

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
APRIL 7, 2021**

CALL TO ORDER

A regular meeting of the Hazelwood City Council was called to order by Mayor Matthew G. Robinson at 7:35 p.m. on Wednesday, April 7, 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:

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

City Clerk Julie Lowery declared a quorum was present. Also present were City Manager Matt Zimmerman and City Attorney Kevin O'Keefe.

*Council Member Daniel T. Herin arrived at 7:47 p.m.

AGENDA

Mrs. Singleton moved, seconded by Mr. Ryan, to amend the agenda by the addition of a discussion of Missouri House Bill 1016 as item 11.f. The motion passed unanimously.

Mr. Taylor moved, seconded by Mrs. Singleton, to adopt the agenda as amended. The motion passed unanimously.

CONSENT AGENDA

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

AYE - 8

NAY - 0

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

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), was adopted.

APPROVAL OF MINUTES

Mr. Taylor moved, seconded by Mr. Aubuchon, to approve the minutes of the March 17 regular Council meeting as submitted. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS

EMPLOYEE INTRODUCTION

Mr. Zimmerman introduced the new Deputy City Clerk Jennifer Chappie.

PROCLAMATIONS AND RESOLUTIONS

PW FOREMAN PROCLAMATION

Mayor Robinson called for the reading of a proclamation expressing recognition and appreciation to retiring Public Works Foreman Darin Hamm.

There were no objections and Proclamation 2106 was read.

Mrs. Singleton moved, seconded by Mrs. Hendon, the adoption of Proclamation 2106 expressing recognition and appreciation to Public Works Foreman Darin Hamm for 25 years of dedicated service to the Hazelwood community and extending sincere good wishes for a happy retirement. 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.

PUBLIC HEARINGS

SLUP
12550 MO BOTTOM RD. Mayor Robinson called to order the public hearing to consider the petition by Chloe's Playhouse, LLC for a Special Land Use Permit for a childcare center at 12550 Missouri Bottom Road.

City Planner Kate Crimmins reported the proposed childcare center would be located inside of the Emmaus Road Baptist Church. Proposed are three classrooms divided into age groupings of two year olds, two to four year olds and ages five and up. Mrs. Crimmins stated they would also have an office space and restrooms. The childcare center would operate Monday through Friday, 6 a.m. to 6 p.m. The petitioner has a licensing capacity of 17 children from age's two to 12. Mrs. Crimmins stated there would be up to six employees depending on enrollment.

Chloe's Playhouse owner Lauren Stokes gave a brief presentation on the layout of the proposed childcare center and explained how the center would operate.

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 childcare center at 12550 Missouri Bottom Road, Ward 4." She stated the motion passed unanimously.

Mr. Herin moved, seconded by Mrs. Stroker, to concur with the City Plan Commission recommendation to grant the Special Land Use Permit for a childcare center at 12550 Missouri Bottom Road 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.

SUBDIVISION
6032 AVIATOR DRIVE & Mayor Robinson called to order the public hearing to consider the petition by The Clayton Engineering Company,

6048 AVIATOR DRIVE Inc., for subdivision of 6032 and 6048 Aviator Drive to consolidate two lots into one lot.

Mrs. Crimmins reported this petition is to consolidate two lots, 5.99 acres and 5.46 acres, into one 11.45 acre lot. The parcels are currently vacant. Aviator Business Park's developer is planning for an industrial warehouse.

Project Engineer JR Willhite of The Clayton Engineering Company was available for questions.

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 subdivision from two lots into one lot called "Aviator Business Park – Plat 8," Ward 2." She stated the motion passed unanimously.

Mr. Aubuchon moved, seconded by Mrs. Hendon, to concur with the City Plan Commission recommendation to authorize the subdivision of 6032 and 6048 Aviator Drive from two lots into one lot 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.

COMMUNICATIONS

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

SLUP PETITION 9085 DUNN ROAD A petition for a Special Land Use Permit for a restaurant at 9085 Dunn Road was received from 9085 Dunn Kitchen & Bar, LLC d/b/a At Monroe.

PROPOSAL TO AMEND CODE A proposal to amend *Chapter 405. Zoning Regulations* relative to gunsmiths and the sale of firearms and ammunition was received from City Planner Kate Crimmins.

EWGCG BRIEFINGS The March 25 issue of Briefings was received from the East-West Gateway Council of Governments.

REQUEST FOR STIMULUS FUNDS A letter requesting a portion of the HR1319 stimulus funds was received from Valley Industries.

CHARTER COMMUNICATIONS Notice concerning various channel rebrands was received from Charter Communications.

EWGCG
BRIEFINGS

The April 1 issue of Briefings was received from the East-West Gateway Council of Governments.

Mr. Taylor moved, seconded by Mr. Aubuchon, 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 May 12 budget Council work session agenda.

FUTURE BUDGET
MEETINGS

After discussion, the Council agreed to schedule an additional budget work session on April 28 at 6 p.m. The motion passed unanimously.

WARD 5 VACANCY

After discussion, the Council agreed to start receiving applications for the Ward 5 seat immediately.

The deadline for applicants to apply will be April 21.

RFPD FIRE SERVICES

Mr. O'Keefe reported that Robertson Fire Protection District's (RFPD) Proposition R, for annexation, failed by 58% against and 42% in favor of.

Mr. Herin stated he received feedback that the City was not transparent with this proposition.

Mrs. Singleton stated this was not the City's proposition.

Mr. Herin stated he also received negative feedback about City staff removing signs from residents' yards.

Mrs. Hendon stated that RFPD requested that signs that were in the public right-of-way be removed.

Mr. Zimmerman stated he received an email from RFPD stating there were signs posted that were in violation of the City Code and the City should enforce our code. Mr. Zimmerman stated it was discussed with RFPD that signs in the public right-of-way are discouraged. Following that discussion, RFPD's attorney reached out and stated they expect the City to enforce their codes. Mr. Zimmerman stated signs that were in the public right-of-way were removed pursuant to the Code.

Mayor Robinson stated this has been a difficult process to navigate through and the City has been in negotiations with RFPD for over three years. He stated he hopes to talk about other options with RFPD in the future.

Mayor Robinson stated he was not in favor of removing any election signs unless they posed as a public safety hazard.

COMMISSION Mayor Robinson nominated Monica Shepard, 7215 Gerardini
APPOINTMENT Drive, for appointment to the Community Enrichment
Commission.

Mr. Ryan moved, seconded by Mr. Taylor, to approve the preceding appointment. The motion passed unanimously.

MO HOUSE BILL 1016 Mayor Robinson explained Missouri House Bill 1016 is a bill
that has been proposed regarding merging fire districts.

Mayor Robinson stated this bill excludes municipalities from having any say about their fire department.

Mrs. Singleton stated she does not take a position on the matter.

Mrs. Hendon stated she did not believe this was going to be discussed until the April 21 meeting when the Hazelwood Fire Department was making their presentation.

Mayor Robinson asked the Council if they support House Bill 1016.

Mrs. Singleton stated they need more time to make a decision.

CITY MANAGER'S REPORT

CONTRACT Public Works Director David Stewart reported staff
WHITE BIRCH BAY recommends authorizing a contract with Dale Cooper, LLC
POOL SLIDE d/b/a Safe Slide Restoration for the 2021 White Birch Bay
RESTORATION Pool Slide Restoration Project at a cost not to exceed
PROJECT \$50,750.

Mr. Stewart stated the current fiscal year Capital Improvement Fund budget includes \$45,000 to perform restoration work to all four waterslides at White Birch Bay Aquatic Center. This needed maintenance has not been performed since the pool opened 13 years ago and will repair deficiencies such as open seams and cracking to help ensure a safe and functional surface for the patrons. Mr. Stewart stated Safe Slide Restoration was the lowest bidder and they have successfully completed similar projects at large commercial waterparks.

Mrs. Hendon asked if the slides were in poor condition.

Mr. Zimmerman replied affirmatively and stated there are safety concerns.

Mrs. Hendon moved, seconded by Mrs. Singleton, to concur with the staff recommendation to authorize the contract with Dale Cooper, LLC d/b/a Safe Slide Restoration 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.

CONTRACT MAINTENANCE GARAGE REMODEL PROJECT	Mr. Stewart reported staff recommends authorizing a contract with AME Construction, LLC d/b/a A. Eilers Construction for the 2021 Maintenance Garage Kitchen Remodel Project at a cost not to exceed \$20,094.
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Mr. Stewart stated the current fiscal year Capital Improvement Fund budget includes \$46,000 to replace flooring and remodel the kitchen at the Maintenance Garage. Mr. Stewart stated A. Eilers Construction was the lowest bidder. The flooring and other aspects of the renovation such as painting, bathroom partitions, appliances, etc. will be procured through the competitive quotation process or outright purchase and will be installed with in-house staff to save cost.

Mrs. Singleton asked if this project was necessary.

Mr. Stewart responded affirmatively, stated the stove that maintenance staff currently uses was found 20 years ago on the side of the road and is in poor condition, and the flooring in the kitchen is old and turning yellow.

Mrs. Hendon asked if the stove is a necessity.

Mr. Stewart replied affirmatively.

Mr. Ryan asked if any of this labor could be done by maintenance staff.

Mr. Stewart responded they would be putting down an epoxy-coated flooring and would need to use a contractor for that type of work.

Mayor Robinson stated the kitchens at City Hall, in the Police Department and Firehouse #2 were all remodeled.

Mrs. Singleton moved, seconded by Mr. Aubuchon, to concur with the staff recommendation to authorize the contract with AME Construction, LLC d/b/a A. Eilers Construction 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.

SOLID WASTE COLLECTION	Mr. Stewart stated the current five-year solid waste and recycling contract with Republic Services is set to expire on
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August 31, 2021 and City staff has discussed the potential for renewing this contract for an additional five years.

Mr. Stewart stated a new contract with Republic Services would start on September 1, 2021 and includes no cost increase for year one and 3% cost of living adjustments for years two through five. There are options for either optional or mandatory yard waste collection and no changes proposed to the senior/100% disabled discount. City staff believes this proposal is an attractive value considering market pricing and Republic's excellent reputation they have built with the City over the years. Mr. Stewart stated if the Council concurs with staff to proceed with a contract renewal, staff would prepare an ordinance for a new five-year contract. If not, staff would prepare to go out for bids on these services.

Republic Services Manager of Municipal Services Joell Aguirre gave a presentation. She emphasized that there are no changes proposed to the trash services. Trash is picked up once a week in a cart that is included at no cost to the resident. Recycle is picked up once a week in a cart that is included at no cost to the resident. Bulk pick-up is a weekly service that is unlimited and at no cost to the residents, the resident has to call and schedule the pick-up. Appliance collection is once a week and costs \$25 per appliance and is a service that requires scheduling. Ms. Aguirre stated the optional yard waste collection is pick-up once a week with a minimum of a three-month commitment and a limit of eight containers per week. The residents who participate in senior discount and 100% disabled discount programs continue to receive services at a 50% discount. Republic Services would continue to bill the residents quarterly. Ms. Aguirre stated that last year less than 1% of Hazelwood residents documented a missed pick-up out of approximately 535,000 annual collections. Ms. Aguirre noted all municipal facilities located in Hazelwood are serviced at no cost to the City, which is valued at \$30,000 annually. Republic is recommitting to the Green Committee as an active participant, but also committing an annual \$2,000 contribution to that committee. Ms. Aguirre stated they are proposing to move the residents off their annual price increase index.

Mr. Aubuchon stated he would like to see the trash contract go out for bid to make sure the City is getting the most competitive pricing.

The Council agreed with Mr. Aubuchon.

Mr. Aubuchon moved, seconded by Mrs. Hendon, to initiate the bidding process for City trash service collection. The motion passed unanimously.

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT - None

COMMISSION AND BOARD REPORTS

Mr. Taylor moved, seconded by Mr. Aubuchon, to receive and file the minutes of the January 11 and February 8 Neighborhood Watch Commission meetings and the March 2 Parks and Recreation Board meeting. The motion passed unanimously.

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

SLUP Mayor Robinson called for the first reading of a bill to grant a
12550 MO BOTTOM RD. Special Land Use Permit for a childcare center at 12550
Missouri Bottom Road.

There were no objections and Bill 4929 was read by title only:

AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO CHLOE’S PLAYHOUSE, LLC FOR A CHILDCARE CENTER AT 12550 MISSOURI BOTTOM ROAD AND PROVIDING THE CONDITIONS OF SUCH USAGE.

Bill 4929 will be on the agenda for second reading on April 21.

SUBDIVISION Mayor Robinson called for the first reading of a bill to
6032 AVIATOR DR. & authorize the subdivision of 6032 Aviator Drive and 6048
6048 AVIATOR DR. Aviator Drive.

There were no objections and Bill 4930 was read by title only:

AN ORDINANCE APPROVING THE SUBDIVISION OF 6032 AVIATOR DRIVE AND 6048 AVIATOR DRIVE FROM TWO LOTS INTO ONE LOT.

Bill 4930 will be on the agenda for second reading on April 21.

CONTRACT Mayor Robinson called for the first reading of a bill to
WHITE BIRCH BAY authorize a contract with Dale Cooper, LLC d/b/a Safe Slide
POOL SLIDE Restoration for the 2021 White Birch Bay Pool Slide
RESTORATION PROJ. Restoration Project.

There were no objections and Bill 4931 was read by title only:

AN ORDINANCE AUTHORIZING A CONTRACT WITH DALE COOPER, LLC D/B/A SAFE SLIDE RESTORATION FOR THE 2021 WHITE BIRCH BAY POOL SLIDE RESTORATION PROJECT AT A COST NOT TO EXCEED \$50,750.

Bill 4931 will be on the agenda for second reading on April 21.

ADJOURNMENT

There being no further business to come before the Council,
the meeting was adjourned at 9:07 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

Julie Lowery - City Clerk
City of Hazelwood, Missouri