

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
JUNE 2, 2021**

CALL TO ORDER

A regular meeting of the Hazelwood City Council was called to order by Mayor Matthew G. Robinson at 7:33 p.m. on Wednesday, June 2, 2021, in the Council Chambers of Hazelwood City Hall, 415 Elm Grove Lane.

In response to the coronavirus (COVID-19) public health emergency, 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 in person and 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:

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

Council Member Daniel T. Herin 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 Mr. Aubuchon, the adoption of the agenda as printed. The motion passed unanimously.

CONSENT AGENDA

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

AYE - 8 NAY - 0

Mrs. Singleton
Mrs. Stroker
Mr. Aubuchon
Mr. Ryan
Mayor Robinson
Ms. Matlock
Mr. Taylor
Mrs. Hendon

The motion passed unanimously and the consent agenda, including a closed meeting immediately following the regular meeting to discuss litigation and to consult with the City Attorney in accordance with the provisions of RSMo 610.021(1) and to discuss a proprietary matter in accordance with the provisions of RSMo 610.021(15), was adopted.

**APPROVAL OF
MINUTES**

Mrs. Hendon moved, seconded by Mrs. Stroker, to approve the minutes of the May 12 Council work session, the May 12 closed Council meeting and the May 19 regular and closed Council meetings as submitted. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS

**EMPLOYEE
INTRODUCTION** Assistant City Manager-Economic Development Becky Ahlvin introduced newly hired City Manager Intern Antonia Magallon

PROCLAMATIONS AND RESOLUTIONS - None

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.

HAZELNUTS

Clara Faatz of 8 Bon Vue Drive stated the Hazelnuts would start meeting again on June 9, 2021 at 10:30 a.m. at the Hazelwood Community Center, and she thanked the City for the use of their facilities.

PUBLIC HEARINGS

**SLUP
7213 C N. LINDBERGH**

Mayor Robinson called to order the public hearing to consider the petition received from Elusive Developments, LLC d/b/a Cuzzin's for a Special Land Use Permit (SLUP) for a restaurant at 7213 C North Lindbergh Boulevard.

City Planner Kate Crimmins stated the proposed restaurant would be carryout only and is located in an existing restaurant space in the Hazelwood Office Park strip. The unit has been vacant since 2013. The proposed restaurant would have 10 chairs located in the waiting area. Mrs. Crimmins stated the floor plan shows a lobby with a service counter for ordering and picking up food and a kitchen in the rear of the 800 square foot unit. The hours of operation would be Tuesday through Friday, 11 a.m. to 9 p.m. and on Saturday, 9 a.m. to 9 p.m. and closed on Sunday and Monday.

Cuzzin's owner Yalandra Grimes gave a presentation of the proposed business. She stated she would serve salads, sandwiches, hot meals, etc. Ms. Grimes stated she would serve breakfast on Saturday. She stated all first responders would receive a 10% discount. There will be five employees on staff.

Mrs. Hendon asked when the restaurant would open.

Ms. Grimes responded August 1, 2021.

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. Lowery read the City Plan Commission motion "to recommend approval to the City Council of the petition for a restaurant at 7213 C North Lindbergh Boulevard, Ward 1, with the following conditions: 1) that adequate exterior and parking lot lighting shall be provided per code requirements and kept in working order to provide for the public safety, and 2) that the existing dumpster be enclosed per code requirements." She stated the motion passed unanimously.

Mrs. Stroker moved, seconded by Mr. Ryan, to concur with the City Plan Commission recommendation to grant a Special Land Use Permit for a restaurant at 7213 C North Lindbergh Boulevard 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.

SIGN VARIANCE
7800 N. LINDBERGH
PANDA EXPRESS

Mayor Robinson called to order the public hearing to consider the application by Midwest Light & Sign, Inc., for a 14.38 square foot variance to permit a 53.19 square foot wall sign on the north elevation at 7800 North Lindbergh Boulevard.

Code Administrator/Building Official Dave Clemens stated the maximum size permitted is 38.8 square feet.

Midwest Light & Sign representative, Jason Buxton, stated the size of this sign is a part of Panda Express's standard sign package and to keep stores cohesive, they are seeking a 14.38 square foot variance.

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. Singleton, to grant a 14.38 square foot variance and to permit a 53.19 square foot wall sign on the north elevation at 7800 North Lindbergh Boulevard. The motion passed unanimously.

AMEND CH. 405
RE: GUNSMITHS,
FIREARMS & AMMO. Mayor Robinson called to order the public hearing to consider amending *Chapter 405: Zoning Regulations* relative to gunsmiths and the sale of firearms and ammunition.

Ms. Crimmins stated the proposed changes to the zoning code would create two new definitions for gunsmith and ammunition sales and would create categories in the Use Code, which will require a SLUP.

Mrs. Singleton asked if existing businesses would be required to obtain a SLUP.

Mrs. Crimmins responded exiting businesses would not be required to obtain a SLUP.

Police Chief Gregg Hall stated that certain types of businesses are targeted based on their operation or items they sell and the Police Department would like to ensure safe operation of the business and mitigate any potential risk to the surrounding residential and commercial areas.

Mr. Aubuchon moved, seconded by Mr. Ryan, to concur with the City Plan Commission recommendation to amend Chapter 405: Zoning Regulations to create definitions for "gunsmith" and "ammunition sales" in the Zoning Code, and amend Appendix A Use Regulations for the categories gunsmith and ammunition sales to be permitted with a Special Land Use Permit in C-2, C-3, I-1, and I-2 Zoning Districts 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.

F.Y. 2021-2022
BUDGET Mayor Robinson called to order the public hearing to consider the proposed budget for fiscal year 2021-2022.

Assistant City Manager-Finance Dave Tuberty gave an overview of the proposed budget and the long-term effects of the City's deficit. By year 2022, the City's deficit will be at \$1.3 million.

The General Fund revenue/expenditure trend of the last several years continues. Revenues are decreasing, while expenses are increasing. For fiscal year 2021-2022, revenues are estimated at \$26 million and expenses are estimated at \$25 million. Fiscal year 2021-2022 started with a General Fund reserve balance of \$6.8 million and is expected to end with a balance of \$8.8 million, due to stimulus from the American Rescue Plan Act (ARPA). Estimated ARPA payments for fiscal years 2022 and 2023 are \$2.3 million each year. Revenue assumptions include 3% decreases in "B City" (annexed areas subject to St. Louis County pool) sales tax and Capital Improvement sales tax, a 5% decrease in "A City" (original City) sales tax, a 3% decrease in Park and Storm water sales tax, a 29% increase in Fire Department sales tax (due to the passage of the increase to one-half cent tax in 2020), a 1% increase in property tax, and a 5% decrease in the Utility Franchise Fees. Personnel Assumptions for 2022 will include step increases for all eligible employees at a cost of \$133,000. Pension contributions are increased by \$66,000, an increase of 10% in health insurance at a cost of \$153,000 (3% increase in 2021 and 0% increase in 2020). Dental insurance will increase 15%, vision insurance 5%, and worker's compensation rate will increase 20%.

Economic Development Fund expenditure assumptions include \$8.5 million for local incentive programs, a \$5 million loan to POWERplex supported by \$5 million in loan proceeds, and \$2.8 million in other POWERplex support, \$50,000 for message boards, \$75,000 for City entrance signs, \$235,000 for enhancements at I-270 and McDonnell Boulevard, and \$181,000 for street maintenance. With a beginning fund balance of approximately \$3.6 million and revenues of \$6.7 million anticipated, fiscal year 2021-2022 is projected to end with a fund balance of \$4.8 million.

Capital Improvement Fund projects include debt and lease payments of \$1.02 million, street and sidewalk improvements at \$390,000, vehicle replacements at \$375,000, a ballfield grant at \$600,000, and salt storage at \$225,000. With a beginning fund balance of approximately \$931,900, fiscal year 2021-2022 is projected to end with a fund balance of \$95,408. 2022 revenues are projected at \$67,000 (2.4% more than 2021) due to the one half cent sales tax. 2022 expenditures are projected to be \$965,000 (36% more than 2021).

Sewer Lateral Fund revenues are expected to remain the same as last fiscal year and expenses are expected to increase by \$100,000. Therefore, with a beginning fund balance of approximately \$345,366, fiscal year 2021-2022 is projected to end with a fund balance of approximately \$385,066.

The Debt Service Fund includes the following debt: General Obligation Street Bonds, Cabela's Museum, aquatic center, and two leased fire trucks. Principal and interest payments for fiscal year 2021-2022 will be \$2,230,496, and the outstanding balance will be \$9,194,227.

Mr. Zimmerman stated despite the Coronavirus Aid Relief and Economic Security Act money, the City is still in deficit and getting by on one-time revenues. Mr. Zimmerman

stressed that by 2024-2025, the City will run out of money. This deficit will include mandatory cuts to the budget.

Mayor Robinson expressed concerns about restoring services that were cut throughout the years. He also requested staff prepare a report on the history of market studies for employee pay. Mayor Robinson asked for a review of the pay plan. He would like to discuss step increases versus cost of living adjustment raises due to some employees being topped out in their pay grade. Mayor Robinson stated a step increase does not add value to the City's comparator groups.

Mr. Tuberty concurred with Mayor Robinson and stated when there is a cost of living adjustment (COLA), it increases the entire pay plan by the percentage of the COLA.

Mayor Robinson stated with budget constraints increasing it could be a few years before step increases or COLA's could be given again and he would like to make sure all employees receive the benefit of an increase this year.

Mrs. Singleton asked if staff could prepare any market data information before the next Council meeting.

Mr. Zimmerman stated it would take several months before market data could be compiled.

Mr. Tuberty stated the history of market studies are included in every budget and that information is readily available.

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.

Mr. Aubuchon moved, seconded by Mr. Ryan, to approve the fiscal year 2021-2022 budget 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.

COMMUNICATIONS

**EWGCG
BRIEFINGS** The May 20 issue of Briefings was received from the East-West Gateway Council of Governments.

**SLUP PETITION
6850 HAZELWOOD AVE.** A petition for a Special Land Use Permit for a medical marijuana cultivation facility and medical marijuana infused products manufacturing facility at 6850 Hazelwood Avenue was received from JG Missouri, LLC.

SLUP PETITION
4782 PARK 370 BLVD. A petition for a Special Land Use Permit for a vehicle service and repair facility and vehicle painting at 4782 Park 370 Boulevard was received from Cross Development CC Hazelwood, LLC d/b/a Caliber Collision.

EWGCG
BRIEFINGS The May 27 issue of Briefings was received from the East-West Gateway Council of Governments.

Mrs. Hendon moved, seconded by Mrs. Stroker, to refer the petitions 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
AGENDA ITEMS No items were added to the July 14 Council work session agenda.

RFPD FIRE SERVICES
UPDATE Mr. O'Keefe stated there was nothing new to report and mediation with Robertson Fire Protection District (RFPD) continues.

CITIZENS TOWN HALL Mayor Robinson stated the citizens group, "Citizens to Save Hazelwood and Fire Services," would like to hold a town hall meeting the third week of June and will be inviting the City Council and RFPD.

BOARD/COMMISSION
APPOINTMENTS Mayor Robinson nominated Dennis Lammert for reappointment to the City Plan Commission and Susan Zwygart for reappointment to the Historic Preservation Commission.

Mr. Aubuchon moved, seconded by Mrs. Stroker, to approve the preceding appointments. The motion passed unanimously.

CITY MANAGER'S REPORT

SOLID WASTE
COLLECTION Public Works Director David Stewart reported staff recommends authorizing a contract with Allied Services, LLC d/b/a Republic Services of Bridgeton, MO for the collection of refuse, compostables and recyclables from single-family dwellings and City facilities from September 1, 2021 through August 31, 2026, with a two-year extension option.

Mr. Stewart stated the current contract with Republic Services is set to expire on August 31, 2021. The selected service was the same as the current service, which is solid waste and recycling with optional yard waste. Republic's attorney has changes to be made to the contract for the City Attorney to review and the contract may be redlined for the next meeting.

Mrs. Hendon moved, seconded by Mr. Aubuchon, to concur with the staff recommendation to authorize a five-year contract with Allied Services, LLC d/b/a Republic Services of Bridgeton, MO for the collection of refuse, compostables and recyclables from single-family dwellings and City facilities from September 1, 2021 through August 31, 2026, with a two-year extension option, 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.

FY 2022 FUEL

Mr. Stewart reported staff recommends the purchase of gasoline and diesel fuel for City vehicles and equipment for fiscal year 2022 from Energy Petroleum Company at a rate of \$.0550 per gallon for profit and delivery.

Mr. Stewart stated requests for bids were sent to six prospective fuel suppliers and two bids were received. The lowest, most responsive bid is from Energy Petroleum.

Mr. Aubuchon moved, seconded by Mr. Taylor, to concur with the staff recommendation to authorize the purchase of gasoline and diesel fuel during fiscal year 2022 from Energy Petroleum at a rate of \$.0550 per gallon for profit and delivery. The motion passed unanimously.

**FIREHOUSE #2
ROOF REPLACEMENT**

Mr. Stewart reported staff recommends authorizing a contract with Copal Construction, Inc., for removal and replacement of the Firehouse #2 roof at a cost not to exceed \$49,722.

Mr. Stewart stated the Capital Improvement Fund budget includes \$50,000 for structural repairs and roof replacement at Firehouse #2.

Mr. Aubuchon moved, seconded by Mrs. Hendon, to concur with the staff recommendation to authorize a contract with Copal Construction, Inc., for removal and replacement of the Firehouse #2 roof at a cost not to exceed \$49,722 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.e.

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT - None

COMMISSION AND BOARD REPORTS

Mrs. Hendon moved, seconded by Mrs. Stroker, to receive and file the minutes of the April 8 City Plan Commission meeting. The motion passed unanimously.

NEW BUSINESS - None**INTRODUCTION AND FIRST READING OF BILLS**

**SLUP
7213 C N. LINDBERGH** Mayor Robinson called for the first reading of a bill to grant a Special Land Use Permit for a restaurant at 7213 C North Lindbergh Boulevard.

There were no objections and Bill 4939 was read by title only:

AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO ELUSIVE DEVELOPMENTS, LLC D/B/A CUZZIN'S FOR RESTAURANT AT 7213 C NORTH LINDBERGH BOULEVARD AND PROVIDING THE CONDITIONS OF SUCH USAGE.

Bill 4939 will be on the agenda for second reading on June 16.

**AMEND CH. 405
RE: GUNSMITHS,
FIREARMS & AMMO.** Mayor Robinson called for the first reading of a bill to amend *Chapter 405: Zoning Regulations* relative to gunsmiths and the sale of firearms and ammunition.

There were no objections and Bill 4940 was read by title only:

AN ORDINANCE AMENDING CHAPTER 405: ZONING REGULATIONS OF THE HAZELWOOD CITY CODE PERTAINING TO THE REGULATION OF ESTABLISHMENTS THAT SELL, DISTRIBUTE, REPAIR, BUILD, OR CUSTOMIZE FIREARMS OR FIREARM ACCESSORIES, AND THE REGULATION OF ESTABLISHMENTS THAT SELL OR DISTRIBUTE AMMUNITION.

Bill 4940 will be on the agenda for second reading on June 16.

FY 2021-2022 BUDGET Mayor Robinson called for the first reading of a bill to approve the fiscal year 2021-2022 budget.

There were no objections and Bill 4941 was read by title only:

AN ORDINANCE APPROVING THE BUDGET OF THE CITY OF HAZELWOOD, MISSOURI, FOR FISCAL YEAR 2021-2022 AND APPROPRIATING THE SUMS CONTAINED THEREIN FOR THE PURPOSES AND OBJECTS THEREIN.

Bill 4941 will be on the agenda for second reading on June 16.

**CONTRACT
WASTE COLLECTION** Mayor Robinson called for the first reading of a bill to authorize a contract for solid waste collection.

There were no objections and Bill 4942 was read by title only:

AN ORDINANCE AUTHORIZING A CONTRACT WITH ALLIED SERVICES, LLC D/B/A REPUBLIC SERVICES OF BRIDGETON, MO FOR THE COLLECTION OF REFUSE, COMPOSTABLES AND RECYCLABLES FROM SINGLE-FAMILY DWELLINGS AND CITY FACILITIES FOR THE PERIOD FROM SEPTEMBER 1, 2021 THROUGH AUGUST 31, 2026, WITH A TWO YEAR EXTENSION OPTION.

Bill 4942 will be on the agenda for second reading on June 16.

**CONTRACT
FIREHOUSE #2 ROOF** Mayor Robinson called for the first reading of a bill to authorize a contract with Copal Construction, Inc., for removal and replacement of the Firehouse #2 roof at a cost not to exceed \$49,722.

There were no objections and Bill 4943 was read by title only:

AN ORDINANCE AUTHORIZING A CONTRACT WITH COPAL CONSTRUCTION, INC., FOR THE FIREHOUSE #2 ROOF REPLACEMENT PROJECT AT A COST NOT TO EXCEED \$49,722.

Bill 4943 will be on the agenda for second reading on June 16.

SECOND READING OF BILLS AND ACTION ON BILLS - None

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

COUNCIL MEETING Mayor Robinson announced the next regular Council meeting will be held Wednesday, June 16, 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 8:58 p.m.

ATTEST:

Julie Lowery - City Clerk
City of Hazelwood, Missouri

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri