

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
APRIL 5, 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, April 5, 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:

Daniel T. Herin
Matthew G. Robinson
Lisa M. Matlock
Robert C. Smith
Mary G. Singleton
William C. Hoops, Jr.
Robert M. Aubuchon
Don W. Ryan

Councilman 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 Mrs. Singleton, the adoption of the agenda as printed. The motion passed unanimously.

CONSENT AGENDA

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

AYE - 8

NAY - 0

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

The motion passed unanimously and the consent agenda was adopted.

**APPROVAL OF
MINUTES**

Mr. Aubuchon moved, seconded by Mr. Ryan, to approve the minutes of the March 15 regular and closed Council meetings as submitted. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS

**EMPLOYEE
INTRODUCTIONS**

Police Chief James Hudanick introduced newly hired Police Officer David Schack and newly promoted Police Sergeant James Sieve.

PROCLAMATIONS AND RESOLUTIONS

**TELECOMMUNICATOR
PROCLAMATION**

Mayor Robinson called for the reading of a proclamation designating the week of April 9 through April 15 as National Telecommunicators Week.

There were no objections and Proclamation 2305 was read.

Mr. Aubuchon moved, seconded by Mr. Ryan, the adoption of Proclamation 2305 designating the week of April 9 through April 15 as National Telecommunicators Week and urging all citizens of Hazelwood to recognize the importance of these individuals whose diligence and professionalism keep our City and citizens safe. The motion passed unanimously.

**ANIMAL CONTROL
PROCLAMATION**

Mayor Robinson called for the reading of a proclamation designating the week of April 9 through April 15 as National Animal Control Officer Appreciation Week.

There were no objections and Proclamation 2306 was read.

Mrs. Singleton moved, seconded by Mr. Hoops, the adoption of Proclamation 2306 designating the week of April 9 through April 15 to be National Animal Control Officer Appreciation Week and encouraging all citizens to join us in expressing sincere appreciation for the service and dedication of our Animal Control Officer Dan Barr. 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.

No one came forward to address the council.

CITY MANAGER'S STATUS REPORT

Mr. Zimmerman provided a report on concerns expressed during the March 15 Council meeting by Alan Orban of 1112 Woodcrest Lane and Cynthia Whitaker of 8828 Santa Bella Drive.

Mr. Zimmerman stated Mr. Orban spoke regarding the changes to the Bi-State Development's Metro Bus Call-A-Ride program. The Orban's live outside the federally recognized service area, and Metro cannot serve this area with federal funding. Details are being finalized to provide the Orban's with alternative transportation.

Ms. Whitaker spoke regarding the need to improve lighting in the Grenada Condominium complex due to increasing crime. Hazelwood Police have met with the complex management, and the complex has agreed to approve \$2,300 for Ameren to upgrade the lighting to LED street lights. The Police Department offered the complex the ability for dedicated patrols and Ms. Whitaker stated they will discuss this option at their next board meeting.

PUBLIC HEARINGS

REZONING 5464 & 5480 BROWN ROAD

Mayor Robinson called to order the public hearing to consider the petition for change of zoning from C-2 General Commercial District to C-3 Highway Commercial District at 5464 and 5480 Brown Road.

City Planner Kate Crimmins reported the zoning code states that the purpose and intent of C-3 zoning districts is, *"to provide areas adjacent and in close proximity to arterial and collector roads for retail, service and other commercial uses of a higher intensity and larger scale which serve the entire City of Hazelwood and surrounding area, including commuter traffic and which generate higher volumes of traffic."* Degel's property sits off the interchange of Interstate 270 and James S. McDonnell Boulevard and is bounded by I-270 and Brown Road. Zoning districts surrounding the site are all C-2 General Commercial District.

Stephen Hollander, Architect for Degel Properties, LLC was available for questions.

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.

Ms. Lowery read the City Plan Commission motion "to approve the petition for a change of zoning from C-2 General Commercial District to C-3 Highway Commercial District at 5464 and 5480 Brown Road, Ward 2". She stated the motion passed unanimously.

Mr. Aubuchon moved, seconded by Mr. Hoops, to concur with the City Plan Commission recommendation to approve the petition for a change of zoning at 5464 and 5480 Brown 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.a.

SLUP
5464 & 5480
BROWN ROAD

Mayor Robinson called to order the public hearing to consider a petition for Special Land Use Permit (SLUP) for a vehicle service repair facility, vehicle rental/leasing facility, vehicle painting, and vehicle sales at 5464 and 5480 Brown Road.

Mrs. Crimmins stated Degel Truck Center currently offers truck maintenance, repair, painting, sales, and leasing. They have proposed to construct additions to both existing buildings. As a business in operation before the City's annexation, Degel did not receive a SLUP for all of the uses that require one. Although the current owner is allowed to continue them as non-conforming uses, the City Code prohibits them from being expanded. The issue of the SLUP came up because Degel wants to expand both buildings. Degel has stated that this investment in their property will allow them to improve the appearance of the site by creating more storage space and allow them to better serve their customers.

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.

Ms. Lowery read the City Plan Commission motion "to approve the petition for a Special Land Use Permit for vehicle service and repair facility, vehicle rental/leasing, vehicle painting, and vehicle (truck) sales (used and new) at 5464 and 5480 Brown Road, Ward 2, with the following conditions:

1. All vehicle service and repair work must be conducted indoors.
2. No tires or auto parts may be stored outdoors.
3. Truck boxes stored outdoors must be kept in a striped parking space.
4. Damaged vehicles stored outdoors may be kept onsite for a maximum of 30 days."

She stated the motion passed unanimously.

Mr. Aubuchon moved, seconded by Mr. Hoops, to concur with the City Plan Commission recommendation to approve the petition for a Special Land Use Permit at 5464 and 5480 Brown 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.

COMMUNICATIONS

EWGCG BRIEFINGS	The March 9 issue of Briefings was received from the East-West Gateway Council of Governments.
EWGCG BRIEFINGS	The March 16 issue of Briefings was received from the East-West Gateway Council of Governments.
SLUP PETITION 6105 DUNN ROAD	A petition for a Special Land Use Permit for a telecommunication/transmission tower at 6105 Dunn Road has been received from VB BTS II, LLC d/b/a Vertical Bridge.
SLUP PETITION 5494 BROWN ROAD	A petition for a Special Land Use Permit for a therapeutic massage, health club, spa at 5494 Brown Road has been received from Luxe Esthetics Day Spa, LLC.
HCC CID 2023/2024 BUDGET	The Hazelwood Commerce Center Community Improvement District preliminary budget for fiscal year 2023/2024 was received from Development Dynamics, LLC.
EWGCG BRIEFINGS	The March 23 issue of Briefings was received from the East-West Gateway Council of Governments.
CID PROPOSED BUDGET F.Y. 2024	Village Square Community Improvement District proposed budget and request for comments was received from Lewis Rice, LLC.

Mr. Aubuchon 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 AGENDA ITEMS	No items were added to the May 10 Council budget work session agenda.
APPOINTMENT OF MUNICIPAL JUDGE	Ms. Lowery provided the Council with notice that Judge Patrick Monahan's term as Municipal Judge will expire this month.

Mayor Robinson appointed Patrick Monahan for an additional three-year term as Municipal Judge.

Mr. Aubuchon moved, seconded by Mr. Ryan, to approve the appointment of Patrick Monahan to an additional three-year term as Municipal Judge. The motion passed unanimously.

COMMISSION
APPOINTMENT

Mayor Robinson appointed Lloyd Mahone of 1123 Martin Manor Place to the City Plan Commission.

Mr. Ryan motioned, seconded by Mr. Smith, to approve the preceding appointment. The motion passed unanimously.

GREEN COMMITTEE
ESTABLISHMENT

Mr. Zimmerman stated the Council discussed establishing the Green Committee as an official advisory board of the City at the March 15 meeting.

Mr. Zimmerman stated the proposed bill will ensure board members are eligible for coverage under the City's liability insurance policy, and shall consist of a minimum of five members, up to nine members and serve three-year terms. Members are encouraged, but not required, to be appointed from different wards. Ad hoc committee members may be appointed for short periods. Board members do not have to be registered voters and would not be eligible for any compensation other than compensation provided to all City Board and Commission members, which is an annual dinner. Members do not have to be citizens of Hazelwood, and can own a business or be employed by a business in Hazelwood.

Mrs. Singleton motioned, seconded by Mr. Smith, to establish the Green Committee as an official board of the City 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.

CITY MANAGER'S REPORT

FIVE YEAR CAPITAL
IMPROVEMENT PLAN

The Council has been provided with copies of the proposed Five Year Capital Improvement Plan (CIP).

Mr. Zimmerman stated the number of projects in the 2023-24 Capital Improvement Fund budget is smaller than years past for several reasons. The City funds annual projects, such as squad car replacement, street and sidewalk maintenance, park projects, plus one large one-time capital project. The upcoming fiscal year includes \$300,000 for a park improvement grant for Pershall Park. The City will receive 95% of the total \$600,000 grant in the 2024-25 fiscal year, creating \$570,000 in additional revenue for the following fiscal year. The second cause is that staff is proposing \$375,000 to replace an ambulance. Mr. Zimmerman stated a project he wanted to call attention to is beginning to plan for a new fire station to replace Fire House 1. The current firehouse is outdated and in poor condition. There is normally a 24 to 36 month lead-time to construct a new firehouse. Staff is proposing \$400,000 to purchase a site and begin planning. The cost of the project, including land acquisition and planning, is proposed to be paid from a no-tax-increase bond issue. This requires voter approval and is proposed for the November ballot. The City's bond consultant has verified that the City can refinance its debt payments, paid from the City's debt tax levy, without increasing the tax rate. Mr. Zimmerman also called attention to two other proposed projects, which include a leaf vac trailer and replacement of emergency radios for the Police and Fire Departments. The City's emergency radios

were purchased approximately ten years ago and funded by the 9-1-1 tax. The radios are ending their useful life and it is difficult to find replacement parts. The 9-1-1 Board is proposing a new generation of radios but will not fund the purchase. This will be a multi-year replacement program for both the Police and Fire Departments.

Assistant City Manager-Finance Dave Tuberty stated the projected half-cent Capital Improvement sales tax revenue for 2023 is just over \$1.99 million. The other revenues include grant proceeds, loan proceeds and trade-in value for vehicles. The total revenue for the Capital Improvement Fund is projected to be \$4,347,128 for fiscal year 2024. The budgeted expenditure is \$4,468,762. This will leave an expected fund balance of \$86,884 for the end of fiscal year 2024. The five-year plan also includes the Economic Development Fund projections as well. Revenues are projected to be just under \$1.8 million from the Economic Development Sales Tax and total revenues of \$3.7 million. Expenditures are budgeted for \$9,356,013 leaving a fund balance of \$5,538,586.

There is no action for the Council to take this evening, this is a preliminary step towards the approval of the budget.

AMEND CHAP. 215	Chief Hudanick reported staff recommends amending
PUBLIC INDECENCY	<i>Chapter 215. Offenses</i> relative to public urination and defecation.

Chief Hudanick stated the City Code lacks verbiage regarding urinating or defecating in public and is proposing a modification to strengthen this section of the code.

Ms. Matlock moved, seconded by Mr. Smith, to concur with the staff recommendation to amend *Chapter 215. Offenses* relative to public urination and defecation 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.

PURCHASE	Chief Hudanick reported staff recommends the purchase of
EVIDENCE SOFTWARE	Evidence on Q and Digital on Q evidence software program at a cost not to exceed \$74,790.

Chief Hudanick stated purchasing these software programs would allow the Police Department to manage and control property that is entered into evidence and would allow the daily evidence entry to be done quicker with fewer errors. The new programs would also assist in the auditing process that can normally takes hours. The current Omnigo Reporting Management System is cumbersome and time consuming.

Mr. Aubuchon moved, seconded by Mrs. Singleton, to concur with the staff recommendation to purchase Evidence on Q and Digital on Q Evidence software programs at a cost not to exceed \$74,790. The motion passed unanimously.

**PURCHASE DUMP
TRUCK**

Public Works Director David Stewart reported staff recommends the purchase of a 2024 Ford F650 with Knapheide equipment from Broadway Ford at a cost not to exceed \$164,602.

Mr. Stewart stated in the current fiscal year Capital Fund budget includes \$130,000 to replace an existing 2011 dump truck with a snowplow and spreader plow in the Maintenance Division of the Public Works Department. To maximize value the 2011 dump truck would be sold online using Purple Wave Auction.

Mrs. Singleton moved, seconded by Mr. Hoops, to concur with the staff recommendation to purchase a dump truck. The motion passed unanimously.

CITY ATTORNEY'S REPORT

**AMEND CHAP. 600
ALCOHOLIC BEV.**

Mr. O'Keefe stated he seeks the Council's approval to amend *Chapter 600: Alcoholic Beverages* pertaining to issuance and denial of liquor license.

Mr. O'Keefe stated the Council reserves the right to refuse issuance of a license for the sale and/or consumption of alcoholic beverages when, in its judgment, the applicant has failed to establish all the requirements. If, in the judgment of the Council, a person previously operating an establishment for the sale of intoxicating liquor has not conducted an orderly place, the Council may refuse to issue a new license or renew a current license. The language amending the Code makes this more concise.

Mr. Aubuchon moved, seconded by Mr. Ryan, to amend *Chapter 600: Alcoholic Beverages* 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.e.

CITY CLERK'S REPORT

**COMMISSION AND
BOARD REPORTS**

Mr. Aubuchon moved, seconded by Mr. Ryan, to receive and file the minutes of the January 26 City Plan Commission meeting, February 14 Community Enrichment Commission meeting, and the March 8 Pension Plan Board of Trustees meeting. The motion passed unanimously.

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

**REZONE
5464 & 5480
BROWN ROAD**

Mayor Robinson called for the first reading of a bill to rezone 5464 and 5480 Brown Road from C-2 General Commercial District to C-3 Highway Commercial District.

There were no objections and Bill 5071 was read by title only:

AN ORDINANCE AMENDING CHAPTER 405: ZONING REGULATIONS, OF THE MUNICIPAL CODE OF THE CITY OF HAZELWOOD, MISSOURI, BY REZONING 5464 BROWN ROAD AND 5480 BROWN ROAD, FROM C-2 GENERAL COMMERCIAL DISTRICT TO C-3 HIGHWAY COMMERCIAL DISTRICT.

Bill 5071 will be on the agenda for second reading on April 19.

SLUP 5464 & 5480 BROWN ROAD	Mayor Robinson called for the first reading of a bill to grant a Special Land Use Permit for a vehicle service repair facility, vehicle rental/leasing facility, vehicle painting, and vehicle sales at 5464 and 5480 Brown Road.
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There were no objections and Bill 5072 was read by title only:

AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO DECEL PROPERTIES, LLC FOR VEHICLE SERVICE AND REPAIR FACILITY, VEHICLE RENTAL/LEASING, VEHICLE PAINTING, AND VEHICLE (TRUCK) SALES AT 5464 BROWN ROAD AND 5480 BROWN ROAD AND PROVIDING THE CONDITIONS OF SUCH USAGE.

Bill 5072 will be on the agenda for second reading on April 19.

GREEN COMMITTEE ESTABLISHMENT	Mayor Robinson called for the first reading of a bill to establish the Green Committee Board.
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There were no objections and Bill 5073 was read by title only:

AN ORDINANCE ESTABLISHING THE GREEN COMMITTEE AS A CONTINUING ADVISORY BODY OF THE CITY OF HAZELWOOD.

Bill 5073 will be on the agenda for second reading on April 19.

AMEND CHAP. 215 PUBLIC INDECENCY	Mayor Robinson called for the first reading of a bill to amend <i>Chapter 215. Offenses</i> relating to public urination and defecation.
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There were no objections and Bill 5074 was read by title only:

AN ORDINANCE AMENDING SECTION 215.360 PERTAINING TO PUBLIC INDECENCY/INDECENT EXPOSURE.

Bill 5074 will be on the agenda for second reading on April 19.

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 5075 was read by title only:

**AN ORDINANCE AMENDING SECTION 600.130 OF THE HAZELWOOD CITY CODE
RELATING TO ALCOHOLIC BEVERAGES.**

Bill 5075 will be on the agenda for second reading on April 19.

SECOND READING OF BILLS AND ACTION ON BILLS – None

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

COUNCIL MEETING

Mayor Robinson announced the next regular Council meeting
will be held Wednesday, April 19, 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 7:26 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

Julie Lowery - City Clerk
City of Hazelwood, Missouri