



WHERE COMMUNITY AND SPIRIT MEET™

DRAFT

**City Council Meeting Minutes
Kirkwood City Hall
Thursday, March 2, 2023, 7:00 p.m.**

Pursuant to notice of meeting duly given by the Mayor, the City Council convened on Thursday, March 2, 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, Director of Electric Mark Patty, Director of Public Works Bill Bensing, and City Attorney John Hessel.

COMMENTS FROM MAYOR GRIFFIN

Mayor Griffin made a statement that Council meetings will always be respectful and show civility. The Council will not tolerate any disrespect or incivility. Comments that were made by Council Member Ward during the last meeting were inappropriate and directed to a staff member. Mayor Griffin apologized to Director of Public Works Bill Bensing and to staff for those comments made.

Council Member Ward stated that his remarks during the last Council meeting were not intended to disparage Bill Bensing's performance as Director of the Water Department. Council Member Ward went on to say that as a Council Member, he hopes to always create a positive change for the residents and the employees.

INTRODUCTIONS AND RECOGNITIONS

NONE

PRESENTATION

NONE

PUBLIC HEARINGS

Mayor Griffin recessed the meeting for the purpose of conducting a public hearing regarding a request for a Zoning Code text amendment related to parking requirements for outdoor dining areas for restaurants. Mr. Hessel entered the following exhibits into record: an Affidavit of Publication in the St. Louis Countian on February 10, 2023, as Exhibit 1; an Affidavit of Publication in the Webster-Kirkwood Times on February 10, 2023 as Exhibit 2; Memorandum from the Planning and Zoning Commission with exhibits dated February 1, 2023 and as amended by the Planning and Zoning Commission on February 1, 2023, as Exhibit 3; a report from the Planning and Zoning Commission with a vote of 8-0 recommending staff approval initiated zoning code text parking requirements for outdoor dining areas dated February 2, 2023, as Exhibit 4; and the Kirkwood Code of Ordinances, as Exhibit 5.



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Director of Planning and Development Services Jonathan Raiche presented the matter to the Council:

- Over the past year, staff has been approached by multiple existing and potential property and business owners that have expressed a desire to either add or expand outdoor dining areas for restaurants for businesses in downtown Kirkwood.
- Currently the City of Kirkwood code does not have any parking requirements for the reuse of existing buildings in the downtown area
- However, we do require additional parking for new construction in the downtown area, as well as for additions to existing buildings
- Staff differentiate between outdoor seating, which is for 12 seats or fewer and outdoor dining, which is 12 or greater than 12 seats
- 12 seats or fewer, does not require additional parking to be provided
- Outdoor dining greater than 12 seats that is not covered by a roof or enclosed, does not require additional parking
- Some changes to the code are outdoor dining which greater than 12 seats covered by roof, would require additional parking, subject to new exemptions
- The area remains unenclosed, meaning it remains primarily open

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

- Question was raised regarding what would be considered expansion of a building under the proposed amendment? Any wall 42 inches or greater in height and enclosed.
- Question was raised regarding if additional sidewalks will be included?
- Question was raised regarding if any changes to the Zoning Code to allow roof-top seating? If more than 12 seats are being proposed then the issue would come before the Council for a Special Use Permit.

The Bill will be placed on the April 6, 2023 agenda for first reading consideration.

PUBLIC COMMENTS

1. Jill Caruso, 343 E. Bodley Ave made comments about Bill 10970 and expressed concerns regarding increased traffic on East Bodley.

CONSENT AGENDA

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

- a) Approval of the February 16, 2023 Council Meeting Minutes

UNFINISHED 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.



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

The bill, having received majority approval of the Council, was adopted and became Ordinance 10792.

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.

Roll Call:

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

The bill, having received majority approval of the Council, was adopted and became Ordinance 10973.

NEW BUSINESS

Bill 10965, granting a Special Use Permit for vehicle sale and rental and approving the Major Site Plan at 10230 Manchester Road, subject to certain conditions was brought before the City council. Motion was made by Council Member Luetzow and seconded by Council Member Gibbons to approve the bill for first reading approval.

The bill received first reading approval and was held over.

Bill 10966, approving the Budget of the Special Business District for the Fiscal Year April 1, 2023 through March 31, 2024 was brought before the City council. Motion was made by Council Member Duwe and seconded by Council Member Luetzow to approve the bill for first reading approval.

The bill received first reading approval and was held over.



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Bill 10967, adopting and approving the Operating and Capital Budgets for the City of Kirkwood for the Fiscal Year April 1, 2023 through March 31, 2024 was brought before the City council. Motion was made by Council Member Sears and seconded by Council Member Zimmer to accept the Bill as read. A discussion took place.

Motion was made by Council Member Ward and seconded by Council Member Zimmer to continue the second reading of the Bill to March 30, 2023. The motion to continue was unanimously approved.

A special City Council meeting will be scheduled for March 30, 2023 for 2nd reading of Bill 10967.

Bill 10968, authorizing and directing the Mayor to enter into a Missouri Highways and Transportation Commission Transportation Alternatives Funds Supplemental Agreement for the awarded Transportation Alternatives Program – TAP-5502(613) Historic Kirkwood Amtrak Station Restoration Project was brought before the City Council. Motion was made by Council Member Duwe and seconded by Council Member Sears to accept the Bill as read. A discussion took place.

The bill received first reading approval and was held over.

Bill 10969, adopting a revised City of Kirkwood Classification and Pay Plan, effective April 1, 2023 was brought before the City Council. Motion was made by Council Member Zimmer and seconded by Council Member Luetzow to accept the Bill as read. A discussion took place.

The bill received first reading approval and was held over.

Bill 10970, rescinding Ordinance 4858 and authorizing approval of removal of the stop sign at the 300 block of East Bodley and the installation of permanent speed bumps and pedestrian warning signs at the walkway at the 300 block of East Bodley to Fairwood. Motion was made by Council Member Duwe and seconded by Council Member Luetzow to the Bill as read. A discussion took place.

The bill received first reading approval and was held over.

Resolution 20-2023, accepting the proposal of Southern Illinois Power Corporation in the amount of \$320,000 annually for the purchase of capacity for the Electric Department starting in June 2023 for a term of two years and authorizing and directing the Director of Procurement to issue a Purchase Order. Motion was made by Council Member Sears and seconded by Council Member Luetzow to accept Resolution as read.

Roll Call:

Mayor Griffin

“Yes”



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Council Member Luetzow	"Yes"
Council Member Sears	"Yes"
Council Member Ward	"Yes"
Council Member Zimmer	"Yes"
Council Member Duwe	"Yes"
Council Member Gibbons	"Yes"

Resolution 21-2023, accepting the proposal of Cordelio in the amount of \$1,570,000 annually for the purchase of capacity for the Electric Department starting in June 2023 for a term of two years and authorizing and directing the Director of Procurement to issue a Purchase Order. Motion was made by Council Member Zimmer and seconded by Council Member Luetzow to accept Resolution as read.

Roll Call:

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

Resolution 22-2023, accepting the bid of Survalent Technology Corp in the amount not to exceed of \$209,181 for the purchase of an Outage Management Support System for the Electric Department and authorizing and directing the Director of Procurement to issue a Purchase Order. Motion was made by Council Member Duwe and seconded by Council Member Gibbons to accept Resolution as read.

Roll Call:

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

Resolution 23-2023, accepting the proposal of O.R. Colan Associates, LLC in the amount not to exceed of \$65,000 for Right-of-Way Acquisition Services for STP-5502(612) Lindeman Road Improvements Project and authorizing and directing the Mayor to enter into a contract. Motion was made by Council Member Luetzow and seconded by Council Member Duwe to accept Resolution as read.



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Roll Call:

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

Resolution 24-2023, amending the contract with Christner Architects by increasing the contract amount by \$46,590 for a total not to exceed amount of \$677,590 for Community Center Renovations and authorizing and directing the Mayor to enter into an amended contract. Motion was made by Council Member Zimmer and seconded by Luetzow to accept Resolution as read. A discussion took place.

Roll Call:

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

CONSENT AGENDA ITEMS FOR DISCUSSION
NONE

CITY COUNCIL REPORTS

Council Member Luetzow informed the Council about the Arbor Day event will be held April 29, 2023 starting at 9:00 a.m. with the planting of two trees by OK Hatchery and the planting of 31 additional trees throughout downtown Kirkwood.

Council Member Gibbons stated that she received renderings for the Kirkwood Apartments.

CHIEF ADMINISTRATIVE OFFICER REPORT

Mr. Hawes has nothing to report

CITY ATTORNEY REPORT

Mr. Hessel had nothing to report.



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CITY CLERK REPORT

Ms. Asche reported on the March 1, 2023 meeting of the Planning and Zoning Commission, the following action was taken:

1. After a presentation by staff and the petitioner for a Mixed Use Development Plan in the B-2 Zoning District at the southwest corner of E. Monroe and S. Taylor Avenues, Commissioners Klippel, Salzer-Lutz and Washington were appointed to the Subcommittee. The Subcommittee will meet on the subject site at 8:30 am on Monday, march 6th.
2. After presentation by staff and the petitioner for Special Use Permit (comprehensive marijuana dispensary facility and accessory drive-through facility) and Major Site Plan Review for New Growth Horizons, 10855 Manchester Road, Commissioners Diel and Evens were appointed to the Subcommittee. The Subcommittee will meet on the subject site at 8 am on Tuesday, March 7th.

The next meeting will be held on March 15, 2023.

ADJOURNMENT

There being no further business to come before the Council, the formal meeting was adjourned at 8:17 p.m. The next regular council meeting is scheduled for March 16, 2023 at 7:00 p.m.

Laurie Asche
City Clerk

Approved: