



WHERE COMMUNITY AND SPIRIT MEET®

**City Council Meeting Minutes  
Kirkwood City Hall  
Thursday, October 17, 2024, 7:00 p.m.**

Pursuant to notice of meeting duly given by the Mayor, the City Council convened on Thursday, October 17, 2024, at 7:00 p.m. at Kirkwood City Hall, 139 South Kirkwood Road, Kirkwood, Missouri. Present: Deputy Mayor Zimmer, Council Members Jaksetic, Schaefer, and Rheinnecker. Also in attendance were Chief Administrative Officer Russell Hawes, Assistant Chief Administrative Officer David Weidler, City Clerk Laurie Asche, Electric Director Mark Petty, Public Services Director Chris Krueger, Planning & Development Services Director Jonathan Raiche, City Planner II Amy Lowry, Superintendent of Facilities Trace Walls, and City Attorney John Hessel. Mayor Gibbons and Council Member McLean were absent and excused.

**INTRODUCTIONS AND RECOGNITIONS**

NONE

**PRESENTATIONS**

NONE

**PUBLIC HEARINGS**

Deputy Mayor Zimmer recessed the meeting for a request for a Zoning Text Amendment to increase the maximum size of a tenant space from 2,000 square feet to 3,300 square feet for Personal and Commercial Service uses in the B-2 Zoning District. City Attorney John Hessel entered the following exhibits into record: an Affidavit of Publication in The Countian on September 27, 2024, as Exhibit 1; an Affidavit of Publication an Affidavit of Publication in the Webster-Kirkwood Times on September 27, 2024, as Exhibit 2; a report from the Planning and Zoning Commission Subcommittee dated September 18, 2024 as Exhibit 3; a report from the Planning and Zoning Commission with a vote of 6-1 recommending approval of a Zoning Text Amendment to increase the maximum size of a tenant space from 2,000 square feet to 3,300 square feet for Personal and Commercial Service uses in the B-2 Zoning District, as Exhibit 4; and the Kirkwood Code of Ordinances, as Exhibit 5.

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

- Zoning Code in 2021 changed many uses from Special to Permitted with Standards and grouped together uses having to do with a person or person's possessions as "personal and commercial service".
- Lot contains a single-family house built in 1942.
- P&CS is a Permitted Use with Standards in the B-2 zoning district. Those standards are then in section 25-36(y).
- The change was requested by the developer of the Aria project at 132 E. Monroe.
- Staff reviewed a tenant size survey prepared by staff and recognized that 3000 square feet would allow some existing tenant spaces to become legally conforming while still granting flexibility for new tenant spaces.



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- The subcommittee also believed that the list of existing businesses that were 3,000 square feet or less were appropriate types of businesses for the downtown district.

Some discussion took place as follows:

- A question was raised about the tenant space size.
  - The subcommittee wanted added 10% on top because the spaces in downtown Kirkwood are not uniformed
- A question was raised about the how the original 2,000 sq. ft. maximum came to be.
  - The subcommittee looked at revamping the zoning code and there was a concern about keeping some of the downtown spaces smaller and keeping out larger gyms.

The Bill will be placed on the November 7, 2024, agenda for consideration.

### **PUBLIC COMMENTS**

1. Mary Fitzgerald, 729 Cleveland; made comments about political signs being stolen from their yard.
2. Tom Moser, 631 Mistletoe Ln.; made comments about enforcing the speed limits and hiring more Police Officers.
3. Mike Fitzgerald, 729 Cleveland; made comments about political signs being stolen from resident yards throughout Kirkwood.
4. Quintin Wilson, 1503 Greening; made comments about listening to the citizens' concerns.

### **CONSENT AGENDA**

Motion was made by Council Member Schaefer and seconded by Council Member Jaksetic to approve the Consent Agenda. The minutes were approved with Council Luetzow abstaining.

- a) Approval of the October 3, 2024 Council Meeting Minutes
- b) Resolution 143-2024, accepting the bid of Fletcher-Reinhardt Company in the amount of \$24,087.77 for the purchase of conduit for the Sugar Creek Substation for the Electric Department and authorizing and directing the Director of Procurement to issue a Purchase Order
- c) Resolution 144-2024, amending Resolution 128-2024 with Anixter, Inc. by increasing the Purchase Order amount by \$413.20 for a new total amount of \$19,926.94 for the purchase of grounding clamps and connectors for the Sugar Creek Substation for the Electric Department and authorizing and directing the Director of Procurement to issue an amended Purchase Order



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### UNFINISHED BUSINESS

Bill 11051, amending the Kirkwood Code of Ordinances, Chapter 17, Article XI. “Offenses Against Drugs”, by inserting a new Section 17-195 “Minimum age for the purchase and sale of hemp-derived intoxicants” was brought before the City Council. A discussion took place.

#### Roll Call:

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

The bill, having received majority approval of the Council, was adopted and became Ordinance 10877.

### NEW BUSINESS

Bill 11052, changing the zoning from B-1, Neighborhood Commercial District, to R-5, Multifamily Residential District, on the property known as 430 South Clay Avenue, being an approximately 0.52 acre site on the east side of South Clay Avenue and directing such change in the Zoning District Map was brought before the City Council. Motion was made by Council Member Luetzow and seconded by Council Member Schaefer to accept the bill as read. A discussion took place.

The bill failed with Deputy Mayor Zimmer and Council Member Luetzow in favor. Council Members Jaksetic, Rheinnecker, and Schaefer were opposed.

Resolution 145-2024, authorizing and directing the Mayor to enter into a Master Power Purchase and Sale Agreement between the City of Kirkwood and Cordelio/Winfield for future energy and capacity transactions for the Kirkwood Electric Department was brought before the City Council. Motion was made by Council Member Rheinnecker and seconded by Council Member Schaefer to accept the Resolution as read. A discussion took place.

#### Roll Call:

Mayor Gibbons	Absent
Deputy Mayor Zimmer	“Yes”
Council Member Jaksetic	“Yes”
Council Member Luetzow	“Yes”
Council Member McLean	Absent
Council Member Rheinnecker	“No”
Council Member Schaefer	“Yes”



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Resolution 146-2024, accepting the bid of Cordelio/Winfield in the amount not to exceed of \$1,687,500 annually for the purchase of Capacity for the Electric Department for a term of 8 years beginning June 2025 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 Luetzow and seconded by Council Member Schaefer to accept the Resolution as read. A discussion took place.

Roll Call:

Mayor Gibbons	Absent
Deputy Mayor Zimmer	“Yes”
Council Member Jaksetic	“Yes”
Council Member Luetzow	“Yes”
Council Member McLean	Absent
Council Member Rheinnecker	“No”
Council Member Schaefer	“Yes”

Resolution 147-2024, accepting the bid of Broadway Ford in the amount of \$79,527 (pursuant to MoDOT Cooperative Contract and State of Missouri Cooperative Contract) for the purchase of a 2025 Ford F550 Chassis with Knapheide Flatbed for the Sanitation 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 Schaefer and seconded by Council Member Jaksetic to accept the Resolution as read. A discussion took place.

Roll Call:

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

Resolution 148-2024, accepting the proposal of Lochmueller Group in the not to exceed amount of \$89,010 (which includes a 10% contingency in the amount of \$8,091) for Professional Design and Bid Period Services for Water Main Replacement at Lockett Road from Dougherty Ferry Road to Dovergate Drive and authorizing and directing the Mayor to enter into a contract was brought before the City Council. Motion was made by Council Member Luetzow and seconded by Council Member Jaksetic to accept the Resolution as read. A discussion took place.



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Roll Call:

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

Resolution 149-2024, accepting the quote of Schaeffer Electric in the amount of \$43,985 for switchgear replacement for City Hall 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 Schaefer and seconded by Council Member Luetzow to accept the Resolution as read.

Roll Call:

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

Resolution 150-2024, accepting the quote of Schaeffer Electric in the amount of \$79,935 for generator replacement for City Hall 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 Luetzow and seconded by Council Member Jaksetic to accept the Resolution as read. A discussion took place.

Motion was made by Council Member Schaefer and seconded by Council Member Jaksetic to continue the Resolution to the December 19, 2024 meeting. A discussion took place. The motion to continue was approved with Council Member Luetzow opposed.

**CONSENT AGENDA ITEMS FOR DISCUSSION**  
NONE



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### CITY COUNCIL REPORTS

Council Member Jaksetic reported that attended a 4 second grade Brownie Troops at Keysor Elementary on Tuesday evening. The troop was getting their democracy badge. One of the troops discuss safe crossing streets.

Council Member Luetzow attended the Arts Commission meeting on Tuesday. At the meeting, the commissioners discussed the two vacancies on the committee. Council Member Luetzow welcomed anyone to volunteer for the committee.

Council Member Rheinnecker attended the 1<sup>st</sup> Gala event St. Agnes Home on Saturday, October 12<sup>th</sup>. It was their 90 year anniversary. Council Member Rheinnecker presented them with a Proclamation.

Council Member Schaefer announced that Wednesday, October 16<sup>th</sup> the Magic House celebrated 45 years. Council Member Schaefer also attended the Board of Adjustment meeting on Monday, October 14<sup>th</sup>. Case No. 14-2024; requests a variance from Zoning Code to construct an accessory structure was denied with a vote of 3-2. Council Member Schaefer attended the Library Board meeting on October 16<sup>th</sup>. The Library had a full audit from an outside CPA and received a 100% rating.

Deputy Mayor Zimmer wanted to wish Council Member Luetzow a Happy Birthday. On Sunday, October 13<sup>th</sup> Deputy Mayor presented a Proclamation to Concordia Lutheran Church of Kirkwood. They celebrated their 150<sup>th</sup> Anniversary, making them one of the oldest congregations west of the Mississippi River.

### CHIEF ADMINISTRATIVE OFFICER REPORTS

NONE

### CITY ATTORNEY REPORTS

NONE

### CITY CLERK REPORTS

Ms. Asche reported on scheduled upcoming public hearings:

#### **November 7, 2024**

1. A request for a Zoning Code Text Amendment on Garage Design in residential zoning districts, Section 25-48(f), specifically for the R-MM Zoning District.
2. A request for a Zoning Map Amendment from R-5 to R-MM for 223 West Monroe Avenue.

Ms. Asche provided the Planning & Zoning report. At the October 16, 2024 meeting of the Planning & Zoning meeting, the following action was taken:

1. By a vote of 8-0, the Commission recommended approval of a Major Site Plan and Special Use Permit amendment for vehicle sale and rental for Lou Fusz Toyota at



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- 10525 & 10725 Manchester Road. A public hearing before City Council is requested on this application.
2. By a vote of 6-2, the Commission recommended approval of a Zoning Code Text Amendment to add Tattoo/Body Piercing Studio as a special use in the B-3 zoning district and to change the use-specific standards in Section 25-36(bb). A public hearing before City Council is requested on this text amendment.
  3. By a vote of 6-2, the Commission recommended approval of a Special Use Permit for a tattoo/body piercing studio at 11212 Manchester Road. A public hearing before City Council is requested on this application.
  4. After a presentation by Staff on a city-initiated Zoning Code Text Amendment on the color temperature of outdoor lighting, the Commission voted to continue the matter to the next meeting. The Commission requested that Staff provide data on a whether additional fixtures may be needed to meet minimum code standards and whether there are safety concerns associated with different bulb color temperatures.
  5. After a presentation by Staff on a city-initiated Zoning Code Text Amendment on sidewalk requirements under Section 25-69(a)(2), the Commission failed to recommend approval by a vote of 3-5. A public hearing before City Council is requested on this text amendment. Because the Commission recommended denial, a favorable vote of two-thirds of all members of City Council is required for approval.

### ADJOURNMENT

There being no further business to come before the Council, the formal meeting was adjourned at 8:12 p.m. The next regular meeting of the Kirkwood City Council will take place at 7:00 p.m. on Thursday, November 7, 2024.

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Laurie Asche  
City Clerk

**Approved:**