



WHERE COMMUNITY AND SPIRIT MEET®

Amended
City Council Meeting Minutes
Kirkwood City Hall
Wednesday, June 18, 2025 7:00 p.m.

Pursuant to notice of meeting duly given by the Mayor, the City Council convened on Wednesday, June 18, 2025, at 7:00 p.m. at Kirkwood City Hall, 139 South Kirkwood Road, Kirkwood, Missouri. Present: Mayor Gibbons, Council Members Jaksetic, Luetzow, McLean, Rheinnecker, and Schaefer. Also in attendance were Chief Administrative Officer Russ Hawes, Assistant Chief Administrative Officer David Weidler, City Clerk Laurie Asche, City Planner II Amy Lowry, Public Services Director Chris Krueger, Communications Manager Jessica Winter, and City Attorney Jackie Graves. Council Member Zimmer was absent and excused.

INTRODUCTIONS AND RECOGNITIONS

Captain Sean Connors announced a department promotion of Detective Brianne Steber to Sergeant.

PRESENTATIONS

NONE

PUBLIC HEARINGS

Hearing #1

Mayor Gibbons recessed the meeting for a request for a Zoning Code Text Amendment of Section 25-36(u)(4) on marijuana dispensary facility hours of operation. Mrs. Graves entered the following exhibits into the record: An Affidavit of Publication in the Countian on May 30, 2025, as Exhibit 1; An Affidavit of Publication in the Webster Kirkwood Times on May 30, 2025, as Exhibit 2; a list of properties that were notified of the hearing as Exhibit 3; an aerial view map showing the subject property, as Exhibit 4; The report of the Planning & Zoning Commission meeting on May 21, 2025, dated May 23, 2025 as Exhibit 5; a memorandum from Planning & Development Services Director Jonathan Raiche to the Planning & Zoning Commission dated June 18, 2025, as Exhibit 6; and the Kirkwood Code of Ordinances, as Exhibit 7. Ms. Graves stated for the record that the same exhibits will be offered for the second public hearing, as well as all testimony presented considering the Zoning Code Text Amendment will become part of the record associated with the consideration of the Special Use Permit Amendment.

City Planner II Amy Lowery presented the matter to the council:

- Section 25-36 contains the use-specific standards for marijuana and medical marijuana facilities.
- Set hours as between 8 am and 9 pm daily.
- These same hours were proposed when the City adopted the medical marijuana regulations and did not change with the adoption of the recreational marijuana regulations.
- There have been no complaints from the public about the business.



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- Delivery service is part of the definition of a dispensary under the state regulations and Kirkwood's code – subject to the same hours of operation as the store.
- The Commission would have liked data on revenues and traffic before justifying an extension (none was presented).
- This dispensary is closer to residential lots than the Des Peres dispensary.
- The Commission did not want to put a Kirkwood business at a competitive disadvantage to another dispensary.
- While there was consensus on the expansion of the hours from 8 a.m. to 10 p.m., the majority of the Commission was opposed to the extension of the drive-through hours to midnight.

Petitioner Bud Pennington and Dave Bonenberger addressed Council. Some of the discussion took place as follows:

- A question was raised regarding what their drive thru operations entail?
 - 1 vehicle is allowed in the garage at a time, the garage door closes behind vehicle, the transaction is completed, the garage door opens, and then the vehicle exits garage.
- A question was raised regarding if there are signs for “No Idling”?
 - No signs, but they do have the noise ordinance cited at two locations in drive-thru.
- A question was raised asking if delivery hours are the same as operating hours?
 - Deliveries start an hour after the store opens and delivery stops a half hour before closing time.
- There have not been any calls to the Police for this business, nor complaints received from the public.
- A question was raised asking what the voting percentage was in Kirkwood?
- A question was raised asking if the text amendment would only affect this one business or any similar businesses that fall under this code provision?
 - The proposed text amendment would only pertain to marijuana dispensaries, and each one would have to come before the City Council for a Special Use Permit.
- A question was raised asking if the proposed text amendment will promote the public health safety, convenience, and general welfare?
- A question was raised regarding if this Council or future Councils have the ability to override guidelines?
- A comment was made that the current Ordinance was passed in May 2023, and the current business opened last year, and only requested Mon. - Sat. 9:00 am to 9:00 pm and Sun. 9:00 am to 7:00 pm operating hours. The owner could have asked for a total of 91 operating hours, but only asked for 82 operating hours. If the owner requested to expand operating hours to 91, they would not have to reapply for a Special Use Permit, the original Special Use Permit will just be amended.
- A question was raised asking if the change in operating hours was approved, what would happen if the business starts receiving calls to the Police calls or complaints; how would this be handled?



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- Notice of violations would be issued, and then the City could amend the Special Use permit to change hours back.

The bill will be placed on the July 3, 2025 agenda for first reading consideration.

Hearing #2

Mayor Gibbons recessed the meeting for a request for a Special Use Permit Amendment regarding hours of operation for Proper Cannabis at 10855 Manchester Road. Mrs. Graves stated that exhibits 1 through 7 and all testimony and discussion that took place during the first public hearing be made a part of the record for this public hearing.

The bill will be placed on the July 3, 2025, agenda for first reading consideration.

PUBLIC COMMENTS

1. Mike Fitzgerald, 729 Cleveland Ave., suggests the City Council enact a three minutes timer for the public comment section.

CONSENT AGENDA

Motion was made by Council Member Schaefer and seconded by Council Member McLean to approve the Consent Agenda. Motion passed with Council Member McLean abstaining from approving June 5, 2025 minutes.

- a) Approval of the June 5, 2025 Council Meeting Minutes
- b) Resolution 54-2025, appointing Board of Adjustment alternate member Robert Wilson as a full member to the Board of Adjustment for a term to June 2030

UNFINISHED BUSINESS

Substitute Bill 11076A, amending the provisions of the Municipal Code of Ordinances, Chapter 25 – Zoning and Subdivision, regarding Architectural Review was brought before the City Council. A discussion took place.

Roll Call:

Mayor Gibbons	“Yes”
Council Member Schaefer	“Yes”
Council Member Zimmer	Absent
Council Member Jaksetic	“Yes”
Council Member Luetzow	“Yes”
Council Member McLean	“Yes”
Council Member Rheinnecker	“Yes”

The amended bill, having received majority approval of the Council, was adopted and



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became Ordinance 10900.

NEW BUSINESS

Bill 11079, granting a Special Use Permit for an Accessory Dwelling Unit for the property addressed as 1319 Forest Avenue subject to certain conditions was brought before the City Council. Motion was made by Council Member Schaefer and seconded by Council Member Rheinnecker to accept the Bill as read.

The bill received first reading approval and was held over.

Bill 11080, amending the provisions of the Municipal Code, Chapter 25 – Zoning and Subdivision related to Floor Area Ratio Regulations in Section 25-46 was brought before the City Council. Motion was made by Council Member McLean and seconded by Council Member Rheinnecker to accept the Bill as read. A discussion took place.

The bill received first reading approval and was held over.

Bill 11081, appropriating \$8,995 from the Equitable Sharing Fund Balance to the Police Department Machinery and Equipment Account, accepting the single source quote of NITV Federal Services, LLC in the amount of \$8,995 for the purchase of Computerized Voice Stress Analyzer software for the Police Department, and authorizing and directing the Director of Procurement to issue a Purchase Order was brought before the City Council. Motion was made by Council Member Schaefer and seconded by Council Member McLean to accept the Bill as read. A discussion took place.

The bill received first reading approval and was held over.

Resolution 55-2025, accepting the proposal of Murphy Company in the amount of \$202,927 for replacement of the HVAC equipment at the Police Department and authorizing and directing the Director of Procurement to issue a Purchase Order was brought before the City Council. Motion was made by Council Member McLean and seconded by Council Member Luetzow to accept the Resolution as read. A discussion took place.

Roll Call:

Mayor Gibbons	“Yes”
Council Member Schaefer	“Yes”
Council Member Zimmer	Absent
Council Member Jaksetic	“Yes”
Council Member Luetzow	“Yes”
Council Member McLean	“Yes”
Council Member Rheinnecker	“Yes”



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Resolution 56-2025, accepting the proposal of Murphy Company in the amount of \$69,400 for automation controls for the HVAC equipment at the Police Department and authorizing and directing the Director of Procurement to issue a Purchase Order was

brought before the City Council. Motion was made by Council Member Luetzow and seconded by Council Member McLean to accept the Resolution as read. A discussion took place.

Roll Call:

Mayor Gibbons	“Yes”
Council Member Schaefer	“Yes”
Council Member Zimmer	Absent
Council Member Jaksetic	“Yes”
Council Member Luetzow	“Yes”
Council Member McLean	“Yes”
Council Member Rheinnecker	“Yes”

Resolution 57-2025, accepting the single source proposal of Lochmueller Group at the rates provided in the rate sheet for Traffic Signal Engineering Services and Maintenance, not to exceed budgeted funds, for an initial term of 12 months with the option to renew for up to four additional 12 month terms, and authorizing and directing the Mayor to enter into a contract was brought before the City Council. Motion was made by Council Member Schaefer and seconded by Council Member Luetzow to accept the Resolution as read. A discussion took place.

Roll Call:

Mayor Gibbons	“Yes”
Council Member Schaefer	“Yes”
Council Member Zimmer	Absent
Council Member Jaksetic	“Yes”
Council Member Luetzow	“Yes”
Council Member McLean	“Yes”
Council Member Rheinnecker	“Yes”

Resolution 58-2025, accepting the proposal of CDG Engineering at the rates provided in the rate sheet for Substation Protection Engineering Services for the Electric Department, for an initial term of 12 months with the option to renew for up to four additional 12 month terms, contingent upon budgetary approval, and authorizing and directing the Mayor to enter into a contract was brought before the City Council. Motion was made by Council Member Luetzow and seconded by Council Member Schaefer to accept the Resolution as read. A discussion took place.

Roll Call:



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Mayor Gibbons	“Yes”
Council Member Schaefer	“Yes”
Council Member Zimmer	Absent
Council Member Jaksetic	“Yes”
Council Member Luetzow	“Yes”
Council Member McLean	“Yes”
Council Member Rheinnecker	“Yes”

CONSENT AGENDA ITEMS FOR DISCUSSION
NONE

CITY COUNCIL REPORTS

Mayor Gibbons made comments about the new ERP system.

Council Member McLean made comments about the Mayor’s portrait.

Council Member Jaksetic reported on the Landmarks Commission.

Council Member Luetzow reported on the Park Board meeting and Arts Commission meeting. Also, encourages residents to apply to volunteer on Boards/Commissions.

CHIEF ADMINISTRATIVE OFFICER REPORTS

Mr. Hawes had nothing to report.

CITY ATTORNEY REPORTS

Ms. Graves had nothing to report.

CITY CLERK REPORTS

Ms. Asche had nothing to report

ADJOURNMENT

There being no further business to come before the Council, the formal meeting was adjourned at 8:22 p.m. The next regular meeting of the Kirkwood City Council will take place at 7:00 p.m. on Thursday, July 3, 2025.

Laurie Asche
City Clerk