

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
JULY 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, July 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:

Warren H. Taylor
Robert C. Smith
Jen Hatton
William C. Hoops, Jr.
Robert M. Aubuchon
Don W. Ryan
Kelly Wadlow
Matthew G. Robinson

Council Member Lisa Matlock was not present. City Clerk Julie Lowery declared a quorum was present. Also present were City Manager Matt Zimmerman and Associate City Attorney Carl Lumley.

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 - 8

NAY - 0

Mr. Taylor
Mr. Smith
Mrs. Hatton
Mr. Hoops
Mr. Aubuchon
Mr. Ryan
Ms. Wadlow
Mayor Robinson

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

**APPROVAL OF
MINUTES**

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

SPECIAL ORDER OF BUSINESS

COMMISSION OATH

Mrs. Lowery administered the oath of office to Elizabeth Lum who was recently appointed to the Board of Appeals.

**EMPLOYEE
INTRODUCTIONS**

City Manager Matt Zimmerman introduced newly hired City Planner Darren May.

Police Chief James Hudanick introduced newly promoted Police Lieutenant Ken Eckardt, newly hired Police Officers Lucas Claborn, Austin Bishop, Devan Valenti, Christopher Peters, Michal Andreatta, and Nicholas DellaMorte.

MADD AWARDS

Chief Hudanick recognized Police Officers Blake Thornton, Daniel Johnston, Austin Buzick, Brandon Runyon, and Joshua West for receiving the 2022 MADD (Mothers Against Drunk Driving) Heroes Award, who arrested 86 DWI violators during the 2022 calendar year.

Chief Hudanick recognized Sergeant Scott Schnurbusch, who received the MADD Role Call Award for his commitment to MADD's mission.

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.

FIREWORKS

Leslie Henderson of 433 Coachway Lane thanked the City for the fireworks display.

PUBLIC HEARINGS

**SLUP
6186 HOWDERSHELL**

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

Mr. Zimmerman stated surrounding uses include two vehicle wash facilities, a childcare facility, and a church. The unit is 3,033 square feet with a 1,000 square foot patio. The proposed floor plan consists of 86 indoor seats and 32 outdoor seats. The petitioner plans live music and jukebox music. Mr. Zimmerman stated the proposed hours of operation would be 11 a.m. to 12:00 a.m. Sunday through Thursday, and 11 a.m. to 1 a.m., Friday and Saturday. Parking requirements for the restaurant are 31 parking spaces, where there are 65 spaces provided for the entire strip center. Other uses in the center require 113 spaces, which the new restaurant will bring to 144 spaces. The parking code allows a 25% reduction in the number of parking spaces in shared lots serving a variety of uses. The reduction would bring the number of required parking spaces to 108 spaces where 65 are required.

Owner Eric Walls was present for questions and gave a brief presentation.

Mr. Ryan asked if full plated meals would be served.

Mr. Walls responded appetizer and finger type foods only.

Mr. Ryan expressed concern that appetizers would not be sufficient to result in 50% of non-alcohol sales.

Mr. Smith asked if training would be provided to employees regarding overserving.

Mr. Walls replied affirmatively.

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 approve the petition for a Special Land Use Permit for a restaurant at 6186 Howdershell Road, Ward 2, with following conditions:

1. The owner shall be required to maintain a fully functional video recording system on the property to ensure the safety of guests, to deter criminal activity, and to assist law enforcement in following up on reported criminal activity. The cameras should be set up to accurately record entry/exit doors from the inside, any area where money may be handled or stored inside the business, a view of the parking lot from the front door of the business, the outdoor patio, and the bar area. The system shall be checked by the owner on a weekly basis to ensure proper functionality and the owner is responsible to make the appropriate repairs as soon as reasonably possible upon determining a defect in operation. The owner/operator shall agree to make the recording data available to law enforcement upon request. Recordings shall be saved and able to be retrieved for a minimum of 30 days.

2. Hours must be limited to a maximum of between 11:00 AM and 12:00 AM Sunday through Thursday, and 11:00 AM and 1:00 AM on Friday and Saturday unless an amendment to the SLUP is approved.
3. The lawn and parking lot may not be used for dining, seating, or congregating. All activity associated with the business must take place indoors or on the fenced patio.
4. An opaque fence shall be erected around the outdoor patio that is sufficient to screen the patio from the adjacent childcare center.
5. No outdoor music shall be allowed during the hours of operation of the neighboring childcare center.
6. Noise from the establishment shall not be permitted beyond the boundary of the strip center.
7. Installation of hookah equipment or smoking of hookah shall be prohibited.
8. Public access shall be prohibited through the rear doors.”

She stated the motion passed unanimously.

Mr. Aubuchon moved, seconded by Ms. Wadlow, to concur with the City Plan Commission recommendation to grant the Special Land Use Permit for a restaurant at 6186 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.a.

COMMUNICATIONS

EWGCG BRIEFINGS	The June 15 issue of Briefings was received from the East-West Gateway Council of Governments.
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EWGCG BRIEFINGS	The June 22 issue of Briefings was received from the East-West Gateway Council of Governments.
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FVFPD RESOLUTION RE: PROPERTY TAXES	A Florissant Valley Fire Protection District resolution regarding Senate Bill 870 and reimbursement of property taxes to the district was received.
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Mr. Aubuchon moved, seconded by Mr. Taylor, to receive and file all communications. The motion passed unanimously.

UNFINISHED BUSINESS - None

MAYOR AND COUNCIL REPORTS

WORK SESSION AGENDA ITEMS	Mayor Robinson announced the next council work session would be held on August 9.
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BOARD/COMMISSION	Mayor Robinson made the following appointments: Community Enrichment Commission, Yolanda Brown and
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James Roberts, Jr.; Green Committee Board, Michelle Armbruster and Gretchen Yerke.

Mayor Robinson reappointed Toni Grimes to the Community Enrichment Commission.

Mr. Taylor motioned, seconded by Mr. Smith, to approve the preceding appointments. The motion passed unanimously.

CITY MANAGER'S REPORT - None

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT - None

COMMISSION AND BOARD REPORTS - None

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

SLUP 6186 HOWDERSHELL	Mayor Robinson called for the first reading of a bill to grant a Special Land Use Permit for a restaurant at 6186 Howdershell Road.
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There were no objections and Bill 5088 was read by title only:

AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO DUB VISION INVESTMENTS, LLC D/B/A E'S SPOT BAR & GRILL FOR A RESTAURANT AT 6186 HOWDERSHELL ROAD AND PROVIDING THE CONDITIONS OF SUCH USAGE.

Bill 5088 will be on the agenda for second reading on July 19.

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 5086 AMEND FIRE CODE	Mayor Robinson called for the second reading of Bill 5086 to amend the Fire Prevention Code relative to premises identification systems.
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There were no objections and Bill 5086 was read by title only:

AN ORDINANCE AMENDING THE FIRE PREVENTION CODE OF THE CITY OF HAZELWOOD, MISSOURI, RELATING TO REQUIRING, PERMITTING AND REGULATING A UNIFORM PREMISES IDENTIFICATION SYSTEM IN CERTAIN EDUCATIONAL BUILDINGS TO ENHANCE THE EFFECTIVNESS OF EMERGENCY RESPONSE TO SUCH FACILITIES.

Mr. Aubuchon moved, seconded by Mr. Hoops, the adoption of Bill 5086 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 8</u>	<u>NAY - 0</u>
Mr. Taylor	
Mr. Smith	
Mrs. Hatton	
Mr. Hoops	
Mr. Aubuchon	
Mr. Ryan	
Ms. Wadlow	
Mayor Robinson	

Bill 5086 was unanimously adopted as Ordinance 4968-23.

BILL 5087	Mayor Robinson called for the second reading of Bill 5087 to
CONTRACT	authorize a contract to conduct a fire feasibility analysis.

There were no objections and Bill 5087 was read by title only:

AN ORDINANCE AUTHORIZING A CONTRACT WITH CENTER FOR PUBLIC SAFETY MANAGEMENT, LLC FOR A FIRE FACILITY LOCATION FEASIBILITY ANALYSIS AT A COST NOT TO EXCEED THIRTY-EIGHT THOUSAND FOUR HUNDRED EIGHTY-SEVEN DOLLARS (\$38,487) PLUS AUTHORIZED EXPENSES.

Mr. Aubuchon moved, seconded by Mr. Ryan, the adoption of Bill 5087 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 7</u>	<u>NAY - 1</u>
Mr. Taylor	Ms. Wadlow
Mr. Smith	
Mrs. Hatton	
Mr. Hoops	
Mr. Aubuchon	
Mr. Ryan	
Mayor Robinson	

The motion passed by a vote of seven in favor and one opposed, with Ms. Wadlow casting the dissenting vote, and Bill 5087 was adopted as Ordinance 4969-23.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

COUNCIL MEETING	Mayor Robinson announced the next regular Council meeting would be held Wednesday, July 19 at 6:30 p.m. in the Council Chambers.
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ADJOURNMENT

There being no further business to come before the Council,
the meeting was adjourned at 7:21 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

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