



WHERE COMMUNITY AND SPIRIT MEET®

**KIRKWOOD CITY COUNCIL
KIRKWOOD CITY HALL
OCTOBER 5, 2017
7:00 p.m.**

Pursuant to notice of meeting duly given by the Mayor, the City Council convened on Thursday, October 5, 2017, at 7:00 p.m. at Kirkwood City Hall, 139 South Kirkwood Road, Kirkwood, Missouri. Present were Mayor Griffin, Council Members Edman, Luetzow, Sears Ward, and Zimmer. Also in attendance were Chief Administrative Officer Russell Hawes, Assistant Chief Administrative Officer Georgia Ragland, City Clerk Betty Montañó, and City Attorney John Hessel. Council Member Duwe was absent and excused.

PRESENTATIONS

Mayor Griffin presented the Public Power Week Proclamation to Director of Electric Mark Petty.

INTRODUCTIONS AND RECOGNITIONS

NONE

PUBLIC HEARINGS

Mayor Griffin recessed the meeting for the purpose of conducting a public hearing regarding a request to amend the Zoning Code regarding setbacks for non-conforming structures. Mr. Hessel entered the following exhibits into the record: an Affidavit of Publication in the St. Louis Countian on September 13, 2017, as Exhibit 1; an Affidavit of Publication in the Webster Kirkwood Times on September 15, 2017, as Exhibit 2; the report of the Planning and Zoning Commission dated September 7, 2017, as Exhibit 3; a memo from City Planner Jonathan Raiche dated September 6, 2017, as Exhibit 4; and the Kirkwood Code of Ordinances as Exhibit 5.

City Planner Jonathan Raiche presented information pertaining to the request:

- Staff has recently been approached with multiple non-residential projects proposing additions to existing structures.
- The City's current Zoning Code requires that additions to any building that is not a single-family residential building meet the setback requirements of the district.
- Staff believes that the clause, "except that in no case shall the minimum side yard setback be less than five feet" was not intended to allow individuals to expand structures that are within five feet of any property line in residential districts.
- The Planning and Zoning Commission reviewed the proposal and recommended approval by a vote of 7-2.

The bill will be placed on the October 19, 2017 agenda for first reading consideration.



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PUBLIC COMMENTS

NONE

CONSENT AGENDA

Motion was made by Council Member Zimmer and seconded by Council Member Luetzow to approve the Consent Agenda. The Consent Agenda was unanimously approved.

- a) Approval of the October 5, 2017 City Council Meeting Minutes
- b) Resolution 133-2017, appointing and reappointing members to the Downtown Special Business District Advisory Commission and the Market Committee
- c) Resolution 134-2017, transferring funds to pay for Parks staff that care for the downtown landscape (\$10,100)
- d) Resolution 135-2017, transferring funds and accepting the bid of Lou Fusz Chesterfield (under state cooperative contract) for a 2018 Ford F250 Cab for the Electric Department and directing the issuance of a Purchase Order (\$34,544)
- e) Resolution 137-2017, transferring funds and accepting proposal of McGrath Human Resources Group for a Classification Study for compensation and benefits and directing the Mayor to enter into a contract (\$26,225)

OLD BUSINESS

Bill 10587, approving multiple Subdivision Code Waivers to permit the adjustment of boundary lines between properties addressed as 1126 Folger Avenue, 1138 Folger Avenue, and 1142 Folger Avenue subject to certain conditions, was brought before the council.

Roll Call Vote as Follows:

Mayor Griffin	“Yes”
Council Member Duwe	Absent
Council Member Edman	“Yes”
Council Member Luetzow	“Yes”
Council Member Sears	“Yes”
Council Member Ward	“Yes”
Council Member Zimmer	“Yes”

The bill, having received majority approval of the council, was adopted and became Ordinance 10434.

Bill 10588, amending the Code of Ordinances, Appendix E “Personnel Rules and Regulations” by adding Article XXXII “Whistleblower Policy”, was brought before the council.



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Roll Call Vote as Follows:

Mayor Griffin	“Yes”
Council Member Duwe	Absent
Council Member Edman	“Yes”
Council Member Luetzow	“Yes”
Council Member Sears	“Yes”
Council Member Ward	“Yes”
Council Member Zimmer	“Yes”

The bill, having received majority approval of the council, was adopted and became Ordinance 10435.

NEW BUSINESS

Bill 10589, approving a Special Use Permit for outdoor storage in conjunction with a permitted use at 440 North Kirkwood Road subject to certain conditions, was brought before the council. Motion was made by Council Member Ward and seconded by Council Member Luetzow to accept the bill for first reading approval. The motion was unanimously approved.

The bill received first reading approval and was held over.

Resolution 128-2017, authorizing and directing the Mayor to enter into an agreement with Ameren for Substation Transmission Service at the rate of \$39,770 per month, was brought before the council. Motion was made by Council Member Zimmer and seconded by Council Member Luetzow to accept the resolution as read. A discussion took place.

Roll Call Vote as Follows:

Mayor Griffin	“Yes”
Council Member Duwe	Absent
Council Member Edman	“Yes”
Council Member Luetzow	“Yes”
Council Member Sears	“Yes”
Council Member Ward	“Yes”
Council Member Zimmer	“Yes”

Resolution 129-2017, approving the Site Plan for a building addition and parking lot expansion on the property known at 204 South Clay Avenue, was brought before the council. Motion was made by Council Member Zimmer and seconded by Council Member Edman to accept the resolution as read.



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Roll Call Vote as Follows:

Mayor Griffin	“Yes”
Council Member Duwe	Absent
Council Member Edman	“Yes”
Council Member Luetzow	“Yes”
Council Member Sears	“Yes”
Council Member Ward	“Yes”
Council Member Zimmer	“Yes”

Resolution 130-2017, accepting the proposal of Bax Engineering in a not to exceed amount of \$78,899 (which includes a contingency of \$1,729.63) for Engineering Design Services for STP 5502(608) Geyer Road Resurfacing – Phase 1 Project and authorizing and directing the Mayor to enter into a contract, was brought before the council. Motion was made by Council Member Zimmer and seconded by Council Member Edman to accept the resolution as read. A discussion took place.

Roll Call Vote as Follows:

Mayor Griffin	“Yes”
Council Member Duwe	Absent
Council Member Edman	“Yes”
Council Member Luetzow	“Yes”
Council Member Sears	“Yes”
Council Member Ward	“Yes”
Council Member Zimmer	“Yes”

Resolution 131-2017, accepting the proposal of Amec Foster Wheeler in a not to exceed amount of \$80,000 (which includes a contingency of \$6,006) for Infill Development Storm Water Study for the Public Services Department and authorizing and directing the Mayor to enter into a contract, was brought before the council. Motion was made by Council Member Ward and seconded by Council Member Luetzow to accept the resolution as read. A discussion took place.

Roll Call Vote as Follows:

Mayor Griffin	“Yes”
Council Member Duwe	Absent
Council Member Edman	“Yes”
Council Member Luetzow	“Yes”



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Council Member Sears

“Yes”

Council Member Ward

“Yes”

Council Member Zimmer

“Yes”

Resolution 132-2017, authorizing and directing the Mayor to enter into an Intergovernmental Agreement with the Metropolitan St. Louis Sewer District, was brought before the council. Motion was made by Council Member Zimmer and seconded by Council Member Edman to accept the resolution as read. A discussion took place.

Roll Call Vote as Follows:

Mayor Griffin	“Yes”
Council Member Duwe	Absent
Council Member Edman	“Yes”
Council Member Luetzow	“Yes”
Council Member Sears	“Yes”
Council Member Ward	“Yes”
Council Member Zimmer	“Yes”

CONSENT AGENDA ITEMS FOR DISCUSSION

NONE

CITY COUNCIL REPORTS

Mayor Griffin reported that City Attorney John Hessel won the 2018 Lawyer of the Year for Litigation 1st Amendment Award.

Council Member Luetzow reported that 50 Trees will be planting trees on Saturday, November 4th.

Council Member Ward reported that Hands on Kirkwood will begin at 8:30 a.m. on Saturday, October. 7th.

CHIEF ADMINISTRATIVE OFFICER REPORT

Mr. Hawes had nothing to report.

CITY ATTORNEY REPORT

Mr. Hessel had nothing to report.

CITY CLERK REPORT

Mrs. Montaño wished Council Member Zimmer a Happy Birthday.



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Mrs. Montañó read the report of the October 4, 2017 Planning and Zoning Commission meeting. The following action took place:

1. After a presentation by City Staff and the petitioner for a Special Use Permit Amendment for Citizen Kane's at 127 and 133 West Clinton, a subcommittee consisting of Mr. Mallinckrodt and Mr. Eagleton was appointed. The Subcommittee will meet at the site on October 11 at 9 a.m.
2. The motion made by Mr. Eagleton to recommend the City Council require Street Design Guidelines that include the National Association of City Transportation Officials (NACTO) Design Guidelines and Best Practices (as recommended in EnVision Kirkwood 2035) in all street and sidewalk projects failed by a vote of four to four.
3. The motion made by Mr. Stauder to adopt the procedure for public comment as recommended in the memo dated September 29, 2017, from City Planner Jonathan Raiche was unanimously approved.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned. The next regular council meeting is scheduled for October 19, 2017, at 7:00 p.m.

Betty Montañó, MMC/MPCC
City Clerk

Approved: October 19, 2017