



WHERE COMMUNITY AND SPIRIT MEET®

**KIRKWOOD CITY COUNCIL
KIRKWOOD CITY HALL
MARCH 1, 2018
7:00 p.m.**

Pursuant to notice of meeting duly given by the Mayor, the City Council convened on Thursday, March 1, 2018, at 7:00 p.m. at Kirkwood City Hall, 139 South Kirkwood Road, Kirkwood, Missouri. Present were Mayor Griffin, Council Members Duwe, Edman, Luetzow, Sears, Ward, and Zimmer. Also in attendance were Chief Administrative Officer Russell Hawes, Assistant Chief Administrative Officer Georgia Ragland, City Clerk Betty Montaña, and Assistant City Attorney Curt Calloway.

PRESENTATIONS

Director of Finance John Adams presented the Certificate of Achievement for Excellence in Financial Reporting.

Chair of the Human Rights Commission Denis Hart and Member of the Human Rights Commission Bob Boyd presented the Annual Human Rights Commission Report.

INTRODUCTIONS AND RECOGNITIONS

NONE

PUBLIC HEARINGS

Mayor Griffin recessed the meeting for the purpose of conducting a public hearing regarding a request for amendments to the Special Use Permit and Site Plan for BP at 10901 Manchester Road for an addition to the building. Mr. Calloway entered the following exhibits into the record: an Affidavit of Publication in the St. Louis Countian on February 7, 2018, as Exhibit 1; an Affidavit of Publication in the Webster Kirkwood Times on February 9, 2018, as Exhibit 2; an aerial view map showing the subject property and the properties that were notified of the hearing, as Exhibit 3; a list of property owners who were sent notice of the public hearing, as Exhibit 4; the report of the Planning and Zoning Commission dated January 31, 2018, as Exhibit 5; the Planning and Zoning Commission Subcommittee Report dated January 30, 2018, as Exhibit 6; and the Kirkwood Code of Ordinances, as Exhibit 7.

City Planner Jonathan Raiche presented information pertaining to the request:

- The petitioner is requesting a Special Use Permit Amendment and Site Plan Amendment for the existing convenience/gas store located at the northwest corner of Clay Avenue and Manchester Road.
- This property is currently under construction for the conversion of the previous service station into the convenience store.
- The current request includes an approximately 500 square foot building addition to the northeast for additional convenience store area.
- This addition will displace the existing dumpster enclosure.
- To replace the current dumpster location, a new dumpster enclosure is proposed in the northeast corner of the site.



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- In addition to the physical changes, the petitioner has also requested that the current condition prohibiting signage and striping on the gas canopy be removed so that he may continue to sue the existing signage and striping on the canopy.
- A discussion took place regarding an irrigation plan.

The bill will be placed on the March 15, 2018 agenda for first reading consideration.

PUBLIC COMMENTS

NONE

CONSENT AGENDA

Motion was made by Council Member Duwe and seconded by Council Member Edman to approve the Consent Agenda. A discussion took place. The Consent Agenda was unanimously approved.

- a) Approval of the February 15, 2018 City Council Meeting Minutes
- b) Resolution 27-2018, transferring funds from the Distribution System Maintenance Account to the Electric Rebate Account for the Rebate Program (\$22,000)
- c) Resolution 29-2018, amending Resolution 114-2017 by increasing the contract amount with J.F. Electric for the distribution system circuit 21 upgrades (Increase of \$1,094. Not to exceed total \$63,566)
- d) Resolution 30-2018, amending Ordinance 10393 by increasing the contract amount with J.F. Electric for the distribution system circuit 29 upgrades (Increase of \$26,058. Not to exceed total \$257,488)

OLD BUSINESS

Bill 10614, appropriating \$8,484 from the Equitable Sharing Fund Balance to Account #205-1201-429.75.05 for 75 Streamlight Strion LED HL Lights and Leather Belts from ED Roehr Safety Products for the Police Department, was brought before the council.

Roll Call Vote as Follows:

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

The bill, having received majority approval of the council, was adopted and became Ordinance 10460.

Bill 10615, appropriating \$25,000 from the General Fund – Fund Balance to the Legal Account #101-1116-413.32.01 for payment of Municipal Court Legal Bills, was brought before the council.



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Roll Call Vote as Follows:

Mayor Griffin	"Yes"
Council Member Ward	"Yes"
Council Member Zimmer	"Yes"
Council Member Duwe	"Yes"
Council Member Edman	"Yes"
Council Member Luetzow	"Yes"
Council Member Sears	"Yes"

The bill, having received majority approval of the council, was adopted and became Ordinance 10461.

Bill 10616, appropriating \$1,213,223 from the Electric Fund – Fund Balance to the Purchase Power Account #501-2111-480.62.01 for the Electric Department, was brought before the council.

Roll Call Vote as Follows:

Mayor Griffin	"Yes"
Council Member Ward	"Yes"
Council Member Zimmer	"Yes"
Council Member Duwe	"Yes"
Council Member Edman	"Yes"
Council Member Luetzow	"Yes"
Council Member Sears	"Yes"

The bill, having received majority approval of the council, was adopted and became Ordinance 10462.

Bill 10617, vacating a 16' wide easement in Lot 8 of Highland Terrance Subdivision as recorded in Deed Book 5066, Page 125, located in the City of Kirkwood, St. Louis County, Missouri, was brought before the council.

Roll Call Vote as Follows:

Mayor Griffin	"Yes"
Council Member Ward	"Yes"
Council Member Zimmer	"Yes"
Council Member Duwe	"Yes"
Council Member Edman	"Yes"
Council Member Luetzow	"Yes"
Council Member Sears	"Yes"

The bill, having received majority approval of the council, was adopted and became Ordinance 10463.



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Bill 10618, authorizing and directing the Mayor to enter into an agreement with the Missouri Highways and Transportation Commission and BNSF Railway Company to allow the City to make improvements to the sidewalk within the BNSF Railway right-of-way, was brought before the council.

Roll Call Vote as Follows:

Mayor Griffin	"Yes"
Council Member Ward	"Yes"
Council Member Zimmer	"Yes"
Council Member Duwe	"Yes"
Council Member Edman	"Yes"
Council Member Luetzow	"Yes"
Council Member Sears	"Yes"

The bill, having received majority approval of the council, was adopted and became Ordinance 10464.

Bill 10619, granting a Special Use Permit amendment for a restaurant with outdoor seating at 343 South Kirkwood Road subject to certain conditions, was brought before the council.

Roll Call Vote as Follows:

Mayor Griffin	"Yes"
Council Member Ward	"Yes"
Council Member Zimmer	"Yes"
Council Member Duwe	"Yes"
Council Member Edman	"Yes"
Council Member Luetzow	"Yes"
Council Member Sears	"Yes"

The bill, having received majority approval of the council, was adopted and became Ordinance 10465.

Bill 10620, amending Chapter 18, Section 18-101 (D) of the Kirkwood Code of Ordinances regarding Ice Rink Fees, was brought before the council. A discussion took place.

Roll Call Vote as Follows:

Mayor Griffin	"Yes"
Council Member Ward	"Yes"
Council Member Zimmer	"Yes"
Council Member Duwe	"Yes"
Council Member Edman	"Yes"
Council Member Luetzow	"Yes"
Council Member Sears	"Yes"



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The bill, having received majority approval of the council, was adopted and became Ordinance 10466.

Bill 10621, authorizing and directing the Mayor to enter into an agreement with the Missouri Highways and Transportation Commission in the amount of \$22,000 for upgrades to the poles, mast arms, and signage at Kirkwood Road and Manchester Road, was brought before the council.

Roll Call Vote as Follows:

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

The bill, having received majority approval of the council, was adopted and became Ordinance 10467.

NEW BUSINESS

Bill 10622, granting a Special Use Permit and Site Plan approval for a nonresidential parking lot in a residential district at 620 North Geyer Road subject to certain conditions, was brought before the council. Motion was made by Council Zimmer and seconded by Council Member Luetzow to accept the bill for first reading approval. A discussion took place. A substitute bill will be drafted to reflect the Board of Adjustment’s decision after their next meeting. The motion was unanimously approved.

The bill received first reading approval and was held over.

Bill 10623, granting a Special Use Permit Amendment and Site Plan Amendment for a country club at 12665 Big Bend Boulevard subject to certain conditions, was brought before the council. Motion was made by Council Duwe 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.

Bill 10624, granting a Special Use Permit Amendment and Site Plan Amendment for a service station/car wash at 10850 and 10854 Manchester Road subject to certain conditions, was brought before the council. Motion was made by Council Luetzow and seconded by Council Member Ward to accept the bill for first reading approval. The motion was unanimously approved.

The bill received first reading approval and was held over.

Bill 10625, adopting and approving the Operating and Capital Budgets for the City of Kirkwood for the Fiscal Year April 1, 2018 through March 31, 2019, and appropriating such sums as are set forth herein for all departments and the accounts therein specified, for all expenditures of the City of such year, which



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appropriations total \$86,304,832, Capital Projects of \$9,308,252, and appropriating the sum of \$540,000 for payment of principal, interest and bank fees for the General Obligation Bonded Indebtedness from the Debt Service Fund; and reappropriating \$11,821,928 for previously approved projects that will be incomplete as of March 31, 2018, was brought before the council. Motion was made by Council Edman and seconded by Council Member Ward to accept the bill for first reading approval. A discussion took place. The motion was unanimously approved.

The bill received first reading approval and was held over.

Bill 10626, approving the Budget of the Special Business District for the Fiscal Year April 1, 2018 through March 31, 2019, was brought before the council. Motion was made by Council Ward and seconded by Council Member Duwe to accept the bill for first reading approval. The motion was unanimously approved.

The bill received first reading approval and was held over.

Bill 10627, vacating a 10' wide easement on a tract of land being Lot 30 of Heather Acres Subdivision as recorded in Plat Book 50, Page 2, located in the City of Kirkwood, St. Louis County, Missouri, was brought before the council. Motion was made by Council Zimmer and seconded by Council Member Edman to accept the bill for first reading approval. The motion was unanimously approved.

The bill received first reading approval and was held over.

Bill 10628, appropriating \$246,138 from the Park and Storm Water fund Reserves to an Operating Account and amending the existing contract with Jacobs Engineering Group, Inc. relating to Design Services for the Performing Arts Center by \$791,438, was brought before the council. Motion was made by Council Ward and seconded by Council Member Luetzow to accept the bill for first reading approval. A discussion took place. The motion was unanimously approved.

The bill received first reading approval and was held over.

Resolution 28-2018, transferring funds in the amount of \$19,000 from Account #302-2001-491.10.10 to Account #302-2001-600.75.03, accepting the proposal of Geotechnology Inc. in the amount not to exceed of \$19,000 for additional Kirkwood Performing Arts Center Geotechnical Services and authorizing and directing the Mayor to enter into a contract, was brought before the council. Motion was made by Council Member Duwe and seconded by Council Member Luetzow to accept the Resolution as read.

Roll Call Vote as Follows:

Mayor Griffin	"Yes"
Council Member Ward	"Yes"
Council Member Zimmer	"Yes"
Council Member Duwe	"Yes"
Council Member Edman	"Yes"



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Council Member Luetzow "Yes"
Council Member Sears "Yes"

Resolution 31-2018, accepting and adopting the City of Kirkwood Construction Manager-At-Risk Method, was brought before the council. Motion was made by Council Member Ward and seconded by Council Member Zimmer to accept the Resolution as read. A discussion took place.

Roll Call Vote as Follows:

Mayor Griffin "Yes"
Council Member Ward "Yes"
Council Member Zimmer "Yes"
Council Member Duwe "Yes"
Council Member Edman "Yes"
Council Member Luetzow "Yes"
Council Member Sears "Yes"

CONSENT AGENDA ITEMS FOR DISCUSSION

NONE

CITY COUNCIL REPORTS

Mayor Griffin reported his intention to become a member of the Mayor's Against Illegal Guns.

Council Member Ward passed out handouts and spoke in regards of partnering for our kid's safety with partnerships with the schools.

Council Members Luetzow, Duwe, Edman and Zimmer applauded the Mayor for his intentions to become a member of the Mayor's Against Illegal Guns.

CHIEF ADMINISTRATIVE OFFICER REPORT

Mr. Hawes reported that the City of Kirkwood received a Liquor License Application for the sale of Malt Liquor and Wine by the drink including Sundays for Blaze Pizza, 1050 South Kirkwood Road. Motion was made by Council Member Duwe and seconded by Council Member Edman to approve the application. The application was unanimously approved.

Mr. Hawes reported that the City of Kirkwood received an Application for Temporary Outdoor Promotional Variance from Wal-Mart at 1202 South Kirkwood Road to have an outdoor display of mulch, potting soil, fertilizer, etc. Motion was made by Council Member Ward and seconded by Council Member Zimmer to approve the application. The application was unanimously approved.

CITY ATTORNEY REPORT

Mr. Calloway had nothing to report.



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CITY CLERK REPORT

Mrs. Montañó read the report of the February 21, 2018 Planning and Zoning Commission meeting. The following action took place:

1. After a presentation for amendments to the Site Plan for Trinity Presbyterian Church at 1110 South Glenwood Lane for an addition to the building and expansion of the parking lot, a subcommittee consisting of Commissioners Coronado and Eagleton was appointed. A subcommittee meeting at the site was scheduled for February 28 at 3 p.m.
2. The Commission recommended denial of amendments to the Special Use Permit and Site Plan for Aberdeen Heights Phase 2 at 505, 525, and 533 Couch Avenue and 400 Altus Place. The City received a letter of withdrawal and no further action will take place regarding the proposal.
3. The Commission recommended approval of the Zoning Code and Subdivision Code revisions that are being proposed by the consulting firm General Code and in the memo from the City Planner dated February 21, 2018.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 8:11 p.m. The next regular council meeting is scheduled for March 15, 2018, at 7:00 p.m.

Betty Montañó, MMC/MPCC
City Clerk

Approved: March 15, 2018