



WHERE COMMUNITY AND SPIRIT MEET®

**KIRKWOOD CITY COUNCIL  
KIRKWOOD CITY HALL  
March 5, 2015  
7:00 p.m.**

Pursuant to notice of meeting duly given by the Mayor, the City Council convened on Thursday, March 5, 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**

NONE

**PUBLIC COMMENTS**

1. Angie Bernardi, 420 N. Harrison Avenue, wanted to introduce herself and announce that she is running for the Kirkwood School Board.
2. Mike James, 111 West Port Plaza, 63146, representing Progressive Waste and spoke in regards to Bill 10400. The proposed Bill would rescind the provisions of the City of Kirkwood being the exclusive provider of commercial sanitation services. Asks that Bill 10400 be tabled until the March 19<sup>th</sup> meeting to provide further opportunity to speak with the City regarding the issue.
3. Sue Ann McAvoy, 1809 W. Woodbine, spoke in regards to Resolution 22-2015 and funding for repair and maintenance of streets. Pictures of West Woodbine street conditions were passed around.
4. Gerry DeWulf, 423 Gill, concerned that the condition of sidewalks are not getting addressed by home and business owners.

**CONSENT AGENDA**

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



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- a) Approval of the February 19, 2015 City Council Meeting Minutes
- b) Resolution 22-2015, in support of a commitment to utilize a portion of freed up General Fund Revenue for maintenance of Kirkwood city streets ***\*Placed at the end of the agenda***
- c) Resolution 23-2015, transferring funds from a Bond Interest Account to a Bond Principal Account (\$1,000)
- d) Resolution 24-2015, transferring funds from Recreation Building and Site Improvements Account to the Machinery and Equipment Account to fund repairs to pool walls and filter systems at the Aquatic Center (\$34,000)
- e) Resolution 25-2015, transferring funds from the Police Department Part-Time Salary Account to Full-Time Salary Account to appropriately fund the full-time Police Clerk position (\$40,000)
- f) Resolution 26-2015, transferring funds from various departments operating accounts to provide funding for Professional Public Engagement Services relating to the Comprehensive Plan Process (\$90,000)
- g) Resolution 30-2015, authorizing the issuance of a Purchase Order to Municipal Emergency Services, Inc. (pursuant to a Cooperative Contract) for fire helmets for the Fire Department (\$20,050)
- h) Resolution 31-2015, accepting the proposal of Utility Metering Solutions for Electric Department automatic meter reading system assessment and infrastructure upgrade services and directing the Mayor to enter into a contract (not to exceed \$2,100,000) ***\*Placed at the end of the agenda***

#### OLD BUSINESS

Bill 10398, appropriating \$200,000 from the Medical Fund (Fund Balance) to an operating account for payment of medical premiums and fees, 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 10250.



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Bill 10399, appropriating \$32,600 from the Workers' Compensation Fund Balance to an operating account to fund general liability accident expenses, 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 10251.

Bill 10400, amending the Code of Ordinances, Chapter 10 "Garbage and Trash", Article III, to rescind the provisions relating to the City of Kirkwood being the exclusive provider of commercial sanitation services, 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 10252.

### **NEW BUSINESS**

Bill 10401, adopting and approving the Operating and Capital Budgets for the City of Kirkwood for the fiscal year April 1, 2015 through March 31, 2016, and appropriating such sums as are set forth herein for all departments and the accounts therein specified, for all expenditures of the City of such year, which appropriations total \$67,569,246, Capital Projects of \$5,356,117, and appropriating the sum of \$577,916 for payment of principal, interest and bank fees for General Obligation Bonded Indebtedness from the Debt Service Fund; and reappropriating \$5,857,084 for



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previously approved projects that will be incomplete as of March 31, 2015, 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. A discussion took place. The motion was unanimously approved.

The bill received first reading approval and was held over.

Bill 10402, approving the budget of the Special Business District for the fiscal year April 1, 2015 through March 31, 2016, was brought before the council. Motion was made by Council Member Ward 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 10403, authorizing and directing the Mayor to enter into a User Agreement for Dispatch Equipment Interoperable Radio System with St. Louis County, Missouri, was brought before the council. Motion was made by Council Member Sears 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 10405, adopting a revised City of Kirkwood Classification and Pay Plan, 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.

The bill received first reading approval and was held over

Bill 10406, reappropriating \$90,000 into the fiscal year 2016 budget for the Public Engagement Services that will be performed by the FPA Group, was brought before the council. Motion was made by Council Member Griffin 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

Resolution 27-2015, granting the property owner of 210 North Kirkwood Road, Kirkwood, Missouri, authorization for an encroachment of approximately twenty inches into the public right-of-way of North Kirkwood Road for the purpose of constructing front-entry columns and bump-out



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façade, was brought before the council. Motion was made by Council Member Griffin and seconded by Council Member Ward to accept the resolution as read. Motion was made by Council

Member Ward and seconded by Council Member Luetzow to suspend Robert’s Rule of Order to allow the petitioner to speak to the council. The motion was unanimously approved. A discussion took place.

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 28-2015, authorizing the Mayor to enter into an agreement with Lewis, Rice & Fingersh, to amend legal 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 motion was made by Mayor McDonnell and seconded by Council Member Luetzow to amend the Resolution by deleting “Fingersh” wherever it is stated in the Resolution. 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”

Resolution 29-2015, approving a Final B5 Development Plan for Raising Cane’s on the property known as 1034 South Kirkwood 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.



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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"

**CONSENT AGENDA ITEMS FOR DISCUSSION**

Resolution 22-2015, in support of a commitment to utilize a portion of freed up General Fund Revenue for maintenance of Kirkwood City streets, was brought before the council. Motion was made by Council Member Jaksetic 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	"No"
Council Member Jaksetic	"No"
Council Member Luetzow	"No"
Mayor McDonnell	"No"
Council Member Sears	"No"
Council Member Ward	"No"

Resolution 31-2015, accepting the proposal of Utility Metering Solutions in the amount of \$2,005,000 with a contingency of \$95,000 for a not to exceed total value of \$2,100,000 for Electric Department Automatic Meter Reading System Assessment and Infrastructure Upgrade Services and authorizing and directing the Mayor to enter into a contract, was brought before the council. Motion was made by Council Member Jaksetic and seconded by Council Member Griffin to accept the resolution as read. A discussion took place. Motion was made by Council Member Biedenstein and seconded by Council Member Jaksetic to continue the Resolution to March 19, 2015. The motion to continue was unanimously approved.

**CITY COUNCIL REPORTS**

Mayor McDonnell reported that he attended the STASH Furniture Store ribbon cutting today.



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### **CHIEF ADMINISTRATIVE OFFICER REPORTS**

Mr. Hawes reported that the City of Kirkwood received an application to sell intoxicating Liquor by the drink plus Sundays, The Wood Cask, 10330 Manchester Road. Motion was made by Council Member Biedenstein and seconded by Council Member Jaksetic to approve the application. The motion was unanimously approved.

### **CITY CLERK REPORT**

Ms. Asche reported that at the March 4, 2015 meeting of the Planning & Zoning Commission that no official action was taken. Due to lack of new business, the March 18, 2015 meeting was cancelled. The next meeting is scheduled for April 1, 2015.

### **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 19, 2015, at 7:00 p.m.

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Laurie Asche  
Deputy City Clerk

***Approved: March 19, 2015***