

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

CALL TO ORDER

A regular meeting of the Hazelwood City Council was called to order by Mayor Matthew G. Robinson at 7:54 p.m. on Wednesday, July 1, 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:

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

Council Members Dan Herin and Rosalie Hendon were 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, Mrs. Singleton moved, seconded by Mr. Aubuchon, the adoption of the agenda as printed. The motion passed unanimously.

CONSENT AGENDA

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

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

Mr. Taylor moved, seconded by Mrs. Singleton, to approve the minutes of the June 17 regular Council meetings and June 17 closed Council meeting as submitted. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS

OATH OF OFFICE

Mayor Robinson administered the oath of office to newly appointed City Clerk Julie Lowery.

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.

PUBLIC HEARINGS - None

COMMUNICATIONS

CHARTER
CUSTOMER SERVICE
STORE RELOCATION Notice of the relocation of the Florissant customer service store from 3300 Sunswept Park Drive to 14055 New Halls Ferry Road, effective August 5, was received from Charter Communications.

COMMISSION
RESIGNATION A letter of resignation from the Community Enrichment Commission was received from Linda Royal.

A letter thanking Ms. Royal for her service to the City was sent.

PENSION PLAN BOARD
VACANCY A request to fill the vacant community member position on the Pension Plan Board of Trustees was received from the board.

EWGCG
BRIEFINGS The June 11 issue of Briefings was received from the East-West Gateway Council of Governments.

PIPELINE SAFETY A brochure on pipeline safety was received from Phillips 66 Pipeline LLC.

EWGCG
BRIEFINGS The June 18 issue of Briefings was received from the East-West Gateway Council of Governments.

SLUP PETITION
12035 MO BOTTOM A petition for a Special Land Use Permit for a medical marijuana infused products manufacturing facility at 12035 Missouri Bottom Road was received from CanaVer, LLC.

SLUP PETITION
5800 FEE FEE RD. A petition for a Special Land Use Permit for a vehicle service and repair facility and vehicle painting at 5800 Fee Fee Road was received from R. & A. Gilbert Enterprises, LLC.

SLUP PETITION
6119 DUNN RD. A petition for a Special Use Permit for a vehicle service and repair facility, a vehicle wash facility, and vehicle painting at 6119 Dunn Road was received from Total Appearance, LLC, d/b/a RJ's Total Appearance.

RFPD RESOLUTION
RE: PROPERTY TAXES A Robertson Fire Protection District resolution regarding Senate Bill 870 and reimbursement of property taxes to the district was received.

Mr. Taylor moved, seconded by Mrs. Singleton, 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** After discussion Mrs. Singleton moved, seconded by Mr. Aubuchon, to cancel the July 8 Council work session. The motion passed unanimously.

**BOARD/COMMISSION
APPOINTMENTS** Mayor Robinson nominated Mark Rodell for reappointment to the City Plan Commission.

Mr. Aubuchon moved, seconded by Mrs. Stroker, to approve the reappointment of Mark Rodell to the City Plan Commission. The motion passed unanimously.

**NID & FIRE SALES TAX
UPDATE** Mayor Robinson asked Mr. Zimmerman for an update on the Neighborhood Improvement District (NID) and fire sales tax proposals on the August 5 ballot.

Mr. Zimmerman stated the NID proposition would raise the tax rate by \$1.36 per \$100 of assessed valuation and represents the difference between the actual cost to provide Robertson Fire Protection District services and the amount it would cost to provide Hazelwood Fire Department services. The assessment would generate revenue of \$2.5 million. Mr. Zimmerman stated the fire sales tax proposition also would provide funding for fire services. The campaign for these propositions will be short because the election is five weeks away.

CITY MANAGER'S REPORT

**CHAPTER 100
BOND ISSUANCE
FOR SILGAN PLASTICS** Community and Economic Development Coordinator Becky Ahlvin reported staff recommends the issuance of Chapter 100 bonds for the Silgan Plastics Corporation project.

On June 3, 2020, the Council adopted a resolution stating its intent to enter into a Chapter 100 industrial revenue bond transaction with Silgan Plastics Corporation to facilitate five years of 100% personal property tax abatement on up to \$15 million in new equipment for an expansion of the company's facilities in Aviator Business Park. At least 170 jobs must be maintained (an increase of 50 jobs over current employment) with a minimum payroll of \$7.3 million to receive the maximum abatement. Final approval requires adoption of an ordinance approving the plan and authorizing issuance of the bonds and various bond documents. In accordance with state statutes, a copy of the plan and cost benefit analysis has been sent to the affected taxing districts. Any amendments to the existing economic development loan will be addressed in separate legislation.

Mr. Aubuchon moved, seconded by Mr. Ryan, to concur with the staff recommendation to authorize the issuance of Chapter 100 Bonds for the Silgan Plastics project 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.

AMEND CHAPTER 220 City Planner Earl Bradfield reported, upon recommendation
RE: WEEDS by the Green Committee, staff recommends amendment of
Chapter 220.Nuisances regarding weeds and and rank
vegetation growth.

The weeds section of the Code has been under review by the Green Committee since 2017. Mr. Bradfield stated there are three portions of the weed section to be amended. The three changes include additional enforcement against intrusive plant species, the inclusion of the desirable native species and the description of Code Enforcement action as currently performed. Mr. Bradfield stated the intrusive plant section prohibits new invasive non-native, exotic plant species. Existing invasive species are required to be managed by the property owner so that they do not expand and do not cross into neighboring properties. Mr. Bradfield stated the native species section allows for a wide assortment of native species to be over eight inches tall on no more than 10% of the front and side yards and in bunches no more than 10 contiguous square feet or 10 feet from the property line unless behind a fence. In rear yards they are allowed to go up to the property line but not compromise more than 30% of the rear yard. Mr. Bradfield stated the section on code enforcement pertains to details concerning violations. The process includes notice for the infraction, posting the violation and the step of a hearing. The violation has five days to be remedied before the City takes action on removal process. The cost of the removal, if needed, is issued by a special tax bill against the property by the Director of Finance. The proposed language matches the City's current enforcement process.

Mr. Aubuchon asked how these changes will be enforced when the current grass ordinances aren't being enforced. He also asked if the code enforcers know the difference between invasive species.

Mr. Bradfield replied there are certain provisions in the existing weed section this proposal added native and invasive species.

Mrs. Singleton stated the proposed changes give another level of ability to control problems with invasive species that encroach on neighboring properties. Mrs. Singleton stated the proposed changes would help promote using native plants to control stormwater on their property. Mrs. Singleton added the Green Committee worked on these changes for over a year.

Mr. Zimmerman stated the original draft ordinance has a list of specific plantings that may or may not be allowed and they changed it to make it more generic and easier to enforce. Mr. Zimmerman noted there are no grandfathering provisions in the draft ordinance and if there is a violation after adoption of the ordinance it would be required to mitigate it.

Green Committee Chairman Ron Darling gave a presentation. Mr. Darling stated the Green Committee had three goals in mind when making the proposed changes. The first goal is to make the environment better. The second goal is to limit the amount of invasive

plants. Lastly, the conflict of considering wildflowers as weeds and maintaining they should be cut.

Mrs. Singleton moved, seconded by Mr. Todd, to concur with the staff recommendation to amend *Chapter 220. Nuisances* regarding weeds and to place the draft bill on this agenda for introduction. The motion passed by a vote of six in favor and one opposed, with Mr. Aubuchon casting the dissenting vote. The bill was added to the agenda as item 17.b.

AMEND CHAPTER 510 Mr. Bradfield reported staff recommends amendment of RE: SIGN REGULATIONS Chapter 510 regarding sign regulations.

The overall purpose of the chapter is to promote the public health, safety and welfare of the community. The amendment is necessary to comply with the Supreme Court ruling of June 18, 2015, in "Pastor Reed vs Town of Gilbert," that determined sign regulation must be done in a content neutral manner. Signs can be regulated by time, place, and manner of display and not by message content. As part of the review, current sign regulations including location, number design, installation and maintenance were also reviewed and addressed. The proposed amendment maintains the current maximum size and height of wall, pylon, and monument signs and billboards. For wall signs, windows would now be included in the square footage of the elevation that is used to calculate the size of the sign permitted and more than one wall sign would be permitted provide they are street-facing. Maximum sizes were added for temporary banner signs and the number of banner signs permitted was increased from one to four. In addition, regulations for electronic message centers were added.

Mr. Aubuchon asked with the proposed changes will there be less applications for sign variances.

Mr. Bradfield responded requiring a variance encourages the petitioner to comply with the sign regulations.

Mr. Todd moved, seconded by Mrs. Singleton, to concur with the staff recommendation to to amend Chapter 510 regarding sign regulations 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.

AMEND CHAPTER 310 Police Chief Gregg Hall reported staff recommends RE: ENDANGERING amendment of Chapter 310. *Enforcement and Obedience to HIGHWAY WORKER Traffic Regulations* regarding the offense of endangering a highway worker.

The amendment would enhance the City's efforts to increase public safety along the highway work zone by considering the risk to highway workers by inattentive or careless drivers.

Mr. Ryan moved, seconded by Mrs. Stroker, to concur with the staff recommendation to amend *Chapter 310. Enforcement and Obedience to Traffic Regulations* regarding the offense of endangering a highway worker 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.

AMEND EMPLOYEE MARKET PAY PLAN Mr. Zimmerman stated he recommends amendment of the 2015 Employee Market Pay Plan.

Mr. Zimmerman stated as the City continues to address its structural deficit, a number of positions have been eliminated or combined. The City has lost 12 full-time positions and eight part-time positions in the past year. The changes include the addition of five positions including: Assistant City Manager – Economic Development, Assistant City Manager – Finance, Project Development Coordinator, Assistant Finance Director and Public Works Foreman. The changes also reflect a deletion of 19 positions which include: Assistant City Manager, Director of Finance, Public Works Superintendent, Community and Economic Development Coordinator, Economic Developer, Communications Coordinator, Project Manager/GIS Analyst, Crew Leader, Admin Secretary to City Manager, Accounting Specialist, Administrative Secretary to Public Works Director, Administrative Division Secretary – Parks and Recreation Superintendent, Administrative Division Secretary - Public Works Superintendent, Human Resource Assistant, GIS Analyst, Secretary – City Clerk, Park Ranger (part-time), Secretary – Parks and Recreation (part-time), and Receptionist. Additional changes include changing the grade of the Parks and Recreation Superintendent from 15 to 16 and correcting the grade of the Police Audio/Video Technician from 11A to 9A.

Mrs. Singleton moved, seconded by Mr. Aubuchon, to concur with Mr. Zimmerman’s recommendation to amend the pay plan 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.

PURCHASE OF TRUCK FOR CODE ENFORCEMENT Public Works Director David Stewart reported staff recommends the purchase of a 2020 Ford Ranger 4WD extended cab truck from Bommarito Ford of Hazelwood, at a cost of \$27,398 with trade-in, for the Code Enforcement Division.

The State of Missouri bid for a Ford Ranger 4WD crew cab, per contract #CC200649002, is \$28,738. Bommarito Ford of Hazelwood will match the state bid and will provide an \$800 credit for trade-in of the City’s 2007 Chevrolet Impala, which has 99,367 miles and is in need of costly repairs, for a net cost of \$27,938. The 2020-2021 budget includes an allocation of \$30,000 for the purchase.

Mr. Aubuchon moved, seconded by Mr. Ryan, to concur with the staff recommendation to purchase a 2020 Ford Ranger 4WD extended cab truck from Bommarito Ford of Hazelwood. The motion passed unanimously.

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT - None

COMMISSION AND BOARD REPORTS - None

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

CHAPTER 100 Mayor Robinson called for the first reading of a bill to
BOND ISSUANCE authorize the issuance of Chapter 100 bonds for the Silgan
SILGAN PLASTICS Plastics project.

There were no objections and Bill 4876 was read by title only:

AN ORDINANCE AUTHORIZING THE CITY OF HAZELWOOD, MISSOURI, TO ISSUE ITS TAXABLE INDUSTRIAL REVENUE BONDS (SILGAN PLASTICS CORPORATION PROJECT), SERIES 2020, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$15,000,000, FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COSTS OF EQUIPPING A FACILITY AS PART OF AN INDUSTRIAL DEVELOPMENT PROJECT IN THE CITY; APPROVING A PLAN FOR THE PROJECT; AND AUTHORIZING THE CITY TO ENTER INTO CERTAIN AGREEMENTS AND TAKE CERTAIN OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF THE BONDS.

Bill 4876 will be on the agenda for second reading on July 15.

AMEND CHAPTER 220 Mayor Robinson called for the first reading of a bill to amend
RE: WEEDS *Chapter 220. Nuisances regarding weeds.*

There were no objections and Bill 4877 was read by title only:

AN ORDINANCE AMENDING CHAPTER 220. NUISANCES, SECTION 220.150: WEEDS OR RANK VEGETATION GROWTH, OF THE HAZELWOOD CITY CODE.

Bill 4877 will be on the agenda for second reading on July 15.

AMEND CHAPTER 510 Mayor Robinson called for the first reading of a bill to
RE: SIGN REGULATIONS amend Chapter 510 regarding sign regulations.

There were no objections and Bill 4878 was read by title only:

AN ORDINANCE AMENDING CHAPTER 510 OF THE CODE OF ORDINANCES OF THE CITY OF HAZELWOOD, MISSOURI REGARDING SIGN REGULATIONS.

Bill 4878 will be on the agenda for second reading on July 15.

AMEND CHAPTER 310 Mayor Robinson called for the first reading of a bill to amend
RE: ENDANGERING A *Chapter 310. Enforcement and Obedience to Traffic*
HIGHWAY WORKER *Regulations* regarding the offense of endangering a highway
worker.

There were no objections and Bill 4879 was read by title only:

AN ORDINANCE AMENDING CHAPTER 310. ENFORCEMENT AND OBEDIENCE TO TRAFFIC REGULATIONS OF THE HAZELWOOD CITY CODE BY THE ADDITION OF A NEW SECTION REGARDING THE OFFENSE OF ENDANGERING A HIGHWAY WORKER.

Bill 4879 will be on the agenda for second reading on July 15.

AMEND EMPLOYEE Mayor Robinson called for the first reading of a bill to
MARKET PAY PLAN amend the 2015 Employee Market Pay Plan.

There were no objections and Bill 4880 was read by title only:

AN ORDINANCE AMENDING ORDINANCE 4440-15, WHICH ADOPTED THE MARKET PAY PLAN FOR EMPLOYEES OF THE CITY OF HAZELWOOD, MISSOURI.

Bill 4880 will be on the agenda for second reading on July 15.

SECOND READING OF BILLS AND ACTION ON BILLS - None

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

CITY HALL CLOSED Mayor Robinson announced City Hall will be closed on Friday, July 3, in observance of Independence Day.

COUNCIL MEETING Mayor Robinson announced the next regular Council meeting will be held Wednesday, July 15, 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 8:37 p.m.

ATTEST:

Julie Lowery - City Clerk
City of Hazelwood, Missouri

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri