



WHERE COMMUNITY AND SPIRIT MEET®

**KIRKWOOD CITY COUNCIL  
KIRKWOOD CITY HALL**

**April 7, 2016  
7:00 p.m.**

Pursuant to notice of meeting duly given by the Mayor, the City Council convened on Thursday, April 7, 2016, at 7:00 p.m. at Kirkwood City Hall, 139 South Kirkwood Road, Kirkwood, Missouri. Present were Mayor McDonnell, Council Members Biedenstein, Jaksetic, Luetzow, Sears, and Ward. Also in attendance were Chief Administrative Officer Russell Hawes, City Clerk Betty Montaña, and City Attorney John Hessel. Council Member Griffin was absent and excused.

**PRESENTATIONS**

Vi Skillman from the City of Wentzville, chair of the MoCCFOA Public Relations Committee along with Susan Lane from the City of O'Fallon and Jodi Schneider from the City of Troy presented the Missouri Registered City Clerk Designation to Deputy City Clerk Laurie Asche. The City Council was thanked for its commitment to continued education for the City Clerk and Deputy City Clerk.

**INTRODUCTIONS AND RECOGNITIONS**

NONE

**PUBLIC HEARINGS**

Mayor McDonnell recessed the meeting for the purpose of conducting a public hearing regarding a request to amend Section A-530 of the Zoning Code to allow Learning Centers as a permitted use in the B-4 Zoning District. Mr. Hessel entered the following exhibits into the record: an Affidavit of Publication in the St. Louis Countian on March 9, 2016, as Exhibit 1; an Affidavit of Publication in the Webster Kirkwood Times on March 11, 2016, as Exhibit 2; the report of the Planning and Zoning Commission dated March 3, 2016, as Exhibit 3; the Planning and Zoning Commission Subcommittee Report dated March 2, 2016, as Exhibit 4; and the Kirkwood Code of Ordinances as Exhibit 5.

Zoning Administrator Ryan Spencer presented the matter to the council. Adding Learning Centers to the B-4 Zoning District was actually approved previously by the City Council years ago. It is believed that it is a clerical error that it is no longer listed. A brief discussion ensued.

There being no objection from the council this item was placed on the agenda as Item #2 and became Bill 10483.



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### PUBLIC COMMENTS

1. Judy Post, 1129 S. Geyer, concerned about safety due to the trial posting stop signs on South Geyer. Inquired about the status of the trial posting of the stop signs. Mayor McDonnell stated that nothing has been scheduled yet, but when it is it will be placed on a council work session agenda for discussion.
2. Mary Ann Rea, 1308 S. Geyer, questioned if the new council members will be given all of the information, including citizen concerns, regarding the South Geyer trial posting stop signs.

### CONSENT AGENDA

Motion was made by Council Member Ward and seconded by Council Member Jaksetic to approve the Consent Agenda. Council Member Biedenstein requested that items f), u), and v) be removed and placed at the end of the agenda. The Consent Agenda, with items f), u), and v) removed, was unanimously approved.

- a) Approval of the March 17, 2016 City Council Meeting Minutes
- b) Resolution 25-2016, accepting the bid of Joe Machens Ford for a Ford Explorer AWD Vehicle for the Administration Department and directing the issuance of a Purchase Order (\$26,643)
- c) Resolution 26-2016, renewing the single source contract with ESRI, Inc., for ESRI software for the GIS system and directing the Mayor to enter into a contract (\$18,939)
- d) Resolution 27-2016, accepting the bid of Mohawk Resources, Ltd. for a heavy duty tire changer for the Fleet Division and directing the issuance of a Purchase Order (\$16,465.38)
- e) Resolution 28-2016, accepting the bid of Enterprise Consulting Group for Websense software renewal for the MIS Department and directing the issuance of a Purchase Order (\$15,138)
- f) Resolution 29-2016, accepting the bid of Donnelson Construction Co., LLC, for 2016 Micro Surfacing for the Street Division and directing the Mayor to enter into a contract (not to exceed \$366,053.34) **(moved to the end of the Agenda)**
- g) Resolution 30-2016, accepting the proposal of Crawford, Murphy and Tilly for engineering services for the South Kirkwood Road-Nipher Middle School Safe Rout to School Project and directing the Mayor to enter into a contract (not to exceed \$41,350.40)
- h) Resolution 31-2016, accepting the bid of Bobcat of St. Louis for one 18" Cold Planer for the Street Division and directing the issuance of a Purchase Order (\$11,060)
- i) Resolution 32-2016, accepting the bid of Electric Power Systems for the Essex Substation extensive transformer repair for the Electric Department and directing the Mayor to enter into a contract (not to exceed \$29,046)



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- j) Resolution 33-2016, accepting the bid of Electric Power Systems for the Van Buren Substation extensive transformer repair for the Electric Department and directing the Mayor to enter into a contract (not to exceed \$29,046)
- k) Resolution 34-2016, accepting the bid of Enterprise Consulting Group for Juniper Switches for the MIS Department and directing the issuance of a Purchase Order (\$35,586)
- l) Resolution 35-2016, accepting the bid of Joe Machens Ford for a Ford Escape AWD for the Water Department and directing the issuance of a Purchase Order (\$21,119)
- m) Resolution 36-2016, accepting the bid of Don Brown Chevrolet for a Silverado 3500 Crew vehicle for the Street Division and directing the issuance of a Purchase Order (\$32,953)
- n) Resolution 37-2016, accepting the bid of Enterprise Industrial Construction for water main replacement on Nelda Avenue and Norton Avenue and directing the Mayor to enter into a contract (not to exceed \$286,258)
- o) Resolution 38-2016, accepting the bid of Capitol City Chrysler for a Dodge Ram 1500 vehicle for the Engineering Division and directing the issuance of Purchase Order (\$19,234)
- p) Resolution 39-2016, transferring funds between Street Department Accounts (\$1,500)
- q) Resolution 40-2016, transferring funds from Fire Department Overtime to Fire Department Administration Salaries (\$20,506)
- r) Resolution 41-2016, accepting the proposal of Murphy Company for HVAC Services and Maintenance for a one-year term with the option to renew and directing the Mayor to enter into a contract (rates as provided in proposal)
- s) Resolution 42-2016, accepting the proposal of Murphy Company for Security Equipment Services and Repairs for a one-year with the option to renew and directing the Mayor to enter into a contract (rates as provided in proposal)
- t) Resolution 43-2016, accepting the bid of Joe Machens Ford for a Ford Escape AWD for the Engineering Division and directing the issuance of a Purchase Order (\$21,119)
- u) Resolution 44-2016, accepting the bid of N.B. West Contracting Co. for 2016 Ultra-Thin Bonded Asphalt Wearing Surface for the Street Department and directing the Mayor to enter into a Contract (not to exceed \$422,038.49) **(moved to the end of the Agenda)**
- v) Resolution 45-2016, authorizing and directing the Mayor to enter into a contract with the City of Rock Hill for Accounting Services **(moved to the end of the Agenda)**

#### OLD BUSINESS

Motion was made by Council Member Ward and seconded by Council Member Biedenstein to bring Substitute Bill 10481 to the floor for consideration. The motion was unanimously approved.



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Substitute Bill 10481, appropriating \$225,710 from the Sewer Lateral Replacement Program Fund Balance to Account #207-5701-410.31.10 for the City’s portion to repair and replace failed sanitary sewer laterals, was brought before the council. Council Member Biedenstein requested that record reflect that the money collected for the Sewer Lateral Replacement Program is placed in a separate fund for the City’s 75% contribution to claims made in this regard.

Roll Call Vote as Follows:

Council Member Biedenstein	“Yes”
Council Member Griffin	Absent
Council Member Jaksetic	“Yes”
Council Member Luetzow	“Yes”
Mayor McDonnell	“Yes”
Council Member Sears	“Yes”
Council Member Ward	“Yes”

The bill, having received majority approval of the council, was adopted and became Ordinance 10330.

Motion was made by Council Member Ward and seconded by Council Member Luetzow to reconsider Substitute Bill 10480. The motion to reconsider failed with Council Members Luetzow, Sears and Ward in favor and Council Members Biedenstein, Jaksetic and Mayor McDonnell opposed.

**NEW BUSINESS**

Bill 10482, appropriating donations for the Urban Forestry Commission in the amount of \$701.00 from the Donations Account to the Urban Forestry Account, was brought before the council. Motion was made by Council Member Luetzow and seconded by Council Member Biedenstein to accept the bill for first reading approval. The motion was unanimously approved.

The bill received first reading approval and was held over.

Bill 10483, amending provisions of the City of Kirkwood Municipal Code, Appendix A – Zoning, to add Learning Centers as a permitted use category in the B-4 Planned Commercial District, was brought before the council. Motion was made by Council Member Sears and seconded by Council Member Biedenstein to accept the bill for first reading approval. After discussion a motion was made by Council Member Luetzow and seconded by Council Member Biedenstein to amend the title of the bill to include “and in the B-5 Planned Commercial Development District.” The motion to amend was unanimously approved. Motion was made by Council Member Luetzow and seconded by Council Member Jaksetic to amend the bill by adding a



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new Section 2. to read as follows: “That the B-5 Zoning District of the City of Kirkwood Municipal Code of Ordinances, Appendix A – Zoning, Section A-540.2 is hereby amended by adding (33) Learning Centers and renumbering thereafter. The motion was unanimously approved. The motion to accept the bill as amended for first reading was unanimously approved.

The bill received first reading approval and was held over.

**CONSENT AGENDA ITEMS FOR DISCUSSION**

Resolution 29-2016, accepting the bid of Donnelson Construction Co., LLC, in the amount not to exceed \$366,053.34 (which includes a contingency of \$33,277.58) for 2016 Micro Surfacing for the Street Department and authorizing and directing the Mayor to enter into a contract was brought before the Council. Motion was made by Council Member Ward and seconded by Council Member Biedenstein to accept the Resolution as read. A discussion followed.

Roll Call Vote as Follows:

Council Member Biedenstein	“Yes”
Council Member Griffin	Absent
Council Member Jaksetic	“Yes”
Council Member Luetzow	“Yes”
Mayor McDonnell	“Yes”
Council Member Sears	“Yes”
Council Member Ward	“Yes”

Resolution 44-2016, accepting the bid of N.B. West Contracting Co., in the amount not to exceed \$422,038.49 (which includes a contingency of \$38,367.14) for 2016 Ultra-Thin Bonded Asphalt Wearing Surface to the Street Department and authorizing and directing the Mayor to enter into a contract was brought before the council. Motion was made by Council member Ward and seconded by Council Member Biedenstein to accept the Resolution as read. A discussion ensued.

Roll Call Vote as Follows:

Council Member Biedenstein	“Yes”
Council Member Griffin	Absent
Council Member Jaksetic	“Yes”
Council Member Luetzow	“Yes”
Mayor McDonnell	“Yes”
Council Member Sears	“Yes”
Council Member Ward	“Yes”



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Resolution 45-2016, authorizing and directing the Mayor to enter into a contract with the City of Rock Hill, Missouri, for Accounting Services was brought before the council. Motion was made by Council Member Ward and seconded by Council Member Luetzow to accept the Resolution as read. A discussion took place.

Roll Call Vote as Follows:

Council Member Biedenstein	“Yes”
Council Member Griffin	Absent
Council Member Jaksetic	“Yes”
Council Member Luetzow	“Yes”
Mayor McDonnell	“Yes”
Council Member Sears	“Yes”
Council Member Ward	“Yes”

#### **CITY COUNCIL REPORTS**

Council Member Biedenstein requested that the City place on the website the list of streets that will be improved.

Council Member Luetzow announced that she and Council Member Ward attended the Tree City USA event. The City of Kirkwood has been a Tree City for 26 years. She suggested that someone speak with Mark Petty about certification for trees being trimmed properly around electric lines.

#### **CHIEF ADMINISTRATIVE OFFICER REPORTS**

Mr. Hawes reported that the City of Kirkwood received a liquor license application from Sri Lakshmi, 10901 Manchester Road (BP Gas/Convenience Store) to sell intoxicating liquor in the original package, plus Sundays. Motion was made by Council Member Jaksetic and seconded by Council Member Luetzow to approve the application. The motion was unanimously approved.

Mr. Hawes reported that the City of Kirkwood received a Temporary Outdoor Promotional Variance Application for The Wood Cask, 10332 Manchester Road, to use parking spaces for a Corn Hole Tournament Fundraiser. Motion was made by Council Member Luetzow and seconded by Council Member Biedenstein to approve the application. The motion was unanimously approved.

#### **CITY CLERK REPORT**

Mrs. Montaño read the report of the April 6, 2016 Planning and Zoning Commission meeting. The following action took place.

1. Unanimously recommended approval of a Subdivision Waiver at 1126 Folger Avenue.



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2. After the presentation for a Mixed Use Development in the B-2 Zoning District at 151 West Argonne Drive, the subcommittee (Mr. Klippel and Mr. Diel) scheduled a meeting at the site on April 13 at 8:30 a.m.
3. After the presentation for a Special Use Permit for a car wash for Lou Fusz Toyota at 10725 Manchester Road, the Commission recommended approval. A public hearing is required before the City Council. Barring objection from the council a public hearing will be scheduled for May 19, 2016.

Mrs. Montañó announced with the results of Tuesday's election a Special Election will be scheduled for August to fill the unexpired term of Council Member Griffin. She reported the City will advertise the election on April 8<sup>th</sup> and candidate packets will be available for pick-up beginning on April 12<sup>th</sup>. The opening day for candidates to file for the election will be 8:00 a.m. on May 3<sup>rd</sup> and closing day will be 5:00 p.m. on May 17<sup>th</sup>.

#### **CITY ATTORNEY REPORT**

Mr. Hessel had nothing to report.

#### **ADJOURNMENT**

There being no further business to come before the Council, the meeting was adjourned. The next regular council meeting is scheduled for April 21, 2016, at 7:00 p.m.

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Betty Montañó, MMC/MPCC  
City Clerk

***Approved: April 21, 2016***