

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
DECEMBER 20, 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, December 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:

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

Council Member Don W. Ryan 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. Taylor moved, seconded by Ms. Matlock, the adoption of the agenda as printed. 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 - 8

NAY - 0

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

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 December 6 regular and closed Council meetings as submitted. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS

**EMPLOYEE
SERVICE AWARDS**

As his biography was read Stanley “Russ” Gibson received his five-year service award.

PROCLAMATIONS AND RESOLUTIONS

**PILOT WAIVER
RESOLUTION**

Mayor Robinson called for the reading of a resolution authorizing a waiver of additional payment in lieu of taxes for MiTek USA, Inc.

Assistant City Manager-Economic Development David Leezer stated in 2017, the Council authorized the issuance of Chapter 100 industrial revenue bonds to facilitate real and personal property tax abatement for the MiTek USA, Inc. manufacturing facility. In connection with the Chapter 100 bond issuance, the City and the company entered into a performance agreement, which provided MiTek would employ at least 150 persons at the manufacturing facility and make additional payments in lieu of taxes (PILOTs) if there were less than 150 jobs. Mr. Leezer stated the performance agreement also allowed the Council to, by resolution and sole discretion; waive additional PILOTs if the company certified that there were unforeseen business conditions that resulted in the lower than anticipated employment. Mr. Leezer stated that MiTek was not able to meet the required job numbers for the past two years the Council granted waivers. In its most recent report, MiTek has stated they have 80 full-time employees, a decrease from last year. After discussions with MiTek and legal counsel, staff recommends approving the waiver and recommends approving a First Amendment to the Performance Agreement that lowers the job creation requirement to 80 full-time employees in future years.

Mark Spykerman of Gilmore and Bell, bond counsel for the City was available for questions.

There were no objections and Resolution 2313 was read by title only:

**RESOLUTION WAIVING ADDITIONAL PAYMENTS IN LIEU OF TAXES FOR MITEK
USA, INC.**

Mr. Smith asked how much money was waived in 2021.

Mr. Spykerman replied the value for this year is approximately \$500,000 and is a combination of real and personal property. 2021 would have been a lesser amount.

Mr. Smith asked how much their labor costs would increase if they were to make it to 150 employees.

Mr. Leezer replied they are paying employees approximately \$65,000 per year.

Ms. Wadlow moved, seconded by Ms. Matlock, the adoption of Resolution 2313. The following vote was recorded on the motion:

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

Resolution 2313 was adopted by a vote of seven in favor and one opposed, with Mr. Smith casting the dissenting vote.

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.

ELM RIDGE SENIOR HOUSING	Karen Ebberson of 562 Candle Light Lane asked when the new senior housing on Dunn Road was going to open.
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Mr. Zimmerman replied he has been told they would open by the end of 2023.

PUBLIC HEARINGS - None

COMMUNICATIONS

BOUNDARY COMMISSION	The five-year planning schedule for the St. Louis County Boundary Commission was received.
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EWGCG BRIEFINGS	The December 7 issue of Briefings was received from the East-West Gateway Council of Governments.
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APPOINTMENT OF PROVISIONAL JUDGE	A recommendation for the vacant provisional judge position was received from the Honorable Judge Patrick Monahan.
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After discussion, Mr. Smith moved, seconded by Ms. Wadlow, to appoint Matthew Durbin as the City's provisional judge. The motion passed unanimously.

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 items were added to the January 10 Council work session agenda.
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COMMUNICATIONS WITH COUNCIL	Mayor Robinson stated a request was made to discuss how communications are handled with the Council.
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Police Chief James Hudanick gave a list of incidents the Council will get text notifications if they occur. Chief Hudanick stated he could be contacted for further information with the understanding that not all information can be given due to the nature of the event.

After discussion, the Council asked Chief Hudanick to add Amber and Silver alerts, initiated out of Hazelwood, to the list.

CITY MANAGER'S REPORT

POLICE VEHICLE PURCHASE	Chief Hudanick reported staff recommends the purchase of one 2023 Dodge Durango police vehicle with emergency equipment, installation and graphics from Landmark Chrysler Dodge at a cost not to exceed \$39,528.
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Chief Hudanick stated on December 6 the City Council approved the purchase of a 2023 Dodge Durango to replace a 2018 Dodge Charger that was involved in an accident. The cost of this approved Dodge Durango was \$41,525 and was to be purchased through Behlmann Chrysler Dodge in Troy, MO. Once Council authorization was received staff reached out to the dealer to arrange for the vehicle's purchase and subsequently learned they had sold it. Staff contacted Landmark Chrysler Dodge in Independence, Missouri to check availability. Landmark Chrysler Dodge has a 2023 Dodge Durango for sale and the cost for this vehicle is \$39,528.

Mr. Aubuchon moved, seconded by Mr. Hoops, to concur with the staff recommendation to purchase one 2023 Dodge Durango police vehicle with emergency equipment, installation, and graphics from Landmark Chrysler Dodge at a cost not to exceed \$39,528. The motion passed unanimously.

AMEND PERFORMANCE AGREEMENT W/MITEK Mr. Leezer reported staff recommends amending the MiTek USA, Inc. Performance Agreement with MiTek USA, Inc.

Mr. Leezer stated that this is the accompanying legislation to the resolution passed earlier this evening.

Ms. Wadlow moved, seconded by Ms. Matlock, to concur with the staff recommendation to amend the Performance Agreement with MiTek 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 November 21 Pension Plan Board meeting. The motion passed unanimously.
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NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

AMEND PERFORMANCE AGREEMENT WITH MITEK USA, INC.	Mayor Robinson called for the first reading of a bill to to authorize first amendments to the Performance Agreement with MiTek USA, Inc.
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There were no objections and Bill 5113 was read by title only:

AN ORDINANCE APPROVING A FIRST AMENDMENT TO PERFORMANCE AGREEMENT BETWEEN THE CITY OF HAZELWOOD, MISSOURI AND MITEK USA, INC.

Bill 5113 will be on the agenda for second reading on January 3.

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 5106 SLUP 9063 DUNN ROAD	Mayor Robinson called for the second reading of Bill 5106 to grant an expansion of the Special Land Use Permit for a vehicle truck storage/sales at 9063 Dunn Road.
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There were no objections and Bill 5106 was read by title only:

AN ORDINANCE AMENDING ORDINANCES 3067-99 AND 3239-01 BY GRANTING AN EXPANSION OF THE SPECIAL LAND USE PERMIT TO ARV2, LLC D/B/A APACHE VILLAGE R.V. CENTER, INC. FOR VEHICLE TRUCK STORAGE/SALES (USED) AT 9063 DUNN ROAD AND PROVIDING THE CONDITIONS OF SUCH USAGE.

Mr. Aubuchon moved, seconded by Ms. Wadlow, the adoption of Bill 5106 as an ordinance. The following vote was recorded on the motion:

AYE - 8

NAY - 0

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

Bill 5106 was unanimously adopted as Ordinance 4988-23.

BILL 5107

SLUP

7401 N. LINDBERGH

Mayor Robinson called for the second reading of Bill 5107 to grant a Special Land Use Permit for a restaurant at 7401 North Lindbergh Boulevard.

There were no objections and Bill 5107 was read by title only:

AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO SI SENOR, LLC FOR A RESTAURANT AT 7401 NORTH LINDBERGH BOULEVARD AND PROVIDING THE CONDITIONS OF SUCH USAGE.

Mr. Aubuchon moved, seconded by Mr. Hoops, the adoption of Bill 5107 as an ordinance. The following vote was recorded on the motion:

AYE - 8

NAY - 0

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

Bill 5107 was unanimously adopted as Ordinance 4989-23.

BILL 5108

SLUP

5781 CAMPUS COURT

Mayor Robinson called for the second reading of Bill 5108 to grant a Special Land Use Permit for a hotel at 5781 Campus Court.

There were no objections and Bill 5108 was read by title only:

AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT FOR A HOTEL AT 5781 CAMPUS COURT, TO AKSHAR7 HOSPITALITY, LLC D/B/A MOTEL 6 AND PROVIDING FOR THE REGULATION OF SUCH USAGE.

Ms. Wadlow moved, seconded by Mr. Hoops, the adoption of Bill 5108 as an ordinance. The following vote was recorded on the motion:

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

Bill 5108 was unanimously adopted as Ordinance 4990-23.

BILL 5109	Mayor Robinson called for the second reading of Bill 5109 to
SLUP	grant a Special Land Use Permit for a restaurant at 7441
7441 N. LINDBERGH	North Lindbergh Boulevard.

There were no objections and Bill 5109 was read by title only:

AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO NEW YORK GRILL 5, LLC D/B/A NEW YORK GRILL FOR A RESTAURANT AT 7441 NORTH LINDBERGH BOULEVARD AND PROVIDING THE CONDITIONS OF SUCH USAGE.

Mr. Aubuchon moved, seconded by Mr. Hoops, the adoption of Bill 5109 as an ordinance. The following vote was recorded on the motion:

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

Bill 5109 was unanimously adopted as Ordinance 4991-23.

BILL 5110 Mayor Robinson called for the second reading of Bill 5110 to
CHAPTER 100 BONDS authorize the issuance of Chapter 100 bonds for 123 James
JAMES S. MCDONNELL S. McDonnell Boulevard.

There were no objections and Bill 5110 was read by title only:

AN ORDINANCE AUTHORIZING THE CITY OF HAZELWOOD, MISSOURI, TO ISSUE ITS TAXABLE INDUSTRIAL REVENUE BONDS (123 JAMES S. MCDONNELL BOULEVARD PROJECT), SERIES 2023, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$2,700,000 FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COSTS OF ACQUIRING, CONSTRUCTING AND IMPROVING AN INDUSTRIAL DEVELOPMENT PROJECT IN THE CITY; AND AUTHORIZING THE CITY TO ENTER INTO CERTAIN AGREEMENTS AND TAKE CERTAIN OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF THE BONDS.

Ms. Wadlow moved, seconded by Ms. Matlock, the adoption of Bill 5110 as an ordinance. The following vote was recorded on the motion:

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

Bill 5110 was unanimously adopted as Ordinance 4992-23.

BILL 5111 Mayor Robinson called for the second reading of Bill 5111 to
E.D. INCENTIVE PROG. authorize an economic development incentive program.

There were no objections and Bill 5111 was read by title only:

AN ORDINANCE ADOPTING A RELOCATION ASSISTANCE ECONOMIC DEVELOPMENT INCENTIVE PROGRAM TO ATTRACT AND RETAIN NEW JOBS AND RESIDENTS FOR HAZELWOOD.

Mr. Smith moved, seconded by Mr. Hoops, the adoption of Bill 5111 as an ordinance. The following vote was recorded on the motion:

AYE - 8

NAY - 0

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

Bill 5111 was unanimously adopted as Ordinance 4993-23.

BILL 5112 Mayor Robinson called for the second reading of Bill 5112 to
AMEND CHAP. 600 amend *Chapter 600: Alcoholic Beverages* pertaining to liquor
RE: LIQUOR LICENSES licenses.

There were no objections and Bill 5112 was read by title only:

**AN ORDINANCE AMENDING SECTIONS 600.040 AND 600.060 OF THE
HAZELWOOD CITY CODE RELATING TO LIQUOR LICENSES.**

Mr. Aubuchon moved, seconded by Ms. Wadlow, the adoption of Bill 5112 as an ordinance. The following vote was recorded on the motion:

AYE - 8

NAY - 0

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

Bill 5112 was unanimously adopted as Ordinance 4994-23.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

CITY HALL CLOSED Mayor Robinson announced City Hall would be closed for
Christmas Day, December 25 and New Year's Day, January
1, 2024.

COUNCIL MEETING

Mayor Robinson announced the next regular Council meeting would be held Wednesday, January 3, 2024 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 7:32 p.m.

ATTEST:

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

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