

**KIRKWOOD CITY COUNCIL
KIRKWOOD CITY HALL
MAY 17, 2018
7:00 p.m.**

Pursuant to notice of meeting duly given by the Mayor, the City Council convened on Thursday, May 17, 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, Ward, Wurtz, and Zimmer. Also in attendance were Chief Administrative Officer Russell Hawes, Assistant Chief Administrative Officer Georgia Ragland, and City Attorney John Hessel. City Clerk Betty Montaña was absent and excused.

**INTRODUCTIONS AND RECOGNITIONS
NONE**

PRESENTATIONS

Mayor Griffin and Human Rights Commission Chair Denis Hart presented the annual essay contest winners with certificates. The order of essay contest winners is as stated below:

1st Place Winner: Masie Bradley

2nd Place Winner: Madison Charleville

3rd Place Winners: Alice Reider and Eli Boshara (were presented at the April 19th meeting)

Director of Electric Mark Petty and Distribution Engineer Rick McKinley presented the American Public Power Association Reliable Power Provider Award

**PUBLIC HEARINGS
NONE**

PUBLIC COMMENTS

1. John Burns, 1881 Charmwood Ct., spoke in regards and opposed to the proposed side yard setbacks in the R-3 Residential District.
2. Taylor Hunt, 308 E. Adams Avenue, spoke in regards and in favor of the Downtown Master Plan.
3. Kathy Paulsen, 401 Frieda, spoke in regards and opposed to the proposed side yard setbacks in the R-3 Residential District.
4. David Anderson, 521 Taylor Young Drive, spoke in regards to the honeysuckle in Sugar Creek and the proposed side yard setbacks in the R-3 Residential District.

CONSENT AGENDA

Motion was made by Council Member Ward and seconded by Council Member Edman to approve the Consent Agenda. It was requested that items d), h) and j) be removed from the consent agenda for further discussion. The Consent Agenda was unanimously approved.

- a) Approval of the May 3, 2018 City Council Meeting Minutes
- b) Resolution 75-2018, transferring funds from the Contingency Account to the

Distribution Account for the Water Department (\$22,261)

- c) Resolution 78-2018, authorizing the City of Kirkwood to co-sponsor the City of Glendale's submittal of a "Surface Transportation Program Application" to East-West Gateway Council of Governments
- d) Resolution 79-2018, authorizing and directing the submittal of a "Surface Transportation Program Application" to East-West Gateway Council of Governments for federal funds for the resurfacing of Geyer Road from West Adams Avenue to Big Bend Boulevard ****Removed and placed at the end of the agenda***
- e) Resolution 80-2018, authorizing and directing the submittal of a "Surface Transportation Program Application" to East-West Gateway Council of Governments for federal funds for the roadway enhancements on Manchester Road between Kirkwood Road and the eastern city limits
- f) Resolution 82-2018, appointing and reappointing members to various boards and commissions
- g) Resolution 83-2018, accepting the bid of Spencer Contracting for the 2018 Asphaltic Concrete Overlays and directing the Mayor to enter into a contract (not to exceed \$361,989)
- h) Resolution 84-2018, accepting the proposal of SCS Engineers for residential solid waste collection automation and directing the Mayor to enter into a contract (not to exceed \$30,000) ****Removed and placed at the end of the agenda***
- i) Resolution 85-2018, approving a contract amendment to Murphy Company for replacement of HVAC equipment at Fire House #3 (not to exceed \$45,000)
- j) Resolution 86-2018, approving a contract amendment to JW Fuller Construction, LLC for Water Department restroom remodel (not to exceed \$40,000)
- k) Resolution 87-2018, authorizing the City to provide insurance coverage effective June 1, 2018 (\$549,160.35) ****Removed and placed at the end of the agenda***
- l) Resolution 88-20018, appointing Council Members to serve as liaisons to City Boards and Commissions
- m) Resolution 89-2018, designating Council Members Ellen Edman and Nancy Luetzow as members of the Audit Committee for a term to April 2020.

UNFINISHED BUSINESS

Bill 10637, appropriating \$5,200 from the Equitable Sharing Fund Balance to a Police Department Operating Account for the purchase of two laser cartridges from TI Training that will allow the conversion of Tasers to training weapons for the simulator, was brought before the council.

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

Council Member Luetzow	"Yes"
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The bill, having received majority approval of the council, was adopted and became Ordinance 10484.

Bill 10638, amending Chapter 2 of the Kirkwood Code of Ordinances, Article IX. "Open Meetings and Records" to add and delete sections to reflect provisions of the Missouri Sunshine Law, was brought before the council.

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

The bill, having received majority approval of the council, was adopted and became Ordinance 10485.

Bill 10639, appropriating \$15,800 from the Capital Fund (Fund Balance) to the Rolling Stock Account for the Fire Department, was brought before the council.

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

The bill, having received majority approval of the council, was adopted and became Ordinance 10486.

Bill 10640, appropriating funds from Prop P and Fire Sales Tax in the amount of \$221,431 from the General Fund (Fund Balance) to General Fund Accounts for Deferred Compensation and for administrative fees currently being charged to the Police and Fire Pension Fund, was brought before the council.

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

The bill, having received majority approval of the council, was adopted and became Ordinance 10487.

Bill 10641, appropriating \$3,060 from the General Fund (Fund Balance) to the Train Station Account for additional janitorial services, was brought before the council.

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

The bill, having received majority approval of the council, was adopted and became Ordinance 10488.

Bill 10642, amending Ordinance 10392 by increasing the contract amount with Black and McDonald for Distribution System Circuit 30 Upgrades for the Electric Department by \$55,384 for a not to exceed amount of \$222,466, was brought before the council.

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

The bill, having received majority approval of the council, was adopted and became Ordinance 10489.

Bill 10643, appropriating \$158,840 from the Workers’ Compensation Fund (Fund Balance) to the Claims Expenses Account for outstanding Workers’ Compensations claims, was brought before the council.

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

The bill, having received majority approval of the council, was adopted and became Ordinance 10490.

Bill 10644, amending Ordinance 10532 by increasing the contract amount with Black and McDonald for the Circuit 9 Modernization for the Electric Department by \$36,927 for a not to exceed amount of \$339,560, was brought before the council.

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

The bill, having received majority approval of the council, was adopted and became Ordinance 10491.

NEW BUSINESS

Bill 10645, amending the provisions of the Municipal Code, Appendix A – Zoning, regarding Side Yard Setbacks in the R-3 Single Family Residential District, was brought before the council. Motion was made by Council Member Zimmer and seconded by Council Member Edman to accept the bill for first reading approval. A discussion took place.

Motion was made by Council Member Ward and seconded by Council Member Luetzow to continue the bill to August 2, 2018. The motion to continue was unanimously approved.

Bill 10646, adopting and enacting a revised Code of Ordinances of the City of Kirkwood, County of St. Louis, State of Missouri; establishing the same; providing for the repeal of certain ordinances not included therein, except as herein expressly provided; providing for the manner of amending such Code of Ordinances; providing penalties for the violation thereof, was brought before the council. Motion was made by Council Member Zimmer and seconded by Council Member Wurtz to accept the bill for first reading approval. The motion was unanimously approved.

The bill received first reading approval and was held over.

Bill 10647, appropriating \$343,605 from the Medical Fund (Fund Balance) to the Claims Expenses Account, was brought before the council. Motion was made by Council Member Luetzow 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 10648, amending the Kirkwood Code of Ordinances, Chapter 14, Section 14-393 "Schedule C: No Parking" by adding no parking on both sides of Florist Avenue from the easternmost boundary of the right-of-way to approximately 200 feet west where the right-of-way widens, was brought before the council. Motion was made by Council Member Duwe and seconded by Council Member Zimmer to accept the bill for first reading approval. The motion was unanimously approved.

The bill received first reading approval and was held over.

Resolution 76-2018, approving the third one-year extension to the approval of Ordinance 10275 (Special Use Permit for a drive-thru restaurant with outdoor seating) on the property known as 10300

Manchester Road subject to certain conditions, was brought before the council. Motion was made by Council Member Luetzow and seconded by Council Member Wurtz to accept the Resolution as read. A discussion took place.

Roll Call Vote as Follows:

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

Resolution 77-2018, approving the amended Site Plan for a building addition and parking lot expansion on the property known as 1110 South Glenwood Lane subject to certain conditions, was brought before the council. Motion was made by Council Member Luetzow and seconded by Council Member Ward to accept the Resolution as read.

Roll Call Vote as Follows:

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

Council Member Wurtz "Yes"
Council Member Luetzow "Yes"

Resolution 81-2018, accepting the bid of J.F. Electric in the not to exceed amount of \$133,582 (which includes a contingency of \$22,264) for the Performing Arts Center Powerline Relocation 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. A discussion took place.

Roll Call Vote as Follows:

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

Resolution 90-2018, designating Council Member Nancy Luetzow to serve as Deputy Mayor until April 2020, was brought before the council. Motion was made by Council Member Edman and seconded by Council Member Duwe to accept the Resolution as read. A discussion took place.

Roll Call Vote as Follows:

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

Resolution 91-2018, setting forth the names of council members in descending order of continuous tenure of the City Council to the position of Deputy Mayor for conduct of City business and management of the City's emergency response to manmade and natural disasters, 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 Duwe "Yes"
Council Member Edman "Yes"
Council Member Zimmer "Yes"
Council Member Ward "Yes"
Council Member Wurtz "Yes"
Council Member Luetzow "Yes"

CONSENT AGENDA ITEMS FOR DISCUSSION

Resolution 79-2018, authorizing and directing the submittal of a "Surface Transportation Program (STP) Application" to East-West Gateway Council of Governments for federal funds for the resurfacing of Geyer Road from West Adams Avenue to Big Bend Boulevard, was brought before the council. Motion was made by Council Member Edman 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	“Yes”
Council Member Edman	“Yes”
Council Member Zimmer	“Yes”
Council Member Ward	“Yes”

Council Member Wurtz	“Yes”
Council Member Luetzow	“Yes”

Resolution 84-2018, accepting the proposal of SCS Engineers in the amount not to exceed of \$30,000 (which includes a contingency of \$4,610) for residential solid waste collection automation 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 Zimmer to accept the Resolution as read. A discussion took place.

Roll Call Vote as Follows:

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

Resolution 86-2018, approving a contract amendment in the amount not to exceed \$40,000 (which includes a contingency of \$3,884) to JW Fuller Construction, LLC for Water Department restroom remodel, was brought before the council. Motion was made by Council Member Luetzow and seconded by Council Member Ward to accept the Resolution as read. Staff is not ready to move forward with this project at this time.

Roll Call Vote as Follows:

Mayor Griffin	“No”
Council Member Duwe	“No”
Council Member Edman	“No”
Council Member Zimmer	“No”
Council Member Ward	“No”
Council Member Wurtz	“No”
Council Member Luetzow	“No”

CITY COUNCIL REPORTS

Council Member Ward reported that he attended a presentation at North Middle School.

Mayor Griffin reported that he attended the Junior Treekeepers Award Ceremony at St. Peters.

Council Member complimented Police Officer David Elliot for assisting a resident with their recycling bin during the most recent storm.

Council Member Edman also reported that Kirkwood High graduate and artist Sarah Paulsen was

selected to have an exhibit on display at the Grand Center for the "Great Rivers Bi-Annual Exhibit".

Council Member Luetzow reported that she attended an exhibit put on by AT&T at Station Plaza for Bike Safety Month regarding distracted driving.

CHIEF ADMINISTRATIVE OFFICER REPORT

Mr. Hawes reported that the City of Kirkwood received a Liquor License Renewal Application from Kirkwood Athletic, 2377 Marshall Road. Motion was made by Council Member Duwe and seconded by Council Luetzow ward to approve the application. The application was unanimously approved.

CITY ATTORNEY REPORT

Mr. Hessel had nothing to report.

CITY CLERK REPORT

Ms. Asche read the report of the May 16, 2018 Planning and Zoning Commission meeting. The following action took place:

1. After a presentation by Autos of Europe for a Special Use Permit for a motor vehicle repair facility at 902 South Kirkwood Road, a subcommittee consisting of Commissioners O'Donnell and Eagleton was appointed. The subcommittee will meet on the site May 29 at 9 a.m.
2. The Commissioners thanked Commissioners Frick, Coronado, and Stauder for their years of service on the Commission.

Ms. Asche reported that a Destruction of Records report was received by the Parks and Recreation Department. The report will be filed with the May 17th minutes.

ADJOURNMENT

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

Laurie Asche, CMC/MRCC
Deputy City Clerk

Approved: June 7, 2018