



WHERE COMMUNITY AND SPIRIT MEET™

**City Council Meeting Minutes
Kirkwood City Hall
Thursday, November 17, 2022, 7:00 p.m.**

Pursuant to notice of meeting duly given by the Mayor, the City Council convened on Thursday, November 17, 2022, 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 Officer David Weidler, City Clerk Laurie Asche, Deputy City Clerk Kim Sansegraw, Planning and Development Services Director Jonathan Raiche, City Planner II Amy Lowry, Public Services Director Bill Bensing and City Attorney John Hessel.

**INTRODUCTIONS AND RECOGNITIONS
NONE**

**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 Zoning Map Amendment (R-4 to B-3) for the property at 10557 Big Bend Boulevard. Mr. Hessel entered the following exhibits into record: an Affidavit of Publication in the St. Louis County Legal Ledger on November 1, 2022, as Exhibit 1; an Affidavit of Publication in the St. Louis Countian on November 1, 2022, as Exhibit 2; an Affidavit of Publication in the Webster-Kirkwood Times on November 4, 2022, as Exhibit 3; a list of properties that were notified of the hearing, as Exhibit 4; an aerial view map showing the subject property, as Exhibit 5; the report of the Planning and Zoning Commission Subcommittee dated October 19, 2022, as Exhibit 6; the report of the Planning and Zoning Commission dated October 20, 2022, as Exhibit 7; and the Kirkwood Code of Ordinances, as Exhibit 8. Mr. Hessel stated for the record the same exhibits will be offered for the second public hearing, as well as all testimony presented considering the rezoning will become part of the record associated with the consideration of the Special Use Permit and Major Site Plan. As a note, if the Council approves the Zoning Map Amendment it does not automatically authorize approval of the Special Use Permit, as these are separate issues.

City Planner II Amy Lowry presented information pertaining to the request:

- Both lots are a little over one acre and the lots will need to be consolidated.
- The project will require MSD review of the impervious surface.
- Proposed building is 10,600 sq. ft. on two floors.
- 25 parking spaces are required, applicant is providing 30 spaces.
- A bike rack will be located on the site.
- Applicant provided a technical memo for traffic impacts to St. Louis County which estimates 524 daily trips with 121 in the AM peak hour and 122 in the PM peak hour.



WHERE COMMUNITY AND SPIRIT MEET®

- Right-in, right-out turns only are proposed on Big Bend Boulevard.
- St. Louis County Transportation did not see the need to require the applicant to add a 4th leg to the adjacent signalized intersection which would have had a significant impact for off-site design and was not warranted by the information provided in the technical memo, according to St. Louis County.
- Planning and Zoning Commission recommended the street trees be shifted to the west for site distance visibility in the east.

Petitioner Ben Udell from Murphy Properties presented a Power Point and addressed the council. Some of the discussion that took place is as follows:

- Hours of operation will be Monday through Friday, 7:00 a.m. to 6:00 p.m., with school program hours being from 8:30 a.m. to 3:00 p.m.
- Site fencing will include an aluminum fence as well as site proof wood fencing abutting the residences.
- Traffic patterns include 98% of drop offs occurring between 7:00a.m.-9:00 a.m. and 98% pickups occurring between 3:00p.m.-6:00p.m.
- Proposing the business having 18 employees and between 80-90 children.

Council discussion:

- Concern was raised regarding access to the property by Kirkwood residents with the limitation of right-in/right-out turns and no 4th leg to the adjacent signalized intersection.
- Both public sidewalks will be maintained for pedestrian access.
- Concern was raised regarding approving this rezoning proposal opens up permitted uses to other businesses in future.
 - The property is currently zoned B-3 on both the east and west side of the proposed development and is consistent with the corridor location and land use plan
- Question was raised regarding MSD's comments regarding impervious surfaces and run off issues
 - The applicant has submitted for conceptual review and there are no initial concerns from MSD
- Question was raised if it would be safer to combine the entrance at the signalized intersection and be in line with the Complete Streets and Vision Zero concept.
 - Engineering determined it was not necessary to change proposed entrance and cannot require off-site public right of way changes unless warranted
- Mention was made there are alternate ways to access the proposed development

The bill will be placed on the December 1, 2022 agenda for first reading consideration.

Public Hearing #2

Mayor Griffin recessed the meeting for the purpose of conducting a public hearing regarding a request for a Special Use Permit & Major Site Plan for the construction of a new day-care on the properties of 10551 & 10557 Big Bend Boulevard. Mr. Hessel stated that exhibits 1 through 8 and all testimony and discussion that took place during the first public hearing be made a part of the record for this public hearing.



WHERE COMMUNITY AND SPIRIT MEET®

The bill will be placed on the December 1, 2022 agenda for first reading consideration.

PUBLIC COMMENTS

NONE

CONSENT AGENDA

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

- a) Approval of the November 3, 2022 Council Meeting Minutes

UNFINISHED BUSINESS

Bill 10951, repealing Ordinance No. 10005 and all other previous fire prevention codes in conflict with this ordinance, and enacting a new fire prevention code, International Fire Code, First Printing, 2021 Edition, including Appendix Chapters B, D, E, F, I, L and K. Published by the International Code Council and the National Fire Protection Association, including amendments set forth herein, governing the design, construction, alteration, enlargement, equipment, repairs, conversion, use or maintenance of all buildings and structures, prescribing minimum requirements and controls to safeguard life, property or public welfare from the hazards of fire and explosion; providing for the issuance of permits, collection of fees, and making of inspections; providing penalties for the violation thereof; and providing for the effective date of this ordinance was brought before the council.

Motion was made by Council Member Ward and seconded by Council Member Duwe to continue the bill until December 1, 2022. The motion was unanimously approved.

NEW BUSINESS

Bill 10952, appropriating \$22,600 from the Equitable Sharing Fund Balance to the Police Department Machinery and Equipment Account, and authorizing the Mayor to enter into a two-year Services Agreement with Flock Group, Inc. for the lease and installation of four Flock Safety Cameras for the Police Department was brought before the council. Motion was made by Council Member Ward and seconded by Council Member Duwe to accept the bill for first reading approval. A discussion took place.

The bill received first reading approval and was held over.

Resolution 143-2022, accepting the parking permit fees for the Downtown Special Business District in accordance with Section 14-334(2) of the Kirkwood Municipal Code of Ordinances for 2023 was brought before the council. Motion was made by Council Member Duwe and seconded by Council Member Zimmer to accept the Resolution as read. A discussion took place.



WHERE COMMUNITY AND SPIRIT MEET™

Roll Call:

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

Resolution 144-2022, accepting the proposal of Brown and Caldwell in the amount not to exceed of \$32,182.93 for a 2022 Water Loss Audit for the Water Department and authorizing and directing the Mayor to enter into a contract was brought before the council. Motion was made by Council Member Luetzow and seconded by Council Member Ward to accept the Resolution as read. A discussion took place.

Roll Call:

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

Resolution 145-2022, amending the contract with McConnell & Associates Corporation by increasing the amount by \$31,518 (which includes a contingency of \$5,000) for a total not to exceed amount of \$279,951 for Pickleball Court ADA handrail and ramp compliance and directing the mayor to enter into an amended contract was brought before the council. Motion was made by Council Member Ward and seconded by Council Member Duwe to accept the Resolution as read. A discussion took place.

Roll Call:

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



WHERE COMMUNITY AND SPIRIT MEET®

CONSENT AGENDA ITEMS FOR DISCUSSION

NONE

CITY COUNCIL REPORTS

Council Member Gibbons reported the Arts Commission has approached The James regarding students from Meramec Community College creating a mural on the fencing.

Council Member Gibbons reported the Library Board voted to submit a resolution opposing a bill the Secretary of the State introduced.

Council Member Zimmer reported the Planning and Zoning Commission recommended approval of pickle ball courts at the meeting held on November 16, 2022.

Council Member Zimmer announced his step-son is celebrating his 21st birthday at Lambeau Field in Green Bay, Wisconsin.

CHIEF ADMINISTRATIVE OFFICER REPORT

Mr. Hawes reported he attended a program with a Medal of Valor event today along with recipient City Attorney Hessel, Mayor Griffin and Assistant Chief Administrative Officer David Weidler.

CITY ATTORNEY REPORT

Mr. Hessel had nothing to report.

CITY CLERK REPORT

Ms. Asche reported on the November 16, 2022 Planning and Zoning Commission meeting. The following action was taken:

1. After a presentation by staff and the petitioner for a Special Use Permit with Outdoor Use for an Animal Facility, Major, at 10320 Manchester Road (Greentree Center), Commissioners Adkins and Washington were appointed to the Subcommittee. The Subcommittee will meet on the subject site at 8am on Monday, November 21.
2. The Commission recommended approval of a partially amended Major Site Plan for a Special Use Permit at the Greenbriar Hill Country Club, 12665 Big Bend Blvd, for 4 pickle ball courts and a swimming pool deck expansion. A public hearing will be scheduled for December 15, 2022.



WHERE COMMUNITY AND SPIRIT MEET®

ADJOURNMENT

There being no further business to come before the Council, the formal meeting was adjourned at 8:19 p.m. The next regular council meeting is scheduled for December 1, 2022 at 7:00 p.m.

Laurie Asche
City Clerk

Approved: