

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
SEPTEMBER 15, 2021**

CALL TO ORDER

A regular meeting of the Hazelwood City Council was called to order by Mayor Pro Tempore Robert Aubuchon at 7:30 p.m. on Wednesday, September 15, 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.;

Mayor Pro Tempore Aubuchon 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:

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

Mayor Matthew G. Robinson and Council member Daniel T. Herin were not present. Deputy City Clerk Jennifer Chappie 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. Taylor, the adoption of the agenda as printed. The motion passed unanimously.

CONSENT AGENDA

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

AYE - 7 NAY - 0

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

The motion passed unanimously and the consent agenda was adopted.

**APPROVAL OF
MINUTES**

Mr. Taylor moved, seconded by Mrs. Hendon, to approve the minutes of the September 1 regular and closed Council meetings as submitted. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS**EMPLOYEE
SERVICE AWARD**

As his biography was read, Maintenance Worker Howard Wolff was presented with a 45-year service award.

**RFPD PARTIAL
SETTLEMENT
AGREEMENT**

Mr. Zimmerman reported the City and Robertson Fire Protection District (RFPD) have reached a partial settlement agreement.

Mr. Zimmerman stated the City and RFPD have been in mediation regarding the City's termination of the contract for fire services and RFPD's subsequent lawsuit. The RFPD Board of Directors and Hazelwood City Council have both approved an interim partial settlement agreement. The agreement provides that the City will pay RFPD \$2.3 million plus \$446,000 in interest and penalties as settlement for the outstanding fees from 2018. This is approximately \$750,000 less than initially calculated fees, which were based on RFPD's calculations in their lawsuit. Mr. Zimmerman stated based on previous interim agreements, all fees for calendar years 2018, 2019 and 2020 are resolved. The City will continue making monthly payments of \$376,816.50 for the remainder of calendar year 2021. This is based on RFPS's levy of \$4.5 million for calendar 2021. RFPD agrees to drop counts one and two of its lawsuit, and the parties have agreed to engage in good faith negotiations regarding RFPD's tax rate for calendar year 2022 and beyond, until litigation is resolved. However, the payment cannot exceed the current levy amount. Mr. Zimmerman stated payments would continue to be paid in monthly installments in lieu of previous contractual requirements that payment in full be made by January 15 of each year. RFPD and the City are planning to meet regarding RFPD's tax rate later this month as tax rates must be established by September 30.

Mrs. Hendon asked how giving RFPD the \$4.5 million dollars has resolved any financial issues for the City.

Mr. Zimmerman replied the agreement has resolved the outstanding issues from 2018 and going forward the City has funds in the budget. Mr. Zimmerman stated this is not a long-term solution and the City would continue to negotiate with RFPD for a reasonable contract. A trial by the courts may be the only solution if a long-term resolution with RFPD cannot be found.

Mrs. Singleton asked how much it costs RFPD to operate. She stated the limit has been reported at \$4.5 million, but does not feel RFPD needs that much to operate.

Mr. O'Keefe responded he could not answer that question, but that these issues would be discussed in meetings with RFPD. The City will be looking at all aspects to compare other municipalities of a similar size to negotiate a lesser amount.

PROCLAMATIONS AND RESOLUTIONS

SAFE COMMUNITIES PROCLAMATION Mayor Pro Tempore Aubuchon called for the reading of a proclamation urging the community to support Celebrate Safe Communities on October 5, 2021.

There were no objections and Proclamation 2116 was read.

Mrs. Hendon moved, seconded by Mrs. Singleton, the adoption of Proclamation 2116 urging all citizens, government agencies, public and private institutions, and businesses to support our Celebrate Safe Communities on Tuesday, October 5, 2020, and calling upon everyone to invest in the power of prevention and community cooperation to ensure the City remains a safe, strong and caring community where all may safely live, learn, work and play. The motion passed unanimously.

FIRE PREVENTION WEEK PROCLAMATION Mayor Pro Tempore Aubuchon called for the reading of a proclamation designating the week of October 3 through October 9 as Fire Prevention Week.

There were no objections and Proclamation 2117 was read.

Mr. Ryan moved, seconded by Mrs. Hendon, the adoption of Proclamation 2117 designating the week of October 3 through 9, 2021, as Fire Prevention Week and urging all residents to learn the sounds of fire safety, and to support the public safety activities and efforts of the Hazelwood Fire Department. The motion passed unanimously.

CITIZENS HEARINGS AND PRESENTATION OF PETITIONS

Mayor Pro Tempore Aubuchon explained the procedures to follow during a hearing. He invited anyone desiring to make a comment to come forward at this time.

RFPD CONCERNS John Zamudio of 4827 Orange Blossom Lane expressed concerns to the Council about RFPD.

Mr. Zamudio stated RFPD will meet with the citizen's coalition to discuss topics the citizens have concerns with or the RFPD board will hear from all citizens concerned.

PUBLIC HEARINGS - None

COMMUNICATIONS

EWGCG BRIEFINGS The September 2 issue of Briefings was received from the East-West Gateway Council of Governments.

CHARTER COMMUNICATIONS A notice of upcoming programming changes received from Charter Communications.

MLMSTL NEWSLETTER The September 2021 issue of The Link was received from Municipal League of Metro St. Louis.

WASTE REDUCTION & RECYCLING GRANT Information on the 2022 Waste Reduction and Recycling Grant Program application process was received from the St. Louis-Jefferson Solid Waste Management District.

HCC CID 2022/2023 BUDGET The Hazelwood Commerce Center Community Improvement District Budget for fiscal year 2022/2023 was received from Development Dynamics.

EWGCG BRIEFINGS The September 9 of Briefings was received from the East-West Gateway Council of Governments.

Mr. Taylor moved, seconded by Mrs. Hendon, 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 10 Council work session.

BOARD & COMMISSION APPOINTMENTS No appointments or reappointments made to the City's boards and commissions.

REDISTRICTIING COMMISSION Mr. Ryan nominated Beverly Paulson of 7818 Guhman Court as the Ward 3 representative, and Ms. Matlock

APPOINTMENTS nominated Greg Corcoran of 143 St. Cin Lane as the Ward 5 representative.

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

VILLAGE SQUARE CID APPOINTMENTS Mayor Pro Tempore Aubuchon nominated Tony Kennedy and Matthew Zimmerman to the Village Square Community Improvement District Board of Directors as successor directors of the District with terms expiring August 21, 2025.

Mrs. Hendon moved, seconded by Mrs. Singleton, to approve the appointment of Tony Kennedy and Matt Zimmerman as successor directors on the Village Square Community Improvement District Board of Directors with terms expiring August 21, 2025. The motion passed unanimously.

PROPERTY TAX RATE COMPARISON PRESENTATION Assistant City Manager-Finance David Tuberty gave a presentation on the City's property tax rates and its relation to other St. Louis County municipalities.

Of the 14 largest cities in St. Louis County, Hazelwood has the highest rate at \$0.98. Mr. Tuberty stated that while Hazelwood citizens do experience a high rate of property tax, a number of communities have a higher total rate.

CITY MANAGER'S REPORT

RECONSTRUCTION/CRIME SCENE SYSTEM Police Chief Gregg Hall reported staff recommends the purchase of a traffic/crime scene reconstruction system from FARO Technologies, Inc., at a cost not to exceed \$62,936.

Chief Hall stated \$63,000 has been included in the current fiscal year Capital Improvement Fund budget to purchase a traffic/crime scene reconstruction system. He stated many other law enforcement agencies use the FARO S70 and this would allow for inter-agency partnerships on projects and cooperative assistance as needed.

Mrs. Hendon moved, seconded by Mr. Ryan, to concur with the staff recommendation to authorize the purchase of the FARO S70 traffic/crime scene reconstruction system from FARO Technologies, Inc., at a cost not to exceed \$62,936. The motion passed unanimously.

AGREEMENT LOCAL #2665 FIREFIGHTERS Assistant City Manager-Economic Development Rebecca Ahlvin reported staff recommends authorization of an agreement with the International Association of Firefighters, Local #2665, relative to terms and conditions of employment.

Mrs. Ahlvin reported changes from the previous agreement include the following:

- 1) Increase the Acting Captain pay by 2%, keeping in line with the 2% Cost of Living Adjustment in the 2022 fiscal year budget.
- 2) Changes to any references to “probation”, “probationary employee” or “probationary period” to “operational review”
- 3) The agreement will remain in effect during good faith negotiations upon mutual consent of the parties but provides that for the first six months after the expiration of the agreement, neither the union nor the City can withhold its consent to extend the agreement.
- 4) Outlines expectations for the maintenance of grounds at the firehouses and excludes any mowing duties from the members of the union.
- 5) Adds Article 32 – Successors, which makes the agreement binding on the parties regardless of any potential consolidation, merger, annexation, etc. that may occur, including changes in elected officials.

Mrs. Ahlvin stated the agreement would expire June 30, 2024.

Mrs. Hendon moved, seconded by Mr. Taylor, to concur with the staff recommendation to authorize an agreement with Local #2665 of the International Association of Firefighters 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.

AGREEMENT LOCAL #2665 COMPANY OFFICERS	Mrs. Ahlvin reported staff recommends authorization of an agreement with company officers of Local #2665, of the International Association of Firefighters, relative to terms and conditions of employment.
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Mrs. Ahlvin reported changes from the previous agreement include the following:

- 1) Increase the Acting Battalion Chief pay by 2%, keeping in line with the 2% Cost of Living Adjustment in the 2022 fiscal year budget.
- 2) Changes to any references to “probation”, “probationary employee” or “probationary period” to “operational review”
- 3) The agreement will remain in effect during good faith negotiations upon mutual consent of the parties but provides that for the first six months after the expiration of the agreement, neither the union nor the City can withhold its consent to extend the agreement.
- 4) Outlines expectations for the maintenance of grounds at the firehouses and excludes any mowing duties from the members of the union.
- 5) Adds Article 29 – Successors, which makes the agreement binding on the parties regardless of any potential consolidation, merger, annexation, etc. that may occur, including changes in elected officials.

Mrs. Ahlvin stated the agreement would expire June 30, 2024.

Mr. Taylor moved, seconded by Mrs. Singleton, to concur with the staff recommendation to authorize an agreement with company officers of Local #2665 of the International

Association of Firefighters 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.

**HVAC AUTOMATED
TEMPERATURE
CONTROLS
REPLACEMENT**

Public Works Director David Stewart reported staff recommends authorization of a contract with Murphy Company Mechanical Contractors and Engineers for the replacement of automated temperature controls for City facilities at a cost not to exceed \$43,100.

Mr. Stewart stated included in the budget for this fiscal year is \$60,000 to replace the automated temperature controls throughout city facilities. The controls were installed approximately 10 years ago. Benefits of this project include replacement of equipment that is at the end of its useful life. This project will also eliminate the \$3,600 annual support expense from CTS.

Mr. Ryan moved, seconded by Mr. Taylor, to concur with the staff recommendation to authorize a contract with Murphy Company Mechanical Contractors and Engineers for the replacement of automated temperature controls for City facilities 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.

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT - None

**COMMISSION AND
BOARD REPORTS**

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

**AGREEMENT
WITH LOCAL #2665
FIREFIGHTERS**

Mayor Pro Tempore Aubuchon called for the first reading of a bill to authorize an agreement with Local #2665 of the International Association of Firefighters.

There were no objections and Bill 4961 was read by title only:

AN ORDINANCE AUTHORIZING EXECUTION OF AN AGREEMENT WITH LOCAL #2665 OF THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS RELATIVE TO TERMS AND CONDITIONS OF EMPLOYMENT FOR CERTAIN EMPLOYEES OF THE HAZELWOOD FIRE DEPARTMENT FOR THE PERIOD FROM OCTOBER 6, 2021 THROUGH JUNE 30, 2024.

Bill 4961 will be on the agenda for second reading on October 6.

AGREEMENT WITH LOCAL #2665 COMPANY OFFICERS Mayor Pro Tempore Aubuchon called for the first reading of a bill to authorize an agreement with company officers of Local #2665 of the International Association of Firefighters.

There were no objections and Bill 4962 was read by title only:

AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF AN AGREEMENT WITH COMPANY OFFICERS OF LOCAL #2665 OF THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS FOR THE PERIOD FROM OCTOBER 6, 2021 THROUGH JUNE 30, 2024 .

Bill 4962 will be on the agenda for second reading on October 6.

CONTRACT AUTOMATED TEMP. CONTROLS Mayor Pro Tempore Aubuchon called for the first reading of a bill to authorize a contract for the replacement of automated temperature controls for City facilities.

There were no objections and Bill 4963 was read by title only:

AN ORDINANCE AUTHORIZING A CONTRACT WITH MURPHY COMPANY MECHANICAL CONTRACTORS AND ENGINEERS FOR THE REPLACEMENT OF AUTOMATED TEMPERATURE CONTROLS FOR CITY FACILITIES AT A COST NOT TO EXCEED FORTY-THREE THOUSAND ONE HUNDRED DOLLARS (\$43,100).

Bill 4963 will be on the agenda for second reading on October 6.

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 4958 SUBDIVISION Mayor Pro Tempore Aubuchon called for the second reading of Bill 4958 to authorize subdivision of 595 Anglum Road, 5690 Campus Parkway and 5600 Anglum Court.

There were no objections and Bill 4958 was read by title only:

AN ORDINANCE APPROVING THE SUBDIVISION OF 595 ANGLUM ROAD, 5690 CAMPUS PARKWAY AND 5600 ANGLUM COURT FROM THREE LOTS INTO ONE LOT.

Mayor Pro Tempore Aubuchon moved, seconded by Mr. Taylor, the adoption of Bill 4958 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 7</u>	<u>NAY - 0</u>
Mr. Ryan	
Ms. Matlock	
Mr. Taylor	
Mrs. Hendon	

Mrs. Singleton
Mrs. Stroker
Mayor Pro Tempore Aubuchon

Bill 4958 was unanimously adopted as Ordinance 4842-21.

**BILL 4959
2021 TAX RATES** The second reading of Bill 4959, to establish the 2021 ad valorem tax rates, was postponed.

**BILL 4960
CHAPTER 100 BONDS** Mayor Pro Tempore Aubuchon called for the second reading of Bill 4960 to authorize the issuance of \$28.5 million in taxable industrial revenue bonds for Hazelwood TradePort, Lot 9.

There were no objections and Bill 4960 was read by title only:

AN ORDINANCE AUTHORIZING THE CITY OF HAZELWOOD, MISSOURI TO ISSUE ITS TAXABLE INDUSTRIAL REVENUE BONDS (NP HAZELWOOD 370 BUILDING 9, LLC PROJECT), SERIES 2021, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$28,500,000, FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COSTS OF ACQUIRING, CONSTRUCTING AND IMPROVING A FACILITY FOR AN INDUSTRIAL DEVELOPMENT PROJECT IN THE CITY; AND AUTHORIZING THE CITY TO ENTER INTO CERTAIN AGREEMENTS AND TAKE CERTAIN OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF THE BONDS.

Mrs. Hendon moved, seconded by Mr. Taylor, the adoption of Bill 4960 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 7</u>	<u>NAY - 0</u>
Mr. Ryan	
Ms. Matlock	
Mr. Taylor	
Mrs. Hendon	
Mrs. Singleton	
Mrs. Stroker	
Mayor Pro Tempore Aubuchon	

Bill 4960 was unanimously adopted as Ordinance 4843-21.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

COUNCIL MEETINGS Mayor Pro Tempore Aubuchon announced the next regular Council meeting would be held Wednesday, October 6, 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 8:23 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

Julie Lowery - City Clerk
City of Hazelwood, Missouri