

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
APRIL 19, 2017**

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, April 19, 2017, 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:

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

Council member Carol A. Stroker was not present. 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

Mr. Taylor moved, seconded by Mrs. Hendon, to amend the agenda by adding consideration of letter of recognition as item 11.c and removing the closed session. The motion passed unanimously.

Mr. Taylor moved, seconded by Mr. Todd, the adoption of the agenda as amended. The motion passed unanimously.

CONSENT AGENDA

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

<u>AYE - 8</u>	<u>NAY - 0</u>
Mr. Parkin	
Mayor Robinson	
Mr. Todd	

Mr. Taylor
Mrs. Hendon
Mrs. Singleton
Mr. Aubuchon
Mr. Ryan

The motion passed unanimously and the consent agenda was adopted.

SPECIAL ORDER OF BUSINESS

- WHAT'S NEW** Communications Coordinator Tim Davidson provided the What's New in Hazelwood report.
- MUNICIPAL JUDGE OATH OF OFFICE** Mrs. Thomas administered the oath of office to Municipal Judge Kevin Kelly who was reappointed to a three year term on April 5.
- EMPLOYEE SERVICE AWARD** As his biography was read, Firefighter/Paramedic John Hines was presented with a 20 year service award.
- CITY COUNCIL SERVICE AWARDS** As their biographies were read, Council member Aubuchon was presented with a 20 year service award and Council member Hendon was presented with a 10 year service award.
- CERTIFIED RESULTS OF 4/4/17 ELECTION** Mrs. Thomas reported the certified results from the April 4 general municipal election.
- Mr. Aubuchon received 98% of the votes for Ward 2, Mr. Parkin received 97% of the votes for Ward 4, Butch Taylor received 98% of the votes for Ward 6 and Mrs. Singleton received 97% of the votes for Ward 8.
- Mr. Ryan moved, seconded by Mr. Todd, the acceptance of the certified election results. The motion passed unanimously.
- OATHS OF OFFICE** Mrs. Thomas administered the oath of office to Council members Aubuchon, Parkin, Taylor and Singleton.
- RECEPTION** A reception was held in honor of the re-elected Council members.
- RECONVENE** The meeting was reconvened with all Council members in attendance.

PROCLAMATIONS AND RESOLUTIONS

PROPOSED PROJECT Mayor Robinson called for the reading of a resolution
MITEK USA, INC. authorizing City staff and consultants to take certain action
RESOLUTION with respect to a proposed project for MiTek USA, Inc.

Economic Developer David Cox explained MiTek USA, Inc., is a company that makes hardware for the construction industry. MiTek is interested in the former Printpack site, at 310 McDonnell Boulevard, for production and distribution. MiTek is proposing to demolish the existing building on the site and replace it with a 346,500 square foot industrial building and realign the existing rail behind the building for their new use. The building will be approximately \$17 million which will include remediation. Over the first three years of operation, \$14.5 million of machinery and equipment will be put in place and 160 workers will be employed. MiTek is interested in Chapter 100 incentives which provide for abatement of real property and personal property taxes, both at 50% for the first 15 years. Mr. Cox stated once the existing buildings are demolished and the new buildings are constructed, the assessed value will triple. Even with the proposed tax abatement, the City will net approximately \$472,000 in taxes over the first 15 years.

Mark Grimm of Gilmore and Bell, the City's bond counsel, explained the process of Chapter 100 tax abatement. Mr. Grimm stated the City takes title to the property and leases it back to the company which facilitates the abatement and sales tax exemption. The project provides for abatement of personal property taxes for 10 years and real property taxes for up to 15 years. MiTek would have extraordinary environmental remediation costs associated with demolition of the building that would take up to an additional five years to recoup. The project has a requirement to create and maintain 150 jobs. If not met, additional payments in lieu of taxes would be assessed causing the effective tax abatement to be lower than 50%.

Maged Diab, president of MiTek USA, Inc., gave a presentation on MiTek, their background and the types of products they manufacture. Mr. Diab stated the plant in Hazelwood would be the flagship manufacturing plant. Sixty employees would be relocated to this facility from the St. Charles location and 50 new jobs would be added each year over the following three years.

There were no objections and Resolution 1705 was read by title only:

A RESOLUTION AUTHORIZING CITY STAFF AND CONSULTANTS TO TAKE CERTAIN ACTIONS WITH RESPECT TO A PROPOSED PROJECT FOR MITEK USA, INC.

Mr. Aubuchon moved, seconded by Mr. Ryan, the adoption of Resolution 1705. The following vote was recorded on the motion:

AYE - 8
Mr. Parkin

NAY - 0

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

Resolution 1705 was unanimously adopted.

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.

PUBLIC HEARINGS

SLUP
310 MCDONNELL BLVD

Mayor Robinson called to order the public hearing to consider the petition received from MiTek USA, Inc., for a Special Land Use Permit for manufacturing of metal products at 310 James S. McDonnell Boulevard.

City Planner Earl Bradfield reported the Special Land Use Permit is requested for a manufacturing facility in the I-2 Heavy Industrial District. MiTek USA, Inc., is a market leader for the manufacturing of truss connector plates and hardware used in the residential construction industry. They propose to demolish the existing buildings and remove all existing accessory structures to construct a new 350,000 square foot manufacturing facility. Mr. Bradfield showed renderings of the footprint of the building and the landscaping plan.

Mayor Robinson invited anyone desiring to make a comment to come forward at this time. 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 manufacturing of metal products at 310 James S. McDonnell Boulevard. She stated the motion passed unanimously.

Mr. Aubuchon moved, seconded by Mr. Taylor, to concur with the City Plan Commission recommendation to grant the Special Land Use Permit for manufacturing of metal products at 310 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.a.

COMMUNICATIONS

TEMPORARY LIQUOR LICENSE EXPANSION	A request for a temporary expansion of their Full Liquor License to include a 30 by 40 foot outdoor area for an event on May 5 and May 6 was received from Bertha Morales of Pueblo Nuevo, 7401 North Lindbergh Boulevard.
VALLEY INDUSTRIES	A letter of appreciation for support of the Shamrock Ball was received from Valley Industries.
EWGCG LOCAL BRIEFINGS	The April 7 issue of Local Government Briefings was received from East-West Gateway Council of Governments.
LAND SURVEY	A notice of a land survey to be performed on St. Stanislaus Court in April and May was received from Sabur, Inc.
APPRECIATION FOR DINNER	A letter of appreciation for their annual dinner was received from the Community Enrichment Commission.

Mrs. Hendon moved, seconded by Mrs. Singleton, to approve the liquor license expansion request and to receive and file the communications. The motion passed unanimously.

UNFINISHED BUSINESS

SHORT-TERM RENTALS	Bill 4642 to regulate short-term rentals was introduced at the March 15 meeting.
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Pursuant to Council discussion during the March 15 meeting, a revised bill was prepared to modify implementation of the proposed regulations, not policy. On April 5, discussion of the revised bill was tabled to this evening.

Mr. Zimmerman explained Council's options with respect to the bill.

Mrs. Singleton explained the importance of this topic. She attended a National League of Cities workshop where attendees complained about what was happening in their cities in regard to short-term rentals. The attendees asked the presenters, Airbnb officials, what they were doing to regulate short-term rentals. Airbnb was not forthcoming about how they were protecting community residents. After speaking with her constituents, Mrs. Singleton believes it is simpler to ban short-term rentals. She believes short-term rentals could take business away from Hazelwood hotels.

Mr. Aubuchon, Mr. Parkin and Mrs. Hendon also agreed there should be a ban on short-term rentals.

Mayor Robinson expressed concern with a ban and suggested regulations should be adopted. He stated existing regulations could be modified or reduced in the event the Council desires to permit short-term rentals in the future. However, if the General Assembly passes the bill under consideration at this time, the opportunity for the City to impose stricter regulations may be lost.

Mr. O’Keefe stated the bill currently before the General Assembly prohibits municipalities from banning short-term residential rentals or from passing restrictions that have the practical effect of banning short term-rentals, unless they have a prohibition in place by December 31. In addition, it would establish presumptive standards for municipalities that don’t have a ban. It doesn’t prohibit municipalities from enacting regulations that don’t conflict with state law. He emphasized the bill may or may not be passed as written.

After additional discussion Mrs. Singleton moved, seconded by Mr. Aubuchon, to withdraw Bill 4642 from consideration. The motion passed unanimously.

Mrs. Singleton moved, seconded by Mrs. Hendon, to direct staff to draft a bill prohibiting short-term rentals.

Martina Johnson, Government Affairs Director for St. Louis Realtors, stated the association does not support banning short-term rentals. They support private property owner rights. Ms. Johnson would prefer regulations as opposed to a prohibition.

The motion then passed unanimously.

MAYOR AND COUNCIL REPORTS

MAY 11 WORK SESSION AGENDA Mayor Robinson noted there are no items on the May 11 work session agenda and suggested canceling the meeting.

Mr. Aubuchon moved, seconded by Mr. Taylor, to cancel the May 11 Council work session. The motion passed unanimously.

ELECTION OF MAYOR PRO TEMPORE Mrs. Singleton nominated Mr. Parkin to serve as Mayor Pro Tempore to act as mayor in the absence of Mayor Robinson.

Mrs. Singleton moved, seconded by Mr. Ryan, to appoint Mr. Parkin as Mayor Pro Tempore. The motion passed unanimously.

LETTERS OF SUPPORT At the request of Mrs. Stroker, Mayor Robinson directed Mrs. Thomas to draft a letter to Ann Gibbons in recognition of her years of service on the Hazelwood School District Board of Directors.

At the request of Mr. Aubuchon, Mayor Robinson directed Mrs. Thomas to draft a letter to Mark Schmidt in recognition of his years of service as a Florissant Council member.

CITY MANAGER'S REPORT

DEADLINE EXTENSION PHASE II AVIATOR BUSINESS PARK Mr. Zimmerman reported staff recommends approval to extend the deadline to complete Phase II of Aviator Business Park.

Mr. Zimmerman explained an economic development agreement was approved with Panattoni Development in April, 2008 for redevelopment of the former Ford plant site. The agreement permitted the developer to complete the required public improvements in two phases and to request an 18-month extension to complete a phase. Phase I was to be completed by December, 2009 and Phase II by April, 2017. Panattoni requested an 18-month extension for Phase I, which was approved in 2009 due to the state of the economy. They are now seeking an extension on Phase II to October 31, 2018. The developer believes the request is reasonable because the economic causes for the Phase I delay caused an additional delay for Phase II. Mr. Zimmerman stated staff believes the request is reasonable as the general economic downturn in North County has only recently eased and Panattoni has shown consistent progress constructing and leasing buildings since the start of the agreement. In addition, Panattoni is offering to place all properties in the Chapter 353 tax abatement no later than the new proposed deadline extension of October 31, 2018. Under the current agreement, abatement begins when a building is completed and a certificate of occupancy is issued, which delays the start of the tax abatement.

Mr. Aubuchon moved, seconded by Mr. Parkin, to concur with the staff recommendation to extend the deadline to complete Phase II of Aviator Business Park 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.b.

DEDICATION PUBLIC IMPROVEMENTS LAUREL BLUFFS SBDV. Public Works Director David Stewart reported staff recommends acceptance of Laurel Bluffs Drive, Upper Laurel Bluffs Court and Laurel Green Court for maintenance, including the sidewalks and street lights.

Mr. Stewart stated staff has been working with representatives of Midland States Bank to complete final acceptance of what will become City infrastructure at Laurel Bluffs subdivision off of Dunn Road. Bank representatives have submitted the necessary documentation for the final acceptance. Repairs have been made to the infrastructure which include street repair and sidewalk repair. The work has been inspected and approved. A civil engineer has been hired by the Homeowners Association (HOA) and is currently performing survey work for development of a design/phased plan to mitigate erosion issues on the private property. After final acceptance, four of the 47 lots will be dedicated to the HOA since they have been deemed unviable for development.

Mrs. Hendon asked if the City is in charge of snow removal. Mr. Stewart responded affirmatively.

Mrs. Singleton asked if the erosion issues in the subdivision could ever pose a problem for the City, such as streets sliding and eroding. Mr. Stewart replied that it is a concern. Staff has waited to dedicate the subdivision improvements to ensure the developer is taking steps towards mitigating the erosion problems. Staff feels they are taking the appropriate steps and is comfortable with moving forward. Mrs. Singleton asked if this was going to be prohibitively expensive for the HOA. Mr. Stewart replied they are aware it is likely to be costly due to the preliminary study done by their engineer. They are considering a phased approach, because they will not be able to afford to do it all at once.

Mr. Ryan expressed concern with accepting this subdivision. Mr. Stewart stated staff has been clear that this is a private issue and the responsibility of the HOA.

Mrs. Hendon moved, seconded by Mrs. Singleton, to concur with staff recommendation to accept the Laurel Bluffs subdivision improvements 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.c.

HOWDERSHELL Parks and Recreation Superintendent Doug Littlefield
PARK IMPROVEMENTS reported staff recommends approval of a contract with
PHASE 2 GameTime, Inc., for the purchase and installation of
playground equipment and surface material at a cost of
\$169,425.

Mr. Littlefield gave a presentation on the proposed project. The improvements include a new larger playground for two to five-year-olds to be located next to the existing swing set/cowboy play features. Also included is new poured-in-place surfacing under the new playground as well as the existing playground, at the southern corner of the park, to replace the mulch. Sidewalks will be constructed at both playgrounds to increase accessibility. The purchase would be made through the US Communities cooperative purchasing contract. Ninety-five percent of the project will be funded by the Municipal Park Grant Program, leaving the City's cost at \$8,471. Funds are budgeted in the 2017 Capital Improvement Fund.

Mrs. Singleton asked if the surface is permeable and if water would pool on it. Mr. Littlefield replied it is not permeable. It will be sloped for runoff. The runoff would be directed to swales as far away from the playground as possible.

Mrs. Singleton asked if there were trees being removed. Mr. Littlefield replied two sweetgum trees will be removed.

Mrs. Hendon moved, seconded by Mr. Taylor, to concur with the staff recommendation to authorize the contract for the purchase and installation of playground equipment and

surfacing 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 ATTORNEY'S REPORT - None

CITY CLERK'S REPORT - None

COMMISSION AND BOARD REPORTS Mrs. Hendon moved, seconded by Mrs. Singleton, to receive and file the minutes of the March 9 City Plan Commission meeting and the March 27 Historic Preservation 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 a Special Land Use Permit to MiTek USA, Inc., for manufacturing of metal products at 310 James S. McDonnell Boulevard.
310 MCDONNELL BLVD

There were no objections and Bill 4653 was read by title only:

AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO MITEK USA, INC., FOR MANUFACTURING OF METAL PRODUCTS AT 310 JAMES S. MCDONNELL BOULEVARD AND PROVIDING THE CONDITIONS OF SUCH USAGE.

Bill 4653 will be on the agenda for second reading on May 3.

DEADLINE EXTENSION Mayor Robinson called for the first reading of a bill to extend the deadline for completion of Phase II of the Aviator Business Park.

There were no objections and Bill 4654 was read by title only:

AN ORDINANCE EXTENDING THE DEADLINE FOR COMPLETION OF PHASE II OF THE AVIATOR BUSINESS PARK REDEVELOPMENT PROJECT.

Bill 4654 will be on the agenda for second reading on May 3.

STREET ACCEPTANCE Mayor Robinson called for the first reading of a bill to accept Laurel Bluffs Drive, Upper Laurel Bluffs Court and Laurel Green Court for maintenance, including the sidewalks and street lights.

Mrs. Singleton
Mr. Aubuchon
Mr. Ryan

Bill 4647 was unanimously adopted as Ordinance 4535-17.

BILL 4648 Mayor Robinson called for the second reading of Bill 4648 to
LOAN AGREEMENT authorize an economic development loan agreement with
WITH QUIET LOGISTICS Quiet Logistics, Inc.

There were no objections and Bill 4648 was read by title only:

AN ORDINANCE APPROVING AN ECONOMIC DEVELOPMENT AND NEW EMPLOYMENT TRAINING AND OPPORTUNITIES FORGIVABLE LOAN AGREEMENT WITH QUIET LOGISTICS, INC., AND AUTHORIZING EXECUTION OF DOCUMENTS RELATING THERETO.

Mr. Aubuchon moved, seconded by Mr. Taylor, the adoption of Bill 4648 as an ordinance. The following vote was recorded on the motion:

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

Bill 4648 was unanimously adopted as Ordinance 4536-17.

BILL 4649 Mayor Robinson called for the second reading of Bill 4649 to
BOND ISSUANCE authorize the issuance of \$10 million in taxable industrial
revenue bonds for Hazelwood Logistics Center, Building 5.

There were no objections and Bill 4649 was read by title only:

AN ORDINANCE AUTHORIZING THE CITY OF HAZELWOOD, MISSOURI TO ISSUE ITS TAXABLE INDUSTRIAL REVENUE BONDS (NP HAZELWOOD V, LLC PROJECT), SERIES 2017, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$10,000,000, 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.

Mr. Aubuchon moved, seconded by Mr. Taylor, the adoption of Bill 4649 as an ordinance. The following vote was recorded on the motion:

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

Bill 4649 was unanimously adopted as Ordinance 4537-17.

BILL 4650
BOND ISSUANCE

Mayor Robinson called for the second reading of Bill 4650 to authorize the issuance of \$15 million in taxable industrial revenue bonds for Hazelwood Logistics Center, Building 6.

There were no objections and Bill 4650 was read by title only:

AN ORDINANCE AUTHORIZING THE CITY OF HAZELWOOD, MISSOURI TO ISSUE ITS TAXABLE INDUSTRIAL REVENUE BONDS (NP HAZELWOOD VI, LLC PROJECT), SERIES 2017, 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.

Mr. Aubuchon moved, seconded by Mr. Ryan, the adoption of Bill 4650 as an ordinance. The following vote was recorded on the motion:

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

Bill 4650 was unanimously adopted as Ordinance 4538-17.

BILL 4651
CELL TOWER

Mayor Robinson called for the second reading of Bill 4651 to authorize a lease agreement between the City of Hazelwood and Eco-Site, Inc., for City property at 7029 Howdershell Road.

There were no objections and Bill 4651 was read by title only:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AND EXECUTE A LEASE AGREEMENT WITH ECO-SITE, INC., FOR THE LOCATION OF A MONOPOLE COMMUNICATION TOWER ON CITY PROPERTY AT 7029 HOWDERSHELL ROAD.

Mrs. Hendon moved, seconded by Mrs. Singleton, the adoption of Bill 4651 as an ordinance. The following vote was recorded on the motion:

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

Bill 4651 was unanimously adopted as Ordinance 4539-17.

BILL 4652
CONTRACT

Mayor Robinson called for the second reading of Bill 4652 to approve the purchase and installation of a custom obstacle course.

There were no objections and Bill 4652 was read by title only:

AN ORDINANCE AUTHORIZING THE CITY MANAGER OF THE CITY OF HAZELWOOD, MISSOURI, TO ENTER INTO AND EXECUTE A CONTRACT WITH LANDSCAPE STRUCTURES INC., FOR THE PURCHASE AND INSTALLATION OF A CUSTOM OBSTACLE COURSE AT HOWDERSHELL PARK AT A COST NOT TO EXCEED TWO HUNDRED TWENTY-EIGHT THOUSAND TWO HUNDRED NINETY-ONE DOLLARS (\$228,291).

Mrs. Hendon moved, seconded by Mrs. Singleton, the adoption of Bill 4652 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 8</u>	<u>NAY - 0</u>
Mr. Parkin	
Mayor Robinson	

Mr. Todd
Mr. Taylor
Mrs. Hendon
Mrs. Singleton
Mr. Aubuchon
Mr. Ryan

Bill 4652 was unanimously adopted as Ordinance 4540-17.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

COUNCIL MEETING Mayor Robinson announced a Council Budget work session will be held on April 26, at 5 p.m., in the Council Chambers and the next regular Council meeting will be held Wednesday, May 3, 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 9:20 p.m.

ATTEST:

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

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri