



WHERE COMMUNITY AND SPIRIT MEET®

**KIRKWOOD CITY COUNCIL
KIRKWOOD CITY HALL
December 17, 2015
7:00 p.m.**

Pursuant to notice of meeting duly given by the Mayor, the City Council convened on Thursday, December 17, 2015, 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, Assistant Chief Administrative Officer Georgia Ragland, and City Attorney John Hessel. City Clerk Betty Montañó was absent and excused.

PRESENTATIONS

NONE

INTRODUCTIONS AND RECOGNITIONS

NONE

PUBLIC HEARINGS

Mayor McDonnell recessed the meeting for the purpose of conducting a public hearing regarding a request for a Special Use Permit for a convenience store/bakery at 640 West Woodbine Avenue. Mr. Hessel entered the following exhibits into the record: an Affidavit of Publication in the St. Louis Countian on December 2, 2015, as Exhibit 1; an Affidavit of Publication in the Webster Kirkwood Times on December 4, 2015, 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 November 19, 2015, as Exhibit 5; the Planning and Zoning Commission Subcommittee Report dated November 18, 2015, as Exhibit 6; and the Kirkwood Code of Ordinances as Exhibit 7.

Petitioner Mark Atwood presented the matter to the council:

- The proposal is to run a bakery selling high end croissants and coffee.
- There is no prominent signage being proposed.
- Hours of operation:
 - Baker/Baking – 4:00 a.m. to 8:00 a.m.
 - Retail – 8:00 a.m. to 11:00 a.m.
- Proposing to staff approximately three employees.
- A discussion took place regarding the convenience store component of the request. Less than 10% of the space will be used for retail and there will be no seating.
- Council Member Biedenstein requested that trees be added to the landscape plan.



WHERE COMMUNITY AND SPIRIT MEET®

There being no objection from the council this item was placed on the agenda as Item #7 under New Business and became Bill 10460.

PUBLIC COMMENTS

1. Todd Boelter, 211 Wilson Avenue, urges the city council to approve Bill 10454. Spoke in regards to the condition of Wilson Avenue.
2. Stan and Mary Ann Rea, 1308 S. Geyer, opposed to the trial posting of stop signs on South Geyer. Has concern about safety.
3. Ellen Edman, 204 East Sarah, commended the council for considering additional appropriation of funds to be used towards city streets and asks council to approve Bill 10454.

CONSENT AGENDA

Motion was made by Council Member Ward and seconded by Council Member Biedenstein to approve the Consent Agenda. It was requested that items c) & f) be pulled and placed at the end of the regular agenda. The Consent Agenda was unanimously approved.

- a) Approval of the December 3, 2015 City Council Meeting Minutes
- b) Resolution 137-2015, accepting the bid of JF Electric for distribution system upgrades to Circuit 19 for the Electric Department and directing the Mayor to enter into a contract (not to exceed \$67,311)
- c) Resolution 138-2015, transferring funds, accepting the proposal of SCS Engineers for a Sanitation Rate and Operations Study and directing the Mayor to enter into a contract (not to exceed \$54,100) ****Removed and placed at the end of the agenda***
- d) Resolution 139-2015, accepting the proposal of SSM Medical Group for Police and Fire medical evaluation program services and directing the Mayor to enter into a contract (at the rates provided in their proposal)
- e) Resolution 140-2015, accepting the proposal of Lochmueller Group for the Kirkwood Roundabout Feasibility Study and directing the Mayor to enter into a contract (not to exceed \$10,000)
- f) Resolution 141-2015, transferring funds and directing the Mayor to enter into a contract with the Commission on Accreditation for Law Enforcement (CALEA) for Police Department accreditation services (\$11,450) ****Removed and placed at the end of the agenda***



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OLD BUSINESS

Bill 10449, appropriating \$5,935 from the Equitable Sharing Fund (Fund Balance) to Account #205-1201-429.75.05 for the purchase of a dongle and subscription from PATC Tech Digital Forensics for the Police Department, 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 10298.

Bill 10450, providing for a Boundary Adjustment between St. Louis County and the City of Kirkwood, 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 10299.

Bill 10451, authorizing and directing the Mayor to enter into a Traffic Engineering Assistance Program Project Agreement with MoDOT for engineering assistance for studying traffic engineering problems, was brought before the council. A discussion took place. It was requested that citizen input be a part of the study.



WHERE COMMUNITY AND SPIRIT MEET®

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 10300.

Bill 10452, accepting the single source quotation of Leo M. Ellebracht for the purchase of Morning Pride Turnout Gear in the amount of \$16,604 for the Fire Department and authorizing the Director of Purchasing to issue a Purchase Order, was brought before the council. 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”

The bill, having received majority approval of the council, was adopted and became Ordinance 10301.

Bill 10453A, amending the Kirkwood Municipal Code, Chapter 14 “Motor Vehicles and Traffic”, Section 14-393 “Schedule C: No Parking” to restrict parking on Quan Avenue, was brought before the council.

Roll Call Vote as Follows:

Council Member Biedenstein	“Yes”
Council Member Griffin	“Yes”
Council Member Jaksetic	“Yes”



WHERE COMMUNITY AND SPIRIT MEET®

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 10302.

Motion was made by Council Member Biedenstein and seconded by Council Member Ward to bring Substitute Bill 10454 to the floor for consideration. The motion was unanimously approved.

Substitute Bill 10454, appropriating \$750,000 from the General Fund (Fund Balance) to various accounts and creating a new project number of ST1607 “Below 50 PCI Streets” to address long delayed maintenance and repaving of Kirkwood Streets with a rating of below 50 PCI, was brought before the council. 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”

The bill, having received majority approval of the council, was adopted and became Ordinance 10303.

NEW BUSINESS

Bill 10455, appropriating \$37,800 from the Parks, Recreation and Storm Water Sales Tax Fund (Fund Balance Reserves) to an expenditure account, accepting the bid of Musco Sports Lighting in an amount not to exceed \$37,800 (includes \$4,800 Contingency) to replace underground wiring and to connect Ball Diamond 3 lights to the light control system on Ball Diamond 4 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 Griffin to accept the bill for first reading approval. A discussion took place. The motion was unanimously approved.



WHERE COMMUNITY AND SPIRIT MEET®

The bill received first reading approval and was held over.

Bill 10456, vacating a 70' x 35' utility easement in part of block numbered one and two of east Kirkwood, on the property of Casey J. and Kristen L. Bollier, 652 East Argonne Drive in Section 6, Township 44 north, Range 6 east, City of Kirkwood, St. Louis County, Missouri as recorded in St. Louis County Plat Book 3, Page 62 of the St. Louis County Recorder of Deeds Office, 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. The motion was unanimously approved.

The bill received first reading approval and was held over.

Bill 10457, appropriating funds in the amount of \$522,772 from the Electric Fund (Fund Balance) to the Distribution System Capital Account #501-2115-480.75.15 for the design of the project and authorizing and directing the Mayor to enter into an agreement with the Missouri Highways and Transportation Commission for the Kirkwood Road Signal Optimization and Interconnection Project, was brought before the council. Motion was made by Council Member Biedenstein and seconded by Council Member Griffin to accept the bill for first reading approval. A discussion took place. The motion was unanimously approved.

The bill received first reading approval and was held over.

Bill 10458, appropriating funds from the Equitable Sharing Fund Balance in the amount of \$69,055 to an operating account, accepting the bid of Taser International, Inc. in a not to exceed amount of \$69,055 (includes contingency of \$8,500) for Police body camera equipment, support and storage and authorizing and directing the Mayor to enter into a contract, was brought before the council. Motion was made by Council Member Sears and seconded by Council Member Jaksetic to accept the bill for first reading approval. The motion was unanimously approved.

The bill received first reading approval and was held over.

Bill 10459, appropriating \$11,450 from the Equitable Sharing Fund Balance to other funds and then to the Administration Contingency Account for repayment of costs associated with a contract between the City of Kirkwood and the Commission on Accreditation for Law Enforcement for Police Department Accreditation Services, 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. The motion was unanimously approved.

The bill received first reading approval and was held over.



WHERE COMMUNITY AND SPIRIT MEET®

Motion was made by Council Member Ward and seconded by Council Member Biedenstein to bring Substitute Resolution 132-2015 to the floor for consideration. The motion was unanimously approved.

Substitute Resolution 132-2015, appointing Joe Roeser as a Full Member and Bret Berthold and Chad Kavanaugh as Alternates to the Board of Adjustment to fill unexpired terms, was brought before the council. Motion was made by Council Member Luetzow 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”

Bill 10460, granting a Special Use Permit for a convenience store (Comet Coffee) on the property known as 640 West Woodbine Avenue subject to certain conditions, was brought before the council. Motion was made by Council Member Ward and seconded by Council Member Biedenstein to accept the bill for first reading approval. A discussion took place. It was requested that the City Planner provide the previously used Landscape Plan for the site be included. A substitute bill will be prepared for council consideration.

The bill received first reading approval and was held over.

CONSENT AGENDA ITEMS FOR DISCUSSION

Resolution 138-2015, transferring funds, accepting the proposal of SCS Engineers in an amount not to exceed \$54,100 (includes \$5,000 contingency) for a Sanitation Rate and Operations Study and authorizing 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”



WHERE COMMUNITY AND SPIRIT MEET®

Council Member Luetzow	“Yes”
Mayor McDonnell	“Yes”
Council Member Sears	“Yes”
Council Member Ward	“Yes”

Resolution 141-2015, transferring funds in the amount of \$11,450 and authorizing and directing the Mayor to enter into a contract with CALEA (Commission on Accreditation for Law Enforcement Agencies) in the amount of \$11,450 for Police Department Accreditation Services, was brought before the council. Motion was made by Council Member Griffin and seconded by Council Member Biedenstein to accept the resolution as read. A discussion took place.

Motion was made by Council Member Biedenstein and seconded by Council Member Sears to amend the Resolution by striking everything after the word “CALEA” in the first WHEREAS Clause. The motion to amend was unanimously approved.

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”

CITY COUNCIL REPORTS

Mayor McDonnell read an excerpt from the History of Kirkwood Book and read a letter received from Mike Mullen congratulating the Kirkwood Police and Street Departments on their outstanding work.

Mayor McDonnell invited all to attend the Winter Fireworks on December 26th @ 6:30 p.m.

CHIEF ADMINISTRATIVE OFFICER REPORTS

Mr. Hawes had nothing to report.

CITY CLERK REPORT

Ms. Asche had nothing to report.



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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 January 7, 2016, at 7:00 p.m.

Laurie Asche
Deputy City Clerk

Approved: January 7, 2016