

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
SEPTEMBER 18, 2019**

CALL TO ORDER

A regular meeting of the Hazelwood City Council was called to order by Mayor Matthew G. Robinson at 7:31 p.m. on Wednesday, September 18, 2019, 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:

Russell Todd
Warren H. Taylor
Rosalie Hendon
Mary G. Singleton
Carol A. Stroker
Robert M. Aubuchon
Don W. Ryan
Matthew G. Robinson

City Clerk Christine Thomas 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 Mrs. Singleton, the adoption of the agenda as printed. The motion passed unanimously.

CONSENT AGENDA

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

AYE - 8

NAY - 0

Mr. Todd
Mr. Taylor
Mrs. Hendon
Mrs. Singleton
Mrs. Stroker
Mr. Aubuchon
Mr. Ryan
Mayor Robinson

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

APPROVAL OF MINUTES

Mr. Taylor moved, seconded by Mr. Todd, to approve the minutes of the September 4 regular and closed Council meetings, the September 9 special Council meeting and the September 11 Council work session as submitted. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS

OATH OF OFFICE

Mrs. Thomas administered the oath of office to Tyler Wilson who was unanimously appointed by the Council on September 9 to fill the Ward 4 vacancy until the April 2020 election.

Mr. Wilson took his seat at the dais.

COMMISSION OATH OF OFFICE

Florence Gillespie was not present to receive the oath of office for her reappointment to the Community Enrichment Commission.

EMPLOYEE SERVICE AWARDS

The following were presented with service awards as their biographies were read: Administrative Assistant Cindy Mihelich, 20 years, and Tim Burger, 30 years.

PROCLAMATIONS AND RESOLUTIONS

HSD SUPERINTENDENT PROCLAMATION

Mayor Robinson called for the reading of a proclamation congratulating Hazelwood School District Superintendent Dr. Nettie Collins-Hart on receiving the 2019 Superintendent of the Year award.

There were no objections and Proclamation 1914 was read.

Mr. Taylor moved, seconded by Mrs. Stroker, the adoption of Proclamation 1914 congratulating Hazelwood School District Superintendent Dr. Nettie Collins-Hart, the recipient of the 2019 Superintendent of the Year award. 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.

TASTING LICENSE Requests for a Tasting License and temporary expansion
7311 N. HANLEY RD. of the licensed premises for an outdoor event on October 12
were received from A-1 Market & Package Liquor at
7311 North Hanley Road.

Vadilal Bhagat, managing officer of A-1 Market & Package Liquor, stated they currently hold a full Package Liquor License and would like to add a Tasting License. Mr. Bhagat explained they would like to host a tasting event on October 12, from 2 p.m. to 6 p.m., under a tent on the parking lot. A site plan had been provided.

Mr. Todd moved, seconded by Mrs. Hendon, to approve the requests by Vadilal Bhagat of A-1 Market & Package Liquor at 7311 North Hanley Road for a Tasting License and a temporary expansion of the licensed premises to include a tent on the parking lot, as illustrated in the site plan provided, for an event on October 12, from 2 p.m. to 6 p.m. The motion passed unanimously.

PUBLIC HEARINGS

2019 PROPERTY TAX Mayor Robinson called to order the public hearing to
RATES consider establishment of the 2019 property tax rates.

Finance Director Dave Tuberty explained Missouri statutes require that the City establish the tax rates for all real and personal property every year. At the September 4 Council meeting, the preliminary rates were presented and the bill to establish the rates was given first reading. The rates presented this evening are based on final assessments with Board of Equalization adjustments. These rates are to be reported to St. Louis County to be included in the property tax collection for 2019. Mr. Tuberty stated the total assessed valuation for 2019 is \$549 million which includes a reduction for the TIF properties of \$61 million. The total assessed value reflects a 16% increase from last year because 2019 is a year of reassessment. Hazelwood is ranked 13th of approximately 88 St. Louis County municipalities and 3rd in North County. The property taxes will generate General Fund revenue of approximately \$3.91 million and an estimated \$1.22 million Debt Fund revenue at a 98% collection rate. From 2018 to 2019, the residential tax rate decreased from \$.767 to \$.700, the commercial tax rate decreased from \$.770 to \$.737 and the agricultural tax rate increased from \$.570 to \$.636. The personal property tax rate remains the same at \$.754. There is also no change in the street bond debt levee which remains at \$.222.

Mr. Tuberty stated the sewer lateral line repair fee remains at \$20 per household. A fee of up to \$28 was authorized by City voters. Seventy-two cities in St. Louis County charge a sewer lateral repair fee. Hazelwood and one other city are the only cities with a rate under \$28.

Finally, Mr. Tuberty stated an average household with a home valued at \$120,000 and two cars would pay a total of \$328 in taxes, a reduction of \$15 from 2018. He noted the majority of a property owner's total tax bill is school district tax. The City's portion is approximately 10%.

Mrs. Singleton asked why the City isn't charging the maximum given the financial hardship we are enduring. Mr. Tuberty replied the City is charging the maximum. He explained, although there was an increase in the assessed valuation, the Hancock Amendment prohibits any taxing authority from increasing their revenues without a vote of the citizens. Therefore, the property tax rate decreases so that the revenue remains the same.

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.

The second reading of Bill 4828, to establish the 2019 property tax rates, is on the agenda as item 18.d.

POWERPLEX
CID PETITION

Mayor Robinson called to order the public hearing to consider establishment of a Community Improvement District (CID) for the Hazelwood POWERplex.

Mark Spykerman of Gilmore & Bell, the City's bond counsel, explained the City has received a petition to establish the Hazelwood POWERplex CID. The petition was submitted by the property owners within the proposed district which includes the Hazelwood side of the outlet mall and a lot owned by the City. Mr. Spykerman stated the district would be a separate political subdivision of the City and would have a board appointed by the Mayor with consent of the Council. The board must consist of property and business owners within the CID and one representative from the City. The CID would be authorized to impose a special assessment on the properties within the district, excluding the City parcel, any common ground, and any nonprofit use. The CID would also be authorized to impose a sales tax. Funds generated from the tax would primarily be used to help pay off the defaulted bonds.

Dan Buck of Big Sports Properties stated the challenge with developing this property has been the \$36 million of existing TDD debt. Mr. Buck explained if the CID passes bonds will be issued by the Hazelwood Industrial Development Authority and purchased by Rosemawr, a New York investment company. Mr. Buck stated taxes for the land owners in the CID area will be significantly reduced and foreclosures will be averted.

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. Hendon moved, seconded by Mrs. Singleton, to place the draft bill to approve the petition to establish the Hazelwood POWERplex Community Improvement District and establish the POWERplex Community Improvement District on this agenda for introduction. The motion passed unanimously and the bill was added to the agenda as item 17.a.

COMMUNICATIONS

CHARTER COMMUNICATIONS	Notice of increases to service and equipment prices effective September 6, 2019 was received from Charter Communications.
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MLMSTL NEWSLETTER	The September 2019 issue of The Link newsletter was received from the Municipal League of Metro St. Louis.
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CHARTER COMMUNICATIONS	Information about the C-Span Student Cam contest was received from Charter Communications.
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Mr. Taylor moved, seconded by Mr. Todd, 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 November 13 Council work session agenda.
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CITY MANAGER'S REPORT - None

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT - None

COMMISSION AND BOARD REPORTS	Mr. Taylor moved, seconded by Mr. Todd, to receive and file the minutes of the February 5 Parks and Recreation Board meeting, the June 4 Pension Plan Board of Trustees meeting, the July 9 Community Enrichment Commission meeting, the July 22 Historic Preservation Commission meeting, and the July 11 and August 8 City Plan Commission meetings. The motion passed unanimously.
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NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

CID	Mayor Robinson called for the first reading of a bill to
POWERPLEX	establish the POWERplex Community Improvement District.

There were no objections and Bill 4829 was read by title only:

AN ORDINANCE APPROVING A PETITION TO ESTABLISH THE HAZELWOOD POWERPLEX COMMUNITY IMPROVEMENT DISTRICT; ESTABLISHING THE HAZELWOOD POWERPLEX COMMUNITY IMPROVEMENT DISTRICT AS A POLITICAL SUBDIVISION OF THE STATE OF MISSOURI; AND DIRECTING THE CITY CLERK TO NOTIFY THE MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT OF THE CREATION OF THE DISTRICT.

Bill 4829 will be on the agenda for second reading on October 2.

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 4825	Mayor Robinson called for the second reading of Bill 4825 to
SLUP	grant a Special Land Use Permit to Y & Y Grill, LLC, d/b/a
7008 N. HANLEY RD	Miami Grill, for a fast food restaurant at 7008 North Hanley
.	Road.

There were no objections and Bill 4825 was read by title only:

AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO Y & Y GRILL LLC, D/B/A MIAMI GRILL, FOR A FAST FOOD RESTAURANT AT 7008 NORTH HANLEY ROAD AND PROVIDING THE CONDITIONS OF SUCH USAGE.

Mr. Taylor moved, seconded by Mr. Todd, the adoption of Bill 4825 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 9</u>	<u>NAY - 0</u>
Mr. Todd	
Mr. Taylor	
Mrs. Hendon	
Mrs. Singleton	
Mrs. Stroker	
Mr. Aubuchon	
Mr. Ryan	
Mr. Wilson	
Mayor Robinson	

Bill 4825 was unanimously adopted as Ordinance 4711-19.

BILL 4826 Mayor Robinson called for the second reading of Bill 4826 to
SLUP grant a Special Land Use Permit to Focal Pointe Outdoor
11950 MO. BOTTOM RD. Solutions, Inc., for outdoor storage at 11950 Missouri Bottom
Road.

There were no objections and Bill 4826 was read by title only:

**AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND
USE PERMIT TO FOCAL POINTE OUTDOOR SOLUTIONS, INC., FOR OUTDOOR
STORAGE AT 11950 MISSOURI BOTTOM ROAD AND PROVIDING THE
CONDITIONS OF SUCH USAGE.**

Mr. Aubuchon moved, seconded by Mr. Ryan, the adoption of Bill 4826 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 9</u>	<u>NAY - 0</u>
Mr. Todd	
Mr. Taylor	
Mrs. Hendon	
Mrs. Singleton	
Mrs. Stroker	
Mr. Aubuchon	
Mr. Ryan	
Mr. Wilson	
Mayor Robinson	

Bill 4826 was unanimously adopted as Ordinance 4712-19.

BILL 4827 Mayor Robinson called for the second reading of Bill 4827 to
AMEND TITLE III. amend *Title III. Traffic Code* relative to parking restrictions
TRAFFIC CODE on Barnwood Drive and English Oak Drive.

There were no objections and Bill 4827 was read by title only:

**AN ORDINANCE AMENDING THE HAZELWOOD CITY CODE, *TITLE III: TRAFFIC
CODE, SCHEDULE IV. PARKING RESTRICTIONS, TABLE IV-A. PARKING
PROHIBITED AT ALL TIMES ON CERTAIN STREETS* RELATIVE TO PARKING
RESTRICTIONS ON BARNWOOD DRIVE AND ENGLISH OAK DRIVE.**

Mrs. Hendon moved, seconded by Mrs. Singleton, the adoption of Bill 4827 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 9</u>	<u>NAY - 0</u>
Mr. Todd	

Mr. Taylor
Mrs. Hendon
Mrs. Singleton
Mrs. Stroker
Mr. Aubuchon
Mr. Ryan
Mr. Wilson
Mayor Robinson

Bill 4827 was unanimously adopted as Ordinance 4713-19.

BILL 4828 Mayor Robinson called for the second reading of Bill 4828 to
AD VALOREM TAXES set the 2019 ad valorem tax rates.

The Council had been provided with Bill 4828.1, in redline format, which reflects the revised rates that were presented during the public hearing and are based on the post Board of Equalization data.

Mr. Aubuchon moved, seconded by Mr. Taylor, to amend Bill 4828 by the text of Bill 4828.1. The motion passed unanimously.

There were no objections and Bill 4828, as amended, was read by title only:

**AN ORDINANCE ESTABLISHING THE ANNUAL RATE OF AD VALOREM TAXES
LEVIED FOR THE YEAR 2019 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.**

Mrs. Hendon moved, seconded by Mrs. Singleton, the adoption of Bill 4828, as amended, as an ordinance. The following vote was recorded on the motion:

<u>AYE - 9</u>	<u>NAY - 0</u>
Mr. Todd	
Mr. Taylor	
Mrs. Hendon	
Mrs. Singleton	
Mrs. Stroker	
Mr. Aubuchon	
Mr. Ryan	
Mr. Wilson	
Mayor Robinson	

Bill 4828, as amended, was unanimously adopted as Ordinance 4714-19.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

COUNCIL MEETING Mayor Robinson announced the next regular Council meeting will be held Wednesday, October 2, at 7:30 p.m. in the Council Chambers.

ADJOURNMENT There being no further business to come before the Council, the meeting was adjourned at 8:12 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

Christine Thomas, CMC - City Clerk
City of Hazelwood, Missouri