



BOARD OF ALDERMEN
Meeting Minutes

June 27, 2022

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

Mayor Tim Pogue
Alderman Mike Utt
Alderman Michael Finley
Alderman Kevin M. Roach (via video)
Alderman Mark Stallmann

Absent

Alderman Frank Fleming

Alderman Jim Leahy
Alderman Ross Bullington
Alderman David Siegel
City Administrator Eric Sterman
City Attorney Robert Jones

The Pledge of Allegiance was recited.

MINUTES

The Minutes from the May 23, 2022, Board of Aldermen meeting were submitted for approval. *A motion was made* by Alderman Finley and seconded by Alderman Bullington to approve the minutes from the May 23, 2022 Board of Aldermen meeting as submitted. A voice vote was taken with unanimous affirmative result and the motion passed.



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CITIZEN COMMENTS

Steve Mastin, 106 Lea Meadows, addressed the Board. He asked the Board for consideration to authorize the use of golf carts. He cited several cities that he has checked with as far as golf cart use and provided copies of ordinances from other cities regarding the use of golf carts.

PRESENTATION

Introduction of New Police Personnel

Chief Schaeffler introduced Ballwin's new dispatchers, Katie Strothkamp and Brittany Laughlin as well as four new police officers: Richard Chura, Nick Harbaugh, Chase Boyer and Bryant "Tucker" Woods. Officer Woods also took his oath of office at the meeting.

LEGISLATION

Bill 4124 - AN ORDINANCE GRANTING A SPECIAL USE EXCEPTION TO ROYAL BANKS OF MISSOURI FOR FINANCIAL INSTITUTION (BANK) AT 15495 CLAYTON ROAD.

A motion was made by Alderman Stallmann and seconded by Alderman Finley for a first reading of Bill 4124, title only. A voice vote was taken with unanimous affirmative result and the motion passed. Bill 4124 was read for the first time.

Discussion:

Alderman Finley asked if the correct address was on the bill. City Attorney Jones responded it does have the correct address and explained further why the addresses for the bank and ATM (Bill 4125) are different.

A motion was made by Alderman Stallmann and seconded by Alderman Finley for a second reading of Bill 4124, title only. A voice vote was taken with unanimous affirmative result and the motion passed. Bill 4124 was read for the second time.

A roll call vote was taken for passage and approval of Bill 4124 with the following results:

Ayes – Aldermen Utt, Finley, Roach, Stallmann, Leahy, Bullington, Siegel

Nays --

Bill No. 4124 was approved and became Ordinance No. 22-11.



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Bill 4125 - AN ORDINANCE GRANTING A SPECIAL USE EXCEPTION TO ROYAL BANKS OF MISSOURI FOR FINANCIAL INSTITUTION (ATM) AT 15491 CLAYTON ROAD.

A motion was made by Alderman Finley and seconded by Alderman Bullington for a first reading of Bill 4125, title only. A voice vote was taken with unanimous affirmative result and the motion passed. Bill 4125 was read for the first time.

Discussion:

None

A motion was made by Alderman Stallmann and seconded by Alderman Finley for a second reading of Bill 4125, title only. A voice vote was taken with unanimous affirmative result and the motion passed. Bill 4125 was read for the second time.

A roll call vote was taken for passage and approval of Bill 4125 with the following results:

Ayes – Aldermen Utt, Finley, Roach, Stallmann, Leahy, Bullington, Siegel

Nays --

Bill No. 4125 was approved and became Ordinance No. 22-12.

Bill 4126 - AN ORDINANCE PROVIDING FOR THE ANNEXATION BY THE CITY OF BALLWIN, MISSOURI OF AN AREA OF UNINCORPORATED LAND DESCRIBED HEREIN AND REFERRED TO AS “CHARLESTON OAKS SUBDIVISION”, AND PROVIDING FOR APPROVAL OF AN ANNEXATION PLAN AND A SIMPLIFIED BOUNDARY CHANGE PROPOSAL TO BE SUBMITTED TO THE ST. LOUIS COUNTY BOUNDARY COMMISSION FOR ITS CONSIDERATION.

A motion was made by Alderman Bullington and seconded by Alderman Finley for a first reading of Bill 4126, title only. A voice vote was taken with unanimous affirmative result and the motion passed. Bill 4126 was read for the first time.

Discussion:

Mayor Pogue explained this is one of two subdivisions which reached out to the City to be considered for annexation. The residents were petitioned and received the 75% minimum of registered voters signing in favor. This gives the City the authority to send the petition along with the City’s plan to the Boundary Commission. City Administrator stated this qualifies as a simplified boundary adjustment and also explained that if this passes tonight, it goes to the Boundary Commission. The Boundary Commission will hold a public hearing.



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A motion was made by Alderman Bullington and seconded by Alderman Finley for a second reading of Bill 4126, title only. A voice vote was taken with unanimous affirmative result and the motion passed. Bill 4126 was read for the second time.

A roll call vote was taken for passage and approval of Bill 4126 with the following results:

Ayes – Aldermen Utt, Finley, Roach, Stallmann, Leahy, Bullington, Siegel

Nays --

Bill No. 4126 was approved and became Ordinance No. 22-13.

Bill 4127 - AN ORDINANCE PROVIDING FOR THE ANNEXATION BY THE CITY OF BALLWIN, MISSOURI OF AN AREA OF UNINCORPORATED LAND DESCRIBED HEREIN AND REFERRED TO AS “CASCADES SUBDIVISION”, AND PROVIDING FOR APPROVAL OF AN ANNEXATION PLAN AND A SIMPLIFIED BOUNDARY CHANGE PROPOSAL TO BE SUBMITTED TO THE ST. LOUIS COUNTY BOUNDARY COMMISSION FOR ITS CONSIDERATION.

A motion was made by Alderman Bullington and seconded by Alderman Finley for a first reading of Bill 4127, title only. A voice vote was taken with unanimous affirmative result and the motion passed. Bill 4127 was read for the first time.

Discussion:

None

A motion was made by Alderman Bullington and seconded by Alderman Finley for a second reading of Bill 4127, title only. A voice vote was taken with unanimous affirmative result and the motion passed. Bill 4127 was read for the second time.

A roll call vote was taken for passage and approval of Bill 4127 with the following results:

Ayes – Aldermen Utt, Finley, Roach, Stallmann, Leahy, Bullington, Siegel

Nays --

Bill No. 4127 was approved and became Ordinance No. 22-14.



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Bill 4128 - AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF BALLWIN TO EXECUTE A DECLARATION OF DEED RESTRICTION FOR NEW BALLWIN PARK.

A motion was made by Alderman Stallmann and seconded by Alderman Bullington for a first reading of Bill 4128, title only. A voice vote was taken with unanimous affirmative result and the motion passed. Bill 4128 was read for the first time.

Discussion:

Alderman Finley asked if City Administrator Sterman would further explain for the benefit of the audience. Mr. Sterman shared that we just received funding from the Land Water Conservation Fund for New Ballwin Park, which is a federal grant. In order to be eligible for future grants, we would need to adopt a deed restriction which City Attorney Jones has prepared for the meeting. This deed restriction ensures the area will remain park land, which is now required to be considered for the grant in the future.

A motion was made by Alderman Stallmann and seconded by Alderman Bullington for a second reading of Bill 4128, title only. A voice vote was taken with unanimous affirmative result and the motion passed. Bill 4128 was read for the second time.

A roll call vote was taken for passage and approval of Bill 4128 with the following results:

Ayes – Aldermen Utt, Finley, Roach, Stallmann, Leahy, Bullington, Siegel

Nays --

Bill No. 4128 was approved and became Ordinance No. 22-15.

Bill 4129 - AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF BALLWIN, MISSOURI, TO EXECUTE THE MUNICIPAL HOUSING AND COMMUNITY DEVELOPMENT COOPERATION AGREEMENT FOR FISCAL YEARS 2021-2023; AND SUPPLEMENTAL AGREEMENTS THERETO WITH ST. LOUIS COUNTY WITH REGARD TO THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 AS AMENDED.

A motion was made by Alderman Finley and seconded by Alderman Utt for a first reading of Bill 4129, title only. A voice vote was taken with unanimous affirmative result and the motion passed. Bill 4129 was read for the first time.



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Discussion:

Mayor Pogue asked if this allows the City to continue with home improvement projects as we have done in past years. City Administrator Sterman replied it does and further explained how this is one of two CDBG agreements which get renewed every three years. He also explained areas that are eligible and how the City works with St. Louis County to allocate funds for home improvement. There is no cost to the City for the program. Alderman Bullington asked about the dates (2021-2023). City Attorney Jones stated that this is retroactive as it was not sent out during Covid.

A motion was made by Alderman Bullington and seconded by Alderman Finley for a second reading of Bill 4129, title only. A voice vote was taken with unanimous affirmative result and the motion passed. Bill 4129 was read for the second time.

A roll call vote was taken for passage and approval of Bill 4129 with the following results:

Ayes – Aldermen Utt, Finley, Roach, Stallmann, Leahy, Bullington, Siegel

Nays --

Bill No. 4129 was approved and became Ordinance No. 22-16.

Bill 4130 – AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF BALLWIN TO EXECUTE A 4(f) EXCEPTION FOR NEW BALLWIN PARK.

A motion was made by Alderman Finley and seconded by Alderman Bullington for a first reading of Bill 4130, title only. A voice vote was taken with unanimous affirmative result and the motion passed. Bill 4130 was read for the first time.

Discussion:

Mayor Pogue asked City Attorney Jones to further explain. Mr. Jones stated that this is a product of the New Ballwin Rd. resurfacing project and will ultimately involve easements be granted immediately adjacent to the entrance. Because of previous federal funding, we had to seek exception to grant the easements requested by St. Louis County on behalf of MODOT. This also applies to Bill 4131, but for Ferris Park. Alderman Siegel asked if this would affect the park sign. Parks Director Chris Conway stated this is mainly for ramps for ADA accessibility.



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A motion was made by Alderman Finley and seconded by Alderman Bullington for a second reading of Bill 4130, title only. A voice vote was taken with unanimous affirmative result and the motion passed. Bill 4130 was read for the second time.

A roll call vote was taken for passage and approval of Bill 4130 with the following results:

Ayes – Aldermen Utt, Finley, Roach, Stallmann, Leahy, Bullington, Siegel

Nays --

Bill No. 4130 was approved and became Ordinance No. 22-17.

Bill 4131 – AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF BALLWIN TO EXECUTE A 4(f) EXCEPTION FOR FERRIS PARK.

A motion was made by Alderman Stallmann and seconded by Alderman Bullington for a first reading of Bill 4131, title only. A voice vote was taken with unanimous affirmative result and the motion passed. Bill 4131 was read for the first time.

Discussion:

None

A motion was made by Alderman Finley and seconded by Alderman Bullington for a second reading of Bill 4131, title only. A voice vote was taken with unanimous affirmative result and the motion passed. Bill 4131 was read for the second time.

A roll call vote was taken for passage and approval of Bill 4131 with the following results:

Ayes – Aldermen Utt, Finley, Roach, Stallmann, Leahy, Bullington, Siegel

Nays --

Bill No. 4131 was approved and became Ordinance No. 22-18.

RESOLUTION:

A resolution authorizing the filing of an application with the Missouri Department of Natural Resources, Financial Assistance Center's State ARPA Grant Programs for subaward of federal financial assistance provided to the State of Missouri by the U.S. Department of the Treasury ("Treasury") pursuant to Section 602(b) of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act, (Pub. L. No. 117-2 (March 11, 2021), 135 Stat. 4, 223-26).

Discussion:

City Administrator Sterman stated the City is applying for two grants for items identified from the Vlasis Park Master Plan. The first grant is a state program and, if approved, funds from this grant would be used for pond dredging and the storm water retention ponds in Vlasis Park. While this grant is geared toward communities of which we are not necessarily qualified, we feel we have a strong application and there is no cost involved.

A motion was made by Alderman Stallmann and seconded by Alderman Finley to accept the resolution. A voice vote was taken with unanimous affirmative result and the motion passed.

RESOLUTION:

A resolution authorizing the City Administrator to sign and execute the necessary documents for a grant-in-aid from the Municipal Parks Grant Commission to further improve a public park, more specifically known as Vlasis Park, to serve its citizens and to address the priorities reflected in the 2019 Parks Master Plan and 2022 Vlasis Park Master Plan.

Discussion:

City Administrator Sterman explained that this grant is from St. Louis County Municipal Parks Grant Commission; we have applied for this grant many times before and it is a very successful program. If approved, funding from this grant would go toward playground renovation/replacement and splash pad renovations. Depending on costs, funding could be used for other projects as well. This grant application is due in August and we should hear back in October if we are approved, so construction would begin next year.

A motion was made by Alderman Bullington and seconded by Alderman Stallmann to accept the resolution. A voice vote was taken with unanimous affirmative result and the motion passed.

CONSENT ITEMS

Administration – Destruction of Records

Staff recommends Board approval to destroy records which have reached their retention date.

Discussion:

None

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

Administration – Liquor Licenses

Staff recommends Board approval for liquor licenses requested by Ballwin businesses and restaurants.

Discussion:

Alderman Siegel asked Chief Schaeffler if there have been any incidents of sales of alcohol to underage individuals or any other issues at any of these businesses; Chief Schaeffler responded that there hasn't been.

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

Administration – Salt

Staff recommends awarding the contract for 1700 tons of salt to the City of Chesterfield Coop/Compass Minerals, which was the low bid.

Discussion:

None

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

MAYOR'S REPORT

Nothing to report.

CITY ADMINISTRATOR'S REPORT

City Administrator Sterman shared information regarding the requests for proposal (RFPs) for the City's solid waste contract. The RFP was sent out to all haulers who service this area in April. We received four total bids, though one responded after the designated time frame. Haulers were asked to prepare pricing for several container sizes over the life of a six-year contract. We used the current number of carts used in the City to calculate the lowest overall bidder; Republic Services had the lowest bid, Meridian was second and Waste Management (late bid) was third. Republic has a good service history and has plans in place to address recent issues they have been experiencing. Meridian does have some negative service issues in other communities. The rates are guaranteed by bid. A motion from the Board is requested for the City Attorney to prepare a six-year contract with two optional, additional extensions of two years each. Alderman Stallmann stated he was pleasantly surprised by Republic's bid and their effort to keep costs down. Alderman Finley agreed and stated that he was pleased that the cost for the smallest container (most favored by seniors) is being kept as low as possible. He also stated that issues are being addressed and that issues seem to be industry-wide. Alderman Leahy stated he has been pleased with trash service and that it appears issues are being resolved. He also stated he has received no complaints. Alderman Siegel stated that it appears the issues are being resolved in his area. Alderman Bullington stated he concurs with the other aldermen's comments.

A motion was made by Alderman Stallmann and seconded by Alderman Finley to authorize the City Attorney to draft a contract with Republic Services. A voice vote was taken with unanimous affirmative result and the motion passed.

Mr. Sterman also discussed an emergency repair made to a Public Works dump truck. In our purchasing policy, time sensitive emergency purchases may be done without Board approval. The code also states this information be brought forward to the Board and be included in meeting minutes. No action is needed from the Board. City Attorney Jones also further explained the language in the City's purchasing policy for clarification purposes.

CITY ATTORNEY'S REPORT

Nothing to report

ALDERMANIC COMMENTS



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Alderman Stallmann discussed the golf cart issues. He knows of one subdivision in his ward which uses golf carts for subdivision events. He would like other cities which allow the use of golf carts to be contacted. Alderman Leahy stated he feels it should be reviewed, but turned over to individual subdivisions to let their residents vote/decide what they want to do. Mayor Pogue stated this could create an issue because of the way the City ordinance is written. City Attorney Jones explained about a state-wide ordinance for low speed vehicles which has certain criteria which must be met; our ordinance would depend on how restrictive we want to be, but there would be one city-wide ordinance. There was further discussion on low-speed vehicles and criteria.

Alderman Siegel thanked Chief Schaeffler for his participation in the recent town hall safety meeting.

Alderman Bullington stated the Ballwin Arts Commission is back up and running and asked that anyone with ideas to help the commission move forward contact Parks Director Chris Conway.

A motion was made by Alderman Finley and seconded by Alderman Bullington to move to closed session pursuant to Section 610.021(13), for personnel matters.

A roll call vote was taken with the following results:

Ayes: Aldermen Utt, Finley, Roach, Stallmann, Leahy, Bullington, Siegel

Nays: None

The Board moved to closed session at 7:52 p.m.

A motion was made by Alderman Stallmann and seconded by Alderman Bullington to reconvene in open session at 8:55. A voice vote was taken with unanimous affirmative result and the motion passed.

A motion was made by Alderman Finley and seconded by Alderman Siegel to adjourn. The motion was passed by unanimous affirmative voice vote and the meeting adjourned at 8:55 p.m.

_____ TIM POGUE, MAYOR

ATTEST:

_____ POLLY MOORE, CITY CLERK