

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
FEBRUARY 21, 2018**

CALL TO ORDER

A regular meeting of the Hazelwood City Council was called to order by Mayor Pro-Tempore Don Ryan at 7:30 p.m. on Wednesday, February 21, 2018, in the Council Chambers of Hazelwood City Hall, 415 Elm Grove Lane.

Mayor Pro-Tempore Ryan 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
Rosalie Hendon
Mary G. Singleton
Carol A. Stroker
Robert M. Aubuchon
Don W. Ryan

Mayor Matthew Robinson and Council member Robert Parkin II 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, Mrs. Singleton moved, seconded by Mrs. Hendon, the adoption of the agenda as printed. The motion passed unanimously.

CONSENT AGENDA

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

AYE - 7

NAY - 0

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

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 to discuss a proprietary matter in accordance with the provisions of RSMo 610.021(15), was adopted.

APPROVAL OF MINUTES

Mrs. Hendon moved, seconded by Mr. Taylor, to approve the minutes of the February 7 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.

EMPLOYEE SERVICE AWARDS

As his biography was read, Firefighter/Paramedic Matt Mankus was presented with a 5 year service award.

As his biography was read, City Planner Earl Bradfield was presented with a 15 year service award.

EMPLOYEE PROMOTION

Fire Chief Dave Herman introduced newly promoted Battalion Chief Mike Eisenbeis.

EMPLOYEE INTRODUCTION

Police Chief Gregg Hall introduced newly hired Telecommunicator Lauren Dolan.

PROCLAMATIONS AND RESOLUTIONS

BOUNDARY CHANGE PLAN RESOLUTION

Mayor Pro-Tempore Ryan called for the reading of a resolution adopting a boundary change plan for the purpose of potential future annexations.

Mr. Bradfield reported every five years the St. Louis County Boundary Commission requires the City to submit a map plan for any potential annexations. The City has submitted the same map plan for the past 15 years. The plan provides for possible annexation of all or portions of the South Industrial area which includes the GKN and Boeing properties.

There were no objections and Resolution 1802 was read by title only:

A RESOLUTION ADOPTING A BOUNDARY CHANGE PLAN FOR SUBMISSION TO THE ST. LOUIS COUNTY BOUNDARY COMMISSION AND AUTHORIZING THE CITY MANAGER TO ACT ON THE CITY'S BEHALF IN TRANSACTIONS WITH THE BOUNDARY COMMISSION FOR THE PURPOSE OF POTENTIAL FUTURE ANNEXATIONS.

Mr. Aubuchon moved, seconded by Mr. Todd, the adoption of Resolution 1802. The following vote was recorded on the motion:

<u>AYE - 7</u>	<u>NAY - 0</u>
Mr. Todd	
Mr. Taylor	
Mrs. Hendon	
Mrs. Singleton	
Mrs. Stroker	
Mr. Aubuchon	
Mr. Ryan	

Resolution 1802 was unanimously adopted.

CITIZENS HEARINGS AND PRESENTATION OF PETITIONS

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

LOW INCOME HOUSING Mark Behlmann, a community leader, stated he has fought development of low income housing in North County since 1995.

Mr. Behlmann brought documentation to leave with Mrs. Thomas to copy and give to the Council. Mr. Behlmann read a portion of the 2015-2019 Community Development Block Grant Program from the City of Florissant. He expressed his opposition to low income housing developments and stated he will continue to fight for the community.

ENERGY EFFICIENCY UPGRADE PROGRAM Tom Appelbaum, Ygrene Energy Fund representative, stated Ygrene Works is a property assessed clean energy program to help homeowners finance energy efficient upgrades.

More information can be found at ygrenetworks.com.

ELM RIDGE DEVELOPMENT Brian Hoette, 8354 Buddie Drive, of the Carpenters Regional Council asked the Council to support the Elm Ridge development.

Wesley Ray, 1925 Caposele Lane, expressed his support for the Elm Ridge project. He stated the project would provide jobs and housing for seniors.

CITY MANAGER'S STATUS REPORT Chief Hall reported at the last Council meeting a resident expressed concerns relative to police presence in the area of Fee Fee Road and Utz Lane.

Chief Hall stated he spoke with residents who live in the area and expressed empathy for what they have experienced. Chief Hall explained there have been five burglaries in the vicinity since last October. The police have gone door-to-door seeking leads and they have saturated the area with police patrol. They are confident they will resolve this. The Neighborhood Watch Commission is attempting to set up a neighborhood meeting and is creating an action plan.

Mrs. Hendon asked if the burglaries were committed by the same person. Chief Hall replied they don't know yet, but hopefully the fingerprints and DNA will help provide closure to the cases.

SLUP EXTENSION A request to amend Ordinance 4577-17 by extending the
7008 N. HANLEY RD Special Land Use Permit deadline to commence operation of
Miami Grill, a fast food restaurant at 7008 North Hanley
Road, to September 20, 2018 was received.

Mr. Bradfield stated the Special Land Use Permit for a fast food restaurant was issued to Miami Grill on September 20, 2017 and will lapse on March 20, 2018 without an extension.

Muath Salameh, owner of Miami Grill, stated the extension is needed because the contractors have not been able to work due to bad weather and there were issues with tapping into the sewer line. Mr. Salameh explained the plumbing was configured to run into the sewer line and had to be re-routed back to the septic system. Mr. Salameh stated the permit approval process through St. Louis County has taken longer than expected.

Mr. Taylor moved, seconded by Mrs. Hendon, to amend Ordinance 4577-17 by extending the Special Land Use Permit deadline to commence operation of Miami Grill, a fast food restaurant at 7008 North Hanley Road, to September 20, 2018 and to place the draft bill on the agenda for introduction. The motion passed unanimously and the bill was added to the agenda as item 17.a.

PUBLIC HEARINGS

595 ANGLUM ROAD Mayor Pro-Tempore Ryan called to order the public hearing
SIGN VARIANCE to consider a request from BioMérieux, Inc., for variances of
the sign regulations for a monument sign at 595 Anglum
Road as follows: 1) an 8 foot variance of the 21 foot setback
requirement for a 12 foot tall sign, 2) a 4 foot variance of the
8 foot maximum height regulation, and 3) a 9.25 square foot
variance of the 20 square foot maximum size regulation.

Signarama representative John Pannullo gave a brief PowerPoint presentation on the monument sign proposal. Mr. Pannullo stated BioMérieux's objective is to have signage consistent with their other locations. There is an existing monument base and they

propose to use that foundation as it already has electric. Mr. Pannullo explained the sign cabinet is lighted, double-faced, and constructed of aluminum. The landscape plan proposed is at the City's request.

Mr. O'Keefe asked if there are subdivision indentures for the Brown Campus and if this sign is consistent with those regulations. Mr. Zimmerman responded the indentures were not checked.

Mr. Aubuchon asked the durability of the aluminum sign. Mr. Pannullo responded it will last 20 plus years.

Mayor Pro-Tempore Ryan 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 Ryan declared the hearing closed.

Mr. Aubuchon moved, seconded by Mrs. Hendon, to table consideration of the sign variance request until the March 7 Council meeting to allow the petitioner to provide verification that the sign meets Brown Campus indenture regulations. The motion passed unanimously.

COMMUNICATIONS

EWGCG LOCAL BRIEFINGS	The February 8 issue of Local Government Briefings was received from the East-West Gateway Council of Governments.
ST. LOUIS COUNTY MUNICIPAL PARK GRANT COMMISSION	A letter from the St. Louis County Municipal Park Grant Commission regarding their Special Funding Round for Regional Parks and Recreation Projects was received.
MSD ANNUAL REPORT	The 2017 Popular Annual Financial Report was received from Metropolitan St. Louis Sewer District.
MML ENDORSEMENT	A letter from the Missouri Municipal League endorsing the National League of Cities Service Line Warranty Program was received.
ZONING CHANGE 11 PROPERTIES AUBUCHON RD. & HOWDERSHELL RD.	A petition for a change of zoning to Planned District, Industrial for 11 properties on Aubuchon and Howdershell Roads was received from NP Hazelwood 370 Industrial, LLC.
EWGCG LOCAL BRIEFINGS	The February 15 issue of Local Government Briefings was received from the East-West Gateway Council of

Governments.

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

UNFINISHED BUSINESS - None

MAYOR AND COUNCIL REPORTS

WORK SESSION No items were added to the March 14 Council work
AGENDA ITEMS session agenda.

CITY MANAGER'S REPORT

3746 DUNN ROAD Economic Developer David Cox reported Green Street
Development is proposing a senior housing development at
3746 Dunn Road.

Mr. Cox stated the Council considered a letter at the February 7 Council meeting from Green Street Development requesting a resolution to show support for a low income housing project. The Council did not express support. Subsequently, he and Mr. Aubuchon met with Green Street who has changed their project to a senior housing project that would utilize federal tax credits for low income housing. Mr. Cox stated Green Street would need to apply to the City's Board of Adjustment for variances on density and parking. Mr. Cox read an email from Chuck Church, the owner of 3746 Dunn Road, expressing support for the senior housing project proposal.

Executive Vice President Brian Pratt, from Green Street Development, gave a brief history and background of the company.

Vice President of Housing Development Joel Oliver, from Green Street Development, stated federal tax credits allow for less permanent debt for the developer. Mr. Oliver cited other cities in the St. Louis area that have benefited from these federal funds with a project exactly like the one proposed including the following: Dardenne Prairie, Kirkwood, Lake St. Louis, Maplewood, Mehlville, St. Charles, and Webster Groves. In Mr. Oliver's professional experience, a project like this will draw residents from within three to five miles. Mr. Oliver stated their proposal is a low income housing tax credit, which is a federal credit. The developer uses the federal tax credit to lower the permanent debt which makes the rent affordable for a set period of time. The developer has the option to decide how long to keep the rent affordable and Green Street is proposing a 30 year affordability period. The tenant pays 100% of their rent, which means they have to be employed or have a source of income. Mr. Oliver explained Trulia, an online residential real estate site for home buyers, sellers, renters and real estate professionals in the United States, did an independent study that indicated affordable housing has no impact on surrounding property values.

Mr. Oliver stated they talked with Development Strategies, a consulting firm, and they determined based on the last census data that 967 households qualified for this project in Hazelwood. Mr. Oliver explained the project would be located on Dunn Road behind QuikTrip. It would be split into two phases, with the first phase consisting of 50 apartment units and the second phase consisting of 12 villas. The development would provide one parking space per unit. Mr. Oliver stated they are not asking for any local incentives and showed a rendering of the proposed project and explained the layout. The project would be locally owned by Green Street and locally managed as well. The project is overseen by the Internal Revenue Service, Missouri Housing Development Commission, the City's occupancy inspection program, the lender and investor who conduct annual site visits, and the ownership group. Mr. Oliver stated the maximum income is 60% of the area median and the proposed rent will range from \$660 to \$801.

Mrs. Hendon stated "senior" is deceiving if children can live there.

Mr. Ryan suggested an age restriction of 55 years and older. Mr. Oliver stated they cannot enforce an age restriction.

Mr. Taylor expressed concerns with the parking. Mr. Oliver stated the proposed parking model is the standard in St. Louis County.

Mr. Bradfield stated the parking requirement is two spaces per unit.

Mr. Oliver noted he is not asking for site plan approval or a variance tonight. He added Council approval is not required to submit the application for federal tax credits.

Mr. O'Keefe asked why they would not submit a project that meets the City codes. Mr. Oliver responded Green Street believes there is a need for this project and the way it has been proposed. They have not considered a project that meets code from a design perspective at this time.

Mr. Zimmerman stated, if the Council would like more clarity on what this project would look like, they can table this discussion and staff can engage in more in-depth conversations with the developer.

Mrs. Hendon explained she received a phone call from a resident who feels this development would negatively affect property values. Mr. Oliver stated that is a misunderstanding of the project.

Mr. Aubuchon stated he believes couples at the age of 55 would both have vehicles and it would not be feasible to park on Dunn Road. Mr. Oliver responded they are happy to modify the site plan and remove the 12 villas and increase the parking back to two spaces per unit.

Mayor Pro-Tempore Ryan called for a motion. No motion was made.

IDA PILOT PAYMENTS Mr. Cox reported the City has a number of incentive projects in place, some of which require payment in lieu of taxes (PILOT).

Mr. Cox stated the most common form of tax abatement that may require a PILOT is Chapter 100. Bonds are issued for purchase of building materials or equipment. A lease of the building or equipment allows the items to be purchased using the City's non-taxable status. All real or personal property taxes that the company would be required to pay are abated. A PILOT is used by the company to pay taxes due per the lease agreement. For instance, if the abatement is for 50% the company would pay a PILOT of 50% to make up the difference. Mr. Cox explained the City currently has three Chapter 100 projects which require a PILOT.

MiTek was granted a Chapter 100 and their building is currently being constructed and will be completed this year. MiTek's first PILOT, equaling 50% of the taxes, is due at the end of 2019.

Presence From Innovation received Chapter 100 abatement on their expansion at their Park 370 facility. The agreement was for 100% abatement of property taxes for five years, so no PILOT's are due initially. However, there are two exceptions. If there are less than 25 jobs at the facility or less than 27 jobs with a total payroll less than \$2 million, the building owners must pay an extra PILOT. The maximum amount of abatement is \$600,000 and if the exemption exceeds this amount in any year of the Chapter 100, there will be a PILOT for any amount over. Any PILOT's required will be determined after the first year of the term in 2018.

The largest Chapter 100 project is with Silgan Plastics. They were issued a Chapter 100 bond in the amount of \$13 million to purchase equipment and the abatement is for 50% from 2016 to 2026. This requires a PILOT of 50% of the taxes assessed on the book value of the equipment. St. Louis County Revenue shows the personal property taxes paid on December 31, 2017 as \$156,763.11, which is 50% of their taxes. UMB Bank issued the bonds and as of June 30, 2017, \$5,224,005 remained outstanding. The bonds will mature on December 1, 2025 and the PILOT's will end January 1, 2026, at which time Silgan will start paying 100% of personal property taxes owed. Mr. Cox noted that no City fees are abated and Silgan paid a business license fee of \$95,746 in 2017.

FIRE COMMAND Chief Herman reported staff recommends the purchase of a
VEHICLE PURCHASE 2018 Chevrolet Tahoe from Don Brown Chevrolet at the cost of \$36,241.

Chief Herman stated the fire department budgeted for a command vehicle to replace the 2008 Ford Expedition that currently has in excess of 126,000 miles. The State bid for this vehicle is \$36,241 through Don Brown Chevrolet. Chief Herman explained the fire department budgeted \$50,000 for this purchase and other custom equipment for the vehicle.

Mr. Aubuchon moved, seconded by Mrs. Hendon, to concur with the staff recommendation to purchase one 2018 Chevrolet Tahoe from Don Brown Chevrolet at a cost of \$36,241. The motion passed unanimously.

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT - None

COMMISSION AND BOARD REPORTS Mrs. Hendon moved, seconded by Mr. Taylor, to receive and file the minutes of the January 18 Board of Appeals meeting and the January 22 Historic Preservation Commission meeting. The motion passed unanimously.

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

SLUP EXTENSION Mayor Pro-Tempore Ryan called for the first reading of a bill
7008 N. HANLEY RD. to extend the Special Land Use Permit deadline to commence operation of Miami Grill, a fast food restaurant at 7008 North Hanley Road, to September 20, 2018.

There were no objections and Bill 4715 was read by title only:

AN ORDINANCE AMENDING ORDINANCE 4577-17 BY EXTENDING THE SPECIAL LAND USE PERMIT DEADLINE TO COMMENCE OPERATION OF MIAMI GRILL, A FAST FOOD RESTAURANT AT 7008 NORTH HANLEY ROAD, TO SEPTEMBER 20, 2018.

Bill 4715 will be on the agenda for second reading on March 7.

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 4702 Mayor Pro-Tempore Ryan called for the second reading of
E.D. LOAN AGREEMENT Bill 4702 to authorize an Economic Development and Tourism Loan Agreement with the St. Louis Curling Club.

Mr. O'Keefe stated there is a staff recommendation that the Council consider passing out Bill 4702.

Mr. Cox stated the St. Louis Curling Club understands the reasoning for passing the bill out and will come back with a new proposal when they find another facility.

Mr. Aubuchon moved, seconded by Mr. Todd, to pass out Bill 4702. The motion passed unanimously.

AYE - 7

NAY - 0

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

Bill 4713, as amended, was unanimously adopted as Ordinance 4600-18.

BILL 4714
AMEND LOAN
AGREEMENT

Mayor Pro-Tempore Ryan called for the second reading of Bill 4714 to authorize an amendment to the loan agreement and note with Emerald Automotive, LLC, as authorized by Ordinance 4166-11.

Mr. O'Keefe stated a revised bill was distributed as Bill 4714.1 with a revised exhibit.

Mr. Zimmerman explained the difference from the first reading is the interest calculation was added. Emerald's attorney wanted to incorporate the up-to-date interest in the promissory note.

Mrs. Singleton moved, seconded by Mr. Todd, to amend Bill 4714 by the text of 4714.1 and by substituting the revised exhibit. The motion passed unanimously.

There were no objections and Bill 4714, as amended, was read by title only:

AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH MISSOURI TECHNOLOGY CORPORATION AND EMERALD AUTOMOTIVE, LLC, AS AUTHORIZED BY ORDINANCE 4166-11.

Mrs. Hendon moved, seconded by Mrs. Singleton, the adoption of Bill 4714, as amended, as an ordinance. The following vote was recorded on the motion:

AYE - 7

NAY - 0

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

Bill 4714, as amended, was unanimously adopted as Ordinance 4601-18.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

COUNCIL MEETING Mayor Pro-Tempore Ryan announced the next regular Council meeting will be held Wednesday, March 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 9:50 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

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