



WHERE COMMUNITY AND SPIRIT MEET®

**KIRKWOOD CITY COUNCIL  
KIRKWOOD CITY HALL  
MAY 3, 2018  
7:00 p.m.**

Pursuant to notice of meeting duly given by the Mayor, the City Council convened on Thursday, May 3, 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, City Clerk Betty Montañó, and Assistant City Attorney Sarah Mullen.

**INTRODUCTIONS AND RECOGNITIONS  
NONE**

**PRESENTATIONS**

1. Members of the Greentree Committee requested the presence of City Clerk Betty Montañó as Marshall for the 2018 Greentree Festival Parade.
2. Mayor Griffin presented a certificate to Joe Light, Vice-President of the Meramec Valley Grotto, congratulating them on their 50<sup>th</sup> Anniversary
3. Mayor Griffin presented a Drinking Water Week Proclamation to Director of Public Services Bill Bensing and Water Superintendent Clarence Patterson.
4. Director of Public Services Bill Bensing and Water Superintendent Clarence Patterson presented the Fire Hydrant Painting Contest Award to Hadlie Lange from Kirkwood High School.

**PUBLIC HEARINGS**

**Public Hearing #1**

Mayor Griffin recessed the meeting for the purpose of conducting a public hearing regarding a request for approval of the Zoning Code and Subdivision Code revisions as part of the revised Kirkwood Code of Ordinances. Ms. Mullen entered the following exhibits into the record: an Affidavit of Publication in the St. Louis Countian on April 10, 2018, as Exhibit 1; an Affidavit of Publication in the Webster Kirkwood Times on April 13, 2018, as Exhibit 2; the report of the Planning and Zoning Commission dated February 22, 2018, as Exhibit 3; a memo from City Planner Jonathan Raiche dated February 21, 2018, as Exhibit 4; and the Kirkwood Code of Ordinances as Exhibit 5.

City Planner Jonathan Raiche presented information pertaining to the request:

- In 2016 the City engaged a consulting firm, General Code, to review the entire Municipal Code for the purpose of identifying clerical errors and inconsistencies with State Statutes.
- The scope of the project includes the entire Municipal Code and was not specifically focused on the Zoning Code and Subdivision Codes; however, these sections were reviewed.
- The vast majority of recommendations that have come from this process include formatting, grammatical items, updating references to reflect updated City Departments, updated cross references to other code sections, and typographical errors.



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The bill will be placed on the May 17, 2018 agenda for first reading consideration.

### **Public Hearing #2**

Mayor Griffin recessed the meeting for the purpose of conducting a public hearing regarding a request for amendments to the Zoning Code regarding Site Yard Setbacks in the R-3 Zoning District. Ms. Mullen entered the following exhibits into the record: an Affidavit of Publication in the St. Louis Countian on April 10, 2018, as Exhibit 1; an Affidavit of Publication in the Webster Kirkwood Times on April 13, 2018, as Exhibit 2; the report of the Planning and Zoning Commission dated March 8, 2018, as Exhibit 3; a memo from City Planner Jonathan Raiche dated January 31, 2018, as exhibit 4; the report of the Planning and Zoning Commission Sub-Committee dated March 7, 2018, as exhibit 5; and the Kirkwood Code of Ordinances as Exhibit 6.

City Planner Jonathan Raiche presented information pertaining to the request:

- As a continuation of identifying potential issues in the Zoning Code, staff looked at the side yard setback requirement for non-conforming lots in the R-3 District.
- This is an item that generates multiple variance requests per year.
- Currently there is approximately 4,000 homes zoned R-3, 2,400 of those are non-conforming due to lot width.
- Staff's recommendation is: "When a lot on record having a width less than 100 feet is to be used for a single-family dwelling, the side yard requirement on each side of the building shall be 12 percent of the width of the lot, but shall not be less than 8 feet".

### **Public Comments**

1. Grant Stecher, 122 N. Kirkwood Road, concerned about the 8 foot side yard setback proposal.
2. Alex Scharf, Home Builders Association of STL & Eastern Missouri, concerned about the 8 foot side yard setback proposal.
3. John Burns, 1881 Charmwood Court, believes the existing setback requirements should not be changed.
4. Ryan Roe, 444 Alice Avenue, spoke in favor of the proposed changes.

The bill will be placed on the May 17, 2018 agenda for first reading consideration.

### **Public Hearing #3**

Mayor Griffin recessed the meeting for the purpose of conducting a public hearing regarding a request 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. Ms. Mullen entered the following exhibits into the record: an Affidavit of Publication in the St. Louis Countian on April 10, 2018, as Exhibit 1; an Affidavit of Publication in the Webster Kirkwood Times on April 13, 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 March 22, 2018, as Exhibit 5; the Planning and Zoning Commission Subcommittee Report dated March 21, 2018, as Exhibit 6; and the Kirkwood Code of Ordinances as Exhibit 7.

City Planner Jonathan Raiche presented information pertaining to the request:

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- The applicant is requesting Site Plan approval for an approximately 6,000 square foot building addition on the west side of the building along with an expansion of the existing parking lot on the east side of the building.
- The building addition will provide additional space for many functions including, but not limited to, an expansion of the existing Nave, a Narthex area, classrooms, and other youth rooms.
- The parking lot expansion will provide a net gain of 26 spaces that will cover the parking requirement for the expansion to the room with the largest seating capacity, the Nave.
- There are 27 new spaces provided, but 1 existing space will be lost due to striping an additional ADA space near the building.
- Planning and Zoning Commission recommended a bicycle rack for 5-10 bikes.
- A revised lighting and tree preservation plan for the parking lot expansion and new BMP area will be submitted to the City prior to the May 17<sup>th</sup> meeting.

A resolution will be placed on the May 17, 2018 agenda for consideration.

#### **PUBLIC COMMENTS**

NONE

#### **CONSENT AGENDA**

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

- a) Approval of the April 19, 2018 City Council Meeting Minutes
- b) Resolution 68-2018, accepting the bid of Tri-Star Tire at the rates provided in the State of Missouri contract for medium and heavy duty truck tires for the Fleet Services Department and directing the Mayor to enter into a contract
- c) Resolution 69-2018, accepting the bid of Lou Fusz Dodge pursuant to State Contract for the purchase of a 2018 Dodge Charger Pursuit AWD vehicle for the Police Department and directing the issuance of a purchase order (\$26,063)
- d) Resolution 71-2018, accepting the bid of Zoll Corporation pursuant to National Purchasing Partners Cooperative Contract for six Zoll X Series Manual Monitor/Defibrillators for the Fire Department and directing the issuance of a Purchase Order (\$199,441.76)
- e) Resolution 72-2018, accepting the bid of STF LLC dba Traffic Control Company for the 2018 Acrylic Waterborne Pavement Markings for the Engineering Department and directing the Mayor to enter into a contract (\$69,319.85)
- f) Resolution 74-2018, accepting the bid of MidWest Scapes, LLC for City property grounds maintenance and directing the Mayor to enter into a contract (not to exceed budgeted funds in various accounts)

#### **UNFINISHED BUSINESS**

NONE



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### **NEW 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. Motion was made by Council Member Luetzow 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 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. Motion was made by Council Member Ward and seconded by Council Member Zimmer 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 10639, appropriating \$15,800 from the Capital Fund (Fund Balance) to the Rolling Stock Account for the Fire Department, 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. The motion was unanimously approved.

The bill received first reading approval and was held over.

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. Motion was made by Council Member Luetzow 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 10641, appropriating \$3,060 from the General Fund (Fund Balance) to the Train Station Account for additional janitorial services, 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. A discussion took place. The motion was unanimously approved.

The bill received first reading approval and was held over.

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. Motion was made by Council Member Ward and seconded by Council Member Zimmer to accept the bill for first reading approval. A discussion took place. The motion was unanimously approved.



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The bill received first reading approval and was held over.

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. Motion was made by Council Member Luetzow and seconded by Council Member Edman 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 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. Motion was made by Council Member 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.

Resolution 70-2018, amending Resolution 16-2016 by increasing the contract amount with CMT for Professional Engineering Services for the Kirkwood Road Traffic Signal Optimization and Interconnect Project by \$29,228 for an amount not to exceed of \$854,379, was brought before the council. Motion was made by Council Member Duwe 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 Luetzow	"Yes"
Council Member Duwe	"Yes"
Council Member Edman	"Yes"
Council Member Zimmer	"Yes"
Council Member Ward	"Yes"
Council Member Wurtz	"Yes"

Resolution 73-2018, accepting the proposal of CMT in the not to exceed amount of \$28,442 (includes a contingency of \$5,000) for Construction Inspection and Engineering Services for the TAP 5502(607) South Kirkwood Road – Nipher Middle School Safe Route to School Project and authorizing and directing the Mayor to enter into a contract, was brought before the council. Motion was made by Council Member Luetzow 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 Luetzow	"Yes"
Council Member Duwe	"Yes"



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Council Member Edman	“Yes”
Council Member Zimmer	“Yes”
Council Member Ward	“Yes”
Council Member Wurtz	“Yes”

**CONSENT AGENDA ITEMS FOR DISCUSSION**

NONE

**CITY COUNCIL REPORTS**

Council Member Edman reported that the first meeting in the new Meacham Park Neighborhood Association location went well and was a good example of community coming together.

**CHIEF ADMINISTRATIVE OFFICER REPORT**

Mr. Hawes reported that the City of Kirkwood received an Application for Temporary Outdoor Promotional Variance from Healing Action Network for a BBQ fundraiser at Doc’s Harley Davidson, 930 South Kirkwood Road, on May 19, 2018 from 11 a.m. to 2 p.m. Motion was made by Council Member Duwe and seconded by Council Member ward to approve the application. The application was unanimously approved.

**CITY ATTORNEY REPORT**

Ms. Mullen had nothing to report.

**CITY CLERK REPORT**

Mrs. Montaña read the report of the May 2, 2018 Planning and Zoning Commission meeting. The following action took place:

1. The Commission recommended approval of granting the third (and final) one-year extension on the Special Use Permit for Starbucks at 10300 Manchester Road by a vote of 9-0.
2. The Commission recommended approval of rezoning 1506 Dougherty Ferry Road and a portion of 1340 Bryan Meadows from R-1 to R-3 by a vote of 8-1. A public hearing will be scheduled.
3. The Commission recommended approval of rezoning a portion of 1837 Bach Avenue from R-1 to R-2 by a vote of 5-4. A public hearing will be scheduled.

Mrs. Montaña read the certified election results of the April 3, 2018 Election. Following are the certified results of the April 3, 2018 Election from the St. Louis County Board of Election Commissioners dated April 16, 2018.

**For Council Member:**

Kara Wurtz	3,412
Mark Zimmer	3,454
Josh Loeffler	2,730
Wallace Ward	3,873
Invalid Write-In	77



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**Proposition R:**

Yes	1,378
No	4,067

**ADJOURNMENT**

There being no further business to come before the Council, the meeting was adjourned at 8:29 p.m. The next regular council meeting is scheduled for May 17, 2018, at 7:00 p.m.

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Betty Montaña, MMC/MPCC  
City Clerk

***Approved: May 17, 2018***