



UNOFFICIAL DRAFT
MINUTES OF THE BOARD OF ALDERMEN MEETING
CITY OF BALLWIN – 300 Park Drive
February 22, 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 Mayor Pogue at 7:00 p.m.

Roll Call

PRESENT

ABSENT

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

The Pledge of Allegiance was given.

MINUTES

The Minutes of the *February 8, 2016 Board of Aldermen meeting minutes* were submitted for approval.

A motion was made by Alderman Fleming and seconded by Alderman Roach to approve the February 8, 2016 Board Meeting minutes as submitted. A voice vote was taken with a unanimous affirmative result and the motion passed.

NEW BUSINESS

LEGISLATION

BILL NO. 3914 ORDINANCE FOR AN INCREASE IN GOLF COURSE FEES

A motion was made by Alderman Fleming and seconded by Alderman Terbrock for a first reading of Bill No. 3914. A voice vote was taken with a unanimous affirmative result and Bill No. 3914 was read for the first time

A motion was made by Alderman Fleming and seconded by Alderman Terbrock for a second reading of Bill No. 3914. A voice vote was taken with a unanimous affirmative result and Bill No. 3914 was read a second time.

A roll call vote was taken for passage and approval of Bill No. 3914 with the following results:

Ayes – Aldermen Fleming, Terbrock, Leahy, Kerlagon, Roach, Bullington, Stallmann;

Nays -- None. Alderman Finley arrived after the passage of this bill

Bill No. 3914 was approved and became **Ordinance No. 16-06**

BILL NO. 3915 ESTABLISHMENT OF ZERO PROPERTY TAX RATE FOR 2016

A motion was made by Alderman Stallmann and seconded by Alderman Fleming for a first reading of Bill No. 3915. A voice vote was taken with a unanimous affirmative result and Bill No. 3915 was read for the first time

Alderman Stallmann asked when a zero property tax was first established by the Board of Aldermen. City Administrator Hanson stated it has been in place since 1987.

A motion was made by Alderman Finley and seconded by Alderman Fleming for a second reading of Bill No. 3915. A voice vote was taken with a unanimous affirmative result and Bill No. 3915 was read a second time.

A roll call vote was taken for passage and approval of Bill No. 3915 with the following results:

Ayes Aldermen Finley, Fleming, Bullington, Terbrock, Leahy, Stallmann, Kerlagon, Roach

Nays - None.

Bill No. 3915 was approved and became **Ordinance No. 16-07**

BILL NO. 3916 BUDGET REAPPROPRIATION ORDINANCE

A motion was made by Alderman Leahy and seconded by Alderman Bullington for a first reading of Bill No. 3916. A voice vote was taken with a unanimous affirmative result and Bill No. 3916 was read for the first time

Alderman Fleming asked what the reason was for buying rather than leasing the fitness equipment. City Administrator Hanson explained that he did not ask the proper questions when the replacement of the fitness was discussed during the preparation of the budget. The City would pay an additional \$3,000 in interest fees for this equipment if it is leased. The City would be better off purchasing the equipment. In the case of the two Public Works dump trucks, their poor condition was known but it was hoped that another year of service was possible before they were replaced. Upon conducting the annual inspection it was discovered that they are not safe to operate and the cost of repair is not justified given their age and general poor condition. Only the Operating Budget would be affected with these changes.

Alderman Roach asked if the January revenue figures were available. City Administrator Hanson explained that Ballwin has received all of its 2015 revenues and they are ahead of budget projections, but January 2016 sales tax revenues will not be received until March.

A motion was made by Alderman Fleming and seconded by Alderman Kerlagon for a second reading of Bill No. 3916. A voice vote was taken with a unanimous affirmative result and Bill No. 3916 was read a second time.

A roll call vote was taken for passage and approval of Bill No. 3916 with the following results:
Ayes – Aldermen Fleming, Kerlagon, Bullington, Stallmann, Leahy, Terbrock, Roach, Finley;
Nays -- None.

Bill No. 3916 was approved and became **Ordinance No. 16-08**

BILL NO. 3917 AMENDMENT TO THE SPECIAL EVENT PERMITS ORDINANCE

A motion was made by Alderman Leahy and seconded by Alderman Bullington for a first reading of Bill No. 3917. A voice vote was taken with a unanimous affirmative result and Bill No. 3917 was read for the first time

A motion was made by Alderman Leahy and seconded by Alderman Bullington for a second reading of Bill No. 3917. A voice vote was taken with a unanimous affirmative result and Bill No. 3917 was read a second time.

A roll call vote was taken for passage and approval of Bill No. 3917 with the following results:
Ayes – Aldermen Leahy, Bullington, Terbrock, Roach, Fleming, Kerlagon, Stallmann, Finley;
Nays -- None.

Bill No. 3917 was approved and became **Ordinance No. 16-09**

BILL NO. 3918 AMENDMENT TO THE SOLICITATION PERMITS ORDINANCE

A motion was made by Alderman Kerlagon and seconded by Alderman Bullington for a first reading of Bill No. 3918. A voice vote was taken with a unanimous affirmative result and Bill No. 3918 was read for the first time

Alderman Terbrock asked about the time frame for a background check. Interim-Chief Kevin Scott explained that the 30 days was set by the former Chief and that it most likely had to do with Missouri's open arrest records only being available for 30 days before they are closed.

Alderman Stallmann stated that he doesn't see a reason to change this ordinance. He is concerned that the passage of this legislation would allow more solicitors to be on the streets. He believes the current process and ordinance is working.

Alderman Fleming stated that if there was a set fee there should be a corresponding set number of solicitors. Alderman Roach asked what the daily fee would be for someone who pays a franchise fee or gross receipts tax to Ballwin. City Attorney Jones explained that there would be no daily fees Under the new ordinance.

Alderman Leahy stated that he is against this ordinance and would be voting against it.

A motion was made by Alderman Terbrock and seconded by Alderman Fleming for a second reading of Bill No. 3918. A voice vote was taken with a unanimous affirmative result and Bill No. 3918 was read a second time.

A roll call vote was taken for passage and approval of Bill No. 3918 with the following results:

Ayes –None;

Nays -- Aldermen Fleming, Terbrock, Stallmann, Roach, Kerlagon, Bullington, Leahy, Finley.

Bill No. 3918 **failed**.

BILL NO. 3919 AMENDMENT TO THE ESTATE SALE PERMITS ORDINANCE

A motion was made by Alderman Stallmann and seconded by Alderman Fleming for a first reading of Bill No. 3919. A voice vote was taken with a unanimous affirmative result and Bill No. 3919 was read for the first time

A motion was made by Alderman Fleming and seconded by Alderman Terbrock for a second reading of Bill No. 3919. A voice vote was taken with a unanimous affirmative result and Bill No. 3919 was read a second time.

A roll call vote was taken for passage and approval of Bill No. 3919 with the following results:

Ayes – Aldermen Fleming, Terbrock, Roach, Bullington, Leahy, Stallmann, Finley, Kerlagon;
Nays -- None.

Bill No. 3919 was approved and became **Ordinance No. 16-10**

CONSENT ITEMS

Budgeted items which are low bid and do not exceed expenditure estimates and/or items which have been previously approved in concept.

- a. 2016 MERIT RAISES (3%)
- b. HENRY AVENUE EASEMENT ACQUISITION
- c. PARKS & RECREATION STAFF PROGRAM PARTICIPANT APPAREL
- d. GOLF COURSE CHEMICALS ACQUISITION
- e. WOLF PUBLIC HOUSE LIQUOR LICENSE

A motion was made by Alderman Terbrock and seconded by Alderman Fleming to accept the Consent Items. A voice vote was taken with a unanimous affirmative result and the motion passed.

MAYOR'S REPORT

Mayor Pogue announced that the second Ballwin Day's Committee meeting will be held Tuesday, February 23, 2016 at 7:00 PM at the Pointe.

Mayor Pogue informed the board that there is a Municipal League meeting on Thursday, February 25, at Bluebird Park in Ellisville at 7:30 PM.

CITY ADMINISTRATOR'S REPORT

City Administrator Hanson informed the Board and the audience that there is a Trivia Night on March 4th at the Ballwin Golf Club Banquette Center benefitting Ballwin Parks. He encouraged those who were available to attend the event.

STAFF REPORTS

NORTH POINTE TABLES

Director of Parks and Recreation Bruer explained that the concession tables at North Pointe are rusting and can no longer be repaired. Staff received sealed bids for sixteen new concession tables. \$23,000 was budgeted in the 2016 operating budget. Staff recommends the Board awards the lowest bidder meeting specifications, Recreation Supply in the amount of \$15,521.40.

Alderman Roach asked how old the current tables were. Director Bruer stated that the original equipment tables are thirteen years old. Alderman Roach also asked if the design would be the same. Ms. Bruer explained that they are basically the same design. Alderman Roach asked if the current tables are powder coated or plastic coated. Ms. Bruer explained that the current tables are powder coated and there is rusting under the legs.

Alderman Terbrock stated that the powder coating is not holding up as well as the plastic coating. Ms. Bruer confirmed that was correct.

A motion was made by Alderman Stallmann and seconded by Alderman Bullington to award the replacement of sixteen new concession tables to the low bidder meeting specification, Recreation Supply. A voice vote was taken with a unanimous affirmative result and the motion passed.

POINTE FITNESS EQUIPMENT

Director of Parks and Recreation Bruer explained that the Pointe's cardiovascular fitness equipment replacement program had been on a three-year cycle. The decision to hold off trading equipment an additional year was made last year. The current equipment will be at least four years old at the time of replacement. In recent years Ballwin has been leasing this equipment. Staff is recommending purchasing the equipment to avoid finance charges. Bids were requested and received. The RFP stipulated that multiple vendors could be awarded for the purchase of various pieces and only one vendor would be awarded for trade-ins. Staff recommends the Board approve and award the purchases to the following three vendors: Foremost Fitness: \$60,750 (10 treadmills, 2 crosstrainers); Push Pedal Pull: \$71,568 (5 ellipticals, 4 AMT, 6 bikes, and 1 NuStep); PR Fitness Equipment: \$15,645 (2 crosstrainers, 1 climber). Staff is also recommending that the Board approve the acceptance of the highest trade in from PR Fitness Equipment in the amount of \$8,800.

A motion was made by Alderman Fleming and seconded by Alderman Finley to award the purchase of fitness equipment to the following three vendors: Foremost Fitness: \$60,750 (10 treadmills, 2 crosstrainers); Push Pedal Pull: \$71,568 (5 ellipticals, 4 AMT, 6 bikes, and 1 NuStep); PR Fitness Equipment: \$15,645 (2 crosstrainers, 1 climber); and the acceptance of the highest trade in from PR Fitness Equipment in the amount of \$8,800. A voice vote was taken with a unanimous affirmative result and the motion passed.

CITY ATTORNEY'S REPORTS

None

ALDERMANIC COMMENTS

Alderman Stallmann informed the board that a subdivision trustee meeting is being held on March 9th at the Ballwin Golf Club Banquette Center at 7:00 PM. City Administrator Hanson added that over 200 invitations to attend were sent out.

A motion was made by Alderman Fleming and seconded by Alderman Terbrock to adjourn the Board of Aldermen Meeting. A roll call vote was taken with a unanimous result, and the meeting was adjourned at 7:33 p.m.

TIM POGUE, MAYOR

ATTEST:

ERIC HANSON, CITY ADMINISTRATOR

A Johnson

Updated: **February 25, 2016**