



WHERE COMMUNITY AND SPIRIT MEET®

**City Council Meeting Minutes
Kirkwood City Hall
Thursday, January 4, 2024, 7:00 p.m.**

Pursuant to notice of meeting duly given by the Mayor, the City Council convened on Thursday, January 4, 2024, at 7:00 p.m. at Kirkwood City Hall, 139 South Kirkwood Road, Kirkwood, Missouri. Present were: Present were Mayor Griffin, Council Members Duwe, Gibbons, Luetzow, Sears, and Zimmer. Also in attendance were Chief Administrative Officer Russ Hawes, Assistant Chief Administrative Officer David Weidler, Deputy City Clerk Bridget Waters, and City Attorney John Hessel. Council Member Wurtz was absent and excused.

INTRODUCTIONS AND RECOGNITIONS

NONE

PRESENTATIONS

NONE

PUBLIC HEARINGS

Public Hearing #1

Mayor Griffin recessed the meeting for the purpose of conducting a public hearing regarding a request for an amendment to the B-5 Final Site Plan and Special Use Permit for a drive-through facility for 7-Brew Restaurant at 1147 South Kirkwood Road. Mr. Hessel entered the following exhibits into record: an Affidavit of Publication in the St. Louis Countian on December 15, 2023, as Exhibit 1; an Affidavit of Publication in the Webster-Kirkwood Times on December 15, 2023 as Exhibit 2; an aerial view map showing the subject property, as Exhibit 3; a list of properties that were notified of the hearing, as Exhibit 4; the report of the Planning and Zoning Commission Subcommittee dated December 6, 2023 as Exhibit 5; the report of the Planning and Zoning Commission dated December 6, 2023 as Exhibit 6; and the Kirkwood Code of Ordinances, as Exhibit 7.

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

- Floor plan for the restaurant which is a 2-story building with mechanical room at top. There is also a cooler building.
- The proposed landscaping meets the City's regulations
- The applicant is providing 10 trees of 3 different varieties and there are over 100 shrubs currently on the property. The applicant is also providing 2 canopy trees at the ends of the new parking area and boxwood shrubs on 3 sides of the trash enclosure as required
- The proposed plan includes 4 pole-mounted lights, 1 building wall pack, and 43 under canopy lights designed to meet the illumination level requirements of the Zoning Code.
- The plan will need to be revised to provide a detail of the S1 lighting fixture, which if it is a string or strip light must be full cutoff in a recessed channel in accordance with the City's lighting regulations.



WHERE COMMUNITY AND SPIRIT MEET®

- The hours of operation shall be permitted as 5:30 am to 10 pm, Sunday through Thursday, and 5:30 am to 11 pm on Friday and Saturday
- The internal pedestrian crosswalk through the drive-through lanes shall be striped with high visibility markings and provided with signage to alert drive-through vehicles of the pedestrian crosswalk
- The applicant shall submit a revised lighting plan that complies with Section 25-52 of the City's Zoning & Subdivision Code prior to issuance of a building permit
- The applicant shall request that the shopping center owner or operator install speed bumps or other traffic calming measures in the shopping center drive aisle contiguous to the west line of the parcel

Petitioner Joe Rafferty, 7 Brew representative was in attendance to discuss the Special Use Permit with Council. Some of the discussion that took place is as follows:

- Concerns regarding the Kelvin lighting
- Concerns regarding the pedestrian crosswalk

The bill will be placed on the January 18, 2024 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 for Major Animal Facility for Animal Eye Associates at 10328-10330-10332 Manchester Road (Greentree Center). Mr. Hessel entered the following exhibits into record: an Affidavit of Publication in the St. Louis Countian on December 15, 2023, as Exhibit 1; an Affidavit of Publication in the Webster-Kirkwood Times on December 15, 2023 as Exhibit 2; an aerial view map showing the subject property, as Exhibit 3; a list of properties that were notified of the hearing, as Exhibit 4; the report of the Planning and Zoning Commission Subcommittee dated December 6, 2023 as Exhibit 5; the report of the Planning and Zoning Commission dated December 6, 2023 as Exhibit 6; and the Kirkwood Code of Ordinances, as Exhibit 7.

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

- The applicant currently occupies suite 10328 and proposes to expand into suites 10330 and 10332.
- The facility is open Monday through Friday from 8 a.m. to 5 p.m. All surgery patients are released the same day of surgery and there are no overnight stays or staffing. There are 15 employees, including doctors, and there are 9 employees and 1 doctor on the maximum shift on Mondays.
- No outdoor uses are proposed for the space. The floor plans indicate indoor drainage in the kennel area that will need MSD approval to tie into the sanitary line.
- There will be sound buffering constructed internally on the shared walls to reduce noise to adjacent businesses. There are no issues with parking.

The bill will be placed on the January 18, 2024 agenda for first reading consideration.



WHERE COMMUNITY AND SPIRIT MEET®

Public Hearing #3

Mayor Griffin recessed the meeting for the purpose of conducting a public hearing regarding a request for a Text Amendment for Personal and Commercial Service in the I-1 Light Industrial District. Mr. Hessel entered the following exhibits into record: an Affidavit of Publication in the St. Louis Countian on December 15, 2023, as Exhibit 1; an Affidavit of Publication in the Webster-Kirkwood Times on December 15, 2023 as Exhibit 2; an aerial view map showing the subject property, as Exhibit 3; a list of properties that were notified of the hearing, as Exhibit 4; the report of the Planning and Zoning Commission Subcommittee dated December 6, 2023 as Exhibit 5; the report of the Planning and Zoning Commission dated December 6, 2023 as Exhibit 6; and the Kirkwood Code of Ordinances, as Exhibit 7.

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

- P&CS is a permitted or permitted with standards use in all commercial zoning districts, but a special use in the I-1 zoning district. In the B-1 and B-2 zoning districts, the size of a P&CS tenant space is limited to 2000 sq. ft.
- Personal & Commercial Service is defined as follows in Section 25-104: “Establishments that are primarily engaged in providing services generally involving the care of the person or person's possessions.” Examples include laundromats, barbershops, beauty salons, nail salons, massage therapy, physical therapy, printing services, health and fitness studios, and similar uses.
- The purpose of the Light Industrial District is “to encourage light industrial uses and small-scale craft manufacturing which create a minimal amount of nuisance outside the structure and which are not noxious or offensive by reason of the emission of smoke, dust, fumes, gas odors, noises, or vibrations beyond the confines of the building and the premises upon which the building or buildings are situated”
- The City has an interest in conserving industrially-zoned land for future industrial uses and review of Table 35-1, Permitted Uses (attached as exhibit B) shows that not all uses permitted in the commercially-zoned districts are considered appropriate or desired in the industrial district
- Staff believes that there are multiple of the City’s light industrial areas that were built more as office park areas and that these can be accommodating to the P&CS use
- Staff would still recommend against making retail and restaurants permitted uses in the I-1 District at this time, but does not have significant concerns with returning P&CS uses to permitted uses in the I-1 District

A discussion took place.

The bill will be placed on the January 18, 2024 agenda for first reading consideration.



WHERE COMMUNITY AND SPIRIT MEET®

PUBLIC COMMENTS
NONE

CONSENT AGENDA

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

- a) Approval of the December 21, 2023 Council Meeting Minutes
- b) Resolution 1-2024, accepting the bid of Joe Machens Ford in the amount of \$32,799 (pursuant to State of Missouri Cooperative Contract) for the purchase of a 2024 Ford Escape SE for the Safety Division and authorizing and directing the Director of Procurement to issue a Purchase Order

UNFINISHED BUSINESS

Bill 11013, amending the Kirkwood Code of Ordinances, Chapter 14, Article VI., Section 14-324 “Prohibited stopping, standing and parking areas enumerated”, Subsection (a)(2) “On a sidewalk” by excluding Ponca Trail between 1 through 30 Ponca Trail to allow vehicles to be parked on the sidewalk was brought before the City Council.

Roll Call:

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

The bill, having received majority approval of the Council, was adopted and became Ordinance 10840.

Bill 11014, amending the Kirkwood Code of Ordinances, Chapter 14, Article VIII., Section 14-398 “Routes on which operation of commercial vehicles restricted”, to add Scott Avenue between Leffingwell Avenue and South Woodlawn Avenue was brought before the City Council.

Roll Call:

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



WHERE COMMUNITY AND SPIRIT MEET®

Council Member Sears	“Yes”
Council Member Wurtz	Absent

The bill, having received majority approval of the Council, was adopted and became Ordinance 10841.

Bill 11015, adopting a revised City of Kirkwood Classification and Pay Plan, effective January 8, 2024 was brought before the City Council. A discussion took place.

Roll Call:

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

The bill, having received majority approval of the Council, was adopted and became Ordinance 10842.

NEW BUSINESS

Bill 11016, appropriating \$1,788,973.83 from the Certificates of Participation Series 2024 to the Fire Department Rolling Stock Account, contingent upon the issuance of the Certificates of Participation Series 2024, and accepting the bid of Sentinel Emergency Solutions in the amount of \$1,788,973.83 (pursuant to HGAC Cooperative Contract) for the purchase of a Rosenbauer Mid-Mount 100 Foot Tower Ladder for the Fire Department and authorizing and directing the Director of Procurement to issue a Purchase Order was brought before the City Council. Motion was made by Council Member Duwe and seconded by Council Member Luetzow to accept the bill as read. A discussion took place.

The bill received first reading approval and was held over.

Bill 11017, authorizing the City of Kirkwood, Missouri, to enter into a Lease Purchase Transaction, the proceeds of which will be used to pay all or a portion of the costs of acquiring certain property, constructing improvements within the City and other costs related thereto; and authorizing the execution of certain documents and actions in connection therewith was brought before the City Council. Motion was made by Council Member Sears and seconded by Council Member Luetzow to accept the bill as read.

The bill received first reading approval and was held over.

Resolution 2-2024, amending the contract with Kolb Grading, LLC by increasing the amount by \$70,000 for a not to exceed amount of \$719,285.95 for City Hall and



WHERE COMMUNITY AND SPIRIT MEET®

Police Department Parking Lot Improvements and authorizing and directing the Mayor to enter into an amended contract was brought before the City Council. Motion was made by Council Member Zimmer and seconded by Council Member Luetzow to accept the Resolution as read. Discussion took place.

Roll Call:

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

Resolution 3-2024, accepting a proposal for Underwriting Services in connection with the proposed delivery by the City of its certificates of Participation (City of Kirkwood, Missouri, Lessee), Series 2024A, and Taxable Certificates of Participation (City of Kirkwood, Missouri, Lessee), series 2024B; and acknowledging certain matters pursuant to MSRB rules in connection therewith was brought before the City Council. Motion was made by Council Member Luetzow and seconded by Council Member Duwe to accept the Resolution as read.

Roll Call:

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

CONSENT AGENDA ITEMS FOR DISCUSSION

NONE

CITY COUNCIL REPORTS

NONE

CHIEF ADMINISTRATIVE OFFICER REPORT

NONE

CITY ATTORNEY REPORT

NONE



WHERE COMMUNITY AND SPIRIT MEET®

CITY CLERK REPORT

Ms. Waters provided the Planning & Zoning report. The following action was taken:

1. By a vote of 7-1, the Commission recommended approval of a Major Subdivision at 111 W. Rose Hill to divide the property at 111 W. Rose Hill Avenue from Manor Grove property addressed as 711 S. Kirkwood Road. Legislation will be drafted for Council consideration.

As there is no business for the January 17th meeting, the next meeting of the Planning and Zoning Commission will be held on February 7, 2024.

ADJOURNMENT

There being no further business to come before the Council, the formal meeting was adjourned at 8:07 p.m. The next regular meeting of the Kirkwood City Council will take place at 7:00 p.m. on January 18, 2024.

Bridget Waters
Deputy City Clerk

Approved: