

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
MAY 17, 2017**

CALL TO ORDER

A regular meeting of the Hazelwood City Council was called to order by Mayor Pro-Tempore Robert Parkin II at 7:30 p.m. on Wednesday, May 17, 2017, in the Council Chambers of Hazelwood City Hall, 415 Elm Grove Lane.

Mayor Pro-Tempore Parkin 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:

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

Mayor Matthew Robinson and Council member Rosalie Hendon were 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

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

CONSENT AGENDA

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

| | |
|--------------------------|----------------|
| <u>AYE - 7</u> | <u>NAY - 0</u> |
| Mr. Todd | |
| Mr. Taylor | |
| Mrs. Singleton | |
| Mrs. Stroker | |
| Mr. Aubuchon | |
| Mr. Ryan | |
| Mayor Pro-Tempore Parkin | |

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), to discuss a property acquisition or sale in accordance with the provisions of RSMo 610.021(2) and to discuss a proprietary matter in accordance with the provisions of RSMo 610.021(15), was adopted.

APPROVAL OF MINUTES

Mr. Taylor moved, seconded by Mrs. Stroker, to approve the minutes of the April 19 regular Council meeting, April 26 Council budget work session, May 3 regular Council meeting, and May 3 closed Council meeting 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.

BOARD/COMMISSION OATHS OF OFFICE

None of the newly appointed or reappointed board and commission members were present to take the oath of office.

GFOA CERTIFICATE OF ACHIEVEMENT FOR FINANCIAL REPORTING

Mr. Zimmerman presented the Government Finance Officers Association's Certificate of Achievement for Financial Reporting to Finance Director Lori Obermoeller.

Mr. Zimmerman stated the City has received this award for 19 consecutive years.

EMPLOYEE SERVICE AWARD

As his biography was read, Recreation Leader Kevin Buchannan was presented with a 20 year service award.

PRESENTATION TO POLICE EXPLORERS

Jim Guyre of Valley Industries expressed their gratitude to the Hazelwood Police Explorers for their help at the Mayors' Shamrock Ball and gave the Explorers a \$500 donation.

PROCLAMATIONS AND RESOLUTIONS

PUBLIC WORKS WEEK PROCLAMATION

Mayor Pro-Tempore Parkin called for the reading of a proclamation designating the week of May 21 through May 27 as Public Works Week.

There were no objections and Proclamation 1708 was read.

Mayor Pro-Tempore Parkin moved, seconded by Mr. Todd, the adoption of Proclamation 1708 designating the week of May 21 through May 27, 2017 as Public Works Week and calling upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the

contributions which public works officials make every day to our health, safety, comfort, and quality of life. The motion passed unanimously.

The proclamation was presented to Public Works Director David Stewart.

EMS WEEK PROCLAMATION Mayor Pro-Tempore Parkin called for the reading of a proclamation designating the week of May 21 through May 27 as Emergency Medical Services Week.

There were no objections and Proclamation 1709 was read.

Mr. Todd moved, seconded by Mr. Taylor, the adoption of Proclamation 1709 designating the week of May 21 through May 27, 2017 as Emergency Medical Services Week in the City of Hazelwood. The motion passed unanimously.

The proclamation was presented to Fire Chief Dave Herman.

SAFE BOATING WEEK Mayor Pro-Tempore Parkin called for the reading of a proclamation designating the week of May 20 through May 26 as Safe Boating Week.

There were no objections and Proclamation 1710 was read.

Mr. Todd moved, seconded by Mr. Ryan, the adoption of Proclamation 1710 designating the week of May 20 through 26, 2017 as Safe Boating Week and supporting the goals of the North American Safe Boating Campaign, "Wear It!," and the start of the year-round effort to promote safe boating. The motion passed unanimously.

The proclamation was presented to Flotilla Commander Betty Zoellner of the U.S. Coast Guard Auxiliary.

CITIZEN HEARINGS AND PRESENTATION OF PETITIONS

Mayor Pro-Tempore Parkin explained the procedures to be followed during a hearing. He invited anyone desiring to make a comment to come forward at this time.

SHORT-TERM RENTALS Dan Poett, 105 Sunset Drive, expressed support of the short-term rental prohibition.

Mr. Poett believes they can create unwanted activity and corrosion of neighborhoods.

RENEE'S BAR & GRILLE An application for a Full Liquor License, with Sunday, had been received from Ruby R. Terry for Renee's Bar & Grille, LLC, d/b/a Renee's Happy Hour, at 6827 Howdershell Road.

The record check had been performed and Police Chief Gregg Hall has recommended approval of the application.

Ms. Terry stated she currently operates Renee's Bar & Grill in University City. She plans to relocate to Hazelwood due to a decline in business caused by construction of the Delmar Loop Trolley. The proposed hours of operation are 10 a.m. to 1:30 a.m., Monday through Saturday, and 10 a.m. to midnight, Sunday. The restaurant would be open on Sundays for special events such as showers. On certain evenings, a band would perform. The restaurant is scheduled to open at the end of June or early July.

Mr. Aubuchon noted the back doors must be kept closed to prevent noise issues for the adjacent residential properties.

Mr. Aubuchon moved, seconded by Mr. Taylor, to grant a Full Liquor License, with Sunday, to Ruby R. Terry for Renee's Bar & Grille, LLC, d/b/a Renee's Happy Hour, at 6827 Howdershell Road and to issue a 90 day temporary license to provide the applicant the opportunity to establish and validate the requisite food sales. The motion passed unanimously.

PUBLIC HEARINGS

AMEND CHAPTER 405 Mayor Pro-Tempore Parkin called to order the public
SHORT-TERM hearing to consider amendment of Chapter 405: Zoning
RENTALS Regulations to prohibit short-term rentals.

Mr. Zimmerman stated Bill 4659, to repeal Ordinance 4529-17 and prohibit short-term rentals, was introduced and given first reading during the May 3 Council meeting and was sent to the City Plan Commission for recommendation. The City Plan Commission reviewed the bill at their May 11 meeting and recommended the Council adopt it as an ordinance. Mr. Zimmerman stated there are currently three condominiums in Hazelwood advertised for short-term rental on Airbnb, one at Hazelcrest and two at Santa Bella. Notification will be sent to those property owners if the ordinance is passed.

Mayor Pro-Tempore Parkin 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 Pro-Tempore Parkin declared the hearing closed.

Mrs. Thomas read the City Plan Commission motion to recommend adoption of an ordinance repealing Ordinance 4529-17 and amending Chapter 405: Zoning Regulations to prohibit the use of dwellings for short-term rental occupancy. She stated the motion passed unanimously.

2017-2018 BUDGET Mayor Pro-Tempore Parkin called to order the public hearing
to consider the proposed fiscal year 2017-2018 budget.

Finance Director Lori Obermoeller gave an overview of the proposed budget by fund. With the exception of an increase in Sewer Lateral Fund revenue, due to a proposed fee increase, there were no changes to the proposed budget as it was presented at the April 26 work session.

Mayor Pro-Tempore Parkin 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 Pro-Tempore Parkin declared the hearing closed.

Mr. Aubuchon moved, seconded by Mr. Taylor, to approve the fiscal year 2017-2018 budget 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

CHARTER CHANNEL LINEUP A notice of changes to the channel lineup was received from Charter Communications.

BOARD RESIGNATION A letter of resignation from the Industrial Development Authority was received from Clara Faatz.

A letter thanking Ms. Faatz for her service to the City was sent.

SLUP 127 BYASSEE A petition for a Special Land Use Permit for vehicle storage at 127 Byassee Drive was received from 1MTX, LLC.

SLUP 5701 PHANTOM DRIVE A petition for a Special Land Use Permit for vehicle storage at 5701 Phantom Drive was received from Bommarito Nissan, Inc.

SLUP 567 ANGLUM ROAD A petition for a Special Land Use Permit for vehicle storage at 567 Anglum Road was received from Bommarito Nissan, Inc.

Mr. Taylor moved, seconded by Mrs. Stroker, to receive and file all communications and to refer the petitions to the City Plan Commission. The motion passed unanimously.

UNFINISHED BUSINESS - None

MAYOR AND COUNCIL REPORTS

WORK SESSION AGENDA ITEMS No items were added to the July 12 Council work session agenda.

**BOARD/COMMISSION
APPOINTMENTS**

On behalf of Mayor Robinson, Mayor Pro-Tempore Parkin nominated the following for reappointment to their respective board or commission: Pat Piotrowicz, City Plan Commission; Earl Compton, Civil Service Board; Marty Opfer, Civil Service Board; Florence Gillespie, Community Enrichment Commission; Alberta Young, Community Enrichment Commission; Dorothy Hitt, Historic Preservation Commission; Bill Hammerly, Neighborhood Watch Commission; and Patricia Corzine, Neighborhood Watch Commission.

In addition, on behalf of Mayor Robinson, Mayor Pro-Tempore Parkin nominated Dennis Lammert, of 1945 Acorn Trail, for appointment to the City Plan Commission and Kent Manis, of 1775 Coachway Lane, for appointment to the Board of Appeals.

Mr. Ryan moved, seconded by Mrs. Stroker, to approve the preceding appointments. The motion passed unanimously.

Mrs. Thomas will invite the newly appointed and reappointed board and commission members to the June 7 Council meeting to receive their oaths of office and commission certificates.

CITY MANAGER'S REPORT

**CHAPTER 100 BONDS
MITEK USA**

Economic Developer David Cox reported staff recommends approval to issue \$36.5 million in taxable industrial revenue bonds for MiTek USA, Inc.

Mr. Cox stated MiTek is planning to demolish the existing building, perform all environmental remediation, and construct a new 346,500 square foot industrial building. MiTek has agreed to provide at least 150 jobs by 2019. In addition to the new jobs and \$3.75 million in new payroll at full employment, the City is expected to receive an average of \$150,000 per year in new General Fund revenue from real and personal property taxes, business licenses and utility taxes over the first five years.

Maged Diab, president of MiTek USA, Inc., explained the building plans. Mr. Diab stated the purchase of the property was finalized and there will be work on the environmental issues before the demolition will start. Mr. Diab also stated the staffing goal is 160 employees at \$12 per hour.

Mark Spykerman of Gilmore and Bell, the City's bond counsel, reported the purpose of the bond issuance is to facilitate the tax abatement, not to finance the project. Mr. Spykerman stated the value of the property decreased by a third.

Mr. Aubuchon moved, seconded by Mrs. Stroker, to concur with the staff recommendation to authorize the issuance of \$36.5 million in taxable industrial revenue bonds for MiTek USA, Inc., 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.

HOWDERSHELL PARK Public Works Director David Stewart reported staff recommends approval of a contract with Planning Design Studio LLC for design and construction services for Howdershell Park improvements.

Mr. Stewart explained the improvements include a new custom obstacle course with surfacing, a new playground for two to five year olds, and sidewalks at both playgrounds to increase accessibility to all patrons. Mr. Littlefield stated, after grant funding, the City's portion of the expenses is eight thousand three hundred seventy-five dollars (\$8,375).

Mrs. Stroker moved, seconded by Mr. Taylor, to concur with the staff recommendation to authorize a contract with Planning Design Studio LLC for design and construction services for Howdershell Park improvements at a cost not to exceed seventy-two thousand five hundred dollars (\$72,500) and to place the draft bill on this agenda for introduction. The motion passed unanimously and the bill was added to the agenda as item 17.c.

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT - None

COMMISSION AND BOARD REPORTS Mr. Taylor moved, seconded by Mrs. Stroker, to receive and file the minutes of the April 11 Community Enrichment Commission meeting. The motion passed unanimously.

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

F.Y. 2018 BUDGET Mayor Pro-Tempore Parkin called for the first reading of a bill to approve the fiscal year 2017-2018 budget.

There were no objections and Bill 4661 was read by title only:

AN ORDINANCE APPROVING THE BUDGET OF THE CITY OF HAZELWOOD, MISSOURI, FOR FISCAL YEAR 2017-2018 AND APPROPRIATING THE SUMS CONTAINED THEREIN FOR THE PURPOSES AND OBJECTS THEREIN.

Bill 4661 will be on the agenda for second reading on June 7.

MITEK INDUSTRIAL
REVENUE BONDS

Mayor Pro-Tempore Parkin called for the first reading of a bill to authorize the issuance of \$36.5 million in taxable industrial revenue bonds for MiTek USA, Inc.

There were no objections and Bill 4662 was read by title only:

TAXABLE INDUSTRIAL REVENUE BONDS (MITEK USA, INC. PROJECT), SERIES 2017, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$36,500,000, FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COSTS OF EQUIPPING 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 4662 will be on the agenda for second reading on June 7.

HOWDERSHELL PARK

Mayor Pro-Tempore Parkin called for the first reading of a bill to authorize a contract with Planning Design Studio LLC for design and construction services for Howdershell Park improvements.

There were no objections and Bill 4663 was read by title only:

AN ORDINANCE AUTHORIZING A CONTRACT WITH PLANNING DESIGN STUDIO LLC FOR DESIGN AND CONSTRUCTION SERVICES FOR HOWDERSHELL PARK IMPROVEMENTS AT A COST NOT TO EXCEED SEVENTY-TWO THOUSAND FIVE HUNDRED DOLLARS (\$72,500).

Bill 4663 will be on the agenda for second reading on June 7.

SECOND READING OF BILLS AND ACTION ON BILLS

SLUP
BILL 4657

Mayor Pro-Tempore Parkin called for the second reading of Bill 4657 to grant a Special Land Use Permit for a fast food restaurant at 7025 F Howdershell Road.

There were no objections and Bill 4657 was read by title only:

AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO 5 STAR LIQUOR & MORE INC., FOR A FAST FOOD RESTAURANT AT 7025 F HOWDERSHELL ROAD AND PROVIDING THE CONDITIONS OF SUCH USAGE.

Mr. Aubuchon moved, seconded by Mr. Todd, the adoption of Bill 4567 as an ordinance. The following vote was recorded on the motion:

AYE - 7 NAY - 0
Mr. Todd
Mr. Taylor
Mrs. Singleton
Mrs. Stroker
Mr. Aubuchon
Mr. Ryan
Mayor Pro-Tempore Parkin

Bill 4657 was unanimously adopted as Ordinance 4545-17.

CONTRACT Mayor Pro-Tempore Parkin called for the second reading of
BILL 4658 Bill 4658 to authorize a contract with Charter
 Communications, Inc., for internet services at the Hazelwood
 Community Center and City Hall for a three year period.

There were no objections and Bill 4658 was read by title only:

AN ORDINANCE AUTHORIZING A THREE YEAR SERVICE AGREEMENT WITH CHARTER COMMUNICATIONS, INC., FOR INTERNET SERVICE AT CITY HALL AT THE RATE OF NINE HUNDRED FORTY-NINE DOLLARS (\$949) PER MONTH AND AT HAZELWOOD COMMUNITY CENTER AT THE RATE OF FOUR HUNDRED FORTY-NINE DOLLARS (\$449) PER MONTH.

Mr. Todd moved, seconded by Mr. Taylor, the adoption of Bill 4658 as an ordinance. The following vote was recorded on the motion:

AYE - 7 NAY - 0
Mr. Todd
Mr. Taylor
Mrs. Singleton
Mrs. Stroker
Mr. Aubuchon
Mr. Ryan
Mayor Pro-Tempore Parkin

Bill 4658 was unanimously adopted as Ordinance 4546-17.

AMEND CHAPTER 405 Mayor Pro-Tempore Parkin called for the second reading of
BILL 4659 Bill 4659 to repeal Ordinance 4529-17 and amend Chapter
 405 of the City Code pertaining to the use of dwellings for
 short-term rental occupancy.

There were no objections and Bill 4659 was read by title only:

AN ORDINANCE REPEALING ORDINANCE NO. 4529-17 AND AMENDING CHAPTER 405 OF THE HAZELWOOD CITY CODE PERTAINING TO THE USE OF DWELLINGS FOR SHORT-TERM RENTAL OCCUPANCY.

Mr. Ryan moved, seconded by Mr. Taylor, the adoption of Bill 4659 as an ordinance. The following vote was recorded on the motion:

| | |
|--------------------------|----------------|
| <u>AYE - 7</u> | <u>NAY - 0</u> |
| Mr. Todd | |
| Mr. Taylor | |
| Mrs. Singleton | |
| Mrs. Stroker | |
| Mr. Aubuchon | |
| Mr. Ryan | |
| Mayor Pro-Tempore Parkin | |

Bill 4659 was unanimously adopted as Ordinance 4547-17.

AMEND CHAPTER 607 Mayor Pro-Tempore Parkin called for the second reading of
BILL 4660 Bill 4660 to amend Chapter 607 of the Hazelwood City Code
 pertaining to hospitality businesses.

There were no objections and Bill 4660 was read by title only:

AN ORDINANCE AMENDING CHAPTER 607 OF THE HAZELWOOD CITY CODE PERTAINING TO HOSPITALITY BUSINESSES.

Mr. Aubuchon moved, seconded by Mr. Ryan, the adoption of Bill 4660 as an ordinance. The following vote was recorded on the motion:

| | |
|--------------------------|----------------|
| <u>AYE - 7</u> | <u>NAY - 0</u> |
| Mr. Todd | |
| Mr. Taylor | |
| Mrs. Singleton | |
| Mrs. Stroker | |
| Mr. Aubuchon | |
| Mr. Ryan | |
| Mayor Pro-Tempore Parkin | |

Bill 4660 was unanimously adopted as Ordinance 4548-17.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

CITY HALL CLOSED Mayor Pro-Tempore Parkin announced City Hall will be
 closed on May 29 in observance of Memorial Day.

COUNCIL MEETING

Mayor Pro-Tempore Parkin announced the next regular Council meeting will be held Wednesday, June 7, 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 8:40 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

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