

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
NOVEMBER 6, 2019**

CALL TO ORDER

A regular meeting of the Hazelwood City Council was called to order by Mayor Matthew G. Robinson at 7:33 p.m. on Wednesday, November 6, 2019, 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:

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

Council Member Carol Stroker was not present. City Clerk Christine Thomas declared a quorum was present. Also present were City Manager Matt Zimmerman and City Attorney Kevin O'Keefe.

AGENDA

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

CONSENT AGENDA

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

AYE - 8

NAY - 0

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

The motion passed unanimously and the consent agenda, including a closed meeting immediately following the regular meeting to consult with the City Attorney and discuss litigation in accordance with the provisions of RSMo 610.021(1) and to discuss a personnel matter in accordance with the provisions of RSMo 610.021(3), was adopted.

**APPROVAL OF
MINUTES**

Mrs. Hendon moved, seconded by Mrs. Singleton, to approve the minutes of the October 16 regular and closed Council meetings as submitted. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS

**EMPLOYEE
INTRODUCTION**

Police Chief Gregg Hall introduced newly hired Police Officer James Hasting.

PROCLAMATIONS AND RESOLUTIONS - None

CITIZENS 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
6101 N. LINDBERGH**

Mayor Robinson called to order the public hearing to consider the petition received from Next Gen Liquid Wraps, LLC for a Special Land Use Permit for a vehicle service and repair facility and vehicle painting at 6101 North Lindbergh Boulevard.

City Planner Earl Bradfield stated the petitioner could not be present tonight.

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.

Mr. Aubuchon asked if the business was in operation.

Code Administrator/Building Official Dave Clemens stated they are not supposed to be in operation and their occupancy has not been approved.

Mr. Zimmerman stated staff will check to see if they are operating.

The hearing was continued to the November 20 Council meeting.

SUBDIVISION 412 FEE FEE HILLS 416 FEE FEE HILLS	Mayor Robinson called to order the public hearing to consider the petition by Gary A. and Jacki D. Wood and Mary Wood for the subdivision of 412 and 416 Fee Fee Hills Drive to adjust the lots' boundaries.
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Mr. Bradfield stated both lots have single-family residences. Surrounding the subject site are single-family residences and an apartment complex. Mr. Bradfield stated the final plat meets the requirements of the subdivision regulations.

Gary Wood of 416 Fee Fee Hills Drive stated he purchased the property at 412 Fee Fee Hills Drive for his mother. Mr. Wood explained the adjustment would make his yard larger and his mother's yard smaller. Mr. Wood showed an aerial of both lots.

Mrs. Singleton asked why Mr. Wood is getting a boundary adjustment and not just using his mother's yard. Mr. Wood replied they will eventually put a fence up and want to make the adjustment official.

Mr. Todd asked if the smaller lot will still meet zoning regulations. Mr. Bradfield responded affirmatively.

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 subdivision boundary adjustment located at 412 and 416 Fee Fee Hills Drive, Ward 2." She stated the motion passed unanimously.

Mr. Aubuchon moved, seconded by Mrs. Hendon, to concur with the City Plan Commission recommendation to authorize the subdivision of 412 and 416 Fee Fee Hills Drive 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 637 DUNN ROAD	Mayor Robinson called to order the public hearing to consider the application by Dunn Road Holdings, LLC, for a variance of the sign regulations for a wall sign at 637 Dunn Road.
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Mr. Bradfield stated the petitioner is requesting a variance to install an additional wall sign on the front elevation that has an existing 67.2 square foot wall sign. The combined square footage of the existing and proposed signs is 134.1 square feet which is 28.7

square feet more than allowed. The Code allows total wall signage equal to 5% of the elevation less windows or 115.4 square feet.

Steve Behrens of Warren Sign Company stated DaVita currently has a 67 square foot sign on the front elevation and Esse Health would like to have a comparable sign. Mr. Behrens showed a picture of the proposed sign.

Mr. Aubuchon asked if DaVita had to get a variance for their sign. Mr. Bradfield responded they did not because, at that time, total proposed wall signage was less than 5% of the elevation less windows.

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. Todd stated 5% is very small compared to other cities and suggested the sign regulations be amended to be less restrictive.

Mrs. Hendon moved, seconded by Mr. Todd, to grant a 28.7 square foot variance of the maximum size regulation for wall signs to permit a total of 134.1 square feet of wall signage on the front elevation at 637 Dunn Road where a total of 115.4 square feet is permitted. The motion passed unanimously.

AMEND CHAP. 405, Mayor Robinson called to order the public hearing to
CHAP. 420 & CHAP. 500 consider amending *Chapter 405: Zoning Regulations*,
RE: MOBILE, MODULAR, *Chapter 420: Mobile Homes and Mobile Home Parks*, and
& MANUFACTURED *Chapter 500: Building Codes and Building Regulations*
HOMES relative to mobile, modular and manufactured homes.

Mr. Wilson recused himself.

Mr. Bradfield explained the proposal to amend Chapter 405. He stated St. Louis County permits manufactured homes that have been inspected and certified by the United States Department of Housing and Urban Development (HUD). The proposed amendments separately define mobile, manufactured and modular so they will no longer be considered temporary and will require a unique inspection process.

Mrs. Singleton asked if it is easy to get HUD to inspect mobile/manufactured homes. Mr. Bradfield replied they are inspected in the factory and marked certified.

Mr. Bradfield stated modular homes are different and are inspected by the Missouri Public Service Commission.

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 amendments to the Zoning Code regarding mobile, manufactured and modular homes.” She stated the motion passed unanimously.

Mr. Bradfield stated the proposed amendment to Chapter 420 is to change the definition of mobile home to conform to the Zoning Code. Currently, the City defines mobile home as a dwelling unit that remains on wheels.

Mr. Clemens stated the proposed changes to Chapter 500 include adding paragraph D to *Article IV: Building and Occupancy Permits, Section 500:140: Permits*, as follows:

“D. Modular and Manufactured Home Inspections

1. In addition to all other Hazelwood inspection requirements, prior to approval for an occupancy permit, all proposed modular and manufactured dwelling units must:
 - a. Pass inspections for appropriate anchoring to a reinforced continuous footing and foundation.
 - b. Pass all necessary St. Louis County plumbing and electrical inspections prior to a Hazelwood occupancy inspection.
 - c. Provide proof of passed inspection and certification for the United States Department of Housing and Urban Development (HUD) or the Missouri Public Service Commission (PSC).”

Mr. Ryan moved, seconded by Mr. Todd, to concur with the City Plan Commission recommendation to amend *Chapter 405: Zoning Regulations* pertaining to manufactured, modular and mobile homes and to place the draft bill on this agenda for introduction. The motion passed by a vote of seven in favor, with one recusal by Mr. Wilson, and the bill was added to the agenda as item 17.b.

Mrs. Hendon moved, seconded by Mr. Ryan, to concur with the staff recommendation to amend *Chapter 420: Mobile Homes and Mobile Home Parks* and *Chapter 500: Building Codes and Building Regulations* pertaining to manufactured, modular and mobile homes and to place the draft bill on this agenda for introduction. The motion passed by a vote of seven in favor, with one recusal by Mr. Wilson, and the bill was added to the agenda as item 17.c.

COMMUNICATIONS

EWGCG LOCAL BRIEFINGS	The October 10 issue of Local Government Briefings was received from the East-West Gateway Council of Governments.
SUBDIVISION PETITION 159 TAYLOR ROAD & 161 TAYLOR ROAD	A petition for subdivision of 159 and 161 Taylor Road to divide two lots into three was received from Ken and Sharon McGhee and Archway Memorial Chapel, LLC.
REZONING PETITION 159 TAYLOR ROAD 161 TAYLOR ROAD	A petition for change of zoning at 159 and 161 Taylor Road from R-5 Single-Family Dwelling District to C-2 General Commercial District was received from Archway Memorial Chapel, LLC.
ST. LOUIS COUNTY MUNICIPAL PARK GRANT COMMISSION	A letter from the St. Louis County Municipal Park Grant Commission regarding their Round 20 Park Grant application and meetings was received.
WASTE REDUCTION & RECYCLING GRANT	Information on the 2020 Waste Reduction and Recycling Grant Program application process was received from the St. Louis-Jefferson Solid Waste Management District.
NCI APPRECIATION	A letter of appreciation for the City's support of the 2019 Golf Tournament was received from North County Inc.

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

UNFINISHED BUSINESS

LETTER OF SUPPORT FOR SENIOR HOUSING PROJECT 3746 DUNN ROAD	At the October 2 regular Council meeting, the Council tabled consideration of a letter of support for low income housing tax credits for the proposed Elm Ridge Development at 3746 Dunn Road to allow an opportunity for Council to tour the Delwood facility.
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Mr. Aubuchon stated the Delwood facility was impressive and asked Elm Ridge Developer Kevin Buchek if the facility was at capacity. Mr. Buchek replied they have 75 applicants for 42 units. Mr. Buchek stated Hazelwood residents have inquired about the proposed development for Hazelwood.

Mr. Aubuchon moved, seconded by Mr. Ryan, to send a letter of support for Elm Ridge Development's proposed low-income senior apartment project at 3746 Dunn Road. The motion passed unanimously.

MAYOR AND COUNCIL REPORTS

WORK SESSION AGENDA ITEMS No items were added to the work session agenda and Mr. Aubuchon moved, seconded by Mrs. Singleton, to cancel the November 13 work session. The motion passed unanimously.

CITY MANAGER'S REPORT

DEED OF TRUST & SECURITY AGREEMENTS FOR TRADEPORT Mr. Zimmerman reported staff recommends approval of a Fee and Leasehold Deed of Trust and Security Agreements in connection with the Hazelwood Tradeport Industrial Development project.

Mark Spykerman of Gilmore & Bell, the City's bond counsel, explained the City entered into Chapter 100 industrial revenue bond transactions for Hazelwood Tradeport Buildings II and III. Mr. Spykerman explained NorthPoint is in the process of refinancing with a new lender for permanent financing. Northwestern Mutual, the mortgage company, has requested that the City, as owner of the property, execute a Fee and Leasehold Deed of Trust and Security Agreement as part of the refinancing. Mr. Spykerman stated execution of these documents by the City will allow Northwestern Mutual to have the same security interest in Building II and III as the original lender.

Mrs. Hendon moved, seconded by Mrs. Singleton, to concur with the staff recommendation to approve a Fee and Leasehold Deed of Trust and Security 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.d.

POWERPLEX UPDATE Mr. Zimmerman stated POWERplex is scheduled to close in mid to late December.

Mrs. Hendon asked if financing has been secured by both POWERplex and the City. Mr. Spykerman responded the construction loan is in the bank's underwriting committee and it must be released from that committee to move forward.

Mr. Zimmerman added staff anticipates presenting a loan proposal for the City's share to the Council in late December.

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 June 4 and October 1 Parks and Recreation Board meetings, the September 9

Neighborhood Watch Commission meeting, and the September 12 City Plan Commission. The motion passed unanimously.

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

SUBDIVISION Mayor Robinson called for the first reading of a bill to
412 FEE FEE HILLS authorize the subdivision of 412 and 416 Fee Fee Hills
& 416 FEE FEE HILLS Drive.

There were no objections and Bill 4835 was read by title only:

AN ORDINANCE APPROVING THE SUBDIVISION OF 412 AND 416 FEE FEE HILLS DRIVE TO ADJUST THE LOTS' BOUNDARIES.

Bill 4835 will be on the agenda for second reading on November 20.

AMEND CHAPTER 405 Mayor Robinson called for the first reading of a bill to amend
MOBILE, MODULAR & *Chapter 405: Zoning Regulations* pertaining to mobile,
MANUFACTURED HOMES manufactured and modular homes.

There were no objections and Bill 4836 was read by title only:

AN ORDINANCE AMENDING CHAPTER 405: ZONING REGULATIONS OF THE HAZELWOOD CITY CODE PERTAINING TO MANUFACTURED, MODULAR AND MOBILE HOMES.

Bill 4836 will be on the agenda for second reading on November 20.

AMEND CHAPTER 420 Mayor Robinson called for the first reading of a bill to amend
& CHAPTER 500 *Chapter 420: Mobile Homes and Mobile Home Parks* and
RE: MOBILE, MODULAR & *Chapter 500: Building Codes and Building Regulations*
MANUFACTURED HOMES pertaining to manufactured, modular and mobile homes.

There were no objections and Bill 4837 was read by title only:

AN ORDINANCE AMENDING CHAPTER 420: MOBILE HOMES AND MOBILE HOME PARKS AND CHAPTER 500: BUILDING CODES AND BUILDING REGULATIONS OF THE HAZELWOOD CITY CODE PERTAINING TO MANUFACTURED, MODULAR AND MOBILE HOMES.

Bill 4837 will be on the agenda for second reading on November 20.

FEE & LEASEHOLD DEED OF TRUST AND SECURITY AGREEMENTS	Mayor Robinson called for the first reading of a bill to approve Fee and Leasehold Deed of Trust and Security Agreements in connection with Tradeport Industrial Development Project.
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There were no objections and Bill 4838 was read by title only:

AN ORDINANCE APPROVING FEE AND LEASEHOLD DEED OF TRUST AND SECURITY AGREEMENTS IN CONNECTION WITH THE HAZELWOOD TRADEPORT INDUSTRIAL DEVELOPMENT PROJECT.

Bill 4838 will be on the agenda for second reading on November 20.

SECOND READING OF BILLS AND ACTION ON BILLS - None

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

VETERANS DAY	Mayor Robinson announced City Hall will be closed on November 11 in observance of Veterans Day.
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COUNCIL MEETING	Mayor Robinson announced the next regular Council meeting will be held Wednesday, November 20, at 7:30 p.m. in the Council Chambers.
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ADJOURNMENT	There being no further business to come before the Council, the meeting was adjourned at 8:15 p.m.
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Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

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