

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
SEPTEMBER 20, 2023**

CALL TO ORDER

A regular meeting of the Hazelwood City Council was called to order by Mayor Matthew G. Robinson at 6:34 p.m. on Wednesday, September 20, 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 were City Manager Matt Zimmerman and City Attorney Kevin O'Keefe.

AGENDA

Mr. Taylor moved, seconded by Ms. Matlock, to amend the agenda, item 18.e Bill 5098, due to a scrivener's error in the bill title. The motion passed unanimously.

Mr. Taylor moved, seconded by Ms. Matlock, to adopt the agenda as amended. The motion passed unanimously.

CONSENT AGENDA

Mr. Taylor moved, seconded by Mr. Smith, the adoption of the consent agenda as printed. 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 was adopted.

**APPROVAL OF
MINUTES**

Mr. Taylor moved, seconded by Mr. Smith, to approve the minutes of the September 6 Council meeting as submitted. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS

**EMPLOYEE
SERVICE AWARD**

As her biography was read, the Prosecuting Attorney's Assistant, Angela Bland received a 15-year service award.

POLICE GRANT

Police Chief James Hudanick announced the recent awarding of a grant from the Missouri Department of Transportation (MoDOT) Highway Safety Division for a dedicated impaired driving enforcement officer.

Chief Hudanick stated one of the most important functions of police officers assigned to traffic enforcement is the detention, arrest, and conviction of those driving while impaired. Through enforcement of the motor vehicle code and community education, the Police Department strives to reduce injuries, property damage, and the loss of life associated with traffic crashes. From 2019-2021, the City of Hazelwood ranked 39th in the State of Missouri for alcohol-related traffic crashes, with 36 total crashes where alcohol was the probable contributing circumstance of the crash. From 2019-2021, the City of Hazelwood ranked sixth among cities in the State of Missouri for fatal vehicle crashes involving alcohol as the probable contributing factor of the crash. With this data, the Hazelwood Police Department believes a stronger emphasis on impaired driving enforcement should be instituted. Chief Hudanick stated the grant will specifically fund a police officer's salary and benefits at one hundred percent in the first year. If the Hazelwood Police Department continues to apply for the grant in consecutive years, the funding for the officer moves to seventy-five percent in the second year and fifty percent each additional year. This grant will also fund the purchase of a police vehicle and the equipment necessary to outfit the vehicle. The police vehicle would be given to the Hazelwood Police Department after four years, and the Hazelwood Police Department could then apply for an additional vehicle during that next grant cycle. The function of the officer will be to enforce driving while intoxicated laws and investigate motor vehicle crashes where alcohol could be a determining factor. Chief Hudanick stated an officer has been selected for the assignment and would be in place October 1, and he recognized Sergeant Scott Schnurbusch for successfully acquiring the grant.

PROCLAMATIONS AND RESOLUTIONS

DOMESTIC VIOLENCE AWARENESS MONTH PROCLAMATION Mayor Robinson called for the reading of a proclamation designating the month of October 2023 as Domestic Violence Awareness Month.

There were no objections and Proclamation 2316 was read.

Ms. Wadlow moved, seconded by Mr. Ryan, the adoption of Proclamation 2316 designating the month of October 2023 as Domestic Violence Awareness Month and promoting awareness of the daily occurrence of domestic violence and child mistreatment and encouraging support for a collaborative effort to end domestic violence and the terror those victims feel in their own homes. The motion passed unanimously.

The proclamation was presented to Police Officer/Domestic Violence Coordinator Devan Valenti.

MML AWARD Mayor Robinson presented a plaque to Mr. Smith recognizing him as a Certified Municipal Official by the Missouri Municipal League.

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 stated he is opposed to the safety cameras in his area and feels there are privacy concerns. Mr. Gobble has submitted eight points to the council regarding what changes he feels need to be made in the contract with Flock Group. He stated the Flock cameras in their current configuration are a major threat to personal surveillance and privacy. He feels the system is collecting personal data on all residents.

CITY MANAGER'S STATUS REPORT Mr. Zimmerman reported on concerns expressed at the September 6 Council meeting regarding code violations.

Mr. Zimmerman provided the Council with a list of properties Code Enforcement reviewed and/or has pending cases concerning the complaints raised at the September 6 Council meeting. He stated no violations were found in several cases based on Code Enforcement's review, and other properties were in the process of being addressed. In regard to reports of derelict vehicles, Mr. Zimmerman stated Code Enforcement and the Police Department have met to coordinate efforts on this issue, and in the interim the Police Department has investigated the neighborhood and provided the Council with a report. Mr. Zimmerman explained that once an exterior code violation is issued the

homeowner/resident would typically have 30 days to come into compliance. Grass violations have a five-to-10-day period to come into compliance. A reinspection occurs to ensure all matters have been addressed, and tickets are issued for any violations not remedied within the grace period. Mr. Zimmerman stated homeowners/residents who are issued tickets are then in the municipal court process.

Mr. Aubuchon asked what is happening with the property on Elm Grove. A large amount of money was used to mitigate the property and it is as bad as it was before abatement.

Mr. Zimmerman replied he is aware of the situation and the City is trying to take more action pertaining to this property.

Mr. Smith asked if the City is close to a resolution with the Ville Rosa apartment building that caught fire.

Mr. Zimmerman replied numerous write-ups have taken place and a demolition order has been approved. They will have 30 days to respond to court action. If the owners do not come up with a plan for abatement, it would be very expensive to mitigate the property by demolition.

Ms. Matlock asked the status of Bar 270.

Mr. Zimmerman replied the property is for sale, and the property owner has received tickets.

Ms. Wadlow asked what the City considers a derelict vehicle.

Mr. Zimmerman replied a non-operational vehicle.

PUBLIC HEARINGS - None

COMMUNICATIONS

MLMSL NEWSLETTER	The September issue of The Link was received from Municipal League of Metro St. Louis.
CHARTER COMMUNICATIONS	Notice of upcoming programming changes effective August 31, 2023 has been received from Charter Communications.
EWGCG BRIEFINGS	The September 7 issue of Briefings was received from the East-West Gateway Council of Governments.
EWGCG BRIEFINGS	The September 14 issue of Briefings was received from the East-West Gateway Council of Governments.

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

UNFINISHED BUSINESS – None

MAYOR AND COUNCIL REPORTS

WORK SESSION AGENDA ITEMS	No new items were added to the November 8 Council work session agenda.
------------------------------	--

SI SENOR RESTAURANT	Mr. Aubuchon asked the Council when the restaurant would open.
------------------------	--

Mr. Zimmerman stated the owner submitted paperwork for a new Special Land Use Permit that would go before the City Plan Commission in October. Due to unforeseen issues, there has been a delay in progress.

CIVIC CENTER ELEVATOR	Mr. Aubuchon asked when the elevator at Civic Center East would be fixed.
--------------------------	---

Mr. Stewart replied all repairs have been made and the elevator is now operational but finishing floor work is needed.

NOMINATION FOR BUSINESS PERSON OF THE YEAR	Mayor Robinson asked the Council for nominations for the Greater North County Chamber of Commerce 2024 Business Person of the Year.
--	---

Mr. Smith moved, seconded by Mr. Hoops, to nominate Royals Liquor owner Krunal Patel as the Greater North County Chamber of Commerce 2024 Business Person of the Year. The motion passed unanimously.

CITY MANAGER'S REPORT

ASPHALT IMPROVEMENTS CONTRACT	Public Works Director David Stewart reported staff recommends authorization of a contract with Byrne & Jones Enterprises, Inc. for asphalt improvements at a cost not to exceed \$258,175.
-------------------------------------	--

Mr. Stewart stated the current fiscal year Capital Improvement Fund budget includes \$290,000 for asphalt improvements throughout the City. Bids were mailed to 12 contractors, and on September 11, 2023, eight bids were received, with Byrne & Jones Enterprises, Inc. as the low bid. Byrne & Jones have successfully completed similar municipal projects and are the lowest responsive bidder.

Mr. Aubuchon moved, seconded by Mr. Ryan, to concur with the staff recommendation to authorize a contract with Byrne & Jones Enterprises, Inc. to perform asphalt resurfacing

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 ATTORNEY'S REPORT - None

CITY CLERK'S REPORT - None

**COMMISSION AND
BOARD REPORTS**

Mr. Taylor moved, seconded by Mr. Smith, to receive and file the minutes of the June 12 Board of Adjustment meeting. The motion passed unanimously.

NEW BUSINESS

RFPD UPDATE

Mayor Robinson stated two Council members would be chosen to participate on a subcommittee to work with the Robertson Fire Protection District Board.

INTRODUCTION AND FIRST READING OF BILLS

**CONTRACT
ASPHALT
IMPROVEMENTS**

Mayor Robinson called for the first reading of a bill to authorize a contract with Byrne & Jones Enterprises, Inc. for asphalt improvements.

There were no objections and Bill 5099 was read by title only:

AN ORDINANCE AUTHORIZING A CONTRACT WITH BYRNE & JONES ENTERPRISES, INC., FOR THE 2023 HAZELWOOD ASPHALT IMPROVEMENT PROJECT AT A COST NOT TO EXCEED TWO HUNDRED FIFTY-EIGHT THOUSAND ONE HUNDRED SEVENTY-FIVE DOLLARS (\$258,175).

Bill 5099 will be on the agenda for second reading on October 4.

SECOND READING OF BILLS AND ACTION ON BILLS

**BILL 5093
SERVICE AGREEMENT
FLOCK CAMERAS**

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

Mr. O'Keefe stated he has had discussions with Flock Group, Inc. regarding verbiage in the contract regarding public access to information regarding record requests and public concerns about privacy. The Council had been provided with a new Exhibit A in redline format.

Mr. Ryan motioned, seconded by Ms. Matlock, to amend Bill 5093, by substituting the revised Exhibit A. The motion passed unanimously.

In regard to comments expressed by Mr. Gobble, Mr. O'Keefe stated the public is not entitled to privacy in public, and the Flock camera system is a public safety service and the areas in which the cameras are placed are designated by the City and are the best places to gain the most information. Flock may veto a location if it is not going to do its specified job properly. In reference to sharing data with other entities, Flock specifies through the contract that they will not share, sell or distribute data to other agencies other than for purposes of performing under their contract. The customer owns all data in the Flock database pertinent to their location.

Mr. Smith stated the benefit of the Flock camera system greatly exceeds the privacy issue raised by residents.

There were no objections and Bill 5093, as amended, was read by title only:

AN ORDINANCE AUTHORIZING A SERVICE AGREEMENT WITH FLOCK GROUP, INC., FOR LEASE, INSTALLATION AND ACCESS TO ELEVEN (11) LICENSE PLATE READER CAMERAS FOR A FIVE-YEAR TERM AT A COST NOT TO EXCEED \$140,000.

Mr. Aubuchon moved, seconded by Mr. Hoops, the adoption of Bill 5093, as amended, as an ordinance. 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

Bill 5093, as amended, is unanimously adopted as Ordinance 4976-23.

BILL 5095
2023 TAX RATES

Mayor Robinson called for the second reading of Bill 5095 to establish the 2023 ad valorem tax rates.

Mr. O'Keefe stated the county assessment tables Post Board of Equalization numbers were posted and the rates for residential changed from .624 cents to .623 cents, and the rates for commercial changed from .660 cents to .639 cents. The changes are reflected in the amended bill.

Mr. Aubuchon motioned, seconded by Mr. Taylor, to amend Bill 5095, by the text of Bill 5095.1. The motion passed unanimously.

There were no objections and Bill 5095, as amended, 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.

Mr. Ryan moved, seconded by Ms. Wadlow, the adoption of Bill 5095, as amended, 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 5095, as amended, is unanimously adopted as Ordinance 4977-23.

BILL 5096	Mayor Robinson called for the second reading of Bill 5096 to
SLUP	grant a Special Land Use Permit for a hotel at 318 Taylor
318 TAYLOR ROAD	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.

Mr. Aubuchon moved, seconded by Mr. Hoops, the adoption of Bill 5096 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 5096 was unanimously adopted as Ordinance 4978-23.

BILL 5097
VEHICLE TOWING

Mayor Robinson called for the second reading of Bill 5097 to authorize a contract with JNI 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.

Mr. Aubuchon moved, seconded by Mr. Taylor, the adoption of Bill 5097 as an ordinance. 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

Bill 5097 was unanimously adopted as Ordinance 4979-23.

BILL 5098
AMEND CHAP. 215

Mayor Robinson called for the second reading of Bill 5098 to amend the Hazelwood Municipal Code Chapter 215. *Offenses* relative to 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.

Mr. Hoops moved, seconded by Ms. Wadlow, the adoption of Bill 5098 as an ordinance. 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

Bill 5098 was unanimously adopted as Ordinance 4980-23.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

WARD 4 & 7 MEETING

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

CELEBRATE SAFE COMMUNITIES

Mayor Robinson announced Celebrate Safe Communities would be held on September 28 at 6 p.m. at Howdershell Park.

COUNCIL MEETING

Mayor Robinson announced the next regular Council meeting would be held Wednesday, October 4 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 7:34 p.m.

ATTEST:

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

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