

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
SEPTEMBER 6, 2023**

CALL TO ORDER

A regular meeting of the Hazelwood City Council was called to order by Mayor Matthew G. Robinson at 6:33 p.m. on Wednesday, September 6, 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:

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

City Clerk Julie Lowery declared a quorum was present. Also present was City Attorney Kevin O'Keefe. City Manager Matt Zimmerman was not present.

AGENDA

There being no amendments proposed, Mr. Taylor moved, seconded by Mr. Ryan, the adoption of the agenda as printed. The motion passed unanimously.

CONSENT AGENDA

Mr. Taylor moved, seconded by Ms. Wadlow, to amend the consent agenda by the addition of a closed session to discuss litigation and consult with the City Attorney. The motion passed unanimously.

Mr. Taylor moved, seconded by Ms. Wadlow, to adopt the consent agenda as amended. The following vote was recorded on the motion:

AYE - 9

NAY - 0

Mrs. Hatton
Mr. Hoops
Mr. Aubuchon
Mr. Ryan
Ms. Wadlow

Mayor Robinson
Ms. Matlock
Mr. Taylor
Mr. Smith

The motion passed unanimously and the consent agenda, including a closed meeting immediately following the regular meeting to discuss litigation and consult with the City Attorney in accordance with the provisions of RSMo 610.021(1), was adopted.

**APPROVAL OF
MINUTES**

Mr. Taylor moved, seconded by Ms. Wadlow, to approve the minutes of the August 16 regular and closed Council meetings as submitted. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS

**EMPLOYEE
INTRODUCTIONS**

Fire Chief Dan Luley introduced newly hired Firefighter/Paramedic Nolan Parke and newly promoted Fire Captain Ryan Moore.

Ms. Lowery introduced newly hired Code Administrator/Building Official Jerad Kertz.

Police Chief James Hudanick introduced newly hired Police Records Clerk Jamie Orf and Police Evidence Custodian Colleen Cranford.

**CERTIFICATE OF
RECOGNITION**

Ron Darling presented a certificate of recognition to Barry's Auto World for their continued commitment to the citizens of Hazelwood.

PROCLAMATIONS AND RESOLUTIONS

**SAFE COMMUNITIES
PROCLAMATION**

Mayor Robinson called for the reading of a proclamation urging the community to support Celebrate Safe Communities on Thursday, September 28, 2023.

There were no objections and Proclamation 2315 was read.

Mr. Aubuchon moved, seconded by Mr. Ryan, the adoption of Proclamation 2315 urging all citizens, government agencies, public and private institutions, and businesses to support our Celebrate Safe Communities on Thursday, September 28, 2023, and calling upon everyone to invest in the power of prevention and community cooperation to ensure the City remains a safe, strong and caring community where all may safely live, learn, work and play. The motion passed unanimously.

The proclamation was presented to Chief Hudanick and Chief Luley.

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.

FLOCK CAMERAS John Gobble of 1316 Chatillon Estates Drive expressed concerns regarding the Flock Camera system.

Mr. Gobble is opposed to the safety cameras in his area and feels there are privacy concerns. He urged the Council to review the contract, to remove the White Birch camera, and to request an opt-out clause.

CODE ENFORCEMENT Donald Davidson of 4921 Rose Blossom Lane expressed concerns with Code Enforcement.

Mr. Donaldson stated the number of weeds, dead trees, and cars with flat tires on Orange Blossom Lane is making the neighborhood look bad. He stated rental homes are not taken care of, and people are parking cars and leaving debris in front yards.

Mayor Robinson stated the issues would be reported on at the next meeting.

VACANT HOMES Karen Ebberson of 562 Candle Light Lane expressed concerns with the amount of vacant unkept properties in her neighborhood.

Ms. Ebberson stated there are many homes that have tall grass and weeds, and the rental properties are not taken care of.

Mayor Robinson stated her issues would be reported on at the next meeting.

CITY MANAGER'S Ms. Lowery reported on concerns expressed at the August
STATUS REPORT 16 Council meeting.

Ms. Lowery read the report prepared by City Manager Matt Zimmerman. She stated the fees are minimal, but typical for our largest park rentals, and pursuant to state law, the City cannot charge fees or collect revenues in excess of the cost of providing a governmental service. Recreation fees, which include park rentals, total \$366,000 while the cost of providing park maintenance and recreation programs is \$3,484,246. The rental fees for Pershall Park are approximately \$1,650 per year and do not come close to providing support services relating to renting the park. She stated municipalities rely heavily on general taxes and fees, including property and sales taxes, fees, fines, and business licenses to provide a wide variety of government services. The City's prime rental season is between Memorial Day and Labor Day. Park reservations are \$55 for residents and \$75 for non-residents. Non-residents are not permitted to reserve Pershall Park, only Howdershell and Musick Parks. The rental fees are intended to be affordable and in line with other municipalities reservation fees and more specifically, parks without electricity. In 2023 Pershall Park had 23 reservations totaling \$1,265, and in 2022, 30 reservations totaling \$1,650.

Ms. Wadlow asked why non-residents could not rent Pershall Park.

Parks and Recreation Superintendent Doug Littlefield responded that the City has had a long-standing policy of residents being able to rent any Hazelwood park facility, non-residents may only utilize Howdershell and Musick Parks.

PUBLIC HEARINGS

2023 PROPERTY TAX RATES Mayor Robinson called to order the public hearing to consider establishment of the 2023 property tax rates.

Assistant City Manager-Finance Dave Tuberty explained Missouri statutes require that the City establish the tax rates for all real and personal property every year. These rates are to be reported to St. Louis County by October 1. The rates presented this evening are based on final assessments from the Board of Equalization. Mr. Tuberty stated the total assessed valuation for 2023 is \$691 million, and includes \$4 million in TIF funds. The total assessed value reflects a 13% increase. 2023 is a reassessment year for St. Louis County and the change in assessed valuation is a result of growth and exchanges of property. Hazelwood is ranked 13th among approximately 88 St. Louis County municipalities. Property taxes will generate General Fund revenue of approximately \$4.29 million and the budget for the year ending June 30, 2024 would be \$4.05 million. From 2022 to 2023, the residential tax rate decreased from \$.701 to \$.624, the commercial tax rate increased from \$.617 to \$.660, and the agricultural tax rate remains at \$.778. The personal property tax rate remains the same at \$.754. No changes have been made to the street bond debt levee, which remains at \$.222. Mr. Tuberty stated the sewer lateral line fee would remain at \$20 per household.

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. Matlock moved, seconded by Mrs. Hatton, 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
318 TAYLOR ROAD** Mayor Robinson called to order the public hearing to consider the petition by Hazelwood MRSS, LLC d/b/a La Quinta for a Special Land Use Permit (SLUP) for a hotel at 318 Taylor Road.

City Planner Darren May stated this SLUP is due to a change in ownership, and the City requires existing hotels to apply for a new SLUP upon a change of ownership. The City has incorporated conditions into the SLUP with the intent to discourage criminal activity and public nuisance behavior at the hotels. In addition, the City Council adopted

legislation that incorporated requirements into the annual Hazelwood business license in 2020. The new owner has accepted these conditions.

Property Manager Sandip Patel was present for questions.

Ms. Wadlow asked if the use is only for overnight stays, and not for hourly use.

Mr. Patel replied affirmatively and stated this is a franchise hotel for transient, short-term guests.

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 recommend approval to the City Council of the petition for a Special Land Use Permit for a Hotel at 318 Taylor Road, Ward 2, with the conditions in Chapter 607: Hotels, Motels and Lodging Places”. She stated the motion passed unanimously.

Mr. Aubuchon moved, seconded by Mr. Taylor, to concur with the City Plan Commission recommendation to grant the Special Land Use Permit for a hotel at 318 Taylor 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 August 17 issue of Briefings was received from the East-West Gateway Council of Governments.
370/MO BOTTOM TAUSSIG ROAD CID ANNUAL REPORT	The 370/Missouri Bottom Road/Taussig Road Community Improvement District Annual Report was received from Armstrong Teasdale.
EWGCG BRIEFINGS	The August 24 issue of Briefings was received from the East-West Gateway Council of Governments.
SLUP PETITION 4875 PARK 370 BLVD.	A petition for Special Land Use Permit for a warehouse and outdoor storage facility at 4875 Park 370 Boulevard was received from Core & Main LP.
EWGCG BRIEFINGS	The August 31 issue of Briefings was received from the East-West Gateway Council of Governments.

Mr. Taylor moved, seconded by Ms. Wadlow, to refer the petition 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 After discussion, Mr. Smith moved, seconded by Ms.
AGENDA ITEMS Wadlow, to add discussion of property rental guidelines/regulations and absentee landlords to the November 8 Council work session agenda.

The motion passed by a vote of eight in favor and one opposed, with Mr. Aubuchon casting the dissenting vote.

BOARD & COMMISSION Mayor Robinson appointed Jack Keller of 246 Palm Drive to
APPOINTMENTS the Neighborhood Watch Commission.

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

EDSTB APPOINTMENT Ms. Lowery stated the Economic Development Sales Tax Board is comprised of five members, one member is appointed by the school districts included within any economic development plan area, three members are appointed by the Mayor with the consent of the majority of the City Council, and one member shall be appointed by the St. Louis County Council.

At the August 15 St. Louis County Council meeting, the County Council unanimously approved Jeff Colona's appointment to the Hazelwood Economic Development Sales Tax Board.

CITY MANAGER'S REPORT

WALKIE-RADIOS Chief Luley reported staff recommends the purchase of
PURCHASE seven walkie-talkie radios from Motorola Solutions at a cost not to exceed \$49,880.

Chief Luley explained an eight-year program has been set up to replace the outdated walkie-radios. There is \$50,000 budgeted in the Capital Improvement fund for the replacement of these radios. The current radios are at the end of their life and all of St. Louis County will be transitioning to new radios from Motorola Solutions. Walkie radios provide real-time, immediate communication between team members and

dispatch, allowing for quick coordination in the most dangerous conditions. This replacement program provides for six radios a year to be replaced.

Mr. Smith asked if there is \$50,000 budgeted, why this purchase is being spread out over eight years.

Chief Luley replied the expense would be exceedingly high if this was a one-time purchase.

Ms. Wadlow asked that next year's budget include an all-encompassing price for all radios.

Mr. Aubuchon moved, seconded by Mr. Smith, to concur with the staff recommendation to authorize the purchase of seven Motorola radios from Motorola Solutions at a cost not to exceed \$49,880. The motion passed unanimously.

VEHICLE TOWING SERVICES	Chief Hudanick reported staff recommends authorization of a contract with JN1 Hauling LLC, for towing, storage and impounding of motor vehicles for a two-year period beginning October 1, 2023, with a one-year renewal option.
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Chief Hudanick stated a request for proposals was posted on the City's website, the City's Facebook page and mailed to seven local towing service companies. Two bids were received. One bid was from JN1 Hauling, formerly Bolin Services, Inc., who has been the City's provider for over 40 years. A second bid was from Asset Towing Services. Chief Hudanick stated JN1 Hauling met all of the bid specifications, but Asset Towing did not.

Mr. Aubuchon moved, seconded by Mrs. Hatton, to concur with the staff recommendation to authorize the contract with JN1 Hauling LLC for towing, storage, and impounding of vehicles 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.

AMEND CHAPTER 215 HALLOWEEN ACTIVITIES	Chief Hudanick stated staff recommends amending Chapter 215. Offenses relative to Halloween related activities.
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Chief Hudanick stated the proposed amendment contains requirements and prohibitions that registered sexual offenders must adhere to regarding Halloween-related activities. A consultation with the City's Prosecuting Attorney found a flaw in the current ordinance, which presents legal arguments on enforcement regarding imposing restrictions on convicted persons whose conviction was prior to 2008.

Mr. Ryan moved, seconded by Mr. Hoops, to concur with the staff recommendation to amend *Chapter 215. Offenses* relative to Halloween related activities 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.

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT - None

COMMISSION AND BOARD REPORTS

Mr. Taylor moved, seconded by Ms. Wadlow, to receive and file the minutes of the June 8 City Plan Commission and the July 6 Pension Plan Board of Trustees meetings. The motion passed unanimously.

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

2023 AD VALOREM TAX RATES Mayor Robinson called for the first reading of a bill to establish the 2023 ad valorem tax rates.

There were no objections and Bill 5095 was read by title only:

AN ORDINANCE ESTABLISHING THE ANNUAL RATE OF AD VALOREM TAXES LEVIED FOR THE YEAR 2023 FOR GENERAL AND OTHER MUNICIPAL PURPOSES ON ALL REAL AND PERSONAL PROPERTY IN THE CITY OF HAZELWOOD, MISSOURI, AND THE ANNUAL FEE FOR THE CITY'S SEWER LATERAL SERVICE LINES REPAIR PROGRAM.

Bill 5095 will be on the agenda for second reading on September 20.

SLUP 318 TAYLOR ROAD Mayor Robinson called for the first reading of a bill to grant a Special Land Use Permit for a hotel at 318 Taylor Road.

There were no objections and Bill 5096 was read by title only:

AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT FOR A HOTEL AT 318 TAYLOR ROAD TO HAZELWOOD MRSS, LLC D/B/A LA QUINTA AND PROVIDING FOR THE REGULATION OF SUCH USAGE.

Bill 5096 will be on the agenda for second reading on September 20.

VEHICLE TOWING Mayor Robinson called for the first reading of a bill to authorize a contract with JN1 Hauling, LLC for towing, storage and impounding of motor vehicles for a two year period beginning October 1, 2023, with a one-year renewal option.

There were no objections and Bill 5097 was read by title only:

AN ORDINANCE AUTHORIZING A CONTRACT WITH JNI HAULING, LLC, FOR THE TOWING, STORAGE AND IMPOUNDING OF MOTOR VEHICLES, FOR AND ON BEHALF OF THE CITY, FOR A TWO YEAR PERIOD BEGINNING OCTOBER 1, 2023 AND WITH A ONE YEAR RENEWAL OPTION.

Bill 5097 will be on the agenda for second reading on September 20.

AMEND CHAP. 215 Mayor Robinson called for the first reading of a bill to amend the Hazelwood Municipal Code Chapter 215 *Offenses, Subsection 215.365 Registered Sexual Offender Halloween Related Activities*.

There were no objections and Bill 5098 was read by title only:

AN ORDINANCE AMENDING SECTION 215.365 OF THE MUNICIPAL CODE PROHIBITING CERTAIN PERSONS FROM ENGAGING INCERTAIN HALLOWEEN-RELATED ACTIVITIES.

Bill 5098 will be on the agenda for second reading on September 20.

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 5093 Mayor Robinson called for the second reading of Bill 5093 to
SERVICE AGREEMENT authorize a service agreement for the lease, installation and
FLOCK CAMERAS access to 11 license plate reader cameras for a five-year
term at a cost not to exceed \$140,000.

Mr. Smith expressed concerns with the data that is collected and how it is used.

Chief Hudanick stated there are approximately 250-300 cities and municipalities using this product. He stated he presumes the company is doing what they state, and are deleting information as they state they do.

City Attorney Kevin O'Keefe asked for clarification on the date that the pricing would go up.

Chief Hudanick replied June 2024.

Mr. O'Keefe asked if there is a time sensitivity regarding the bill passing now or in two weeks.

Chief Hudanick replied negatively.

Mayor Robinson moved, seconded by Mr. Smith, to put Bill 5093 on for second reading. The following vote was recorded on the motion:

<u>AYE - 4</u>	<u>NAY - 5</u>
Mr. Hoops	Mrs. Hatton
Mr. Aubuchon	Ms. Wadlow
Mr. Ryan	Mayor Robinson
Ms. Matlock	Mr. Taylor
	Mr. Smith

The motion failed by a vote of four in favor and five opposed, with Mrs. Hatton, Ms. Wadlow, Mayor Robinson, Mr. Taylor and Mr. Smith casting the dissenting votes.

Mr. Smith moved, seconded by Ms. Wadlow, to table Bill 5093 until September 20. The following vote was recorded on the motion:

<u>AYE - 8</u>	<u>NAY - 1</u>
Mrs. Hatton	Mr. Aubuchon
Mr. Hoops	
Mr. Ryan	
Ms. Wadlow	
Mayor Robinson	
Ms. Matlock	
Mr. Taylor	
Mr. Smith	

The motion passed by a vote eight in favor and one opposed, with Mr. Aubuchon casting the dissenting vote.

BILL 5094	Mayor Robinson called for the second reading of Bill 5094 to
CONTRACT	authorize a contract with AuditSolv for computer network
IT SERVICES	services.

There were no objections and Bill 5094 was read by title only:

AN ORDINANCE AUTHORIZING A CONTRACT WITH AUDITSOLV FOR COMPUTER NETWORK SERVICES FOR A ONE YEAR TERM AT A COST NOT TO EXCEED ONE HUNDRED THIRTY THOUSAND EIGHT HUNDRED DOLLARS (\$130,800).

Mr. Aubuchon moved, seconded by Mr. Smith, the adoption of Bill 5094 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 9</u>	<u>NAY - 0</u>
Mrs. Hatton	
Mr. Hoops	

Mr. Aubuchon
Mr. Ryan
Ms. Wadlow
Mayor Robinson
Ms. Matlock
Mr. Taylor
Mr. Smith

Bill 5094 was unanimously adopted as Ordinance 4975-23.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

HAZELWOOD DAY Mayor Robinson announced Hazelwood Day would be held on September 9, at 3 p.m.

COUNCIL MEETING Mayor Robinson announced the next regular Council meeting would be held Wednesday, September 20 at 6:30 p.m. in the Council Chambers.

WARD 4 & 7 MEETING Mayor Robinson announced the Ward 4 and Ward 7 meeting would be held on September 26 at 6:30 p.m., at Garrett Elementary School.

ADJOURNMENT There being no further business to come before the Council, the meeting was adjourned at 8:26 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

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