

**CITY OF HAZELWOOD  
REGULAR COUNCIL MEETING  
APRIL 15, 2020**

**CALL TO ORDER**

A regular meeting of the Hazelwood City Council was called to order by Mayor Matthew G. Robinson 7:33 p.m. on Wednesday, April 15, 2020.

In response to the coronavirus (COVID-19) public health emergency and pursuant to the St. Louis County Stay-at-Home Order, 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 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

Council Member Tyler Wilson was not present. City Clerk Christine Thomas declared a quorum was present.

Also present were City Manager Matt Zimmerman and City Attorney Kevin O'Keefe.

**AGENDA**

Mayor Robinson moved, seconded by Mrs. Stroker, to amend the agenda by the addition of a budget meeting discussion as item 11.c. The motion passed unanimously.

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

**CONSENT AGENDA**

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

AYE - 8

NAY - 0

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

The motion passed unanimously and the consent agenda, including a closed meeting immediately following the regular meeting to discuss litigation and consult with the City Attorney in accordance with the provisions of RSMo 610.021(1), to discuss a proprietary matter in accordance with the provisions of RSMo 610.021(15) and to discuss a personnel matter in accordance with the provisions of RSMo 610.021(3), was adopted.

**APPROVAL OF MINUTES**

Mrs. Hendon moved, seconded by Mrs. Singleton, to approve the minutes of the April 1 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**

Mayor Robinson stated the hearing of citizens’ comments has been suspended. Written comments may be submitted to: Hazelwood City Council, c/o City Clerk, 415 Elm Grove Lane, Hazelwood, MO 63042 or CityClerk@hazelwoodmo.org with “Citizen Comment” in the subject line.

Mayor Robinson asked Mrs. Thomas if any written comments had been received.

Mrs. Thomas replied none were received.

**PUBLIC HEARINGS**

**SIGN VARIANCE  
8917 DUNN ROAD**

An application for a 46.5 square foot variance of the maximum size regulation for wall signs to permit a 78.5 square foot wall sign on the south elevation at 8917 Dunn Road had been received from Car Craft Autobody.

City Planner Earl Bradfield stated the property is in an I-1 Light Industrial District. The application is for a variance of a provision of Code Section 510.030 *Construction Standards – Location* that permits wall signs up to 32 square feet.

John Wilk of Bill Yount Signs, representing the applicant, stated two-thirds of the front elevation is windows and windows aren't included in the total square footage calculation for determining the size of the sign to be permitted. Mr. Wilk stated this would be Car Craft's primary sign and, due to the setback from I-270, a 78.5 square foot wall sign is needed for visibility from the interstate. The original tenant at this location was Mungenast Hyundai and they had a similar size sign.

Mr. Todd stated he is in favor of the variance because the majority of the wall is glass and the building has been vacant for some time.

Mr. Todd moved, seconded by Mr. Taylor, to grant a 46.5 square foot variance of the maximum size regulation for wall signs to permit a 78.5 square foot wall sign on the south elevation at 8917 Dunn Road. The motion passed unanimously.

SIGN VARIANCES  
7900 N. LINDBERGH

Mayor Robinson called to order the public hearings to consider the applications received from Halle Properties, LLC, d/b/a Discount Tires, for variances of the sign regulations at 7900 North Lindbergh Boulevard as follows: 1) variance of Section 510.030 to permit a wall sign on the north elevation, a wall that is not street-side; 2) 6.1 square foot variance of the maximum size regulation in Section 510.303 to permit a 66.91 square foot sign on the west elevation; and 3) variances of Section 510.020 as follows: 8-foot variance of the 18 foot front yard setback requirement, 37 square foot variance of the 20 square foot maximum size regulation, and 2-foot variance of the 8-foot maximum height regulation for a monument sign.

Mr. Bradfield was available to answer questions from the Council.

Mr. Aubuchon expressed concerns with the monument sign obstructing motorists' view of traffic coming out of Chez Patee.

Mr. Bradfield stated the monument sign would be in the middle of the property, not at the corner.

Mr. Todd added the monument sign does not appear to be in the sight distance triangle.

Todd Mosher of RA Smith, Inc., representing the applicant, was available to answer questions from the Council.

Mr. Todd asked if the existing pole sign would be removed.

Mr. Mosher responded affirmatively.

Mr. Mosher gave a brief presentation. He stated the former Outback Steakhouse building would be demolished. Construction would begin in the middle of 2021 and would take approximately nine months.

Mr. Todd moved, seconded by Mrs. Hendon, to grant a variance to permit a wall sign on the north elevation, a wall that is not street-side, at 7900 North Lindbergh Boulevard. The motion passed unanimously.

Mrs. Thomas noted the applications included a request for a variance to permit a 66.91 square foot wall sign on the west elevation. This evening, the applicant asked to increase that variance request to permit a 76 square foot wall sign.

Mr. Todd moved, seconded by Mr. Taylor, to grant a 6.1 square foot variance of the maximum size regulation to permit a 66.91 square foot wall sign on the west elevation at 7900 North Lindbergh Boulevard. The motion passed unanimously.

Mr. Todd moved, seconded by Mrs. Hendon, to grant an 8-foot variance of the 18-foot front yard setback requirement, a 37 square foot variance of the 20 square foot maximum size regulation, and a 2-foot variance of the 8-foot maximum height regulation for a monument sign at 7900 North Lindbergh Boulevard with the condition the setback does not interfere with the sight distance triangle at Chez Patee and North Lindbergh Boulevard.

Mr. Zimmerman stated the Plan Review Committee determined the setback would not interfere with the sight distance triangle.

The motion then passed unanimously.

## **COMMUNICATIONS**

VILLAGE SQUARE CID PROPOSED FY 2020-2021 BUDGET      A request for written comments on the Village Square Community Improvement District proposed fiscal year 2020-2021 budget was received from Lewis Rice.

EWGCG LOCAL BRIEFINGS      The April 2 issue of Local Government Briefings was received from the East-West Gateway Council of Governments.

EWGCG LOCAL BRIEFINGS      The April 9 issue of Local Government Briefings was received from the East-West Gateway Council of Governments.

Mrs. Hendon moved, seconded by Mrs. Singleton, to receive and file all communications. The motion passed unanimously.

## **UNFINISHED BUSINESS - None**

## **MAYOR AND COUNCIL REPORTS**

**MAY 13 BUDGET WORK SESSION** After discussion, the May 13 Council budget work session was scheduled for 6 p.m.

**HAZELWOOD FIRE SERVICES** The need for a long-term solution for providing fire services in the City was discussed.

Mr. Zimmerman stated the Florissant Valley Fire Protection District (FVFPD) requested that the City make a public announcement concerning the City's need to consider all options for a long-term solution for the provision of fire services in the City. They also expressed concerns with the timing for obtaining the petition signatures needed to place an annexation proposition on the August 2020 ballot.

Mr. Zimmerman stated, before discussing next steps, he feels it's necessary to provide a budget update. A \$713,000 deficit was projected for the current fiscal year and a \$3.6 million deficit was projected for next fiscal year. However, the Missouri City Management Association and the Government Finance Officers Association of Missouri predict significant reductions in local government revenue due to the impact of the coronavirus pandemic. Therefore, new projections are a deficit of \$2.2 million for the current fiscal year, ending June 30, 2020, and a deficit of \$7.8 million for next fiscal year, ending June 30, 2021. The City could be out of money before the end of next fiscal year and the urgency for finding a solution to the issue of providing fire services has increased. To maintain a 17% reserve, cuts of \$6.5 million would be needed. Mr. Zimmerman noted municipalities are more affected than other taxing districts whose revenues are solely property tax based.

Mr. O'Keefe stated an agreement with the Robertson Fire Protection District (RFPD) for a path forward hasn't been reached and discussions have not been fruitful. In addition, the RFPD objected to the language in the public statement, to be made by motion of the Council, that was proposed by the FVFPD and the International Association of Firefighters Local 2665. In this environment, the City understands the impediment associated with acquiring the estimated 2,500 signatures on the petition required for an annexation proposal. However, compounded by the effect of the coronavirus pandemic, the City's already precarious financial circumstances require immediate attention. Therefore, a motion has been prepared for Council's consideration in order to keep the possibility of annexation alive by taking the preliminary steps necessary and by putting the City's taxpayers on alert that a ballot proposition may be forthcoming and the reasons for it. Mr. O'Keefe noted an option within the City's power is resubmission of a ballot issue to establish a Neighborhood Improvement District (NID), in the area of the City served by the RFPD, to assist in bearing the cost of fire services. Unlike an annexation proposal

that must be placed on the ballot by the fire district, the City could place the NID proposition on the ballot. He emphasized the August 2020 election is the only election that would have an impact on the City's 2021 budget. The deadline for certification of an August 2020 ballot proposition is May 26.

Mr. Zimmerman emphasized a NID proposition would require support of the RFPD to pass.

The Council expressed support of placing a NID proposition on the August 2020 ballot.

In response to questions from the Council, Mr. O'Keefe stated NID and annexation propositions could be on the same ballot. An annexation proposition would be placed on the ballot by the fire district and a NID proposition would be placed on the ballot by the City. If an annexation proposition is certified by the Election Board, the City would have until four weeks prior to the election to withdraw the NID proposition by court order.

Mrs. Singleton moved, seconded by Mrs. Hendon, that the Council go on record and authorize all appropriate further action necessary to present to the voters of the City of Hazelwood one or more measures to resolve the financial crisis facing our community.

For several years, and especially since December of 2017, the City Council has made it clear that the City of Hazelwood is facing an inevitable financial disaster brought on by decreasing revenue from sales and business license taxes and increased costs to provide service to our residents - especially the cost of paying for three separate fire service agencies to serve Hazelwood residents.

As we began the process of formulating the City's budget for the fiscal year starting July 1 we had planned to hold an extensive public engagement process to directly involve our citizens in prioritizing City services and spending. We planned to use this process to assist us in assessing proposals that could be presented to the voters in August to stabilize the City's ability to provide a full range of services to our citizens.

The coronavirus pandemic has, among other things, dramatically impacted this process in two significant ways. First, the economic fallout from the virus and the public health measures needed to combat it have exacerbated and greatly accelerated the financial crisis facing us. Our careful budgeting in past years allowed us to maintain a reserve fund adequate to assure continued public services for a reasonable period of time in the event of a downturn. But the unprecedented and immediate reduction in City revenue caused by the coronavirus pandemic means our reserves will no longer allow us to sustain our level of public service for very long at all. Second, the public health regulations necessary to combat the coronavirus pandemic mean we cannot hold public meetings for the community engagement and discussion necessary to fully inform our citizens about our situation and options and have their direct assistance in prioritizing our responses.

We do not have the luxury of time to wait while the current health crisis resolves itself. If we are to have a path to restore our financial stability before critical financial obligations become due on the first of the year, we must have our voters' input at the August election.

We will continue to assess every option that might assure our residents of continued critical City services. But, in the meantime, the Council needs to start the process by being sure our residents understand what is happening by clearly informing them as follows:

The City of Hazelwood is exploring the possibility of dissolving the City's Fire Department and finding alternatives for the delivery of fire and emergency. With the City's financial condition, maintaining the current service delivery model is unsustainable. The City will be pursuing the best option for our citizens, including but not limited to, service being provided by either the Robertson Fire Protection District, the Florissant Valley Fire Protection District, or the creation of a new fire district through a voter approved ballot issue. We will work to ensure that the best option is made available to our residents and we thank both fire districts for agreeing to participate in discussions that might help ensure emergency and fire service are maintained and provided at a high level for our citizens.

The motion passed unanimously.

Mr. Aubuchon moved, seconded by Mr. Taylor, to instruct staff to take the necessary steps to place a NID proposition on the August 2020 ballot. The motion passed unanimously.

**MEETING TO DISCUSS IMPACT OF PANDEMIC ON BUDGET** After discussion, the Council scheduled a special Council meeting for Wednesday, April 22, at 6 p.m. to discuss the impact of the coronavirus pandemic on the City budget.

## **CITY MANAGER'S REPORT**

**FIVE-YEAR CAPITAL IMPROVEMENT PLAN** The Council had been provided with copies of the proposed five-year Capital Improvement Fund Plan that is part of the fiscal year 2021 budget.

Finance Director David Tuberty stated the revenue and expenditure projections previously provided to the Council will be adjusted due to the impact of the coronavirus pandemic on Capital Improvement Fund revenues and Economic Development Fund revenues which are part of the five-year plan.

Mr. Zimmerman stated this presentation is to provide the Council with a list of planned expenditures and allow them to provide input.

Mr. Tuberty stated major expenditures planned for the upcoming fiscal year include improvements to the Police Station, a new roof at Firehouse #2, police vehicle replacements, park improvements with the help of grant funding, street and sidewalk replacements, and continued payments on long-term debt.

There were no questions or comments by the Council.

**2020 FIREWORKS DISPLAY** In the event the Council chose to contract for a 2020 fireworks display, they had been provided with a staff recommendation.

Mrs. Singleton stated other municipalities have canceled their fireworks displays and she doesn't believe it's wise to have a fireworks display. In addition, the \$24,000 expense that is equivalent to half a year's salary for some employees is a large expense to take on under the City's current financial circumstances.

Mayor Robinson stated he is uncomfortable with giving a bill to authorize a contract for first reading tonight, but the discussion could be left open to allow an opportunity to seek sponsorship to cover the expense.

Public Works Director David Stewart stated the recommended contractor, ARC Pyrotechnics, Inc., will allow the City to postpone the fireworks display until next July. However, the City will only get a refund if the Stay-at-Home Order is in effect on July 4 of this year.

After additional discussion Mrs. Singleton moved, seconded by Mrs. Hendon, to cancel the 2020 fireworks display. The motion passed unanimously.

**YARD WASTE COLLECTION** Mr. Zimmerman stated, with respect to Republic Services' temporary suspension of yard waste collection, yard waste will be collected the week of April 27.

Mr. Zimmerman stated yard waste will not be collected the week of May 4 and normal weekly service will resume the week of May 11.

Mrs. Singleton asked how residents will be notified.

Economic and Community Development Coordinator replied the information will be put on the City website and social media.

Joelle Aguirre of Republic Services stated Republic will make a robocall blast to residents.

**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 4846                                      The second reading of Bill 4846 to authorize the issuance of  
BOND ISSUANCE                              taxable industrial revenue bonds for development of  
TRADEPORT, LOT 1                              TradePort Lot 1, Building IV, was postponed.

BILL 4866                                      Mayor Robinson called for the second reading of Bill 4866 to  
SLUP EXTENSIONS                              extend the Special Land Use Permit deadlines to commence  
5951 HOWDERSHELL                              construction and operation of Tidal Wave Express Car Wash  
at 5951 Howdershell Road.

There were no objections and Bill 4866 was read by title only:

### **AN ORDINANCE AMENDING ORDINANCE 4717-19 BY EXTENDING THE SPECIAL LAND USE PERMIT DEADLINES TO COMMENCE CONSTRUCTION AND OPERATION OF TIDAL WAVE EXPRESS CAR WASH AT 5951 HOWDERSHELL ROAD.**

Mr. Aubuchon moved, seconded by Mr. Ryan, the adoption of Bill 4866 as an ordinance. The following vote was recorded on the motion:

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

Bill 4866 was unanimously adopted as Ordinance 4751-20.

BILL 4867                                      Mayor Robinson called for the second reading of Bill 4867 to  
SLUP    grant a Special Land Use Permit for a vehicle service and  
820 & 830 MCDONNELL                              repair facility and vehicle wash facility, vehicle rental/leasing,  
AND    vehicle sales (used), and vehicle painting at 820 and 830  
1570 VILLE MARTHA                              James S. McDonnell Boulevard and 1570 Ville Martha Lane.

There were no objections and Bill 4867 was read by title only:

### **AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO ENTERPRISE LEASING COMPANY STL, LLC FOR A VEHICLE SERVICE AND REPAIR FACILITY AND VEHICLE WASH FACILITY, VEHICLE RENTAL/LEASING, VEHICLE SALES (USED), AND VEHICLE PAINTING AT 820 AND**

**830 JAMES S. MCDONNELL BOULEVARD AND 1570 VILLE MARTHA LANE AND PROVIDING THE CONDITIONS OF SUCH USAGE.**

Mr. Aubuchon moved, seconded by Mr. Taylor, the adoption of Bill 4867 as an ordinance. The following vote was recorded on the motion:

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

Bill 4867 was unanimously adopted as Ordinance 4752-20.

BILL 4868 SLUP EXPANSION 183 MCDONNELL & 5900 N. LINDBERGH	Mayor Robinson called for the second reading of Bill 4868 to grant an expansion of the Special Land Use Permit for a vehicle service and repair facility at 183 James S. McDonnell Boulevard and 5900 North Lindbergh Boulevard to include vehicle storage.
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There were no objections and Bill 4868 was read by title only:

**AN ORDINANCE AMENDING ORDINANCE 4701-19 BY GRANTING AN EXPANSION OF THE SPECIAL LAND USE PERMIT ISSUED TO EXPRESS MEDICAL TRANSPORTERS, INC., FOR A VEHICLE SERVICE AND REPAIR FACILITY AT 183 JAMES S. MCDONNELL BOULEVARD AND 5900 NORTH LINDBERGH BOULEVARD TO INCLUDE VEHICLE STORAGE AND PROVIDING THE CONDITIONS OF SUCH USAGE.**

Mr. Aubuchon moved, seconded by Mrs. Hendon, the adoption of Bill 4868 as an ordinance. The following vote was recorded on the motion:

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

Bill 4868 was unanimously adopted as Ordinance 4753-20.

**MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS**

**COUNCIL MEETINGS** Mayor Robinson announced a special Council meeting will be held Wednesday, April 22, at 6 p.m. and the next regular Council meeting will be held Wednesday, May 6, at 7:30 p.m.

**ADJOURNMENT** There being no further business to come before the Council, the meeting was adjourned at 8:59 p.m.

ATTEST:

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Matthew G. Robinson - Mayor  
City of Hazelwood, Missouri

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Christine Thomas, CMC - City Clerk  
City of Hazelwood, Missouri