



WHERE COMMUNITY AND SPIRIT MEET™

**City Council Meeting Minutes
Kirkwood City Hall
Thursday, February 16, 2023, 7:00 p.m.**

Pursuant to notice of meeting duly given by the Mayor, the City Council convened on Thursday, February 16, 2023, at 7:00 p.m. at Kirkwood City Hall, 139 South Kirkwood Road, Kirkwood, Missouri. Present were Mayor Griffin, Council Members Duwe, Gibbons, Luetzow, Sears, Ward and Zimmer. Also in attendance were Chief Administrative Officer Russell Hawes, Assistant Chief Administrative Office David Weidler, City Clerk Laurie Asche, Deputy City Clerk Bridget Waters, Planning and Development Services Director Jonathan Raiche, Director of Finance Sandy Stephens, Assistant Director of Finance Jennifer Forgy, City Planner II Amy Lowry, Director of Public Works Bill Bensing, and City Attorney John Hessel.

INTRODUCTIONS AND RECOGNITIONS

Mayor Griffin welcomed the new Kirkwood Performing Arts Center General manager Liz Crabtree.

PRESENTATION

NONE

PUBLIC HEARINGS

Public Hearing #1

Mayor Griffin recessed the meeting for the purpose of conducting a public hearing regarding a request for a Special Use Permit and Major Site Plan Review for Vehicle Sales and Rental, 10230 Manchester Road (Audi Kirkwood). Mr. Hessel entered the following exhibits into record: an Affidavit of Publication in the St. Louis Countian on January 27, 2023, as Exhibit 1; an Affidavit of Publication in the Webster-Kirkwood Times on January 27, 2023 as Exhibit 2; a list of properties that were notified of the hearing, as Exhibit 3; an aerial view map showing the subject property, as Exhibit 4; the report of the Planning and Zoning Commission Subcommittee dated January 18, 2023 as Exhibit 5; the report of the Planning and Zoning Commission dated January 19, 2023 as Exhibit 6; and the Kirkwood Code of Ordinances, as Exhibit 7.

City Planner II Amy Lowry presented the matter to the Council:

- The applicant is requesting a Special Use Permit and Major Site Plan approval for a new building and associated parking lot for the existing Vehicle Sales business located at the recently consolidated parcels addressed as 10230 and 10240 Manchester Road.
- The existing 14,702 square foot building will be demolished.
- The new 34,931 square foot, two-story building will provide space for offices and a showroom on the second story and a service department and arrival area on the first story.
- The current dealership employs a staff of 44, and the new dealership will have a staff of 100.



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- The proposal reduces the number of access points from five to two which will eliminate many potential conflict points for vehicles and pedestrians.
- The proposal also includes a 5' sidewalk along the entire frontage of the private property to be located in a public sidewalk easement, which is in conjunction with the MoDOT improvements along Manchester Road.
- The proposed landscaping meets the City's regulations with a few requested modifications.
- The proposed plan includes 16 pole-mounted and 24 building-mounted LED fixtures designed to meet the requirements adjacent to the parking lot.
- The applicant is proposing a trash enclosure.

Petitioner Jason Dutkovich, along with his team members were in attendance to make a presentation and discuss the request for Special Use Permit with the Council. Some of the discussion that took place is as follows:

- Question was raised regarding if there will be a temporary location while construction is underway? There will be an off-site service location that will be utilized. The shopping center nearby has been purchased which will be utilized as a temporary sales and accounting building.
- Question was raised regarding what the side yard setback on the east and west of the property are? There is no structure setback for B-3 zoned properties. There is a required landscape buffer on both sides.
- Question was raised regarding lighting and sound. There will be no audible paging and lighting does meet the 0.1 foot candles.

The bill will be placed on the March 2, 2023 agenda for first reading consideration.

Public Hearing #2

Mayor Griffin recessed the meeting for the purpose of conducting a public hearing regarding the Downtown Kirkwood Special Business 2023-2024 Budget. Mr. Hessel entered the following exhibits into the record: An Affidavit of Publication in the Countian on January 27, 2023, which included a summary of the proposed Operating Budget for the Special Business District, as Exhibit 1; an Affidavit of Publication in the Webster-Kirkwood Times on January 27, 2023, which included a summary of the proposed Operating Budget for the Special Business District, as Exhibit 2; and the Kirkwood Code of Ordinances as Exhibit 3.

Director of the Special Business District Donna Poe presented the matter to the City Council:

- Total revenues and other financing sources are \$392,400.
- Total expenditures and other financing uses are \$392,400.
- Revenues are generated from property owner and business licenses in the Downtown Kirkwood Business District.
- Expenses are generally for administration.
- The Special Business District employs 2 full-time staff and 1 part-time staff member.
- The Kirkwood Farmer's Market will open on April 1st for the Spring season.



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A discussion took place.

The bill will be placed on the March 2, 2023 agenda for first reading consideration.

Public Hearing #3

Mayor Griffin recessed the meeting for the purpose of conducting a public hearing regarding the City of Kirkwood 2023-2024 Budget. Mr. Hessel entered the following exhibits into the record: An Affidavit of Publication in the Countian on January 27, 2023, which included a summary of the proposed Operating Budget and Capital Budgets, as Exhibit 1; an Affidavit of Publication in the Webster-Kirkwood Times on January 27, 2023, which included a summary of the proposed Operating Budget and Capital Budgets, as Exhibit 2; and the Kirkwood Code of Ordinances as Exhibit 3.

Assistant Director of Finance Jennifer Forgy presented the matter to the council:

- The proposed budget is balanced in accordance with Missouri State statute.
- A copy of the proposed FY23/24 budget is available on the City's website.
- The budget process started in late July/early August 2022 and presented to the Citizens Finance Committee.
- The Citizens Finance Committee met from September through December 2022, going over the proposed budget and presented recommendations to the City Council in January 2023.
- The proposed budget included anticipated income/reserves available to fund the total City-wide appropriation request of \$102,971,000 with the General Fund and Electric Fund comprising 33% and 35% respectively of this total.
- The General Fund provides the funding for all general City services, which includes public safety.
- The proposed budget projects grant revenues in the amount of \$3,127,000 for the various City street improvement projects.
- The proposed budget includes an appropriation in the amount of \$3,924,000 for lease payments due on various leases.
- The proposed budget includes a request to reappropriate \$18,515,000 for previously approved projects that will be incomplete as of March 31, 2023.

A discussion took place. Some of the discussion that took place is as follows:

- Concern was raised regarding the proposed 30% water rate increase.
- Concern was raised regarding the internal transfers from Enterprise Funds to Capital Fund or the General Fund. Concerned that the internal transfer from the Water Fund of \$710,000 would adversely affect the Water Departments operations and the goal of 1% water main replacement.
- Comment was made regarding the need for an unorthodox approach to water main replacement and suggested that Water Department operations be merged with the Electric Department and operated by the Director of Electric.

The bill will be placed on the March 2, 2023 agenda for first reading consideration.



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PUBLIC COMMENTS

NONE

CONSENT AGENDA

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

- a) Approval of the February 2, 2023 Council Meeting Minutes
- b) Resolution 13-2023, appointing Christopher Molitor to the Park Board for a partial term to June 2025
- c) Resolution 14-2023, accepting the single source proposal of Altec in the amount of \$15,957.20 for the repair of the 2011 Ford F550 Aerial Truck for the Electric Department and authorizing and directing the Director of Procurement to issue a Purchase Order.
- d) Resolution 15-2023, accepting the bid of Everstream in the amount of \$18,000 annually for internet service for the Farmer’s Market, Kirkwood Train Station, and the Utility Building, for an initial term of 12 months with the option to renew for up to four additional 12 months’ terms, pending budgetary approval, and authorizing and directing the Mayor to enter into a contract.

UNFINISHED BUSINESS

Bill 10959, amending the provisions of the Municipal Code of Ordinances, Chapter 25 – Zoning and Subdivision, regarding the regulation of Marijuana Facilities was brought before the City Council.

Roll Call:

Mayor Griffin	“Yes”
Council Member Duwe	“Yes”
Council Member Gibbons	“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 10788.

Bill 10960A, amending Chapter 17, Article I, Section 17-1 and Article XI, Sections Code of Ordinances, City of Kirkwood, Missouri was brought before the City Council.

Roll Call:

Mayor Griffin	“Yes”
Council Member Duwe	“Yes”



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Council Member Gibbons	“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 10789.

Bill 10961, amending Chapter 14, Article I, Section 14-1 and Article III, Section 14-142 of the Code of Ordinances, City of Kirkwood, Missouri was brought before the City Council.

Roll Call:

Mayor Griffin	“Yes”
Council Member Duwe	“Yes”
Council Member Gibbons	“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 10790.

Bill 10962, appropriating \$5,251.86 from the Equitable Sharing Fund Balance to the Police Department Machinery and Equipment Account, and accepting the bid of All Traffic Solutions in the amount of \$5,251.86 (pursuant to Sourcewell Cooperative Contract) for the purchase of two StatTrak Data Collector Traffic Counters for the Police Department and authorizing and directing the Director of Procurement to issue a Purchase Order, was brought before the City Council.

Roll Call:

Mayor Griffin	“Yes”
Council Member Duwe	“Yes”
Council Member Gibbons	“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 10791.



NEW BUSINESS

Bill 10963, appropriating \$75,000 from the Fleet Service Fund Balance to the Fleet Services Vehicle Repair and Parts Account due to an increase in vehicle repairs and parts replacement expenses was brought before the City council. Motion was made by Council Member Ward and seconded by Council Member Zimmer to approve the bill for first reading approval. A discussion took place.

The bill received first reading approval and was held over.

Bill 10964, appropriating \$600,000 from various accounts, accepting the bid of Kolb Grading, LLC in the amount not to exceed of \$649,285.95 (which includes a contingency of \$35,000), pending budgetary approval, for the City Hall and Police Department parking lot improvements and authorizing and directing the Mayor to enter into a contract was brought before the City council. Motion was made by Council Member Ward and seconded by Council Member Sears to approve the bill for first reading approval. A discussion took place.

The bill received first reading approval and was held over.

Resolution 16-2023, accepting the proposal of Lochmueller Group in the not to exceed amount of \$78,600 for Professional Design Period Services for water main replacement at Rayner Road and Taylor Young Drive and authorizing and directing the Mayor to enter into a contract was brought before the City 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:

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

Resolution 17-2023, accepting the quote of Murphy Company in the amount of \$30,100 for the installation of surveillance system at the Marshall Road Pump Station and authorizing and directing the Director of Procurement to issues a Purchase Order was brought before the City Council. Motion was made by Council Member Luetzow and seconded by Council Member Ward to accept the Resolution as read.

Roll Call:

Mayor Griffin	“Yes”
Council Member Duwe	“Yes”



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Council Member Gibbons	“Yes”
Council Member Luetzow	“Yes”
Council Member Sears	“Yes”
Council Member Ward	“Yes”
Council Member Zimmer	“Yes”

Resolution 18-2023, authorizing and directing the Mayor to enter into a Municipal Court Services – Specialty Courts Agreement between the City of Kirkwood and St. Louis County Municipal Court was brought before the City Council. Motion was made by Council Member Luetzow and seconded by Council Member Duwe to accept the Resolution as read.

Roll Call:

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

Resolution 19-2023, accepting the quote of Westport Pools in the not exceed amount \$54,000 for Aquatic Center Competition Pool maintenance and repairs and authorizing and directing the Director of Procurement to issue a Purchase order was brought before the City Council. Motion was made by Council Member Duwe and seconded by Council Member Luetzow to accept the Resolution as read.

Roll Call:

Mayor Griffin	“Yes”
Council Member Duwe	“Yes”
Council Member Gibbons	“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

NONE



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CHIEF ADMINISTRATIVE OFFICER REPORT

Mr. Hawes reported that the City received an Application for Liquor License to sell intoxicating liquor by the drink, plus Sunday, from Taco Buddha at 11111 Manchester Road. Motion was made by Council Member Sears and seconded by Council Member Luetzow to approve the application. A discussion took place. The application was unanimously approved.

CITY ATTORNEY REPORT

Mr. Hessel had nothing to report.

CITY CLERK REPORT

Ms. Asche reported on scheduled upcoming public hearings:

March 2, 2023

1. A request for a Zoning Code text amendment related to parking requirements for outdoor dining areas for restaurants

ADJOURNMENT

There being no further business to come before the Council, the formal meeting was adjourned at 8:32 p.m. The next regular council meeting is scheduled for March 2, 2023 at 7:00 p.m.

Laurie Asche
City Clerk

Approved: