

**CITY OF HAZELWOOD  
REGULAR COUNCIL MEETING  
APRIL 1, 2020**

**CALL TO ORDER**

A regular meeting of the Hazelwood City Council was called to order by Mayor Matthew G. Robinson at 7:35 p.m. on Wednesday, April 1, 2020.

In response to the coronavirus (COVID-19) public health emergency and pursuant to the St. Louis County Stay-at Home Order, some members of the City Council attended in-person in the Council Chambers at Hazelwood City Hall and others attended and participated by video conference in accord with Section 610.015, RSMo (“All votes taken by roll call in meetings of a public governmental body consisting of members who are all elected ... shall be cast by members ... who are physically present ... or who are participating via videoconferencing.”) It was impossible and impractical to hold the meeting in a manner physically accessible by the public. Section 610.020.2, RSMo (“Each meeting shall be held at a place reasonably accessible to the public ... unless for good cause such a place ... is impossible or impractical.”) Public access to the meeting was accommodated via access to video conference pursuant to notice provided in accord with Section 610.020, RSMo.

On roll call, the following members of the Council were present:

Tyler Wilson  
Matthew G. Robinson  
Warren H. Taylor  
Rosalie Hendon  
Mary G. Singleton  
Robert M. Aubuchon  
Don W. Ryan

Council Members Russell Todd and Carol A. Stroker were not present. 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, Mrs. Hendon moved, seconded by Mr. Aubuchon, the adoption of the agenda as printed. The motion passed unanimously.

**CONSENT AGENDA**

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

AYE - 7

NAY - 0

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

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. Aubuchon moved, seconded by Mrs. Singleton, to approve the minutes of the March 4 regular and closed Council meetings as submitted. The motion passed unanimously.

**SPECIAL ORDER OF BUSINESS**

**CORONAVIRUS PANDEMIC RESPONSE**

Mayor Robinson called for the reading of a bill authorizing the Mayor to enact temporary procedures and the City Manager to enact temporary emergency measures to protect the public health during the coronavirus pandemic crisis.

Mrs. Singleton noted the draft bill doesn't include an expiration. She asked if Council action would be required to terminate the emergency procedures and measures enacted during the pandemic.

Mr. O'Keefe replied affirmatively. He stated there is no termination trigger in the legislation or need to extend or renew the emergency measures in order to provide the tools needed to adapt under the continually evolving circumstances.

Mrs. Hendon moved, seconded by Mr. Ryan, to authorize the enactment of emergency procedures and measures during the coronavirus pandemic crisis and to place the draft bill on the agenda for introduction. The motion passed unanimously and the bill was added to the agenda as item 17.a.

**PROCLAMATIONS AND RESOLUTIONS - None**

**CITIZENS HEARINGS AND PRESENTATION OF PETITIONS**

Mayor Robinson stated the hearing of citizens' comments has been suspended. Written comments may be mailed to: Hazelwood City Council, c/o City Clerk, 415 Elm Grove Lane, Hazelwood, Mo 63042 or emailed to: cathomas@hazelwoodmo.org. with "Citizen Comment" in the subject line.



Mrs. Thomas stated with approval of this license the City will have the maximum number of Package Liquor Licenses allowed by the Code.

Mr. Ryan moved, seconded by Mrs. Hendon, to approve the application by Michael Mullooly for a Package Liquor License, with Sunday, for Family Dollar at 7451B North Lindbergh Boulevard. The motion passed unanimously.

SLUP  
820 & 830 MCDONNELL  
1570 VILLE MARTHA

Mayor Robinson called to order the public hearing to consider the petition by Enterprise Leasing Company of STL, LLC for a Special Land Use Permit for a vehicle service and repair facility, vehicle wash facility, vehicle painting, vehicle rental/leasing and vehicle sales at 820 and 830 James S. McDonnell Boulevard and 1570 Ville Martha Lane.

Mr. Bradfield reported the site is located in a C-3 Highway Commercial District. The building is currently vacant, but the parking lot is utilized by Amazon for parking of 302 vehicles. The building includes 43 service bays, 14 vehicle wash stalls, a showroom and an office for approximately 90 employees. The proposed parking plan exceeds the requirement.

Andy Stokes with Enterprise Holdings explained their operations. Mr. Stokes stated there are no plans to sell cars at the site at this time, but a permit is requested in the event they choose to do so in the future.

Mayor Robinson stated no written comments had been received from the public.

Mrs. Thomas read the City Plan Commission motion “to recommend approval to the City Council of the petition for a Special Land Use Permit for a vehicle service and repair facility, vehicle rental/leasing, vehicle auto sales (used), vehicle wash facility and vehicle painting at 820 and 830 James S. McDonnell Boulevard and 1570 Ville Martha Lane, Ward 4, with the following conditions:

- a) Vehicles being repaired shall not remain on the property for more than 30 days.
- b) A site plan, meeting site plan requirements showing striping of parking spaces that meet Code, shall be approved by the City.
- c) All vehicles shall be parked in designated parking spaces that must be striped.
- d) Vehicles being repaired without current license plates shall not be parked at site.
- e) Tires or vehicle parts or inventory for the vehicle service and repair facility shall not be stored and no vehicle repairs or maintenance work shall be performed or goods delivered to customers at any location on the exterior of the premises.”

She stated the motion passed unanimously.

Mr. Ryan moved, seconded by Mr. Wilson, to concur with the City Plan Commission recommendation to grant the Special Land Use Permit for a vehicle service and repair facility, vehicle rental/leasing, vehicle auto sales (used), vehicle wash facility and vehicle painting at 820 and 830 James S. McDonnell Boulevard and 1570 Ville Martha Lane 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.

SLUP EXPANSION  
5900 N. LINDBERGH &  
183 MCDONNELL

Mayor Robinson called to order the public hearing to consider the petition by Express Medical Transporters, Inc., for an expansion of their SLUP for a vehicle service and repair facility at 5900 North Lindbergh Boulevard and 183 James S. McDonnell Boulevard to include vehicle storage.

Mr. Bradfield stated the site is located in an I-2 Heavy Industrial District and there are several tenants in the strip center. The proposed use includes 1,500 square feet of office space and 52 striped parking spaces in the rear of the site. The parking plan meets parking requirements.

Express Medical Transporters Chief Executive Officer Sue Perszyk stated expansion of the permit would provide for parking of their spare fleet.

Mayor Robinson stated no written comments had been received from the public.

Mrs. Thomas read the City Plan Commission motion “to recommend approval to the City Council of the petition for a Special Land Use Permit for vehicle storage located at 5900 North Lindbergh Boulevard and 183 James S. McDonnell Boulevard, Ward 2, with the following conditions:

- a) Vehicles must be parked in designated parking spaces that shall be striped according to the site plan that is approved by the City.
- b) Vehicles without current license plates shall not be parked at site.
- c) Tires or vehicle parts or inventory for the vehicles shall not be stored and no vehicle repairs or maintenance work shall be performed or goods delivered to customers at any location on the exterior of the premises.”

She stated the motion passed unanimously.

Mr. Aubuchon moved, seconded by Mrs. Hendon, to concur with the City Plan Commission recommendation to grant the expansion of the existing Special Land Use Permit for 5900 North Lindbergh Boulevard and 183 James S. McDonnell Boulevard to include vehicle storage 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.

## **COMMUNICATIONS**

<b>CDBG FUND APPLICATION</b>	A letter concerning the 2021 Municipal Application for Community Development Block Grant Funds and application requirements was received from St. Louis County Human Services.
<b>EWGCG LOCAL BRIEFINGS</b>	The March 5 issue of Local Government Briefings was received from the East-West Gateway Council of Governments.
<b>COVID-19 INFORMATION &amp; TIPS TO PREVENT SPREAD</b>	Information on COVID-19 and tips to prevent its spread were received from St. Louis County Councilwoman Rita Heard Days.
<b>EWGCG LOCAL BRIEFINGS</b>	The March 12 issue of Local Government Briefings was received from the East-West Gateway Council of Governments.
<b>MML NEWSLETTER</b>	The Missouri Municipal League's March 2020 newsletter was received.
<b>NOTICE OF CLOSURE BUSE INDUSTRIES</b>	A notification from Buse Industries regarding closure of the Major Custom Assemblies plant at 4806 Trade Access Boulevard, Suite 100, was received.
<b>EWGCG LOCAL BRIEFINGS</b>	The March 19 issue of Local Government Briefings was received from the East-West Gateway Council of Governments.
<b>CHARTER COMMUNICATIONS</b>	A request from Charter Communications to waive any restricted access requirements for certain Spectrum Mid-America/Charter Communication employees was received.
<b>BOEING COMPANY PERMIT MODIFICATION</b>	A notification from The Boeing Company of an approved Class I Permit modification to the Missouri Hazardous Waste facility permit for the Boeing Tract I facility was received.
<b>NOTICE OF CLOSURE TRANS STATE AIRLINES</b>	A notification from Trans State Airlines, LLC, regarding the permanent closure of the St. Louis Hanger located at 5260 Banshee Road, Building 42, was received.

EWGCG LOCAL BRIEFINGS The March 26 issue of Local Government Briefings was received from the East-West Gateway Council of Governments.

CHARTER/SPECTRUM FREE SERVICES DURING PANDEMIC Information from Charter/Spectrum regarding free services offered to support the community during the coronavirus pandemic was received.

Mr. Aubuchon moved, seconded by Mrs. Singleton, to receive and file all communications. The motion passed unanimously.

**UNFINISHED BUSINESS - None**

**MAYOR AND COUNCIL REPORTS**

APPOINTMENT OF MUNICIPAL JUDGE Mrs. Thomas had provided the Council with notice that Judge Kevin Kelly's term as Municipal Judge will expire this month.

Mayor Robinson appointed Kevin Kelly for an additional three-year term as Municipal Judge.

Mr. Ryan moved, seconded by Mrs. Singleton, to approve the appointment of Kevin Kelly to an additional three-year term as Municipal Judge. The motion passed unanimously.

**CITY MANAGER'S REPORT - None**

**CITY ATTORNEY'S REPORT - None**

**CITY CLERK'S REPORT - None**

COMMISSION AND BOARD REPORTS Mr. Aubuchon moved, seconded by Mrs. Singleton, to receive and file the minutes of the February 11 Community Enrichment Commission meeting and the March 9 Architectural Board of Review meeting. The motion passed unanimously.

**NEW BUSINESS - None**

**INTRODUCTION AND FIRST READING OF BILLS**

PANDEMIC EMERGENCY MEASURES Mayor Robinson called for the first reading of a bill to enact emergency procedures and measures to protect the public health during the coronavirus pandemic crisis.

Mr. O’Keefe stated the draft bill includes a clause for emergency passage.

Mrs. Singleton moved, seconded by Mrs. Hendon, to find and declare an emergency exists in respect to the adoption of the bill, in accordance with Section 8 of Article II of the City Charter, and to give it second reading and consideration for adoption this evening. The motion passed unanimously.

There were no objections and Bill 4865 was read by title only:

**AN ORDINANCE ENACTING EMERGENCY MEASURES TO PROTECT THE PUBLIC HEALTH DURING THE CORONAVIRUS PANDEMIC CRISIS AND DECLARING AN EMERGENCY EXISTS WITH RESPECT TO THE PASSAGE OF THIS ORDINANCE.**

Bill 4865 was then read for a second time by title only:

**AN ORDINANCE ENACTING EMERGENCY MEASURES TO PROTECT THE PUBLIC HEALTH DURING THE CORONAVIRUS PANDEMIC CRISIS AND DECLARING AN EMERGENCY EXISTS WITH RESPECT TO THE PASSAGE OF THIS ORDINANCE.**

Mrs. Hendon moved, seconded by Mr. Aubuchon, the adoption of Bill 4865 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 7</u>	<u>NAY - 0</u>
Mr. Wilson	
Mayor Robinson	
Mr. Taylor	
Mrs. Hendon	
Mrs. Singleton	
Mr. Aubuchon	
Mr. Ryan	

Bill 4865 was unanimously adopted as Ordinance 4745-20.

SLUP EXTENSION                      Mayor Robinson called for the first reading of a bill to grant  
5951 HOWDERSHELL                      an extension of the Special Land Use Permit for Tidal Wave  
Express Car Wash at 5951 Howdershell Road.

There were no objections and Bill 4866 was read by title only:

**AN ORDINANCE AMENDING ORDINANCE 4717-19 BY EXTENDING THE SPECIAL LAND USE PERMIT DEADLINES TO COMMENCE CONSTRUCTION AND OPERATION OF TIDAL WAVE EXPRESS CAR WASH AT 5951 HOWDERSHELL ROAD.**

Bill 4866 will be on the agenda for second reading on April 15.

SLUP  
820 & 830 MCDONNELL  
& 1570 VILLE MARTHA

Mayor Robinson called for the first reading of a bill to grant a Special Land Use Permit for Enterprise Leasing Company STL, LLC at 820 and 830 James S. McDonnell Boulevard and 1570 Ville Martha Lane.

There were no objections and Bill 4867 was read by title only:

**AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO ENTERPRISE LEASING COMPANY STL, LLC FOR A VEHICLE SERVICE AND REPAIR FACILITY AND VEHICLE WASH FACILITY, VEHICLE RENTAL/LEASING, VEHICLE SALES (USED), AND VEHICLE PAINTING AT 820 AND 830 JAMES S. MCDONNELL BOULEVARD AND 1570 VILLE MARTHA LANE AND PROVIDING THE CONDITIONS OF SUCH USAGE.**

Bill 4867 will be on the agenda for second reading on April 15.

SLUP EXPANSION  
183 MCDONNELL &  
5900 N. LINDBERGH

Mayor Robinson called for the first reading of a bill to grant an expansion of the Special Land Use Permit for a vehicle service and repair facility at 183 James S. McDonnell Boulevard and 5900 North Lindbergh Boulevard to include vehicle storage.

There were no objections and Bill 4868 was read by title only:

**AN ORDINANCE AMENDING ORDINANCE 4701-19 BY GRANTING AN EXPANSION OF THE SPECIAL LAND USE PERMIT ISSUED TO EXPRESS MEDICAL TRANSPORTERS, INC., FOR A VEHICLE SERVICE AND REPAIR FACILITY AT 183 JAMES S. MCDONNELL BOULEVARD AND 5900 NORTH LINDBERGH BOULEVARD TO INCLUDE VEHICLE STORAGE AND PROVIDING THE CONDITIONS OF SUCH USAGE.**

Bill 4868 will be on the agenda for second reading on April 15.

## **SECOND READING OF BILLS AND ACTION ON BILLS**

BILL 4846  
BOND ISSUANCE  
TRADEPORT, LOT 1

The second reading of Bill 4846 to authorize the issuance of taxable industrial revenue bonds for development of TradePort Lot 1, Building IV, was postponed.

BILL 4859  
SLUP EXTENSION  
7008 N. HANLEY RD.

Mayor Robinson called for the second reading of Bill 4848 to extend the Special Land Use Permit deadline to commence operation of Sizzlin Grill at 7008 North Hanley Road.

There were no objections and Bill 4859 was read by title only:

**AN ORDINANCE AMENDING ORDINANCE 4711-19 BY EXTENDING THE SPECIAL LAND USE PERMIT DEADLINE TO COMMENCE OPERATION OF SIZZLIN GRILL, A FAST FOOD RESTAURANT AT 7008 NORTH HANLEY ROAD, TO SEPTEMBER 18, 2020.**

Mr. Aubuchon moved, seconded by Mr. Ryan, the adoption of Bill 4859 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 7</u>	<u>NAY - 0</u>
Mr. Wilson	
Mayor Robinson	
Mr. Taylor	
Mrs. Hendon	
Mrs. Singleton	
Mr. Aubuchon	
Mr. Ryan	

Bill 4859 was unanimously adopted as Ordinance 4746-20.

BILL 4860 SLUP EXTENSION 11950 MO. BOTTOM RD.	Mayor Robinson called for the second reading of Bill 4860 to extend the Special Land Use Permit deadline to commence operation of Focal Pointe Outdoor Solutions at 11950 Missouri Bottom Road.
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There were no objections and Bill 4860 was read by title only:

**AN ORDINANCE AMENDING ORDINANCE 4712-19 BY EXTENDING THE SPECIAL LAND USE PERMIT DEADLINE TO COMMENCE OPERATION OF FOCAL POINTE OUTDOOR SOLUTIONS, AT 11950 MISSOURI BOTTOM ROAD, TO MARCH 18, 2021.**

Mr. Aubuchon moved, seconded by Mr. Wilson, the adoption of Bill 4860 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 7</u>	<u>NAY - 0</u>
Mr. Wilson	
Mayor Robinson	
Mr. Taylor	
Mrs. Hendon	
Mrs. Singleton	
Mr. Aubuchon	
Mr. Ryan	

Bill 4860 was unanimously adopted as Ordinance 4747-20.

BILL 4861  
SLUP  
7323 N. LINDBERGH

Mayor Robinson called for the second reading of Bill 4861 to grant a Special Land Use Permit for a vehicle service station, convenience store, and vehicle wash facility at 7323 North Lindbergh Boulevard.

There were no objections and Bill 4861 was read by title only:

**AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO HAZELWOOD 67 INC., D/B/A HAZELWOOD PHILLIPS 66, FOR A VEHICLE SERVICE STATION, CONVENIENCE STORE, AND VEHICLE WASH FACILITY AT 7323 NORTH LINDBERGH BOULEVARD AND PROVIDING THE CONDITIONS OF SUCH USAGE.**

Mr. Aubuchon moved, seconded by Mr. Taylor, the adoption of Bill 4861 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 7</u>	<u>NAY - 0</u>
Mr. Wilson	
Mayor Robinson	
Mr. Taylor	
Mrs. Hendon	
Mrs. Singleton	
Mr. Aubuchon	
Mr. Ryan	

Bill 4861 was unanimously adopted as Ordinance 4748-20.

BILL 4862  
AMEND CHAP. 405

Mayor Robinson called for the second reading of Bill 4862 to amend *Chapter 405. Zoning Regulations* pertaining to communication antennae and support structures.

There were no objections and Bill 4862 was read by title only:

**AN ORDINANCE AMENDING CHAPTER 405. ZONING REGULATIONS, SECTIONS 405.400 AND 405.405, OF THE HAZELWOOD CITY CODE REGARDING COMMUNICATION ANTENNAE AND SUPPORT STRUCTURES.**

Mrs. Hendon moved, seconded by Mrs. Singleton, the adoption of Bill 4862 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 7</u>	<u>NAY - 0</u>
Mr. Wilson	
Mayor Robinson	
Mr. Taylor	
Mrs. Hendon	
Mrs. Singleton	

Mr. Aubuchon  
Mr. Ryan

Bill 4862 was unanimously adopted as Ordinance 4749-20.

BILL 4863 Mayor Robinson called for the second reading of Bill 4862 to  
AMEND CHAP. 310 amend *Chapter 310. Enforcement and Obedience to Traffic*  
RE: STATIONARY Regulations pertaining to the operation of vehicles when  
EMERGENCY VEHICLES approaching stationary emergency vehicles.

There were no objections and Bill 4863 was read by title only:

**AN ORDINANCE AMENDING CHAPTER 310. ENFORCEMENT AND OBEDIENCE TO TRAFFIC REGULATIONS OF THE HAZELWOOD CITY CODE REGARDING THE OPERATION OF VEHICLES WHEN APPROACHING STATIONARY EMERGENCY VEHICLES.**

Mr. Ryan moved, seconded by Mr. Aubuchon, the adoption of Bill 4863 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 7</u>	<u>NAY - 0</u>
Mr. Wilson	
Mayor Robinson	
Mr. Taylor	
Mrs. Hendon	
Mrs. Singleton	
Mr. Aubuchon	
Mr. Ryan	

Bill 4863 was unanimously adopted as Ordinance 4750-20.

**MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS**

COUNCIL MEETING Mayor Robinson announced the next regular Council meeting will be held Wednesday, April 15, at 7:30 p.m.

**ADJOURNMENT** There being no further business to come before the Council, the meeting was adjourned at 8:17 p.m.

ATTEST:

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Matthew G. Robinson - Mayor  
City of Hazelwood, Missouri

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