

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
SEPTEMBER 2, 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, September 2, 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:

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

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

*Mr. Ryan joined the meeting at 7:35 p.m.

AGENDA

There being no amendments proposed, Mrs. Hendon moved, seconded by Mrs. Singleton, the adoption of the agenda as printed. The motion passed unanimously.

CONSENT AGENDA

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

AYE - 8

NAY - 0

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

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), was adopted.

APPROVAL OF MINUTES

Mr. Aubuchon moved, seconded by Mrs. Stroker, to approve the minutes of the August 19 regular Council meeting as submitted. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS

EMPLOYEE INTRODUCTION

Mr. Zimmerman introduced newly hired City Planner Kate Crimmins.

PROCLAMATIONS AND RESOLUTIONS

FINANCIAL DISCLOSURE RESOLUTION

Mayor Robinson called for the reading of a resolution to readopt and reaffirm Chapter 125: Conflicts of Interest relative to financial disclosure.

There were no objections and Resolution 2006 was read by title only:

A RESOLUTION READOPTING AND REAFFIRMING CHAPTER 125: CONFLICTS OF INTEREST, OF THE HAZELWOOD CITY CODE, RELATIVE TO THE FILING OF FINANCIAL INTEREST STATEMENTS.

Mr. Aubuchon moved, seconded by Mr. Taylor, the adoption of Resolution 2006. The following vote was recorded on the motion:

AYE - 9

NAY - 0

Mrs. Singleton
Mrs. Stroker
Mr. Aubuchon
Mr. Ryan
Mr. Herin
Mayor Robinson

Mr. Todd
Mr. Taylor
Mrs. Hendon

Resolution 2006 was unanimously adopted.

SAFE COMMUNITIES PROCLAMATION Mayor Robinson called for the reading of a proclamation urging the community to support Celebrate Safe Communities on Thursday, September 24.

There were no objections and Proclamation 2013 was read.

Mr. Aubuchon moved, seconded by Mrs. Singleton, the adoption of Proclamation 2013 urging all citizens, government agencies, public and private institutions, and businesses to support our Celebrate Safe Communities on Thursday, September 24, 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.

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

2020 PROPERTY TAX RATES Mayor Robinson called to order the public hearing to consider establishment of the 2020 property tax rates.

Assistant City Manager-Finance Dave Tuberty explained Missouri statutes require that the City establish the tax rates for all real and personal property every year. These rates are to be reported to St. Louis County by October 1. The rates presented this evening are not based on final assessments with Board of Equalization adjustments, the post-Board of Equalization values will not be published until the third week of September. Mr. Tuberty stated the total assessed valuation for 2020 is \$509 million. The total assessed value

reflects a 6% decrease from last year because of personal property. Hazelwood is ranked 13th of approximately 88 St. Louis County municipalities and 3rd in North County. The property taxes will generate General Fund revenue of approximately \$3.86 million and an estimated \$1.13 million Debt Fund revenue at a 98% collection rate. From 2019 to 2020, the residential tax rate increased from \$.692 to \$.755, the commercial tax rate increased from \$.662 to \$.770 and the agricultural tax rate increased from \$.636 to \$.663. The personal property tax rate remains the same at \$.754. There is also no change in the street bond debt levee which remains at \$.222.

Mr. Tuberty stated the sewer lateral line repair fee remains at \$20 per household. A fee of up to \$28 was authorized by City voters. Seventy-two cities in St. Louis County charge a sewer lateral repair fee. Hazelwood and one other city are the only cities with a rate under \$28.

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. Hendon moved, seconded by Mrs. Singleton, to establish the 2020 real and personal property tax rates and 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.

SLUP
820 MCDONNELL

Mayor Robinson called to order the public hearing to consider the petition by Enterprise Leasing Company of STL, LLC for a Special Land Use Permit for a vehicle service and repair facility, vehicle wash facility, vehicle painting, vehicle rental/ leasing and vehicle sales at 820 James S. McDonnell Boulevard.

Mrs. Crimmins reported the site is located in a C-3 Highway Commercial District. The subject site is one acre and is part of a parcel that is over 15 acres. Mrs. Crimmins stated Enterprise's first Special Land Use Permit was approved in April 2020, when they purchased the majority of the site, and subsequently purchased this last parcel. To be consistent, Enterprise is requesting a Special Land Use Permit for the same uses of the larger parcel.

Andy Stokes with Enterprise Holdings stated Enterprise originally opted not to purchase the one-acre parcel because they did not think they would not need it, but have since decided they wanted to purchase it.

Mrs. Singleton asked about Amazon using their parking lot.

Mr. Stokes responded as part of the original Special Land Use Permit Amazon's vehicle use worked in coordination with theirs. If there were any issues, there is a 120-day termination clause in their lease with Amazon.

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 vehicle service and repair facility, vehicle rental/leasing, vehicle auto sales (used), vehicle wash facility and vehicle painting at 820 James S. McDonnell Boulevard, Ward 4, with the following conditions:

- a) Vehicles being repaired shall not remain on the property for more than 30 days.
- b) A site plan, meeting site plan requirements showing striping of parking spaces that meet Code, shall be approved by the City.
- c) All vehicles shall be parked in designated parking spaces that must be striped.
- d) Vehicles being repaired without current license plates shall not be parked at site.
- e) Tires or vehicle parts or inventory for the vehicle service and repair facility shall not be stored and no vehicle repairs or maintenance work shall be performed or goods delivered to customers at any location on the exterior of the premises."

She stated the motion passed unanimously.

Mr. Herin moved, seconded by Mr. Ryan, to concur with the City Plan Commission recommendation to grant the Special Land Use Permit for a vehicle service and repair facility, vehicle rental/leasing, vehicle auto sales (used), vehicle wash facility and vehicle painting at 820 James S. McDonnell 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.b.

SUBDIVISION Mayor Robinson called to order the public hearing to
12509 MO BOTTOM RD. consider the petition by Shawnee National Properties, LLC to
 divide one lot into two lots at 12509 Missouri Bottom Road.

Mrs. Crimmins reported the subdivision creates two lots. The larger of the two lots is a Dollar General, which is under construction, and the smaller lot has an existing billboard located on it. The final plat called "Ville-Maria Commercial Plaza" meets the requirements of the subdivision regulations.

Mr. Scott stated per the code he is required to wrap the poles to the bottom of the sign and the rest of the sign would be black metal I-beam. He stated you cannot see the I-beams from the highway. Mr. Scott stated the bid he received to architecturally treat the poles was \$15,000 and that does not include electric.

Mr. Zimmerman stated when Octapharma Plasma's name was put on the pylon sign the requirement to architecturally treat the poles was missed. However, that does not mean that the code will never be enforceable again.

Mr. O'Keefe stated the idea that the community would adopt standards which continue to promote reinvestment and vitality of its business areas is not a bad thing.

Mr. Todd asked if the sign needed to be wrapped down to grade.

Mr. Zimmerman replied it needed to be wrapped from grade to the bottom of the sign.

Mr. Scott stated he is willing to paint the whole sign black when the new sign facing is put in.

Mr. Aubuchon stated residents in the area are not pleased with how the sign looks.

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. Aubuchon, to deny the variance. The motion passed by a vote of eight in favor and one opposed, with Mr. Ryan casting the dissenting vote.

COMMUNICATIONS

EWGCG BRIEFINGS	The August 13 issue of Briefings was received from the East-West Gateway Council of Governments.
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EWGCG BRIEFINGS	The August 20 issue of Briefings was received from the East-West Gateway Council of Governments.
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SLUP PETITON 5651 PHANTOM	A petition for Special Land Use Permit for vehicle sales (used) and vehicle storage at 5651 Phantom Drive was received from Carvana, LLC.
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SLUP EXPANSION PETITION 7008 N. HANLEY	A petition for an expansion of the Special Land Use Permit for a fast food restaurant at 7008 N. Hanley Road was received from Y&Y Grill d/b/a Sizzlin Grill.
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SLUP EXPANSION A petition for an expansion of the Special Land Use Permit for
PETITON a vehicle wash facility at 7323 N. Lindbergh Boulevard was
7323 N. LINDBERGH received from Hazelwood 67 Inc.

EWGCG The August 27 issue of Briefings was received from the
BRIEFINGS East-West Gateway Council of Governments.

Mr. Aubuchon moved, seconded by Mrs. Stroker, 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

HAZELWOOD FIRE Council directed staff to hold a public meeting to help inform
SERVICES residents about fire service issues and options.

The public meeting is scheduled for September 9 at 7 p.m. A postcard is being mailed to the residents in the Robertson Fire Protection District area. The City is providing information about the meeting on the City's website on a special fire services page. Staff is also using social media to inform residents. Following the public meeting, the Council can review the results at the September 16 regular Council meeting.

BOARD/COMMISSION Mayor Robinson nominated Adam Bagwell for appointment to
APPOINTMENT the Community Enrichment Commission.

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

CITY MANAGER'S REPORT - None

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT - None

COMMISSION AND BOARD REPORTS Mr. Aubuchon moved, seconded by Mrs. Stroker, to receive and file the minutes of the March 12, May 14 and July 9 City Plan Commission minutes. The motion passed unanimously.

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

2020 AD VALOREM Mayor Robinson called for the first reading of a bill to establish
TAX RATES the 2020 ad valorem tax rates.

There were no objections and Bill 4890 was read by title only:

AN ORDINANCE ESTABLISHING THE ANNUAL RATE OF AD VALOREM TAXES LEVIED FOR THE YEAR 2020 FOR GENERAL AND OTHER MUNICIPAL PURPOSES ON ALL REAL AND PERSONAL PROPERTY IN THE CITY OF HAZELWOOD, MISSOURI, AND THE ANNUAL FEE FOR THE CITY'S SEWER LATERAL SERVICE LINES REPAIR PROGRAM.

Bill 4890 will be on the agenda for second reading on September 16.

SLUP Mayor Robinson called for the first reading of a bill to grant a
820 MCDONNELL BLVD. Special Land Use Permit at 820 James S. McDonnell
Boulevard.

There were no objections and Bill 4891 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 JAMES S. MCDONNELL BOULEVARD.

Bill 4891 will be on the agenda for second reading on September 16.

SUBDIVISION Mayor Robinson called for the first reading of a bill to authorize
12509 MO BOTTOM RD. the subdivision of 12509 Missouri Bottom Road.

There were no objections and Bill 4892 was read by title only:

AN ORDINANCE APPROVING THE SUBDIVISION OF 12509 MISSOURI BOTTOM ROAD FROM ONE LOT INTO TWO LOTS.

Bill 4892 will be on the agenda for second reading on September 16.

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 4887 Mayor Robinson called for the second reading of Bill 4887 to
AGREEMENT authorize an agreement with Missouri Highways and
LINDBERGH BLVD. Transportation Commission for installation of the City logos
BRIDGES 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.

Mr. Aubuchon moved, seconded by Mr. Ryan, the adoption of Bill 4887 as an ordinance. The following vote was recorded on the motion:

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

Bill 4887 was unanimously adopted as Ordinance 4772-20.

BILL 4888	Mayor Robinson called for the second reading of Bill 4888 to
LEVY FIRE SALES TAX	levy a 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.

Mrs. Hendon moved, seconded by Mrs. Singleton, the adoption of Bill 4888 as an ordinance. The following vote was recorded on the motion:

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

Bill 4888 was unanimously adopted as Ordinance 4773-20.

