



**BOARD OF ALDERMEN  
Meeting Minutes**

JULY 8, 2024

7:00 PM 1 GOVERNMENT CTR. BALLWIN, MO 63011

**THE MINUTES ARE PREPARED IN SUMMARY TO REFLECT THE OVERALL DISCUSSIONS, NOT VERBATIM QUOTES.**

The meeting was called to order by Mayor Pogue at 7:00 p.m.

**ROLL CALL**

Present

Absent

- Mayor Tim Pogue
- Alderman Mike Utt
- Alderman Michael Finley
- Alderman Pamela Haug (via videoconference)
- Alderman Mark Stallmann
- Alderman Frank Fleming
- Alderman Mark Weaver
- Alderman David Siegel
- City Administrator Eric Sterman
- City Attorney Robert Jones

The Pledge of Allegiance was recited.

Mayor Tim Pogue announced Alderman Ross Bullington had passed on Thursday, July 4th after a battle with cancer. He noted Alderman Bullington had had a deep impact on the Ballwin community, and a moment of silence was held in honor of Alderman Bullington.

**MINUTES**

The minutes from the June 10, 2024 Board of Aldermen meeting were submitted for approval. Alderman Michael Finley made a motion to change the second paragraph, first sentence of the Aldermanic Comment portion of the minutes to remove the word “regarding” and replace it with “from the perspective of”. Alderman Frank Fleming seconded the motion and a voice vote was taken with unanimous affirmative result and the motion passed. A motion to approve as amended was made by Alderman Frank Fleming and seconded by Alderman Michael Finley. A voice vote was taken with unanimous affirmative result and the motion passed.



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The minutes from the June 10, 2024 Board of Aldermen Closed Session meeting were submitted for approval. A motion to approve as submitted was made by Alderman Frank Fleming and seconded by Alderman Michael Finley. A voice vote was taken with unanimous affirmative result and the motion passed.

**CITIZEN COMMENTS**

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Rebecca Bullington of 530 Blazedwood Drive thanked the Board for their support of Alderman Bullington during his battle with cancer. She also noted she wanted the Board to continue doing what Alderman Bullington always thought was the best for the citizens of Ballwin.

**OLD BUSINESS**

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**Bill 4191- AN ORDINANCE GRANTING A SPECIAL USE EXCEPTION TO MAKO KELLMAN ON BEHALF OF ANVIL REAL ESTATE & DEVELOPMENT, LLC, FOR OPERATION OF A RESTAURANT WITH A DRIVE-THROUGH.**

*Discussion:*

City Planner Lynn Sprick noted there have been changes made to the plan that the Board of Aldermen and the Planning & Zoning Commission had wanted to see, including adding trees, shrubs and parking spaces for a total of 11 parking spaces.

Alderman David Siegel questioned what the unused portion of the lot would be used for. City Planner Sprick noted it would be maintained as green space.

A motion was made by Alderman Frank Fleming and seconded by Alderman Mark Stallmann for a second reading of Bill 4191, title only. A voice vote was taken with unanimous affirmative result, the motion passed and the bill was read for a second time, title only.

A roll call vote was taken for passage and approval of Bill 4191, with the following results:

Aye: Aldermen Utt, Finley, Haug, Stallmann, Fleming, Weaver, Siegel

Nay: None

Bill No. 4191 was approved and became Ordinance No. 24-09.

**LEGISLATION**

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**Bill 4194 - AN ORDINANCE GRANTING A SPECIAL USE EXCEPTION TO JASON KESLER FOR JERSEY MIKE’S SUBS, FOR OPERATION OF A RESTAURANT WITH FRONT YARD PARKING.**



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A motion was made by Alderman Michael Finley and seconded by Alderman Mike Utt for a first reading of Bill 4194, title only. A voice vote was taken with unanimous affirmative result, the motion passed and the bill was read for a first time, title only.

*Discussion:*

Alderman David Siegel noted the only concern from the Planning & Zoning Commission was parking. He noted this is an existing lot so not much can be done, but the applicant will encourage employees to park elsewhere.

A motion was made by Alderman Frank Fleming and seconded by Alderman Mike Utt for a second reading of Bill 4194, title only. A voice vote was taken with unanimous affirmative result, the motion passed and the bill was read for a second time, title only.

A roll call vote was taken for passage and approval of Bill 4194 with the following results:

Aye: Aldermen Utt, Finley, Haug, Stallmann, Fleming, Weaver, Siegel

Nay: None

Bill No. 4194 was approved and became Ordinance No. 24-10.

**Bill 4195 - AN ORDINANCE CORRECTING ADOPTION OF THE 2015 EDITION OF THE INTERNATIONAL MECHANICAL CODE AND AMENDING SECTION 7-43 OF THE CODE OF ORDINANCES OF THE CITY OF BALLWIN.**

A motion was made by Alderman Michael Finley and seconded by Alderman Mike Utt for a first reading of Bill 4195, title only. A voice vote was taken with unanimous affirmative result, the motion passed and the bill was read for a first time, title only.

*Discussion:*

City Attorney Bob Jones noted this bill is to correct a typo in the original ordinance where it references plumbing instead of mechanical.

A motion was made by Alderman Frank Fleming and seconded by Alderman Mark Stallmann for a second reading of Bill 4195, title only. A voice vote was taken with unanimous affirmative result, the motion passed and the bill was read for a second time, title only.



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A roll call vote was taken for passage and approval of Bill 4195 with the following results:

Aye: Aldermen Utt, Finley, Haug, Stallmann, Fleming, Weaver, Siegel

Nay: None

Bill No. 4195 was approved and became Ordinance No. 24-11.

**Bill 4196 - AN ORDINANCE AMENDING THE PURCHASING POLICIES FOR THE CITY OF BALLWIN.**

A motion was made by Alderman Mark Stallmann and seconded by Alderman Michael Finley for a first reading of Bill 4196, title only. A voice vote was taken with unanimous affirmative result, the motion passed and the bill was read for a first time, title only.

*Discussion:*

Alderman Frank Fleming noted this bill was discussed at the Finance & Administration Board Committee Meeting. City Administrator Eric Sterman noted there was a gap in policy found by auditors and this bill would fix that gap. Mayor Tim Pogue noted this bill lowers the threshold for purchases. City Administrator Sterman noted it was only for unbudgeted emergency purchases, it does not change the threshold for budgeted purchases.

A motion was made by Alderman Frank Fleming and seconded by Alderman David Siegel for a second reading of Bill 4196, title only. A voice vote was taken with unanimous affirmative result, the motion passed and the bill was read for a second time, title only.

A roll call vote was taken for passage and approval of Bill 4196 with the following results:

Aye: Aldermen Utt, Finley, Haug, Stallmann, Fleming, Weaver, Siegel

Nay: None

Bill No. 4196 was approved and became Ordinance No. 24-12.

**CONSENT ITEMS**

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**Administration – SUE Transfer for 15401 Clayton Road**

*Staff recommends the Board transfer the current SUE for Claymont Auto Repair at 15401 Clayton Road to the new owner of the business.*



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A motion was made by Alderman Mark Stallmann and seconded by Alderman Mike Utt to accept staff’s recommendation. A voice vote was taken with unanimous affirmative result and the motion passed.

**Administration – Liquor License for Servicios Internationales**

*Staff recommends the Board approve the liquor license for Servicios Internationales, contingent upon approval of business license.*

A motion was made by Alderman Mark Stallmann and seconded by Alderman Mike Utt to accept staff’s recommendation. A voice vote was taken with unanimous affirmative result and the motion passed.

**Administration – Liquor License for Ballwin Days**

*Staff recommends the Board approve the liquor license for Ballwin Days from August 15-18.*

A motion was made by Alderman Mark Stallmann and seconded by Alderman Mike Utt to accept staff’s recommendation. A voice vote was taken with unanimous affirmative result and the motion passed.

**Parks & Recreation – Exterior Painting of the Pointe**

*Staff recommends the Board award the contract for exterior painting of the Pointe to Jos. Ward Painting for \$21,810, which is under budget.*

A motion was made by Alderman Mark Stallmann and seconded by Alderman Mike Utt to accept staff’s recommendation. A voice vote was taken with unanimous affirmative result and the motion passed.

**MAYOR’S REPORT**

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None.

**CITY ADMINISTRATOR’S REPORT**

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City Administrator Eric Sterman noted there is a strategic planning meeting in August prior to the scheduled Board of Aldermen meeting on August 12.

City Administrator Sterman also requested permission from the Board to have City Attorney Bob Jones draft legislation amending an ordinance regarding the custodian of records. The current ordinance names a former employee, references a Microsoft Exchange server that no longer exists and does not name a specific custodian of records for the police department.

City Administrator Sterman also noted Chief John Bergfeld will have his badge pinning ceremony on July 23rd at 3:00 p.m. at the Police Department.



**CITY ATTORNEY’S REPORT**

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None.

**STAFF REPORTS**

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**Administration – Fence at 2301 Westpar Drive**

*Staff recommends the Board approve the fence at the corner of Westpar Drive and Kehrs Mill Road with the condition that the property owner agrees to requirements laid out in the City’s code.*

*Discussion:*

City Planner Lynn Sprick noted this property is in the Clarkson Crossing subdivision and the fence would be placed in what’s considered to be a front yard that’s on the side of the house.

A motion was made by Alderman Mark Stallmann and seconded by Alderman David Siegel to accept staff’s recommendation. A voice vote was taken with unanimous affirmative result and the motion passed.

Alderman Frank Fleming noted there have not been very many of these petitions in the past but there seems to be more of them coming forward. He asked whether City Planner Sprick wanted to change the current code or if it is working the way it is happening now.

Alderman Mark Stallmann noted there was not a provision for those off Reinke Road to allow the same fence on the back of their yards. City Planner Sprick noted there are several of those fence petitions on her desk right now.

Alderman David Siegel questioned whether there was a provision that homeowners had to maintain the fences that were put in. City Planner Sprick noted there is, and that the City has recourse if the property owner is not maintaining it.

**ALDERMANIC COMMENTS**

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Alderman Michael Finley noted he will miss Alderman Ross Bullington. He noted Alderman Bullington was the epitome of the term “gentle giant”, and always kept the best interests of Ballwin in mind. He thanked Alderman Bullington for his service and noted whenever he goes to Ballwin Days, he will keep Alderman Bullington in mind.

Alderman Mark Stallmann noted he too will miss Alderman Bullington and his gentle, strong leadership. He also noted that today marks eight years since Officer Mike Flamion was shot in the line of duty and we should keep him and his family in our thoughts and prayers, as well as Alderman Bullington’s family.



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Alderman Frank Fleming noted Alderman Bullington will be missed by everyone in the community, including hundreds of educators and administrators and thousands of students in the districts he’s served. He also noted Alderman Bullington always saw the best in people and he’ll be missed.

**CLOSED SESSION**

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Pursuant to Section 610.022 RSMo., a motion was made by Alderman Mark Stallmann and seconded by Alderman Michael Finley to move to closed session under Section 610.021 (1), (2) and (3).

A roll call vote was taken on the move to closed session with the following results:

Aye: Aldermen Utt, Finley, Haug, Stallmann, Fleming, Weaver, Siegel

Nay: None

The meeting moved to closed session at 7:28 p.m.

**ADJOURNMENT**

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When the Board returned to the Chambers, a motion to reconvene was made by Alderman David Siegel and seconded by Alderman Mark Stallmann at 8:28 p.m. The motion passed by unanimous affirmative voice vote.

A motion was made by Alderman Mark Stallmann and seconded by Alderman David Siegel to adjourn. The motion was passed by unanimous affirmative voice vote and the meeting adjourned at 8:29 p.m.

\_\_\_\_\_ TIM POGUE, MAYOR

ATTEST:

\_\_\_\_\_ MEGAN FREEMAN, CITY CLERK