

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
MAY 1, 2019**

CALL TO ORDER

A regular meeting of the Hazelwood City Council was called to order by Mayor Matthew G. Robinson at 7:32 p.m. on Wednesday, May 1, 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:

Robert M. Aubuchon
Matthew G. Robinson
Russell Todd
Warren H. Taylor
Mary G. Singleton
Carol A. Stroker

Council members Don Ryan, Robert Parkin II and Rosalie Hendon were 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, Mrs. Singleton moved, seconded by Mr. Aubuchon, the adoption of the agenda as printed. The motion passed unanimously.

CONSENT AGENDA

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

<u>AYE - 6</u>	<u>NAY - 0</u>
Mr. Aubuchon	
Mayor Robinson	
Mr. Todd	
Mr. Taylor	
Mrs. Singleton	
Mrs. Stroker	

The motion passed unanimously and the consent agenda, including closed meetings to discuss litigation and consult with the City Attorney in accordance with RSMo 610.021(1), to discuss negotiations with employee groups in accordance with RSMo

610.021(9) and to discuss a proprietary matter in accordance with RSMo 610.021(15), was adopted.

APPROVAL OF MINUTES

Mr. Taylor moved, seconded by Mrs. Singleton, to approve the minutes of the April 17 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.

RECOGNITION OF CAPTAIN MANKUS

Fire Captain Matt Mankus was recognized for his recent promotion.

PROCLAMATIONS AND RESOLUTIONS

RESOLUTION

Mayor Robinson called for the reading of a resolution authorizing the provision of a sales tax exemption certificate for development of NorthPoint Hazelwood 370, Building IV.

R.J. Agee, NorthPoint Development representative, gave an update on the progress in Hazelwood TradePort. Mr. Agee stated NorthPoint is ready to construct Building IV.

Mark Spykerman of Gilmore & Bell, the City's bond counsel, stated this is similar to other NorthPoint projects. He explained the resolution authorizes a sales tax exemption on construction materials and is available through Chapter 100.

There were no objections and Resolution 1906 was read by title only:

A RESOLUTION AUTHORIZING THE PROVISION OF A SALES TAX EXEMPTION CERTIFICATE FOR AN INDUSTRIAL DEVELOPMENT PROJECT IN THE HAZELWOOD TRADE PORT BUSINESS PARK.

Mrs. Singleton moved, seconded by Mr. Taylor, the adoption of Resolution 1906. The following vote was recorded on the motion:

AYE - 6

NAY - 0

Mr. Aubuchon
Mayor Robinson
Mr. Todd
Mr. Taylor
Mrs. Singleton
Mrs. Stroker

Resolution 1906 was adopted.

**BUILDING SAFETY
PROCLAMATION**

Mayor Robinson called for the reading of a proclamation designating the month of May as Building Safety Month.

There were no objections and Proclamation 1906 was read.

Mr. Aubuchon moved, seconded by Mr. Todd, the adoption of Proclamation 1906 designating the month of May as Building Safety Month and encouraging citizens to take appropriate steps to ensure the safety of our built environment and recognize the implementation of safety codes by local and state agencies that have saved lives and protected homes and businesses. The motion passed unanimously.

**POLICE WEEK
PROCLAMATION**

Mayor Robinson called for the reading of a proclamation designating the week of May 12 through May 18 as Police Week 2019.

There were no objections and Proclamation 1907 was read.

Mr. Aubuchon moved, seconded by Mrs. Stroker, the adoption of Proclamation 1907 designating the week of May 12 through May 18 as "Police Week 2019," publicly saluting our law enforcement officers for their countless hours of dedicated service and calling upon all citizens to observe this week with appropriate activities commemorating police officers both past and present. The motion passed unanimously.

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

**SUBDIVISION
6250 N. LINDBERGH**

Mayor Robinson called to order the public hearing to consider the petition by Aviator Business Park, LLC for subdivision of 6250 North Lindbergh Boulevard from one lot into four lots.

City Planner Earl Bradfield stated the existing lot is vacant and is part of the Aviator Business Park subdivision. Mr. Bradfield stated site plans for warehouse buildings have been submitted for two of the lots.

Steve Quigley, president of The Clayton Engineering Company, stated they are currently working on buildings eight and nine and plan to start construction in June. Mr. Quigley gave a PowerPoint presentation and showed the subdivision plat. He stated cross access and utility easements are provided.

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 a lot division subdivision from one lot to four lots called “Aviator Business Park – Plat 6,” Ward 2.” She stated the motion passed unanimously.

Mr. Aubuchon moved, seconded by Mrs. Singleton, to concur with the City Plan Commission recommendation to authorize the subdivision of 6250 North Lindbergh Boulevard from one lot into four lots 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.

CHANGE OF ZONING AND SLUP 7100 HAZELWOOD AVE.	Mayor Robinson called to order the public hearings to consider the petitions by 7100 Hazelwood LLC for a change of zoning from I-1 Light Industrial District to I-2 Heavy Industrial District and for a Special Land Use Permit for manufacturing (wood products) and outdoor storage at 7100 Hazelwood Avenue.
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Mr. Zimmerman stated the applicant did not attend the City Plan Commission in April and will be at their May 9 meeting.

Mr. O’Keefe stated since the public hearing was advertised for this meeting the Council can take any comments.

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 moved, seconded by Mr. Aubuchon, to continue the public hearing to the June 5 meeting. The motion passed.

LIQUOR LICENSE 12202A MO. BOTTOM	Mayor Robinson called to order the public hearing to consider the application by James McNutt for a Package Liquor License, with Sunday, for Midwest Petroleum, d/b/a MPC #99A, at 12202A Missouri Bottom Road.
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The requisite police record check was performed and Police Chief Gregg Hall has recommended approval of the application.

Jeff Ziegler, the vice president of finance at Midwest Petroleum, stated their location at 11902 Missouri Bottom Road would be closed once 12202A Missouri Bottom Road was constructed, opened and operating. He stated they would like the ability to sell liquor as they do at their other locations.

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. Aubuchon moved, seconded by Mr. Taylor, to approve the application for a Package Liquor License, with Sunday, for Midwest Petroleum, d/b/a MPC #99A, at 12202A Missouri Bottom Road. The motion passed unanimously.

COMMUNICATIONS

CHARTER Notice of the launch of Spectrum Originals on-demand on
SPECTRUM ORIGINALS channel 2010 was received from Charter Communications.

Mr. Taylor moved, seconded by Mrs. Singleton, to receive and file the communication. The motion passed unanimously.

UNFINISHED BUSINESS - None

MAYOR AND COUNCIL REPORTS

WORK SESSION No items were added to the July 10 Council work session
AGENDA ITEMS agenda.

BOARD/COMMISSION Mayor Robinson nominated the following for reappointment
APPOINTMENTS to their respective board or commission: Ruth Pondrom, Parks and Recreation Board; Alberta Young, Community Enrichment Commission; Vineva Grimes, Community Enrichment Commission; Clara Faatz, Neighborhood Watch Commission; Barbara Stogsdill, City Plan Commission; Alvin Purnell, Neighborhood Watch Commission; and Steve Tucker, Parks and Recreation Board.

Mayor Robinson nominated the following for appointment to the respective board or commission: Kait Fritz of 306 Elmgrove, Ward 2, Historic Preservation Commission; Susan Zwygart of 705 Coachlight, Ward 3, Historic Preservation Commission; Susan Kelly of 1929 Tealwood Cove, Ward 8, Historic Preservation Commission; and Jim Sewell of 2049 Riverwood Trails, Ward 8, Board of Adjustment.

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

Mrs. Thomas will invite the newly appointed and reappointed commission and board members to the May 15 Council meeting to receive their oaths of office and commission certificates.

CITY MANAGER'S REPORT

CHAPTER 100 BONDS Mr. Zimmerman reported staff recommends the issuance of
NP HAZELWOOD 370 Chapter 100 taxable industrial revenue bonds for
NorthPoint Hazelwood 370, Building IV.

Mr. Zimmerman stated this is companion legislation to Resolution 1906 passed early this evening.

Mrs. Singleton moved, seconded by Mr. Taylor, to concur with the staff recommendation to authorize the issuance of taxable industrial revenue bonds for development of NorthPoint Hazelwood, Building IV, 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.

AGREEMENT Mr. Zimmerman reported staff recommends authorization of
FIRE & EMS SERVICES an agreement with Bi-National Terminal for the provision
5250 BANSHEE ROAD of fire and EMS services at 5250 Banshee Road.

Mr. Zimmerman explained the City was approached by Bi-National to provide fire and EMS services to the old Phantom Works building on the grounds of St. Louis Lambert International Airport. The developer has agreed to pay an annual fee of \$35,000 for this service and to purchase additional equipment needed by the Fire Department at an estimated value of \$58,000. Mr. Zimmerman noted the fire hydrants on Banshee Road have been tested and have sufficient flow to meet their needs in the event of a fire.

Toby Martin, Martin Equity Management, stated this is a continuation of a project that started three to four years ago and the goal is to create an air cargo hub and an opportunity to bring cargo into the St. Louis airport. Mr. Martin explained the airport director's vision is to increase aviation activity through freight and potentially drive revenue up.

Mr. Zimmerman added, if and when the office area is occupied, the \$35,000 fee can be renegotiated because it is anticipated there would be more calls with more people on-site.

Mr. Todd asked if St. Louis County would be issuing the occupancy permits. Mr. Zimmerman replied affirmatively.

Mr. Aubuchon moved, seconded by Mr. Todd, to concur with the staff recommendation to authorize an agreement with Bi-State National Terminal for the provision of fire and EMS services at 5250 Banshee Road 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.

AGREEMENT I-270 N. CORRIDOR IMPROVEMENT	Public Works Director David Stewart reported staff recommends authorization of an agreement with the Missouri Highways and Transportation Commission for the I-270 North Corridor Improvement Project.
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Mr. Stewart reported Missouri Department of Transportation (MoDOT) is moving forward with planned improvements to I-270 through North County which includes work within the Hazelwood city limits. MoDOT is requesting municipal agreements with all affected municipalities that define responsibilities including right-of-way acquisition, utility relocates, etc. Mr. Stewart stated MoDOT does not anticipate the need to relocate the City's fiber optic cable.

MoDOT Project Director Justin Wolf gave a brief presentation. Mr. Wolf stated the limits of the project are from I-70 to west of the Riverview interchange. It is a design-build project and is driven by project goals. Mr. Wolf stated the first goal is to deliver the project by December 1, 2023 within the budget of \$225 million. The second goal is to maximize reliability and safety while linking communities for all users. The third goal is to provide a durable and maintainable transportation network, making I-270 the conduit for a prosperous region. The fourth goal is grow and utilize a diverse workforce. The fifth goal is to minimize and mitigate impacts to customers through innovation. Mr. Wolf explained MoDOT released their request for qualifications and statements of qualifications are due in a couple weeks. MoDOT will release the Request for Proposals on June 26 and award the project on November 6. Mr. Wolf stated it is anticipated construction would start in the spring/summer of 2020 and would be completed before December 1, 2023.

Mr. Zimmerman asked if Brown Road would be included in this project. Mr. Wolf replied he will check.

Mr. Wolf stated MoDOT will engage the public to minimize impacts.

Mrs. Singleton asked how much public outcry has to happen before alterations to the plan are considered. Mr. Wolf responded, once the design-build team is selected, the project will be presented to the public and the process of acquiring right-of-way and coordinating with businesses and community members to minimize impact will begin.

Mrs. Singleton asked about the need for sound barriers. Mr. Wolf replied the environmental analysis showed that not many sound walls will be needed on this corridor. Mr. Wolf stated the team that is awarded the proposal will be required to

complete a sound study and show they can accommodate and meet MoDOT's guidelines including any sound wall requirements.

Mr. Aubuchon moved, seconded by Mr. Taylor, to concur with the staff recommendation to authorize the contract with the Missouri Highways and Transportation Commission for the I-270 North Corridor Improvement Project 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

Mr. Taylor moved, seconded by Mrs. Singleton, to receive and file the minutes of the March 11 Neighborhood Watch Commission meeting, the March 14 City Plan Commission meeting, the March 18 and April 8 Board of Adjustment meetings, and the March 25 Historic Preservation Commission meeting. The motion passed unanimously.

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

SUBDIVISION 6250 N. LINDBERGH	Mayor Robinson called for the first reading of a bill to authorize the subdivision of 6250 North Lindbergh Boulevard.
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There were no objections and Bill 4795 was read by title only:

AN ORDINANCE APPROVING THE SUBDIVISION OF 6250 NORTH LINDBERGH BOULEVARD FROM ONE LOT INTO FOUR LOTS.

Bill 4795 will be on the agenda for second reading on May 15.

BOND ISSUANCE NP HAZELWOOD 370, BUILDING IV	Mayor Robinson called for the first reading of a bill to authorize the issuance of taxable industrial revenue bonds for development of NorthPoint Hazelwood 370, Building IV.
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There were no objections and Bill 4796 was read by title only:

AN ORDINANCE AUTHORIZING THE CITY OF HAZELWOOD, MISSOURI TO ISSUE ITS TAXABLE INDUSTRIAL REVENUE BONDS (NP HAZELWOOD 370 BUILDING IV, LLC PROJECT), SERIES 2019, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$30,000,000, 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 4796 will be on the agenda for second reading on May 15.

AGREEMENT FOR FIRE SERVICES AT 5250 BANSHEE RD.	Mayor Robinson called for the first reading of a bill to authorize an agreement with Bi-National Gateway Terminal for the provision of fire and EMS services at 5250 Banshee Road.
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There were no objections and Bill 4797 was read by title only:

AN ORDINANCE AUTHORIZING AN AGREEMENT WITH BI-NATIONAL GATEWAY TERMINAL, LLC FOR THE PROVISION OF FIRE AND EMS SERVICES AT 5250 BANSHEE ROAD.

Bill 4797 will be on the agenda for second reading on May 15.

AGREEMENT I-270 N. CORRIDOR IMPROVEMENT	Mayor Robinson called for the first reading of a bill to authorize an agreement with the Missouri Highways and Transportation Commission for the I-270 North Corridor Improvement Project.
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There were no objections and Bill 4798 was read by title only:

AN ORDINANCE AUTHORIZING AN AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR I-270 NORTH CORRIDOR IMPROVEMENT PROJECT.

Bill 4798 will be on the agenda for second reading on May 15.

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 4765 AMEND PDM CONDITIONS	The second reading of Bill 4765, to amend the Planned District, Mixed Use, conditions for a retail shopping mall by establishing conditions for a sports facility, has been postponed.
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BILL 4793 AMEND CHAP. 500 RE: APPEAL FEES	Mayor Robinson called for the second reading of Bill 4793 to amend <i>Chapter 500. Building Codes and Building Regulations</i> relative to appeal fees.
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There were no objections and Bill 4793 was read by title only:

AN ORDINANCE AMENDING CHAPTER 500. BUILDING CODES AND BUILDING REGULATIONS OF THE HAZELWOOD CITY CODE REGARDING FEES FOR APPEALS.

Mr. Aubuchon moved, seconded by Mr. Taylor, the adoption of Bill 4793 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 6</u>	<u>NAY - 0</u>
Mr. Aubuchon	
Mayor Robinson	
Mr. Todd	
Mr. Taylor	
Mrs. Singleton	
Mrs. Stroker	

Bill 4793 was adopted as Ordinance 4678-19.

BILL 4794	Mayor Robinson called for the second reading of Bill 4794 to
AMEND CHAP. 500	amend <i>Chapter 500. Building Codes and Building</i>
RE: REGULATE	<i>Regulations</i> relative to regulations for portable on-demand
PODS, ETC.	storage units and similar devices.

There were no objections and Bill 4794 was read by title only:

AN ORDINANCE AMENDING ARTICLE VI OF CHAPTER 500 OF THE MUNICIPAL CODE BY THE ADDITION OF A NEW SECTION REGULATING THE PARKING AND PLACEMENT OF STORAGE TRAILERS, PORTABLE ON-DEMAND STORAGE UNITS (PODS) AND DUMPSTERS, INCLUDING SOFT-SIDED DUMPSTERS OR “BAGSTERS”, AND OTHER SIMILAR DEVICES.

Mr. Taylor moved, seconded by Mrs. Singleton, the adoption of Bill 4794 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 6</u>	<u>NAY - 0</u>
Mr. Aubuchon	
Mayor Robinson	
Mr. Todd	
Mr. Taylor	
Mrs. Singleton	
Mrs. Stroker	

Bill 4794 was adopted as Ordinance 4679-19.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

COUNCIL MEETINGS Mayor Robinson announced a Council budget work session will be held Wednesday, May 8, at 5 p.m., in the Council Chambers and the next regular Council meeting will be held Wednesday, May 15, 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 8:22 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

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