

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
OCTOBER 7, 2015**

CALL TO ORDER A regular meeting of the Hazelwood City Council was called to order by Mayor Matthew G. Robinson at 7:30 p.m. on Wednesday, October 7, 2015, in the Council Chambers of Hazelwood City Hall, 415 Elm Grove Lane.

Mayor Robinson asked those present to join in a moment of silent meditation followed by the Pledge of Allegiance.

On roll call the following members of the Council were present:

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

Mrs. Thomas declared a quorum was present. Also present were City Manager Matt Zimmerman, City Attorney Kevin O'Keefe, and Deputy City Clerk Chris Thomas.

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

CONSENT AGENDA Mayor Robinson requested the addition of a closed session to the consent agenda for discussion of a negotiated contract.

Mrs. Singleton moved, seconded by Mrs. Stroker, to amend the consent agenda by the addition of a discussion of a negotiated contract and to adopt the consent agenda as amended. The following vote was recorded on the motion:

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

Mrs. Stroker
Mr. Aubuchon

The motion passed unanimously and the consent agenda, including a closed meeting immediately following the regular meeting to discuss negotiations with employee groups in accordance with the provisions of RSMo 610.021(9) and a negotiated contract in accordance with the provisions of RSMo 610.021(12), was adopted.

APPROVAL OF MINUTES

Mrs. Singleton moved, seconded by Mrs. Stroker, to approve the minutes of the September 16 regular and closed Council meetings and the September 30 special Council meeting as submitted. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS

WHAT'S NEW

Communications Coordinator Tim Davidson reported on City news, events, and programs.

Pittsburgh Steelers' quarterback Ben Roethlisberger recently announced his foundation is giving a K-9 grant to the Hazelwood Police Department. Current K-9 Chavier will be retiring and the funds will be used to purchase and train a new K-9.

On September 25, the Police Department partnered with Hazelwood Baptist Church to host a "Pasta with Police" event for the Hazelwood West High School football team as part of the ongoing outreach program aimed at developing better relations with youth. Police Chief Gregg Hall and several officers served the food and drinks.

As part of the City's commitment to improving transparency, "Open Budget Hazelwood" has been launched and can be accessed by clicking the Budget Dashboard link on the home page of the City's website. The open data platform downloads the 2015-2016 budget and presents the information in interactive charts, graphics, and tables.

The Parks and Recreation Division is sponsoring coloring contests for children in age groups kindergarten through second grade and third grade through fifth grade. Coloring pages are available at the recreation centers or on the City's website or Facebook page. The entry deadline is October 31. Winners will be announced November 2.

Information on City programs and upcoming events is available on the City's website at www.hazelwoodmo.org.

PROCLAMATIONS AND RESOLUTIONS - None

CITIZEN 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.

**CITY MANAGER'S
STATUS REPORT**

Mr. Zimmerman provided a report in response to concerns expressed by Marvin Davis of 677 Coachway Lane, during the September 16 Council meeting, relative to trash at Knollwood Apartments.

Code Enforcement investigated and found the issue had already been resolved by the addition of an extra dumpster.

PUBLIC HEARINGS

SLUP
11842 MO. BOTTOM RD. Mayor Robinson called to order the public hearing to consider the petition by Mo. Bottom Realty, LLC, d/b/a Hammer & Steel, Inc., for a Special Land Use Permit for outdoor storage at 11842 Missouri Bottom Road.

City Planner Earl Bradfield gave a staff report. The five acre site is zoned I-1 Light Industrial District and was the former location of MTC truck driving school. The proposed use is warehouse/distribution with outdoor storage. The outdoor storage would be at the rear of the site where steel and equipment would be stored. The plan includes six parking spaces which meets Code requirements. The proposal is consistent with the Comprehensive Plan.

Bob Laurence, vice-president of Hammer & Steel, stated the business is currently located at 11912 and 11916 Missouri Bottom Road and has 45 employees. The company has seven locations in the United States and has been in business for over 25 years selling and renting deep foundation equipment. The headquarters is in Hazelwood where the business maintains steel and equipment. Hammer & Steel has a contract to purchase the property at 11842 Missouri Bottom Road. The proposal is to use one acre in the rear of the site for outdoor storage. The area is not visible from Missouri Bottom Road. Mr. Laurence stated the site has not been maintained and has been used for dumping. Upon closing on the contract the trailers would be removed, some of the outbuildings would be demolished, and the overgrown vegetation and debris would be removed.

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. Thomas read the City Plan Commission motion "to recommend approval to the City Council for a petition for Special Land Use Permit for outdoor storage in an I-1 Light

Industrial zoning district located at 11842 Missouri Bottom Road.” She stated the motion passed unanimously.

Mr. Aubuchon moved, seconded by Mrs. Stroker, to concur with the City Plan Commission recommendation to grant the Special Land Use Permit for outdoor storage at 11842 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.

SIGN VARIANCE
REQUESTS
1580 VILLE MARTHA

Mayor Robinson called to order the public hearing to consider the petitions by Gateway Buick GMC, Inc., for variances of the sign regulations to permit a billboard at 1580 Ville Martha Lane as follows: 1) 363 foot variance of the 500 foot setback required from I-270 and 2) variance of the prohibition on billboards within 300 feet of any residentially zoned property.

Mr. Bradfield gave a staff report. The variances would permit construction of a 45 foot tall, 672 square foot off-premises sign. He stated the setback requirement is for safety purposes and is intended to prevent motorists on the highway entrance ramp from being distracted while they merge with highway traffic. Mr. Bradfield stated, if the variances are approved, a new billboard district would need to be added to Chapter 510: Signs and Outdoor Advertising of the Code. He noted there are currently billboard districts both east and west of the proposed billboard.

Tony Soukenik, attorney for the appellant, stated the first application for a billboard on this parcel was made in December 1991, prior to annexation of the property by the City in June 1994. The pie shaped parcel is separate from the dealership parcel. The existing electronic sign changes approximately every three seconds. The proposed LED sign would change every 10 seconds. Lettering on the existing sign can move, blink, and fold. Lettering on the proposed sign would be static. Lettering on the existing sign is red. The proposed sign has a softer color and lighting. Mr. Soukenik noted signs at this location have been non-compliant since annexation and if the variances are denied the existing sign will remain. Mr. Soukenik noted the existing sign is 68 feet from the boundary line of the nearest residential property, not from the residential building. He stated Drury is constructing the sign and will split the advertisements 50/50 with Gateway Buick. Gateway Buick has agreed to allow the City 10 percent of the total time for announcements and advertising.

Mayor Robinson asked if the sign would be angled towards the highway in the shape of a V.

Mr. Soukenik replied it would not and would be flat. If it was angled the pole would be contained on the site, but the sign would not be and would overlap air space.

In response to Mr. Todd's inquiry, Mr. Soukenik stated Drury would sell its billboard time to the public.

Mrs. Singleton asked the difference in size and height between the existing and proposed signs.

Mr. Soukenik responded the proposed sign would be slightly taller and the size would be 672 square feet versus 400 square feet for the original sign.

Mr. Aubuchon noted the proposed sign would be closer to the residential property than the existing sign. He stated the residents complained about light shining in their windows when the existing sign was constructed.

Mr. Soukenik replied many of the trees in the buffer are pines which don't lose their leaves and are much taller now. In addition, the light will be softer.

Mr. O'Keefe asked if the trees are on the commercial property or residential property.

Mr. Soukenik responded he believes the pine trees are on the dealership's property and the leaf trees are on residential property.

Mr. O'Keefe suggested consideration of an agreement for City advertising time on the billboard as well as a commitment for maintaining and restoring the tree buffer in the event of storm, age, or disease.

Mr. Soukenik suggested the recording of a deed restriction with a landscape easement would keep the buffer in place.

Mr. Zimmerman stated, if the Council chooses to approve the sign variances this evening, the proposal to amend the Code to add the billboard district could be considered by the Council during the November 18 meeting. At that time, an agreement or deed restriction could be addressed.

Mayor Robinson asked if anyone present wished to speak in favor of or in opposition to the proposal.

Nathan Eberlin, 1556 Ville Martha Lane, stated he lives directly behind the existing sign. He stated the leaf trees are on his property and the pine trees are on the dealership property. In the winter, bright red light from the sign shines through the trees. He requested a comparison of the lumens between the two signs.

Mr. Soukenik responded the lumens, which had to meet a specific standard, passed Mr. Bradfield's review.

Mr. O'Keefe asked if a skirt could be placed on the north side of the sign to block spill on the residential side.

Tony Mariani of DDI Media stated a photometric study was filed as part of the City's application process and the proposed sign was found to be in compliance with City requirements. He provided a copy of the study to Mr. Eberlin. He stated the sign must comply with requirements established by the national governing body and the State of Missouri. The national governing body requirement is three foot candles and the State of Missouri's is 300 candelas. When the signs are purchased, they are preset to meet these guidelines. The lighting is guided by a photo cell. During the day it burns brightest and at night it burns at the lowest brightness level which is three to five percent of capacity. With respect to light spill, Mr. Mariani stated the sign is designed so that the rows of LED lights are hooded with a one foot square. The boundary of the sign is also hooded. This eliminates light spill and the glow effect. In addition, the nature of the LED is to direct the light in the direction it's pointed.

Mr. O'Keefe asked if the shield could be extended for the benefit of the closest neighbors.

Mr. Mariani replied he believes it can. However, he would have to consult with the manufacturer.

Mayor Robinson stated he preferred the original V shape design which would direct the light away from the residences.

Mr. Mariani responded the design did not comply with the 30 foot setback requirement.

Mrs. Singleton asked if a reduction in light and glare with the proposed sign versus the existing sign could be validated in order to prove that the proposed sign would be less offensive.

Mr. Mariani suggested going on a field trip to look at similar signs. Otherwise, he stated, a lighting engineer could be engaged.

Mr. Aubuchon asked if the existing pole would be used for the proposed sign.

Mr. Soukenik replied it would be a completely new sign.

In response to additional comments by Mr. Aubuchon, Mr. Bradfield stated the pole must be architecturally treated.

No one else spoke in favor of or in opposition to the proposal and Mayor Robinson declared the hearing closed.

Mayor Robinson stated negotiations on placement of the sign, advertising, and buffering will occur prior to consideration of establishing a new billboard district if the Council grants the variances. He noted an additional variance may also be required.

Mr. Aubuchon moved, seconded by Mr. Ryan, to grant a 363 foot variance of the 500 foot setback required from I-270 and a variance of the prohibition on billboards within 300 feet of any residentially zoned property to permit a billboard within 68 feet of residential property for a billboard at 1580 Ville Martha Lane. The motion passed unanimously. The motion passed unanimously.

CHANGE OF ZONING Mayor Robinson called to order the public hearing to consider the petition by NP Hazelwood 140, LLC for a change of zoning from I-1 Light Industrial District and I-2 Heavy Industrial District to PDI Planned District, Industrial, for 29 lots in Hazelwood Logistics Center.
HLC

Mr. Zimmerman gave the Council an overview of the entire project proposed to complete Hazelwood Logistics Center following the failure of McEagle Development. The existing Tax Increment Financing (TIF) and Community Improvement Districts would be reduced to the lot with the only building that was constructed, the TAGG Logistics building. Not only would the existing Chapter 353 be amended, a new Chapter 353 would be created to encompass the remainder of the site and a related development agreement would be executed. A tax abatement for real property, not personal property, would be granted at 100 percent for 10 years and 50 percent for eight years. Under the existing TIF agreement, tax abatement is 100 percent for 14 years. Therefore, the abatement is roughly the same. Each building must be put in the Chapter 353 redevelopment area upon completion. If a building is not completed and placed in the Chapter 353 redevelopment area by 2037, tax abatement value is lost. A Chapter 100 would also be created to provide the developer 100 percent sales tax abatement on construction materials. Since these materials would most likely not be purchased in Hazelwood, there would be no effect on City revenues or businesses. In addition, NorthPoint Development, the owner, has agreed the City would be held harmless for any payments to Robertson Fire Protection District. If they should sell the property, they must reimburse the City for any payments the City makes to Robertson after the 50 percent tax abatement begins in year 11. NorthPoint has also agreed to complete cleanup of the dump site in order to obtain the No Further Action letter from the Missouri Department of Natural Resources (MDNR) and get the tax credits to pay the loan the City gave McEagle Development. Finally, subject to a traffic study, the developer would be permitted to close Fee Fee Road between Missouri Bottom Road and Hazelwood Logistics Center Drive. However, they must build a cul-de-sac to serve the affected businesses on Missouri Bottom Road.

Mr. Bradfield gave a staff report on the petition for change of zoning. Surrounding the site to the west and north is I-2 Heavy Industrial District and to the south and east is I-1 Light Industrial District. Surrounding uses are industrial with the exception of a church and cemetery within the development area. Page 1 of the Site Development Concept Plan shows six buildings, all for industrial use, on approximately 151 acres. Building sizes range from 90,000 square feet to 1,008,880 square feet. The 341,000 square foot building on the plan is identified as available for rail service. Page 2 of the plan shows the contours of Hazelwood Logistics Center. The plan indicates the vacation of a portion of Fee Fee Road rights-of-way between Hazelwood Logistics Center Drive and Missouri

Bottom Road. Construction of a cul-de-sac large enough for semi-trucks is planned between the vacated portion of Fee Fee Road and Missouri Bottom Road. Alternate access would also be available on Phantom Road or North Lindbergh Boulevard. The results of the traffic study on this proposal should be available before the next Council meeting. The right-of-way vacation is necessary to allow construction of a 1,088,880 square foot building for which there is a prospect. The bill for change of zoning to Planned District, Industrial, specifies requirements that differ from the Zoning Regulations. The proposed rezoning is consistent with the Comprehensive Plan.

Mr. Zimmerman added the draft bill includes a list of prohibited uses identical to the intense heavy industrial type uses prohibited in Aviator Business Park.

Brent Miles of NorthPoint Development stated this entire difficult and challenging process of untangling the mess that became Hazelwood Logistics Center started 300 days ago and took countless hours of negotiations and review of hundreds of pages of documents. He stated he believes approval from MDNR will be received any day allowing environmental remediation to begin. If all the bills introduced this evening are passed as ordinances on October 21, a permit application will be filed on October 22 to construct the first speculative building off North Lindbergh Boulevard which would be approximately 200,000 square feet and represent an investment of \$15 million to \$20 million. Prospects for the building are very good. Mr. Miles stated there is considerable obligation for NorthPoint to complete the environmental cleanup in a quick and timely manner and to fulfill a promise that the initial tax credits would be used to pay the debt owed to the City. Mr. Miles stated the infrastructure was never dedicated to the City and repairs of approximately \$75,000 are necessary from lack of maintenance. NorthPoint has agreed to make the repairs, which range from curbs to broken storm sewers, to prevent the City from having to go after the previous developer. Finally, NorthPoint owns a 1.5 acre parcel on the east side of North Lindbergh Boulevard and has agreed, per Mr. Zimmerman's request, to donate a piece of it to the City for new signage.

Mr. Aubuchon asked if it would be necessary to reconstruct roads and if sidewalks would be constructed.

Mr. Miles responded, if a favorable traffic study is received, only minor repairs would be required other than construction of the cul-de-sac.

Mr. Zimmerman added one of the provisions of the Planned District, Industrial, ordinance waives the requirements for sidewalks. Staff recommends approval of the provision because the development doesn't connect to any residential districts.

Mr. Aubuchon suggested creating bike trails through the site.

Mr. Miles replied the proposal could be considered.

In response to Mrs. Stroker's inquiry, Mr. Miles stated he spoke with the pastor of the First Missionary Baptist Church of Robertson this evening and made a commitment to meet with him and provide progress updates.

Mayor Robinson asked if anyone present wished to speak in favor of or in opposition to the proposal.

Cornelius Osby, pastor of the First Missionary Baptist Church of Robertson, stated the church has been located at 356 Woodlawn Avenue for 115 years. He stated they attempted to engage the previous developer with no success and are pleased to have been able to meet representatives from NorthPoint. The church's primary concern is property damage. In addition, he stated Hazelwood Logistics Center Drive was never plowed despite repeated requests. Although Woodlawn Avenue was plowed, it's accessed from Hazelwood Logistics Center Drive. He asked for assurance that the street will be plowed.

Mr. Zimmerman responded there's a provisional agreement providing that the developer must obtain a Certificate of Occupancy from the City prior to completion of a building. The building must then be turned over to the City, pass inspection, and be accepted by a Certificate of Substantial Completion and/or the developer must put up an escrow. With respect to the plowing of Hazelwood Logistics Center Drive, it was the responsibility of the landowner because the street had not been accepted for maintenance by the City. However, because NorthPoint has committed to repair the streets, the City has agreed to start maintaining and plowing them this year.

No one else spoke in favor of or in opposition to the proposal and Mayor Robinson declared the hearing closed.

Mrs. Thomas read the City Plan Commission motion "to recommend approval to the City Council for a petition for rezoning from I-1 Light and I-2 Heavy Industrial zoning districts to Planned District, Industrial, zoning district located at Hazelwood Logistic Center." She stated the motion passed unanimously.

Mr. Aubuchon moved, seconded by Mrs. Hendon, to concur with the City Plan Commission recommendation to approve the change of zoning from I-1 Light Industrial District and I-2 Heavy Industrial District to PDI Planned District, Industrial, for 29 lots in Hazelwood Logistics Center 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
HLC Mayor Robinson called to order the public hearing to consider the petition by NP Hazelwood 140, LLC for subdivision of a portion of Hazelwood Logistics Center to adjust lot boundaries and consolidate 29 lots into 13 lots.

Code Administrator Patrick McSheehy gave a staff report. The subdivision plat under consideration, Hazelwood Logistics Center Plat 2, contains six undeveloped building

lots and seven common ground detention lots and totals approximately 151.19 acres. A Baptist church, a cemetery, and a 405,000 square foot office/warehouse building constructed by the original developer are within the development area, but not part of the development. This subdivision plat corrects the original developer's improperly located construction of Hazelwood Logistics Center Drive by platting the existing street within City right-of-way and vacating the incorrectly platted right-of-way to the new developer. The plat would vacate a portion of Fee Fee Road south of Hazelwood Logistics Center Drive which is vital to the proposed development of Lot 5. A portion of Lot 6 would be dedicated to the City for a cul-de-sac at the proposed dead end of Fee Fee Road. Prior to second reading of the bill to approve the subdivision, the developer is to provide the City with a traffic study evaluating the effects of the elimination of Fee Fee Road as a through street.

George Stock of Stock and Associates Consulting Engineers, the surveyors and engineers for NorthPoint, added the new plat will clean up a couple of old plats that partially platted the development.

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. Thomas read the City Plan Commission motion "to recommend approval to the City Council for a petition for subdivision containing seven lots of common ground and six building lots totaling approximately 151 acres in a Planned District, Industrial, zoning district located at Hazelwood Logistics Center." She stated the motion passed unanimously.

Mr. Aubuchon moved, seconded by Mr. Taylor, to concur with the City Plan Commission recommendation to approve the subdivision of a portion of Hazelwood Logistics Center to adjust lot boundaries and consolidate 29 lots into 13 lots 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.

HCC CID
BOUNDARY
ADJUSTMENT

Mayor Robinson called to order the public hearing to consider the request for amendment of the Hazelwood Commerce Center Community Improvement District boundaries.

Mark Spykerman, attorney with Gilmore and Bell, special counsel to the City on redevelopment matters, stated many hours have been spent untangling some of the incentives previously connected with the property including a Community Improvement District. The Hazelwood Commerce Center Community Improvement District covered the entire center and levied a special assessment on all properties within the district. The proposal is to reduce the boundaries of the district to Lot 4 only, the location of the

TAGG Logistics building. Therefore, the assessment would only be levied against that property. Assessment revenues pay the TIF notes which NorthPoint owns. By reducing the boundaries of the district, NorthPoint is consenting to have less revenue applied toward the TIF notes.

Mr. Zimmerman interjected a bill to approve an amendment to the TIF notes would be introduced at the October 21 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. Aubuchon moved, seconded by Mrs. Hendon, to amend the Hazelwood Commerce Center Community Improvement District boundaries 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.

AMEND CHAPTER 353 Mayor Robinson called to order the public hearing to amend REDEVELOPMENT the existing redevelopment plan and agreement with PLAN AND AGREEMENT Hazelwood Commerce Redevelopment Corporation.

Mr. Spykerman stated this also untangles an old incentive, a Chapter 353, which covered the entire Hazelwood Logistics Center. The proposal is to reduce this Chapter 353 area to Lot 4 only to allow a new incentive program to be created for the remainder of the center.

Mr. Spykerman asked if any written comments were submitted by the affected taxing districts.

Mrs. Thomas replied none were received.

Mr. Zimmerman stated the taxing districts received notice of the public hearing held before the Tax Increment Financing Commission on October 5. No one from the districts attended the hearing.

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. Aubuchon moved, seconded by Mr. Taylor, to amend the Hazelwood Commerce Redevelopment Corporation development plan and development agreement 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.e.

CHAPTER 353 Mayor Robinson called to order the public hearing to
REDEVELOPMENT consider a new Chapter 353 redevelopment plan and
PLAN & AGREEMENT agreement.

Mike Kern of Curtis, Heinz, Garrett and O'Keefe, discussed the development agreement, the global document that implements the negotiated deal. The agreement establishes the terms of the abatement and imposes a cut-off date of 2037. It requires purchase of the City property and confirms NorthPoint's obligation to complete environmental remediation. It imposes a December 30, 2017 deadline for construction of the first building. Once the property is developed, higher tax revenues will be generated and the City's obligation to the Robertson Fire Protection District (RFPD) will increase significantly. Therefore, it transfers the City's obligation to the property owners through an assessment indenture which will be recorded against the property. The City will assess the property owners for the amount paid to the RFPD each year for services in the development area. The agreement also addresses infrastructure repairs which are part of the developer's obligation in order to receive the tax abatement. The developer signing the agreement is a Chapter 353 redevelopment corporation which is a shell corporation. The guarantee is from NorthPoint Development Company, the land owner. The City has a right to terminate the agreement if any of these terms are not fulfilled.

Mr. Zimmerman noted the developer is not required to improve Florence Avenue to industrial road standards unless they construct an entrance from it.

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. Aubuchon moved, seconded by Mrs. Hendon, to approve the new Chapter 353 redevelopment plan and development agreement 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.f.

COMMUNICATIONS

SLCML The September 2015 issue of The Link was received from
THE LINK the St. Louis County Municipal League.

LOCAL GOVERNMENT The September 17 issue of Local Government Briefings was
BRIEFINGS received from East-West Gateway Council of Governments.

ST. LOUIS COUNTY EXTENSION COUNCIL Mrs. Thomas reported a request for the appointment of a City representative to serve on the St. Louis County Extension Council was received from the University of Missouri.

No nominations were made and consideration of an appointment will be placed on the October 21 agenda under Unfinished Business.

SLUP PETITION 11950 MO. BOTTOM RD. A petition for a Special Land Use Permit for outdoor storage at 11950 Missouri Bottom Road was received from Ben Hur Construction Company.

SLUP PETITION 9050 PERSHALL RD. A petition for a Special Land Use Permit for a vehicle service and repair facility and vehicle storage at 9050 Pershall Road was received from TMT Properties, Inc.

LOCAL GOVERNMENT BRIEFINGS The September 24 issue of Local Government Briefings was received from East-West Gateway Council of Governments.

CHARTER RATE CHANGES A notice of installation and equipment rate changes was received from Charter Communications.

DESIGNATION OF VOTING DELEGATES FOR ANNUAL NLC BUSINESS MEETING Mrs. Thomas reported a request for the City to designate a voting delegate and an alternate voting delegate for the annual business meeting to be held during the Congress of Cities conference was received from the National League of Cities.

Mr. Todd moved, seconded by Mrs. Stroker, to designate Mayor Robinson as the voting delegate and Mr. Todd as the alternate voting delegate. The motion passed unanimously.

City Clerk Colleen Wolf will notify the National League of Cities.

LOCAL GOVERNMENT BRIEFINGS The October 1 issue of Local Government Briefings was received from East-West Gateway Council of Governments.

Mrs. Singleton 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

APPOINTMENT OF WARD 4 COUNCILMAN Mayor Robinson stated candidates to fill the Ward 4 Council vacancy were interviewed and a motion must be made for the appointment.

Mrs. Hendon moved, seconded by Mrs. Singleton, to appoint Bob Parkin II to fill the Ward 4 Council vacancy until the April 5, 2016 election. The motion passed unanimously.

Mr. Parkin will receive the oath of office during the October 21 Council meeting.

WORK SESSION AGENDA ITEMS Mayor Robinson suggested moving the January Council work session to February and changing the meeting to a preliminary budget work session.

Mrs. Hendon moved, seconded by Mr. Ryan, to cancel the January 13 Council work session and schedule a preliminary budget work session for February 10. The motion passed unanimously.

CITY MANAGER'S REPORT

CHAPTER 100 BONDS FOR HAZELWOOD LOGISTICS CENTER Mr. Spykerman stated the Chapter 100 bond proposal is part of the new incentive package for completion of Hazelwood Logistics Center.

The program facilitates sales tax exemption on materials used to construct the buildings. When the developer is going to construct a building, they will ask the City for a bond issue. This bond issue is for the first building and represents an estimated \$14 million investment. By completing this transaction, the City will essentially lend its sales tax exemption certificate to the developer. The developer will then not have to pay sales tax on items such as lumber, screws, etc.

Mr. O'Keefe clarified there is no City obligation for repayment of any bonds.

Mr. Spykerman added the bonds are a means of documenting a title transfer and consideration of the title transfer to the City. The bonds themselves are payable only from lease payments made in conjunction with the title transfer. The City takes title to the building and leases it back to the developer. The bonds are purchased by the developer who not only receives principal and interest as the bond owner, but also makes lease payments to the City. The transaction creates no debt for the City.

Mr. Aubuchon moved, seconded by Mr. Ryan, to concur with the staff recommendation to authorize issuance of the Chapter 100 bonds for Hazelwood Logistics Center 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.g.

EMPLOYEES' HEALTH & DENTAL INSURANCE Assistant City Manager Bob Frank reported Cigna submitted three proposals for employees' health and dental insurance.

All three proposals included moving the employees' dental insurance from Delta Dental to Cigna at a rate reduction of 5.9%. Delta Dental's quote reflected a 19% increase. The Cigna dental network is smaller than Delta Dental's. As a result, Cigna has agreed to 95% reimbursement for out-of-network providers rather than the normal 90%. The first health insurance proposal was to continue the current level funded plan, a hybrid self-insured plan, with a guaranteed \$80,000 surplus which results in a 1.4% net reduction. The second proposal was to move to a fully insured plan and give up any anticipated surplus with a resultant 2% reduction. The third proposal was to continue the current level funded plan at a 2.1% reduction with no guarantee of surplus. The surplus is currently estimated at \$64,000. However, the last quarter of the year typically shows a major increase in use of coverage because deductibles have been met. Staff recommends switching to the fully funded plan due to the overall cost decrease of 2%, with both health and dental, and because it transfers some of the Affordable Care Act administrative reporting requirements and fees from the City to Cigna. Last year the City paid approximately \$18,000 in fees. Mr. Frank stated acceptance of the proposal would allow staff to prepare the contracts and begin the open enrollment process. He noted the plan would take effect on January 1, 2016 and all employees would need new health insurance and dental cards.

Mrs. Hendon moved, seconded by Mrs. Singleton, to concur with the staff recommendation to accept the Cigna proposal for employees' health (fully-insured) and dental insurance. The motion passed unanimously.

EMPLOYEES' VISION INSURANCE Mr. Frank reported staff recommends acceptance of the proposal from Vision Benefits of America for renewal of the employees' vision insurance policy for a two year period with a 7% rate increase.

The increase is less than \$1,000 in total premium dollars.

Mr. Taylor moved, seconded by Mrs. Stroker, to concur with the staff recommendation to accept the proposal by Vision Benefits of America for renewal of the employees' vision insurance plan. The motion passed unanimously.

PURCHASE OF TASERS Police Chief Gregg Hall reported staff recommends the purchase of nine X-26P Taser devices from Ed Roehr Safety Products, the sole source provider, at a total cost of \$11,556.90.

In 2013, a six year program was established to purchase new Tasers devices to replace old devices that have surpassed their life expectancy. Funds in the amount of \$12,200 have been allocated in this year's Capital Improvement budget for the purchase.

Mrs. Singleton asked if purchase of the extended warranty is justified.

Chief Hall replied staff believes it is with this type of technology.

Mrs. Hendon moved, seconded by Mr. Taylor, to authorize the purchase of nine X-26P Taser devices from Ed Roehr Safety Products, the sole source provider, at a total cost of \$11,556.90. The motion passed unanimously.

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT - None

COMMISSION AND BOARD REPORTS Mrs. Singleton moved, seconded by Mrs. Stroker, to receive and file the minutes of the July 9 Economic Development Sales Tax Board meeting, the August 17 Tax Increment Financing Commission meeting, and the September 14 Neighborhood Watch Commission and Board of Adjustment meetings. 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
11842 MO. BOTTOM RD. a Special Land Use Permit for outdoor storage at 11842
Missouri Bottom Road.

There were no objections and Bill 4542 was read by title only:

AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO MO. BOTTOM REALTY, LLC, D/B/A HAMMER & STEEL, INC., FOR OUTDOOR STORAGE AT 11842 MISSOURI BOTTOM ROAD AND PROVIDING THE CONDITIONS OF SUCH USAGE.

Bill 4542 will be on the agenda for second reading on October 21.

CHANGE OF ZONING Mayor Robinson called for the first reading of a bill to change
HAZELWOOD the zoning of 29 lots in Hazelwood Logistics Center from I-1
LOGISTICS CENTER Light Industrial District and I-2 Heavy Industrial District to
PDI Planned District, Industrial.

There were no objections and Bill 4543 was read by title only:

AN ORDINANCE AMENDING CHAPTER 405: ZONING REGULATIONS, OF THE MUNICIPAL CODE OF THE CITY OF HAZELWOOD, MISSOURI, BY REZONING

HAZELWOOD LOGISTICS CENTER PLAT 2 FROM I-1 LIGHT INDUSTRIAL DISTRICT AND I-2 HEAVY INDUSTRIAL DISTRICT TO PLANNED DISTRICT, INDUSTRIAL, AND AMENDING THE ZONING MAP TO REFLECT SUCH CHANGE.

Bill 4543 will be on the agenda for second reading on October 21.

SUBDIVISION Mayor Robinson called for the first reading of a bill approving the subdivision of a portion of Hazelwood Logistics Center to adjust lot boundaries and consolidate 29 lots into 13 lots.

There were no objections and Bill 4544 was read by title only:

AN ORDINANCE APPROVING THE SUBDIVISION OF A PORTION OF HAZELWOOD LOGISTICS CENTER TO ADJUST LOT BOUNDARIES AND CONSOLIDATE 29 LOTS INTO 13 LOTS.

Bill 4544 will be on the agenda for second reading on October 21.

CID BOUNDARY ADJUSTMENT Mayor Robinson called for the first reading of a bill to adjust the boundaries of the Hazelwood Commerce Center Community Improvement District.

There were no objections and Bill 4545 was read by title only:

AN ORDINANCE APPROVING A WRITTEN REQUEST TO REMOVE PROPERTY FROM THE BOUNDARIES OF THE HAZELWOOD COMMERCE CENTER COMMUNITY IMPROVEMENT DISTRICT.

Bill 4545 will be on the agenda for second reading on October 21.

AMEND REDEVELOPMENT PLAN & AGREEMENT Mayor Robinson called for the first reading of a bill to approve an amendment to the existing redevelopment agreement and redevelopment plan for Hazelwood Logistics Center.

There were no objections and Bill 4546 was read by title only:

AN ORDINANCE APPROVING AN AMENDMENT TO THE HAZELWOOD COMMERCE REDEVELOPMENT CORPORATION AMENDED AND RESTATED URBAN DEVELOPMENT PLAN AND AN AMENDMENT TO THE DEVELOPMENT AGREEMENT RELATING TO SUCH URBAN DEVELOPMENT PLAN; AUTHORIZING CERTAIN ACTIONS IN CONNECTION THEREWITH; AND CONTAINING A SEVERABILITY CLAUSE.

Bill 4546 will be on the agenda for second reading on October 21.

REDEVELOPMENT Mayor Robinson called for the first reading of a bill to

PLAN & AGREEMENT approve a Chapter 353 redevelopment plan and redevelopment agreement for a portion of Hazelwood Logistics Center.

There were no objections and Bill 4547 was read by title only:

AN ORDINANCE DESIGNATING A CERTAIN AREA OF THE CITY OF HAZELWOOD, MISSOURI AS A “BLIGHTED AREA” PURSUANT TO CHAPTER 353, REVISED STATUTES OF MISSOURI, AS AMENDED; APPROVING THE DEVELOPMENT PLAN SUBMITTED FOR THE REDEVELOPMENT OF THAT “BLIGHTED AREA”; APPROVING A DEVELOPMENT AGREEMENT IN CONNECTION THEREWITH; AUTHORIZING CERTAIN ACTIONS IN CONNECTION THEREWITH; AND CONTAINING A SEVERABILITY CLAUSE.

Bill 4547 will be on the agenda for second reading on October 21.

CHAPTER 100 BONDS Mayor Robinson called for the first reading of a bill to
FOR HAZELWOOD authorize the issuance of taxable industrial revenue bonds
LOGISTICS CENTER for the Hazelwood Logistics Center project.

There were no objections and Bill 4548 was read by title only:

AN ORDINANCE AUTHORIZING THE CITY OF HAZELWOOD, MISSOURI TO ISSUE ITS TAXABLE INDUSTRIAL REVENUE BONDS (NP HAZELWOOD 140, LLC PROJECT), SERIES 2015, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$14,000,000, 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; APPROVING A PLAN FOR THE PROJECT; AND AUTHORIZING THE CITY TO ENTER INTO CERTAIN AGREEMENTS AND TAKE CERTAIN OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF THE BONDS.

Bill 4548 will be on the agenda for second reading on October 21.

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 4538 Mayor Robinson called for the second reading of Bill 4538 to
SLUP grant a Special Land Use Permit for outdoor storage at
5735 Fee Fee Road.

Mr. O’Keefe stated the Council has been provided with Bill 4538.1 containing text referencing actions by the Board of Adjustment.

Mr. Aubuchon moved, seconded by Mr. Taylor, to amend Bill 4538 by the text of Bill 4538.1. The motion passed unanimously.

There were no objections and Bill 4538, as amended, was read by title only:

AN ORDINANCE GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO COMPLETE LAWN CARE, INC., FOR OUTDOOR STORAGE AT 5735 FEE FEE ROAD AND PROVIDING THE CONDITIONS OF SUCH USAGE.

Mr. Aubuchon moved, seconded by Mrs. Hendon, the adoption of Bill 4538, as amended, as an ordinance. The following vote was recorded on the motion:

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

Bill 4538, as amended, was unanimously adopted as Ordinance 4430-15.

| | |
|-----------|--|
| BILL 4541 | Mayor Robinson called for the second reading of Bill 4541 to |
| CONTRACT | authorize a contract for sealing of various asphalt streets. |

There were no objections and Bill 4541 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 \$47,880.

Mr. Ryan moved, seconded by Mrs. Hendon, the adoption of Bill 4541 as an ordinance. The following vote was recorded on the motion:

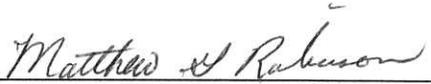
| | |
|----------------|----------------|
| <u>AYE - 8</u> | <u>NAY - 0</u> |
| Mr. Ryan | |
| Mayor Robinson | |
| Mr. Todd | |
| Mr. Taylor | |
| Mrs. Hendon | |
| Mrs. Singleton | |
| Mrs. Stroker | |
| Mr. Aubuchon | |

Bill 4541 was unanimously adopted as Ordinance 4431-15.

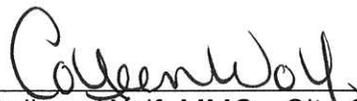
MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

COUNCIL MEETING Mayor Robinson announced the next regular Council meeting will be held Wednesday, October 21, 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 9:23 p.m.


Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:


Colleen Wolf, MMC - City Clerk
City of Hazelwood, Missouri