

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
FEBRUARY 3, 2021**

CALL TO ORDER

A regular meeting of the Hazelwood City Council was called to order by Mayor Matthew G. Robinson at 7:37 p.m. on Wednesday, February 3, 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:

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

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. Todd moved, seconded by Mr. Ryan, the adoption of the agenda as printed. The motion passed unanimously.

CONSENT AGENDA

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

AYE - 9

NAY - 0

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

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. Singleton moved, seconded by Mr. Aubuchon, to approve the minutes of the January 20 regular and closed Council meetings as submitted. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS - None

PROCLAMATIONS AND RESOLUTIONS

GNCCC 2021 BUSINESS PERSONS OF THE YEAR PROCLAMATION Mayor Robinson called for the reading of a proclamation congratulating Chris and Kathy Helfer, the Greater North County Chamber of Commerce 2021 Business Persons of the Year.

There were no objections and Proclamation 2104 was read.

Mr. Aubuchon moved, seconded by Mr. Herin, the adoption of Proclamation 2104 extending congratulations to Chris and Kathy Helfer, Greater North County Chamber of Commerce 2021 Outstanding Business Persons of the Year, and commending them for their involvement and dedicated service to the community. The motion passed unanimously.

GNCCC 2021 ZYKAN FAMILY LEGACY AWARD PROCLAMATION Mayor Robinson called for the reading of a proclamation congratulating Senator Gina Walsh, the Greater North County Chamber of Commerce 2021 Zykan Family Legacy Award recipient.

There were no objections and Proclamation 2105 was read.

Mr. Aubuchon moved, seconded by Mr. Ryan, the adoption of Proclamation 2105 extending congratulations to Senator Gina Walsh, Greater North County Chamber of Commerce 2021 Zykan Family Legacy Award recipient, and commending her for her contributions to the Greater North County Chamber and the North County community. The motion passed unanimously.

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.

SLUP EXTENSION A request for an extension of the Special Land Use Permit
12035 MO BOTTOM RD. deadlines to commence construction and full operation of
 CannaVer, LLC at 12035 Missouri Bottom Road was
 received.

City Planner Kate Crimmins reported construction is underway for the renovation of the building, but there have been delays related to the coronavirus pandemic. Mrs. Crimmins stated St. Louis County has been running many weeks behind schedule for plumbing and electrical inspections and that has caused constructions delays. CannaVer anticipates being in operation by April 2021.

CannaVer, LLC representative Aly Piscatelli was available for questions.

Mr. Aubuchon moved, seconded by Mr. Herin, to extend the Special Land Use Permit deadlines to commence construction and operation of CannaVer, LLC, at 12035 Missouri Bottom Road by six months 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.

PUBLIC HEARINGS

LIQUOR LICENSE Mayor Robinson stated the public hearing to consider the
6827 HOWDERSHELL application by Camille Childress for a Full Liquor License, with
 Sunday, for Inspiring Angels at 6827 Howdershell Road has
 been postponed until March 17, 2021.

SUBDIVISION
9170 LATTY AVENUE
9200 LATTY AVENUE

Mayor Robinson called to order the public hearing to consider the petition by Jarboe Realty and Investment Co., Inc., for the subdivision of 9170 and 9200 Latty Avenue to adjust the lots' boundaries.

Mrs. Crimmins stated the site is located in an I-2 Heavy Industrial District and all the surrounding uses are industrial. The new lot line will run along the existing fence line, and the existing building at the southern end of the property, that straddles the lot line, will be entirely on 9170 Latty Avenue.

Jarboe Realty and Investment Co., Inc. owner Rod Jarboe was available for questions. Mr. Jarboe stated he has owned both lots for over 25 years and operates a business located at 9200 Latty Avenue. After the lot line is adjusted, 9170 Latty Avenue will be a vacant lot that will be sold.

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 subdivision boundary adjustment located at 9170 and 9200 Latty Avenue, Ward 2." She stated the motion passed unanimously.

Mr. Aubuchon moved, seconded by Mrs. Stroker, to concur with the City Plan Commission recommendation to authorize the subdivision of 9170 and 9200 Latty Avenue 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.

SLUP
7217 N. LINDBERGH

Mayor Robinson called to order the public hearing to consider the petition received from The Jackson Vincent Group, LLC for a Special Land Use Permit for a restaurant at 7217 North Lindbergh Boulevard.

Mrs. Crimmins reported the restaurant would serve burger, wraps, and salads and would like to provide a family style atmosphere. The site is located in a C-2 General Commercial District. The proposed restaurant would seat 30 to 35 customers and will operate seven days a week. The hours of operation would be 11 a.m. to 1:30 a.m. Monday through Saturday and 12 p.m. to 12 a.m. on Sunday. The applicant has also applied for a liquor license and that public hearing will take place at the next Council meeting.

The Jackson Vincent Group, LLC owner Demetrius Jackson stated a security camera system would be setup inside the restaurant and outside of the restaurant. The parking

lot will be striped prior to opening and a dumpster enclosure will be setup in the back of the building.

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 Special Land Use Permit for a restaurant located at 7217 North Lindbergh Boulevard with the following condition that the parking lot striping shall be repainted before opening.” She stated the motion passed unanimously.

Mrs. Hendon moved, seconded by Mrs. Stroker, to concur with the City Plan Commission recommendation to grant the Special Land Use Permit for a restaurant at 7217 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.c.

COMMUNICATIONS

EWGCG BRIEFINGS The January 14 issue of Briefings was received from the East-West Gateway Council of Governments.

EWGCG BRIEFINGS The January 21 issue of Briefings was received from the East-West Gateway Council of Governments.

CHARTER COMMUNICATIONS Notification of a new programming launches was received from Charter Communications.

SUBDIVISION PETITION 135 BYASSEE DRIVE 143 BYASSEE DRIVE A petition for subdivision plat of 135 Byassee Drive and 143 Byassee Drive to consolidate two lots into one lot was received from Byassee Enterprises, LLC.

SLUP PETITION 6827 HOWDERSHELL A petition for a Special Land Use Permit for a banquet facility at 6827 Howdershell Road was received from Inspiring Angels Private Event Center, Inc.

UNFINISHED BUSINESS

HOWDERSHELL RD. SPEED LIMIT STUDY Discussions regarding the proposed speed limit change on Howdershell Road continued.

Mr. Zimmerman stated at the January 6 Council meeting the Council expressed opposition to St. Louis County’s proposed speed limit change to 40 miles per hour (mph) on Howdershell Road and Shackelford Road. The County Transportation Department

presented the study to the Florissant City Council on January 25. While neither Council took definitive action on the proposal, both communities expressed concerns about increasing the speed limit. Mr. Zimmerman stated County Councilwoman Kelli Dunaway, whose district includes most of Howdershell/Shackelford Roads, sent an email to the Hazelwood and Florissant City Councils suggesting the speed limit be changed to 35 mph from Brown Road to Humes Road then maintain the 40 mph to New Halls Ferry Road.

Mrs. Singleton expressed opposition to any increase in the speed limit on Howdershell Road.

Messers. Ryan and Herin agreed with Mrs. Singleton.

MAYOR AND COUNCIL REPORTS

**WORK SESSION
AGENDA ITEMS** No items were added to the March 10 Council work session agenda.

**RFPD FIRE SERVICES
UPDATE** Mr. O’Keefe reported Robertson Fire Protection District (RFPD) submitted the necessary paperwork for the annexation measure to be placed on the April 6 election ballot.

**APPOINTMENTS TO
BOARD OF REVIEW** Mrs. Lowery had provided the Council with notice of the need to appoint four Council members to the 2021 Board of Review.

Traditionally, the Council has alternated between members of the even and odd numbers wards. In 2020, the members of the odd numbered wards served.

Mr. Aubuchon moved, seconded by Mrs. Hendon, to appoint the Council members of Wards 2, 4, 6 and 8 to serve as the 2021 Board of Review, with one Council member to serve as the alternate. The motion passed unanimously.

**GREEN SALES TAX
HOLIDAY** Mrs. Lowery had provided the Council with notice that the ordinance authorizing ongoing participation in the annual Green Sales Tax Holiday was adopted with the condition the subject is placed on the agenda every year to assure the Council’s continued support.

The sales tax holiday is from April 19 through April 25. No action by the Council is needed to continue participation.

There were no objections from the Council and the City will participate.

FACEBOOK LIVE Mayor Robinson stated the meeting is being live streamed to Facebook to try and reach a broader audience and get more public participation.

CITY MANAGER'S REPORT

PURCHASE OF TRUCK FOR PUBLIC WORKS Public Works Director David Stewart reported staff recommends the purchase of a 2021 Ford F-150 4WD crew cab truck from Bommarito Ford of Hazelwood, at a cost of \$34,798, for the Public Works Department.

The State of Missouri bid for a Ford F-150 XL 4WD crew cab, per contract #CC210581002, is \$34,798. Bommarito Ford of Hazelwood will match the state bid. The 2020-2021 budget includes an allocation of \$75,000 for the purchase of two trucks in the Maintenance Division of the Public Works Department.

Mr. Todd moved, seconded by Mrs. Hendon, to concur with the staff recommendation to purchase a 2021 Ford F-150 4WD crew cab truck from Bommarito Ford of Hazelwood. The motion passed unanimously.

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT

DESTRUCTION OF RECORDS Mrs. Lowery had provided the Council with a record destruction report consisting of Record Destruction Forms from the Police Department and Finance Department for records destroyed January 22, 2021.

The Missouri Secretary of State's Office provides schedules with minimum retention periods for certain local government records. Upon expiration of the period, the records may be destroyed. Per state statute, the report must be made part of the Council's minutes or attached to the minutes.

Mr. Aubuchon moved, seconded by Mr. Taylor, to accept the record destruction report and attach it to the minutes. The motion passed unanimously.

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

SLUP EXTENSION 12035 MO BOTTOM RD. Mayor Robinson called for the first reading of a bill to extend the Special Land Use Permit deadlines for CannaVer, LLC for construction and operation of medical marijuana infused products manufacturing facility, at 12035 Missouri Bottom Road

There were no objections and Bill 4923 was read by title only:

AN ORDINANCE AMENDING ORDINANCE 4766-20 BY EXTENDING THE SPECIAL LAND USE PERMIT DEADLINES TO COMMENCE CONSTRUCTION

AND FULL OPERATION OF CANNAVER, LLC AT 12035 MISSOURI BOTTOM ROAD.

Bill 4923 will be on the agenda for second reading on February 17.

SUBDIVISION Mayor Robinson called for the first reading of a bill to
9170 LATTY AVE. authorize the subdivision of 9170 Latty Avenue and
& 9200 LATTY AVE. 9200 Latty Avenue.

There were no objections and Bill 4924 was read by title only:

AN ORDINANCE APPROVING THE SUBDIVISION OF 9170 AND 9200 LATTY AVENUE TO ADJUST THE LOTS' BOUNDARIES.

Bill 4924 will be on the agenda for second reading on February 17.

SLUP Mayor Robinson called for the first reading of a bill to grant a
7217 N. LINDBERGH Special Land Use Permit for a restaurant at 7217 North
Lindbergh Boulevard.

There were no objections and Bill 4925 was read by title only:

AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO THE JACKSON VINCENT GROUP, LLC D/B/A LOVE RESTAURANT FOR A RESTAURANT AT 7217 NORTH LINDBERGH BOULEVARD AND PROVIDING THE CONDITIONS OF SUCH USAGE.

Bill 4925 will be on the agenda for second reading on February 17.

SECOND READING OF BILLS AND ACTION ON BILLS – None

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

CITY HALL CLOSED Mayor Robinson announced City Hall will be closed for
Presidents' Day on February 15.

COUNCIL MEETING Mayor Robinson announced the next regular Council
meeting will be held Wednesday, February 17, 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 8:32 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

Julie Lowery - City Clerk
City of Hazelwood, Missouri