

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
AUGUST 19, 2020**

CALL TO ORDER

A regular meeting of the Hazelwood City Council was called to order by Mayor Matthew G. Robinson at 7:32 p.m. on Wednesday, August 19, 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:

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

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

*Mr. Herin joined the meeting at 7:54 p.m.

AGENDA

There being no amendments proposed, Mr. Taylor moved, seconded by Mr. Ryan, the adoption of the agenda as printed. The motion passed unanimously.

CONSENT AGENDA

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

AYE - 8

NAY - 0

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

The motion passed unanimously and the consent agenda was adopted.

APPROVAL OF MINUTES

Mrs. Singleton moved, seconded by Mrs. Hendon, to approve the minutes of the August 5 regular and closed Council meetings as submitted. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS

CERTIFIED RESULTS OF 8/4/20 ELECTION

Mrs. Lowery reported the certified results from the August 4 primary election.

Mrs. Lowery stated Proposition A, an increase of the fire sales tax rate from a quarter cent to a half cent, passed by a vote of 2,975 in favor and 2,144 opposed.

Mrs. Lowery stated Proposition F, the Hazelwood Annexation Area NID Tax Levy for Fire and EMS Service, failed by a vote of 378 in favor and 544 opposed.

EMPLOYEE INTRODUCTION

Mrs. Lowery introduced newly hired Deputy City Clerk James Cook.

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

SIGN VARIANCE The public hearing to consider the application by Hazelwood
8780 PERSHALL ROAD Equity, LLC d/b/a Family Dollar for a variance of the
requirement for all structural elements supporting pylon
signs to be architecturally treated at 8780 Pershall Road was
continued from the August 5 Council meeting.

Mr. Zimmerman stated the owner was not able to submit additional information about the cost to architecturally treat the sign poles and the reason for requesting the variance before the meeting tonight. Mr. Zimmerman requested the hearing be continued to the September 2 Council meeting.

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.

Mr. Todd moved, seconded by Mr. Taylor, to table consideration of the variance of the requirement for all structural elements supporting pylon signs to be architecturally treated at 8780 Pershall Road until the September 2 Council meeting.

COMMUNICATIONS

EWGCG The July 30 issue of Briefings was received from the
BRIEFINGS East-West Gateway Council of Governments.

WASTE REDUCTION & Information on the 2021 Waste Reduction and Recycling
RECYCLING GRANT Grant Program application process was received from the
St. Louis-Jefferson Solid Waste Management District.

NOTICE OF LAYOFFS A notification from GoJet Airlines regarding mass layoffs
GOJET AIRLINES at the St. Louis Hanger located at 5260 Banshee Road,
Building 42, was received.

EWGCG
BRIEFINGS

The August 6 issue of Briefings was received from the East-West Gateway Council of Governments.

Mrs. Singleton 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

After discussion Mr. Taylor moved, seconded by Mr. Todd, to cancel the September 9 Council work session. The motion passed unanimously.

HAZELWOOD FIRE
SERVICES

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

Mayor Robinson stated after the August 5 Council meeting it was too soon to discuss election results and the future of fire services in the City. Mayor Robinson stated Mr. Zimmerman will be giving a report of options, which include the possibility of having town hall meetings to get the residents involved. Mayor Robinson stated the residents need to decide how they want to receive fire services and how it will be paid for. The City needs to get residents to understand how serious of an issue this is and realize the potential budget cuts the City would have to endure.

Mr. Zimmerman stated the options include the following:

- 1) Find a mediated solution to amend the contract – The City is currently in court-mandated mediation with Robertson Fire Protection District (RFPD) to resolve the current litigation issue. The parties are attempting to reach an agreement on a ballot initiative to change how fire services are provided. This could include annexation of the RFPD and Florissant Valley Fire Protection District (FVFPD) areas into those respective boundaries, removing the City as an intermediary between the citizens and the fire districts. Annexation of the Hazelwood service area into the FVFPD boundaries is also currently being studied.
- 2) Reduced payments to the fire districts – Mediation could include a significant reduction in the contractual payments. Currently the City is scheduled to pay \$2 million to RFPD this fiscal year but will still have a deficit of \$4.5 million. It will get better as we get past the pandemic but the City still has a structural deficit. The City has to restructure the way fire services are provided because it can no longer afford having the cost of three fire service providers.
- 3) De-annexation of the Northwest territory – Statutory time limit to reverse the annexation, which was certified by the circuit court in 1995, expired in 2000. There is no statutory provision for a voluntary de-annexation petition by residents and no fire district

has authority to propose or submit such a proposal. If a property in a fire district service area were to be de-annexed and removed from the City, those residents would be left without any fire or EMS services.

4) Citizens initiative – Missouri law continues to provide a process whereby fire district residents can directly adopt district laws and policies by an initiative petition and vote of the residents.

5) Significant budget and service reductions – The City has a budgeted deficit for the 2020-21 fiscal year of approximately \$4.5 million. The deficit will grow if payments to RFPD continue beyond December 31, 2020. Without changes to the cost of fire services, the City's financial situation is unsustainable.

Mr. Zimmerman stated he would like the Council to consider doing a survey of the residents and find out what they think. Mr. Zimmerman stated the next time a proposal can be put on the ballot is April 2021. He explained there is enough money to get to past the election in April of 2021 but after that it gets unpredictable. Mr. Zimmerman stated it would be a last chance to get something on the ballot.

Mr. Aubuchon asked if RFPD was still planning on putting something on the ballot in April 2021.

Mr. O'Keefe responded affirmatively.

Mrs. Singleton asked if the Neighborhood Improvement District measure could be put on the April ballot again.

Mr. Zimmerman responded affirmatively.

Mrs. Hendon stated the best way to educate the residents is to hold town hall meetings.

Mrs. Singleton stated she thought phone surveys were difficult to get information from.

Vector Communications representative Courtney Mueller stated there are various options and methods to gauge public interest. Ms. Mueller stated the traditional phone survey is one method but because it is a smaller area there might be different ways to take survey results.

Mrs. Hendon asked what other ways surveys can be administered.

Ms. Mueller replied text based surveys are an option or geo-tagging surveys which include obtaining email addresses.

After discussion, the Council decided to schedule a town hall meeting on September 9, in place of the Council work session.

CITY MANAGER'S REPORT

MAINTENANCE AGREEMENT LINDBERGH BLVD. BRIDGE LOGO Public Works Director David Stewart reported staff recommends authorization of an agreement with the Missouri Highways and Transportation Commission relative to installation of the City logo on Lindbergh Boulevard bridges.

Mr. Stewart stated this agreement with Missouri Department of Transportation (MoDOT) will allow for the installation of the City logos onto the soon to be constructed Lindbergh bridges over Highway 270. The logos will be visible to both directions of traffic. Mr. Stewart stated the cost to install the logos is \$12,600. MoDOT will coordinate the installation of the logos with their contractor. Staff believes this would be a nice aesthetic and City branding addition to the massive transportation improvements occurring in the community.

Mrs. Hendon asked about the cost of the logos.

Missouri Department of Transportation Project Manager Justin Wolf stated MoDOT does not contribute to aesthetic enhancements, but it's an opportunity for the City to put some money into an enhancement that will be there for 50 to 75 years. Mr. Wolf showed a rendering of what the logo would look like.

Mr. Zimmerman stated the funding is coming from the Economic Development fund. Economic Development funds can be used for industrial development and tourism and this falls under the tourism category.

Mr. Wolf gave a presentation and update on the I-270 North Corridor Reconstruction Project.

Mr. Aubuchon moved, seconded by Mr. Taylor, to concur with the staff recommendation to authorize an agreement with Missouri Highways and Transportation Commission relative to installation of the City logo on the Lindbergh Boulevard bridges 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.

FIRE SALES TAX LEVY Mr. Zimmerman reported staff recommends the Council levy the half cent fire sales tax approved by the voters on August 4.

Upon Council approval, the ordinance would then be sent to the State of Missouri and collection of the tax would begin in January 2021.

Mrs. Hendon moved, seconded by Mrs. Singleton, to concur with the staff recommendation to levy the half cent fire sales tax 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.

AMEND DEVELOPMENT AGREEMENT ST. LOUIS OUTLET MALL Mr. Zimmerman reported staff recommends approving a Third Amendment to the Master Development Agreement and authorizing certain actions in connection with the redevelopment of the St. Louis Outlet Mall.

Mr. Zimmerman stated the Master Development Agreement with Big Sports Properties (BSP) for the proposed POWERplex project established a deadline of August 31 for BSP to close on financing. Due to the COVID-19 pandemic and associated disruptions in the finance industry, BSP cannot close on the project by August 31. Mr. Zimmerman stated BSP has requested the deadline be extended to November 30, 2020. BSP is contacting Bridgeton about extending their agreement to the same date.

Mrs. Hendon asked why the date keeps getting moved out.

Dan Buck of BSP stated it is difficult to get bondholders, investors and bankers to loan money when youth sports in St. Louis County is shut down.

Mrs. Hendon asked when the pandemic gets better will money be available.

Mr. Buck replied he believes the financing issues are related to the youth sports industry being shut down in St. Louis County. He stated there are no numbers to substantiate a youth sports shutdown.

Mrs. Hendon moved, seconded by Mrs. Singleton, to concur with staff's recommendation to approve the Third Amendment to the Master Development Agreement and authorize certain actions in connection with the redevelopment of the St. Louis Outlet Mall 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 Mrs. Singleton moved, seconded by Mrs. Hendon, to receive and file the minutes of the March 10 and June 9 Community Enrichment Commission minutes and the July 27 Historic Preservation Commission minutes. The motion passed unanimously.

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

AGREEMENT Mayor Robinson called for the first reading of a bill to
LINDBERGH BRIDGE authorize an agreement with Missouri Highways and
Transportation Commission for installation of the City logos
on Lindbergh Boulevard bridges.

There were no objections and Bill 4887 was read by title only:

**AN ORDINANCE AUTHORIZING AN AGREEMENT WITH MISSOURI HIGHWAYS
AND TRANSPORTATION COMMISSION FOR THE INSTALLATION OF THE CITY
LOGOS ON THE LINDBERGH BOULEVARD BRIDGES OVER HIGHWAY I-270 AT A
COST NOT TO EXCEED \$12,600.**

Bill 4887 will be on the agenda for second reading on September 2.

LEVY FIRE Mayor Robinson called for the first reading of a bill to levy a
SALES TAX half cent fire sales tax as approved by the voters on August
4.

There were no objections and Bill 4888 was read by title only:

**AN ORDINANCE OF THE CITY OF HAZELWOOD, MISSOURI, LEVYING A SALES
TAX FOR OPERATIONS OF THE HAZELWOOD FIRE DEPARTMENT.**

Bill 4888 will be on the agenda for second reading on September 2.

AMEND DEVELOPMENT Mayor Robinson called for the first reading of a bill to
AGREEMENT WITH approve a Third Amendment to the Master Development
BIG SPORTS Agreement with Big Sports Properties for redevelopment of
PROPERTIES the St. Louis Outlet Mall.

There were no objections and Bill 4889 was read by title only:

**AN ORDINANCE APPROVING A THIRD AMENDMENT TO MASTER
DEVELOPMENT AGREEMENT AND AUTHORIZING CERTAIN OTHER ACTIONS IN
CONNECTION WITH THE REDEVELOPMENT OF THE ST. LOUIS OUTLET MALL.**

Bill 4889 will be on the agenda for second reading on September 2.

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 4881 Mayor Robinson called for the second reading of Bill 4881 to
SLUP grant a Special Land Use Permit for a medical marijuana
12035 MO BOTTOM RD. infused products manufacturing facility at 12035 Missouri
Bottom Road.

There were no objections and Bill 4881 was read by title only:

AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO CANNAVER, LLC FOR A MEDICAL MARIJUANA INFUSED PRODUCTS MANUFACTURING FACILITY AT 12035 MISSOURI BOTTOM ROAD AND PROVIDING THE CONDITIONS OF SUCH USAGE.

Mr. Aubuchon moved, seconded by Mr. Ryan, the adoption of Bill 4881 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 9</u>	<u>NAY - 0</u>
Mrs. Hendon	
Mrs. Singleton	
Mrs. Stroker	
Mr. Aubuchon	
Mr. Ryan	
Mr. Herin	
Mayor Robinson	
Mr. Todd	
Mr. Taylor	

Bill 4881 was unanimously adopted as Ordinance 4766-20.

BILL 4882	Mayor Robinson called for the second reading of Bill 4882 to
SLUP	grant a Special Land Use Permit for a vehicle service and
5800 FEE FEE ROAD	repair facility and vehicle painting at 5800 Fee Fee Road.

There were no objections and Bill 4882 was read by title only:

AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO R & A GILBERT ENTERPRISES, LLC FOR A VEHICLE SERVICE AND REPAIR FACILITY AND VEHICLE PAINTING AT 5800 FEE FEE ROAD AND PROVIDING THE CONDITIONS OF SUCH USAGE.

Mr. Aubuchon moved, seconded by Mrs. Hendon, the adoption of Bill 4882 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 9</u>	<u>NAY - 0</u>
Mrs. Hendon	
Mrs. Singleton	
Mrs. Stroker	
Mr. Aubuchon	
Mr. Ryan	
Mr. Herin	
Mayor Robinson	
Mr. Todd	
Mr. Taylor	

Bill 4882 was unanimously adopted as Ordinance 4767-20.

BILL 4883
SLUP
6119 DUNN ROAD

Mayor Robinson called for the second reading of Bill 4883 to grant a Special Land Use Permit for a vehicle service and repair facility, vehicle wash facility and vehicle painting at 6119 Dunn Road.

There were no objections and Bill 4883 was read by title only:

AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO TOTAL APPEARANCE, LLC D/B/A RJ'S TOTAL APPEARANCE FOR A VEHICLE SERVICE AND REPAIR FACILITY, VEHICLE WASH FACILITY AND VEHICLE PAINTING AT 6119 DUNN ROAD AND PROVIDING THE CONDITIONS OF SUCH USAGE.

Mr. Aubuchon moved, seconded by Mr. Ryan, the adoption of Bill 4883 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 9</u>	<u>NAY - 0</u>
Mrs. Hendon	
Mrs. Singleton	
Mrs. Stroker	
Mr. Aubuchon	
Mr. Ryan	
Mr. Herin	
Mayor Robinson	
Mr. Todd	
Mr. Taylor	

Bill 4883 was unanimously adopted as Ordinance 4768-20.

BILL 4884
AMEND E.D. LOAN

Mayor Robinson called for the second reading of Bill 4884 to amend the economic development loan agreement with Silgan Plastics.

There were no objections and Bill 4884 was read by title only:

AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO A TOTAL AMENDMENT AND RESTATEMENT OF THE ECONOMIC DEVELOPMENT AND NEW EMPLOYMENT TRAINING AND OPPORTUNITIES FORGIVABLE LOAN AGREEMENT WITH SILGAN PLASTICS LLC.

Mr. Aubuchon moved, seconded by Mrs. Hendon, the adoption of Bill 4884 as an ordinance. The following vote was recorded on the motion:

AYE - 9

NAY - 0

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

Bill 4884 was unanimously adopted as Ordinance 4769-20.

BILL 4885
CHAPTER 100
BONDS

Mayor Robinson called for the second reading of Bill 4885 to authorize the issuance of \$7.5 million in taxable industrial revenue bonds for 8930-8940 Pershall Road Project.

There were no objections and Bill 4885 was read by title only:

AN ORDINANCE AUTHORIZING THE CITY OF HAZELWOOD, MISSOURI, TO ISSUE ITS TAXABLE INDUSTRIAL REVENUE BONDS (8930-40 PERSHALL ROAD PROJECT), SERIES 2020, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$7,500,000, 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.

Mr. Aubuchon moved, seconded by Mrs. Singleton, the adoption of Bill 4885 as an ordinance. The following vote was recorded on the motion:

AYE - 9

NAY - 0

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

Bill 4885 was unanimously adopted as Ordinance 4770-20.

BILL 4886
CONTRACT
STREET SEALING

Mayor Robinson called for the second reading of Bill 4886 to authorize a contract with Corrective Asphalt Materials, LLC for street sealing.

There were no objections and Bill 4886 was read by title only:

AN ORDINANCE AUTHORIZING A CONTRACT WITH CORRECTIVE ASPHALT MATERIALS, LLC FOR SEALING OF VARIOUS ASPHALT STREETS AT A COST NOT TO EXCEED \$65,842.

Mrs. Hendon moved, seconded by Mrs. Singleton, the adoption of Bill 4886 as an ordinance. The following vote was recorded on the motion:

AYE - 9

NAY - 0

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

Bill 4886 was unanimously adopted as Ordinance 4771-20.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

COUNCIL MEETING

Mayor Robinson announced the next regular Council meeting will be held Wednesday, September 2, 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 8:43 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

Julie Lowery - City Clerk
City of Hazelwood, Missouri