

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
DECEMBER 7, 2016**

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, December 7, 2016, 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:

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

Mrs. Thomas declared a quorum was present.

Also present were City Manager Matt Zimmerman, City Attorney Kevin O'Keefe, and City Clerk Christine Thomas.

AGENDA

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

CONSENT AGENDA

Mr. Taylor moved, seconded by Mr. Todd, the adoption of the consent agenda as printed. 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. Parkin	
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 consult with the City Attorney in accordance with the provisions of RSMo 610.021(1), was adopted.

APPROVAL OF MINUTES

Mr. Taylor moved, seconded by Mr. Todd, to approve the minutes of the November 16 regular and closed Council meetings as submitted. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS

WHAT'S NEW

Communications Coordinator Tim Davidson provided the What's New in Hazelwood report.

OATH OF OFFICE

Mrs. Thomas administered the oath of office to Clara Faatz who was appointed to the Industrial Development Authority on November 16.

Ms. Faatz was presented with a commission certificate.

PRESENTATION OF FISCAL YEAR 2016 CAFR AND AUDIT

Michele Graham, of Botz, Deal and Company, briefly reviewed the fiscal year 2016 Comprehensive Annual Financial Report and audit.

Ms. Graham stated the City received a clean opinion. In addition, due to the amount of federal funds received, a federal audit was required. The City also received a clean opinion on the federal audit. She noted this is the second year of the federal requirement to recognize pension liability which will build to a ten year history to reflect the trend. One auditor's comment was made due to an invoice that was paid in August and charged to the wrong fiscal year. This situation isn't uncommon for invoices related to construction contracts and the related accrual. Ms. Graham emphasized the City has strong internal controls.

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.

INTERIOR MAINTENANCE AT 582 COACHLIGHT LN.

Laura Metzger, 563 Coachlight Lane, expressed concerns with interior maintenance of Leon Steinbach's rental property at 582 Coachlight Lane.

Ms. Metzger stated Mr. Steinbach has spray painted over mold on the basement ceiling. She provided photos for circulation amongst the Council.

Mayor Robinson asked Mr. Zimmerman to provide a report to the Council. He stated it isn't necessary to provide a report at the December 21 Council meeting.

AUBUCHON PARK Clyde Reid, 24 Flamingo Drive, asked the Council to consider restoring the basketball court at Aubuchon Park to provide a safe and healthy play environment for the young children in the neighborhood.

Mr. Reid stated he's been a resident since 1997. When his boys lived at home, they enjoyed going to Aubuchon Park to play basketball. About nine years ago, the basketball court was removed. He stated he believes the park is underutilized.

CITY MANAGER'S STATUS REPORT Assistant City Manager Bob Frank provided a report on concerns expressed during the November 16 Council meeting by Dorothy Nardi of 506 Haventree Lane and Mary Hargiss of 510 Haventree Lane relative to commercial vans parked on Haventree Lane.

Mr. Frank stated Chief Hall has investigated the situation and had conversations with Ms. Nardi and other residents of Haventree Lane. He does not receive a large number of complaints regarding the issue. Mr. Frank stated he spoke with Ms. Nardi who said, since the November 16 meeting, the vans were moved and haven't returned. Recently, the business telephone numbers on the vans were removed. Therefore, she questioned whether or not they would still be "commercial vehicles" under the definition in the Zoning Regulations. Mr. Frank asked if the Council wished to consider the issue of commercial vehicles parked in residential districts. Historically, the City has allowed residents to park commercial vehicles in their driveways.

PUBLIC HEARINGS

SLUP Mayor Robinson called to order the public hearing to consider the petition received from Swanson Masonry, Inc., for a Special Land Use Permit for outdoor storage at 11700 Missouri Bottom Road and a leased area of adjacent Norfolk Southern Railway Company property.

City Planner Earl Bradfield reported the site, in an I-1 Light Industrial District, has an existing warehouse building and outdoor storage consisting of equipment including scaffolding, trailers, mortar mixers, and vehicles. The outdoor storage is in the rear of the property, out of view from Missouri Bottom Road.

Rick Swanson, the business owner, presented a PowerPoint showing the site and building interior.

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 of the Petition for Special Land Use Permit for outdoor storage at 11700 Missouri Bottom Road, located in an I-1 Light Industrial District, Ward 2. 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 11700 Missouri Bottom Road and an area of adjacent Norfolk Southern Railway Company property 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.

COMMUNICATIONS

RESIGNATION FROM COMMISSION A letter of resignation from the Neighborhood Watch Commission was received from Clara Faatz.

EWGCG LOCAL BRIEFINGS The November 17 issue of Local Government Briefings was received from the East-West Gateway Council of Governments.

MSD PROJECT CLEAR MEETING SCHEDULE A schedule of Project Clear meetings, to discuss funding for stormwater capital projects, was received from the Metropolitan St. Louis Sewer District.

APPRECIATION FOR BOARD DINNER A letter of appreciation for their annual dinner was received from the Board of Adjustment.

EWGCG LOCAL BRIEFINGS The December 1 issue of Local Government Briefings was received from the East-West Gateway Council of Governments.

Mr. Taylor moved, seconded by Mr. Todd, to receive and file all communications. The motion passed unanimously.

UNFINISHED BUSINESS - None

MAYOR AND COUNCIL REPORTS

WORK SESSION AGENDA ITEMS Mr. Taylor requested the addition of a discussion on trash enclosure regulations to the Council work session agenda.

There were no objections and the discussion will be added to the January 11 Council work session agenda.

CITY MANAGER'S REPORT

TAXABLE INDUSTRIAL REVENUE BONDS HLC, BUILDING 3 Mr. Zimmerman reported the agreement with NorthPoint for development of Hazelwood Logistics Center includes the issuance of Chapter 100 bonds.

A bill has been prepared to authorize the issuance of \$17.5 million in taxable industrial revenue bonds for Building 3, on Lot 5(b).

Mr. Aubuchon moved, seconded by Mr. Ryan, to concur with the staff recommendation to authorize the issuance of \$17.5 million in taxable industrial revenue bonds for Hazelwood Logistics Center, Building 3, 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.

TAXABLE INDUSTRIAL REVENUE BONDS HLC, BUILDING 4 Mr. Zimmerman reported, per the development agreement, a bill has been prepared to authorize the issuance of \$15 million in taxable industrial revenue bonds for Building 4, on Lot 7.

Mr. Aubuchon moved, seconded by Mrs. Hendon, to concur with the staff recommendation to authorize the issuance of \$15 million in taxable industrial revenue bonds for Hazelwood Logistics Center, Building 4, 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

AMEND CHAP. 215 & ARTICLE III RE: OFFENSES Mr. O'Keefe reported a bill has been drafted to amend *Chapter 215: Offenses and Article III. Traffic Code* relative to offenses.

Mr. O'Keefe stated two and a half years ago the Missouri General Assembly passed legislation forming a major restructuring of the state criminal code and delayed the effective date to January 1, 2017. The proposed Code amendments will ensure conformity with these statutory amendments.

Mr. Ryan moved, seconded by Mrs. Stroker, to concur with the City Attorney's recommendation to amend *Chapter 215: Offenses and Article III. Traffic Code*, relative to offenses, 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.

CITY CLERK'S REPORT - None

COMMISSION AND BOARD REPORTS

Mr. Taylor moved, seconded by Mr. Todd, to receive and file the minutes of the October 4 Pension Plan Board of Trustees meeting, the October 11 Community Enrichment Commission meeting, the November 10 City Plan Commission meeting, and the November 14 Neighborhood Watch Commission meeting. The motion passed unanimously.

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

SLUP Mayor Robinson called for the first reading of a bill to grant
11700 MISSOURI BTM. a Special Land Use Permit for outdoor storage at 11700
& NORFOLK SOUTHERN Missouri Bottom Road and a leased area of adjacent
RAILROAD PROPERTY Norfolk Southern Railway Company property.

There were no objections and Bill 4631 was read by title only:

AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO SWANSON MASONRY, INC., FOR OUTDOOR STORAGE AT 11700 MISSOURI BOTTOM ROAD AND A LEASED AREA OF ADJACENT NORFOLK SOUTHERN RAILWAY COMPANY PROPERTY AND PROVIDING THE CONDITIONS OF SUCH USAGE.

Bill 4631 will be on the agenda for second reading on December 21.

INDUSTRIAL REVENUE Mayor Robinson called for the first reading of a bill to
BONDS FOR authorize the issuance of taxable industrial revenue bonds
HLC, BUILDING 3 for Hazelwood Logistics Center, Building 3.

There were no objections and Bill 4632 was read by title only:

AN ORDINANCE AUTHORIZING THE CITY OF HAZELWOOD, MISSOURI TO ISSUE ITS TAXABLE INDUSTRIAL REVENUE BONDS (NP HAZELWOOD III, LLC PROJECT), SERIES 2016, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$17,500,000, 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.

Bill 4632 will be on the agenda for second reading on December 21.

INDUSTRIAL REVENUE Mayor Robinson called for the first reading of a bill to
BONDS FOR authorize the issuance of taxable industrial revenue bonds
HLC, BUILDING 4 for Hazelwood Logistics Center, Building 4.

There were no objections and Bill 4633 was read by title only:

AN ORDINANCE AUTHORIZING THE CITY OF HAZELWOOD, MISSOURI TO ISSUE ITS TAXABLE INDUSTRIAL REVENUE BONDS (NP HAZELWOOD IV, LLC PROJECT), SERIES 2016, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$15,000,000, 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; AND AUTHORIZING THE CITY TO ENTER INTO CERTAIN AGREEMENTS AND TAKE CERTAIN OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF THE BONDS.

Bill 4633 will be on the agenda for second reading on December 21.

AMEND CHAP. 215 & Mayor Robinson called for the first reading of a bill to amend
ARTICLE III *Chapter 215: Offenses and Article III. Traffic Code*, relative
RE: OFFENSES to offenses, to conform to statutory amendments.

There were no objections and Bill 4634 was read by title only:

AN ORDINANCE AMENDING SEVERAL SECTIONS OF CHAPTER 215: OFFENSES AND TWO SECTIONS OF TITLE III. TRAFFIC CODE OF THE HAZELWOOD CITY CODE PERTAINING TO OFFENSES.

Bill 4634 will be on the agenda for second reading on December 21.

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 4630 Mayor Robinson called for the second reading of Bill 4630 to
REMOVE HYDRANT authorize the removal of a hydrant at 422 Hazelwood
Logistics Center Drive.

There were no objections and Bill 4630 was read by title only:

AN ORDINANCE ORDERING THE REMOVAL OF ONE FIRE HYDRANT AT 422 HAZELWOOD LOGISTICS CENTER DRIVE.

Mr. Aubuchon moved, seconded by Mrs. Hendon, the adoption of Bill 4630 as an ordinance. The following vote was recorded on the motion:

AYE - 9

Mrs. Singleton

Mrs. Stroker

NAY - 0

Mr. Aubuchon
Mr. Ryan
Mr. Parkin
Mayor Robinson
Mr. Todd
Mr. Taylor
Mrs. Hendon

Bill 4630 was unanimously adopted as Ordinance 4519-16.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

COUNCIL MEETING Mayor Robinson announced the next regular Council meeting will be held Wednesday, December 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 8:08 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

Christine Thomas - City Clerk
City of Hazelwood, Missouri