



WHERE COMMUNITY AND SPIRIT MEET®

**KIRKWOOD CITY COUNCIL
KIRKWOOD CITY HALL
October 1, 2015
7:00 p.m.**

Pursuant to notice of meeting duly given by the Mayor, the City Council convened on Thursday, October 1, 2015, at 7:00 p.m. at Kirkwood City Hall, 139 South Kirkwood Road, Kirkwood, Missouri. Present were Mayor McDonnell, Council Members Biedenstien, Griffin, Jaksetic, Luetzow, Sears, and Ward. Also in attendance were Chief Administrative Officer Russell Hawes, City Clerk Betty Montaña, and Assistant City Attorney Sarah Mullen. City Attorney John Hessel was absent and excused.

PRESENTATIONS

Mayor McDonnell presented the Public Power Week Proclamation to the Electric Department Distribution Engineer Rick McKinley.

INTRODUCTIONS AND RECOGNITIONS

NONE

PUBLIC HEARINGS

NONE

PUBLIC COMMENTS

1. Jim Widman, 12762 Big Bend, opposed to Bill 10434 and Resolution 97-2015. Does not believe that smaller lots and more houses would help the neighborhood.
2. Kathy Widman, 12762 Big Bend, opposed to Bill 10434 and Resolution 97-2015. Submitted handouts containing comments from residents to the staff and council.
3. William Poe, 21 Ponca Trail, opposed to Bill 10434 and Resolution 97-2015. Believes the rezoning would negatively impact the historic neighborhood.
4. Maureen Reed, 1007 Krauswood Drive, opposed to Bill 10434 and Resolution 97-2015. Believes the rezoning would negatively impact the character of the neighborhood.
5. Rob Reed, 12801 Big Bend, opposed to Bill 10434 and Resolution 97-2015.
6. Becky Bopp, 130 E. Maple, opposed to Bill 10434 and Resolution 97-2015.
7. Harriet Shanle, 1032 N. Taylor, opposed to Bill 10434 and Resolution 97-2015.
8. John Burns, 1881 Charmwood Ct., opposed o Bill 10434 and Resolution 97-2015. Stated that the community is not in favor of more density.
9. Ellen Edman, 204 E. Sarah, opposed to Bill 10434 and Resolution 97-2015. Believes changing the zoning would need a compelling reason and that there will be increased hardships with more density.



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10. Kathy Paulsen, 401 Frieda Ave., opposed to Bill 10434 and Resolution 97-2015. Questions why an R-3 CUP has not been considered.
11. Dave Sinclair, 1069 Barberry Lane, opposed to Bill 10434 and Resolution 97-2015. Concerned regarding the lack of trees and runoff.
12. Marsha Toll, 436 Julian Place, concerned regarding safety due to construction on Julian Place. Submitted four petitions to the City Clerk.
13. Andrea Zimmerman, 1132 S. Geyer Rd., concerned regarding safety along South Geyer from Big Bend to Watson due to excessive traffic and the speed of traffic. The neighborhood would like a sidewalk on the east side of Geyer and a grass easement on the west side. Submitted a petition to the City Clerk.
14. Clayton Francois, St. Louis, MO 63128, petitioner and property owner for the requested rezoning on Ponca Trail, Bill 10434 and Resolution 97-2015. Believes there is a lack of correct information being distributed.
15. Dan Wind, 122 N. Kirkwood Road, petitioner's representative for Bill 10434 and Resolution 97-2015. Requested permission to show a Power Point that was prepared.
16. Mike Lawless, Valley Park, MO, builder and petitioner's representative for Bill 10434 and Resolution 97-2015. Believes there is a lot of misunderstanding regarding the request for rezoning.

CONSENT AGENDA

Motion was made by Council Member Jaksetic and seconded by Council Member Biedenstein to approve the Consent Agenda. It was requested that item c) be pulled and placed at the end of the regular agenda. A discussion took place. The Consent Agenda was unanimously approved.

- a) Approval of the September 17, 2015 City Council Meeting Minutes
- b) Resolution 99-2015, directing the Mayor to enter into a Mutual Aid Agreement with the Missouri Public Utility Alliance
- c) Resolution 100-2015, transferring funds, accepting the proposal of Gallagher Benefit Services to provide a compensation and benefit study and directing the Mayor to enter into a contract (\$54,500) ****Moved to the end of the regular agenda***

OLD BUSINESS

Bill 10434, changing the zoning from R-3 Single Family to R-4 Single Family on property known as 36, 40, 44, 48 and 52 Ponca Trail and 100 Catawba Trail being a 1.66 acre site on the south side of Ponca Trail and directing such change in the Zoning District Map subject to certain conditions, was brought before the council. A discussion took place.



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Roll Call Vote as Follows:

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

The bill failed with Council Members Biedenstein, Griffin, Jaksetic, Luetzow, Sears, and Mayor McDonnell opposed and Council Member Ward in favor.

Motion was made by Council Member Sears and seconded by Council Member Ward to amend the agenda by removing Resolution 97-2015 from the agenda since Bill 10434 was not approved. The motion was unanimously approved.

Bill 10439, amending the Kirkwood Municipal Code, Chapter 1 “General Provisions”, Section 1-8 “General Penalty; Continuing Violations,” in accordance with Missouri Senate Bill 5, 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 will become Ordinance 10288.

Bill 10440, amending the Kirkwood Municipal Code, Chapter 15 “Municipal Court” in accordance with Missouri Senate Bill 5, was brought before the council.

Roll Call Vote as Follows:

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



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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 will become Ordinance 10289.

Bill 10441, amending the Kirkwood Municipal Code, Chapter 14 “Motor Vehicles and Traffic,” by deleting “Division 4. Traffic Violations Bureau”, 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 will become Ordinance 10290.

Bill 10442, appropriating \$11,154.40 from the Equitable Sharing Fund Balance to Police Department Account #205-1201-429.66.21 to purchase vehicle canine equipment, 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 will become Ordinance 10291.



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NEW BUSINESS

Bill 10443, appropriating \$6,500 from the Equitable Sharing Fund (Fund Balance) to Account #205-1201-429.75.05 for the purchase of a HP Scanjet Enterprise 7000 S2 for the Police Department, 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. The motion was unanimously approved.

The bill received first reading approval and was held over.

Bill 10444, appropriating donations to be used towards the Police Department Bicycle Safety Program in the amount of \$5,025 from the Donations Revenue Account to the Small Capital Account, 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 10445, approving an amendment to an adopted Community Unit Plan Type A (High Meadow Subdivision, Plat 2, Lot 31) for a side yard setback reduction of five feet, eight inches, for the western property line subject to certain conditions, 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. The motion was unanimously approved.

The bill received first reading approval and was held over.

CONSENT AGENDA ITEMS FOR DISCUSSION

Resolution 100-2015, transferring funds in the amount of \$40,000, accepting the proposal of Gallagher Benefit Services to provide a Compensation and Benefit Study in the amount of \$52,500 and authorizing the Mayor to enter into a contract, was brought before the council. Motion was made by Council Member Biedenstein and seconded by Council Member Jaksetic to accept the resolution as read. A discussion took place. Council Member Biedenstein requested that it be considered having a couple of council members work with staff on the study.

Roll Call Vote as Follows:

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



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

CITY COUNCIL REPORTS

Council Member Biedenstein requested that Director of Public Services Bill Bensing and Chief of Police Jack Plummer look at the South Geyer safety concerns and bring information back to the council. Chief Administrative Officer Russell Hawes stated that staff will look into the concerns. Council Member Griffin stated that he will be visiting with residents in this area in the next week and invited council members to join him.

Council Member Luetzow stated that the Urban Forestry Commission is currently working on a Tree Preservation Ordinance.

Council Member Jaksetic questioned if the “no parking” signs on Quan have been put up. Chief Administrative Officer Russell Hawes stated that Chief of Police Jack Plummer visited the area and has plans to put up no parking 24-hrs a day 7-days a week.

Council Member Biedenstein asked for a moment of silence for the tragedy at the Community College in Oregon today.

CHIEF ADMINISTRATIVE OFFICER REPORTS

Mr. Hawes reported that City of Kirkwood received a Picnic Liquor License Application from Missouri Women’s Chorus, Inc. for a fundraising event at OA Gallery, 101A W. Argonne, on October 8, 2015. Motion was made by Council Member Jaksetic and seconded by Council Member Griffin to approve the application. The motion was unanimously approved.

CITY CLERK REPORT

Mrs. Montañó had nothing to report.

CITY ATTORNEY REPORT

Ms. Mullen 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 October 15, 2015, at 7:00 p.m.

Approved: October 15, 2015

Betty Montañó, MMC/MPCC
City Clerk