

MEMO *from the City Clerk's Office*

TO: Mayor and City Council
Russ Hawes

FROM: Laurie Asche, CMC/MRCC

DATE: February 3, 2020

SUBJECT: Substitute Bill 10812

UNFINISHED BUSINESS – ITEM 1 – BILL 10812

Bill 10805/Ordinance 10644 changing the school zone speed limit on Idlewild Place to 20 MPH on school days, 7 a.m. to 6 p.m. was approved and adopted on December 19, 2019. It was found that Idlewild Place was inadvertently left out of Bill 10812, which reduces the speed limit in school zones to 15 MPH, and needs to be added. A substitute bill has been drafted to include Idlewild Place.

The following motion will be required to bring the Substitute Bill on the floor for consideration.

Motion:

"I move to bring Substitute Bill 10812 on the floor for consideration."

If you have questions, please let me know.

Cc: Georgia Ragland
John Hessel

<p style="text-align: center;">Laurie Asche, CMC/MRCC City Clerk City of Kirkwood • 139 S. Kirkwood Road • Kirkwood, MO 63122 Phone: (314) 822-5802 • Fax: (314) 822-5863 Email: aschelb@kirkwoodmo.org</p>
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**Kirkwood City Council
Agenda
Thursday, February 6, 2020, 7:00 p.m.
Kirkwood City Hall
City Council Chambers
139 South Kirkwood Road
Kirkwood, MO 63122
Posted February 3, 2020**

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. INTRODUCTIONS AND RECOGNITIONS

IV. PRESENTATIONS

1. Operation Clean Sweep Day Proclamation

V. PUBLIC HEARINGS

1. A request for amendments to the Zoning Code for Auto Repair, Minor (Private).
2. A request for a Special Use Permit for Auto Repair, Minor (Private) for Lou Fusz Toyota at 10831 Manchester Road.

VI. PUBLIC COMMENTS – 3 MINUTE LIMIT PER PERSON

The Public Comments portion of the meeting is an opportunity for the City Council to listen to comments from citizens. It is not a question and answer session and the City Council will not respond to comments or answer questions during this period. The Mayor may refer any matter brought up to the City Council to the Chief Administrative Officer or City Clerk if action is needed.

VII. CONSENT AGENDA

All items within the Consent Agenda will be enacted by one motion of the Council with no separate discussion. If separate discussion is desired, that item may be removed from the Consent Agenda and placed on the Regular Agenda by request of a member of the City Council. The expenditures listed in the consent agenda are items already approved in the current city budget.

- a) Approval of the January 16, 2020 City Council Meeting Minutes
- b) Resolution 10-2020, appointing Nancy Luetzow as the City of Kirkwood's representative to serve on the St. Louis County Council for the University of Missouri Extension for a term to March 1, 2022
- c) Resolution 11-2020, appointing Eugenia Webdell to the Human Rights Commission for a partial term to June 2021
- d) Resolution 12-2020, authorizing and directing the submittal of a "Surface Transportation Program (STP) Application" to East-West Gateway Council of Governments for federal funds to resurface Lindeman Road from Dougherty Ferry to the northern City limit
- e) Resolution 13-2020, authorizing and directing the submittal of a "Surface Transportation Program (STP) Application" to East-West Gateway Council of Governments for federal funds to resurface Kirkwood Road from 100 feet south of Swan Avenue where the City of Kirkwood takes over the maintenance of Kirkwood Road from MoDOT to Adams Avenue



- f) Resolution 14-2020, amending the Communications Site Lease with T-Mobile Central LLC on the Essex Water Tower including extending the agreement for a term of four years to July 31, 2025 with the option to extend for successive five year terms thereafter and authorizing and directing the Mayor to enter into an amended agreement
- g) Resolution 16-2020, accepting the bid of Nelson Tree Service for Vegetation Management Services on an as needed basis for the Electric Department with an initial term of 12 months with the option to renew for up to four additional 12 month terms pending budgetary approval and authorizing and directing the Mayor to enter into a contract (rates provided in memo)
- h) Resolution 17-2020, transferring funds from Account #301-1100-600.75.03, Project #TR2003 to Account #301-1704-600.75.03, Project #FO2007, accepting the proposal of Gateway Industrial Power, Inc. as a single source provider for the purchase of a 200 kW Generator for Fire House #1 (\$42,600)
- i) Resolution 18-2020, transferring funds from Account #301-1100-600.75.03, Project #TR2003, to Account #301-1704-600.75.03, Project #FO2007, approving a contract amendment with Schaeffer Electric for the installation of the Fire House #1 replacement generator and authorizing and directing the Mayor to enter into an amended contract (\$30,673)

VIII. UNFINISHED BUSINESS

- 1. Bill 10812, amending the Kirkwood Code of Ordinances, Chapter 14, Article VIII. Section 14-396, Schedule F: "Speed Limit Designations", Subsection (F) to reduce the speed limit to 15 MPH on school days, 7:00 a.m. to 6:00 p.m.

IX. NEW BUSINESS

- 1. Bill 10813, reapproving the Final Subdivision Plat of an eight-lot subdivision on the properties known as 2017 Lily Avenue and 2040 Boaz Avenue in the City of Kirkwood, St. Louis County, Missouri
- 2. Resolution 9-2020, accepting the donation of Don and Nancy Ross for the naming rights to the Main Stage Theatre of the Performing Arts Center
- 3. Resolution 15-2020, transferring funds and approving a contract amendment with Jacobs Engineering Group for additional Design Bidding and Construction Services for the Performing Arts Center (in the amount of \$9,140 for a not to exceed amount of \$1,969,034)

X. CONSENT AGENDA ITEMS FOR DISCUSSION (IF ANY)

XI. CITY COUNCIL REPORTS

XII. CHIEF ADMINISTRATIVE OFFICER REPORTS

**Other Items may be added after the publication of the agenda. Please contact the City Clerk's Office at 822-5802 for any additional information that may have been added after the publication of the agenda.*



XIII. CITY ATTORNEY REPORTS

XIV. CITY CLERK REPORTS

1. Reports of the January 29, 2020 and February 5, 2020 Planning & Zoning Commission Meetings

**Other Items may be added after the publication of the agenda. Please contact the City Clerk's Office at 822-5802 for any additional information that may have been added after the publication of the agenda.*

XV. MEETING ADJOURNMENT

PLEASE NOTE: The next regular meeting of the Kirkwood City Council will take place at 7:00 p.m. on February 20, 2020.

UPCOMING PUBLIC HEARINGS

February 20, 2020

1. City of Kirkwood Budget for Fiscal Year 2020/2021
2. Downtown Special Business District Budget for Fiscal Year 2020/2021
3. A request for a Special Use Permit for a restaurant with outdoor seating for Teleo Coffee at 142 West Monroe Avenue

CONTINUED ITEMS

NONE

TABLED ITEMS

NONE

Kirkwood City Council: Mayor Tim Griffin; Council Members Nancy Luetzow, Maggie Duwe, Ellen Edman, Mark Zimmer, Wallace Ward, and Kara Wurtz

Contact Information: For full City Council contact information visit www.kirkwoodmo.org/council. To contact the City Clerk call 314-822-5802. To contact the Chief Administrative Officer call 314-822-5803.

Accommodation: The City of Kirkwood is interested in effective communication for all persons. Persons requiring an accommodation to attend and participate in the meeting should contact the City Clerk at 314-822-5802 at least 48 hours before the meeting. With advance notice of seven calendar days, the City of Kirkwood will provide interpreter services at public meetings for languages other than English and for the hearing impaired. Upon request, the minutes from this meeting can be made available in an alternate format, such as CD by calling 314-822-5802.

PROCEDURE FOR PUBLIC HEARING

Mayor: At this time the council will recess to conduct a public hearing regarding:

A request for amendments to the Zoning Code for Auto Repair, Minor (Private)

Mayor: Mr. Hessel, do you wish to enter any exhibits into the record?

Mayor: Mr. Hawes, who will present this issue to the City Council?

City Planner Jonathan Raiche

Mayor: Georgia, has anyone completed a card to speak regarding this proposal?

Mayor: Is there anyone in the audience that did not complete a card that wishes to speak regarding this issue? (Please be sure to fill out a card before you leave so your name and address is reflected in the record)

Mayor: Hearing no further discussion, the council will take this matter under advisement and consider the hearing to be recessed.



AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI
COUNTY OF ST. LOUIS

} S.S.

Page 1 of 1

Before the undersigned Notary Public personally appeared **Lisa Fowler** on behalf of **THE COUNTIAN, ST. LOUIS COUNTY** who, being duly sworn, attests that said newspaper is qualified under the provisions of Missouri law governing public notices to publish, and did so publish, the notice annexed hereto, starting with the **January 21, 2020** edition and ending with the **January 21, 2020** edition, for a total of 1 publications:

01/21/2020

CITY OF KIRKWOOD NOTICE OF PUBLIC HEARING BEFORE THE CITY COUNCIL OF KIRKWOOD, MISSOURI

The Council of the City of Kirkwood will hold a public hearing in City Hall, 139 South Kirkwood Road, Kirkwood, Missouri at the hour of 7:00 p.m., Thursday, February 6, 2020 to consider the following:

1. A request for amendments to the Zoning Code for Auto Repair, Minor (Private).

2. A request for a Special Use Permit for Auto Repair, Minor (Private) for Lou Fusz Toyota at 10831 Manchester Road.

Laurie Asche, CMC/MRCC
City Clerk

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Lisa Fowler

Subscribed & sworn before me this 21st day of Jan., 2020
(SEAL)



Notary Public

CHANEL JONES
Notary Public - Notary Seal
State of Missouri
Commissioned for St Louis County
My Commission Expires: August 08, 2022
Commission Number: 14397721

T NEWSPAPERS **IMES**
WEBSTER-KIRKWOOD TIMES
SOUTH COUNTY TIMES
WEST END WORD

AFFIDAVIT OF PUBLICATION

City of Kirkwood
Attn:
City Clerk
139 S. Kirkwood Rd.
Kirkwood, MO 63122

Laurie Asche

I, Terry Cassidy, verify that the attached Public Hearing
Notice was published in the Webster-Kirkwood Times on

January 24, 2020

Terry Cassidy
Advertising Consultant

Public Notice:

Zoning Amendment Auto Repair
Special Use Lou Fesz Toyota



**NOTICE OF
PUBLIC HEARING**
before the City Council
City of Kirkwood, MO

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PROPERTY OWNER
1317 LOCKETT LANE
SAINT LOUIS, MO 63122

PROPERTY OWNER
160 DOORACK LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
154 DOORACK LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
148 DOORACK LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
122 MAPLE HILL LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
P.O. BOX 52427
ATLANTA, GA 30355

PROPERTY OWNER
19 BERKSHIRE DR
SAINT LOUIS, MO 63117

PROPERTY OWNER
19 WHEATLEY CT
CHESTERFIELD, MO 63005

PROPERTY OWNER
8922 MANCHESTER RD
SAINT LOUIS, MO 63144

PROPERTY OWNER
190 DOORACK LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
184 DOORACK LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
174 DOORACK LN
SAINT LOUIS, MO 63122

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181 DOORACK LN
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PROPERTY OWNER
187 DOORACK LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
625 LAVEN DEL LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
195 DOORACK LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
114 MAPLE HILL LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
120 MAPLE HILL LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
126 MAPLE HILL LN
SAINT LOUIS, MO 63122

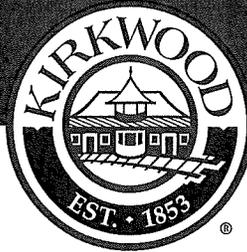
PROPERTY OWNER
130 MAPLE HILL LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
132 MAPLE HILL LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
136 MAPLE HILL LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
10811 MANCHESTER RD
SAINT LOUIS, MO 63122

PROPERTY OWNER
15455 MANCHESTER RD, #3986
BALLWIN, MO 63022



WHERE COMMUNITY AND SPIRIT MEET

January 16, 2020

Russell B. Hawes
Chief Administrative Officer

At the January 15, 2020, meeting of the Planning and Zoning Commission, the following action was taken:

1. After a public hearing for an amendment to a B4 Development Plan for EZ Storage at 10461 Manchester Road, Commissioners O'Donnell, Diel, and Adkins were appointed to the Subcommittee. The Subcommittee will meet at City Hall on January 24 at 8 a.m.
2. The Commission recommended approval of amendments to the Zoning Code and a request for a Special Use Permit for Auto Repair, Minor (Private) submitted by Lou Fusz Toyota at 10831 Manchester Road.
3. The Commission recommended approval of a Special Use Permit for a restaurant with outdoor seating submitted by Teleo Coffee at 142 West Monroe Avenue.
4. After a presentation for a request for a Special Use Permit for a Physical Fitness Facility known as Burn Boot Camp at 10461 Manchester Road, Commissioners O'Donnell, Diel, and Adkins were appointed to the Subcommittee. The Subcommittee will meet at City Hall on January 24 at 8 a.m.
5. After a presentation for a request for a Special Use Permit for outdoor use at Schnucks at 10233 Manchester Road, Commissioners Drewel and Evens were appointed to the Subcommittee. The Subcommittee will meet on site January 21 at 8 a.m.
6. After a presentation for a request for a Final B4 Plan for a general retail building and a Special Use Permit for a Restaurant with a drive-thru, Commissioners O'Donnell, Diel, and Adkins were appointed to the Subcommittee. The Subcommittee will meet at City Hall on January 24 at 8 a.m.
7. After a presentation for a request for a Final B4 Plan for First Community Credit Union at 10357 Manchester Road, Commissioners O'Donnell, Diel, and Adkins were appointed to the Subcommittee. The Subcommittee will meet at City Hall on January 24 at 8 a.m.

8. After a presentation for a request to rezone R4 to B3, a Special Use Permit for a convenience/gas store, and a car wash for Petro Mart at 10921, 10935, and 10939 Manchester Road and 1113, 1119, 1120, 1121, 1123, and 1125 Earl Avenue, Commissioners Frick and Mallinckrodt were appointed to the Subcommittee. The Subcommittee will schedule a meeting at the site after the traffic study has been submitted.
9. Staff provided updates on development projects recently reviewed by the City Council.
10. A special meeting will be held by the Commission on January 29, 2020, at 6 p.m. regarding the re-write of the Zoning, Subdivision, and Sign Codes.

The next regular meeting will be held on February 5, 2020, at 7 p.m.

Respectfully submitted,

Allen Klippel, Chair
Planning and Zoning Commission

**CITY OF KIRKWOOD
PLANNING AND ZONING COMMISSION
SUBCOMMITTEE REPORT
JANUARY 15, 2020**

PETITION NUMBER: PZ-17-20

ACTION REQUESTED: AMENDMENTS TO CITY OF KIRKWOOD CODE OF ORDINANCES APPENDIX A: THE CITY OF KIRKWOOD ZONING CODE AS IT PERTAINS TO THE ADDITION OF A NEW SPECIAL USE CATEGORY (MOTOR VEHICLE REPAIR SHOPS, MINOR [PRIVATE]) IN THE B-3 DISTRICT AND TO THE DEFINITION AND PARKING SECTIONS ACCORDINGLY, SPECIFICALLY SECTIONS 520.3, 140.1, AND 1000.4

SPECIAL USE PERMIT – MOTOR VEHICLE REPAIR SHOPS, MINOR (PRIVATE)

PROPERTY OWNER: STANCORI LLC

APPLICANT: DAN VAN FLEET

PROPERTY LOCATION: 10831 MANCHESTER ROAD

ZONING: B-3, HIGHWAY BUSINESS DISTRICT

BACKGROUND/DESCRIPTION:

The applicant has submitted a multi-part application which includes the following items: 1) multiple text amendments to the Zoning Code to allow for a new Special Use category in the B-3 district, and 2) a Special Use Permit for the new category of “Motor Vehicle Repair, Minor (Private)” at the property known as 10831 Manchester Road.

The applicant is currently operating under a Special Use Permit for a Car Wash associated with Lou Fusz for the purpose of cleaning and detailing inventory vehicles for the dealership. The applicant now desires to expand those operations to include minor vehicle inspections and repair in addition to the car wash/detailing. The repairs would be restricted to inventory vehicles owned by their dealership; hence, the use of the word “private” for the new proposed use category. This business would not be open to the public for vehicle repairs and would thus not generate the same customer traffic or parking needs that are generated by vehicle repair shops that are open to the public.

The requested text amendments include adding the new use category as a Special Use in the B-3 District, defining said use category, and including a parking rate for said use category. The applicant has proposed the following language to define this use category:

Motor vehicle repair shops, minor (private) - An establishment whose principal business activity includes incidental repairs, replacement of parts, and motor service to motor vehicles, but not including an operation specified under “Motor vehicle repair, major”. Said facility must be operated by an automotive dealership that is owned and operated within the city limits of Kirkwood. Said

facility shall provide services only to vehicles owned by said automotive dealership and shall not be open to the public.

The applicant proposed a parking requirement of 2 parking spaces per service bay/lift plus 1 parking space per employee on the maximum shift. The proposed operation would require 10 spaces under these requirements while 16 spaces are provided on-site. The proposed hours of operation are 7am to 5pm.

COMPREHENSIVE PLAN, LAND USE AND ZONING:

The site is designated as Corridor Commercial on the EnVision Kirkwood 2035 Future Land Use Map. Development types discussed in this land use include regional/neighborhood commercial. The proposed development fits within this broad land-use category.

The subject property is zoned B-3, Highway Business District. The proposed use is not currently permitted in any zoning district; and therefore, the applicant is required to request a text amendment.

Surrounding land uses and zoning include the following:

- To the north: Properties are zoned R-4 and occupied by single-family residential uses.
- To the south: Across Manchester Road, properties are zoned B-3 with various commercial uses being conducted.
- To the east: Properties are zoned B-3 with various commercial uses being conducted.
- To the west: Properties are zoned B-3 with various commercial uses being conducted.

DISCUSSION:

A Zoning Matters sign was posted on the property on November 26, 2019. The request was introduced at the Planning & Zoning Commission meeting on December 4, 2019. An on-site subcommittee meeting was held on December 9, 2019 (See Exhibit B for a list of attendees). The subcommittee discussed the following items:

1. The service lift equipment has already been installed and required inspection.
2. No waiting room will be required since the operation is not open to the public.
3. All work required by the 2016 Special Use Permit has been completed including an oil separator that was installed for the car wash activities.
4. The typical sounds will include compressors and impact wrenches.
5. Two employees are anticipated.
6. The applicant indicated the on-site parking would accommodate their proposed operations and that overnight parking would be minimal with most cars being parked at the main facility overnight.

RECOMMENDATIONS:

The Subcommittee recommends that the following text amendments to the Zoning Code be ***approved:***

1. Section A-140 be amended to include a new definition as follows:
Motor vehicle repair shops, minor (private) - An establishment whose principal business activity includes incidental repairs, replacement of parts, and motor service to motor vehicles, but not including an operation specified under "Motor vehicle repair, major". Said facility

must be operated by an automotive dealership that is owned and operated within the city limits of Kirkwood. Said facility shall provide services only to vehicles owned by said automotive dealership and shall not be open to the public.

2. Section A-520.3 be amended to include a new Special Use category for "Motor vehicle repair shops, minor (private)".
3. Section A-1000.4 be amended to include a new category and requirement into "Table 1000-1, Parking Requirements" as follows:

Motor vehicle repair shops, minor (private) – Two (2) spaces per service bay/lift plus one (1) space per employee on the maximum shift.

The Subcommittee recommends that the request for a Special Use Permit to operate a Motor Vehicle Repair Shop, Minor (Private) at the property of 10831 Manchester Road be approved with the following conditions:

1. All conditions of Ordinance 10338, granting approval for a Car Wash at the subject site, shall remain in effect.
2. Hours of operation shall be limited to 7am through 5pm, Monday through Friday.
3. Vehicles shall not be stored outdoors on the premises for longer than two business days.
4. The applicant shall comply with all standard conditions as listed in Exhibit A.

Respectfully submitted,

James Diel



Madt Mallinckrodt

EXHIBIT A
STANDARD CONDITIONS

1. The premises and improvements as approved by this Special Use Permit shall be in good working order and maintained in good repair at all times.
2. The applicant, by accepting and acting under the Special Use Permit approval granted, accepts the approval subject to the reservations, restrictions, and conditions set forth in the Code of Ordinances and in the report and agrees to comply with each provision subject to the penalties prescribed under Section 1-8 of the Code of Ordinances and subject to revocation of this approval in the event such provisions are not complied with.

**EXHIBIT B
Subcommittee Meeting Attendees**

P&Z Subcommittee Meeting
 Project:
 Date:
 Location:

La Fusz Toyota - Auto Repair Muncie (Private)
 PZ-19-20
 12/9/19
 10831 Manchester Rd.

Name	Organization
Amy Lowry	City of Kirkwood
Dan Van Fleet	Senior Manager Lou Fusz
Mark Mallinckrodt	P & Z
JAMES DIER	P & Z

BILL

ORDINANCE

AN ORDINANCE AMENDING THE PROVISIONS OF THE MUNICIPAL CODE, APPENDIX A – ZONING, REGARDING THE ADDITION OF A NEW SPECIAL USE CATEGORY (MOTOR VEHICLE REPAIR SHOPS, MINOR [PRIVATE]) IN THE B-3, HIGHWAY BUSINESS DISTRICT AND INCLUDING SAID NEW CATEGORY IN THE DEFINITION SECTION AND PARKING SECTIONS ACCORDINGLY.

WHEREAS, Dan Van Fleet made application (PZ-17-20) for text amendments to the Zoning Code related to the addition of a new special use category (Motor Vehicle Repair Shops, Minor [Private]) in the B-3 District; and

WHEREAS, the Planning and Zoning Commission did on the 15th day of January, 2020, by adopting the subcommittee report dated January 15, 2020 (attached hereto and incorporated by reference herein), recommend the approval of said Zoning Code text amendment; and

WHEREAS, on the 6th day of February, 2020, the City Council did hold a public hearing with respect to such amendments to the Zoning Code after duly advertising and giving proper notice of such hearing.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. That the City of Kirkwood Municipal Code of Ordinances, Appendix A – Zoning, is hereby amended by including a new definition in Section A-140 with the following language:

Motor vehicle repair shops, minor (private) - An establishment whose principal business activity includes incidental repairs, replacement of parts, and motor service to motor vehicles, but not including an operation specified under “Motor vehicle repair, major”. Said facility must be operated by an automotive dealership that is owned and operated within the city limits of Kirkwood. Said facility shall provide services only to vehicles owned by said automotive dealership and shall not be open to the public.

SECTION 2. That the City of Kirkwood Municipal Code of Ordinances, Appendix A – Zoning, is hereby amended by including the following new Special Use Category in the B-3, Highway Business District in Section A-520.3:

“Motor vehicle repair shops, minor (private)”

SECTION 3. That the City of Kirkwood Municipal Code of Ordinances, Appendix A – Zoning, is hereby amended by including a new parking category and requirement to “Table 1000-1, Parking Requirements (Except Downtown Master Plan Study Area)” in Section A-1000.4:

Motor vehicle repair shops, minor (private) – Two (2) spaces per service bay/lift plus one (1) space per employee on the maximum shift.

SECTION 4. This ordinance shall be in full force and effect after its passage and approval, as provided by law.

PASSED AND APPROVED THIS ____ day of _____, 2020.

Mayor, City of Kirkwood

ATTEST:

City Clerk

Public Hearing:

1ST Reading:

2nd Reading:

Legislation Request

Ordinance

Place On The Agenda Of: 2/6/2020

Step #1:

Strategic Plan NO Goal # & Title

Background To Issue:

Lou Fusz Toyota currently has a car-wash/detailing operation that serves their dealer-owned vehicles located at the property at 10831 Manchester Road. This was approved in 2016 as a Special Use Permit (Ord 10338). The business is now requesting the ability to do minor auto repair on their dealer-owned vehicles. The proposed site does not meet the minimum lot size or parking requirements that are required for Minor Vehicle Repair Shops in our current code; however, they have proposed a new special use category that reflects the unique characteristics of their operation. This is focused on the fact that the repair shop would not be open to the public, but would rather be solely for servicing of their dealer-owned vehicles and would only be accessed by their employees.

This request includes two ordinances: one for the various text amendments, and another to issue the special use permit at the proposed location. Two separate legislation requests will be submitted. Additional information can be found in the attached P&Z Subcommittee Report.

Recommendations and Action Requested:

The P&Z Commission recommended approval of both requests by a vote of 8-0. A public hearing for both the text amendments and SUP are requested followed by consideration by the City Council.

Alternatives Available:

Does this project have a public information component? Yes No

Cost: \$0.00 Account #: 0 Project #: Budgeted: YES
If YES, Budgeted Amount: \$0.00 If NO, or if insufficient funding (Complete Step #3).

Department Head Comments:

BY: Jonathan Raiche

Date: 1/30/2020

Authenticated: raichejd

You can attach up to 3 files along with this request.



2020-01-06 PZ-17-20 CC Plans
& Ord 10338.pdf
Adobe Acrobat Document
1.42 MB



2020-01-06 PZ-17-20 Report
APPROVED.pdf
Adobe Acrobat Document
3.82 MB



2020-02-06 PZ-17-20
OrdinanceA.doc
Microsoft Word 97 - 2003
Document
31.0 KB

Step #2: If request involves approval of bids, contracts, proposals, purchases, etc. **(Must have Purchasing Director's approval).**

Select...

Purchasing Director's Comments:

BY: Select...

Date:

Authenticated:

You can attach up to 3 files along with this request.

File Attachment

File Attachment

File Attachment

Step #3: If budgetary approval is required **(Must have Finance Department's approval).**

Select...

From Account # or Fund Name:

To Account # or Fund Name:

Finance Director's Comments:

BY: Select...

Date:

Authenticated:

Step #4: All Requests Require Chief Administrative Officer Approval for Placement on Meeting Agenda.

Approve Disapprove

Chief Administrative Officer's Comments:

BY:



Date:

2-3-20

BILL 10489

ORDINANCE 10338

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A CAR WASH (LOU FUSZ TOYOTA) ON THE PROPERTY KNOWN AS 10831 MANCHESTER ROAD SUBJECT TO CERTAIN CONDITIONS.

WHEREAS, Lou Fusz Toyota made application (PZ-17-16) for a special use permit for a car wash (Lou Fusz Toyota) on the property known as 10831 Manchester Road; and

WHEREAS, the Planning and Zoning Commission did on the 16th day of March, 2016, by adopting the subcommittee report dated March 16, 2016, (attached hereto and incorporated by reference herein), recommend the granting of said special use permit subject to certain conditions and did find that granting of said permit would not substantially increase traffic hazards or congestion, would not substantially increase fire hazards, would not adversely affect the character of the neighborhood, would not adversely affect the general welfare of the community, and would not overtax public utilities, and that granting such permit would be consistent with the zoning laws; and

WHEREAS, the Council did on the 5th day of May, 2016, hold a public hearing with respect to the special use permit after duly advertising and giving proper notice of such hearing and does find that the granting of such permit, subject to certain conditions, would not substantially increase traffic hazards or congestion, would not substantially increase fire hazards, would not adversely affect the character of the neighborhood, would not adversely affect the general welfare of the community, and would not overtax public utilities; and

WHEREAS, the Council does further find that the general welfare requires that such permit be subject to the conditions hereinafter set out.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. A special use permit for a car wash is hereby granted on the property known as 10831 Manchester Road subject to the following conditions:

1. This Special Use Permit for a car wash use is limited to the interior of the building located on property known as 10831 Manchester Road.
2. Vehicles shall not be stored outdoors on the premises for longer than two (2) business days.
3. The accessible parking space shall be designated as reserved by a blue sign showing the universal symbol of accessibility in white mounted seven (7) feet above the finished grade of the parking surface and further be designated with an additional placard that states "Lift Van Accessible". Additionally, the reserved parking signs shall include the phrase "\$50 to \$300 Fine". The existing parking spaces adjacent to the building shall be re-stripped so that a minimum 8 foot wide access aisle is provided for the lift van accessible space.
4. Wheel stops shall be provided for all parking spaces.
5. The attached, outdoor building lights shall be converted to full-cutoff, wall-mounted fixtures and any new lighting used to illuminate the site shall be designed in accordance with Zoning Code Section A-1040.

6. The landscaping area on the north side of the property shall be remediated at the direction of the Building Commissioner to satisfy property maintenance standards.
7. The wood fence on the northeast corner of the property shall be replaced with a new wood fence in accordance with Chapter 5, Article 3 of the Kirkwood Code of Ordinances prior to the issuance of an occupancy permit.
8. Any new rooftop equipment, air-conditioning units, and mechanical equipment shall be completely screened from view of adjoining properties and public right-of-way.
9. The interior bathroom shall be reconstructed in accordance with the Kirkwood Building and Plumbing Code prior to the issuance of an occupancy permit.
10. An oil separator shall be installed in the motor vehicle wash area per the 2009 International Building Code.
11. The Architectural Review Board shall approve all signs prior to the issuance of a Sign Permit.

SECTION 2. The approval of this special use permit shall not authorize any person to unreasonably alter, increase, or redirect the surface water run off so as to cause harm to any person or property.

SECTION 3. The premises and improvements as approved by this special use permit shall be in good working order and maintained in good repair at all times.

SECTION 4. No parking of construction trailers, vehicles, material storage, equipment storage, nor construction equipment is authorized on the public streets at any time.

SECTION 5. The applicant by accepting and acting under the special use permit approval herein granted accepts the permit subject to the reservations, restrictions, and conditions set forth in the Code of Ordinances and in this Ordinance and agrees to comply with each provision subject to the penalties prescribed under Section 1-8 of the Code of Ordinances and subject to revocation of this permit in the event such provisions are not complied with.

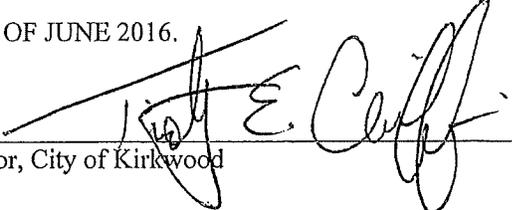
SECTION 6. The applicant further agrees by accepting and acting under this special use permit herein granted that this Ordinance does not grant applicant any special rights, privileges, or immunities

SECTION 7. This Ordinance shall become null and void in the event the petitioner does not obtain a building permit for the construction approved by this Ordinance within one year of the passage of this ordinance.

SECTION 8. The applicant and his successors and assigns by accepting and acting under the approval herein granted accepts the approval subject to the condition that failure to abate any violation of this approval or any provisions of the Code of Ordinances of the City of Kirkwood within five (5) days after notice by hand delivery or first-class mail shall result in an administrative investigation fee of \$500 due to the City of Kirkwood. An invoice shall be issued. A Stop Work Order to cease all work on the premises except such work as directed by the Public Services Director to abate the violation may be issued for any work on the premises until the investigation fee is paid in full. The City may demand payment of said fee from the holder of the letter of credit, any bond, or escrow if not paid within 30 days of the invoice.

SECTION 9. This ordinance shall be in full force and effect after its passage and approval, as provided by law.

PASSED AND APPROVED THIS 2ND DAY OF JUNE 2016.



Mayor, City of Kirkwood

ATTEST:



City Clerk

Public Hearing: May 5, 2016

1st Reading: May 19, 2016

2nd Reading: June 2, 2016

CITY OF KIRKWOOD
PLANNING AND ZONING COMMISSION
SUBCOMMITTEE REPORT
JANUARY 15, 2020

PETITION NUMBER: PZ-17-20

ACTION REQUESTED: AMENDMENTS TO CITY OF KIRKWOOD CODE OF ORDINANCES APPENDIX A: THE CITY OF KIRKWOOD ZONING CODE AS IT PERTAINS TO THE ADDITION OF A NEW SPECIAL USE CATEGORY (MOTOR VEHICLE REPAIR SHOPS, MINOR [PRIVATE]) IN THE B-3 DISTRICT AND TO THE DEFINITION AND PARKING SECTIONS ACCORDINGLY, SPECIFICALLY SECTIONS 520.3, 140.1, AND 1000.4

SPECIAL USE PERMIT – MOTOR VEHICLE REPAIR SHOPS, MINOR (PRIVATE)

PROPERTY OWNER: STANCORI LLC

APPLICANT: DAN VAN FLEET

PROPERTY LOCATION: 10831 MANCHESTER ROAD

ZONING: B-3, HIGHWAY BUSINESS DISTRICT

BACKGROUND/DESCRIPTION:

The applicant has submitted a multi-part application which includes the following items: 1) multiple text amendments to the Zoning Code to allow for a new Special Use category in the B-3 district, and 2) a Special Use Permit for the new category of “Motor Vehicle Repair, Minor (Private)” at the property known as 10831 Manchester Road.

The applicant is currently operating under a Special Use Permit for a Car Wash associated with Lou Fusz for the purpose of cleaning and detailing inventory vehicles for the dealership. The applicant now desires to expand those operations to include minor vehicle inspections and repair in addition to the car wash/detailing. The repairs would be restricted to inventory vehicles owned by their dealership; hence, the use of the word “private” for the new proposed use category. This business would not be open to the public for vehicle repairs and would thus not generate the same customer traffic or parking needs that are generated by vehicle repair shops that are open to the public.

The requested text amendments include adding the new use category as a Special Use in the B-3 District, defining said use category, and including a parking rate for said use category. The applicant has proposed the following language to define this use category:

Motor vehicle repair shops, minor (private) - An establishment whose principal business activity includes incidental repairs, replacement of parts, and motor service to motor vehicles, but not including an operation specified under “Motor vehicle repair, major”. Said facility must be operated by an automotive dealership that is owned and operated within the city limits of Kirkwood. Said

facility shall provide services only to vehicles owned by said automotive dealership and shall not be open to the public.

The applicant proposed a parking requirement of 2 parking spaces per service bay/lift plus 1 parking space per employee on the maximum shift. The proposed operation would require 10 spaces under these requirements while 16 spaces are provided on-site. The proposed hours of operation are 7am to 5pm.

COMPREHENSIVE PLAN, LAND USE AND ZONING:

The site is designated as Corridor Commercial on the EnVision Kirkwood 2035 Future Land Use Map. Development types discussed in this land use include regional/neighborhood commercial. The proposed development fits within this broad land-use category.

The subject property is zoned B-3, Highway Business District. The proposed use is not currently permitted in any zoning district; and therefore, the applicant is required to request a text amendment.

Surrounding land uses and zoning include the following:

- To the north: Properties are zoned R-4 and occupied by single-family residential uses.
- To the south: Across Manchester Road, properties are zoned B-3 with various commercial uses being conducted.
- To the east: Properties are zoned B-3 with various commercial uses being conducted.
- To the west: Properties are zoned B-3 with various commercial uses being conducted.

DISCUSSION:

A Zoning Matters sign was posted on the property on November 26, 2019. The request was introduced at the Planning & Zoning Commission meeting on December 4, 2019. An on-site subcommittee meeting was held on December 9, 2019 (See Exhibit B for a list of attendees). The subcommittee discussed the following items:

1. The service lift equipment has already been installed and required inspection.
2. No waiting room will be required since the operation is not open to the public.
3. All work required by the 2016 Special Use Permit has been completed including an oil separator that was installed for the car wash activities.
4. The typical sounds will include compressors and impact wrenches.
5. Two employees are anticipated.
6. The applicant indicated the on-site parking would accommodate their proposed operations and that overnight parking would be minimal with most cars being parked at the main facility overnight.

RECOMMENDATIONS:

The Subcommittee recommends that the following text amendments to the Zoning Code be **approved**:

1. Section A-140 be amended to include a new definition as follows:
Motor vehicle repair shops, minor (private) - An establishment whose principal business activity includes incidental repairs, replacement of parts, and motor service to motor vehicles, but not including an operation specified under "Motor vehicle repair, major". Said facility

must be operated by an automotive dealership that is owned and operated within the city limits of Kirkwood. Said facility shall provide services only to vehicles owned by said automotive dealership and shall not be open to the public.

2. Section A-520.3 be amended to include a new Special Use category for "Motor vehicle repair shops, minor (private)".
3. Section A-1000.4 be amended to include a new category and requirement into "Table 1000-1, Parking Requirements" as follows:

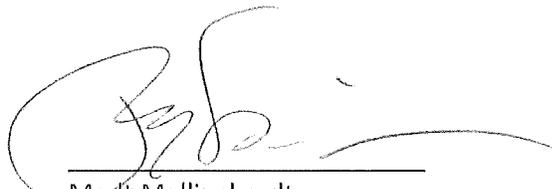
Motor vehicle repair shops, minor (private) – Two (2) spaces per service bay/lift plus one (1) space per employee on the maximum shift.

The Subcommittee recommends that the request for a Special Use Permit to operate a Motor Vehicle Repair Shop, Minor (Private) at the property of 10831 Manchester Road be approved with the following conditions:

1. All conditions of Ordinance 10338, granting approval for a Car Wash at the subject site, shall remain in effect.
2. Hours of operation shall be limited to 7am through 5pm, Monday through Friday.
3. Vehicles shall not be stored outdoors on the premises for longer than two business days.
4. The applicant shall comply with all standard conditions as listed in Exhibit A.

Respectfully submitted,

James Diel



Madt Mallinckrodt

EXHIBIT A
STANDARD CONDITIONS

1. The premises and improvements as approved by this Special Use Permit shall be in good working order and maintained in good repair at all times.
2. The applicant, by accepting and acting under the Special Use Permit approval granted, accepts the approval subject to the reservations, restrictions, and conditions set forth in the Code of Ordinances and in the report and agrees to comply with each provision subject to the penalties prescribed under Section 1-8 of the Code of Ordinances and subject to revocation of this approval in the event such provisions are not complied with.

PROCEDURE FOR PUBLIC HEARING

Mayor: At this time the council will recess to conduct a public hearing regarding:

A request for a Special Use Permit for Auto Repair, Minor (Private) for Lou Fusz Toyota at 10831 Manchester Road

Mayor: Mr. Hessel, do you wish to enter any exhibits into the record?

Mayor: Mr. Hawes, who will present this issue to the City Council?

City Planner Jonathan Raiche

Mayor: Georgia, has anyone completed a card to speak regarding this proposal?

Mayor: Is there anyone in the audience that did not complete a card that wishes to speak regarding this issue? (Please be sure to fill out a card before you leave so your name and address is reflected in the record)

Mayor: Hearing no further discussion, the council will take this matter under advisement and consider the hearing to be recessed.



St. Louis County

Legal Ledger

AFFIDAVIT OF PUBLICATION

State of Missouri

ss

County of St. Louis

Before the undersigned, a Notary Public of Jackson County, Missouri, duly commissioned, qualified and authorized by law to administer oaths, personally appeared

John Wingo

Publisher of the St. Louis County *Legal Ledger*, a daily newspaper of general circulation published in the County of St. Louis, Missouri, that he is authorized to make this affidavit and sworn statement; that the notice of

Notice of Public Hearing

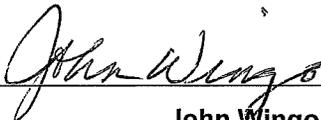
a true copy of which is attached hereto, was published in the St. Louis County *Legal Ledger*, on the following dates:

January 21, 2020

in volume **12**

and numbered **111**

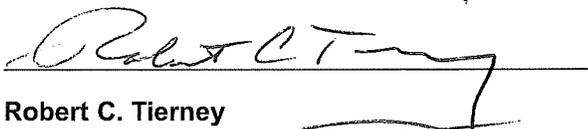
and that the said newspaper in which such notice, was published was, at the time of each and every such publication, a newspaper meeting the requirements and qualifications of Chapter 443, Revised Statutes of Missouri and Chapter 493 including Section 493.050



John Wingo

Sworn to and subscribed
before me this

January 21, 2020



Robert C. Tierney

Notary Public—Jackson County, State of Missouri
My Commission expires January 9, 2021
Commission No. 13433605



CITY OF KIRKWOOD NOTICE OF PUBLIC HEARING BEFORE THE CITY COUNCIL OF KIRKWOOD, MISSOURI

The Council of the City of Kirkwood will hold a public hearing in City Hall, 139 South Kirkwood Road, Kirkwood, Missouri at the hour of 7:00 p.m., Thursday, February 6, 2020 to consider the following:

1. *A request for amendments to the Zoning Code for Auto Repair, Minor (Private).*
2. *A request for a Special Use Permit for Auto Repair, Minor (Private) for Lou Fusz Toyota at 10831 Manchester Road.*

Laurie Asche, CMC/MRCC
City Clerk

The City of Kirkwood is interested in effective communication for all persons. Persons requiring an accommodation to attend and participate in the meeting should contact the City Clerk at 314-822-5802 at least 48 hours before the meeting. With advance notice of seven calendar days, the City of Kirkwood will provide interpreter services at public meetings for languages other than English and for the hearing impaired. Upon request, the minutes from this meeting can be made available in an alternate format, such as CD by calling 314-822-5802.

Published January 21, 2020

111

AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI
COUNTY OF ST. LOUIS

} S.S.

Page 1 of 1

Before the undersigned Notary Public personally appeared **Lisa Fowler** on behalf of **THE COUNTIAN, ST. LOUIS COUNTY** who, being duly sworn, attests that said newspaper is qualified under the provisions of Missouri law governing public notices to publish, and did so publish, the notice annexed hereto, starting with the **January 21, 2020** edition and ending with the **January 21, 2020** edition, for a total of 1 publications:

01/21/2020

CITY OF KIRKWOOD NOTICE OF PUBLIC HEARING BEFORE THE CITY COUNCIL OF KIRKWOOD, MISSOURI

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Laurie Asche, CMC/MRCC
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Lisa Fowler

Subscribed & sworn before me this 21st day of Jan., 2020
(SEAL)

Notary Public

CHANEL JONES
Notary Public - Notary Seal
State of Missouri
Commissioned for St Louis County
My Commission Expires: August 08, 2022
Commission Number: 14397721

NEWSPAPERS
TIMES
WEBSTER-KIRKWOOD TIMES
SOUTH COUNTY TIMES
WEST END WORD

AFFIDAVIT OF PUBLICATION

City of Kirkwood
Attn:
City Clerk
139 S. Kirkwood Rd.
Kirkwood, MO 63122

Laurie Asche

I, Terry Cassidy, verify that the attached Public Hearing
Notice was published in the Webster-Kirkwood Times on

January 24, 2020

Terry Cassidy
Advertising Consultant

Public Notice:

Zoning Amendment Auto Repair
Special Use Lou Fesz Toyota



**NOTICE OF
PUBLIC HEARING**
before the City Council
City of Kirkwood, MO

The Council of the City of Kirkwood will hold a public hearing in City Hall, 139 South Kirkwood Road, Kirkwood, Missouri at the hour of 7:00 p.m., Thursday, February 6, 2020 to consider the following:

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- 2. A request for a Special Use Permit for Auto Repair, Minor (Private) for Lou Fusz Toyota at 10831 Manchester Road.**

Laurie Asche, CMC/MRCC
City Clerk

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PROPERTY OWNER
1317 LOCKETT LANE
SAINT LOUIS, MO 63122

PROPERTY OWNER
160 DOORACK LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
154 DOORACK LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
148 DOORACK LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
122 MAPLE HILL LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
P.O. BOX 52427
ATLANTA, GA 30355

PROPERTY OWNER
19 BERKSHIRE DR
SAINT LOUIS, MO 63117

PROPERTY OWNER
19 WHEATLEY CT
CHESTERFIELD, MO 63005

PROPERTY OWNER
8922 MANCHESTER RD
SAINT LOUIS, MO 63144

PROPERTY OWNER
190 DOORACK LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
184 DOORACK LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
174 DOORACK LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
170 DOORACK LN
SAINT LOUIS, MO 63122

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164 DOORACK LN
SAINT LOUIS, MO 63122

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PROPERTY OWNER
177 DOORACK LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
181 DOORACK LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
187 DOORACK LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
625 LAVEN DEL LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
195 DOORACK LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
114 MAPLE HILL LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
120 MAPLE HILL LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
126 MAPLE HILL LN
SAINT LOUIS, MO 63122

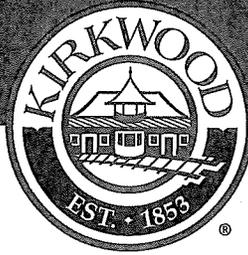
PROPERTY OWNER
130 MAPLE HILL LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
132 MAPLE HILL LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
136 MAPLE HILL LN
SAINT LOUIS, MO 63122

PROPERTY OWNER
10811 MANCHESTER RD
SAINT LOUIS, MO 63122

PROPERTY OWNER
15455 MANCHESTER RD, #3986
BALLWIN, MO 63022



WHERE COMMUNITY AND SPIRIT MEET

January 16, 2020

Russell B. Hawes
Chief Administrative Officer

At the January 15, 2020, meeting of the Planning and Zoning Commission, the following action was taken:

1. After a public hearing for an amendment to a B4 Development Plan for EZ Storage at 10461 Manchester Road, Commissioners O'Donnell, Diel, and Adkins were appointed to the Subcommittee. The Subcommittee will meet at City Hall on January 24 at 8 a.m.
2. The Commission recommended approval of amendments to the Zoning Code and a request for a Special Use Permit for Auto Repair, Minor (Private) submitted by Lou Fusz Toyota at 10831 Manchester Road.
3. The Commission recommended approval of a Special Use Permit for a restaurant with outdoor seating submitted by Teleo Coffee at 142 West Monroe Avenue.
4. After a presentation for a request for a Special Use Permit for a Physical Fitness Facility known as Burn Boot Camp at 10461 Manchester Road, Commissioners O'Donnell, Diel, and Adkins were appointed to the Subcommittee. The Subcommittee will meet at City Hall on January 24 at 8 a.m.
5. After a presentation for a request for a Special Use Permit for outdoor use at Schnucks at 10233 Manchester Road, Commissioners Drewel and Evens were appointed to the Subcommittee. The Subcommittee will meet on site January 21 at 8 a.m.
6. After a presentation for a request for a Final B4 Plan for a general retail building and a Special Use Permit for a Restaurant with a drive-thru, Commissioners O'Donnell, Diel, and Adkins were appointed to the Subcommittee. The Subcommittee will meet at City Hall on January 24 at 8 a.m.
7. After a presentation for a request for a Final B4 Plan for First Community Credit Union at 10357 Manchester Road, Commissioners O'Donnell, Diel, and Adkins were appointed to the Subcommittee. The Subcommittee will meet at City Hall on January 24 at 8 a.m.

8. After a presentation for a request to rezone R4 to B3, a Special Use Permit for a convenience/gas store, and a car wash for Petro Mart at 10921, 10935, and 10939 Manchester Road and 1113, 1119, 1120, 1121, 1123, and 1125 Earl Avenue, Commissioners Frick and Mallinckrodt were appointed to the Subcommittee. The Subcommittee will schedule a meeting at the site after the traffic study has been submitted.
9. Staff provided updates on development projects recently reviewed by the City Council.
10. A special meeting will be held by the Commission on January 29, 2020, at 6 p.m. regarding the re-write of the Zoning, Subdivision, and Sign Codes.

The next regular meeting will be held on February 5, 2020, at 7 p.m.

Respectfully submitted,

Allen Klippel, Chair
Planning and Zoning Commission

**CITY OF KIRKWOOD
PLANNING AND ZONING COMMISSION
SUBCOMMITTEE REPORT
JANUARY 15, 2020**

PETITION NUMBER: PZ-17-20

ACTION REQUESTED: AMENDMENTS TO CITY OF KIRKWOOD CODE OF ORDINANCES APPENDIX A: THE CITY OF KIRKWOOD ZONING CODE AS IT PERTAINS TO THE ADDITION OF A NEW SPECIAL USE CATEGORY (MOTOR VEHICLE REPAIR SHOPS, MINOR [PRIVATE]) IN THE B-3 DISTRICT AND TO THE DEFINITION AND PARKING SECTIONS ACCORDINGLY, SPECIFICALLY SECTIONS 520.3, 140.1, AND 1000.4

SPECIAL USE PERMIT – MOTOR VEHICLE REPAIR SHOPS, MINOR (PRIVATE)

PROPERTY OWNER: STANCORI LLC

APPLICANT: DAN VAN FLEET

PROPERTY LOCATION: 10831 MANCHESTER ROAD

ZONING: B-3, HIGHWAY BUSINESS DISTRICT

BACKGROUND/DESCRIPTION:

The applicant has submitted a multi-part application which includes the following items: 1) multiple text amendments to the Zoning Code to allow for a new Special Use category in the B-3 district, and 2) a Special Use Permit for the new category of “Motor Vehicle Repair, Minor (Private)” at the property known as 10831 Manchester Road.

The applicant is currently operating under a Special Use Permit for a Car Wash associated with Lou Fusz for the purpose of cleaning and detailing inventory vehicles for the dealership. The applicant now desires to expand those operations to include minor vehicle inspections and repair in addition to the car wash/detailing. The repairs would be restricted to inventory vehicles owned by their dealership; hence, the use of the word “private” for the new proposed use category. This business would not be open to the public for vehicle repairs and would thus not generate the same customer traffic or parking needs that are generated by vehicle repair shops that are open to the public.

The requested text amendments include adding the new use category as a Special Use in the B-3 District, defining said use category, and including a parking rate for said use category. The applicant has proposed the following language to define this use category:

Motor vehicle repair shops, minor (private) - An establishment whose principal business activity includes incidental repairs, replacement of parts, and motor service to motor vehicles, but not including an operation specified under “Motor vehicle repair, major”. Said facility must be operated by an automotive dealership that is owned and operated within the city limits of Kirkwood. Said

facility shall provide services only to vehicles owned by said automotive dealership and shall not be open to the public.

The applicant proposed a parking requirement of 2 parking spaces per service bay/lift plus 1 parking space per employee on the maximum shift. The proposed operation would require 10 spaces under these requirements while 16 spaces are provided on-site. The proposed hours of operation are 7am to 5pm.

COMPREHENSIVE PLAN, LAND USE AND ZONING:

The site is designated as Corridor Commercial on the EnVision Kirkwood 2035 Future Land Use Map. Development types discussed in this land use include regional/neighborhood commercial. The proposed development fits within this broad land-use category.

The subject property is zoned B-3, Highway Business District. The proposed use is not currently permitted in any zoning district; and therefore, the applicant is required to request a text amendment.

Surrounding land uses and zoning include the following:

- To the north: Properties are zoned R-4 and occupied by single-family residential uses.
- To the south: Across Manchester Road, properties are zoned B-3 with various commercial uses being conducted.
- To the east: Properties are zoned B-3 with various commercial uses being conducted.
- To the west: Properties are zoned B-3 with various commercial uses being conducted.

DISCUSSION:

A Zoning Matters sign was posted on the property on November 26, 2019. The request was introduced at the Planning & Zoning Commission meeting on December 4, 2019. An on-site subcommittee meeting was held on December 9, 2019 (See Exhibit B for a list of attendees). The subcommittee discussed the following items:

1. The service lift equipment has already been installed and required inspection.
2. No waiting room will be required since the operation is not open to the public.
3. All work required by the 2016 Special Use Permit has been completed including an oil separator that was installed for the car wash activities.
4. The typical sounds will include compressors and impact wrenches.
5. Two employees are anticipated.
6. The applicant indicated the on-site parking would accommodate their proposed operations and that overnight parking would be minimal with most cars being parked at the main facility overnight.

RECOMMENDATIONS:

The Subcommittee recommends that the following text amendments to the Zoning Code be ***approved:***

1. Section A-140 be amended to include a new definition as follows:

Motor vehicle repair shops, minor (private) - An establishment whose principal business activity includes incidental repairs, replacement of parts, and motor service to motor vehicles, but not including an operation specified under "Motor vehicle repair, major". Said facility

must be operated by an automotive dealership that is owned and operated within the city limits of Kirkwood. Said facility shall provide services only to vehicles owned by said automotive dealership and shall not be open to the public.

2. Section A-520.3 be amended to include a new Special Use category for "Motor vehicle repair shops, minor (private)".
3. Section A-1000.4 be amended to include a new category and requirement into "Table 1000-1, Parking Requirements" as follows:

Motor vehicle repair shops, minor (private) – Two (2) spaces per service bay/lift plus one (1) space per employee on the maximum shift.

The Subcommittee recommends that the request for a Special Use Permit to operate a Motor Vehicle Repair Shop, Minor (Private) at the property of 10831 Manchester Road be approved with the following conditions:

1. All conditions of Ordinance 10338, granting approval for a Car Wash at the subject site, shall remain in effect.
2. Hours of operation shall be limited to 7am through 5pm, Monday through Friday.
3. Vehicles shall not be stored outdoors on the premises for longer than two business days.
4. The applicant shall comply with all standard conditions as listed in Exhibit A.

Respectfully submitted,

James Diel



Matt Mallinckrodt

EXHIBIT A
STANDARD CONDITIONS

1. The premises and improvements as approved by this Special Use Permit shall be in good working order and maintained in good repair at all times.
2. The applicant, by accepting and acting under the Special Use Permit approval granted, accepts the approval subject to the reservations, restrictions, and conditions set forth in the Code of Ordinances and in the report and agrees to comply with each provision subject to the penalties prescribed under Section 1-8 of the Code of Ordinances and subject to revocation of this approval in the event such provisions are not complied with.

**EXHIBIT B
Subcommittee Meeting Attendees**

P&Z Subcommittee Meeting
 Project:
 Date:
 Location:

Low Fusz Toyota - Auto Repair Minor (Private)
 PZ-17-20
 12/9/19
 10831 Manchester Rd.

Name	Organization
Amy Lowry	City of Kirkwood
Dan Van Fleet	Senior Mayor Lou Fusz
Mark Mallinckrodt	P & Z
JAMES DIER	P & Z

BILL

ORDINANCE

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR MOTOR VEHICLE REPAIR SHOP, MINOR (PRIVATE) AT 10831 MANCHESTER ROAD SUBJECT TO CERTAIN CONDITIONS.

WHEREAS, Dan Van Fleet made application (PZ-17-20) for a Special Use Permit to operate a Motor Vehicle Repair Shop, Minor (Private) at 10831 Manchester Road; and

WHEREAS, the Planning and Zoning Commission did on the 15th day of January, 2020, by adopting the subcommittee report dated January 15, 2020 (attached hereto and incorporated by reference herein), recommend the granting of said Special Use Permit subject to certain conditions, and did find that granting of said permit would not substantially increase traffic hazards or congestion, would not substantially increase fire hazards, would not adversely affect the character of the neighborhood, would not adversely affect the general welfare of the community, and would not overtax public utilities, and that granting such permit would be consistent with the zoning laws; and

WHEREAS, the Council did on the 6th day of February, 2020, hold a public hearing with respect to such application after duly advertising and giving proper notice of such hearing, and does find that the granting of such permit, subject to certain conditions, would not substantially increase traffic hazards or congestion, would not substantially increase fire hazards, would not adversely affect the character of the neighborhood, would not adversely affect the general welfare of the community, and would not overtax public utilities; and

WHEREAS, the Council does further find that the general welfare requires that such permit be subject to the conditions hereinafter set out.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. A Special Use Permit is hereby granted for a Motor Vehicle Repair Shop, Minor (Private) at 10831 Manchester Road subject to the following conditions:

1. All conditions of Ordinance 10338, granting approval for a Car Wash at the subject site, shall remain in effect.
2. Hours of operation shall be limited to 7am through 5pm, Monday through Friday.
3. Vehicles shall not be stored outdoors on the premises for longer than two business days.

SECTION 2. The approval of this special use permit shall not authorize any person to unreasonably alter, increase, or redirect the surface water run off so as to cause harm to any person or property.

SECTION 3. The premises and improvements as approved by this Special Use Permit shall be in good working order and maintained in good repair at all times.

SECTION 4. The applicant, by accepting and acting under the Special Use Permit herein granted, accepts the permit subject to the reservations, restrictions, and conditions set forth in the Code of Ordinances and in this ordinance and agrees to comply with each provision subject to the penalties prescribed under Section 1-8 of the Code of Ordinances and subject to revocation of this permit in the event such provisions are not complied with.

SECTION 5. The applicant and his successors and assigns, by accepting and acting under the approval herein granted, accepts the approval subject to the condition that failure to abate any violation of this approval or any provisions of the Code of Ordinances of the City of Kirkwood within five (5) days after notice by hand delivery or first-class mail shall result in an administrative investigation fee of \$500 due to the City of Kirkwood. An invoice shall be issued. A Stop Work Order to cease all work on the premises except such work as directed by the Public Services Director to abate the violation may be issued for any work on the premises until the investigation fee is paid in full. The City may demand payment of said fee from the holder of the letter of credit, any bond, or escrow if not paid within 30 days of the invoice.

SECTION 6. The applicant further agrees by accepting and acting under this Special Use Permit herein granted that this ordinance does not grant applicant any special rights, privileges, or immunities.

SECTION 7. This ordinance shall become null and void in the event the petitioner does not obtain a building permit for the construction approved by this ordinance within one year of the passage of this ordinance.

SECTION 8. This ordinance shall be in full force and effect after its passage and approval, as provided by law.

PASSED AND APPROVED THIS ___ day of _____, 2020.

Mayor, City of Kirkwood

ATTEST:

City Clerk

Introduced:
1st Reading:
2nd Reading:

Legislation Request

Ordinance

Place On The Agenda Of: 2/6/2020

Step #1:

Strategic Plan NO Goal # & Title

Background To Issue:

Lou Fusz Toyota currently has a car-wash/detailing operation that serves their dealer-owned vehicles located at the property at 10831 Manchester Road. This was approved in 2016 as a Special Use Permit (Ord 10338). The business is now requesting the ability to do minor auto repair on their dealer-owned vehicles. The proposed site does not meet the minimum lot size or parking requirements that are required for Minor Vehicle Repair Shops in our current code; however, they have proposed a new special use category that reflects the unique characteristics of their operation. This is focused on the fact that the repair shop would not be open to the public, but would rather be solely for servicing of their dealer-owned vehicles and would only be accessed by their employees.

This request includes two ordinances: one for the various text amendments, and another to issue the special use permit at the proposed location. Two separate legislation requests will be submitted. Additional information can be found in the attached P&Z Subcommittee Report.

Recommendations and Action Requested:

The P&Z Commission recommended approval of both requests by a vote of 8-0. A public hearing for both the text amendments and SUP are requested followed by consideration by the City Council.

Alternatives Available:

Does this project have a public information component? Yes No

Cost: \$0.00 Account #: 0 Project #: Budgeted: YES
If YES, Budgeted Amount: \$0.00 If NO, or if insufficient funding (Complete Step #3).

Department Head Comments:

BY: Jonathan Raiche

Date: 1/30/2020

Authenticated: raichejd

You can attach up to 3 files along with this request.


2020-01-06 PZ-17-20 CC Plans
& Ord 10338.pdf
Adobe Acrobat Document
1.42 MB


2020-01-06 PZ-17-20 Report
APPROVED.pdf
Adobe Acrobat Document
3.82 MB


2020-02-06 PZ-17-20
OrdinanceB.doc
Microsoft Word 97 - 2003
Document
39.5 KB

Step #2: If request involves approval of bids, contracts, proposals, purchases, etc. **(Must have Purchasing Director's approval).**

Select...

Purchasing Director's Comments:

BY: Select...

Date:

Authenticated:

You can attach up to 3 files along with this request.

 File Attachment

 File Attachment

 File Attachment

Step #3: If budgetary approval is required **(Must have Finance Department's approval).**

Select...

From Account # or Fund Name:

To Account # or Fund Name:

Finance Director's Comments:

BY: Select...

Date:

Authenticated:

Step #4: All Requests Require Chief Administrative Officer Approval for Placement on Meeting Agenda.



Approve



Disapprove

Chief Administrative Officer's Comments:

BY:



Date:

2-3-20

BILL 10489

ORDINANCE 10338

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A CAR WASH (LOU FUSZ TOYOTA) ON THE PROPERTY KNOWN AS 10831 MANCHESTER ROAD SUBJECT TO CERTAIN CONDITIONS.

WHEREAS, Lou Fusz Toyota made application (PZ-17-16) for a special use permit for a car wash (Lou Fusz Toyota) on the property known as 10831 Manchester Road; and

WHEREAS, the Planning and Zoning Commission did on the 16th day of March, 2016, by adopting the subcommittee report dated March 16, 2016, (attached hereto and incorporated by reference herein), recommend the granting of said special use permit subject to certain conditions and did find that granting of said permit would not substantially increase traffic hazards or congestion, would not substantially increase fire hazards, would not adversely affect the character of the neighborhood, would not adversely affect the general welfare of the community, and would not overtax public utilities, and that granting such permit would be consistent with the zoning laws; and

WHEREAS, the Council did on the 5th day of May, 2016, hold a public hearing with respect to the special use permit after duly advertising and giving proper notice of such hearing and does find that the granting of such permit, subject to certain conditions, would not substantially increase traffic hazards or congestion, would not substantially increase fire hazards, would not adversely affect the character of the neighborhood, would not adversely affect the general welfare of the community, and would not overtax public utilities; and

WHEREAS, the Council does further find that the general welfare requires that such permit be subject to the conditions hereinafter set out.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. A special use permit for a car wash is hereby granted on the property known as 10831 Manchester Road subject to the following conditions:

1. This Special Use Permit for a car wash use is limited to the interior of the building located on property known as 10831 Manchester Road.
2. Vehicles shall not be stored outdoors on the premises for longer than two (2) business days.
3. The accessible parking space shall be designated as reserved by a blue sign showing the universal symbol of accessibility in white mounted seven (7) feet above the finished grade of the parking surface and further be designated with an additional placard that states "Lift Van Accessible". Additionally, the reserved parking signs shall include the phrase "\$50 to \$300 Fine". The existing parking spaces adjacent to the building shall be re-stripped so that a minimum 8 foot wide access aisle is provided for the lift van accessible space.
4. Wheel stops shall be provided for all parking spaces.
5. The attached, outdoor building lights shall be converted to full-cutoff, wall-mounted fixtures and any new lighting used to illuminate the site shall be designed in accordance with Zoning Code Section A-1040.

6. The landscaping area on the north side of the property shall be remediated at the direction of the Building Commissioner to satisfy property maintenance standards.
7. The wood fence on the northeast corner of the property shall be replaced with a new wood fence in accordance with Chapter 5, Article 3 of the Kirkwood Code of Ordinances prior to the issuance of an occupancy permit.
8. Any new rooftop equipment, air-conditioning units, and mechanical equipment shall be completely screened from view of adjoining properties and public right-of-way.
9. The interior bathroom shall be reconstructed in accordance with the Kirkwood Building and Plumbing Code prior to the issuance of an occupancy permit.
10. An oil separator shall be installed in the motor vehicle wash area per the 2009 International Building Code.
11. The Architectural Review Board shall approve all signs prior to the issuance of a Sign Permit.

SECTION 2. The approval of this special use permit shall not authorize any person to unreasonably alter, increase, or redirect the surface water run off so as to cause harm to any person or property.

SECTION 3. The premises and improvements as approved by this special use permit shall be in good working order and maintained in good repair at all times.

SECTION 4. No parking of construction trailers, vehicles, material storage, equipment storage, nor construction equipment is authorized on the public streets at any time.

SECTION 5. The applicant by accepting and acting under the special use permit approval herein granted accepts the permit subject to the reservations, restrictions, and conditions set forth in the Code of Ordinances and in this Ordinance and agrees to comply with each provision subject to the penalties prescribed under Section 1-8 of the Code of Ordinances and subject to revocation of this permit in the event such provisions are not complied with.

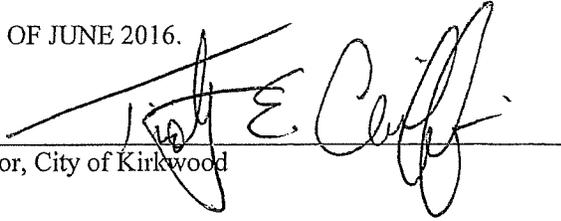
SECTION 6. The applicant further agrees by accepting and acting under this special use permit herein granted that this Ordinance does not grant applicant any special rights, privileges, or immunities

SECTION 7. This Ordinance shall become null and void in the event the petitioner does not obtain a building permit for the construction approved by this Ordinance within one year of the passage of this ordinance.

SECTION 8. The applicant and his successors and assigns by accepting and acting under the approval herein granted accepts the approval subject to the condition that failure to abate any violation of this approval or any provisions of the Code of Ordinances of the City of Kirkwood within five (5) days after notice by hand delivery or first-class mail shall result in an administrative investigation fee of \$500 due to the City of Kirkwood. An invoice shall be issued. A Stop Work Order to cease all work on the premises except such work as directed by the Public Services Director to abate the violation may be issued for any work on the premises until the investigation fee is paid in full. The City may demand payment of said fee from the holder of the letter of credit, any bond, or escrow if not paid within 30 days of the invoice.

SECTION 9: This ordinance shall be in full force and effect after its passage and approval, as provided by law.

PASSED AND APPROVED THIS 2ND DAY OF JUNE 2016.



Mayor, City of Kirkwood

ATTEST:



City Clerk

Public Hearing: May 5, 2016

1st Reading: May 19, 2016

2nd Reading: June 2, 2016

CITY OF KIRKWOOD
PLANNING AND ZONING COMMISSION
SUBCOMMITTEE REPORT
JANUARY 15, 2020

PETITION NUMBER: PZ-17-20

ACTION REQUESTED: AMENDMENTS TO CITY OF KIRKWOOD CODE OF ORDINANCES APPENDIX A: THE CITY OF KIRKWOOD ZONING CODE AS IT PERTAINS TO THE ADDITION OF A NEW SPECIAL USE CATEGORY (MOTOR VEHICLE REPAIR SHOPS, MINOR [PRIVATE]) IN THE B-3 DISTRICT AND TO THE DEFINITION AND PARKING SECTIONS ACCORDINGLY, SPECIFICALLY SECTIONS 520.3, 140.1, AND 1000.4

SPECIAL USE PERMIT – MOTOR VEHICLE REPAIR SHOPS, MINOR (PRIVATE)

PROPERTY OWNER: STANCORI LLC

APPLICANT: DAN VAN FLEET

PROPERTY LOCATION: 10831 MANCHESTER ROAD

ZONING: B-3, HIGHWAY BUSINESS DISTRICT

BACKGROUND/DESCRIPTION:

The applicant has submitted a multi-part application which includes the following items: 1) multiple text amendments to the Zoning Code to allow for a new Special Use category in the B-3 district, and 2) a Special Use Permit for the new category of "Motor Vehicle Repair, Minor (Private)" at the property known as 10831 Manchester Road.

The applicant is currently operating under a Special Use Permit for a Car Wash associated with Lou Fusz for the purpose of cleaning and detailing inventory vehicles for the dealership. The applicant now desires to expand those operations to include minor vehicle inspections and repair in addition to the car wash/detailing. The repairs would be restricted to inventory vehicles owned by their dealership; hence, the use of the word "private" for the new proposed use category. This business would not be open to the public for vehicle repairs and would thus not generate the same customer traffic or parking needs that are generated by vehicle repair shops that are open to the public.

The requested text amendments include adding the new use category as a Special Use in the B-3 District, defining said use category, and including a parking rate for said use category. The applicant has proposed the following language to define this use category:

Motor vehicle repair shops, minor (private) - An establishment whose principal business activity includes incidental repairs, replacement of parts, and motor service to motor vehicles, but not including an operation specified under "Motor vehicle repair, major". Said facility must be operated by an automotive dealership that is owned and operated within the city limits of Kirkwood. Said

facility shall provide services only to vehicles owned by said automotive dealership and shall not be open to the public.

The applicant proposed a parking requirement of 2 parking spaces per service bay/lift plus 1 parking space per employee on the maximum shift. The proposed operation would require 10 spaces under these requirements while 16 spaces are provided on-site. The proposed hours of operation are 7am to 5pm.

COMPREHENSIVE PLAN, LAND USE AND ZONING:

The site is designated as Corridor Commercial on the EnVision Kirkwood 2035 Future Land Use Map. Development types discussed in this land use include regional/neighborhood commercial. The proposed development fits within this broad land-use category.

The subject property is zoned B-3, Highway Business District. The proposed use is not currently permitted in any zoning district; and therefore, the applicant is required to request a text amendment.

Surrounding land uses and zoning include the following:

- To the north: Properties are zoned R-4 and occupied by single-family residential uses.
- To the south: Across Manchester Road, properties are zoned B-3 with various commercial uses being conducted.
- To the east: Properties are zoned B-3 with various commercial uses being conducted.
- To the west: Properties are zoned B-3 with various commercial uses being conducted.

DISCUSSION:

A Zoning Matters sign was posted on the property on November 26, 2019. The request was introduced at the Planning & Zoning Commission meeting on December 4, 2019. An on-site subcommittee meeting was held on December 9, 2019 (See Exhibit B for a list of attendees). The subcommittee discussed the following items:

1. The service lift equipment has already been installed and required inspection.
2. No waiting room will be required since the operation is not open to the public.
3. All work required by the 2016 Special Use Permit has been completed including an oil separator that was installed for the car wash activities.
4. The typical sounds will include compressors and impact wrenches.
5. Two employees are anticipated.
6. The applicant indicated the on-site parking would accommodate their proposed operations and that overnight parking would be minimal with most cars being parked at the main facility overnight.

RECOMMENDATIONS:

The Subcommittee recommends that the following text amendments to the Zoning Code be ***approved:***

1. Section A-140 be amended to include a new definition as follows:
Motor vehicle repair shops, minor (private) - An establishment whose principal business activity includes incidental repairs, replacement of parts, and motor service to motor vehicles, but not including an operation specified under "Motor vehicle repair, major". Said facility

must be operated by an automotive dealership that is owned and operated within the city limits of Kirkwood. Said facility shall provide services only to vehicles owned by said automotive dealership and shall not be open to the public.

2. Section A-520.3 be amended to include a new Special Use category for "Motor vehicle repair shops, minor (private)".
3. Section A-1000.4 be amended to include a new category and requirement into "Table 1000-1, Parking Requirements" as follows:

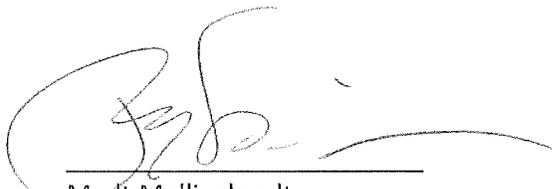
Motor vehicle repair shops, minor (private) – Two (2) spaces per service bay/lift plus one (1) space per employee on the maximum shift.

The Subcommittee recommends that the request for a Special Use Permit to operate a Motor Vehicle Repair Shop, Minor (Private) at the property of 10831 Manchester Road be approved with the following conditions:

1. All conditions of Ordinance 10338, granting approval for a Car Wash at the subject site, shall remain in effect.
2. Hours of operation shall be limited to 7am through 5pm, Monday through Friday.
3. Vehicles shall not be stored outdoors on the premises for longer than two business days.
4. The applicant shall comply with all standard conditions as listed in Exhibit A.

Respectfully submitted,

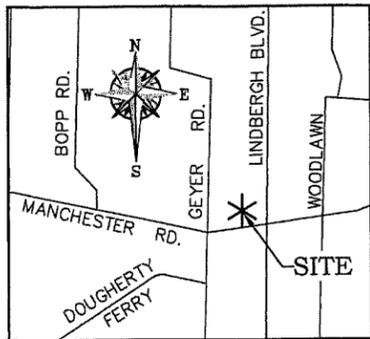
James Diel



Madt Mallinckrodt

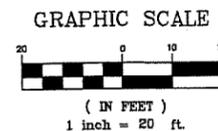
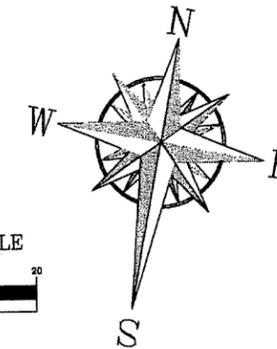
EXHIBIT A
STANDARD CONDITIONS

1. The premises and improvements as approved by this Special Use Permit shall be in good working order and maintained in good repair at all times.
2. The applicant, by accepting and acting under the Special Use Permit approval granted, accepts the approval subject to the reservations, restrictions, and conditions set forth in the Code of Ordinances and in the report and agrees to comply with each provision subject to the penalties prescribed under Section 1-8 of the Code of Ordinances and subject to revocation of this approval in the event such provisions are not complied with.

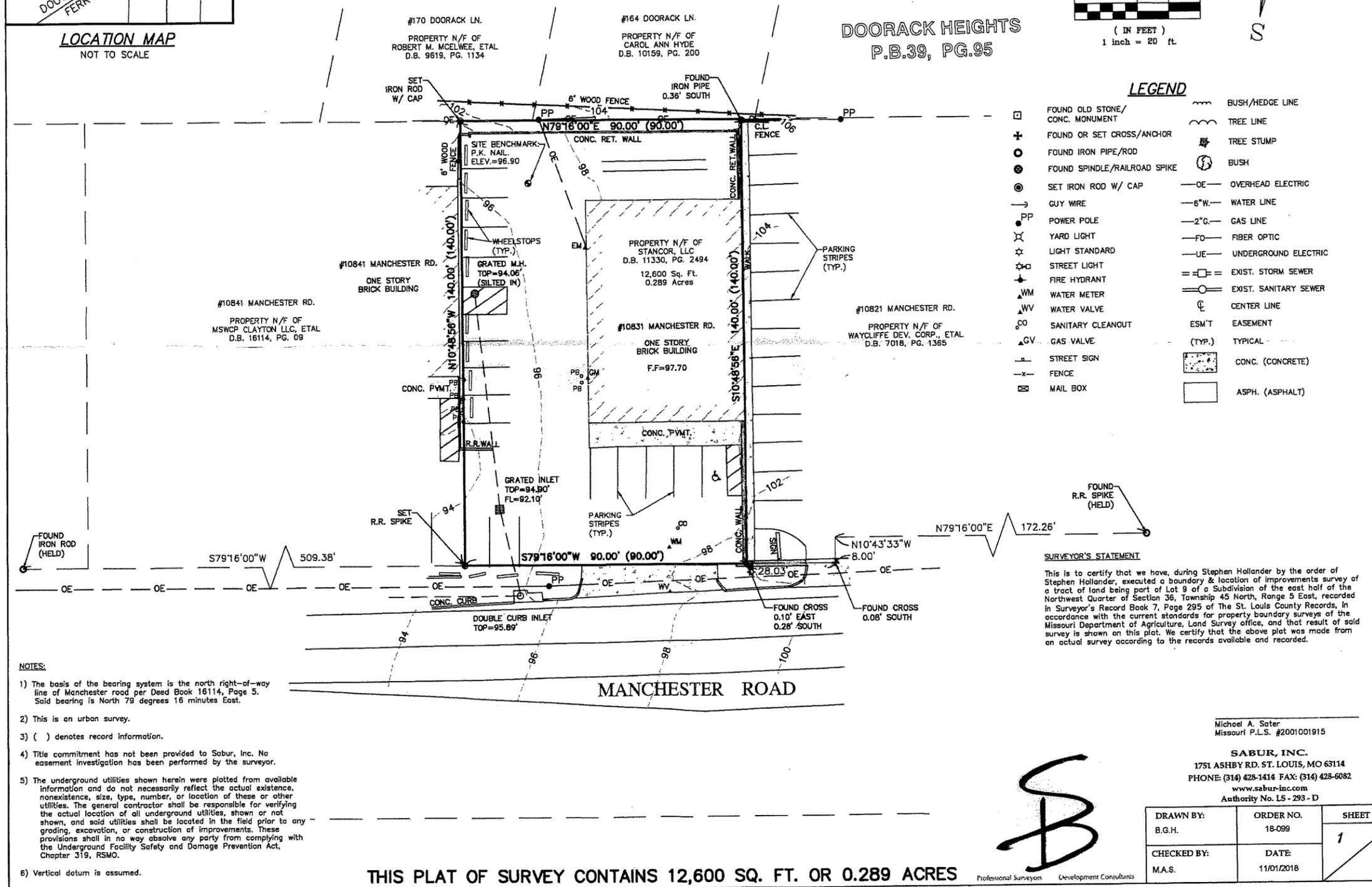


LOCATION MAP
NOT TO SCALE

**BOUNDARY & LOCATION OF IMPROVEMENTS SURVEY FOR
#10831 MANCHESTER ROAD**
A TRACT OF LAND BEING PART OF LOT 9 OF A SUBDIVISION OF
THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 36,
TOWNSHIP 45 NORTH, RANGE 5 EAST, ACCORDING TO PLAT RECORDED IN
SURVEYOR'S RECORD BOOK 7, PAGE 295 OF THE ST. LOUIS COUNTY RECORDS
CITY OF KIRKWOOD, ST. LOUIS COUNTY, MISSOURI



DOORACK HEIGHTS
P.B.39, PG.95



LEGEND

- | | | | |
|-----|------------------------------------|--------|-----------------------|
| □ | FOUND OLD STONE/
CONC. MONUMENT | ~ | BUSH/HEDGE LINE |
| + | FOUND OR SET CROSS/ANCHOR | ~ | TREE LINE |
| ○ | FOUND IRON PIPE/ROD | ⊗ | TREE STUMP |
| ⊙ | FOUND SPINDLE/RAILROAD SPIKE | ⊗ | BUSH |
| ⊙ | SET IRON ROD W/ CAP | —OE— | OVERHEAD ELECTRIC |
| — | GUY WIRE | —6"W— | WATER LINE |
| PP | POWER POLE | —2"G— | GAS LINE |
| ⊗ | YARD LIGHT | —FO— | FIBER OPTIC |
| ☆ | LIGHT STANDARD | —UE— | UNDERGROUND ELECTRIC |
| ⊙ | STREET LIGHT | == | EXIST. STORM SEWER |
| ⊕ | FIRE HYDRANT | —O— | EXIST. SANITARY SEWER |
| WM | WATER METER | ⊕ | CENTER LINE |
| WV | WATER VALVE | ⊕ | ESM'T |
| ⊕ | SANITARY CLEANOUT | (TYP.) | TYPICAL |
| ⊕ | GAS VALVE | ▨ | CONC. (CONCRETE) |
| — | STREET SIGN | □ | ASPH. (ASPHALT) |
| —x— | FENCE | | |
| ⊕ | MAIL BOX | | |

SURVEYOR'S STATEMENT

This is to certify that we have, during Stephen Hollander by the order of Stephen Hollander, executed a boundary & location of improvements survey of a tract of land being part of Lot 9 of a Subdivision of the east half of the Northwest Quarter of Section 36, Township 45 North, Range 5 East, recorded in Surveyor's Record Book 7, Page 295 of The St. Louis County Records, in accordance with the current standards for property boundary surveys of the Missouri Department of Agriculture, Land Survey office, and that result of said survey is shown on this plat. We certify that the above plot was made from an actual survey according to the records available and recorded.

NOTES:

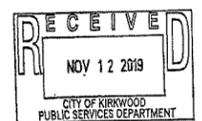
- 1) The basis of the bearing system is the north right-of-way line of Manchester road per Deed Book 16114, Page 5. Said bearing is North 79 degrees 16 minutes East.
- 2) This is an urban survey.
- 3) () denotes record information.
- 4) Title commitment has not been provided to Sabur, Inc. No easement investigation has been performed by the surveyor.
- 5) The underground utilities shown herein were plotted from available information and do not necessarily reflect the actual existence, nonexistence, size, type, number, or location of these or other utilities. The general contractor shall be responsible for verifying the actual location of all underground utilities, shown or not shown, and said utilities shall be located in the field prior to any grading, excavation, or construction of improvements. These provisions shall in no way absolve any party from complying with the Underground Facility Safety and Damage Prevention Act, Chapter 319, RSMO.
- 6) Vertical datum is assumed.

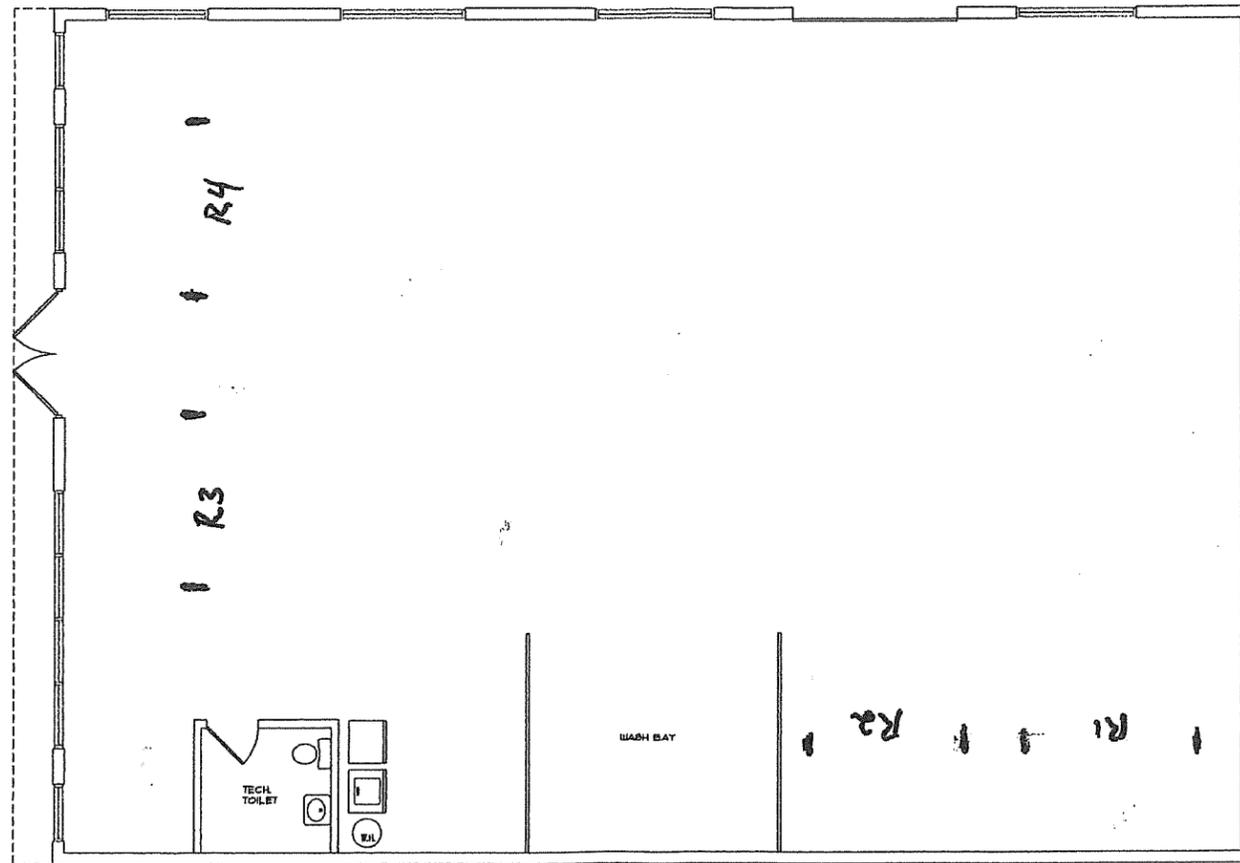
THIS PLAT OF SURVEY CONTAINS 12,600 SQ. FT. OR 0.289 ACRES



Michael A. Sater
Missouri P.L.S. #2001001915
SABUR, INC.
1751 ASHBY RD. ST. LOUIS, MO 63114
PHONE: (314) 428-1414 FAX: (314) 428-6082
www.sabur-inc.com
Authority No. LS - 293 - D

DRAWN BY: B.G.H.	ORDER NO. 18-099	SHEET 1
CHECKED BY: M.A.S.	DATE: 11/01/2018	1





1 FLOOR PLAN

RECEIVED
 NOV 12 2019
 CITY OF KIRKWOOD
 PUBLIC SERVICES DEPARTMENT

Lou Fusz Detail Building
 10831 Manchester Road
 Kirkwood, MO 63122

PROJECT NO.

REVISIONS
 NO. DATE ITEM

DATE
 November 21, 2019

SHEET TITLE
 Floor Plan

SHEET NO.

THE CONSENT AGENDA IS ATTACHED

- a) Approval of the January 16, 2020 City Council Meeting Minutes
- b) Resolution 10-2020, appointing Nancy Luetzow as the City of Kirkwood's representative to serve on the St. Louis County Council for the University of Missouri Extension for a term to March 1, 2022
- c) Resolution 11-2020, appointing Eugenia Webdell to the Human Rights Commission for a partial term to June 2021
- d) Resolution 12-2020, authorizing and directing the submittal of a "Surface Transportation Program (STP) Application" to East-West Gateway Council of Governments for federal funds to resurface Lindeman Road from Dougherty Ferry to the northern City limit
- e) Resolution 13-2020, authorizing and directing the submittal of a "Surface Transportation Program (STP) Application" to East-West Gateway Council of Governments for federal funds to resurface Kirkwood Road from 100 feet south of Swan Avenue where the City of Kirkwood takes over the maintenance of Kirkwood Road from MoDOT to Adams Avenue
- f) Resolution 14-2020, amending the Communications Site Lease with T-Mobile Central LLC on the Essex Water Tower including extending the agreement for a term of four years to July 31, 2025 with the option to extend for successive five year terms thereafter and authorizing and directing the Mayor to enter into an amended agreement
- g) Resolution 16-2020, accepting the bid of Nelson Tree Service for Vegetation Management Services on an as needed basis for the Electric Department with an initial term of 12 months with the option to renew for up to four additional 12 month terms pending budgetary approval and authorizing and directing the Mayor to enter into a contract (rates provided in memo)
- h) Resolution 17-2020, transferring funds from Account #301-1100-600.75.03, Project #TR2003 to Account #301-1704-600.75.03, Project #FO2007, accepting the proposal of Gateway Industrial Power, Inc. as a single source provider for the purchase of a 200 kW Generator for Fire House #1 (\$42,600)
- i) Resolution 18-2020, transferring funds from Account #301-1100-600.75.03, Project #TR2003, to Account #301-1704-600.75.03, Project #FO2007, approving a contract amendment with Schaeffer Electric for the installation of the Fire House #1 replacement generator and authorizing and directing the Mayor to enter into an amended contract (\$30,673)



WHERE COMMUNITY AND SPIRIT MEET™

DRAFT

Kirkwood City Council
Kirkwood City Hall
City Council Chambers
Thursday, January 16, 2020, 7:00 p.m.

Pursuant to notice of meeting duly given by the Mayor, the City Council convened on Thursday, January 16, 2020, at 7:00 p.m. at Kirkwood City Hall, 139 South Kirkwood Road, Kirkwood, Missouri. Present were Mayor Griffin, Council Members Duwe, Edman, Luetzow, Ward, Wurtz, and Zimmer. Also in attendance were Chief Administrative Officer Russell Hawes, Assistant Chief Administrative Officer Georgia Ragland, City Clerk Laurie Ashe, and City Attorney John Hessel.

INTRODUCTIONS AND RECOGNITIONS

NONE

PRESENTATIONS

Police Chief Murphy recognized Steve Urbeck on being promoted to Lieutenant and Dan Ennenbach on being promoted to Sergeant.

Mayor Griffin, Police Chief Murphy, and Officer Gary Baldrige presented Awards of Excellence to the following for their exceptional work during two incidents:

Swatting Incident:

- Sergeant Douglas Hargate, Officer Karl Glock, Officer Thomas O'Brien, Officer Matthew Waggoner, Officer Michael Hance, Dispatcher Taylor Patterson, Dispatcher Dane Murphy, and Dispatcher Tiffani Lato

Interrupted Theft of Vehicle Incident:

- Officer Andy Melton, Officer James Minner, Officer Jackie Tabers, Officer Adam Evers, Lead Dispatcher Mary Nolte, Dispatcher Jill Hance, and Dispatcher Laura Janaske

Police Officer Gary Baldrige presented information and showed a slideshow of pictures pertaining to the second annual Shop with a Cop event that took place on December 7, 2019:

- The Kirkwood Police Department, along with Youth in Action held the 2nd annual Shop with a Cop event.
- The Police Officer's Association took the lead role on the event.
- Funds for the event were raised through multiple fundraising efforts.
- 34 Kirkwood Police Officers took 42 children from the Kirkwood School District shopping at Wal-Mart.
- Wal-Mart generously donated gift wrapping supplies free of charge for the event.

PUBLIC HEARINGS

NONE



WHERE COMMUNITY AND SPIRIT MEET

DRAFT

PUBLIC COMMENTS NONE

CONSENT AGENDA

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

- a) Approval of the January 2, 2020 City Council Meeting Minutes
- b) Resolution 4-2020, appointing Mary Loida to the Greentree Festival Committee for a term to December 2023
- c) Resolution 5-2020, appointing Lara Goeke to the Park Board for a partial term to June 2021
- d) Resolution 6-2020, transferring funds from the Contingency Account to the Vehicle Repair Parts Account for the Fleet Services Department (\$10,000)
- e) Resolution 7-2020, approving a contract amendment with Westport Pools for Kirkwood Aquatic Center Gutter Line Piping Replacement and authorizing and directing the Mayor to enter into an amended contract (not to exceed \$19,707)
- f) Resolution 8-2020, accepting the proposal of MUSCO Lighting (pursuant to TIPS Cooperative Contract) for automated lighting controls for Diamonds 5 and 6 in Kirkwood Park and authorizing and directing the Mayor to enter into a contract (amount not to exceed \$37,000)

UNFINISHED BUSINESS

Bill 10809, appropriating \$8,070 from the Equitable Sharing Fund Balance to a training account for travel and training expenses for six Police Officers to attend the FBI-LEEDA Supervisory Leadership Institute, was brought before the council.

Roll Call:

Mayor Griffin	"Yes"
Council Member Wurtz	"Yes"
Council Member Luetzow	"Yes"
Council Member Duwe	"Yes"
Council Member Edman	"Yes"
Council Member Zimmer	"Yes"
Council Member Ward	"Yes"

The bill, having received majority approval of the council, was adopted and became Ordinance 10647.



WHERE COMMUNITY AND SPIRIT MEET™

DRAFT

Bill 10810, appropriating \$35,000 from the Medical Fund Fund Balance to the Other Professional Services Account for online benefits portal costs, was brought before the council.

Roll Call:

Mayor Griffin	"Yes"
Council Member Wurtz	"Yes"
Council Member Luetzow	"Yes"
Council Member Duwe	"Yes"
Council Member Edman	"Yes"
Council Member Zimmer	"Yes"
Council Member Ward	"Yes"

The bill, having received majority approval of the council, was adopted and became Ordinance 10648.

Bill 10811, changing the zoning from R-3 Single-Family Residential District to R-5 Multiple-Family Residential District on the properties known as 11204, 11208, 11212, 11218, and 11224 Big Bend Boulevard (approximately 1.9 acres) and directing such change in the Zoning District Map, was brought before the council.

Roll Call:

Mayor Griffin	"Yes"
Council Member Wurtz	"Yes"
Council Member Luetzow	"Yes"
Council Member Duwe	"Yes"
Council Member Edman	"Yes"
Council Member Zimmer	"Yes"
Council Member Ward	"Yes"

The bill, having received majority approval of the council, was adopted and became Ordinance 10649.

NEW BUSINESS

Bill 10812, amending the Kirkwood Code of Ordinances, Chapter 14, Article VIII. Section 14-396, Schedule F: "Speed Limit Designations", Subsection (F) to reduce the speed limit to 15 MPH on school days, 7:00 a.m. to 6:00 p.m., was brought before the council. Motion was made by Council Member Ward and seconded by Council Member Edman to accept the bill for first reading approval.

The bill received first reading approval and was held over.



WHERE COMMUNITY AND SPIRIT MEET*

DRAFT

Resolution 3-2020, approving the Site Plan for construction of a new 24 unit townhome development on the properties known as 11204-11224 Big Bend Boulevard, subject to certain conditions, was brought before the council. Motion was made by Council Member Duwe and seconded by Council Member Wurtz to accept the Resolution as read. A discussion took place.

Roll Call:

Mayor Griffin	"Yes"
Council Member Wurtz	"Yes"
Council Member Luetzow	"Yes"
Council Member Duwe	"Yes"
Council Member Edman	"Yes"
Council Member Zimmer	"Yes"
Council Member Ward	"Yes"

CONSENT AGENDA ITEMS FOR DISCUSSION

NONE

CITY COUNCIL REPORTS

Mayor Griffin reported that a Martin Luther King Jr. celebration will be held at the Kirkwood High School on Monday, January 20th at 1 p.m.

Mayor Griffin reported that Marina Khoury from DPZ will do a review of the Downtown Master Plan on Thursday, January 30th at 5:30 p.m. in City Hall, Council Chambers.

Council Member Wurtz reported that she and Council Member Duwe attended a Complete Streets Consortium in eastern Jackson County.

CHIEF ADMINISTRATIVE OFFICER REPORT

Mr. Hawes reported that the City has received an Application for Temporary Outdoor Promotional Variance from the Alpine Shop, 440 N. Kirkwood Road, for the annual Get Outside Expo from February 28, 2020 through March 1, 2020. Motion was made by Council Member Ward and seconded by Council Member Duwe to approve the application. The motion was unanimously approved.

Mr. Hawes reported that the City has received an Application for Temporary Outdoor Promotional Variance from the Alpine Shop, 440 N. Kirkwood Road, for the semi-annual Swap Sale from April 24, 2020 through April 26, 2020. The application includes a request for a tent from April 16, 2020 through April 28, 2020. Motion was made by Council Member Edman and seconded by Council Member Luetzow to approve the application. The motion was unanimously approved.



WHERE COMMUNITY AND SPIRIT MEET

DRAFT

Mr. Hawes reported that the City has received an Application for Liquor License, Picnic License, from the Kirkwood Optimist Club, 111 S. Geyer Road, for an event in Kirkwood Park on May 16, 2020. Motion was made by Council Member Ward and seconded by Council Member Duwe to approve the application. The motion was unanimously approved.

CITY ATTORNEY REPORT

Mr. Hessel had nothing to report

CITY CLERK REPORT

Ms. Asche read the report of the January 8, 2020 Special Meeting of the Planning and Zoning Commission to review and discuss the final draft of the Zoning, Subdivision, and Sign Codes. The following action took place:

1. A presentation by City Planner Jonathan Raiche and the consultant was followed by comments from the audience. The Commission continued the item to another special meeting to be held on January 29 at 6 p.m.

Ms. Asche read the report of the January 15, 2020 Planning and Zoning Commission Meeting. The following action took place:

1. After a public hearing for an amendment to a B4 Development Plan for EZ Storage at 10461 Manchester Road, Commissioners O'Donnell, Diel, and Adkins were appointed to the Subcommittee. The Subcommittee will meet at City Hall on January 24 at 8 a.m.
2. The Commission recommended approval of amendments to the Zoning Code and a request for a Special Use Permit for Auto Repair, Minor (Private) submitted by Lou Fusz Toyota at 10831 Manchester Road. **A public hearing will be scheduled.**
3. The Commission recommended approval of a Special Use Permit for a restaurant with outdoor seating submitted by Teleo Coffee at 142 West Monroe Avenue. **A public hearing will be scheduled.**
4. After a presentation for a request for a Special Use Permit for a Physical Fitness Facility known as Burn Boot Camp at 10461 Manchester Road, Commissioners O'Donnell, Diel, and Adkins were appointed to the Subcommittee. The Subcommittee will meet at City Hall on January 24 at 8 a.m.
5. After a presentation for a request for a Special Use Permit for outdoor use at Schnucks at 10233 Manchester Road, Commissioners Drewel and Evens were appointed to the Subcommittee. The Subcommittee will meet on site January 21 at 8 a.m.
6. After a presentation for a request for a Final B4 Plan for a general retail building and a Special Use Permit for a Restaurant with a drive-thru, Commissioners O'Donnell, Diel, and Adkins were appointed to the Subcommittee. The Subcommittee will meet at City Hall on January 24 at 8 a.m.



WHERE COMMUNITY AND SPIRIT MEET™

DRAFT

7. After a presentation for a request for a Final B4 Plan for First Community Credit Union at 10357 Manchester Road, Commissioners O'Donnell, Diel, and Adkins were appointed to the Subcommittee. The Subcommittee will meet at City Hall on January 24 at 8 a.m.
8. After a presentation for a request to rezone R4 to B3, a Special Use Permit for a convenience/gas store, and a car wash for Petro Mart at 10921, 10935, and 10939 Manchester Road and 1113, 1119, 1120, 1121, 1123, and 1125 Earl Avenue, Commissioners Frick and Mallinckrodt were appointed to the Subcommittee. The Subcommittee will schedule a meeting at the site after the traffic study has been submitted.
9. Staff provided updates on development projects recently reviewed by the City Council.
10. A special meeting will be held by the Commission on January 29, 2020, at 6 p.m. regarding the re-write of the Zoning, Subdivision, and Sign Codes.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 7:41 p.m. The next regular council meeting is scheduled for February 6, 2020 at 7:00 p.m.

Laurie Asche, CMC/MRCC
City Clerk

Approved:

RESOLUTION 10-2020

A RESOLUTION APPOINTING NANCY LUETZOW AS THE CITY OF KIRKWOOD'S REPRESENTATIVE TO SERVE ON THE ST. LOUIS COUNTY COUNCIL FOR THE UNIVERSITY OF MISSOURI EXTENSION FOR A TERM TO MARCH 1, 2022.

WHEREAS, the Mayor was notified by the University of Missouri Extension that Bill Ruppert's term on the St. Louis County Council will expire on March 1, 2020, and

WHEREAS, the City believes that Nancy Luetzow would be an excellent representative of Kirkwood on the St. Louis County Council for the University of Missouri Extension, and

WHEREAS, the term of office is for two years beginning in March 2020.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. The City hereby appoints Nancy Luetzow as the City of Kirkwood's representative to serve on the St. Louis County Council for the University of Missouri Extension for a term to March 1, 2022.

SECTION 2. This Resolution shall be in full force and effect after its passage and approval.

PASSED AND APPROVED THIS 6TH DAY OF FEBRUARY 2020.

Mayor, City of Kirkwood

ATTEST:

City Clerk

Legislation Request

Resolution

Place On The Agenda Of: 2/6/2020

Step #1:

Strategic Plan NO Goal # & Title

Background To Issue:

Bill Ruppert's term as the City of Kirkwood's representative on the St. Louis County Council for the University of Missouri Extension will expire on March 1, 2020.

Recommendations and Action Requested:

Appoint Nancy Luetzow to serve as the City of Kirkwood's representative on the St. Louis County Council for the University of Missouri Extension for a term to March 1, 2022.

Alternatives Available:

Does this project have a public information component? Yes No

Cost: \$0.00 Account #: 00000 Project #: Budgeted: YES

If YES, Budgeted Amount: \$0.00 If NO, or if insufficient funding (Complete Step #3).

Department Head Comments:

BY: Laurie Asche

Date: 1/28/2020

Authenticated: aschelb

You can attach up to 3 files along with this request.

 File Attachment

 File Attachment

 File Attachment

Step #2: If request involves approval of bids, contracts, proposals, purchases, etc. **(Must have Purchasing Director's approval).**

Select...

Purchasing Director's Comments:

BY: Select...

Date:

Authenticated:

You can attach up to 3 files along with this request.

 File Attachment

 File Attachment

 File Attachment

Step #3: If budgetary approval is required (**Must have Finance Department's approval**).

Select...

From Account # or Fund Name:

To Account # or Fund Name:

Finance Director's Comments:

BY: Select...

Date:

Authenticated:

Step #4: All Requests Require Chief Administrative Officer Approval for Placement on Meeting Agenda.

Approve

Disapprove

Chief Administrative Officer's Comments:

BY:

Date:

2-3-20

RESOLUTION 11-2020

A RESOLUTION APPOINTING EUGENIA WEBDELL TO THE HUMAN RIGHTS COMMISSION FOR A PARTIAL TERM TO JUNE 2021.

WHEREAS, there is a vacancy on the Human Rights Commission which needs to be filled, and

WHEREAS, the City Council believes that Eugenia Webdell should be appointed to the Human Rights Commission for a partial term to June 2021.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. Eugenia Webdell hereby appointed to of the Human Rights Commission for a partial term to June 2021.

SECTION 2. This Resolution shall be in full force and effect after its passage and approval.

PASSED AND APPROVED THIS 6TH DAY OF FEBRUARY 2020.

Mayor, City of Kirkwood

ATTEST:

City Clerk

Legislation Request

Resolution

Place On The Agenda Of: 2/6/2020

Step #1:

Strategic Plan NO Goal # & Title

Background To Issue:

There is a vacancy on the Human Rights Commission that needs to be filled.

Recommendations and Action Requested:

Appoint Eugenia Webdell to the Human Rights Commission for a partial term to June 2021.

Alternatives Available:

Does this project have a public information component? Yes No

Cost: \$0.00 Account #: 000000 Project #: Budgeted: YES

If YES, Budgeted Amount: \$0.00 If NO, or if insufficient funding (Complete Step #3).

Department Head Comments:

BY: Laurie Asche

Date: 1/29/2020

Authenticated: aschelb

You can attach up to 3 files along with this request.

 File Attachment

 File Attachment

 File Attachment

Step #2: If request involves approval of bids, contracts, proposals, purchases, etc. **(Must have Purchasing Director's approval).**

Select...

Purchasing Director's Comments:

BY: Select...

Date:

Authenticated:

You can attach up to 3 files along with this request.

 File Attachment

 File Attachment

 File Attachment

Step #3: If budgetary approval is required (**Must have Finance Department's approval**).

Select...

From Account # or Fund Name:

To Account # or Fund Name:

Finance Director's Comments:

BY: Select...

Date:

Authenticated:

Step #4: All Requests Require Chief Administrative Officer Approval for Placement on Meeting Agenda.

Approve

Disapprove

Chief Administrative Officer's Comments:

BY:



Date:

2-3-20

CITY OF KIRKWOOD

Volunteer Profile

139 S. Kirkwood Road, Kirkwood, Missouri 63122

(314) 822-5802 Fax: (314) 822-5863 Website: www.kirkwoodmo.org

*The website address contains information on the various boards that may assist in making your decision.

PLEASE NOTE: The City Council is committed to Board and Commission Members being trained in the aspects of their responsibilities. If you are appointed to a Board or Commission you may be required to attend training sessions.

Supplying the following information will assist the Mayor and City Council in considering your interest in a City Board or Commission. (Forms remain on file with the City Clerk for two years). The information provided is considered public information. Submission of a completed form does not guarantee placement on a Board or Commission. You must reside in the City of Kirkwood to be considered for placement on a Board of Commission (*with exception for the Arts Commission per Ordinance 10571).

Personal/Home Information

Date: January 27, 2020

Name: Eugenia G. Webdell

Address: 219 Altus Place, Kirkwood, Mo.

Employment Information:

Employer's Name: Kirkwood United Methodist (very

Address: 201 West Adams, 63122

Contact Information:

Day Phone: 573.754.0943

Evening Phone: 573.754.0943

Fax:

Email: Jeanwebdell@gmail.com

Part I: Please indicate the areas in which you have an interest:

Write (1) for STRONG INTEREST or (2) for MODERATE INTEREST. Leave blank if limited or no interest.

	Aquatic Advisory Council		Landmarks Commission
	Architectural Review Board		Library Board
	Board of Adjustment		Local Housing Authority
	Civil Service Commission		Farmers' Market Advisory Committee
	Finance Committee		Park Board
	Greentree Festival Committee		Civilian Pension Board
✓	Human Rights Commission*		Planning and Zoning Commission
	Industrial Development Authority		Urban Forestry Commission
	Arts Commission		Public Facilities Authority

Part II: Background Information: This section is designed to learn more information about you – your community interests and your educational and professional background. If you have a resume, please attach a copy to this form. Please note, some appointments must be filled by specific professionals (engineer, attorney, architect, etc.) This information is available through the City Clerk at 314-822-5802.

Education & Employment Information:

Graduate of St. Louis University; Masters of Theology from Eden Seminary,

Previous Board and Commission Appointments:

none

Community Activities:

Social Justice Coalition, American Association of University Women

Other Information:

Attend Human Rights Monthly meetings. Long time Kirkwood resident and graduate of Kirkwood High School (1961)

Please return completed form to:

Laurie Asche, City Clerk

139 S. Kirkwood Road

Kirkwood, MO 63122

(314) 822-5802 Fax: (314) 822-5863

**CITY OF KIRKWOOD
HUMAN RIGHTS COMMISSION**

The Kirkwood Human Rights Commission is one of the most important volunteer opportunities anyone can offer the citizens of the city. Membership provides an opportunity to support and educate the community about the importance and value of diversity among us. Diversity manifests itself in all forms whether it is age, gender, sexual orientation, disability, racial or ethnic identity, religion, and other categories. It is the City's commitment that diversity should be embraced and not avoided.

The nine citizens who serve on this commission seek ways to create educational opportunities and provide an outlet for residents who are facing real or perceived injustices. The city has a long heritage of finding ways to encourage such concerns. The predecessor commission the Kirkwood Human Rights and Awareness Commission was created over 50 years ago. The city enacted a fair housing code as far back as 1963 to help insure fairness in seeking housing opportunities. The fact that such commissions exist today is a tribute to Kirkwood's commitment to human rights.

The following are examples of traits that assist a resident in serving comfortably and effectively as a commission member. The following are not requirements for appointment, but only issues offered for self-reflection. The City wants a committee member to be effective and know that their service is important to the city government and the community at large.

Examples of such traits:

- respect for all people
- a vision for a highly respectful and inclusive community
- a passion for justice
- a willingness to advocate change
- willingness to help those that perceive they are the victim of bias or discrimination
- an ability to listen attentively
- openness to creative solutions
- a confidence amid criticism
- a comfort with collaboration
- an appreciation for maintaining confidentiality

Please feel free to contact Russ Hawes, Kirkwood's Chief Administrative Office should you have any questions. Office telephone 314-822-5806, or hawesrb@kirkwoodmo.org.

Name: Eugenia G. Webdell

E-mail Address: Jeannewebdell@gmail.com

Briefly describe your interest in serving on the Human Rights Commission.

Which of the above traits can you bring to your work on the HRC?

As a mostly retired United Methodist minister and a retired Kirkwood police officer, I have always been interested in justice issues. I feel I bring a caring heart, an open mind and a desire to work with others so that all people are included in the community and feel like they have a voice that is heard.

Additional Information

Signed via [adobe.com](https://www.adobe.com)
Stephanie Griswold Webber
Id: 865a8a197c0d19062da49c0606472c

Signature

January 27, 2020

Date

RESOLUTION 12-2020

A RESOLUTION AUTHORIZING AND DIRECTING THE SUBMITTAL OF A "SURFACE TRANSPORTATION PROGRAM (STP) APPLICATION" TO EAST-WEST GATEWAY COUNCIL OF GOVERNMENTS FOR FEDERAL FUNDS TO RESURFACE LINDEMAN ROAD FROM DOUGHERTY FERRY TO THE NORTHERN CITY LIMIT.

WHEREAS, the City of Kirkwood declares its support for submission of a STP Application to resurface Lindeman Road from Dougherty Ferry to the northern City limit, which includes; a buffered bike lane, crosswalk enhancements at Lynkirk Lane and Lindgate Drive, mill and overlay on the street, upgrade of all the street curb ramps to meet ADA guidelines, and improvements to the intersection of Dougherty Ferry and Lindeman Road to improve pedestrian safety, and

WHEREAS, the City of Kirkwood will apply for federal funds for the project, and

WHEREAS, the City of Kirkwood is eligible to apply for federal reimbursement for 80 percent of the eligible construction costs associated to resurface Lindeman Road from Dougherty Ferry to the northern City limit in the amount of \$1,349,736.73, and

WHEREAS, the submittal includes an application fee of \$6,748.68, which will be refunded if the project is not awarded federal funds by East-West Gateway Council of Governments, and

WHEREAS, funds are available in Account #301-1401-600.75.14, Project #PW2001.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. The City of Kirkwood is hereby authorized and directed to submit a STP Application to East-West Gateway Council of Governments for federal funds to resurface Lindeman Road from Dougherty Ferry to the northern City limit.

SECTION 2 The City of Kirkwood is hereby authorized to submit an application fee in the amount of \$6,748.68 that will be refunded if the project is not awarded federal funds by East-West Gateway Council of Governments.

SECTION 3. This Resolution shall be in full force and effect after its passage and approval.

PASSED AND APPROVED THIS 6TH DAY OF FEBRUARY 2020.

Mayor, City of Kirkwood

ATTEST:

City Clerk

Legislation Request

Resolution

Place On The Agenda Of: 2/6/2020

Step #1:

Strategic Plan YES

Goal # & Title Goal 5 Invest for the future through public infrastructure

Background To Issue:

Annually East-West Gateway provides federal aid applications for road improvements through the Surface Transportation Program (STP). This is a 80/20 program for roads that are functionally classified by East-West Gateway. Staff is proposing to resurface Lindeman Road from Dougherty Ferry to the Northern City Limit. Lindemann Road has been established as a candidate for a neighborhood greenway by the Kirkwood Pedestrian and Bicycle Plan. City Staff has selected preliminary design elements consistent with a neighborhood greenway. A buffered bike lane, and crosswalk enhancements at Lynkirk Lane and Lindgate Drive is proposed. The proposed project includes a mill and overlay on the street, upgrade of all street curb ramps to meet ADA guidelines, and improvements to the intersection of Dougherty Ferry and Lindemann Road to improve pedestrian safety. It is expected the project will be designed within the existing right of way with little permanent right of way needed. Estimated project costs are \$1,687,170.91. Staff is requesting federal funding for 80% of the \$1,687,170.91 for preliminary engineering, right of way and construction costs, or \$1,349,736.73, through the STP program.

Per the application requirement, the City is required to submit an application fee of 1/2% of the 80% reimbursement estimate, \$6,748.68

Recommendations and Action Requested:

It is recommended that the City Council approve this resolution allow the City to submit an STP application.

Alternatives Available:

Does this project have a public information component? Yes No

Cost: \$6,748.68 Account #: 30114016007514 Project #: PW2001 Budgeted: YES

If YES, Budgeted Amount: \$6,748.68 If NO, or if insufficient funding (Complete Step #3).

Department Head Comments:

BY: Christopher Krueger

Date: 1/29/2020

Authenticated: kruegeca

You can attach up to 3 files along with this request.

 File Attachment

 File Attachment

 File Attachment

Step #2: If request involves approval of bids, contracts, proposals, purchases, etc. **(Must have Purchasing Director's approval).**

Approve

Purchasing Director's Comments:

BY: David Weidler

Date: 1/29/2020

Authenticated: weidledc

You can attach up to 3 files along with this request.

 File Attachment

 File Attachment

 File Attachment

Step #3: If budgetary approval is required **(Must have Finance Department's approval).**

Budgetary Approval

From Account # or Fund Name:

To Account # or Fund Name:

Finance Director's Comments:

Budget appropriation is sufficient to approve the above request for \$6,749 in account 301-1401-600-75-14, Streets, Project PW2001, Street Restoration.

BY: Sandra Stephens

Date: 1/30/2020

Authenticated: stephesf

Step #4: All Requests Require Chief Administrative Officer Approval for Placement on Meeting Agenda.

Approve Disapprove

Chief Administrative Officer's Comments:

BY: 

Date: 2-3-20

RESOLUTION 13-2020

A RESOLUTION AUTHORIZING AND DIRECTING THE SUBMITTAL OF A "SURFACE TRANSPORTATION PROGRAM (STP) APPLICATION" TO EAST-WEST GATEWAY COUNCIL OF GOVERNMENTS FOR FEDERAL FUNDS TO RESURFACE KIRKWOOD ROAD FROM 100 FEET SOUTH OF SWAN AVENUE WHERE THE CITY OF KIRKWOOD TAKES OVER THE MAINTENANCE OF KIRKWOOD ROAD FROM MODOT TO ADAMS AVENUE.

WHEREAS, the City of Kirkwood declares its support for submission of a STP Application to resurface Kirkwood Road from 100 feet south of Swan Avenue where the City of Kirkwood takes over the maintenance of Kirkwood Road from MoDOT to Adams Avenue, which includes; asphalt mill overlay, concrete curb repair, upgrade of curb ramps not already completed with the Kirkwood Road CMAQ Signal project, replacement of sidewalks on both sides of the street, and a new mid-block crossing with a Pedestrian Hybrid Beacon north of Washington, and

WHEREAS, the City of Kirkwood will apply for federal funds for the project, and

WHEREAS, the City of Kirkwood is eligible to apply for federal reimbursement for 80 percent of the eligible construction costs associated to resurface Kirkwood Road from 100 feet south of Swan Avenue where the City of Kirkwood takes over the maintenance of Kirkwood Road from MoDOT to Adams Avenue in the amount of \$1,286,350.40, and

WHEREAS, the submittal includes an application fee of \$6,431.75, which will be refunded if the project is not awarded federal funds by East-West Gateway Council of Governments, and

WHEREAS, funds are available in Account #301-1401-600.75.14, Project #PW2001.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1: The City of Kirkwood is hereby authorized and directed to submit a STP Application to East-West Gateway Council of Governments for federal funds to resurface Kirkwood Road from 100 feet south of Swan Avenue where the City of Kirkwood takes over the maintenance of Kirkwood Road from MoDOT to Adams Avenue.

SECTION 2 The City of Kirkwood is hereby authorized to submit an application fee in the amount of \$6,431.75 that will be refunded if the project is not awarded federal funds by East-West Gateway Council of Governments.

SECTION 3. This Resolution shall be in full force and effect after its passage and approval.

PASSED AND APPROVED THIS 6TH DAY OF FEBRUARY 2020.

Mayor, City of Kirkwood

ATTEST:

City Clerk

Legislation Request

Resolution

Place On The Agenda Of: 2/6/2020

Step #1:

Strategic Plan YES Goal # & Title Goal 5 Invest for the future through public infrastructure

Background To Issue:

Annually East-West Gateway provides federal aid applications for road improvements through the Surface Transportation Program (STP). This is a 80/20 program for roads that are functionally classified by East-West Gateway. Staff is proposing to resurface Kirkwood Road from 100' south of Swan Avenue where the City of Kirkwood takes over maintenance of Kirkwood Road from MoDOT to Adams Avenue. The project will include an asphalt mill and overlay, concrete curb repair, upgrade of curb ramps not already completed with the Kirkwood Road CMAQ Signal project, replacement of sidewalks on both sides of the street, and a new mid-block crossing with a Pedestrian Hybrid Beacon (HAWK Signal) north of Washington. It is expected the project will be designed within the existing right-of-way with little permanent right of way needed. Estimated project costs are \$1,607,398.00. Staff is requesting federal funding for 80% of the \$1,607,938.00 preliminary engineering, right of way and construction costs, or \$1,286,350.40, through the STP program.

Per the application requirement, the City is required to submit an application fee of 1/2% of the 80% reimbursement estimate, \$6,431.75.

Recommendations and Action Requested:

It is recommended that the City Council approve this resolution allow the City to submit an STP application.

Alternatives Available:

Does this project have a public information component? Yes No

Cost: \$6,431.75 Account #: 30114016007514 Project #: PW2001 Budgeted: YES

If YES, Budgeted Amount: \$6,431.75 If NO, or if insufficient funding (Complete Step #3).

Department Head Comments:

BY: Christopher Krueger

Date: 1/29/2020

Authenticated: kruegeca

You can attach up to 3 files along with this request.

 File Attachment

 File Attachment

 File Attachment

Step #2: If request involves approval of bids, contracts, proposals, purchases, etc. **(Must have Purchasing Director's approval).**

Approve

Purchasing Director's Comments:

BY: David Weidler

Date: 1/29/2020

Authenticated: weidledc

You can attach up to 3 files along with this request.

 File Attachment

 File Attachment

 File Attachment

Step #3: If budgetary approval is required **(Must have Finance Department's approval).**

Budgetary Approval

From Account # or Fund Name:

To Account # or Fund Name:

Finance Director's Comments:

Budget appropriation is sufficient to approve above request for \$6,432 in account 301-1401-600-75-14, Streets, Project PW2001 Street Restoration.

BY: Sandra Stephens

Date: 1/30/2020

Authenticated: stephesf

Step #4: All Requests Require Chief Administrative Officer Approval for Placement on Meeting Agenda.

Approve Disapprove

Chief Administrative Officer's Comments:

BY: 

Date: 2-3-20

RESOLUTION 14-2020

A RESOLUTION AMENDING THE COMMUNICATION SITE LEASE WITH T-MOBILE CENTRAL LLC ON THE ESSEX WATER TOWER INCLUDING EXTENDING THE AGREEMENT FOR A TERM OF FOUR YEARS TO JULY 31, 2025 WITH THE OPTION TO EXTEND FOR SUCCESSIVE FIVE YEAR TERMS THEREAFTER AND AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AMENDED AGREEMENT.

WHEREAS, the current communication site lease agreement with T-Mobile Central LLC will be expiring on July 31, 2020, and

WHEREAS, the City and T-Mobile Central LLC mutually wish to extend the second agreement amendment for an additional four years for a term to July 31, 2025 with the option to extend for successive five year terms thereafter, per the conditions and terms of the amended agreement, and

WHEREAS, staff recommends the second agreement extension since this amendment provides the City additional payment guarantees and increased annual revenues.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. The Mayor is hereby authorized and directed to enter into a second amended communication site lease with T-Mobile Central LLC at the Essex Water Tower consisting of the following changes are hereby approved:

- Lease is extend for a term of four years to 7/31/2025, with the option to extend for successive five year terms thereafter;
- Monthly rent is to increase to \$2,500 (\$30,000 annually);
- Escalation rate 15% every 5 year term;
- Early termination payment guarantee of 6 months at then current rental rate;

SECTION 2. This Resolution shall be in full force and effective August 1, 2020, after its passage and approval, as provided by law.

PASSED AND APPROVED THIS 6th DAY OF FEBRUARY 2020.

Mayor, City of Kirkwood

ATTEST:

City Clerk

Legislation Request

Resolution

Place On The Agenda Of: 2/6/2020

Step #1:

Strategic Plan NO Goal # & Title

Background To Issue:

The wireless lease agreement with T-Mobile is set to expire on July 31, 2020. T-Mobile has requested an amendment to extend its current communication site lease on the Essex water tower. T-Mobile is seeking to extend the agreement for four (4) five (5) years terms with an initial expiration date of July 31, 2025. City staff in conjunction with the City Attorney's office has reviewed and negotiated new terms for this amendment to the City's benefit.

Following are the changes being proposed in this amendment:

- Current agreement expires 7/31/2020; amendment is to extend to 7/31/2025, with the option to renew for successive five year terms thereafter
- Current monthly rent \$1,901.09 (\$22,813.08 annually); amendment is to increase to \$2,500 (\$30,000 annually)
- Escalation rate 15% every 5 year term
- Current agreement has no early termination clause. The amendment requires a 6 month early termination notice and a guarantee 6 months of rent after the termination date.

Therefore, this agreement provides the City a 31.5% increase in the initial new rental rate and additional early termination payment guarantees that do not exist in the current lease agreement.

Recommendations and Action Requested:

It is recommended that the City Council authorize the Mayor to enter into an wireless lease agreement amendment with T-Mobile for the Essex Water Tower.

Alternatives Available:

Does this project have a public information component? Yes No

Cost: \$0.00

Account #: 0

Project #: 0

Budgeted: YES

If YES, Budgeted Amount: \$0.00

If NO, or if insufficient funding (Complete Step #3).

Department Head Comments:

BY: Bill Bensing

Date: 1/27/2020

Authenticated: bensinwe

You can attach up to 3 files along with this request.

 T-Mobile 2nd lease amendment Essex.pdf Adobe Acrobat Document 3.01 MB	 Draft Resolution TMobile 2nd Amendment.docx Microsoft Word Document 14.1 KB	 File Attachment
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Step #2: If request involves approval of bids, contracts, proposals, purchases, etc. **(Must have Purchasing Director's approval).**

Approve

Purchasing Director's Comments:

BY: David Weidler

Date: 1/30/2020

Authenticated: weidledc

You can attach up to 3 files along with this request.

 File Attachment	 File Attachment	 File Attachment
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Step #3: If budgetary approval is required **(Must have Finance Department's approval).**

Select...

From Account # or Fund Name:

To Account # or Fund Name:

Finance Director's Comments:

BY: Select...

Date:

Authenticated:

Step #4: All Requests Require Chief Administrative Officer Approval for Placement on Meeting Agenda.

Approve Disapprove

Chief Administrative Officer's Comments:

BY:



Date:

2-3-20

SECOND AMENDMENT TO STANDARD LEASE AGREEMENT

This Second Amendment to Standard Lease Agreement (the "**Second Amendment**") is effective as of the date of execution by the last party to sign (the "**Effective Date**") by and between City of Kirkwood, a Municipality organized under the laws of the State of Missouri ("**Lessor**") and T-Mobile Central LLC, a Delaware limited liability company ("**Lessee**") (collectively, the "**Parties**").

Lessor and Lessee (or their predecessors-in-interest) entered into that certain Standard Lease Agreement dated July 17, 2000, including Riders #1, #2 and #3 dated July 18, 2000, and as amended by the Amendment to Standard Lease Agreement dated May 11, 2001, (collectively, the "**Agreement**") regarding Lessor's leased area ("**Premises**") consisting of approximately 150 square feet of space located at 1500 B Cornhill Lane, Kirkwood, MO 63122 (the "**Property**").

NOW, for good and valuable consideration, Lessor and Lessee agree as follows:

1. Capitalized terms used in this Second Amendment and not defined herein have the same meanings as set forth in the Agreement.
2. The Agreement is in full force and effect and, to the knowledge of the applicable Party, neither Lessor nor Lessee is in breach under the terms of the Agreement.
3. The scheduled expiration date of the Agreement is July 31, 2020. The Parties hereby agree to extend the Agreement for four (4) additional and successive five (5) year terms (each an "**Extension Renewal Term**"), with the first Extension Renewal Term to commence on August 1, 2020 and expire on July 31, 2025, provided, that Lessee may elect not to renew any Extension Renewal Term by providing Lessor at least thirty (30) days' written notice prior to the expiration of the then current Extension Renewal Term. As provided in the Agreement, in the event the water tower is removed or relocated during the Term of the Agreement, Lessor may, upon 12 months' written notice to Lessee, terminate the Agreement.
4. At the commencement of the first Extension Renewal Term provided for in this Amendment, Lessee shall pay Lessor Two Thousand Five Hundred and 00/100 Dollars (\$2,500.00) per month ("**Rent**") in advance, on the first day of each month during the Term, and no later than the 5th day of the month, subject to the remainder of this Paragraph 4. Rent shall be adjusted, effective on the first day of the second Extension Renewal Term and each subsequent Extension Renewal Term, by an amount equal to fifteen percent (15%) over the Rent for the immediately preceding Extension Renewal Term.
5. Commencing on August 1, 2020, Lessee's obligation to pay Rent is guaranteed for the period of forty-eight (48) months ("**Rent Guarantee Period**"). Lessee's obligation to pay Rent during the Rent Guarantee Period shall not be subject to offset or cancellation by

Lessee unless any of the following exceptions apply: a) local, state or federal laws materially adversely affect Lessee's ability to operate; (b) the Premises or Lessee's antenna facilities are damaged or destroyed by wind, fire or other casualty and the Premises cannot be restored within a six-month time period; c) the Property is foreclosed upon and Lessee is unable to maintain its tenancy; d) Lessor requires Lessee to relocate its antenna facilities which adversely affect Lessee's ability to operate the antenna facilities or e) Lessor breaches the Agreement and the default issue is not cured within the appropriate cure period.

6. In addition to the requirements of Section 11 of the Agreement, if Lessee elects to terminate the Lease early, Lessee shall (i) give Lessor no less than 6 month's prior written notice of such termination (and stating in the notice the date of the Lease termination which is no earlier than 6 months from the notice), (ii) not be in default under this Lease, and (iii) pay to Lessor concurrently with the notice a cancellation fee in the amount of 6 months' then current Rent. Until the identified termination date, Lessee shall continue to perform under the Lease, including all required Rent payments.
7. Any charges payable under the Agreement other than Rent, as should be known by Lessor to be due and payable by Lessee, shall be billed by Lessor to Lessee within twelve (12) months from the date in which the charges were incurred or due, or otherwise be time barred and waived.
8. All notices, requests, demands and other communications shall be in writing and shall be effective three (3) business days after deposit in the U.S. mail, certified, return receipt requested or upon receipt if personally delivered or sent via a nationally recognized courier to the addresses set forth below. Lessor or Lessee may from time to time designate any other address for this purpose by providing written notice to the other party.

If to Lessee:

T-Mobile USA, Inc.
12920 SE 38th Street
Bellevue, WA 98006
Attn: Lease Compliance/ MO02303A

If to Lessor:

City of Kirkwood MO
212 South Taylor Avenue
Kirkwood, MO 63122

9. Except as expressly set forth in this Second Amendment, the Agreement otherwise is unmodified and ratified. To the extent any provision contained in this Second Amendment conflicts with the terms of the Agreement, the terms and provisions of this Second Amendment shall control. Each reference in the Agreement to itself shall be deemed also to refer to this Second Amendment, which is made a part of the Agreement.
10. This Second Amendment may be executed in duplicate counterparts, each of which will be deemed an original. Signed electronic copies of this Second Amendment will legally bind the Parties to the same extent as originals.

11. Each of the Parties represents and warrants that it has the right, power, legal capacity and authority to enter into and perform its respective obligations under this Second Amendment.

IN WITNESS, the Parties execute this Amendment as of the Effective Date.

Lessor:

Lessee:

City of Kirkwood, a Municipality organized under the laws of the State of Missouri

T-Mobile Central LLC, a Delaware limited liability company

By: _____

DocuSigned by:
Mike Taylor
6807A6D15965469...

Print Name: _____

Print Name: Mike D. Taylor

Title: _____

Title: VP Critical Infrastructure Procurement &

Date: _____

Cost Management
Date: 1/22/2020

Kelly Dunham 1/13/2020
T-Mobile Contract Attorney
as to form



RESOLUTION 16-2020

A RESOLUTION ACCEPTING THE BID OF NELSON TREE SERVICE AT THE RATES PROVIDED IN THE MEMO (A COPY OF WHICH IS ATTACHED HERETO AND INCORPORATED BY REFERENCE HEREIN) FOR VEGETATION MANAGEMENT SERVICES ON AN AS NEEDED BASIS FOR THE ELECTRIC DEPARTMENT WITH AN INITIAL TERM OF 12 MONTHS WITH THE OPTION TO RENEW FOR UP TO FOUR ADDITIONAL 12 MONTH TERMS PENDING BUDGETARY APPROVAL AND AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT.

WHEREAS, pursuant to law, the City obtained bids for Vegetation Management Services for the Electric Department, and

WHEREAS, the most responsible bid received was that of Nelson Tree Service at the rates provided in the memo (a copy of which is attached hereto and incorporated by reference herein) with an initial term of 12 months with the option to renew for up to four additional 12 month terms pending budgetary approval and which bid acceptance is approved by the Chief Administrative Officer and recommended by the Director of Procurement and the Director of Electric, and

WHEREAS, funds are available in Account #501-2111-480.42.03.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. The bid of Nelson Tree Service at the rates provided in the memo (a copy of which is attached hereto and incorporated by reference herein) for Vegetation Management Services on an as needed basis for the Electric Department with an initial term of 12 months with the option to renew for up to four additional 12 month terms pending budgetary approval is hereby accepted and approved.

SECTION 2. The Mayor is hereby authorized and directed to enter into a contract with Nelson Tree Service at the rates provided in the memo (a copy of which is attached hereto and incorporated by reference herein) for Vegetation Management Services on an as needed basis for the Electric Department with an initial term of 12 months with the option to renew for up to four additional 12 month terms pending budgetary approval.

SECTION 3. This Resolution shall be in full force and effect after its passage and approval.

PASSED AND APPROVED THIS 6TH DAY OF FEBRUARY 2020.

Mayor, City of Kirkwood

ATTEST:

City Clerk

Legislation Request

Resolution

Place On The Agenda Of: 2/6/2020

Step #1:

Strategic Plan YES Goal # & Title Goal #1 - Enhance the Quality of Life of Citizens

Background To Issue:

The Procurement Department conducted a formal invitation for bids for Vegetation Line Clearance Services for the Electric Department.

Recommendations and Action Requested:

The Electric Department recommends approval of a resolution to authorize the Procurement Department to enter into a contract with Nelson Tree Service, LLC., for Vegetation Line Clearance Services. The contract will have a term of one-year with four one year renewal options. The contract will be contingent on council approved budgetary levels in account # 501-2111-480.42-03.

Alternatives Available:

The Vegetation Line Clearance operation is essential to the reliability of the overhead distribution system. Kirkwood Electric's ability to perform vegetation line clearance operations consistent with International Society of Arboriculture best practices is essential to maintaining a balance between ensuring the safe and reliable delivery of service while properly maintaining Kirkwood's tree canopy, adding value to property and enhancing the quality of life in Kirkwood.

Does this project have a public information component? Yes No

Cost: \$92,000.00 Account #: 50121114804203 Project #: Budgeted: YES

If YES, Budgeted Amount: \$92,000.00 If NO, or if insufficient funding (Complete Step #3).

Department Head Comments:

The Electric Department recommends approval of the resolution.

BY: Mark Petty

Date: 1/28/2020

Authenticated: pettyma

You can attach up to 3 files along with this request.

 File Attachment

 File Attachment

 File Attachment

Step #2: If request involves approval of bids, contracts, proposals, purchases, etc. **(Must have Purchasing Director's approval).**

Approve

Purchasing Director's Comments:

[Empty text box for Purchasing Director's Comments]

BY: David Weidler

Date: 1/30/2020

Authenticated: weidledc

You can attach up to 3 files along with this request.


13398 Resolution Letter.pdf
Adobe Acrobat Document
283 KB

 File Attachment

 File Attachment

Step #3: If budgetary approval is required (**Must have Finance Department's approval**).

Budgetary Approval

From Account # or Fund Name: [Empty text box]

To Account # or Fund Name: [Empty text box]

Finance Director's Comments:

Budget appropriation for FY2020 is sufficient as requested above for \$92,000 in account 501-2111-480-42-03, Tree Trimming to fund the current fiscal-year contract. For future years the budget appropriation is contingent upon budgetary approval.

BY: Sandra Stephens

Date: 1/30/2020

Authenticated: stephesf

Step #4: All Requests Require Chief Administrative Officer Approval for Placement on Meeting Agenda.

Approve Disapprove

Chief Administrative Officer's Comments:

[Empty text box for Chief Administrative Officer's Comments]

BY: 

Date: 2-3-20

January 30, 2020

To: Russell B. Hawes, Chief Administrative Officer

For Your Consideration: Vegetation Management Services, Bid # 13398

Sealed bids were publicly opened on January 9th, 2020. The bid tabulation is as follows:

Vendor

Nelson Tree Service

Per Mile Rate	\$15,900.00
Est. 44 miles annually	\$699,600.00
Total Est. 132 miles (5yr period)	\$2,098,800.00

Wright Tree Service

Per Mile Rate	\$16,566.82
Est. 44 miles annually	\$728,940.00
Total Est. 132 miles (5yr period)	\$2,186,820.00

Bid requests were also sent to A.U. Innovative Lawns LLC., Allen's Tree Service Inc., Allied Tree Surgeons, Alltree Care Inc., Big Tree II, Inc., Busken Tree & Landscaping Service, Clipper Tree & Landscape, Davey Tree Company, DeClue & Sons Tree Care, Inc., Droege Tree Care, Gamma Tree Expert, Genesis Tree Service LLC., Hansens Tree & Landscaping, Happy Tree Service, Hudson Tree Service, Inc., Living Tree Care, Inc., Loyalty Lawn Care, Metropolitan Forestry Services, Meyer Tree Service, Omni Tree Service, Ray's Tree Service, Reliable Landscape & Tree Care, Ritter Landscaping, Inc., Schlegel Landscaping Company, T & L Tree Service, Inc., The Shade Tree Service Co., Trees, Forests and Landscapes, and Worley's Tree Service, Inc.; however they did not submit bids.

The bids were provided to Mark Petty, Electric Director, and Cory Meyer, City Forester, for review. It is recommended that the bid be awarded to Nelson Tree Service, as their per mile rates for Vegetation Management Service for Kirkwood Electric are the lowest responsible bid meeting specifications.

The anticipated contract term will be twelve (12) months with an option to renew annually thereafter one term at a time, up to four consecutive twelve (12) month terms. Funding for future years will be contingent upon budgetary approval.

Funding is currently available in account number 501-2111-480.42-03, in the amount of \$92,000.00.

Attached is a request from Mark Petty, Electric Director, for a resolution authorizing a contract be issued to Nelson Tree Service, at the unit rates provided in their bid response for Vegetation Management Services for the Electric Department to be used on an as needed basis not to exceed budgeted funds.

Respectfully,



David Weidler, CPPO, CPPB
Director of Procurement

RESOLUTION 17-2020

A RESOLUTION TRANSFERRING FUNDS IN THE AMOUNT OF \$42,600 FROM ACCOUNT #301-1100-600.75.03, PROJECT #TR2003, TO ACCOUNT #301-1704-600.75.03, PROJECT #FO2007, ACCEPTING THE PROPOSAL OF GATEWAY INDUSTRIAL POWER, INC. AS A SINGLE SOURCE PROVIDER IN THE AMOUNT OF \$42,600 FOR THE PURCHASE OF A 200 kW GENERATOR FOR FIRE HOUSE #1.

WHEREAS, in October 2019 the emergency generator at Fire House #1 was damaged by an internal fire, and

WHEREAS, the City put in place a rental generator to support the facility and sought an insurance claim to replace the generator, and

WHEREAS, during this process the City was able to obtain a proposal from Gateway Industrial Power, Inc. to replace the generator, and

WHEREAS, staff recommends the acceptance of the proposal from Gateway Industrial Power, Inc. as a single source provider in the amount of \$42,600 for the purchase of a 200 kW generator for Fire House #1, and

WHEREAS, funds in the amount of \$42,600 are requested to be transferred from Account #301-1100-600.75.03, Project #TR2003, to Account #301-1704-600.75.03, Project #FO2007.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. Funds in the amount of \$42,600 are hereby transferred from Account #301-1100-600.75.03, Project #TR2003, to Account #301-1704-600.75.03, Project #FO2007.

SECTION 2. The proposal of Gateway Industrial Power, Inc. as a single source provider in the amount of \$42,600 for the purchase of a 200 kW generator for Fire House #1 is hereby accepted and approved.

SECTION 3. This Resolution shall be in full force and effect after its passage and approval.

PASSED AND APPROVED THIS 6TH DAY OF FEBRUARY 2020.

Mayor, City of Kirkwood

ATTEST:

City Clerk

Legislation Request

Resolution

Place On The Agenda Of: 2/6/2020

Step #1:

Strategic Plan NO Goal # & Title

Background To Issue:

In October 2019 the emergency generator located at Fire House # 1 was damage by an internal fire. The City put in place a rental generator to support the facility and sought an insurance claim to replace the generator. During this process the City was able to obtain a proposal from Gateway Industrial Power, Inc who is the City's current generator maintenance company and is renting the City the generator, to replace the generator in the amount of \$42,600 and Schaeffer Electric, the City's contract Electrical Services and Support Contractor, to provide installation services in the amount of \$27,873. These two proposals with a contingency of \$2, 800 create a total project budget of \$73,273. The City's deductible for the insurance claim is \$25,000. The City has received approval for reimbursement to be issued from our insurance company in the amount of \$45,473.

Recommendations and Action Requested:

The Procurement Department and Fire Department is requesting a transfer of funds from account number 301-1100-600.75-03, project number TR2003, to account number 301-1704-600.75-03, project number FO2007, in the amount of \$42,600.00 to cover the cost of the generator replacement while funds are being issued by the City's insurance company in order to minimize future rental fees. Additionally the Departments are requesting that a Purchase Order be issued to Gateway Industrial Power, Inc. in the amount of \$42,600 for the purchase of a 200 kW generator under a single source procurement as they are willing to waive \$5,688 in rental fees with purchase of the generator. The single source would fall under section 2-377 of our code of ordinances, Section 3 stating "Supplies are available at a discount from a single distributor for a limited period of time" due to the elimination of fees from rental.

Alternatives Available:

Does this project have a public information component? Yes No

Cost: \$42,600.00 Account #: 30117046007503 Project #: FO2007 Budgeted: NO

If YES, Budgeted Amount: \$0.00 If NO, or if insufficient funding (Complete Step #3).

Department Head Comments:

BY: David Weidler

Date: 1/31/2020

Authenticated: weidledc

You can attach up to 3 files along with this request.


Kirkwood Fire Dept Jan 26
2020.pdf
Adobe Acrobat Document
156 KB

 File Attachment

 File Attachment

Step #2: If request involves approval of bids, contracts, proposals, purchases, etc. **(Must have Purchasing Director's approval).**

Approve

Purchasing Director's Comments:

BY: David Weidler

Date: 1/31/2020

Authenticated: weidledc

You can attach up to 3 files along with this request.

 File Attachment

 File Attachment

 File Attachment

Step #3: If budgetary approval is required **(Must have Finance Department's approval).**

Transfer of Funds

From Account # or Fund Name: 301-1100-600.75-03, TR2003, \$42,600

To Account # or Fund Name: 301-1704-600.75-03, FO2007

Finance Director's Comments:

Budget appropriation is sufficient to approve above request to transfer \$42,600 from 301-1100-600.75-03, Building & Site Improvement, Project TR2003, Building Restoration-Design to 301-1704-600.75-03, Building & Site Improvement, Project FO2007, Firehouse 1 Generator.

BY: Sandra Stephens

Date: 1/31/2020

Authenticated: stephesf

Step #4: All Requests Require Chief Administrative Officer Approval for Placement on Meeting Agenda.

Approve Disapprove

Chief Administrative Officer's Comments:

BY:

A handwritten signature in blue ink, written over a horizontal line. The signature is cursive and appears to be "Stanley".

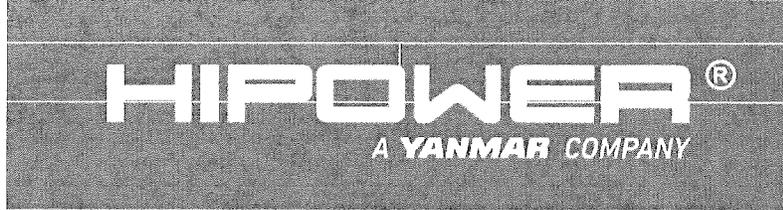
Date:

2-3-20



GATEWAY

INDUSTRIAL POWER, INC.



921 Fournie Lane
Collinsville, IL 62234
Fax (618) 343-7131

DATE: October 21, 2019
PROPOSAL No: 102419 CW
Updated January 26, 2020

CUSTOMER: Christopher Wenom
City of Kirkwood
Kirkwood, MO

PROJECT: Fire Station #1
Kirkwood MO

LEAD TIME	SHIP VIA	F.O.B POINT	TERMS
6-8 Weeks	Common Carrier	Job Site	Net 30 Days

QTY	EQUIPMENT DESCRIPTION	TOTAL PRICE
1	HIPOWER HJW205: 200 kW, 250 kVA at 0.8 pf 277/480 VAC three phase four wire, diesel generator EPA rated for emergency standby duty	\$ 39,600.00
1	Rental: Temporary generator from October 21, 2019 thru January 26, 2020	\$ 3,000.00
1	Temporary Generator: Once order for new generator is received temporary generator will be provided at no cost until new generator is delivered, installed and placed into service	No Charge

Option:

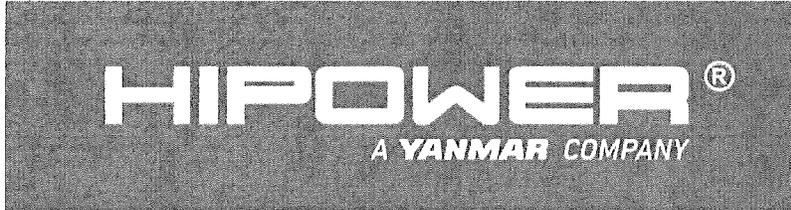
The above price does not include unloading, installation, fuel or any sales or use tax unless shown as a separate line item Price is valid for Sixty- (60) days. Gateway Industrial Power reserves the right to retract or modify this proposal at any time due to errors or omissions. *Terms of sale are standard terms and conditions as listed in an approved, signed credit application.*

921 Fournie Lane Collinsville, IL MO	8745 West 82 nd Pl Justice IL	883 State Highway 80 Matthews, MO	2615 N 42 nd Street Quincy, IL	14000 Veterans Mem Hwy Wright City, MO	604 IL Valley Dr SE4 McLean, IL	4664 Crossroads Ind Dr Bridgeton,
62234 618-345-0123 314-531-3316	60458 708-563-7090	63867 573-481-9000	62305 217-224-6002	63390 636-745-2131	61754 309-874-2243	63044 314-291-5533



GATEWAY

INDUSTRIAL POWER, INC.



The above price includes one onsite start-up. All electrical and mechanical connections should be completed at the time of startup request. This includes exhaust systems, fuel piping, and any other system accessories. If an extra start up inspection is required because of incomplete installation, it will be invoiced at our prevailing labor and mileage rates. Gateway Industrial Power (GIP) will provide a pre-startup checklist to be filled out by the installing contractor upon completion of installation, and returned to GIP for startup scheduling. Startup must be performed within one year of shipment to validate the generator manufacturer's warranty.

A detailed Bill of Materials is included. Please refer to the equipment spec sheets and installation drawings for additional information. Please contact us if this information, or any other documentation is needed.
THANK YOU FOR THE OPPORTUNITY TO QUOTE THIS PROJECT!

Chuck Wentzel
Sales Manager, Power Generation
Office: (618) 345-0123
Mobile: (618) 402-7024
Fax: (618) 343-7131

Approved By: _____

Date: _____

Equipment Proposed:

HIPOWER HJW205: Diesel Generator Set

- Rated: 200 kW/ 250 kVA @ 0.8 PF on diesel fuel
- 277/480 Volt, 3 Phase, 60 Hz
- EPA Stationary Emergency Standby Duty

Unit Features:

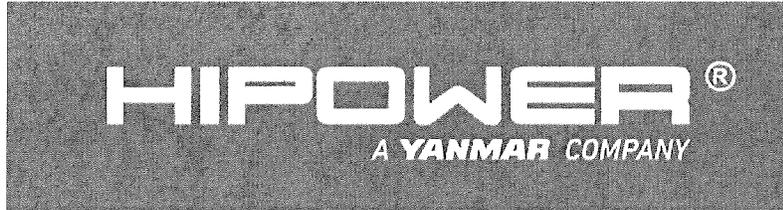
John Deere Diesel Engine

- Model – 6068HFG85-235
- Heavy Duty Air Cleaner w/Service Indicator
- 50 C Ambient Radiator

921 Fournie Lane Collinsville, IL MO	8745 West 82 nd Pl Justice IL	883 State Highway 80 Matthews, MO	2615 N 42 nd Street Quincy, IL	14000 Veterans Mem Hwy Wright City, MO	604 IL Valley Dr SE4 McLean, IL	4664 Crossroads Ind Dr Bridgeton,
62234 618-345-0123 314-531-3316	60458 708-563-7090	63867 573-481-9000	62305 217-224-6002	63390 636-745-2131	61754 309-874-2243	63044 314-291-5533



GATEWAY
INDUSTRIAL POWER, INC.



Newage Alternator

- Model – UCI274K
- Class H Insulation
- Brushless Rotating Field Generator with Class H Insulation
- Tropical Coating
- PMG Excitation

Circuit Breaker

- 300 Amp, 80% Rated, Electronic Trip (Long & Short), Main Line Circuit Breaker

HIPOWER DSE7310 Control Panel

HIPOWER DSE 7310 digital genset controller provides integrated engine-genset control, protection, and metering in a single package. Microprocessor based technology allows for exact measurement, setpoint adjustment, and timing functions. Front panel controls and indicators enable quick and simple DSE 7310 operation. A wide temperature-range liquid crystal display (LCD) with backlighting can be viewed under a wide range of ambient light and temperature conditions.

Heavy Duty Integral Vibration Isolators between Engine/Alternator and Base

1 1/4" NPT Inlet Connection

Oil Drain Kit (Oil Drain Piped to Edge of Skid w/Valve)

Lube Oil & Antifreeze (Initial Fill)

Battery Rack & Cables

Flex Fuel Line

120V, 1500W Block Heater

Coolant Drain Kit (Coolant Drain Piped to Edge of Skid w/Valve)

Battery Charger: (6Amp/12 Volt)

12V Lead Acid Battery, 760CCA

Remote Alarm Annunciator

Sound Attenuated Weather Proof Enclosure w/Internal Critical Silencer & Stainless Flex

- Heavy Duty 14 Ga. Galvanneal Steel
- Peaked Roof
- Lockable Doors

921 Fournie Lane Collinsville, IL MO	8745 West 82 nd Pl Justice IL	883 State Highway 80 Matthews, MO	2615 N 42 nd Street Quincy, IL	14000 Veterans Mem Hwy Wright City, MO	604 IL Valley Dr SE4 McLean, IL	4664 Crossroads Ind Dr Bridgeton,
62234 618-345-0123 314-531-3316	60458 708-563-7090	63867 573-481-9800	62305 217-224-6002	63390 636-745-2131	61754 309-874-2243	63044 314-291-5533



GATEWAY
INDUSTRIAL POWER, INC.



- Stainless Steel Hinges & Hardware
- Powder Coat Finish
- Wind rated 180 MPH
- Sound rated 75 dB(A) @ 7 M

375 Gal., UL142, Subbase Tank, Double Wall Secondary Containment

- Emergency & Normal Vents (Internal)
- Low Fuel Level & Fuel in Basin Switch
- Mechanical Fuel Level Gauge
- Fuel Level Sender
- Manual Fill w/Locking Cap

24 Hrs @ 100% Standby Load

Misc:

- One Hour Factory Load Bank Test**
- Standard 2 Year Standby Limited Warranty**
- (1) Electronic O&M Manual**
- Certified to UL2200**
- Owner Training**
- Initial Startup and check out**

921 Fournie Lane
Collinsville, IL
MO
62234
618-345-0123
314-531-3316

8745 West 82nd Pl
Justice IL
60458
708-563-7090

883 State Highway 80
Matthews, MO
63867
573-481-9000

2615 N 42nd Street
Quincy, IL
62305
217-224-6002

14000 Veterans Mem Hwy
Wright City, MO
63390
636-745-2131

604 IL Valley Dr SE4
McLean, IL
61754
309-874-2243

4664 Crossroads Ind Dr
Bridgeton,
63044
314-291-5533

RESOLUTION 18-2020

A RESOLUTION TRANSFERRING FUNDS IN THE AMOUNT OF \$30,673 FROM ACCOUNT #301-1100-600.75.03, PROJECT #TR2003, TO ACCOUNT #301-1704-600.75.03, PROJECT #FO2007, APPROVING A CONTRACT AMENDMENT WITH SCHAEFFER ELECTRIC IN THE AMOUNT NOT TO EXCEED OF \$30,673 (WHICH INCLUDES A CONTINGENCY OF \$2,800) FOR THE INSTALLATION OF THE FIRE HOUSE #1 REPLACEMENT GENERATOR AND AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AMENDED CONTRACT.

WHEREAS, the City of Kirkwood competitively bid and awarded Electrical Services and Support to Schaeffer Electric for a term of September 7, 2019 through September 6, 2020, and

WHEREAS, in October 2019 the emergency generator at Fire House #1 was damaged by an internal fire, and

WHEREAS, a Request for Proposals was developed and proposals were received for the installation of the Fire House #1 replacement generator, and

WHEREAS, a Selection Committee consisting of the Director of Procurement, Superintendent of Facilities Operations, Fire Chief, and Fleet Director reviewed the proposals, and

WHEREAS, the Selection Committee recommends Schaeffer Electric as the most qualified to provide installation of the Fire House #1 replacement generator, and

WHEREAS, funds in the amount of \$30,673 need to be transferred from Account #301-1100-600.75.03, Project #TR2003, to Account #301-1704-600.75.03, Project #FO2007.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. Funds in the amount of \$30,673 are hereby transferred from Account #301-1100-600.75.03, Project #TR2003, to Account #301-1704-600.75.03, Project #FO2007.

SECTION 2. The proposal of Schaeffer Electric in the amount not to exceed of \$30,673 (which includes a contingency of \$2,800) for the installation of the Fire House #1 replacement generator is hereby accepted and approved.

SECTION 3. The Mayor is hereby authorized and directed to enter into an amended contract with Schaeffer Electric in the amount not to exceed of \$30,673 (which includes a contingency of \$2,800) for the installation of the Fire House #1 replacement generator.

SECTION 4. This Resolution shall be in full force and effect after its passage and approval.

PASSED AND APPROVED THIS 6TH DAY OF FEBRUARY 2020.

Mayor, City of Kirkwood

ATTEST:

City Clerk

Legislation Request

Resolution

Place On The Agenda Of: 2/6/2020

Step #1:

Strategic Plan NO Goal # & Title

Background To Issue:

In October 2019 the emergency generator located at Fire House # 1 was damage by an internal fire. The City put in place a rental generator to support the facility and sought an insurance claim to replace the generator. During this process the City was able to obtain a proposal from Gateway Industrial Power, Inc who is the City's current generator maintenance company and is renting the City the generator, to replace the generator in the amount of \$42,600 and Schaeffer Electric, the City's contract Electrical Services and Support Contractor, to provide installation services in the amount of \$27,873. These two proposals with a contingency of \$2, 800 create a total project budget of \$73,273. The City's deductible for the insurance claim is \$25,000. The City has received approval for reimbursement to be issued from our insurance company in the amount of \$45,473.

Recommendations and Action Requested:

The Procurement Department and Fire Department is requesting a transfer of funds from account number 301-1100-600.75-03, project number TR2003, to account number 301-1704-600.75-03, project number FO2007, in the amount of \$30,673.00 to cover the cost of the generator replacement while funds are being issued by the City's insurance company in order to minimize future rental fees. Additionally the Departments are requesting a Contract amendment be issued to Schaeffer Electric in the amount of in the amount of \$27,873.00 with a contingency of \$2,800 for a total not to exceed value of \$30,673.00 for Installation of Fire House #1 Replacement Generator

Alternatives Available:

Does this project have a public information component? Yes No

Cost: \$30,673.00 Account #: 30117046007503 Project #: FO2007 Budgeted: NO

If YES, Budgeted Amount: \$0.00 If NO, or if insufficient funding (Complete Step #3).

Department Head Comments:

BY: David Weidler

Date: 1/31/2020

Authenticated: weidledc

You can attach up to 3 files along with this request.



Firehouse #1 Replace
Generator furnished by
others.doc
Microsoft Word 97 - 2003
Document
213 KB

File Attachment

File Attachment

Step #2: If request involves approval of bids, contracts, proposals, purchases, etc. **(Must have Purchasing Director's approval).**

Approve

Purchasing Director's Comments:

BY: David Weidler

Date: 1/31/2020

Authenticated: weidledc

You can attach up to 3 files along with this request.



13491 Resolution Letter.pdf
Adobe Acrobat Document
181 KB

File Attachment

File Attachment

Step #3: If budgetary approval is required **(Must have Finance Department's approval).**

Select...

From Account # or Fund Name: 301-1100-600.75-03, TR2003, \$30,673

To Account # or Fund Name: 301-1704-600.75-03, FO2007

Finance Director's Comments:

Budget appropriation is sufficient to approve above request to transfer \$30,673 from 301-1100-600.75-03, Building & Site Improvement, Project TR2003, Building Restoration-Design to 301-1704-600.75-03, Building & Site Improvement, Project FO2007, Firehouse 1 Generator.

BY: Sandra Stephens

Date: 1/31/2020

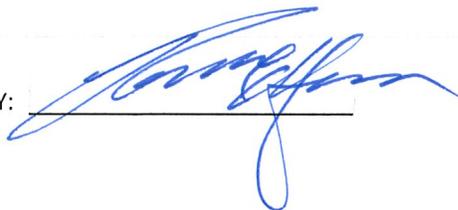
Authenticated: stephesf

Step #4: All Requests Require Chief Administrative Officer Approval for Placement on Meeting Agenda.

Approve Disapprove

Chief Administrative Officer's Comments:

BY:

A handwritten signature in blue ink, appearing to be "J. [unclear]", written over a horizontal line.

Date:

2-4-20



4667 Green Park Rd. St. Louis, Missouri 63123 314/892-7800, FAX: 892-3320

Electrical Contracting Engineers

November 6, 2019

City of Kirkwood
212 S. Taylor Ave.
Kirkwood, MO 63122

Attn: Trace Walls
Re: Replace Existing Generator
Kirkwood Firehouse #1

We propose to do the following work:

1. Disconnect old generator in it's entirety, which includes power feeders, remote annunciator cabling, start cables, battery charger and coolant heater circuitry.
2. Provide crane and hoist old generator from pad unto waiting flatbed truck provided by Gateway Power.
3. Provide crane and hoist new generator onto pad.
4. Provide and install new power feeders from generator to transfer switch.
5. Provide and install new start cables from generator to transfer switch.
6. Provide and install branch circuitry from panelboard to the generator for the battery charger and the coolant heater.
7. All circuitry within the generator enclosure will be sleeved in liquid tight conduit.
8. Remove and replace existing remote annunciator with new.
9. Mount new emergency pushbutton shutdown on exterior wall of building.
10. Provide fuel for loadbank test, training and commissioning.
11. Provide full tank of fuel at job completion.
12. Provide electric permit.

Pricing Breakdown:

Material: \$6383.45

Labor: \$11,627.83

Crane: \$2600.00

Permit: \$800.00

Generator: \$0 (furnished by others, however we can provide for an added cost of \$39,600.00)

Markup: \$6461.35

Total: \$27,873.00

Respectfully Submitted,
Preston Highley
Project Manager / Estimator

Complete Electrical Systems and Repair Service
Performance • Quality • Integrity • For Over 70 Years



January 31, 2020

To: Russell B. Hawes, Chief Administrative Officer

For Your Consideration: Installation of Fire House #1 Replacement Generator, RFP #13491.

A Proposal for the Installation of Fire House #1 Replacement Generator has been received from Schaeffer Electric, who is under contract with the City for providing Electrical Services and Support.

The City of Kirkwood competitively bid and awarded an Electrical Services and Support contract to Schaeffer Electric. The current Contract Renewal #13334 was issued for the term of September 7, 2019 through September 6, 2020.

Per Article VI. Procurement of the City of Kirkwood's Code of Ordinances, a selection committee was appointed by the Chief Administrative Officer and chaired by the Director of Procurement to review and recommend to Council a qualified company to Installation of Fire House #1 Replacement Generator.

The Selection Committee consisted of David Weidler, Director of Procurement, Trace Walls, Superintendent of Facilities Operations, Jim Silvernail, Fire Chief, and Christopher Wenom, Fleet Director, reviewed the proposal.

The Selection Committee reviewed and evaluated the proposal response on:

- A. The specialized experience and technical competence of the company with respect to the type of services required;
- B. The capacity and capability of the company to perform the work in question, including specialized services, within the time limitations fixed for the completion of the project;
- C. The past record of performance of the company with respect to such factors as control of costs, quality of work and ability to meet schedules;
- D. The company's proximity to and familiarity with the area in which the project is located.
- E. Proposed schedule of fees.

After review of the qualified company's proposal to perform these types of services, the Selection Committee is recommending Schaeffer Electric to perform Installation of Fire House #1 Replacement Generator based on the criteria listed above. The specific recommendation is to enter into a contract amendment with Schaeffer Electric to install the replacement generator in the amount of \$27,873.00 with a contingency of \$2,800 for a total not to exceed value of \$30,673.00.

Funding is contingent upon the transfer of funds from account number 301-1100-600.75-03, project number TR2003, to account number 301-1704-600.75-03, project number FO2007, in the amount of \$73,273.00.

Attached is a request from David Weidler, Director of Procurement, authorizing that a contract amendment be issued to Schaeffer Electric in the amount of \$27,873.00 with a contingency of \$2,800 for a total not to exceed value of \$30,673.00 for Installation of Fire House #1 Replacement Generator.

Respectfully,

A handwritten signature in cursive script, appearing to read "David Weidler", with the initials "CPPO, CPPB" written in parentheses to the right of the signature.

David Weidler, CPPO, CPPB.
Director of Procurement

BILL 10812

ORDINANCE

AN ORDINANCE AMENDING THE KIRKWOOD CODE OF ORDINANCES, CHAPTER 14, ARTICLE VIII. SECTION 14-396, SCHEDULE F: "SPEED LIMIT DESIGNATIONS", SUBSECTION (F) TO REDUCE THE SPEED LIMIT TO 15 MPH ON SCHOOL DAYS, 7:00 A.M. TO 6:00 P.M.

WHEREAS, after thoughtful deliberation the City Council has directed City staff to reduce the school speed limit in Subsection (f) of Section 14-396, schedule (F): Speed Limit Designations to 15 mph on school days, and

WHEREAS, the City Council also wishes to establish a school speed limit around the Kirkwood High School as designated in the revised Section 14-396, Schedule F: "Speed Limit Designations", Subsection (f) "School Speed Limits".

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. The Kirkwood Code of Ordinances, Chapter 14, Article VIII. Section 14-396, Schedule F: "Speed Limit Designations", subsection (f) is hereby amended as following:

(f) *School Speed Limit – 15 miles per hour on school days, 7:00 a.m. to 6:00 p.m.*

Chopin Drive, from Dougherty Ferry Road to W. Essex Avenue (Kirkwood High School)

Couch Avenue, from Rose Hill Avenue to Grandview Avenue (Robinson Elementary School)

Dougherty Ferry Road, from Dougherty Place to 220 feet west of Chopin Drive (Kirkwood High School)

Dougherty Ferry Road, from Ballas Road to 725 feet east of Ballas Road (St. Gerard Majella Elementary School)

Essex Avenue, west, from 425 feet west of Clemens court to Pointe Essex Court (Kirkwood High School)

Geyer Road, from Peeke Avenue to 250 feet south of Jewel Avenue (Keysor Elementary School)

Jefferson Avenue (west side), from Clay Avenue to a point 100 feet west of the school property (St. Peter Grade School)

Quan Avenue, from Taylor Avenue to Wood Avenue (Tillman Elementary School)

Woodgate Drive, from Delchester Lane to Cherry Street (Westchester Elementary School)

SECTION 2. The Street Department is hereby directed to install and maintain the speed limit signs in the above locations.

SECTION 3. This Ordinance shall be in full force and effect after its passage and approval, as provided by law.

PASSED AND APPROVED THIS DAY OF.

Mayor, City of Kirkwood

ATTEST:

City Clerk

1st Reading:

2nd Reading:

Legislation Request

Ordinance

Place On The Agenda Of: 1/16/2020

Step #1:

Strategic Plan NO Goal # & Title

Background To Issue:

At the December 5, 2019 Council work session there was a discussion concerning traffic calming initiatives. During the work session the reduction in speed limits in school zones and the reduction of unposted speed limits within the City were discussed. This legislation is reducing school speed limits to 15 mph and creating a 15mph school zone around the Kirkwood High school. Lowering the unposted speed limit from 25 mph to 20 mph is still under review and will be presented to the City Council at a future Council meeting.

Recommendations and Action Requested:

It is recommended that the City Council approved this ordinance to reduce school speed limits to 15 mph and create a 15mph school zone around Kirkwood High school.

Alternatives Available:

Does this project have a public information component? Yes No

Cost: \$0.00 Account #: 0 Project #: 0 Budgeted: YES

If YES, Budgeted Amount: \$0.00 If NO, or if insufficient funding (Complete Step #3).

Department Head Comments:

BY: Bill Bensing

Date: 1/2/2020

Authenticated: bensinwe

You can attach up to 3 files along with this request.



School Speed Limit.doc
Microsoft Word 97 - 2003
Document
32.0 KB

File Attachment

File Attachment

Step #2: If request involves approval of bids, contracts, proposals, purchases, etc. **(Must have Purchasing Director's approval).**

Approve

Purchasing Director's Comments:

BY: David Weidler

Date: 1/9/2020

Authenticated: weidledc

You can attach up to 3 files along with this request.

 File Attachment

 File Attachment

 File Attachment

Step #3: If budgetary approval is required (**Must have Finance Department's approval**).

Select...

From Account # or Fund Name:

To Account # or Fund Name:

Finance Director's Comments:

BY: Select...

Date:

Authenticated:

Step #4: All Requests Require Chief Administrative Officer Approval for Placement on Meeting Agenda.

Approve

Disapprove

Chief Administrative Officer's Comments:

BY:



Date:

1-9-20

SUBSTITUTE BILL 10812

ORDINANCE

AN ORDINANCE AMENDING THE KIRKWOOD CODE OF ORDINANCES, CHAPTER 14, ARTICLE VIII. SECTION 14-396, SCHEDULE F: "SPEED LIMIT DESIGNATIONS", SUBSECTION (F) TO REDUCE THE SPEED LIMIT TO 15 MPH ON SCHOOL DAYS, 7:00 A.M. TO 6:00 P.M.

WHEREAS, after thoughtful deliberation the City Council has directed City staff to reduce the school speed limit in Subsection (f) of Section 14-396, schedule (F): Speed Limit Designations to 15 mph on school days, and

WHEREAS, the City Council also wishes to establish a school speed limit around the Kirkwood High School as designated in the revised Section 14-396, Schedule F: "Speed Limit Designations", Subsection (f) "School Speed Limits".

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. The Kirkwood Code of Ordinances, Chapter 14, Article VIII. Section 14-396, Schedule F: "Speed Limit Designations", subsection (f) is hereby amended as following:

(f) *School Speed Limit – 15 miles per hour on school days, 7:00 a.m. to 6:00 p.m.*

Chopin Drive, from Dougherty Ferry Road to W. Essex Avenue (Kirkwood High School)

Couch Avenue, from Rose Hill Avenue to Grandview Avenue (Robinson Elementary School)

Dougherty Ferry Road, from Dougherty Place to 220 feet west of Chopin Drive (Kirkwood High School)

Dougherty Ferry Road, from Ballas Road to 725 feet east of Ballas Road (St. Gerard Majella Elementary School)

Essex Avenue west, from 425 feet west of Clemens court to Pointe Essex Court (Kirkwood High School)

Geyer Road, from Peeke Avenue to 250 feet south of Jewel Avenue (Keysor Elementary School)

Jefferson Avenue (west side), from Clay Avenue to a point 100 feet west of the school property (St. Peter Grade School)

Quan Avenue, from Taylor Avenue to Wood Avenue (Tillman Elementary School)

Woodgate Drive, from Delchester Lane to Cherry Street (Westchester Elementary School)

Idlewild Place, 200 block of West Woodbine, 500 block of South Clay (between West Woodbine and Idlewild Place)

SECTION 2. The Street Department is hereby directed to install and maintain the speed limit signs in the above locations.

SECTION 3. This Ordinance shall be in full force and effect after its passage and approval, as provided by law.

PASSED AND APPROVED THIS DAY OF.

Mayor, City of Kirkwood

ATTEST:

City Clerk

1st Reading:

2nd Reading:

BILL 10813

ORDINANCE

AN ORDINANCE REAPPROVING THE FINAL SUBDIVISION PLAT OF AN EIGHT-LOT SUBDIVISION ON THE PROPERTIES KNOWN AS 2017 LILY AVENUE AND 2040 BOAZ AVENUE IN THE CITY OF KIRKWOOD, ST. LOUIS COUNTY, MISSOURI.

WHEREAS, following the approval of the preliminary plat and plan in Resolution 9-2019, Ingargiola Development LLC made application (PZ-13-19) for Final Plan/Plat approval for a Community Unit Plan Type A for an eight-lot subdivision known as Emmerson Estates upon properties known as 2017 Lily Avenue and 2040 Boaz Avenue, and

WHEREAS, the Planning and Zoning Commission did on the 15th day of May, 2019, recommend approval of the final development plan for the Community Unit Plan Type A and final subdivision plat, and

WHEREAS, the City Council did on the 3rd day of July, 2019, approve the final development plan and final subdivision plat by adopting Ordinance 10609, and

WHEREAS, Ingargiola Development LLC began construction of said development and desires to continue said subdivision but failed to record the final plat at the office of the Recorder of Deeds for St. Louis County, Missouri within the 90 day timeframe stipulated in Ordinance 10609, and

WHEREAS, Ingargiola Development LLC has applied for reapproval of the final plat, and

WHEREAS, while seeking said reapproval, Ingargiola Development LLC also seeks to revise the name of said subdivision from "Emmerson Estates" to "The Bluffs at Lily Avenue", and

WHEREAS, Planning and Zoning did on the 5th day of February, 2020, recommend that the reapplication be approved.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. The final subdivision plat for a Community Unit Plan Type A on the properties known as 2017 Lily Avenue, and 2040 Boaz Avenue in the City of Kirkwood, St. Louis County, Missouri, is hereby approved.

SECTION 2. The approval of said final subdivision plat is subject to the following conditions:

1. Ordinance 10609 shall remain in full force and effect, except that the final plat may be revised to change the name of the subdivision to "The Bluffs at Lily Avenue".
2. The applicant shall record the final plat at the office of the Recorder of Deeds for St. Louis County, Missouri within 90 days of the passage of this ordinance or said approval shall become null.

SECTION 3. The easements designated for public use on such plat are hereby accepted and dedicated for public use.

SECTION 4. The location of the residential structures shall be reviewed by staff following the submittal of an "Application for Site Plan Review for New Single Family Residences" and following approval of the Final Subdivision Plat for this project.

SECTION 5. The approval of this subdivision shall not authorize any person to increase or unreasonably alter, increase, or redirect the surface water run off so as to cause harm to any person or property. The applicant assumes all responsibility and liability for storm water run-off.

SECTION 6. The premises and improvements as approved by this Ordinance shall be in good working order and maintained in good repair at all times.

SECTION 7. That the applicant by accepting and acting under the Subdivision approval herein granted accepts the subdivision approval subject to the reservations, restrictions, and conditions set forth in the Code of Ordinances and in this Ordinance and agrees to comply with each provision subject to the penalties prescribed under Section 1-8 of the Code of Ordinances.

SECTION 8. The applicant and his successors and assigns by accepting and acting under the approval herein granted accepts the approval subject to the condition that failure to abate any violation of this approval or any provisions of the Code of Ordinances of the City of Kirkwood within five (5) days after notice by hand delivery or first-class mail shall result in an administrative investigation fee of \$500 due to the City of Kirkwood. An invoice shall be issued. A Stop Work Order to cease all work on the premises except such work as directed by the Public Works Director to abate the violation may be issued for any work on the premises until the investigation fee is paid in full. The City may demand payment of said fee from the holder of the letter of credit, any bond, or escrow if not paid within 30 days of the invoice.

SECTION 9. That the City Clerk is authorized to execute such plat on behalf of the City, and the Council does hereby authorize that such plat and a copy of this ordinance be recorded at the office of the Recorder of Deeds for St. Louis County, Missouri, at the expense of the applicant, within 90 days of the passage of this ordinance. A copy of said recorded plat shall be filed in the Public Services Director's Office within 90 days of City Council Approval of the Final Plat.

SECTION 10. Within ten days after recording, one PDF digital version and one mylar copy of the recorded plat shall be submitted to the Public Services Department.

SECTION 11. This ordinance shall be in full force and effect after its passage and approval, as provided by law.

PASSED AND APPROVED THIS ____TH DAY OF _____, 2020.

Mayor, City of Kirkwood

ATTEST:

City Clerk

1st Reading:

2nd Reading:

Legislation Request

Ordinance

Place On The Agenda Of: 2/6/2020

Step #1:

Strategic Plan NO Goal # & Title

Background To Issue:

The Final Development Plan and Final Plat for the 8-lot single-family Community Unit Plan development known as Emmerson Estates was most recently approved on in July of 2019. This approval was a reapproval after the development was purchased by a new owner and previous approvals had lapsed. The current owner/developer began the site work within the 1 year timeframe required by the CUP Final Development Plan; however, the owner/developer unintentionally missed the 90-day deadline to record the final plat.

Because the 90-day recording deadline was missed, the previous final plat approval is void. The owner is requesting reapproval of the same plat with one minor change. The owner is requesting to change the name of the development to The Bluffs at Lily Avenue. The owner's representative has provided a cover letter with an explanation for that request.

Recommendations and Action Requested:

The P&Z Commission is expected to make a recommendation at their 2/5/2020 meeting and Staff will provide an update to the City Council at the 2/6/2020 Council Meeting. Due to the fact that this request is purely a technicality related to a missed timeline for recording, Staff is requesting consideration by the City Council at the 2/6/2020 meeting pending the P&Z Commission's action on 2/5/2020. This consideration does not require a public hearing but will require 2 votes as an ordinance.

Alternatives Available:

Does this project have a public information component? Yes No

Cost: \$0.00 Account #: 0 Project #: Budgeted: YES

If YES, Budgeted Amount: \$0.00 If NO, or if insufficient funding (Complete Step #3).

Department Head Comments:

BY: Jonathan Raiche

Date: 1/30/2020

Authenticated: raichejd

You can attach up to 3 files along with this request.


2020-02-06 PZ-13-19 CC
Packet.pdf
Adobe Acrobat Document
8.93 MB


2020-02-06 PZ-13-19 FinalPlat
Reapproval.doc
Microsoft Word 97 - 2003
Document
39.5 KB

 File Attachment

Step #2: If request involves approval of bids, contracts, proposals, purchases, etc. **(Must have Purchasing Director's approval).**

Select...

Purchasing Director's Comments:

BY: Select...

Date:

Authenticated:

You can attach up to 3 files along with this request.

 File Attachment

 File Attachment

 File Attachment

Step #3: If budgetary approval is required **(Must have Finance Department's approval).**

Select...

From Account # or Fund Name:

To Account # or Fund Name:

Finance Director's Comments:

BY: Select...

Date:

Authenticated:

Step #4: All Requests Require Chief Administrative Officer Approval for Placement on Meeting Agenda.

Approve Disapprove

Chief Administrative Officer's Comments:

BY:



Date:

2-3-20



122 North Kirkwood Road
Kirkwood, MO 63122-4302
T: (314) 965-wind
F: (314) 965-7582

January 27, 2020

**** DELIVERY ****

Mr. Jonathan Raiche, AICP
City Planner
City of Kirkwood
139 South Kirkwood Road
Kirkwood, MO 63122
T: (314) 984-5926
e: raichejd@kirkwoodmo.org

Re: Emmerson Estates, PZ-13-19, Ordinance 10609

Dear Mr. Raiche:

On behalf of Ingargiola Development LLC (Ingargiola), attached please find a completed application and filing fee for a request to place prior PZ-13-19 Emmerson Estates on the agenda for the February 5, 2020 Planning and Zoning Commission meeting.

Our request is two-fold: 1.) approve as necessary a revised name for the development from the previous "Emmerson Estates" to "The Bluffs at Lily Avenue", and 2.) grant an extension of time to record the renamed final plat.

The first request, a name change, relates to marketing the lots within the development. You are aware of the issues with the prior developer, and Ingargiola's sales agents would prefer to diminish any association to that situation.

In conjunction with securing a new name for the development and making those edits to the final plat and subdivision indentures, we also request approval of an extension of time to record the new plat. Ingargiola was more focused on installing the infrastructure for the project and simply missed the ninety (90) day window following final passage of Ordinance. When they did attempt to record the "Emmerson Estates" final plat at St. Louis County, the Recorder's office would not accept it as some text on the signed mylar was deemed illegible. It was also at that time the sales agents recommended that Ingargiola consider securing a different name for the subdivision.

Mr. Jonathan Raiche, AICP
January 27, 2020
Page 2

Thank you and do not hesitate to contact our office with any questions.

Very truly yours,

Wind Engineering Company

A handwritten signature in dark ink, appearing to read 'D. Wind, Jr.', with a stylized flourish at the end.

Daniel C. Wind, Jr., P.E.
Principal
dwind@windengr.com

16013

BILL 10770

ORDINANCE 10609

AN ORDINANCE APPROVING THE FINAL DEVELOPMENT PLAN FOR A COMMUNITY UNIT PLAN TYPE A AND FINAL SUBDIVISION PLAT OF AN EIGHT-LOT SUBDIVISION ON THE PROPERTIES KNOWN AS 2017 LILY AVENUE AND 2040 BOAZ AVENUE IN THE CITY OF KIRKWOOD, ST. LOUIS COUNTY, MISSOURI.

WHEREAS, the City Council did on the 19th day of January, 2019, approve the preliminary plan and plat by adopting resolution 9-2019; and

WHEREAS, Ingargiola Development LLC made application (PZ-13-19) for Final Plan/Plat approval for a Community Unit Plan Type A for an eight-lot subdivision known as Emmerson Estates upon properties known as 2017 Lily Avenue and 2040 Boaz Avenue, and

WHEREAS, the Planning and Zoning Commission did on the 15th day of May, 2019, recommend approval of the final development plan for the Community Unit Plan Type A and final subdivision plat by adopting the subcommittee report dated May 15, 2019, attached hereto and incorporated by reference herein, and

WHEREAS, the City Council did on the 20th day of June, 2019, hold an open meeting with respect to said application.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. The final development plan for a Community Unit Plan Type A and the final subdivision plat on the properties known as 2017 Lily Avenue, and 2040 Boaz Avenue in the City of Kirkwood, St. Louis County, Missouri, is hereby approved.

SECTION 2. The approval of said final development plan and final subdivision plat are subject to the following conditions:

1. The subdivision shall be developed and all improvements shall be consistent with the Final Development Plans prepared by Wind Engineering Company (37 Sheets) stamped "Received April 12, 2019 City of Kirkwood Public Services Department", Partial Revised Final Development Plan Sheets (C5.1, C16.1, C17.1A, and C17.1B), the Final Landscape Plan prepared by Hall & Associates LLC stamped "Received April 12, 2019 City of Kirkwood Public Services Department", and the Final Record Plat prepared by Wind Engineering Company stamped "Received May 1, 2019 City of Kirkwood Public Services Department".
2. A performance guarantee in an amount of \$637,100 is required and has been submitted in the form of a letter of credit. The purpose of this is to guarantee the completion of public

improvements, to replace public improvements damaged by construction activities and to guarantee significant trees designated to be saved.

3. The sidewalk requirement shall be reduced to only the north side of the extended Lily Avenue as the Lily Avenue extension is a cul-de-sac street that serves less than 9 single-family residential lots.
4. Lily Avenue shall be reconstructed to twenty-six (26) feet in width from the entrance of the subdivision to the intersection of Emmerson Avenue.
5. The primary construction route shall be via Boaz.
6. A separate flood plain development permit is required.
7. Per Appendix B, Article X, a waiver to allow for above-ground water detention is approved.
8. Storm water management plans and sanitary sewer plans have been approved by Metropolitan Sewer District (MSD). Storm water greater than one c.f.s. shall not be directed across the driveway entrances.
9. The water system shall meet the requirements of the Kirkwood Fire and Water Departments. The Fire Department shall approve the water flow for the project. If satisfactory water flow is not available from the existing water system in accordance with City policy, the petitioner shall install the necessary mains and accessories.
10. The subdivision shall meet adopted fire hydrant standards and fire apparatus access roads requirements as governed by the 2009 International Fire Code.
11. A grading permit shall be obtained from the Public Services Department in accordance with the Kirkwood Code of Ordinances prior to any grading on the site. The grading permit shall include a grading plan in accordance with the Code of Ordinances.
12. Erosion and sediment control devices shall be sufficient to protect all off-site property from siltation shall be maintained during the construction activities. Failure to maintain these devices authorizes the Public Services Department to issue a Stop Work Order for the building permit until such devices are restored.
13. No parking of construction trailers, material storage, equipment storage or construction equipment is authorized on the public streets at any time, or on the site unless actively in use for the site development and building construction.
14. Tree protection fencing shall be installed and maintained in accordance with the Tree Study as designated on the Landscape Plan. Failure to maintain the tree-protection fencing during the demolition and construction activities shall authorize the Public

Services Department to issue a stop work order for the grading, foundation, or building permit until the fencing is restored.

15. No grading shall create a slope greater than 3 (horizontal) to 1 (vertical).
16. Any existing street, curbs, or sidewalks that are damaged shall be reconstructed to City standards.
17. If a subdivision identity sign is to be installed, it shall meet the requirements of Article 1-1/2 Sign Code of Section 5 of the General Code of Ordinances. Its design shall be approved by the Architectural Review Board prior to the issuance of a sign permit.

SECTION 3. The easements designated for public use on such plat are hereby accepted and dedicated for public use.

SECTION 4. The location of the residential structures shall be reviewed by staff following the submittal of an "Application for Site Plan Review for New Single Family Residences" and following approval of the Final Subdivision Plat for this project.

SECTION 5. The approval of this subdivision shall not authorize any person to increase or unreasonably alter, increase, or redirect the surface water run off so as to cause harm to any person or property. The applicant assumes all responsibility and liability for storm water run-off.

SECTION 6. The premises and improvements as approved by this Ordinance shall be in good working order and maintained in good repair at all times.

SECTION 7. That the applicant by accepting and acting under the Subdivision approval herein granted accepts the subdivision approval subject to the reservations, restrictions, and conditions set forth in the Code of Ordinances and in this Ordinance and agrees to comply with each provision subject to the penalties prescribed under Section 1-8 of the Code of Ordinances.

SECTION 8. The applicant and his successors and assigns by accepting and acting under the approval herein granted accepts the approval subject to the condition that failure to abate any violation of this approval or any provisions of the Code of Ordinances of the City of Kirkwood within five (5) days after notice by hand delivery or first-class mail shall result in an administrative investigation fee of \$500 due to the City of Kirkwood. An invoice shall be issued. A Stop Work Order to cease all work on the premises except such work as directed by the Public Works Director to abate the violation may be issued for any work on the premises until the investigation fee is paid in full. The City may demand payment of said fee from the holder of the letter of credit, any bond, or escrow if not paid within 30 days of the invoice.

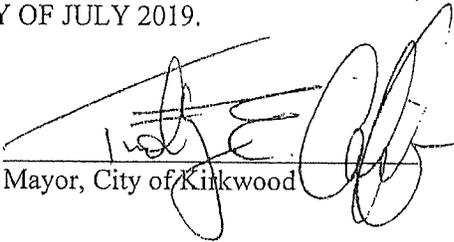
SECTION 9. That the City Clerk is authorized to execute such plat on behalf of the City, and the Council does hereby authorize that such plat and a copy of this ordinance be recorded at the office of the Recorder of Deeds for St. Louis County, Missouri, at the expense of the applicant, within 90 days of the passage of this ordinance. A copy of said recorded plat shall be

filed in the Public Services Director's Office within 90 days of City Council Approval of the Final Plat.

SECTION 10. Within ten days after recording, one PDF digital version and one mylar copy of the recorded plat shall be submitted to the Public Services Department.

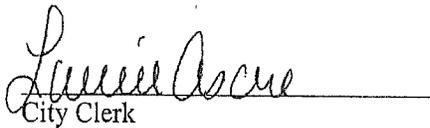
SECTION 11. This ordinance shall be in full force and effect after its passage and approval, as provided by law.

PASSED AND APPROVED THIS 3RD DAY OF JULY 2019.



Mayor, City of Kitkwood

ATTEST:



City Clerk

1st Reading: June 20, 2019

2nd Reading: July 3, 2019

RESOLUTION 9-2020

A RESOLUTION ACCEPTING THE DONATION OF DON AND NANCY ROSS FOR THE NAMING RIGHTS TO THE MAIN STAGE THEATRE OF THE PERFORMING ARTS CENTER.

WHEREAS, pursuant to an Agreement between STAGES St. Louis and the City of Kirkwood, STAGES sought donations for naming rights for areas of the Performing Arts Center (“PAC”), and

WHEREAS, STAGES proposed that the City accept the generous donation of Don and Nancy Ross for the naming rights to the Main Stage Theatre, and

WHEREAS, the City Council believes it is in the best interests of the City to accept the donation and name the Main Stage Theatre the “The Ross Family Theatre” for the life of the building.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. The City of Kirkwood accepts the donation of Don and Nancy Ross and agrees to name the Main Stage Theatre as “The Ross Family Theatre” for the life of the building.

SECTION 2. This Resolution shall be in full force and effect after its passage and approval.

PASSED AND APPROVED THIS 6TH DAY OF FEBRUARY 2020.

Mayor, City of Kirkwood

ATTEST:

City Clerk

Legislation Request

Resolution

Place On The Agenda Of: 2/6/2020

Step #1:

Strategic Plan NO Goal # & Title

Background To Issue:

Pursuant to an Agreement between STAGES St. Louis and the City of Kirkwood, STAGES sought donations for naming rights for the Performing Arts Center (PAC) and areas of the PAC. STAGES proposed that the City accept the generous donation of Don and Nancy Ross for the naming rights to the Main Stage Theatre, naming it "The Ross Family Theatre".

Recommendations and Action Requested:

Accept the donation on Don and Nancy ross and agree to name the Main Stage Theatre as "The Ross Family Theatre" for the life of the building.

Alternatives Available:

Does this project have a public information component? Yes No

Cost: \$0.00 Account #: 00000 Project #: Budgeted: YES

If YES, Budgeted Amount: \$0.00 If NO, or if insufficient funding (Complete Step #3).

Department Head Comments:

BY: Laurie Asche

Date: 1/28/2020

Authenticated: aschelb

You can attach up to 3 files along with this request.

 File Attachment

 File Attachment

 File Attachment

Step #2: If request involves approval of bids, contracts, proposals, purchases, etc. **(Must have Purchasing Director's approval).**

Select...

Purchasing Director's Comments:

BY: Select...

Date:

Authenticated:

You can attach up to 3 files along with this request.

 File Attachment

 File Attachment

 File Attachment

Step #3: If budgetary approval is required (**Must have Finance Department's approval**).

Select...

From Account # or Fund Name:

To Account # or Fund Name:

Finance Director's Comments:

BY: Select...

Date:

Authenticated:

Step #4: All Requests Require Chief Administrative Officer Approval for Placement on Meeting Agenda.

Approve Disapprove

Chief Administrative Officer's Comments:

BY:



Date:

2-3-20

RESOLUTION 15-2020

A RESOLUTION TRANSFERRING FUNDS IN THE AMOUNT OF \$9,140 FROM PROJECT #PR1712 TO PROJECT #PR1711 IN ACCOUNT #302-2001-600.75.03, APPROVING A CONTRACT AMENDMENT WITH JACOBS ENGINEERING GROUP, INC. IN THE AMOUNT OF \$9,140 FOR A NOT TO EXCEED AMOUNT OF \$1,969,034 FOR ADDITIONAL DESIGN BIDDING AND CONSTRUCTION SERVICES FOR THE PERFORMING ARTS CENTER.

WHEREAS, Jacobs Engineering Group is currently under contract to provide Schematic Design Services, Design Development Services, and provision of Construction Documents for the Performing Arts Center, and

WHEREAS, as construction on the Performing Arts Center has moved forward, a desire has emerged to reconsider the design of the "feature wall" located in the main lobby, which requires additional design services, and

WHEREAS, the Director of Parks and Recreation recommends amending the contract with Jacobs Engineering Group for the additional Design Bidding and Construction Services in the amount of \$9,140 for a not to exceed amount of \$1,969,034, and

WHEREAS, staff recommends that a transfer in the amount of \$9,140 be made from Project #PR1712 to Project #PR1711 in Account #302-2001-600.75.03.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. Funds in the amount of \$9,140 are hereby transferred from Project #PR1712 to Project #PR1711 in Account #302-2001-600.75.03.

SECTION 2. The contract amendment with Jacobs Engineering Group, Inc. in an the amount of \$9,140 for a not to exceed amount of \$1,969,034 for additional Design Bidding and Construction Services for the Performing Arts Center is hereby accepted and approved.

SECTION 3. This Resolution shall be in full force and effect after its passage and approval.

PASSED AND APPROVED THIS 6TH DAY OF FEBRUARY 2020.

Mayor, City of Kirkwood

ATTEST:

City Clerk

Legislation Request

Resolution

Place On The Agenda Of: 2/6/2020

Step #1:

Strategic Plan YES

Goal # & Title #4 Nurture Downtown

Background To Issue:

As construction has moved forward on the Performing Arts Center a desire has emerged to reconsider the design for the "feature wall;" the very large wall located in the PAC main lobby. Currently the wall is scheduled to have a number of large geometric shapes painted on the wall. Jacobs has requested an additional fee to develop alternative designs. This request would amend their current contract to allow for this additional work.

Recommendations and Action Requested:

This is a request to increase the current contract with Jacobs by \$9,140, with costs to be charged to Account 302-2001-600-7503 (Building and Site Improvements), Project PR1711 (PAC Design) and transferring \$9,140 from Project PR1712 (CC Design) in the same account.

Alternatives Available:

Does this project have a public information component? Yes No

Cost: \$9,140.00

Account #: 30220016007503

Project #: PR1711

Budgeted: NO

If YES, Budgeted Amount:

If NO, or if insufficient funding (Complete Step #3).

Department Head Comments:

The feature wall of the lobby is a substantial area and the current plan for painting geometric figures may not do the wall justice. For their proposed design fee Jacobs will develop alternative treatments for consideration that will examine opportunities to add texture and/or interest. These additional costs can be covered by transferring money from the remaining balance of funds originally set up for possible community center planning.

BY: Murray Pounds

Date: 1/28/2020

Authenticated: poundsm

You can attach up to 3 files along with this request.

 File Attachment

 File Attachment

 File Attachment

Step #2: If request involves approval of bids, contracts, proposals, purchases, etc. **(Must have Purchasing Director's approval).**

Approve

Purchasing Director's Comments:

BY: David Weidler

Date: 1/30/2020

Authenticated: weidledc

You can attach up to 3 files along with this request.

 File Attachment

 File Attachment

 File Attachment

Step #3: If budgetary approval is required (**Must have Finance Department's approval**).

Transfer of Funds

From Account # or Fund Name: 302-2001-600-75-03 PRJ PR1712

To Account # or Fund Name: 302-2001-600-75-03 Prj PR1711

Finance Director's Comments:

Budget appropriation is sufficient to approve the request to transfer \$9,140 from account 302-2001-600-75-03, Building & Site Improvement, Project PR1712, Community Center Design to account 302-2001-600-75-03, Building & Site Improvement, Project PR1711, Performing Arts Center.

BY: Sandra Stephens

Date: 1/30/2020

Authenticated: stephesf

Step #4: All Requests Require Chief Administrative Officer Approval for Placement on Meeting Agenda.

Approve Disapprove

Chief Administrative Officer's Comments:

BY: 

Date: 2-3-20

RESOLUTION 95-2018

A RESOLUTION TRANSFERRING FUNDS IN THE AMOUNT OF \$423,956 FROM PROJECT #PR1712 TO PROJECT #PR1711 IN ACCOUNT #302-2001-600.75.03, APPROVING A CONTRACT AMENDMENT WITH JACOBS ENGINEERING GROUP, INC. IN THE AMOUNT OF \$423,956 FOR A NOT TO EXCEED VALUE IN THE AMOUNT OF \$1,956,894 FOR DESIGN BIDDING AND CONSTRUCTION SERVICES FOR THE PERFORMING ARTS CENTER.

WHEREAS, Jacobs Engineering Group is currently under contract to provide Schematic Design Services, Design Development Services and provision of Construction Documents for the Performing Arts Center, and

WHEREAS, to complete the projects Jacobs Engineering Group will need to provide their services during the bidding and construction periods, and

WHEREAS, the Director of Parks and Recreation recommends proceeding with the Bidding and Construction Services which results in the contract amendment amount of \$423,956 for a not to exceed value in the amount of \$1,956,894, and

WHEREAS, staff recommends that a transfer in the amount of \$423,956 be made from Project #PR1712 to Project #PR1711 in Account #302-2001-600.75.03.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. Funds in the amount of \$423,956 are hereby transferred from Project #PR1712 to Project #PR1711 in Account #302-2001-600.75.03.

SECTION 2. The contract amendment with Jacobs Engineering Group, Inc. in an amount not to exceed \$1,956,894 for Bidding and Construction Services for the Performing Arts Center is hereby accepted and approved.

SECTION 3. This Resolution shall be in full force and effect after its passage and approval.

PASSED AND APPROVED THIS 7TH DAY OF JUNE 2018.



Mayor, City of Kirkwood

ATTEST:



City Clerk