

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
JUNE 17, 2020**

CALL TO ORDER

A regular meeting of the Hazelwood City Council was called to order by Mayor Matthew G. Robinson at 7:36 p.m. on Wednesday, June 17, 2020, 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:

Russell Todd
Warren H. Taylor
Rosalie Hendon
Mary G. Singleton
Carol A. Stroker
Robert M. Aubuchon
Tyler Wilson
Matthew G. Robinson

Council Member Don W. Ryan was not present. Deputy City Clerk Julie Lowery declared a quorum was present. Also present were City Manager Matt Zimmerman and Associate City Attorney Robert Jones.

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 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. Wilson
Mayor Robinson

The motion passed unanimously and the consent agenda was adopted as printed.

APPROVAL OF MINUTES

Mrs. Hendon moved, seconded by Mr. Todd, to approve the minutes of the June 3 regular and closed Council meetings as submitted. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS - None

PROCLAMATIONS AND RESOLUTIONS - None

CITIZENS HEARINGS AND PRESENTATION OF PETITIONS - None

PUBLIC HEARINGS - None

COMMUNICATIONS - None

UNFINISHED BUSINESS - None

MAYOR AND COUNCIL REPORTS - None

CITY MANAGER'S REPORT - None

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT - None

COMMISSION AND BOARD REPORTS- None

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS - None

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 4872
SLUP EXTENSION

Mayor Robinson called for the second reading of Bill 4872 to extend the Special Land Use Permit deadline for operation

7766 N. LINDBERGH of a medical marijuana dispensary facility at 7766 North Lindbergh Boulevard.

There were no objections and Bill 4872 was read by title only:

AN ORDINANCE AMENDING ORDINANCE 4729-19 BY EXTENDING THE SPECIAL LAND USE PERMIT DEADLINE TO COMMENCE OPERATION OF V3 MO VENDING 2, LLC, D/B/A LEVEL, AT 7766 NORTH LINDBERGH BOULEVARD TO JANUARY 23, 2021.

Mr. Todd moved, seconded by Mr. Aubuchon, the adoption of Bill 4872 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 8</u>	<u>NAY - 0</u>
Mr. Todd	
Mr. Taylor	
Mrs. Hendon	
Mrs. Singleton	
Mrs. Stroker	
Mr. Aubuchon	
Mr. Wilson	
Mayor Robinson	

Bill 4872 was unanimously adopted as Ordinance 4757-20.

BILL 4873 Mayor Robinson called for the second reading of Bill 4873 to
FY 2020-2021 BUDGET approve the fiscal year 2020-2021 budget.

There were no objections and Bill 4873 was read by title only:

AN ORDINANCE APPROVING THE BUDGET OF THE CITY OF HAZELWOOD, MISSOURI, FOR FISCAL YEAR 2020-2021 AND APPROPRIATING THE SUMS CONTAINED THEREIN FOR THE PURPOSES AND OBJECTS THEREIN.

Mrs. Hendon moved, seconded by Mrs. Singleton, the adoption of Bill 4873 as an ordinance.

Mayor Robinson stated an employee asked if the cuts mentioned at the June 3 meeting have been incorporated into the budget.

Mr. Zimmerman responded affirmatively. He stated the cuts include eliminating three full-time positions and seven part-time positions; eliminating the spring limb collection and fall leaf collection; closing Civic Center East; eliminating non-revenue generating parks and recreation programs; reducing maintenance of City parks, street maintenance and slow plowing; eliminating national training classes and conferences; and eliminating printing and delivery of the City Newsletter/Parks & Recreation Program Brochure. He stated changes to the budget since the first draft total \$3.6 million. The fiscal year 2019-2020

budget has a deficit of \$2.278 million and the fiscal year 2020-2021 budget has an additional deficit of \$4.479 million, leaving an ending cash balance of \$1.651 million which is 6.6% of expenses. Mr. Zimmerman stated, if the structural deficit is not addressed by approval of the Neighborhood Improvement District proposition on the August ballot or by an annexation by RFPD, additional cuts will be necessary.

Mayor Robinson stated the employee had inquired about the \$2.9 million reduction in payments to the Robertson Fire Protection District (RFPD).

Mr. Zimmerman replied payments to the RFPD have been reduced by \$2.9 million and are scheduled to be made through calendar year 2020 in accordance with the current agreement.

Mayor Robinson stated a member of the public wishes to make a comment and asked if the Council has any objections.

There were no objections.

Ashley Robinson, 105 Kendl Court, stated a large portion of the budget is allocated to the Police Department and many City programs have been cut. She asked if there are plans to reallocate this funding to increase the viability of the City.

Mr. Zimmerman replied a reallocation of funds could be considered during the fiscal year as events transpire. He added the City was able to obtain grant funding for the domestic abuse and crime victims advocate position. In addition, four police officer positions will remain unfilled.

The following vote was then recorded on the motion:

<u>AYE - 6</u>	<u>NAY - 2</u>
Mr. Todd	Mr. Wilson
Mr. Taylor	Mayor Robinson
Mrs. Hendon	
Mrs. Singleton	
Mrs. Stroker	
Mr. Aubuchon	
Mr. Ryan	

Bill 4873 was adopted as Ordinance 4758-20 by a vote of six in favor and two opposed, with Mr. Wilson and Mayor Robinson casting the dissenting votes.

BILL 4874
CONTRACT
Mayor Robinson called for the second reading of Bill 4874 to authorize a contract for engineering services for improvements to Phantom Drive.

There were no objections and Bill 4874 was read by title only:

AN ORDINANCE AUTHORIZING A CONTRACT WITH CRAWFORD, MURPHY & TILLY, INC., FOR ENGINEERING SERVICES FOR THE PHANTOM DRIVE PROJECT, PHASE 1 AND 2, AT A COST NOT TO EXCEED SEVEN HUNDRED THIRTY-ONE THOUSAND FIVE HUNDRED SIXTY-FIVE DOLLARS (\$731,565).

Mr. Aubuchon moved, seconded by Mr. Todd, the adoption of Bill 4874 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 8</u>	<u>NAY - 0</u>
Mr. Todd	
Mr. Taylor	
Mrs. Hendon	
Mrs. Singleton	
Mrs. Stroker	
Mr. Aubuchon	
Mr. Wilson	
Mayor Robinson	

Bill 4874 was unanimously adopted as Ordinance 4759-20.

BILL 4875 AMEND AGREEMENT	Mayor Robinson called for the second reading of Bill 4875 to authorize the Second Amendment to Master Development Agreement with Big Sports Properties.
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There were no objections and Bill 4875 was read by title only:

AN ORDINANCE APPROVING A SECOND AMENDMENT TO MASTER DEVELOPMENT AGREEMENT AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE REDEVELOPMENT OF THE ST. LOUIS OUTLET MALL.

Mrs. Hendon moved, seconded by Mrs. Singleton, the adoption of Bill 4875 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 8</u>	<u>NAY - 0</u>
Mr. Todd	
Mr. Taylor	
Mrs. Hendon	
Mrs. Singleton	
Mrs. Stroker	
Mr. Aubuchon	
Mr. Wilson	
Mayor Robinson	

Bill 4875 was unanimously adopted as Ordinance 4760-20.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS - None

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned sine die at 7:55 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

Julie Lowery - City Clerk
City of Hazelwood, Missouri

**CITY OF HAZELWOOD
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CALL TO ORDER

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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:

Russell Todd
Warren H. Taylor
Rosalie Hendon
Mary G. Singleton
Carol A. Stroker
Robert M. Aubuchon*
Daniel T. Herin
Matthew G. Robinson

Council Member Don W. Ryan was not present. Deputy City Clerk Julie Lowery declared a quorum was present. Also present were City Manager Matt Zimmerman and Associate City Attorney Robert Jones.

*Mr. Aubuchon joined the meeting at 8:14 p.m.

AGENDA

There being no amendments proposed, Mrs. Singleton moved, seconded by Mrs. Hendon, the adoption of the agenda as printed. The motion passed unanimously.

CONSENT AGENDA

Mr. Taylor 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

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

The motion passed unanimously and the consent agenda was adopted as printed.

APPROVAL OF MINUTES - None

SPECIAL ORDER OF BUSINESS

CERTIFIED ELECTION RESULTS Mrs. Lowery reported the certified results of the June 2 election.

Bob Aubuchon received 102 votes for the position of Ward 2 Council member; Dan Herin received 142 votes, or 77% of the votes, for the position of Ward 4 Council member; Butch Taylor received 127 votes for the position of Ward 6 Council member; and Mary Singleton received 328 votes for the position of Ward 8 Council member. All of these candidates received the requisite majority of votes, in accordance with the City Charter, and are qualified to serve.

OATHS OF OFFICE Mrs. Lowery administered the oaths of office to the newly elected and reelected Council members.

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.

No one came forward to address the Council.

Mayor Robinson stated written comments may be submitted to: Hazelwood City Council, 415 Elm Grove Lane, Hazelwood, MO 63042 or CityClerk@hazelwoodmo.org with "Citizen Comment" in the subject line.

Mayor Robinson asked Mrs. Lowery if any written comments had been received for this evening's meeting.

Mrs. Lowery replied none were received.

LIQUOR LICENSE APPLICATION 1601 TRADEPORT An application for a Solicitor License for 24 Seven MO, Inc., at 1601 Tradeport Drive, Suite 200, had been received from James Marsh.

The requisite record check had been performed and Police Chief Gregg Hall has recommended approval of the application.

Mr. Marsh stated 24 Seven MO has another 140,000 square foot warehouse in Earth City and may possibly combine the two warehouses into one at Tradeport. The business is a third-party logistics company that ships wine to retail and winery customers. He explained when wine is ordered from a winery or eCommerce website, the order is submitted to 24 Seven who houses the product and fulfills the order. The facility currently has 80 to 100 employees and hopes to expand to up to 150 employees in the future.

Mrs. Hendon moved, seconded by Mrs. Singleton, to approve the application by James Marsh for a Solicitor License for 24 Seven MO, Inc., at 1601 Tradeport Drive, Suite 200. The motion passed unanimously.

PUBLIC HEARINGS

SIGN VARIANCE 8780 PERSHALL RD. FAMILY DOLLAR Mayor Robinson called to order the public hearing to consider the application by Hazelwood Equity, LLC, d/b/a Family Dollar, for a 53.9 square foot variance to permit a 91.9 square foot wall sign on the front elevation at 8780 Pershall Road.

Mr. Bradfield reported the site is a vacant street, in a strip center, in an I-1 Light-Industrial District. The maximum size permitted is 5% of the 1,176 square foot total wall area less 417 square feet of windows or 38 square feet.

Mr. Aubuchon expressed concerns with the frequency and number of sign variance requests that the Council receives.

Mr. Todd stated, in this case, it's because a large percentage of the elevation is windows.

Mr. Zimmermann stated staff will be presenting a proposal to the Council to amend the sign regulations during the July 1 Council meeting.

John Wilk of Bill Yount Signs and Electric, representing the applicant, stated there are three reasons for the variance requests. First, one-third of the front elevation is windows and is not used when calculating the size of the sign permitted. Second, on the west side of Pershall Road is a storage facility and on the east side there is a significant slope from the building to the roadway which leaves only a small area where a sign can be viewed

by motorists on Pershall Road. Third, the primary audience for the sign is I-270 motorists and I-270 is over 100 yards from the storefront.

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. Todd moved, seconded by Mr. Taylor, to grant a 53.9 square foot variance to permit a 91.9 square foot wall sign on the front elevation at 8780 Pershall Road. The motion passed unanimously.

COMMUNICATIONS

PROPERTY TAX REIMBURSEMENT TO FVFPD A resolution of the Florissant Valley Fire Protection District, relative to Senate Bill 870 and reimbursement of property taxes to the district, was received.

EWGCG BRIEFINGS The May 28 issue of Briefings was received from the East-West Gateway Council of Governments.

FUND OBLIGATION DEADLINE Notice of September 30, 2020 Federal funds obligation deadline for the Phantom Road project was received from the East-West Gateway Council of Governments,

ROUND 21 PARK GRANT PROCESS & MEETINGS Information on the Round 21 Park Grant application process and meetings was received from the Municipal Park Grant Commission of St. Louis County.

EWGCG BRIEFINGS The June 4 issue of Briefings was received from the East-West Gateway Council of Governments.

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

UNFINISHED BUSINESS - None

MAYOR AND COUNCIL REPORTS

WORK SESSION AGENDA No items were added to the July 8 Council work session agenda.

BOARD/COMMISSION REAPPOINTMENTS Mayor Robinson reappointed Alexis Robinson to the Community Enrichment Commission, Jean Dantzler to the

Historic Preservation Commission, and Bob Schramm to the Parks and Recreation Board.

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

ELECTION OF MAYOR PRO TEMPORE After discussion, Mrs. Stroker moved, seconded by Mrs. Singleton, to appoint Mr. Aubuchon as 2020/2021 Mayor Pro Tempore to act as mayor in the absence of Mayor Robinson. The motion passed unanimously.

CITY MANAGER'S REPORT

FY 2021 FUEL PURCHASE Public Works Director David Stewart reported staff recommends the purchase of gasoline and diesel fuel for fiscal year 2021 from Kiesel Company at a rate of \$.0439 per gallon for profit and delivery.

Prior to the start of each fiscal year, staff advertises for bids for diesel fuel and gasoline for City vehicles. This year, three bids were received with the Kiesel Company submitting the lowest responsive bid. Mr. Stewart explained the City will pay the Oil Price Information Service wholesale price plus \$.0439 per gallon. The fuel price will fluctuate, but the profit and delivery price will be locked-in.

Mrs. Singleton moved, seconded by Mrs. Stroker, to concur with the staff recommendation to purchase fuel for fiscal year 2021 from Kiesel Company at the rate of \$.0439 per gallon for profit and delivery. The motion passed unanimously.

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT - None

COMMISSION AND BOARD REPORTS Mr. Taylor moved, seconded by Mrs. Stroker,, to receive and file the minutes of the May 14 Pension Plan Board of Trustees meeting. The motion passed unanimously.

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS - None

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, July 1, at 7:30 p.m.

ADJOURNMENT

There being no further business to come before the Council,
the meeting was adjourned at 8:25 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

Julie Lowery - City Clerk
City of Hazelwood, Missouri