



**BOARD OF ALDERMEN
Meeting Minutes**

September 12, 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
Alderman Mark Stallmann
Alderman Frank Fleming

Absent

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 August 22, 2022, Board of Aldermen meeting were submitted for approval. A motion was made by Alderman Fleming and seconded by Alderman Finley to approve the minutes from the August 22, 2022 Board of Aldermen meeting as submitted. A voice vote was taken with unanimous affirmative result and the motion passed.

The minutes from the August 22, 2022 Board of Aldermen closed meeting were submitted for approval. A motion was made by Alderman Fleming and seconded by Alderman Utt to approve the minutes from the August 22, 2022 Board of Aldermen closed meeting as submitted. A voice vote was taken with unanimous affirmative result and the motion passed.



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CITIZEN COMMENTS

Mike Scott, 643 Kehrs Mill, addressed the Board regarding auditing services. He feels this contract should be supported and noted that Ballwin's financial reviews have always been favorable. He feels the City should look into conducting a performance review. He stated other cities conduct performance audits to see how well equipment, personnel and materials are being utilized. Mr. Scott also stated that performance based audits are evidence-based examinations of functions to determine if resources being used are done effectively, efficiently and equitably. Mr. Scott mentioned that one format available is the ISO 9000.

LEGISLATION

Bill 4134 - AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF BALLWIN TO ENTER INTO AN ADDENDUM TO THE POLICE SERVICE AGREEMENT WITH THE CITY OF MANCHESTER RELATING TO THE PROVIDING OF POLICE DISPATCHING SERVICES FOR THE CITY OF MANCHESTER.

A motion was made by Alderman Fleming and seconded by Alderman Finley for a first reading of Bill 4134, title only. A voice vote was taken with unanimous affirmative result and the motion passed. Bill 4134 was read for the first time.

Discussion:

Mayor Pogue asked Chief Schaeffler if the proposed Manchester annexation would affect costs should it go through. Chief Schaeffler responded with how it could affect the agreement.

A motion was made by Alderman Fleming and seconded by Alderman Stallmann for a second reading of Bill 4134, title only. A voice vote was taken with unanimous affirmative result and the motion passed. Bill 4134 was read for the second time.

A roll call vote was taken for passage and approval of Bill 4134 with the following results:

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

Nays --

Bill No. 4134 was approved and became Ordinance No. 22-21.



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Bill 4135 - AN ORDINANCE TERMINATING THE BALLWIN TOWN CENTER TAX INCREMENT FINANCING REDEVELOPMENT PLAN.

A motion was made by Alderman Finley and seconded by Alderman Fleming for a first reading of Bill 4135, title only. A voice vote was taken with unanimous affirmative result and the motion passed. Bill 4135 was read for the first time.

Discussion:

None

A motion was made by Alderman Fleming and seconded by Alderman Finley for a second reading of Bill 4135, title only. A voice vote was taken with unanimous affirmative result and the motion passed. Bill 4135 was read for the second time.

A roll call vote was taken for passage and approval of Bill 4135 with the following results:

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

Nays --

Bill No. 4135 was approved and became Ordinance No. 22-22.

Bill 4136 - AN ORDINANCE GRANTING A SPECIAL USE EXCEPTION TO BEN HILLMAN D/B/A LITTLE HI (HI-POINTE DRIVE IN) FOR RESTAURANT WITH SALE OF ALCOHOL BY THE DRINK FOR CONSUMPTION ON THE PREMISES AT 15069 MANCHESTER ROAD.

A motion was made by Alderman Stallmann and seconded by Alderman Bullington for a first reading of Bill 4136, title only. A voice vote was taken with unanimous affirmative result and the motion passed. Bill 4136 was read for the first time.

Discussion:

Mayor Pogue stated that this received a unanimous recommendation at the last Planning & Zoning meeting. He also shared that they have a required letter from the church because of proximity. Alderman Finley asked if there were any other details; Mayor Pogue stated they are anxious to start construction in about six weeks. City Administrator Sterman further explained that the SUE in front of the Board tonight is for their alcohol sales and talked about what the owners anticipate alcohol sales will be. Alderman Roach asked if the previous owner's SUE for front yard parking could be used. City Attorney Jones stated that it could be transferred to the new business with a motion from the Board.

A motion was made by Alderman Fleming and seconded by Alderman Bullington for a second reading of Bill 4136, title only. A voice vote was taken with unanimous affirmative result and the motion passed. Bill 4136 was read for the second time.

A roll call vote was taken for passage and approval of Bill 4136 with the following results:

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

Nays --

Bill No. 4136 was approved and became Ordinance No. 22-23.

A motion was made by Alderman Stallmann and seconded by Alderman Bullington to transfer the SUE for front yard parking from the previous business to the new business. A voice vote was taken with unanimous affirmative result and the motion passed.

CONSENT ITEMS

Administration – Auditing Services Extension

Administration recommends awarding a two-year contract extension to our current auditing firm – Kerber, Eck & Braeckel, LLC for the years 2022 – 2023 due to favorable pricing and past performance.

Discussion:

Alderman Siegel pulled this item for further discussion.

Parks – Holloway Park Playground

Staff recommends Hutchinson Recreation and Design’s bid. Hutchinson represents Miracle Recreation Equipment, which is made in Missouri.

Discussion:

Alderman Siegel pulled this item for further discussion.

Police- Dispatch Consoles

Staff recommends awarding the contract to Wireless USA.

Discussion:

Alderman Roach pulled this item for further discussion.

Public Works- Staff Vehicles

Staff recommends auctioning five vehicles at Manheim St. Louis Auction.

Discussion:

None.

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

MAYOR'S REPORT

Nothing to report.

Consent Item a was discussed at this time. Alderman Siegel has asked Finance Officer Keller if we had gone out for other bids, which we had; he wanted to make that information public. He also asked Ms. Keller if she was content with using the current auditing firm for the two-year extension; she stated she is, but we will likely go out for bid again after this extension. There was discussion on when we had switched firms before and it was agreed that a "fresh set of eyes" every five years or so is a good idea. Alderman Stallmann followed up on Mr. Scott's citizen comment and asked if we had done a performance audit; Ms. Keller replied we have not. He feels it would be a good idea to see what's involved with that kind of audit; Ms. Keller stated she will look into it and report back.

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

Consent Item b was discussed. Alderman Siegel stated he reviewed the bids and felt staff did a good job on choosing this one. He asked if it meets or exceeds ADA requirements. Parks Director Chris Conway stated there are several components i.e. ramps, which exceed ADA requirements. Mr. Conway also shared that the grant requires we only meet requirements. Alderman Roach asked what happens to unutilized funds as this bid came in under budget. Mr. Conway explained that any unused funding is returned. Alderman Roach asked how soon the playground would be ready; Mr. Conway stated he anticipates installation over the winter.

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

Consent Item c was discussed. Alderman Roach wanted to confirm that this is the lowest qualified bidder as this is a specialized service; Chief Schaeffler stated it is.

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

CITY ADMINISTRATOR'S REPORT

Mr. Sterman reported that the second change order for the police building has been executed and that this was actually a net positive. The biggest savings was a result of changing the insulation in the garage which also offset some other issues. He stated there are several road closures because of utility work and work on a retaining wall. He also shared that we have not used the five percent contingency funding yet. Alderman Siegel asked if the change in insulation affected the R value; Mr. Sterman stated items are reviewed by our architect and Navigate on our behalf and they had no issues, but he will find out from them.

CITY ATTORNEY'S REPORT

Nothing to report.

ALDERMANIC COMMENTS

Alderman Finley stated he is still in the process of scheduling the Public Health and Safety Committee meeting. He has been in touch with Mr. Mastin and a few others to try to work out a date. He also stated he would like minutes taken at the meeting.

A motion was made by Alderman Stallmann and seconded by Alderman Finley to move to closed session pursuant to Section 610.021(1), for legal matters.

A roll call vote was taken with the following results:

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

Nays: None

The Board moved to closed session at 7:25 p.m.



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A motion was made by Alderman Fleming and seconded by Alderman Stallmann to reconvene in open session at 7:56. A voice vote was taken with unanimous affirmative result and the motion passed.

A motion was made by Alderman Finley and seconded by Alderman Roach to adjourn. The motion was passed by unanimous affirmative voice vote and the meeting adjourned at 7:57 p.m.

_____ TIM POGUE, MAYOR

ATTEST:

_____ POLLY MOORE, CITY CLERK