



UNOFFICIAL DRAFT
MINUTES OF THE BOARD OF ALDERMEN MEETING
CITY OF BALLWIN – 300 Park Drive
November 28, 2016

STATEMENTS ATTRIBUTED TO INDIVIDUALS IN THIS “DRAFT” ARE NOT VERBATIM QUOTES. THE MINUTES OF THIS MEETING ARE REPORTED IN SUMMARY. THIS IS AN “UNOFFICIAL DRAFT VERSION” OF THE MEETING MINUTES. DRAFT VERSIONS OF MINUTES ARE SUBJECT TO REVIEW, MODIFICATION, AND APPROVAL OF THE BOARD OF ALDERMEN.

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

The meeting was called to order by President of the Board Alderman Fleming at 7:04 p.m.

Roll Call

PRESENT

ABSENT

Mayor Tim Pogue
Alderman James Terbrock
Alderman Michael Finley
Alderman Kevin Roach
Alderman Mark Stallmann
Alderman Frank Fleming
Alderman Jim Leahy
Alderman Ross Bullington
Alderman Raymond Kerlagon
City Administrator Eric Hanson
City Attorney Robert E. Jones

The Pledge of Allegiance was given.

MINUTES

The Minutes of the *November 14, 2016 Finance & Administration Committee meeting* were submitted for approval.

A motion was made by Alderman Fleming and seconded by Alderman Kerlagon to approve the November 14, 2016 Finance & Administration Committee meeting minutes as presented. A voice vote was taken with a unanimous affirmative result and the motion passed.

The Minutes of the *November 14, 2016 Board of Aldermen meeting* were submitted for approval.

A motion was made by Alderman Fleming and seconded by Alderman Kerlagon to approve the November 14, 2016 Board of Aldermen meeting minutes as presented. A voice vote was taken with a unanimous affirmative result and the motion passed.

The Minutes of the *November 14, 2016 Board of Aldermen Closed Session meeting* were submitted for approval.

A motion was made by Alderman Fleming and seconded by Alderman Finley to approve the November 14, 2016 Board of Aldermen Closed Session meeting minutes as presented. A voice vote was taken with a unanimous affirmative result and the motion passed.

NEW BUSINESS

LEGISLATION

BILL NO. 3945 BUDGET RE-APPROPRIATION

A motion was made by Alderman Fleming and seconded by Alderman Finley for a first reading of Bill No. 3945. A voice vote was taken with a unanimous affirmative result and Bill No. 3945 was read for the first time.

Alderman Roach inquired concerning the deficit position for operating estimates for 2016. City Administrator Hanson stated the estimates for 2016 include anticipated spending on snow removal, equipment repairs and other potential expenses allowing for flexibility in remaining needs for 2016. Not all of these expenses will be realized and we anticipate a surplus as in previous years; not a loss at year end. City Administrator Hanson also explained that accounts under one thousand dollars were not adjusted which also skews the current estimated totals. Finance Officer Keller provided that if all account estimates for 2016 were taken into account, the balance would be a positive \$48,400.

A motion was made by Alderman Fleming and seconded by Alderman Finley for a second reading of Bill No. 3945. A voice vote was taken with a unanimous affirmative result and Bill No. 3945 was read a second time.

A roll call vote was taken for passage and approval of Bill No. 3945 with the following results:
Ayes – Aldermen Fleming, Finley, Terbrock, Bullington, Leahy, Kerlagon, Stallman, Roach.
Nays -- None.

Bill No. 3945 was approved and became **Ordinance No. 16-33**

BILL NO. 3946 CONTRACT FOR ELECTRICITY AND LIGHTING FACILITIES WITH UNION ELECTRIC COMPANY D/B/A AMEREN MISSOURI

A motion was made by Alderman Fleming and seconded by Alderman Kerlagon for a first reading of Bill No. 3946. A voice vote was taken with a unanimous affirmative result and Bill No. 3946 was read for the first time.

City Attorney Bob Jones explained that Appendix 1 includes a section of Ellisville streets. Pages one to twenty nine of Appendix 1 are a comprehensive list of Ballwin street lights and the last two pages of Appendix 1 are a streetlight not yet identified to Ballwin.

Alderman Terbrock commented that not all lights on his street are included in the list. City Administrator Hanson offered that the city can cross reference the list with our streetlight outage list and identify mistakes. Alderman Bullington also stated at least one light from his street is left off and his street, Blazedwood, is also misspelled.

Alderman Leahy asked if the municipal charges listed in the contract are then returned to the City and if there is any fee from Ameren associated with the collection and submission of those municipal charges. City Attorney Bob Jones compared the municipal tax to that on our cell phone bills. Alderman Fleming stated that there is likely a requirement for the municipal tax collection by Ameren. No one could confirm if there is a fee charged by Ameren for the handling of these taxes.

Mayor Pogue recommended this be held over while the appendix is corrected. Bob Jones stated he is not aware of any deadline for submission. Alderman Roach asked how often we execute one of these contracts. City Administrator Hanson stated this contract is for twenty years, enabling the City to attain a lower rate. City Attorney Bob Jones stated the last contract was for ten years starting in 2002 and expired in 2012, but they were extending us the same rate as when in contract.

Alderman Roach asked if we know a total cost related to this contract. City Administrator Hanson said that the current year estimated amount is just below \$600,000, but includes some lights at a premium and others at a reduced tariff. The new tariff does include the LED conversion rates.

Alderman Roach asked that since Ameren is phasing out the sodium-vapor and mercury-vapor bulbs and replacing with LED lights, can we anticipate a lowering of our total fees. Per Mayor Pogue the majority of our lights are not in the program for conversion to LEDs. Alderman Terbrock stated that the main part of our bill is rental of the lights and poles with very little from the electricity. City Administrator Hanson stated that costs will be cheaper as they convert to lower cost options and we will see incrementally lower increases in the coming years.

Mayor Pogue stated that Bill 3946 will be carried over to the next meeting.

MAYOR'S REPORT

Mayor Pogue asked the Board to approve his recommendation to appoint JoAnn Graziano to the Historical Society for a term that will run through December 31, 2019. This comes from a recommendation from the Chair persons of the Historical Society.

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

Mayor Pogue asked the Board to approve his recommendation to re-appoint Frank Masotto and Hazel Makowsk to the Historical Society for a term that will run through December 31, 2019. This comes from a recommendation from the Chair persons of the Historical Society.

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

Mayor Pogue asked the Board to approve the cancellation of the second Board meeting of December, to allow more time with our families.

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

CITY ADMINISTRATOR'S REPORT

City Administrator Hanson addressed his request to relocate the Board of Alderman meeting on December 12, 2016. As part of the incident that happened in July, Officer Flamion was awarded the Medal of Valor and will also receive the Law Enforcement Purple Heart. Mike and Sara are back in town and we would like to invite him to the meeting and present him those items of recognition. This will obviously draw a larger crowd. We would like to move the meeting to the Pointe, shutting down the facility for a few hours for security purposes.

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

City Administrator Hanson also set the Public Hearing for the 2017 Budget to take place at the meeting December 12, 2016. This will be followed by the Budget approval and the Ameren contract. The Capital Improvement budget review is already on the Planning and Zoning Commission agenda for December 5th.

City Administrator Hanson recognized the Police Department for receiving accreditation from the Police Chief's Association and full accreditation on December 8th.

This is a reminder to not miss your chance to sit on Santa's lap on Saturday, December 10th at the Golf Course.

There will be a New Year's party at the Pointe December 30th with lots of activities for the whole family. Information is available on the website.

City Administrator Hanson brought up the situation of late falling leaves this year. According to Gary Kramer and Jim Link, we have picked up significantly less leaves so far this year as the leaves are still on the trees. We were slated to finish Friday, but at this time staff is recommending, provided the Board agrees, we make one more pass this week then release temporary workers as scheduled. Starting next week we would run three to four crews rather than the usual seven trucks and continue picking up larger piles as needed. This would allow for other City items to be addressed while still recognizing citizen leaf needs. This would continue for seven to ten days or until the first snow. Last year we had picked up 280 cubic yards of leaf waste; so far this year we are only at about 175 cubic yards. This information will be updated on the website tomorrow. No motion is required and the aldermen will look for the update on the website and send links to their constituents.

CITY ATTORNEY'S REPORTS

We finally have a date scheduled for the property viewing and the commissioners hearing in the Robinson case involving the Maymont property and that will be December 14th at 1:00 p.m.

Mayor Pogue announced that Pursuant to Section 610.021 [13] RSMo, the board will meet in closed session regarding personnel.

Adjourn to Closed Session: A motion was made by Alderman Stallmann and seconded by Alderman Kerlagon to adjourn to closed session to discuss personnel matters. A roll call vote was taken with the following results:

Ayes: Aldermen Terbrock, Finley, Roach, Stallmann, Fleming, Leahy, Bullington, Kerlagon
Nays: None

The motion passed to adjourn to closed session at 7:32 p.m.

The Board reconvened in open session at 7:57 p.m.

Reconvene to Open Session: A motion was made by Alderman Fleming and seconded by Alderman Kerlagon to reconvene to open session. A voice vote was taken with a unanimous affirmative result and the motion passed.

Mayor Pogue reconvened the open session.

ALDERMANIC COMMENTS

A motion was made by Alderman Fleming and seconded by Alderman Kerlagon to draft legislation for attorney compensation. A voice vote was taken with a unanimous affirmative result and the motion passed.

A motion was made by Alderman Fleming and seconded by Alderman Bullington to adjourn the Board of Aldermen Meeting. A roll call vote was taken with a unanimous result, and the meeting was adjourned **at 8:07 p.m.**

TIM POGUE, MAYOR

ATTEST:

ERIC HANSON, CITY ADMINISTRATOR

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Updated: **November 30, 2016**