



WHERE COMMUNITY AND SPIRIT MEET™

## **WORK SESSION MINUTES**

A work session of the Kirkwood City Council was held on December 8, 2022 at 4:30 p.m. at Kirkwood City Hall, 139 S. Kirkwood Road, Kirkwood, Missouri. Present were Mayor Griffin, Council Members Duwe, Gibbons, Luetzow, Ward and Zimmer. Also in attendance were Chief Administrative Officer Russell Hawes, Assistant Chief Administrative Officer David Weidler, City Clerk Laurie Ashe, Deputy City Clerk Kim Sansegraw, Parks and Recreation Director Kyle Henke and City Attorney John Hessel. Council Member Sears was absent and excused.

### **APPROVAL OF THE DECEMBER 1<sup>ST</sup> WORK SESSION MINUTES**

Motion was made by Council Member Ward and seconded by Council Member Zimmer to approve the December 1, 2022 Work Session minutes. Motion was made by Council Member Zimmer and seconded by Council Member Duwe to amend the minutes under "Update on Kirkwood Road Parking – North of Adams" to change the sentence "The motion passed 5-2 with Council Members Luetzow and Zimmer opposed" to "The motion passed 5-2 with Council Members Gibbons and Zimmer opposed". The motion to amend was unanimously approved.

The minutes as amended were unanimously approved.

### **AMENDMENT 3 TAX DISCUSSION**

City Attorney John Hessel provided additional information regarding Amendment 3. There was concern raised in the previous discussion regarding the Federal law conflicting the State law on marijuana. There is no real inconsistency between the Federal law versus the State law. The Federal Law is based on FDA recommendation and marijuana is considered a Schedule I drug (non-medicinal). The Federal government does not get involved unless the amount is at least 50 kilograms and crossing state lines. In the State of Missouri, it is legal to possess up to 3 ounces of marijuana, although is not legal to sell recreational marijuana at this time.

The issue to be presented to city council is to decide if the 3% sales tax measure will be put on the ballot for the voters to approve. It is not clear yet if it will be on medicinal and recreational marijuana. If the issue is not put on the ballot, the marijuana facilities would receive a 3% greater profit. Festus, Crestwood, St. Ann and Manchester has this measure on their ballots with multiple other cities considering putting the measure on their ballots for voter approval.

Some of the discussion that took place include:

- Question was raised if it is possible to prohibit the sale of marijuana in a municipality
  - Under the recreational sale, the voters can decide to prohibit, if petitioned
- Questions was raised if internet sales will be allowed, potentially creating Wayfair
  - It is understood that sales can only be made in person at this time
- Is there an estimated cost of implementing the 3% sales tax?
  - It is not expected to be any different from other retail operations

Legislation will be placed on the December 15, 2022 Council meeting agenda for Council consideration.

## COMMUNITY CENTER UPDATE

Representatives from Navigate, Christner Architects, and McClure made a presentation regarding the Community Center renovations schematic design. Some of the information presented is as detailed below:

- Exterior Improvements include: reconfiguring the walkway leading from Kirkwood Park to the entrance of the building, adding a canopy to the entrance with seating and LED lighting incorporated, landscape improvements, reconfigured drop-off and pick-up area, updated landscaping, and bike racks.
- Interior Improvements include:
  - Level 1: refreshed lobby, restriped gym flooring & acoustic treatment, staff conference room, new plumbing fixtures, secure reception desk, clear lines of sight, larger foyer, and digital signage.
  - Level 2: enlarge corridor, one large board room/senior lounge, two small meeting rooms, restore existing windows between gym and board room, new restrooms, and one office.
  - Level 3: incorporate existing corridor into Meeting Room 1, one kitchen, one storage room, enlarged/reconfigured restrooms.
- Engineering Improvements include updated mechanical, plumbing, electrical and fire protection.
  - Question was raised regarding the HVAC air filtration system. The goal is to provide outdoor air to be filtered into the building to meet ventilation requirements.
  - Question was raised regarding building electrification. Building electrification is cost prohibited and lead times on that type of equipment is 60-70 weeks.
- Roof Repairs Update include:
  - Roof was re-evaluated.
  - Priority Levels 1 & 2 were previously included and Priority 3 roof at West Gym condition was reassessed.
  - Recommendation is to retro-fit, replace, or repair all three roofs with KEE system, which includes a 30-year warranty.
  - The cost increase for this recommendation would be approximately \$600,000, with a total cost of approximately \$1.2 million.
- Elevator Update include:
  - Conditions assessment completed and full replacement is recommended.
  - Would achieve an additional 25-30 year life span for the system.
  - Cost increase would be approximately \$200,000.
- Hazardous Materials Update include a cost increase of approximately \$75,000.
- Cost estimate:
  - Cost increases of approximately \$1,541,639.
  - Total cost of approximately \$10,096,254.
- Schedule:
  - Schematic Design – completed.
  - Design Development by mid/late March 2023.
  - Construction Documents by June 2023.
  - Permitting by July/August 2023.
  - Construction by January/February 2024.
  - Occupancy by May 2024.

Some of the discussion that took place is as follows:

- Question was raised regarding the sheltered entry:
  - If the canopy is connected to the roof fire protection would have to be added.
- Regarding HVAC, can the ultra violet light be used?
  - Air quality measures are being taken.
- Mention was made about how the roof and elevator should be included in the scope at this time.

- Question was raised if the proposed KEE system is different from what is on the building now?
  - The current roof is combination of different systems and will be consistent with the proposed KEE system.
- Mention was made to consider a design style similar to KPAC for consistency.
- Question was raised if changing the exterior façade was considered?
  - Cost is a factor in considering updating the exterior façade due to the size of the exterior of the building.

It is the consensus of the council to continue moving forward with the presented design and staff will keep council updated on any changes.

### **AQUATIC CENTER FEES**

Parks and Recreation Director Kyle Henke presented a memorandum regarding the Aquatic Center Fee Structure Proposal 2023 Season. The financial goal of Kirkwood is to operate on a break even basis when considering operational costs. The proposed fee increases are designed to help reach that goal. The fee increases are designed to offset one of the fastest growing operating costs for the facility, part-time lifeguard labor rates and increased repairs needed to maintain the aging facility. It is anticipated that many other municipal pools on the chart will be increasing their fees to offset minimum wage increases for the upcoming 2023 season. Resident membership fees have not increased since the 2012 season and have not done so based on stagnant sales of season passes. This is the first increase in season passes in 10 years.

Some of the discussion that took place is as follows:

- Chief Administrative Officer Russ Hawes will ask Kyle Henke to include this information in the Parks and Recreation flyer that goes out in the Spring of 2023.
- Question was raised regarding how long the proposed rates will be good for until another rate increase is needed? Staff will start reviewing rates across the board on a yearly basis.
- Concern was raised regarding price elasticity and how high rates can go before it negatively affects the City.

Legislation will be placed on the December 15, 2022 Council meeting agenda for Council consideration.

There being no further matters to come before the council, the meeting was adjourned.

---

Laurie Asche  
City Clerk