



WHERE COMMUNITY AND SPIRIT MEET®

**City of Kirkwood
City Council Work Session
Thursday, February 12, 2026**

4:30 p.m.

**City Hall, Main Level Conference Room
139 S. Kirkwood Rd.
Kirkwood, MO 63122**

(Posted February 10, 2026 at 10:00 a.m.)

Please note that work sessions are for council discussion only and there will be no public comment portion of the meeting. When a topic is completed the council will immediately move on to the next item on the agenda.

- I. Approval of the February 5, 2026 Work Session Minutes**
- II. Missouri Highway Safety Program Grant Application for the Police Department**
- III. Water Sub-Committee Appointment of Additional Member**
- IV. Tree Ordinance Discussion**
- V. Public Works Facility Renovation**
- VI. Budget Discussion**
- VII. Motion to close the meeting pursuant to RSMo Chapter 610.021 (1- Legal & 3 - Personnel)**
- VIII. Motion to open the meeting**
- IX. Meeting Adjournment**

Kirkwood City Council: Mayor Liz Gibbons, Council Members Gina Jaksetic, Nancy Luetzow, Mark McLean, Al Rheinnecker, Paul Schaefer, and Mark Zimmer

Contact Information: For full City Council contact information visit www.kirkwoodmo.org/council. To contact the City Clerk call 314-822-5802. To contact the Interim Chief Administrative Officer call 314-822-5801.

Accommodation: The City of Kirkwood is interested in effective communication for all persons. Persons requiring an accommodation to attend and participate in the meeting should contact the City Clerk at 314-822-5802 at least 48 hours before the meeting. With advance notice of seven calendar days, the City of Kirkwood will provide interpreter services at public meetings for languages other than English and for the hearing impaired. Upon request, the minutes from this meeting can be made available in an alternate format, such as CD by calling 314-822-5802.



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WORK SESSION MINUTES

A work session of the Kirkwood City Council was held on February 5, 2026, at 5:00 p.m. at Kirkwood City Hall, 139 S. Kirkwood Road, Kirkwood, Missouri. Present were: Mayor Gibbons, Council Members Jaksetic, Luetzow, McLean, Rheinnecker, Schaefer, and Zimmer. Also in attendance were Interim Chief Administrative Officer David Weidler, City Clerk Laurie Asche, Deputy City Clerk Zoe Williams, Director of Public Services Chris Krueger, Director of Parks and Recreation Kyle Henke, and City Attorney Jackie Graves.

APPROVAL OF THE JANUARY 22, 2026, SPECIAL JANUARY 27, 2026 AND SPECIAL JANUARY 29, 2026 WORK SESSION MINUTES

Motion was made by Council Member McLean and seconded by Council Member Zimmer to approve the minutes of the January 22, 2026, Special January 27, 2026, and Special January 29, 2026 work session meetings. The minutes were approved with Council Member Rheinnecker abstaining from the January 27, 2026 minutes.

SPEED LIMIT ON MANCHESTER ROAD DISCUSSION

Director of Public Services Chris Krueger presented on boundary-determinant speed limits on Manchester Road and the viability of a speed limit decrease. Staff recommended decreasing the speed limit from 35 to 30 miles per hour within Kirkwood's city limits.

Reasons in favor of the speed limit decrease cited:

- Large updates made in conjunction with MoDOT after a severe car accident near North Kirkwood Middle School promoted safety and traffic control
- Nearby facilities heightening safety concerns, such as schools
- Kirkwood businesses and aesthetic investments along Manchester Road would become more visible to slower motorists
- Previous City-conducted speed study data supporting that Manchester Road was an area of concern

Staff stated that, if MoDOT is approached with a request to lower the speed limit, MoDOT will conduct its own speed study as a requirement, without asking for payment from the City.

It was the consensus of the Council for staff to approach MoDOT with a request for a speed limit decrease from 35 to 30 miles per hour on Manchester Road.

CONCESSION SERVICES AT THE COMMUNITY CENTER

Director of Parks and Recreation Kyle Henke presented considerations for in-house concession operations at the Ice Rink and Aquatic Center. This is an extension of a discussion previously taken place in June 2025.

Concessions are currently operated by a third-party vendor with the City receiving approximately 5% of gross sales. The vendor contract terminates at the end of March. Budget finalization will be required before a decision can be made on the vendor contract; budgetary effects of contract termination and concession in-house operation would include:

- Food and beverage inventory purchases



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- Equipment acquisition/replacement, currently estimated at \$9,000 – \$13,000
- Staffing costs, including wages, training, and scheduling

Questions were raised regarding the presented figures; staff assured estimated profits could be met and the figure estimates were accurate. There was discussion on staffing and timing of alcohol sales.

Staff provided benefits of taking concessions in-house, including:

- Flexibility on menu and pricing; scheduling alignment; and overall integration of facility operations and customer service
- Provides a satisfactory response to current public requests for certain concessions, such as coffee and alcohol
- Requires no refitting/upgrading of the concession areas in the buildings

It was the consensus of the Council to move forward with these considerations in the FY27 budget.

SANITATION RATE INCREASE DISCUSSION

Director of Public Services Chris Krueger presented a proposed structure for a customer rate increase for the Sanitation Department of \$2.72 or 10% (\$27.23 to \$29.95) which would take effect in April of 2026. The proposal supports upcoming capital purchases and rising operational expenses. The City has seen these previous rate increases:

- A \$3.44 (20%) increase on Base Service in 2017 (\$17.06 to \$20.50)
- A \$6.73 (33%) increase on Base Service in 2020 (\$20.50 to \$27.23)

The proposal includes a three year structure: 10% in FY27, 10% in FY28, and 5% in FY29; staff is only seeking approval for the initial 10% increase. Comparisons of rate prices and structures between nearby municipalities were shown.

Discussion on recyclables took place. Current recyclable tonnage cost is \$87, changing monthly, with an 18-month average of ~\$80. Potential for saving money by eliminating single-stream recycling, restricting certain materials, and stopping recycle pickup in exchange for customer dropoff were considered. The level of service provided by Sanitation Department staff was noted.

Budget standings were presented:

- There is currently \$2 million in reserves for the Sanitation Department
- Certain purchases budgeted in FY26 are rolled over in the FY27 budget; one rollover purchase is anticipated in FY27
- The rate increase will generate a \$300,000 revenue, but funds are questionable after 2032

It was the consensus of the Council to direct staff to draft legislation and to explore reducing or eliminating single-stream recycling.



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MOTION TO CLOSE THE MEETING

Motion was made by Council Member Schaefer and seconded by Council Member Zimmer to close the meeting pursuant to RSMo Chapter 610.021 (1 – Legal, 2 – Real Estate, & 12 – Contract Negotiations).

Roll Call:

Mayor Gibbons	“Yes”
Council Member Jaksetic	“Yes”
Council Member Luetzow	“Yes”
Council Member McLean	“Yes”
Council Member Rheinnecker	“Yes”
Council Member Schaefer	“Yes”
Council Member Zimmer	“Yes”

The meeting was closed.

MOTION TO OPEN THE MEETING

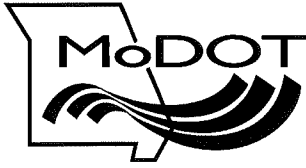
Motion was made by Council Member Zimmer and seconded by Council Member Schaefer to open the meeting.

Roll Call:

Mayor Gibbons	“Yes”
Council Member Jaksetic	“Yes”
Council Member Luetzow	“Yes”
Council Member McLean	“Yes”
Council Member Rheinnecker	“Yes”
Council Member Schaefer	“Yes”
Council Member Zimmer	“Yes”

The meeting was opened. Since no further matters were to come before the council, the meeting was adjourned.

Laurie Asche
City Clerk



Highway Safety and Traffic Division
P.O. Box 270
Jefferson City, MO 65102
1-800-800-2358 or 573-751-4161

CITY COUNCIL AUTHORIZATION

On _____, 20__ the Council of _____
_____ held a meeting and discussed the City's participation
in Missouri's Highway Safety Program.

It is agreed by the Council that the City of _____
will participate in Missouri's Highway Safety Program.

It is further agreed by the Council that the Chief of Police will investigate the
financial assistance available under the Missouri Highway Safety Program for
Traffic Enforcement and report back to the Council his/her recommendations.
When funding through the Highway Safety Division is no longer available, the
local government entity agrees to make a dedicated attempt to continue support
for this traffic safety effort.

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

Mayor



**Highway Safety and Traffic Division
TRAFFIC ENFORCEMENT APPLICATION
October 01, 2026 through September 30, 2027**

Highway Safety and Traffic Division
P.O. Box 270
830 MoDOT Drive
Jefferson City, MO 65102

(Application due by March 01, 2026)

Agency:	Kirkwood Police Dept.	Agency ORI#:	MO0954300
Address:	131 West Madison Ave.	Federal Tax ID#:	436001912
		UEI:	N7J9B95LSFD5
City:	Kirkwood	State:	MO
		Zip:	63122-4212
		County:	St. Louis
Phone:	314-822-5881	Fax:	314-984-5917
Contact:	Officer Michael Hance	Email:	hancema@kirkwoodmo.org
Jurisdiction:	Rural	Jurisdiction Population:	26,804
Targeted Population:	All Drivers		

Project activity for which your agency is requesting funding:
Hazardous Moving Violation

Project Title:	HMV Enforcement	Requested Amount:	\$22,250.00
Brief Description:	Hazardous Moving Violation Enforcement		

Brian Murphy
Authorizing Official

Authorizing Official Signature

Chief of Police
Authorizing Official Title

PROBLEM IDENTIFICATION

Per the FY 24-26 Triennial Highway Safety Plan, during the last 5 years, no behavior on Missouri roadways has contributed to traffic fatalities as frequently as speed and aggressive driving. From 2017-2021, there were 2,547 fatalities involving a speeding or aggressive driver, accounting for 53% of all traffic fatalities. Speed and aggressive driving are cited in fatal crash reports as a contributing circumstance more than twice as often as impaired driving, and feedback and citation data from law enforcement agencies indicate speeds are up significantly during the last 3 years.

The Kirkwood Police Department has two major highways (I-44 and I-270) running through its jurisdiction, along with two smaller highways, MO-100 and US 61-67. All of these roadways are heavily traveled throughout the day as they are the main corridors of traffic for getting around the St. Louis area, and for travelers heading east, west, north and south throughout the region. A large portion of our crash reports involve speed (too fast for conditions, and others), with distracted/inattentive drivers on the rise.

From 2024 to 2025, we observed a slight increase in our crash reports. With the additional incentive of double time for traffic grant time, we hope increase our presence and enforcement, to create the steady decline in crashes we had seen in the last few years.

GOALS/OBJECTIVES

As outlined in the FY24-26 Triennial Highway Safety Plan, Core Performance Measure Goals:

Based on a goal of 0 fatalities by 2030, Missouri is setting a five-year average fatality target of 897.6 by December 31, 2026.

Based on a goal of 0 serious injuries by 2040, Missouri is setting a five-year average serious injury target of 4,486.1 by December 31, 2026.

Based on a goal of 0 fatalities by 2030, Missouri is setting a five-year average speed related fatality target of 293.8 by December 31, 2026.

1. The goal of this grant is not only for officers to seek out aggressive drivers and issue citations for traffic violations but also to educate the driving public regarding traffic related issues and alert the public to areas of concern .
2. Investigate citizen complaints and enforce all applicable traffic laws and regulations .
3. Pursue investigation of any and all illegal activities detected as a result of traffic stops .
4. Increase HVM enforcement.
5. Issue at least four press releases and/or social media posts detailing the activities of the officers working the grant to include results, such as speeds for which citations were issued, to increase awareness of traffic activity .
6. Decrease the number of vehicle crashes in our city.

PROJECT DESCRIPTION

Kirkwood Police Department has a full-time traffic division that was created as of January 2018. The traffic division consists of three patrol officers and one Sergeant.

This year's goal will be to continue to use the traffic division along with regular patrol officers on grant time to run saturation patrols and single officer enforcement periods throughout the grant year on a variety of hazardous moving violations , such as speeding, distracted drivers, impaired drivers, pedestrian safety, aggressive drivers, red light violations and youth impaired drivers.

Reducing traffic crashes and saving lives is our #1 priority for this grant application. This grant will greatly assist Kirkwood Police Department in additional hazardous violation enforcement.

From 2024 to 2025, we observed a small increase in the number of traffic crashes in our municipality . We hope to return to the steady decline in crashes we have previously seen with the assistance of this grant.

SUPPLEMENTAL INFORMATION

Question

Answer

You must answer the following questions.

- | | |
|--|-----|
| 1 Does your agency have and enforce a safety belt policy for all employees/personnel? | Yes |
| 2 Does your agency have and enforce a policy restricting cell phone use while driving? | Yes |
| 3 Does your agency report racial profiling data annually? | Yes |
| 4 Does your agency report to MOCARS? | Yes |
| 5 Does your agency report MIBRS information annually? | Yes |
| 6 Please explain any NO answer(s) to questions 1-5: | |
| 7 Does your agency have adequate manpower to fully perform the activities, expend the funds requested, and to submit vouchers on a monthly and/or quarterly basis in this application? | Yes |
| 8 If NO, please explain. | |
| 9 Have any significant changes occurred with your agency within the last year that would affect performance, including personnel or system changes? | Yes |
| 10 If YES, please explain.

APPROVAL TO PAY DOUBLE TIME FOR TRAFFIC GRANT WORK | |
| 11 Are you aware of any fraud, waste or abuse on grant projects in your office/agency within the last 5 years? | No |
| 12 If YES, please explain. | |
| 13 Have any of your officers/personnel been debarred and are therefore not eligible to receive federal funds for reimbursement of salary, fringe benefits, or overtime? | No |
| 14 If your agency received Highway Safety grant funding in the last three (3) fiscal years and there were unexpended balances, please explain why.

Reduced time worked to avoid going over budget, usually leaving some funds in the account. | |
| 15 Did your political entity receive more than 80% of its annual gross revenues in Federal Awards in your preceding fiscal year? | No |
| 16 Did your political entity receive \$25,000,000 or more in Federal Awards in your preceding fiscal year? | No |
| 17 If you answered NO to either question 15 and 16, DO NOT answer this question. If you answered YES to both question 15 and 16, and the public does not have access to this information, list the names and compensation amounts of the five most highly compensated employees in your business or organization (the legal entity to which the UEI number it provided belongs). | |

18 What is the location of your project (City, County, or Counties)?

City of Kirkwood Missouri

19 What is your organization type?

Enforcement Agency

20 If answered OTHER, please explain.

Please use the most current 12-months of data available for answering questions 18-23. INCLUDE ALL OF YOUR AGENCY'S STATISTICS, NOT JUST THOSE ISSUED DURING GRANT ACTIVITY.

21 Total number of DWI violations written by your agency.	18
22 Total number of speeding citations written by your agency.	1203
23 Total number of HVM citations written by your agency.	1346
24 Total number of child safety/booster seat citations written by your agency.	1
25 Total number of safety belt citations written by your agency.	18
26 Total number of warnings issued.	7467

Use the most current three years crash data from the Missouri State Highway Patrol (MSHP) or your internal record management system for questions 24-34.

27 Total number of traffic crashes.	1940
28 Total number of traffic crashes resulting in a fatality.	1
29 Total number of traffic crashes resulting in a serious injury.	21
30 Total number of speed-related traffic crashes.	104
31 Total number of speed-related traffic crashes resulting in a fatality.	1
32 Total number of speed-related traffic crashes resulting in a serious injury.	28
33 Total number of alcohol-related traffic crashes.	23
34 Total number of alcohol-related traffic crashes resulting in a fatality.	1
35 Total number of alcohol-related traffic crashes resulting in a serious injury.	4
36 Total number of unbuckled fatalities.	0
37 Total number of unbuckled serious injuries.	2

Enter your agency's information below.

38 Total number of commissioned law enforcement officers.	62
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39 Total number of commissioned patrol and traffic officers.	32
40 Total number of commissioned law enforcement officers available for overtime enforcement.	60
41 Total number of vehicles available for enforcement.	13
42 Total number of radars/lasers.	23
43 Total number of in-car video cameras.	0
44 Total number of PBTs and/or oral fluid testing devices. Please indicate the number of each type of instrument. 1 - PBT	
45 Total number of Breath Instruments.	1

The following information explains the strategies your agency will use to address the traffic crash problem. This information is considered to be the Project Description and should be specific to the crash problem.

46 Identify primary enforcement locations. West Adams Ave, East and West Bound from Geyer Rd to Dougherty Ferry Rd. IS-44 EB between Big Bend and East City Limits. IS-44 WB between Berry Rd. and Big Bend Rd. I-270 SB between Big Bend and South City Limits. I-270 NB between I-44 and North City Limits (Dougherty Ferry). Big Bend and Geyer Rd (100 feet each direction of the intersection). US-61, North and South Bound between MO 100 and South City Limits. MO 100 East and West Bound between Woodgate Dr. and Dickson. Dougherty Ferry Rd., East and West Bound from Ballas to Lindeman	4
47 Enter the number of enforcement periods your agency will conduct each month.	4
48 Enter the months in which enforcement will be conducted. All 12 Months, times and amount will vary.	
49 Enter the days of the week in which enforcement will be conducted. All Days will be utilized, times and amount will vary.	
50 Enter the time of day in which enforcement will be conducted. Times will vary with officer availability, and types of targeted enforcement	
51 Enter the number of officers assigned during the enforcement period.	4
52 If equipment or supplies are requested to conduct this project, explain below why it is needed and how it will be used. N/A	

PROJECT EVALUATION

The MHTC will administratively evaluate this project. Evaluation will be based, at a minimum, upon the following:

1. Law enforcement compliance with state MIBRS, Racial Profiling, and MOCARS reporting requirements (law enforcement contracts only)
2. Timely submission of monthly reimbursement vouchers and appropriate documentation to support reimbursement for expenditures (i.e., personal services, equipment, materials)
3. Timely submission of periodic reports (i.e., monthly, quarterly) as required
4. Timely submission of the Year End Report of activity (due within 30 days after contract completion date)
5. Attaining the Goals set forth in this contract
6. Accomplishing the Objectives established to meet the project Goals, such as:
 - Enforcement activities (planned activities compared with actual activities)
 - Programs (number and success of programs held compared to planned programs, evaluations if available)
 - Training (actual vs. anticipated enrollment, student evaluations of the class, student test scores on course examinations, location of classes, class cancellation information)
 - Equipment purchases (timely purchase of equipment utilized to support and enhance the traffic safety effort ; documentation of equipment use and frequency of use)
 - Public awareness activities (media releases, promotion events, or education materials produced or purchased)
 - Other (any other information or material that supports the Objectives)
7. The project will be evaluated by the Highway Safety and Traffic Division through annual crash analysis

Evaluation results will be used to determine:

- The success of this type of activity in general and this particular project specifically ;
- Whether similar activities should be supported in the future; and
- Whether grantee will receive funding for future projects

The command staff of the Kirkwood police department will evaluate the effectiveness of the use of the traffic grant time enforcement's, by analyzing all available data produced from the multiple reporting systems utilized. Then they will recommend any necessary modifications to the use of time, equipment, or manpower.

ADDITIONAL FUNDING SOURCES

MODOT - HVM Grant - \$38,395.00 - Oct. 1, 2025 - Sept. 30, 2026

MODOT - OPE Grant - \$12,000.00 - Oct. 1, 2025 - Sept. 30, 2026

BUDGET

Category	Item	Description	Quantity	Unit Cost	Total	Match	Total Requested
Personnel							
	Overtime and/or Fringe	Officer overtime, approximately 250 hours of overtime enforcement. With Overtime rates of pay ranging from \$70 to \$108 per hour	1	\$22,250.00	\$22,250.00	\$0.00	\$22,250.00
					\$22,250.00	\$0.00	\$22,250.00
Total Contract					\$22,250.00	\$0.00	\$22,250.00

ATTACHMENTS

Document Type

Description

Original File Name

Date Added



**Highway Safety and Traffic Division
TRAFFIC ENFORCEMENT APPLICATION
October 01, 2026 through September 30, 2027**

Highway Safety and Traffic Division
P.O. Box 270
830 MoDOT Drive
Jefferson City, MO 65102

(Application due by March 01, 2026)

Agency:	Kirkwood Police Dept.	Agency ORI#:	MO0954300
Address:	131 West Madison Ave.	Federal Tax ID#:	436001912
		UEI:	N7J9B95LSFD5
City:	Kirkwood	State: MO	Zip: 63122-4212
		County:	St. Louis
Phone:	314-822-5881	Fax:	314-984-5917
Contact:	Officer Michael Hance	Email:	hancema@kirkwoodmo.org
Jurisdiction:	Rural	Jurisdiction Population:	26,804
Targeted Population:	All Drivers		

Project activity for which your agency is requesting funding:
Occupant Protection

Project Title:	Occupant Protection Enforcement	Requested Amount:	\$22,250.00
Brief Description:	Seat belt enforcement		

Brian Murphy
Authorizing Official

Authorizing Official Signature

Chief of Police
Authorizing Official Title

PROBLEM IDENTIFICATION

Per the FY24-26 Triennial Highway Safety Plan, during 2017-2021, 64.9% of drivers and occupants killed in crashes in Missouri were unrestrained. The percent of unrestrained teens killed is even higher at 71.6% while pickup truck drivers and occupants are even higher yet at 76.6%.

Missouri's observed seat belt use rate of 88.9% in 2022 is below the national average of 91.6%. Teen seat belt use is of particular concern coming in at just 71.8%, approximately 17% lower than the state average. Furthermore, seat belt use remains lowest amongst males, on non-highways, and in rural areas, particularly southeast and northeast Missouri. If everyone in Missouri buckled up, an estimated 250 lives would be saved each year.

From 2023 - 2025, Kirkwood Police issued 104 citations and 213 warnings for Seatbelt Violations. I expect stops to increase again in the upcoming years, due to newer officers being interested in joining the grant enforcement. The purpose of this grant will be to educate and enforce the seat belt ordinance that is in effect in the City of Kirkwood and City of Oakland, with the desired effect being to reduce fatalities and injuries in crashes. As a part of the St. Louis Coalition for Roadway Safety, I am participating as our department is able to officially register & work in specific campaigns, in the past we were aware, and enforcing the seatbelt violations as we were able.

GOALS/OBJECTIVES

As outlined in the FY24-26 Triennial Highway Safety Plan, Core Performance Measure Goal:

Based on a goal of 0 fatalities by 2030, Missouri is setting a five-year average unrestrained fatality target of 324.4 by December 31, 2026.

Other Performance Measure Goal:

Missouri's goal is to increase statewide observed seat belt use of front seat outboard occupants in passenger vehicles 1 percentage point annually from the 2022 calendar base year rate of 88.9% to 93.0% by December 31, 2026.

1. The goal of this grant application is not only for officers to enforce the seat belt ordinance that is in effect in the City of Kirkwood and City of Oakland and issue citations for seat belt violations but also to educate the public regarding the benefits of using driver and passenger restraints and alert the public to areas of traffic safety concern .
2. Investigate citizen complaints and enforce all applicable traffic laws and regulations .
3. Pursue investigation of any and all illegal activities detected as a result of traffic stops .
4. Issue at least four press releases and / or social media posts detailing the activities of the officers working the grant to include results, such as speeds for which citations were issued, to increase awareness of traffic safety.
5. Reduce injuries and deaths from traffic crashes.

PROJECT DESCRIPTION

Kirkwood Police Department has a full-time traffic division that consists of one Sergeant and three patrol officers .

The traffic division along with regular patrol officers will work on grant time , in addition to regular duty hours, to run saturation patrols and single officer enforcement throughout the grant year for the express purpose of looking for and enforcing the City of Kirkwood ordinance as it relates to seat belt use.

Officers will issue warnings/citations when violations are observed and traffic stops are made . Officers will work a variety of hours as well as participate in state-wide mobilization dates, holidays and other special activities throughout the grant year.

SUPPLEMENTAL INFORMATION

<u>Question</u>	<u>Answer</u>
You must answer the following questions.	
1 Does your agency have and enforce a safety belt policy for all employees/personnel?	Yes
2 Does your agency have and enforce a policy restricting cell phone use while driving?	Yes
3 Does your agency report racial profiling data annually?	Yes
4 Does your agency report to MOCARS?	Yes
5 Does your agency report MIBRS information annually?	Yes
6 Please explain any NO answer(s) to questions 1-5:	
7 Does your agency have adequate manpower to fully perform the activities, expend the funds requested, and to submit vouchers on a monthly and/or quarterly basis in this application?	Yes
8 If NO, please explain.	
9 Have any significant changes occurred with your agency within the last year that would affect performance, including personnel or system changes?	Yes
10 If YES, please explain.	
Approval to pay double time for grant work, which has created a greater interest	
11 Are you aware of any fraud, waste or abuse on grant projects in your office/agency within the last 5 years?	No
12 If YES, please explain.	
13 Have any of your officers/personnel been debarred and are therefore not eligible to receive federal funds for reimbursement of salary, fringe benefits, or overtime?	No
14 If your agency received Highway Safety grant funding in the last three (3) fiscal years and there were unexpended balances, please explain why.	
Grant time was reduced as we approached the end of the funds, leaving a balance, instead of going over the budgeted amount.	
15 Did your political entity receive more than 80% of its annual gross revenues in Federal Awards in your preceding fiscal year?	No
16 Did your political entity receive \$25,000,000 or more in Federal Awards in your preceding fiscal year?	No

17 If you answered NO to either question 15 and 16, DO NOT answer this question. If you answered YES to both question 15 and 16, and the public does not have access to this information, list the names and compensation amounts of the five most highly compensated employees in your business or organization (the legal entity to which the UEI number it provided belongs).

18 What is the location of your project (City, County, or Counties)?

City of Kirkwood, Missouri

19 What is your organization type?

Enforcement Agency

20 If answered OTHER, please explain.

Please use the most current 12-months of data available for answering questions 18-23. INCLUDE ALL OF YOUR AGENCY'S STATISTICS, NOT JUST THOSE ISSUED DURING GRANT ACTIVITY.

21 Total number of DWI violations written by your agency.	18
22 Total number of speeding citations written by your agency.	1203
23 Total number of HVM citations written by your agency.	1346
24 Total number of child safety/booster seat citations written by your agency.	1
25 Total number of safety belt citations written by your agency.	18
26 Total number of warnings issued.	7467

Use the most current three years crash data from the Missouri State Highway Patrol (MSHP) or your internal record management system for questions 24-34.

27 Total number of traffic crashes.	1940
28 Total number of traffic crashes resulting in a fatality.	1
29 Total number of traffic crashes resulting in a serious injury.	21
30 Total number of speed-related traffic crashes.	104
31 Total number of speed-related traffic crashes resulting in a fatality.	1
32 Total number of speed-related traffic crashes resulting in a serious injury.	28
33 Total number of alcohol-related traffic crashes.	23
34 Total number of alcohol-related traffic crashes resulting in a fatality.	1
35 Total number of alcohol-related traffic crashes resulting in a serious injury.	4
36 Total number of unbuckled fatalities.	0

37 Total number of unbuckled serious injuries. 2

Enter your agency's information below.

38 Total number of commissioned law enforcement officers. 62

39 Total number of commissioned patrol and traffic officers. 32

40 Total number of commissioned law enforcement officers available for overtime enforcement. 60

41 Total number of vehicles available for enforcement. 13

42 Total number of radars/lasers. 23

43 Total number of in-car video cameras. 0

44 Total number of PBTs and/or oral fluid testing devices. Please indicate the number of each type of instrument.

1 - PBT

45 Total number of Breath Instruments. 1

The following information explains the strategies your agency will use to address the traffic crash problem. This information is considered to be the Project Description and should be specific to the crash problem.

46 Identify primary enforcement locations.

West Adams Ave, East and West Bound from Geyer Rd to Dougherty Ferry Rd.
IS-44 EB between Big Bend and East City Limits.
IS-44 WB between Berry Rd. and Big Bend Rd.
I-270 SB between Big Bend and South City Limits.
I-270 NB between I-44 and North City Limits (Dougherty Ferry).
Big Bend and Geyer Rd (100 feet each direction of the intersection).
US-61, North and South Bound between MO 100 and South City Limits.
MO 100 East and West Bound between Woodgate Dr. and Dickson.
Dougherty Ferry Rd., East and West Bound from Ballas to Lindeman

47 Enter the number of enforcement periods your agency will conduct each month. 4

48 Enter the months in which enforcement will be conducted.

All 12 Months, times and amount will vary.

49 Enter the days of the week in which enforcement will be conducted.

All Days will be utilized, times and amount will vary.

50 Enter the time of day in which enforcement will be conducted.

Times will vary with officer availability, and types of targeted enforcement

51 Enter the number of officers assigned during the enforcement period. 4

52 If equipment or supplies are requested to conduct this project, explain below why it is needed and how it will be used.

N/A

PROJECT EVALUATION

The MHTC will administratively evaluate this project. Evaluation will be based, at a minimum, upon the following:

1. Law enforcement compliance with state MIBRS, Racial Profiling, and MOCARS reporting requirements (law enforcement contracts only)
2. Timely submission of monthly reimbursement vouchers and appropriate documentation to support reimbursement for expenditures (i.e., personal services, equipment, materials)
3. Timely submission of periodic reports (i.e., monthly, quarterly) as required
4. Timely submission of the Year End Report of activity (due within 30 days after contract completion date)
5. Attaining the Goals set forth in this contract
6. Accomplishing the Objectives established to meet the project Goals, such as:
 - Enforcement activities (planned activities compared with actual activities)
 - Programs (number and success of programs held compared to planned programs, evaluations if available)
 - Training (actual vs. anticipated enrollment, student evaluations of the class, student test scores on course examinations, location of classes, class cancellation information)
 - Equipment purchases (timely purchase of equipment utilized to support and enhance the traffic safety effort; documentation of equipment use and frequency of use)
 - Public awareness activities (media releases, promotion events, or education materials produced or purchased)
 - Other (any other information or material that supports the Objectives)
7. The project will be evaluated by the Highway Safety and Traffic Division through annual crash analysis

Evaluation results will be used to determine:

- The success of this type of activity in general and this particular project specifically;
- Whether similar activities should be supported in the future; and
- Whether grantee will receive funding for future projects

The command staff of the Kirkwood police department will evaluate the effectiveness of the use of the traffic grant time enforcement's by analyzing all available data produced from the multiple reporting systems utilized. Then they will recommend any necessary modifications to the use of time, equipment, or manpower.

ADDITIONAL FUNDING SOURCES

MODOT - HVM Grant - \$38,395.00 - Oct. 1, 2025 - Sept. 30, 2026

MODOT - OPE Grant - \$12,000.00 - Oct. 1, 2025 - Sept. 30, 2026

BUDGET

Category	Item	Description	Quantity	Unit Cost	Total	Match	Total Requested
Personnel							
	Overtime and/or Fringe	Officer overtime, approximately 250 hours of overtime enforcement. With Overtime rates of pay ranging from \$70 to \$108 per hour	1	\$22,250.00	\$22,250.00	\$0.00	\$22,250.00
					\$22,250.00	\$0.00	\$22,250.00
Total Contract					\$22,250.00	\$0.00	\$22,250.00

ATTACHMENTS

<u>Document Type</u>	<u>Description</u>	<u>Original File Name</u>	<u>Date Added</u>
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ARTICLE I
General Tree Regulations

§ 24-2

§ 24-1. Purpose. [Ord. No. 10539, 12-20-2018; Ord. No. 10825, 9-21-2023]

The purpose of this Code is to promote and protect the preservation, safety, and general welfare of the City's interests by ~~providing for the regulation of~~ **regulating of** the planting, protection, maintenance, survival and removal of the trees within the City of Kirkwood, Missouri. **Our community forest is a public asset, and the planting, maintenance, and preservation of trees will sustain the well-forested character of the City, which has substantial positive effects on storm water management, air and water quality, erosion prevention, wildlife habitat, noise pollution, energy conservation, and property values.** All regulations and fees are established to protect existing tree canopy and to increase the canopy goals through the City's established interests. All City parks and park-maintained spaces are exempt from this chapter.

Commented [BMS1]: Update #1

Commented [BMS2]: Update #2

§ 24-2. Definitions. [Ord. No. 10825, 9-21-2023]

As used in this chapter, the following terms shall have the meanings indicated:

ADJUSTED DIAMETER — The DBH multiplied by the tree's physical deterioration rating, functional obsolescence, and external obsolescence. For example, if a tree has a DBH of 32 inches in diameter and is in relatively poor health with a physical deterioration of 40%, functional obsolescence of 80%, and external obsolescence of 80% its adjusted diameter is 8.2 inches.

CALIPER — A unit measurement made of young trees for size classification. The caliper measurement is take at the base of the stem just above the root collar.

CANOPY COVERAGE MAP — A map required to meet tree protection guidelines that depicts the total canopy coverage on a lot, as well as impacted canopy and remaining canopy post disturbance.

CERTIFIED ARBORIST — An individual with a valid "certified arborist" designation from the International Society of Arboriculture.

CLEARCUT — The removal of 75% or more of the canopy coverage from any individual parcel of at least 0.25 acre in size with an existing canopy coverage of at least 50% within a 24-month period. Invasive, undesirable, or trees of less than fair condition shall not be included if evidence of such is provided in advance of any removal to the Urban Forester.

Commented [BMS3]: Update #3

DBH (Diameter at Breast Height) — The diameter of a tree measured at 4 1/2 feet above ground.

HEADING CUTS — A pruning cut made by reducing the trunk or branches of a tree to stubs or to lateral branches too small to assume the terminal role of the branch being cut.

HERITAGE TREE — Any Significant Tree eighteen inches in DBH or greater, or a lesser-sized tree of exceptional quality or historic significance as determined by the Urban Forester.

Commented [BMS4]: Update #4

INVASIVE — Any tree or shrub considered to be foreign or unnatural with the ability to overcome the natural vegetation and expand rapidly throughout the landscape. Any and all tree or shrub species listed as a Missouri Noxious Weed by the Missouri Department of Agriculture or as invasive by the Missouri Department of Conservation.

Commented [BMS5]: Update #5

LARGE CANOPY TREE — Any tree with a mature height greater than 45 feet in height and not listed as an invasive or prohibited species.

MEDIUM CANOPY TREE — Any tree with a mature height greater than 30 feet in height and less than 45 feet in height not listed as an invasive or prohibited species.

NEWLY PLANTED TREES — Trees planted for the purpose of meeting the landscaping plan or tree study requirements for development on a site.

PUBLIC TREES — Trees located within the City's paved rights-of-way, excluding trees within the parks.

REMOVAL — The complete removal from the site of all above ground material debris as well as the removal of the stump by either grinding or excavation.

REMOVE — The actual removal or causing the need to remove through damaging, poisoning, or other direct or indirect actions resulting in the death or serious decline of a tree.

SIGNIFICANT TREE — Any tree six inches in DBH or greater in fair or greater condition, excluding invasive species or "undesirable trees."

SMALL CANOPY TREE — Any tree with a mature height greater than 15 feet in height and less than 30 feet in height that is not listed as an invasive or prohibited species.

TOPPING — The pruning practice of reducing the height or spread of a tree using heading cuts.

TREE — A woody plant typically growing as a single stem or a multiple stem in an upright form that will attain a mature height of at least 10 feet and a diameter (DBH) of at least two inches.

TREE MANUAL — A document containing the technical requirements for tree planting, tree selection, tree maintenance, and tree protection as dictated by the City of Kirkwood Kirkwood Urban Forestry Commission. This document is the City of Kirkwood Tree Manual.

TREE PROTECTION PLAN (TPP) — In reference to a plan written by a certified arborist, to protect the public and/or private trees impacted during activities regulated by § 24-4.

TREE STUDY — In reference to documents as part of a tree protection plan that details the full assessment of the public and private trees in relationship to development. These documents are completed by a certified arborist.

UNDESIRABLE TREE — Any tree classified as invasive or a nuisance by the City of Kirkwood.

§ 24-3. Public trees. [Ord. No. 10825, 9-21-2023]

- (a) Property owner obligations. Trees shall be maintained to meet the City of Kirkwood clearance requirements as outlined in § 16-2, Nuisances enumerated, Subsection (d) of the Kirkwood Code of Ordinances. Permits for satisfying clearance requirements are not required, but no person shall damage, destroy, apply chemicals, remove or prune outside of the obligations contained in § 16-2 without first obtaining a permit from the City's Urban Forester.
- (b) Prohibited acts. It shall be unlawful and an offense of this Code for any person to:
 - (1) Attach any rope, wire, nails, posters, or other contrivance to any public tree.
 - (2) Attach any permanent electrical conductor or apparatus to any public tree.
 - (3) Use tree spurs or climbing spikes on public trees, unless the tree is to be removed.

Commented [BMS6]: Update #6

Commented [BMS7]: Update #7

Commented [BMS8]: Update #8

- (4) Deposit, store, or maintain any equipment or material that reasonably may be expected to impede the free passage of water, air or fertilizer to the roots of any public tree.
 - (5) Cause any gaseous, liquid, or solid substance which because of the nature or amount reasonably may be expected to be toxic or otherwise harmful to public trees to be located where such substances reasonably may be expected to affect public trees.
 - (6) Cause any fire to burn if such fire, or the heat, smoke, or ash there from reasonably may be expected to injure any portion of any public tree.
- (c) Required permits. Any maintenance of public trees, outside of the obligations of property owners set forth above, shall require one of the following permits. Permit fees shall be set forth in accordance with Chapter 5, Article VIII, § 5-208, Schedule on file.
- (1) Permit to maintain.
 - a. Permit to maintain shall be required for maintenance of public trees other than set forth above, including, but not limited to, the following:
 - (i) Injecting with chemical applications;
 - (ii) Applying chemical applications;
 - (iii) Pruning [beyond the owner obligations of § 24-3(a), Property owner obligations];
 - (iv) Cable and bracing; or
 - (v) Adding lightning protection
 - b. A permit to maintain shall only be valid for 30 days after the date of issuance. Tree maintenance shall be performed with care as outlined in the Tree Manual to prevent destruction of structural integrity, health and vigor, and irreversible damage.
 - (2) Permit to remove. If a property owner desires to remove a public tree located in the right-of-way adjacent to their property, the property owner shall apply for a permit to remove. The Urban Forester, or appointed representative, shall review the application and inspect the tree. The review shall result in one of the following:
 - a. If the tree requested for removal is determined to be a hazard, the City will manage the removal.
 - b. If the tree is determined not to be a hazard, the application will be presented to the Kirkwood Urban Forestry Commission for review.
 - (i) If approved, the Kirkwood Urban Forestry Commission may recommend to the Urban Forester that the adjoining property owner may remove the tree at his/her sole expense. Such recommendations shall be made in writing to the Urban Forester and property owner applying for the permit, and the Urban Forester shall make the final determination.
 - (ii) As a condition for removal, the Kirkwood Urban Forestry Commission may recommend to the Urban Forester that the permit applicant plant a tree of at least two inches caliper of an approved species to be found in the Tree Manual, or pay a replanting fee in the same manner as allowed in § 24-4(f)(1).

(iii) The Urban Forester shall determine if the property owner may remove the tree.

(iv) If denied, the tree shall not be removed.

(3) Permit to plant. If a property owner desires to plant a tree in the City right-of-way adjacent to their property, the property owner shall file a permit to plant application. If approved, the following applies:

- a. Upon approval, the applicant shall follow all laws and regulations pertaining to excavation by the state of Missouri;
- b. By obtaining a permit to plant, the permittee shall be exempt from obtaining an excavation permit from the City of Kirkwood on the basis of tree planting; and
- c. All trees planted shall be selected and planted in accordance with the Tree Manual.

(d) Permit conditions.

- (1) The Urban Forester may deny the issuance of any permit authorized under this section if, in the sole discretion of the Urban Forester, the issuing of the permit is not in the best interest of the City in maintaining the sustainability and health of the urban forest.
- (2) All maintenance performed on public trees shall be completed by a certified arborist, other than maintenance to comply with clearance requirements as set forth above, unless the requirement of a certified arborist is waived by the Urban Forester.
- (3) Closure of any street or public right-of-way for performance of work shall be completed in accordance with Chapter 20 of this Code.
- (4) In the event of severe storms or other emergency situations resulting in extraordinary situations, the Director of Public Services with the coordination of the Urban Forester, may waive any or all parts of this chapter as deemed necessary.

(e) Authority to Plant Trees in the Right-of-Way

- (1) In order to preserve the benefits of Kirkwood's urban tree canopy, the Urban Forester, or their designee, shall have the authority to plant, or direct the planting of, trees, including, but not limited to, the selection of species and planting location, within the City of Kirkwood's right-of-way.

Commented [BMS10]: Update #10

(2)

§ 24-3

ARTICLE II
Tree Preservation and Protection

§ 24-4. Tree preservation and protection. [Ord. No. 10825, 9-21-2023]

(a) Tree preservation and protection for the City of Kirkwood is required to provide ~~three the~~ following primary functions:

Commented [BMS11]: Update #11

- (1) To keep the foliage canopy and branching structure clear from contact by equipment, materials, and activities.
- (2) To preserve roots and soil conditions in an intact and non-compacted state.
- (3) To identify the Tree Protection Zone (TPZ) in which no disturbance to soil or any and all parts of the tree both above ground and below shall be permitted.
- (4) ~~To encourage the preservation of mature trees that, once removed, can take generations to replace.~~
- (5) ~~To limit and regulate clearcutting of lots.~~

Commented [BMS12]: Update #12

(b) A tree protection plan, including a tree study, approved by the Urban Forester, or designee, shall be required for all permits from the Building and/or Engineering Divisions that include:

- (1) All new construction, demolition, excavation, grading, ~~and~~ complete site redevelopment, ~~and clearcutting~~; or
- (2) All partial site development, including additions or exterior alterations that impact 33% or more of the lot area.
- (3) If a project with partial site development does not meet the requirements for providing a tree protection plan listed above, but will include grading or other construction activity/impact within 10 feet of a significant tree and/or City tree, tree protection measures will be required to be installed and maintained throughout the project, but no tree study is required.

Commented [BMS13]: Update #13

Commented [BMS14]: Update #13

(c) ~~A Tree Clearing Permit shall be required when clearcutting trees on private property. Exceptions may be made by the Urban Forester if the proposed tree removal does not meet the spirit of the clearcut definition, such as the removal of trees seriously damaged by storms, disease, or other catastrophic events.~~

Commented [BMS15]: Update #14

- (1) ~~The permit fees shall be the equivalent to \$500.00 per Significant Tree in fair or greater condition proposed for removal, and \$1,000.00 per Heritage Tree in fair or greater condition proposed for removal.~~
- (2) ~~The tree protection plan, including a tree study, shall be approved by the Urban Forester and fees paid prior to permit issuance.~~
- (3) ~~The owner or developer shall pay a fee when clearcutting takes place without an approved Tree Clearing Permit. The fee shall be \$1,500.00 for every 750 square feet of tree canopy removed. The Urban Forester shall estimate the square footage of canopy~~

coverage removed due to the unpermitted clearcut using the best available aerial imagery, and all tree removals included in the clearcut will be assumed to be in fair or greater condition, unless evidence can be provided to prove otherwise. The owner or developer shall submit an updated tree protection plan.

- (4) All fees shall be placed in a designated fund solely used for the costs associated with tree planting, maintenance and protection.
- (d) All tree protection plans shall be completed by a certified arborist and must follow the protocols outlined here within. Approval shall be determined upon reasonable efforts to preserve trees on the site as determined by the guidelines set forth below.
 - (1) Tree protection plans will contain the following:
 - a. A site map clearly marking:
 - (i) Proposed improvements;
 - (ii) Trees proposed for removal;
 - (iii) Trees proposed for tree protection, including locations of any and all tree protection methods to be used; and
 - (iv) Trees shall be numbered.
 - b. A tree study, if applicable, that contains the following:
 - (i) An appraisal and assessment of all public trees, trees on the site greater than six inches in diameter, and all trees on neighboring and adjacent property within 10 feet of the property line. This shall include:
 - [a] Tree number.
 - [b] Species name (botanical).
 - [c] Diameter taken at breast height (DBH) and recorded in inches.
 - [d] Physical deterioration:
 - [i] Represented as a percentage value of zero to 100.
 - [e] Functional obsolescence:
 - [i] Represented as a percentage value of zero to 100.
 - [f] External obsolescence:
 - [i] Represented as a percentage value of zero to 100.
 - [g] Comments.
 - [h] Total appraised value represented in U.S. dollars:
 - [i] The appraisal shall be completed by using the Trunk Formula Technique (TFT) from the "Guide for Plant Appraisal, 10th Edition."
 - (ii) Canopy coverage map.

- [a] A site map clearly marking:
 - [i] Existing canopy coverage of the complete lot.
 - [ii] Proposed canopy for removal.
 - [iii] Proposed canopy preserved after project completion.
 - [iv] Proposed site plan.
 - [v] All trees marked and numbered.
- [b] A table showing canopy coverage percentages:
 - [i] Existing canopy coverage of lot.
 - [ii] Post-project completion canopy coverage of lot.
 - [iii] All trees with corresponding numbers and species.

(e) Canopy coverage requirements.

- (1) All single-family lots shall have minimum tree canopy coverage of 350 square feet per 1,000 square feet of lot area (35% coverage).
- (2) Canopy coverage for existing trees shall be measured as represented in the field. **Heritage Trees to be protected shall be credited 150% of their canopy towards the canopy coverage requirement.** Canopy for newly planted trees shall be estimated using the following rates for species provided in the City of Kirkwood's Recommended Species List.
 - a. Large canopy trees: ~~1,000~~ 750 square feet.
 - b. Medium canopy trees: ~~700~~ 500 square feet.
 - c. Small canopy trees: ~~350~~ 250 square feet.
- (3) All trees designated to be protected or included in the canopy requirements shall be of a species not listed as a prohibited species in the Tree Manual. Existing trees shall be live, healthy trees over six inches in diameter and in good or fair condition of health. New deciduous trees shall be a minimum of two inches caliper and evergreen trees shall be a minimum of eight feet in height.

Any deciduous or evergreen tree planted for the purpose of screening shall receive 25 square feet of canopy per tree, with a limit of 350 square feet to be included in canopy coverage calculations.

(f) Tree replacement requirements. The following tree replacement requirements shall apply to projects described in § 24-4(b) unless otherwise noted.

- (1) Frontage trees. The developer, builder, or home owner shall be required to plant trees in front of the building line but not within the public right-of-way approximately five feet to 10 feet from the public right-of-way along all streets for single-family lot development. The trees shall be provided in a ratio of not less than one tree for every 50 feet of frontage. At street corners, the nearest tree shall be planted a minimum 25 feet from the intersection of the street right-of-way lines. These trees shall be included in calculating tree canopy coverage requirements in § 24-4(~~d~~-e).

Commented [BMS16]: Update #15

Commented [BMS17]: Update #16

Commented [BMS18]: Update #17

- (2) Tree density and canopy coverage. If the canopy coverage requirements in § 24-4(~~e~~) cannot be met through preservation of existing trees, trees shall be provided to meet said requirement. The tree canopy area shall be shown on the final tree protection plan. Canopy coverage estimates for planted trees shall be drawn in accordance with the canopy sizes for trees shown on the City of Kirkwood's Recommended Species list.

Commented [BMS19]: Update #17

If the site does not allow sufficient space for replanting the required number of trees to meet these canopy coverage requirements, it shall be considered a failure to comply with Chapter 24, Article II; and the developer, builder, or property owner must fulfill these requirements through a replanting fee as described below in § 24-4(~~f~~)~~g~~(2).

Commented [BMS20]: Update #17

- (3) All trees planted as part of tree replacement or canopy coverage requirements are subject to the following specifications:

a. Tree setback:

- (i) Trees shall not be planted within five linear feet of the property line.
- (ii) If there is a utility easement, no tree shall be planted within 10 linear feet of the center of the easement unless approved by the City of Kirkwood Forestry Division.

b. Overhead utilities.

- (i) Only small trees are to be permitted within the utility easement with approval of the City of Kirkwood Forestry Division.

c. Restricted trees for use of canopy coverage.

- (i) Trees planted within the City rights-of-way are not to be included in canopy coverage calculations.

d. Planting specifications.

- (i) All trees must be planted following the International Society of Arboriculture's Best Management Practices - Tree Planting.
- (ii) All non-biodegradable material shall be removed from the tree. This includes, but is not limited to:
 - [a] All rope and twine wrapped around the root ball and/or trunk.
 - [b] The top 1/3 of burlap shall be cut and removed from the root ball.
 - [c] The top 1/3 of any wire basket shall be cut and removed from the root ball.

(g) Failure to comply with tree protection plans.

- (1) Any failure to comply with an approved tree protection plan or tree replacement requirements shall be deemed as an offense, and the owner and developer shall be subject to the penalties set forth herein. The failure to protect multiple trees on one site shall constitute a separate and distinct offense for each affected tree.

- a. Failure to protect trees designated for protection within the approved tree protection plan. If during development or site disturbance, trees designated to be protected are damaged, and it is determined that trees will need to be removed as a result of the damage, the builder, developer, or owner shall be required to provide an updated tree study and canopy coverage map; and
 - (i) Replant trees based on the adjusted diameter inch; or
 - (ii) Pay a replanting fee to the City of Kirkwood of ~~\$250~~ **\$500** per adjusted diameter inch will be issued for the replacement of the removed trees.
- (2) Replanting fee. When canopy coverage requirements are not met, developers, builders, or homeowners shall pay a replanting fee to the City of Kirkwood of ~~\$500~~ **\$1,000** per ~~1,000~~ **750** square feet of canopy.
- (3) All replanting fees shall be placed in a designated bank account solely used for the costs associated with tree maintenance and protection.

Commented [BMS21]: Update #18

Commented [BMS22]: Update #19

Commented [BMS23]: Update #19

§ 24-4

ARTICLE III
Penalties and Damages

§ 24-4

§ 24-5

§ 24-5. Violations and penalties; damages. [Ord. No. 10825, 9-21-2023]

- (a) Failure to comply with the provisions of this chapter shall be considered a municipal offense, and the City may take actions in accordance with Chapter 1, Article I, § 1-8, Violations and Penalties, of the Code of Ordinances of the City.
- (b) Appraised value for damages and violations of any provision of this chapter shall be determined by the Urban Forester using the latest revision of the "Guide for Plant Appraisal" as published by the International Society of Arboriculture.

Chapter 24 Tree Code – Proposed Updates – 2/9/2026

1. **24-1 Purpose** - Change Text – “providing for the regulation” to “regulating”.
Explanation: Purely for simplifying text.
2. **24-1 Purpose** - Addition to Tree Code Purpose Statement to reflect the benefits of urban forest.
“Our community forest is a public asset, and the planting, maintenance, and preservation of trees will sustain the well-forested character of the City, which has substantial positive effects on storm water management, air and water quality, erosion prevention, wildlife habitat, noise pollution, energy conservation, and property values.”
Explanation: Proposed in order to highlight benefits of the urban forest, tree’s role in storm water capture, and the importance of having our Tree Code ordinance.
3. **24-2 Definitions** – Add definition of “CLEARCUT”:
“The removal of 75% or more of the canopy coverage from any individual parcel of at least 0.25 acre in size with an existing canopy coverage of at least 50% within a 24-month period. Invasive, undesirable, or trees of less than fair condition shall not be included if evidence of such is provided in advance of any removal to the Urban Forester. “
Explanation: Proposed to define clearcut so the term can be used accurately later in the ordinance in relation to a Tree Clearing Permit in section 14 of this document.
 - a. **Current Proposal**
 - i. 0.25 acre was determined because the median lot size is approximately 10,890 square feet (0.25 acres) (Homes.com)
 - ii. 50% was used for the existing canopy coverage value because parcels with 50% or more canopy coverage have the most potential for negatively impacting the area if a clearcut occurs.
 - iii. 75% was used for the existing canopy coverage removed because removing three fourths (75%) or more of the canopy coverage would commonly be considered *most* of the trees.
 - iv. 24 months was used as a timeframe of tree removals to be used to determine a clearcut because tracking a parcel’s history for any more than 2 years may become difficult and/or over-burdensome on the applicant/property owner to control.
4. **24-2 Definitions** – Add definition of “HERITAGE TREE”:
“Any Significant Tree eighteen inches in DBH or greater, or a lesser-sized tree of exceptional quality or historic significance as determined by the Urban Forester.”
Explanation: Proposed in order to identify and differentiate larger trees from the existing definition Significant Tree, which is any tree six inches or greater. Larger/older trees provide more benefit and importance to Kirkwood’s urban forest compared to younger trees.
5. **24-2 Definitions** – Update definition of “INVASIVE”:
“Any and all tree or shrub species listed as a Missouri Noxious Weed by the Missouri Department of Agriculture or as invasive by the Missouri Department of Conservation.”
Explanation: Proposed definition allows the State of Missouri to define invasive plants, which is

an ever-changing definition and list. Following the recommendation and information from the leading conservation agent in the state will provide a more foundational definition.

6. **24-2 Definitions** – Update definition of “SMALL CANOPY TREE”:

“Any tree with a mature height greater than 15 feet in height and less than 30 feet in height that is not listed as an invasive or prohibited species.”

Explanation: Proposal adds the word “height”, which is missing from the definition.

7. **24-2 Definitions** – Update definition of “TREE MANUAL”:

“A document containing the technical requirements for tree planting, tree selection, tree maintenance, and tree protection as dictated by the Kirkwood Urban Forestry Commission. This document is the City of Kirkwood Tree Manual.”

Explanation: Proposal specifies which governing body within the City of Kirkwood makes updates to the City document.

8. **24-2 Definitions** – Update definition of “TREE PROTECTION PLAN (TPP)” to remove “(TPP)”

Explanation: Proposal is meant to simplify text, as “TPP” is not used later in the ordinance.

9. **24-3 Public Trees** – Update (2)(b)(ii) to reflect reference update.

Explanation: Proposal updates what ordinance is referenced with the other proposed changes.

10. **24-3 Public Trees** – Add section (e) “Authority to Plant Trees in the Right-of-Way”:

“In order to preserve the benefits of Kirkwood’s urban tree canopy, the Urban Forester, or their designee, shall have the authority to plant, or direct the planting of, trees, including, but not limited to, the selection of species and planting location, within the City of Kirkwood’s right-of-way.”

Explanation: Proposal adds an ordinance that gives authority to the City to plant trees in the City owned right-of-way. This allows the City, and the City’s ISA Certified Arborist, to make decisions best for the urban forest. The urban forest is a public good, and benefits everyone in Kirkwood and not just the individual property owner. The City currently requires planting trees on private property as a condition of building permits, but currently can’t plant trees on the City’s own property without property owner approval. This change will also:

- a. Increase efficiency with the planning and installation process.
- b. Increase efficiency with all follow-up maintenance, such as watering and pruning.
- c. Tree species best for the site will be selected.
- d. Increased street tree plantings will increase storm water capture.

11. **24-4 Tree Preservation and Protection** – Update (a) to reflect addition of functions:

“Tree preservation and protection for the City of Kirkwood is required to provide the following primary functions”

Explanation: Proposal to update text to reflect added functions described in section #12 of this document.

12. **24-4 Tree Preservation and Protection** – Add subsection (a)(4) and (a)(5):

“(4) To encourage the preservation of mature trees that, once removed, can take generations to replace.”

“(5) To limit and regulate clearcutting of lots.”

Explanation: Proposal to add functions to reflect Kirkwood’s goal of preserving mature trees.

13. **24-4 Tree Preservation and Protection** – Update (b)(1):

“All new construction, demolition, excavation, grading, ~~and~~ complete site redevelopment, and clearcutting; or”

Explanation: Proposal to add clearcutting, a new definition described in #3 of this document, as a condition that would require a tree preservation plan.

14. **24-4 Tree Preservation and Protection** – Add new section (c):

“(c) A Tree Clearing Permit shall be required when clearcutting trees on private property. Exceptions may be made by the Urban Forester if the proposed tree removal does not meet the spirit of the clearcut definition, such as the removal of trees seriously damaged by storms, disease, or other catastrophic events.

(1) The permit fees shall be the equivalent to \$500.00 per Significant Tree in fair or greater condition proposed for removal, and \$1,000.00 per Heritage Tree in fair or greater condition proposed for removal.

(2) The tree protection plan, including a tree study, shall be approved by the Urban Forester and fees paid prior to permit issuance.

(3) The owner or developer shall pay a fee when clearcutting takes place without an approved Tree Clearing Permit. The fee shall be \$1,500.00 for every 750 square feet of tree canopy removed. The Urban Forester shall estimate the square footage of canopy coverage removed due to the unpermitted clearcut using the best available aerial imagery, and all tree removals included in the clearcut will be assumed to be in fair or greater condition, unless evidence can be provided to prove otherwise. The owner or developer shall submit an updated tree protection plan.

(4) All fees shall be placed in a designated fund solely used for the costs associated with tree planting, maintenance and protection.”

Explanation: Proposal to add requirements for a new permit titled “Tree Clearing Permit”, which will be required when a clearcut occurs, as defined by the proposed definition.

- a. Kirkwood residents and elected officials have expressed their desire to preserve the mature tree canopy of Kirkwood, which is a public good, and so this proposal will limit, or at least regulate, the widespread clearing of trees on private property. The urban forest is a public good for all of Kirkwood and its visitors, benefiting everyone and not just the specific property the tree, or trees, are growing from. Widespread removal of trees negatively impacts neighborhood property values, increases storm water run-off, increases energy bills, reduces habitat value, and changes the character of an area. Clearcutting lots creates a loss in this benefit, and the City needs to enact an ordinance that aims to recover some of the lost benefits.

- b. \$500.00 per Significant Tree was used because it would cover the purchase and installation of a new street tree, which will mitigate the removal of the tree, and loss of benefit of said tree, from the private property.
- c. \$1000.00 per Heritage Tree was used because this is the proposed cost to buyout from planting a large canopy tree, will plant (2) street trees, which will help mitigate the removal and loss of benefit, and is double that of removing a Significant Tree to further promote preservation.
- d. The fee increases from \$1000 per Heritage Tree to \$1500.00 per 750 square feet removed because the City would not be able to measure trees in the field after removal, and the increased fee incentivizes acquiring the permit beforehand.
- e. 750 square feet was used because this is the proposed square foot for a large tree.
- f. Tree Clearing Permits are meant to recover the loss of the removal of tree canopy:
 - i. Of the most recent (60) submitted tree preservation plans, only (2) of the submissions would have constituted a 'clearcut'.
 - ii. Larger lots can remove more trees without requiring a permit, removing more of the canopy coverage benefit without the City recovering the loss.
 - iii. 0.25 acres at 50% existing canopy coverage, and 75% removed equals 4,083.75 square feet of canopy coverage removed to trigger the clearcut definition at a baseline. Using a more simple definition of "The removal of 4,500 square feet or more of the canopy coverage from any individual parcel within a 24-month period" would increase how many projects are impacted, from (2) to (8) of the last (60).
 - iv. Using a minimum canopy coverage removed, such as 4,500 square feet, would protect much more trees, and recover more loss of benefit of the urban forest.
 - v. Should government agencies be excluded from this proposal?
 - vi. Should single family, multi, and commercial be included?
 - vii. Stop work order when a developer removes additional trees AFTER approval that would trigger a Tree Clearing Permit?
- g. Most common work flow anticipated:
 - i. Property is proposed to be demolished and redeveloped.
 - ii. The submitted tree preservation plan indicates a clearcut is being performed.
 - iii. Developer either reduces the amount of trees removed, or applies for the Tree Clearing Permit, and pays fees.
 - iv. Forestry approves the tree preservation plan, Tree Clearing Permit, inspects the site for tree protection, and completes review on the Demo or Building Permit.
- h. Property owners who clearcut **without** an anticipated building permit application:
 - i. Report will likely originate from neighbors
 - ii. Forestry would need to do an investigation on what percent of canopy coverage was removed.
 - iii. Property owner would need to apply for the Tree Clearing Permit, pay fees, and submit a tree preservation plan.
 - iv. Refusal to apply for permit after performing a 'clearcut' will likely go to municipal court

15. **24-4 Tree Preservation and Protection** – Update (e)(2):

“Canopy coverage for existing trees shall be measured as represented in the field. Heritage Trees to be protected shall be credited 150% of their canopy towards the canopy coverage requirement. Canopy for newly planted trees shall be estimated using the following rates for species provided in the City of Kirkwood's Recommended Species List.”

Explanation: Proposal to give additional credit towards the canopy coverage requirements when a mature tree is preserved during development. This will benefit applicants who decide to preserve mature trees, potentially decreasing the amount of new trees required. After further review and meetings with other City agencies, revised proposal might be: *Heritage Trees to be protected shall be credited 150% of their canopy towards the **post-project** canopy coverage requirement.* This clarifies that the added credit is only considered for the tree planting aspect of projects, and NOT towards the Tree Clearing Permit.

16. **24-4 Tree Preservation and Protection** – Update (e)(2)(a),(b), & (c):

“(a) Large canopy trees: 750 square feet.

(b) Medium canopy trees: 500 square feet.

(c) Small canopy trees: 250 square feet.”

Explanation: Out of the (10) surrounding municipalities studied, only Clayton assigns canopy coverage values to tree plantings on single family lots. Chesterfield and Sunset Hills assigns values, but only for larger lots or commercial properties. Out of those (3) municipalities, Kirkwood assigns the most value to each tree category, requiring less tree plantings. The change in canopy coverage value for each size category will increase the amount of trees required to be planted, and more closely align with the real world growth conditions – it is rare for trees in urban environments to reach full biological height and width.

17. **24-4 Tree Preservation and Protection** – Update reference numbers in 24-4(f)(1) & (2) to account for proposed changes.

Explanation: Proposal updates the ordinance referenced to account for the other proposed changes.

18. **24-4 Tree Preservation and Protection** – Update 24-4(g)(1)(a)(ii) to account for increased replanting fee when a tree is damaged:

“Pay a replanting fee to the City of Kirkwood of \$500 per adjusted diameter inch will be issued for the replacement of the removed trees.”

Explanation: Proposal increases the replanting fee from \$250 to \$500 to further promote tree protection during construction projects.

19. **24-4 Tree Preservation and Protection** – Update 24-4(g)(2) to account for increased replanting fee when a builder pays a fee instead of planting trees:

“Replanting fee. When canopy coverage requirements are not met; developers, builders, or homeowners shall pay a replanting fee to the City of Kirkwood of \$1,000 per 750 square feet of canopy.”

Explanation: The proposal increases the replanting fee from \$500.00 per 1,000 square feet to \$1000.00 per 750 square feet. The approximate cost to purchase, install, and the follow up

watering is often more than \$500.00, so it may be more cost effective for developer's to pay the replanting fee and forego tree planting. This increased fee will promote more tree planting and less 'buy-out'.

Impact of the Tree Clearing Permit on (60) Recent Tree Studies

#	Address	Sqft	Acre	Canopy coverage existing	Canopy coverage existing (sqft)	Canopy coverage removed	Square footage of canopy removed	Trigger Sqft	Clearcut?	Fees
2	531 N Crescent	24829	0.57	75%	18514	83%	15388	4500	CLEARCUT	\$ 14,000.00
14	633 Norton Ave	14296	0.33	50%	7123	76%	5429	4500	CLEARCUT	\$ 4,500.00
32	90 Wildwood Ln	10089	0.23	71%	7167	100%	7167	4500	CLEARCUT	\$ 7,500.00
37	582 Drury Ln	8790	0.20	76%	6686	100%	6686	4500	CLEARCUT	\$ 6,500.00
3	421 S Harrison Ave	24000	0.55	46%	11040	74%	8170	4500	CLEARCUT	\$ 13,500.00
5	418 S Taylor Ave	19890	0.46	85%	16907	40%	6287	4500	CLEARCUT	\$ 6,500.00
10	444 Iris Ln	15932	0.37	61%	9719	73%	7095	4500	CLEARCUT	\$ 7,000.00
50	810 Nirk Ave	7650	0.18	96%	7375	97%	7161	4500	CLEARCUT	\$ 6,000.00
36	330 W WASHINGTON AVE	9600	0.22	61%	4155	100%	4155	4500		
39	246 Barter Ave	8775	0.20	75%	6581	67%	4416	4500		
1	472 Oakshire Ln	28500	0.65	26%	7383	48%	3572	4500		
4	601 Coulter Ave	20266	0.47	20%	4053	9%	365	4500		
6	402 Way Ave	17342	0.40	41%	7108	56%	4008	4500		
7	856 Wood Ave	16980	0.39	74%	12565	70%	2930	4500		
8	1233 Missouri Ave	16433	0.38	8%	1315	4%	50	4500		
9	1312 W Essex Ave	16185	0.37	30%	4844	48%	2346	4500		
11	1112 Missouri Ave	15910	0.37	28%	4455	55%	2450	4500		
12	812 Cleveland Ave	14800	0.34	7%	1036	0%	0	4500		
13	317 Frieda Ave	14800	0.34	97%	14328	1%	120	4500		
15	621 Pearl Ave	14000	0.32	46%	6440	36%	2318	4500		
16	417 BACH AVE	13143	0.30	6%	789	27%	213	4500		
17	1243 Oakshire Ln	12823	0.29	39%	5001	56%	2801	4500		
18	526 S Fillmore	12600	0.29	16%	2016	0%	0	4500		
19	530 S Clay Ave	12600	0.29	18%	2268	100%	2268	4500		
20	216 E Essex Ave	12464	0.29	57%	7075	23%	1641	4500		
21	423 Rose Ln	12160	0.28	57%	6900	28%	1938	4500		
22	75 E Glenwood Ln	11969	0.27	16%	1915	1%	19	4500		
23	420 W Rose Hill Ave	11800	0.27	39%	4625	12%	560	4500		
24	686 Brownell Ave	11570	0.27	51%	5901	74%	4367	4500		
25	250 Crest Ave	11400	0.26	34%	3890	0%	0	4500		
26	414 Monroe Pl	11326	0.26	20%	2265	100%	2265	4500		
27	725 Edna Ave	11325	0.26	15%	1699	61%	1036	4500		
28	1225 Simmons Ave	11300	0.26	4%	412	100%	412	4500		
29	951 N Geyer Rd	11040	0.25	38%	4195	87%	3650	4500		
30	331 Heege Ave	11020	0.25	42%	4628	100%	3740	4500		
31	458 Crest	10198	0.23	15%	1530	77%	1178	4500		
33	326 Sugar Creek Rd	9919	0.23	7%	694	0%	0	4500		
34	133 Manlyn Dr	9835	0.23	33%	3246	100%	3246	4500		
35	320 Frieda Ave	9600	0.22	42%	4032	90%	3629	4500		
38	631 Huntwood Ln	8781	0.20	33%	2898	9%	261	4500		
40	523 W Washington Ave	8700	0.20	13%	1131	100%	1131	4500		
41	219 E Woodbine Ave	8544	0.20	35%	3030	70%	2130	4500		
42	324 George Ave	8500	0.20	0%	0	0%	0	4500		
43	339 Caroline Ave	8497	0.20	5%	425	100%	425	4500		
44	976 Cleveland Ave	8353	0.19	4%	334	73%	244	4500		
45	614 Nirk Ave	8250	0.19	39%	3218	88%	2831	4500		
46	604 Mckinley Ave	8250	0.19	7%	578	100%	578	4500		
47	613 Woodard	8160	0.19	24%	1958	92%	1802	4500		
48	629 Simmons Ave	7992	0.18	39%	3104	44%	1359	4500		
49	906 Poinsetta Ln	7891	0.18	6%	473	0%	0	4500		
51	923 Poinsetta Ln	7590	0.17	21%	1594	0%	0	4500		
52	140 W Sarah Ave	7492	0.17	48%	3596	45%	1618	4500		
53	120 W Woodbine Ave	7462	0.17	97%	7235	39%	2789	4500		
54	535 Dougherty Ferry Rd	7347	0.17	50%	3671	88%	3219	4500		
55	636 Norton Ave	7150	0.16	34%	2463	0%	0	4500		
56	709 S Fillmore Ave	7000	0.16	3%	230	31%	71	4500		
57	240 E Washington	6652	0.15	2%	133	100%	133	4500		
58	507 Coverdale Ln	6600	0.15	9%	594	100%	594	4500		
59	424 Meacham St	5000	0.11	3%	127	100%	127	4500		
60	414 Erber Dr	3600	0.08	28%	1008	0%	0	4500		