received from Charter Communications.
EWGCG BRIEFINGS	The March 2 issue of Briefings was received from the East-West Gateway Council of Governments.
MLMSTL NEWSLETTER	The March issue of The Link was received from Municipal League of Metro St. Louis.

Mr. Aubuchon 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 May 10 Council budget work session agenda.
GREEN COMMITTEE ESTABLISHMENT	Discussion regarding establishing the Green Committee as an official board/commission of the City took place.

Mr. Zimmerman stated the City established the Green Committee as an ad hoc committee in 2010. The purpose of the Committee is to bring ideas on how to help the City become more environmentally conscious and enhance the quality of life for the community. The Green Committee has become more proactive in its endeavors, and the committee would like the Council to consider making them an official board/commission. The Green Committee has recently inquired about being covered by the City's insurance policy. Their immediate concern is if a Green Committee member is injured while performing clean up.

The City's insurance pool, St. Louis Area Insurance Trust (SLAIT), and insurer Chubb have determined that they are not covered because they are not an official board/commission of the City.

Mr. Zimmerman stated the Council should determine how many members should be appointed, should the members be residents, length of terms, and other parameters of a board/commission.

Mrs. Singleton asked what the difference is between ad hoc and full members, and would ad hoc members be covered by insurance.

Mr. Zimmerman replied ad hoc members could be students doing community service who come to several meetings and work on projects with the committee.

After further discussion, the Council agreed with the proposal to make the Green Committee a formal Board of the City.

Mrs. Singleton moved, seconded by Mr. Ryan, to concur with the staff recommendation to change the Green Committees' ad hoc status to a formal Green Committee Board. The motion passed unanimously.

POLICE DEPARTMENT RECOGNITION	Mrs. Singleton stated she received an email from a constituent praising to the Hazelwood Police Department for their vigilance and protection against crime in the community.
COUNCIL RESIGNATION	Mr. Herin thanked the Council for the opportunity to serve as Ward 4 Council Member and announced his resignation from the Hazelwood City Council effective April 19, 2023.

CITY MANAGER'S REPORT

CDBG BLOCK GRANT FUNDS REALLOCATION	Mrs. Crimmins reported staff recommends re-allocating funds from the Community Development Block Grant (CDBG).

Mrs. Crimmins stated that for the past 20 years, the City allocated 100% of CDBG funds to the Home Improvement Program for residents. This program allows Hazelwood homeowner-occupants to receive up to $7,500 to make essential repairs to their homes. Staff recently learned that CDBG funds may be allocated to demolish homes considered derelict, hazardous, or beyond reasonable effort to repair. Mrs. Crimmins stated approximately half of the funding would allow two homes to be demolished, but less homeowners would have funding available for repairs.

Mr. Zimmerman added all the CDBG funding is used each year.

Mr. Smith stated all funding should go to homeowners in need of repairs.

Mr. Taylor stated there are many homes in Ward 6 in need of repairs, with some in need of demolition.

Mrs. Singleton asked if derelict homes in this area are creating more crime.

Mrs. Crimmins replied she does not have that information. Some homes are boarded up, others are post tax sale, and other homes have been abandoned by the owners.

Mrs. Singleton stated if the homes were in her ward, she would prefer them to be torn down.

Mr. Orban asked what the City's liability is if someone was to be injured at one of the properties.

Mr. Zimmerman replied that liability would still fall on the owner of the premises.

Mrs. Crimmins stated per the City's Prosecuting Attorney, when sufficient notice is given to homeowners, a home may be demolished without acquiring the property.

Mr. Aubuchon asked how much money it would be to demolish a home.

Mrs. Crimmins replied $15,000 to $20,000.

Kevin Foley of 5274 Ville Rosa Lane stated he is opposed to the funding being used for demolition of homes.

Mrs. Faatz stated the Police Department should be involved if crime is an issue due to vacancies.

Mr. Aubuchon stated his preference would be to continue helping those residents living in their homes and revitalizing the neighborhoods with this funding.

Mr. Hoops moved, seconded by Mr. Ryan, to continue to use the CDBG funds for the City's Home Improvement Program. The motion passed unanimously.

TRAFFIC SAFETY GRANT APPLICATION

Police Chief James Hudanick recommended authorization to participate in Missouri's Highway Safety Program.

Chief Hudanick stated the Police Department submits an application to the Missouri Department of Transportation every year for grant funds through this program for highway safety and traffic enforcement.

Mr. Aubuchon moved, seconded by Mr. Ryan, to authorize participation in the Missouri Highway Safety Program. The motion passed unanimously.

PURCHASE OF POLICE VEHICLE	Chief Hudanick reported staff recommends the purchase of one 2022 Dodge Durango police vehicle with emergency equipment, installation and graphics from Landmark Chrysler Dodge at a cost not to exceed $45,570.

Chief Hudanick stated the purchase of this new vehicle would replace a 2013 Chevrolet Tahoe, which will be utilized by the Fire Department as an administrative vehicle. $123,287 remains in the Capital Improvement fund to purchase and equip police vehicles.

Mr. Taylor moved, seconded by Mr. Smith, to concur with the staff recommendation to purchase one 2022 Dodge Durango police vehicle with emergency equipment, installation and graphics from Landmark Chrysler Dodge at a cost not to exceed $45,570. The motion passed unanimously.

CITY ATTORNEY'S REPORT

GROSS TAX RECEIPTS	Mr. O'Keefe reported Spire received approval for a rate increase last year from the Public Service Commission.

Mr. O'Keefe stated State law requires local governments to roll back their tax levy if the rate increase exceeds 7%. Section 609.020 of the City Code states the City will maintain its rate of utility tax in accord with section 393.275.2 despite Public Service Commission rate increases. He stated the last line of that code provision states: "*regardless of the recent tariff actions of the Missouri Public Service Commission with respect to AmerenUE rates for service"* and is concerned that the stated limitation to the electric rate increase may mean that it is not applicable to the Spire natural gas tariff increase. Mr. O'Keefe suggested broadly stating the public policy of maintaining its tax rate in the face of Public Service Commission tariff decisions and eliminating the language restricting the policy to Ameren rates and explicitly stating that we invoke the authority under the referenced statute to specifically decline a rollback with regard to this Spire increase. Mr. O'Keefe asked the City Council to consider an emergency reading of the bill which needs to be submitted to Spire no later than March 18, 2023.

Mrs. Singleton moved, seconded by Mr. Ryan, to concur with the staff recommendation to create an ordinance authorizing the City's utility tax on all utility rate increases. The motion passed unanimously and the bill was added to the agenda as item 17.a.

CITY CLERK'S REPORT

LIQUOR SUBCOMMITTEE	Discussion regarding establishing a liquor subcommittee took place.

Mr. O'Keefe state the City Council discussed establishing a liquor hearing subcommittee at the March 1 Council meeting regarding the liquor license application for the property at 6186 Howdershell Road. The applicant asked for the hearing to consider all evidence to determine whether she is qualified to receive a liquor license. To continue with the hearing process, appointments to the subcommittee would be needed. Historically the Council has appointed three members to serve.

After discussion, Mr. Hoops moved, seconded by Mr. Ryan, to appoint Mr. Aubuchon, Ms. Matlock, and Mr. Taylor to the Liquor Subcommittee. The motion passed unanimously.

COMMISSION AND BOARD REPORTS - None

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

GROSS TAX RECEIPTS Mayor Robinson called for the first reading of a bill to reaffirm the gross receipts tax to be imposed upon utility corporations.

Mrs. Singleton moved, seconded by Mr. Ryan, to find and declare an emergency exists with respect to the adoption of the bill, in accordance with Section 8 of Article II of the City Charter, and to give it second reading and consideration for adoption this evening. The motion passed unanimously.

There were no objections and Bill 5070 was read by title only:

AN ORDINANCE REAFFIRMING THE GROSS RECEIPTS TAX TO BE IMPOSED UPON UTILITY CORPORATIONS PROVIDING SERVICES TO CONSUMERS WITHIN THE CITY OF HAZELWOOD, MISSOURI, AND AMENDING SECTION 609.020 OF THE THE CITY CODE RELATING TO SAME.

Bill 5070 was read for a second time by title only:

AN ORDINANCE REAFFIRMING THE GROSS RECEIPTS TAX TO BE IMPOSED UPON UTILITY CORPORATIONS PROVIDING SERVICES TO CONSUMERS WITHIN THE CITY OF HAZELWOOD, MISSOURI, AND AMENDING SECTION 609.020 OF THE THE CITY CODE RELATING TO SAME.

Mr. Aubuchon moved, seconded by Mr. Hoops, the adoption of Bill 5070 as an ordinance. The following vote was recorded on the motion:

AYE - 9	NAY - 0
Mr. Ryan	
Mr. Herin	
Mayor Robinson	
Ms. Matlock	
Mr. Taylor	
Mr. Smith	
Mrs. Singleton	

Mr. Hoops
Mr. Aubuchon

Bill 5070 was unanimously adopted as Ordinance 4950-23.

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 5065 VEHICLE LEASE AGREEMENT	Mayor Robinson called for the second reading of Bill 5065 to authorize a vehicle lease purchase agreement with Enterprise Fleet Management continued from March 1.

There were no objections and Bill 5065 was read by title only:

AN ORDINANCE AUTHORIZING A VEHICLE LEASE AGREEMENT WITH ENTERPRISE FLEET MANAGEMENT.

Mr. Zimmerman explained the City Council tabled second reading of an ordinance at its March 1 meeting approving a master lease agreement with Enterprise Fleet Management and asked staff to verify that insurance through the City's insurance provider is confirmed. In addition, Councilman Smith asked staff to analyze the impact if squad cars are not included in the initial order. He stated the master lease permits the City to determine, each year, which vehicles it wishes to replace with a leased vehicle. The City can determine whether to approve any individual lease based on the purchase and annual lease payments. Mr. Zimmerman stated that for the past eight years the City has replaced five squad cars, trying to replace them as they reach 100,000 miles. Excluding vehicles that have damage from accidents, these vehicles are rotated throughout the organization. If the City excludes emergency vehicles, the annual lease would decrease from $621,315 per year by 2028 to $260,128 per year. Not entering into a lease agreement provides the City more flexibility in each fiscal year to determine which capital expenses to fund. If the Council wants to lease a few vehicles to determine viability of the program, and Enterprise's ability to obtain vehicles quicker than the City, it is recommended to include emergency response vehicles.

Mr. Ryan moved, seconded by Mr. Hoops, to pass out Bill 5065. The following vote was recorded on the motion:

AYE - 8	NAY - 1
Mr. Ryan	Mrs. Singleton
Mr. Herin	
Mayor Robinson	
Ms. Matlock	
Mr. Taylor	
Mr. Smith	
Mr. Hoops	
Mr. Aubuchon	

The motion passed by a vote of eight in favor and one opposed, with Mrs. Singleton casting the dissenting vote, and Bill 5065 was passed out.

BILL 5068 SLUP EXTENSION 7401 N. LINDBERGH	Mayor Robinson called for the second reading of Bill 5068 to extend the Special Land Use Permit deadlines to commence construction and full operation of a restaurant at 7401 North Lindbergh Boulevard.

There were no objections and Bill 5068 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.

Mr. Aubuchon moved, seconded by Ms. Matlock, the adoption of Bill 5068 as an ordinance. The following vote was recorded on the motion:

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

Bill 5068 was unanimously adopted as Ordinance 4951-23.

BILL 5069 AGRMT. TESON RD. RESURFACING	Mayor Robinson called for the second reading of Bill 5069 to authorize an agreement for the resurfacing of Teson Road from Howdershell Road to Aubuchon Road.

There were no objections and Bill 5069 was read by title only:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AND EXECUTE A SURFACE TRANSPORTATION BLOCK GRANT PROGRAM AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR RESURFACING, ROAD WIDENING AND SAFETY IMPROVEMENTS TO TESON ROAD FROM HOWDERSHELL ROAD TO AUBUCHON ROAD AND SIDEWALKS ON TESON ROAD FROM CHATILLION ESTATES DRIVE TO TESON GARDEN WALK.

Ms. Matlock moved, seconded by Mr. Hoops, the adoption of Bill 5069 as an ordinance. The following vote was recorded on the motion:

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

Bill 5069 was unanimously adopted as Ordinance 4952-23.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

COUNCIL MEETING — Mayor Robinson announced the next regular Council meeting would be held Wednesday, April 5, at 6:30 p.m. in the Council Chambers.

ADJOURNMENT — There being no further business to come before the Council, the meeting was adjourned at 8:10 p.m.

____
Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

____
Julie Lowery, CMC - City Clerk
City of Hazelwood, Missouri