



WHERE COMMUNITY AND SPIRIT MEET®

**KIRKWOOD CITY COUNCIL
KIRKWOOD CITY HALL
February 18, 2016
7:00 p.m.**

Pursuant to notice of meeting duly given by the Mayor, the City Council convened on Thursday, February 18, 2016, at 7:00 p.m. at Kirkwood City Hall, 139 South Kirkwood Road, Kirkwood, Missouri. Present were Mayor McDonnell, Council Members Biedenstein, Griffin, Jaksetic, Luetzow, Sears, and Ward. Also in attendance were Chief Administrative Officer Russell Hawes, City Clerk Betty Montañó, and City Attorney John Hessel.

**PRESENTATIONS
NONE**

**INTRODUCTIONS AND RECOGNITIONS
NONE**

PUBLIC HEARINGS

Public Hearing #1

Mayor McDonnell recessed the meeting for the purpose of conducting a public hearing regarding a request for a Special Use Permit for a restaurant in the Woodbine Center at 447 South Kirkwood Road (Pure Plates). Mr. Hessel entered the following exhibits into the record: an Affidavit of Publication in the St. Louis Countian on January 27, 2016, as Exhibit 1; an Affidavit of Publication in the Webster Kirkwood Times on January 29, 2016, as Exhibit 2; an aerial view map showing the subject property and the properties that were notified of the hearing, as Exhibit 3; a list of property owners who were sent notice of the public hearing, as Exhibit 4; the report of the Planning and Zoning Commission dated January 21, 2016, as Exhibit 5; the Planning and Zoning Commission Subcommittee Report dated January 20, 2016, as Exhibit 6; and the Kirkwood Code of Ordinances as Exhibit 7.

Petitioner Sean Sorter presented the matter to the council:

- Fresh meals made with organic and clean ingredients will be prepared at the Chesterfield location and delivered to the Kirkwood location for sale.
- Food can be reheated by the customers and eaten in the Kirkwood location. There will be seating for fourteen available. No outdoor seating is proposed.
- Approximately 30% of customers consume the food inside of the location and 70% carry out.
- The hours of operation are Monday through Thursday 7:30 a.m. to 8:00 p.m., Friday from 7:30 a.m. to 7:00 p.m. and Saturday from 11:00 a.m. to 7:00 p.m.



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There being no objection from the council this item was placed on the agenda as Item #3 and became Bill 10472.

Public Hearing #2

Mayor McDonnell recessed the meeting for the purpose of conducting a public hearing regarding a request for a Special Use Permit amendment for major repair of motor vehicles at 10749 Manchester Road (Lou Fusz Toyota). Mr. Hessel entered the following exhibits into the record: an Affidavit of Publication in the St. Louis Countian on January 27, 2016, as Exhibit 1; an Affidavit of Publication in the Webster Kirkwood Times on January 29, 2016, as Exhibit 2; an aerial view map showing the subject property and the properties that were notified of the hearing, as Exhibit 3; a list of property owners who were sent notice of the public hearing, as Exhibit 4; the report of the Planning and Zoning Commission dated January 21, 2016, as Exhibit 5; the Planning and Zoning Commission Subcommittee Report dated January 20, 2016, as Exhibit 6; and the Kirkwood Code of Ordinances as Exhibit 7.

Petitioner Jeff Venetis presented the matter to the council:

- Proposal is for the location to be a collision repair center that can do paint work.
- Large frame repairs will go to other locations.
- Will have cards on the location for approximately 3-5 days. About 10-11 cars will be able to fit inside of the building. If there is an overload of vehicles the vehicles will be parked on the east side of the service center building away from view from the street.
- Discussion took place regarding the paint booth and EPA regulations.

There being no objection from the council this item was placed on the agenda as Item #4 and became Bill 10473.

Public Hearing #3

Mayor McDonnell recessed the meeting for the purpose of conducting a public hearing regarding the City of Kirkwood Budget for Fiscal Year 2016/2017. Mr. Hessel entered the following exhibits into the record: an Affidavit of Publication in the St. Louis Countian on February 12, 2016, which included a summary of the proposed budget, as Exhibit 1; an Affidavit of Publication in the Webster Kirkwood Times on February 5, 2016, which included a summary of the proposed budget, as Exhibit 2; and the Kirkwood Code of Ordinances as Exhibit 3.

Finance Director John Adams presented information pertaining to the proposed Fiscal Year 2016/2017 budget. The budget process began in July when Department Heads start to enter their capital budget information. In September the Department Heads prepare their proposed budgets and the Citizen Finance Committee meets with various Department Heads. After review of budgets from the departments, the Citizen Finance Committee submits comments and



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recommendations to the City Council. In January the council begins its review of the proposed budget which is also posted on the City's website. A discussion took place.

After discussion the public hearing was closed. The legislation will be placed on the March 3, 2016, agenda for council consideration.

Public Hearing #4

Mayor McDonnell recessed the meeting for the purpose of conducting a public hearing regarding the Downtown Special Business District for Fiscal Year 2016/2017. Mr. Hessel entered the following exhibits into the record: an Affidavit of Publication in the St. Louis Countian on February 12, 2016, which included a summary of the proposed budget, as Exhibit 1; an Affidavit of Publication in the Webster Kirkwood Times on February 5, 2016, which included a summary of the proposed budget, as Exhibit 2; and the Kirkwood Code of Ordinances as Exhibit 3.

Special Business District Executive Director Donna Poe, presented information pertaining to the Special Business District Budget for Fiscal Year 2016/2017. The budget notice included a summary of the proposed operating revenues and expenditures. The draft budget totals \$331,103. Revenue is generated by the businesses in the Downtown Business District through taxes and business licenses. Some of the goals of the Special Business District are:

- Support local businesses
- Enhance Downtown Kirkwood
- Advertising/Marketing
- Winter Fireworks
- Façade Improvements

After discussion the public hearing was closed. The legislation will be placed on the March 3, 2016, agenda for council consideration.

PUBLIC COMMENTS

1. Sherri Bray, 48 Forest Glen, in favor of the trial posting of stop signs on South Geyer Road. Feels like the stop signs are bringing awareness to safety and make the area more walkable.
2. David Howard, 330 Geyer Forest Drive, spoke in regards to the trial posting of stop signs on South Geyer Road. Went over some Meramec College attendance statistical data. Stated that some other alternatives to slow traffic could be speed rated bumps and reducing the speed limit to 25 mph. Also spoke in regards to the Vianney construction project and concern about the project not being overseen by the Building Commissioner.
3. Andrea Zimmerman, 1132 S. Geyer Road, in favor of the trial posting of stop signs on South Geyer Road. Thanks the City Council for listening to the residents and taking



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action. Believes the stop signs have slowed down the traffic and would also like other alternatives looked at, such as crosswalks and sidewalks.

4. Mary Ann Rea, 1308 S. Geyer Road, opposed to the trial posting of stop signs on South Geyer Road. Stated that the Uniform Traffic Control of 2009, which was used by City Staff in their study of South Geyer Road, was also cited nine times in the Trailnet Report. Quoted City of Kirkwood Ordinance 8290, stating that the Ordinance designates Geyer Road as a major primary street.

CONSENT AGENDA

Motion was made by Council Member Ward and seconded by Council Member Jaksetic to approve the Consent Agenda. It was requested that items b), c), d), e), g) and h) be removed and placed at the end of the agenda for further discussion. The Consent Agenda was unanimously approved.

- a) Approval of the February 4, 2016 City Council Meeting Minutes
- b) Resolution 10-2016, appointing Bonita Campbell to the Civil Service Commission and Valerie Shands to the Citizens' Finance Committee ****Removed and placed at the end of the agenda***
- c) Resolution 11-2016, authorizing and directing the submittal of a "Surface Transportation Program" (STP) Application to East-West Gateway Council of Governments for federal funds for the resurfacing of North Geyer from West Adams to Manchester Road (\$4,852.31) ****Removed and placed at the end of the agenda***
- d) Resolution 12-2016, authorizing and directing the submittal of a "Surface Transportation Program" (STP) Application to East-West Gateway Council of Governments for federal funds for the reconstruction of West Essex from Kirkwood Road to Geyer Road (\$7,462.41) ****Removed and placed at the end of the agenda***
- e) Resolution 13-2016, transferring funds, accepting the bid of Kelpe Contracting for concrete street reconstruction and directing the Mayor to enter into a contract (not to exceed \$826,717.65) ****Removed and placed at the end of the agenda***
- f) Resolution 14-2016, accepting the proposal of Pool Pros of St. Louis for Pool Filter Media Replacement and directing the Mayor to enter into a contract (\$10,040)
- g) Resolution 15-2016, approving the appointment of an interim director to the Board of Directors of the Manchester Lindbergh Southeast Community Improvement District ****Removed and placed at the end of the agenda***
- h) Resolution 16-2016, accepting the proposal of CMT for professional engineering services for the Kirkwood Road Traffic Signal Optimization and Interconnect



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Project (not to exceed \$826,536) **Removed and placed at the end of the agenda*

OLD BUSINESS

Bill 10464, appropriating \$463.00 from the General Fund (Fund Balance) to the Building and Grounds Account for unused grant funds received from the Gaylord Foundation for the Train Station, was brought before the council.

Roll Call Vote as Follows:

Council Member Biedenstein	"Yes"
Council Member Griffin	"Yes"
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 10313.

Bill 10465, vacating a 105' x 10' public utility easement along the west property line of Lot 438 J.W. Bland's Clinton Place Addition as recorded in Plat Book 355, Page 177, St. Louis County, Missouri, was brought before the council.

Roll Call Vote as Follows:

Council Member Biedenstein	"Yes"
Council Member Griffin	"Yes"
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 10314.

Bill 10466, amending the Kirkwood Code of Ordinances, Chapter 14 "Motor Vehicles and Traffic", Section 14-394 "Schedule D: Limited Parking" to fix minor errors and extend the parking



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enforcement in the Downtown District from 6:00 p.m. to 7:00 p.m., was brought before the council.

Roll Call Vote as Follows:

Council Member Biedenstein	“Yes”
Council Member Griffin	“Yes”
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 10315.

Bill 10467, appropriating donations in the amount of \$33,500 from a revenue account to an expenditure account for the Canine Program and authorizing the Mayor to enter into a contract with Shallow Creek Kennels, Inc. (Single Source Procurement) for two canine units and training in the amount of \$27,500, was brought before the council.

Roll Call Vote as Follows:

Council Member Biedenstein	“Yes”
Council Member Griffin	“Yes”
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 10316.

Bill 10468, appropriating a donation in the amount of \$375.00 from the General Fund (Fund Balance) to the Professional Services Account for donations received in honor of Police Dog Dingo’s retirement, was brought before the council.

Roll Call Vote as Follows:



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Council Member Biedenstein	“Yes”
Council Member Griffin	“Yes”
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 10317.

Bill 10469, appropriating \$22,380.12 from the Equitable Sharing Fund Balance to Account #205-1201-429.785.05, accepting the bid of World Wide Technology, Inc., in the amount of \$19,880.12 (pursuant to State of Missouri Cooperative Contract) for the purchase of sixteen Brother Printers and two Panasonic Toughbooks for the Police Department and authorizing and directing the Director of Purchasing to issue a Purchase Order, was brought before the council.

Roll Call Vote as Follows:

Council Member Biedenstein	“Yes”
Council Member Griffin	“Yes”
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 10318.

NEW BUSINESS

Bill 10470, appropriating \$26,488 from the Water Fund (Fund Balance) to an expenditure account, accepting the bid of Joe Machen Ford in the amount of \$26,488 (pursuant to Missouri Cooperative Contract) for a 2016 Ford Explorer for the Water Department and authorizing the issuance of a Purchase Order, was brought before the council. Motion was made by Council Member Griffin and seconded by Council Member Ward to accept the bill for first reading approval.

The bill received first reading approval and was held over.



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Bill 10471, approving an amendment to an adopted Community Unit Plan – Type C (Kirkwood House) to expand the existing parking lot, subject to certain conditions, was brought before the council. Motion was made by Council Member Jaksetic and seconded by Council Member Biedenstein to accept the bill for first reading approval. A discussion took place.

Motion was made by Council Member Luetzow and seconded by Council Member Ward to amend the Bill by amending Section 1, item #5 to read “A row of shrubs, a minimum of four feet high at maturity, shall be installed for a length of forty-five feet between the five new parking spaces on east side of parking lot and the existing sidewalk in public right-of-way. The property owner shall be responsible for the maintenance and care of the shrubs”. A discussion too place. The motion was unanimously approved.

Motion was made by Council Member Jaksetic and seconded by Council Member Luetzow to suspend Robert’s Rule of Order to allow Sharon Albrecht from the Kirkwood House to address the council regarding the height of the shrubs. The motion was unanimously approved. A discussion took place.

The bill received first reading approval and was held over.

Bill 10472, granting a Special Use Permit for a restaurant (Pure Plates STL) on the property known at 447 South Kirkwood Road, subject to certain conditions, was brought before the council. Motion was made by Council Member Biedenstein and seconded by Council Member Luetzow to accept the bill for first reading approval.

The bill received first reading approval and was held over.

Bill 10473, granting a Special Use Permit amendment for major motor vehicle repair (Lou Fusz Toyota) on the property known as 10749 Manchester Road, subject to certain conditions, was brought before the council. Motion was made by Council Member Jaksetic and seconded by Council Member Griffin to accept the bill for first reading approval. A discussion took place. It was requested that city staff verify that everything that is a condition of the original Special Use Permit is in compliance.

The bill received first reading approval and was held over.

CONSENT AGENDA ITEMS FOR DISCUSSION

Resolution 10-2016, appointing Bonita Campbell to the Civil Service Commission and Valerie Shands to the Citizen’s Finance Committee, was brought before the council. Motion was made by Council Member Ward and seconded by Council Member Sears to accept the resolution as read. A discussion took place.



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Roll Call Vote as Follows:

Council Member Biedenstein	“No”
Council Member Griffin	“Yes”
Council Member Jaksetic	“Yes”
Council Member Luetzow	“Yes”
Mayor McDonnell	“Yes”
Council Member Sears	“Yes”
Council Member Ward	“Yes”

Resolution 11-2016, authorizing and directing the submittal of a “Surface Transportation Program (STP) Application” to East-West Gateway Council of Governments for federal funds for the resurfacing of North Geyer Road from West Adams Avenue to Manchester Road, 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 took place.

Roll Call Vote as Follows:

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

Resolution 12-2016, authorizing and directing the submittal of a “Surface Transportation Program (STP) Application” to East-West Gateway Council of Governments for federal funds for the reconstruction of West Essex Avenue from Kirkwood Road to Geyer Road, was brought before the council. Motion was made by Council Member Griffin and seconded by Council Member Jaksetic to accept the resolution as read. A discussion took place.

Roll Call Vote as Follows:

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



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Council Member Ward "Yes"

Resolution 13-2016, transferring funds, accepting the bid of Kelpo Contracting in a not to exceed amount of \$826,717.65 (included contingency of \$75,156.15) for concrete street reconstruction and authoring and directing the Mayor to enter into a contract, was brought before the council. Motion was made by Council Member Griffin and seconded by Council Member Jaksetic to accept the resolution as read. A discussion took place.

Roll Call Vote as Follows:

Council Member Biedenstein	"Yes"
Council Member Griffin	"Yes"
Council Member Jaksetic	"Yes"
Council Member Luetzow	"Yes"
Mayor McDonnell	"Yes"
Council Member Sears	"Yes"
Council Member Ward	"Yes"

Resolution 15-2016, approving the appointment of an Interim Director to the Board of Directors of the Manchester Lindbergh Southeast Community Improvement District, was brought before the council. Motion was made by Council Member Jaksetic 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	"Yes"
Council Member Jaksetic	"Yes"
Council Member Luetzow	"Yes"
Mayor McDonnell	"Yes"
Council Member Sears	"Yes"
Council Member Ward	"Yes"

Resolution 16-2016, accepting the proposal of CMT in an amount not to exceed \$826,536 for Professional Engineering Services for the Kirkwood Road Traffic Signal Optimization and Interconnect Project 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 took place.

Roll Call Vote as Follows:



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Council Member Biedenstein	"Yes"
Council Member Griffin	"Yes"
Council Member Jaksetic	"Yes"
Council Member Luetzow	"Yes"
Mayor McDonnell	"Yes"
Council Member Sears	"Yes"
Council Member Ward	"Yes"

CITY COUNCIL REPORTS

Mayor McDonnell encouraged everyone to attend the Mayor and Council candidate debates.

CHIEF ADMINISTRATIVE OFFICER REPORTS

Mr. Hawes had nothing to report.

CITY CLERK REPORT

Mrs. Montaño read the report of the February 17, 2016 Planning and Zoning Commission meeting. The following action took place.

1. After discussion and submission of a revised site plan for a mixed-use development known as Madison Avenue Condominiums at 201 South Kirkwood Road, the subcommittee scheduled another meeting at the site for February 22 at 10 a.m.
2. After the presentation by Mr. and Mrs. VanCleave to rezone their property at 403 Porter Avenue from R-3 to R-4, the Commission recommended denial.
3. After the presentation for a Special Use Permit amendment and Site Plan for the Magic House at 516 South Kirkwood Road, a subcommittee consisting of Mr. Kleinknecht, Ms. Drewel, and Mr. Allen was appointed. A subcommittee meeting at the site was scheduled for February 22 at 8 a.m.

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 March 3, 2016, at 7:00 p.m.

Betty Montaño, MMC/MPCC
City Clerk

Approved: March 3, 2016