



WHERE COMMUNITY AND SPIRIT MEET®

**KIRKWOOD CITY COUNCIL  
KIRKWOOD CITY HALL**

**June 4, 2015**

**7:00 p.m.**

Pursuant to notice of meeting duly given by the Mayor, the City Council convened on Thursday, June 4, 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 Assistant Chief Administrative Officer Georgia Ragland, City Clerk Betty Montaño, and Assistant City Attorney Sarah Mullen. Chief Administrative Officer Russell Hawes and City Attorney John Hessel were absent and excused.

**PRESENTATIONS**

- Kirkwood Electric’s APPA Reliable Public Power Provider Award was presented by Electric Director Mark Petty. Kirkwood Electric received its third RP3 award from the American Public Power Association in May. The RP3 recognition (Reliable Public Power Provider) was given to only 191 public power utilities - out of a field of more than 2,000. The APPA designation recognizes utilities that provide consumers with the highest degree of reliable and safe electric service.
- Human Rights Commission Chair Darnel Frost presented the Human Rights Commission Annual Report.

**INTRODUCTIONS AND RECOGNITIONS**

NONE

**PUBLIC HEARINGS**

Mayor McDonnell recessed the meeting for the purpose of conducting a public hearing regarding an allocation of \$46,800 in Community Development Block Grant Funds which will become available after January 1, 2016. Ms. Mullen entered the following exhibits into the record: an Affidavit of Publication in the Webster Kirkwood Times on May 22, 2015 as Exhibit 1; and the Kirkwood Code of Ordinances as Exhibit 2.

Ms. Ragland presented information regarding the Community Block Grant Program. Some of the issues presented are as follows:

- The funds to be received are the same as last year
- It is recommended that the City participate with St. Louis County’s Home Improvement program. The County would administer the program for the City.
- The City does not receive enough funding to administer the program and that is why St. Louis County handles the program



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- The maximum amount of the grant is \$5,000, the applicant must meet certain income requirements to participate, and they may only participate in the program once.

A resolution will be prepared for council consideration at the June 18, 2015 meeting.

**PUBLIC COMMENTS**

NONE

**CONSENT AGENDA**

Motion was made by Council Member Ward and seconded by Council Member Biedenstein to approve the Consent Agenda. It was requested that item b) be moved to the end of the agenda for further discussion. The Consent Agenda was unanimously approved.

- a) Approval of the May 21, 2015 City Council Meeting Minutes
- b) Resolution 66-2015, directing the Mayor to renew the agreement with the Midwest Independent System Operator to allow the City to purchase power  
***\*Moved to the end of the agenda***
- c) Resolution 67-2015, appointing and reappointing members to various boards and commissions
- d) Resolution 68-2015, reappointing Stephen O’Brien as Municipal Judge for term to June 2017
- e) Resolution 69-2015, accepting the single source quotation from S&C Electric Company for Alfred Substation Transformer Circuit Breakers and authorizing the issuance of a Purchase Order (\$119,260)
- f) Resolution 70-2015, rescinding Resolution 55-2015 and accepting the bid of vCloud Tech, Inc. for Symantec Software Renewal for the MIS Department (\$12,070.28)

**OLD BUSINESS**

Bill 10422, amending Chapter 18 1/2, Article I, Pensions and Retirement, Sections 18 ½-1 through 18 ½-9 of the Kirkwood Code of Ordinances, 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”



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Council Member Ward "Yes"

The bill, having received majority approval of the council, was adopted and became Ordinance 10272.

Bill 10423, changing the zoning from R-4 Single Family to B-3 Highway Business on property known as 1015 North Woodlawn Avenue being a 0.28 acre site on the west side of North Woodlawn Avenue and directing such change in the Zoning District Map subject to certain conditions, 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 10273.

Bill 10424, granting a Special Use Permit Amendment for the expansion of a non-conforming use (Greenhouse with Retail Sales) on property known as 1011 North Woodlawn Avenue subject to certain conditions, 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 10274.



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Bill 10425A, granting a Special Use Permit for a drive-thru restaurant (Starbucks) with outdoor seating and approving the site plan on the property known as 10300 Manchester Road and 1015 North Woodlawn Avenue subject to certain conditions, was brought before the council.

Motion was made by Council Member Biedenstein and seconded by Council Member Jaksetic to suspend Robert’s Rules of Order to allow the petitioner to discuss the proposal with council. The motion was unanimously approved. A discussion took place about the types of trees that are planned for the project.

Motion was made by Council Member Luetzow and seconded by Council Member Jaksetic to rescind the motion made at the May 21, 2015 meeting to remove condition #20 from the legislation. A discussion ensued. The motion to rescind the previous motion failed with Council Members Biedenstein, Griffin, Sears, Ward and Mayor McDonnell opposed and Council Members Jaksetic and Luetzow in favor.

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 10275.

**NEW BUSINESS**

Bill 10426, appropriating donations to be used towards the purchase of a new computer monitor for the Train Station volunteers in the amount of \$300 from the Donations Revenue Account to the Small Capital Account, 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.

Bill 10427, appropriating \$5,142 from the Sewer Lateral Fund (Fund Balance) to the Sewer Lateral Program Account to pay for the City’s portion of the repairs made during Fiscal Year 2014-15, was brought before the council. Motion was made by Council Member Ward and seconded by



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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 65-2015, granting an easement to Ameren within Kirkwood Electric’s easement at the northwest corner of Taylor Avenue and Quan Avenue as part of the Quan Service Line Relocation Project, 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.

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 66-2015, authorizing and directing the Mayor to enter into a renewal of the Midwest Independent System Operator Network Integration Service Agreement to allow the City of Kirkwood to purchase power from the Midwest Independent System Operator in the future, was brought before the council. Motion was made by Council Member Biedenstein and seconded by Council Member Griffin 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”



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### **CITY COUNCIL REPORTS**

Council Member Ward reported that the Ferguson Commission Municipal Court Subcommittee finished their report and the full report will go before the full commission on June 28<sup>th</sup>.

Mayor McDonnell announced that Blantant Whitmore passed away.

Mayor McDonnell also reported that the Senate Bill regarding courts and court fees passed.

### **CHIEF ADMINISTRATIVE OFFICER REPORTS**

Ms. Ragland reported that the City of Kirkwood received a Picnic License Application from Viva Brasil Association in St. Louis for an event on June 27, 2015 at the Kirkwood Community Center. 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. Montaño read the report of the June 3, 2015, Planning and Zoning Commission meeting. The following action took place:

1. Received a presentation regarding the site plan review request from Villa Di Maria Montessori School for the multi-phase campus development.
2. Voted 7-0 to remove a zoning enforcement process item from the agenda.

### **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 June 18, 2015, at 7:00 p.m.

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Betty Montaño, MMC/MPCC  
City Clerk

***Approved: June 18, 2015***