



UNOFFICIAL DRAFT
MINUTES OF THE BOARD OF ALDERMEN MEETING
CITY OF BALLWIN – 300 Park Drive
March 27, 2017

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 7:01 p.m.

Roll Call

PRESENT

ABSENT

Mayor Tim Pogue
Alderman James Terbrock *running late*
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 *March 13, 2017 Board of Aldermen meeting minutes* were submitted for approval.

A motion was made by Alderman Fleming and seconded by Alderman Bullington to approve the March 13, 2017 Board of Aldermen meeting minutes as submitted. A voice vote was taken with a unanimous affirmative result and the motion passed.

NEW BUSINESS

LEGISLATION

BILL NO. 3955 FINAL PSD APPROVAL FOR RUPPEL FARMS SUBDIVISION

A motion was made by Alderman Fleming and seconded by Alderman Finley for a first reading of Bill No. 3955. A voice vote was taken with a unanimous affirmative result and Bill No. 3955 was read for the first time.

Alderman Kerlagon stated he voted against this development plan during the Planning and Zoning meeting because a number of his constituents stated their concerns about the traffic and speeding issues and were against this development. He stated he and the constituents knew the development would pass in Planning and Zoning; his hope is that this bill will pass unanimously by the Board of Aldermen. He stated most of the residents realized this development was inevitable and he would hope that Ward Four of Ballwin would be open and inviting for new families to move into their area. He stated that is the reason he would be voting in favor of this bill.

Alderman Bullington stated Ward Four has the opportunity to bring in new homes and neighbors and he would encourage all to vote in favor of this bill.

A motion was made by Alderman Bullington and seconded by Alderman Kerlagon for a second reading of Bill No. 3955. A voice vote was taken with a unanimous affirmative result and Bill No. 3955 was read a second time.

A roll call vote was taken for passage and approval of Bill No. 3955 with the following results:

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

Bill No. 3955 was approved and became **Ordinance No. 17-07**

BILL NO. 3956 AMENDMENT TO THE PURCHASING POLICY

A motion was made by Alderman Fleming and seconded by Alderman Terbrock for a first reading of Bill No. 3956. A voice vote was taken with a unanimous affirmative result and Bill No. 3956 was read for the first time.

Alderman Finley stated he had suggested the threshold of the City Administrator be only \$10,000 instead of \$15,000, at the last meeting. All other suggested policy changes presented at the last meeting were fine with him. His dilemma is whether to vote for this item today or after speaking with Attorney Jones, provide a sunset provision in looking at this item in a year to see how this item is doing and would make this bill more favorable to him. He stated that a reasonable solution would be to ask staff to diary this item for a year and to come back and see how this item is doing.

City Administrator Hanson stated coming back in a year to review this item would not be a problem.

A motion was made by Alderman Fleming and seconded by Alderman Terbrock for a second reading of Bill No. 3956. A voice vote was taken with a unanimous affirmative result and Bill No. 3956 was read a second time.

A roll call vote was taken for passage and approval of Bill No. 3956 with the following results:

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

Bill No. 3956 was approved and became **Ordinance No. 17-08**

BILL NO. 3957 AMENDMENT TO THE SEWER LATERAL REPAIR PROGRAM

A motion was made by Alderman Stallmann and seconded by Alderman Finley for a first reading of Bill No. 3957. A voice vote was taken with a unanimous affirmative result and Bill No. 3957 was read for the first time.

Alderman Roach Appreciates the reports and analysis Mr. Hixson provided in order to get the program to this point.

A motion was made by Alderman Fleming and seconded by Alderman Stallmann for a second reading of Bill No. 3957. A voice vote was taken with a unanimous affirmative result and Bill No. 3957 was read a second time.

A roll call vote was taken for passage and approval of Bill No. 3957 with the following results:
Ayes – Aldermen Fleming, Stallmann, Bullington, Kerlagon, Terbrock, Roach, Leahy, Finley;
Nays -- None.

Bill No. 3957 was approved and became **Ordinance No. 17-09**

BILL NO. 3958 AMENDMENT TO ESCROW REQUIREMENTS

A motion was made by Alderman Leahy and seconded by Alderman Fleming for a first reading of Bill No. 3958. A voice vote was taken with a unanimous affirmative result and Bill No. 3958 was read for the first time.

Alderman Terbrock asked for a definition on structural repairs.

City Attorney Jones stated that something is considered a structure if it has foundation or footings. Structural Repairs is not a defined term.

Alderman Terbrock stated that if the escrow is removed for structural repairs, it could cause trouble down the road. He would like to see clarification on what would constitute as a structural repair.

City Attorney Jones stated there can be clarification in the ordinance in regards to what constitutes as structural repairs and what constitutes as structural alteration.

Mayor Pogue asked if there was any objection to holding over Bill NO. 3958. There was no objection.

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. LIQUOR LICENSE TRANSFER FOR QUICKTRIP #621
- b. LIQUOR LICENSE APPLICATION FOR JET'S PIZZA

Alderman Finley asked why Jet's Pizza changed their position on holding a liquor license. A representative from Jet's Pizza explained that the store brought the liquor license to the corporate

office who was opposed to the idea initially but inevitable worked out the issue which is why they are reapplying for a liquor license. Alderman Finley asked how the store planned to train their employees on ensuring no sale of alcohol to minors occurs. The representative stated they would train employees to prevent the sale of alcohol to minors.

Alderman Finley asked about the QuickTrip Liquor License Transfer. Alderman Terbrock stated the current license holder is retiring and the person taking his place will be the new license holder.

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

City Administrator Hanson asked if the Board preferred to have a representative from the business attend the Board meeting for liquor license applications. Alderman Finley stated his preference would be that new license applicants should attend the meeting.

MAYOR'S REPORT

Summer Schedule: 2nd Monday of the month of May, June, July and August. Meetings scheduled on the 4th Monday of these months are cancelled. Meetings will occur on: May 8th, June, 12th, July 10th, and August 14th.

A motion was made by Alderman Stallmann and seconded by Alderman Kerlagon to approve the summer schedule as recommended by the Mayor. A voice vote was taken with a unanimous affirmative result and the motion passed.

Mayor Pogue thanked Councilman Mark Harder, Parkway School District and the Alliance for a Healthy Community. Last week a heroin town hall forum was held at Parkway Central. Mayor Pogue attended this forum along with the Chief as well as some of his staff from the Police Department. He stated this was the second year they have held this forum. He encourages anyone who is interested in attending Drug Task Force meetings to please do so.

CITY ADMINISTRATOR'S REPORT

City Administrator Hanson thanked staff, especially Chief Scott, for a great event on Tuesday for the Ground Breaking Ceremony for Officer Flamion. He stated the City showed what is best about this community. He thanked the Board for their support along with the collaboration of the Public Works, Parks, Traffic Control, and Police Department; City Administrator Hanson appreciated all of their efforts.

Upcoming Events: **April 8th** Tons of Trucks in the Target Parking Lot beginning at 10am.
 April 15th Easter Egg hunt 1:00PM at Vlasis Park & an underwater hunt at the Pointe at 7:30PM
 April 29th The Ballwin Police Department is hosting:
 Shred Event in the Target Parking Lot beginning at 9AM until 11AM
 Drug Takeback at the Police Station from 10AM until 2PM

The current Tree Ordinance focusses primarily on how the City gets compliance with homeowners in terms of tree trimmings and vegetation. City Administrator Hanson stated trying to adapt those policies into City Ordinance was becoming challenging. City Administrator Hanson is recommending that an update be done to just the City's Policy Manual relative to how the City maintains street trees and this would be a resolution approved by the Board.

STAFF REPORTS

ECONOMIC DEVELOPMENT VIDEO

Economic Developer and Assistant City Administrator Andy Hixson presented a video to the Board that he and staff members have put together to promote business opportunities for the International Council for Shopping Centers conference in May. He thanked Abigail Johnson, Detective Scott Stephens, and Kirsten Hochstetler who helped put this video together.

CITY ATTORNEY'S REPORTS

Ballwin's Prosecuting Attorney, Christopher Graville, asked that the Board pass an ordinance for an infraction for unlawful entry into a motor vehicle.

A motion was made by Alderman Roach and seconded by Alderman Stallmann to have City Attorney Jones draft legislation for unlawful entry of a motor vehicle. A voice vote was taken with a unanimous affirmative result and the motion passed.

ALDERMANIC COMMENTS

Alderman Bullington thanked everyone who came out for the groundbreaking ceremony for Officer Flamion. The Gary Sinese Foundation and Operation RISE, looks to be a tremendous thing they are doing for Mike and for the Ballwin community as a whole.

He also would like to invite everyone to Ballwin Days. The event will take place on June 8th, 9th, 19th, and 11th in Vlasik Park. This is the 40th Anniversary of Ballwin Days and as a committee member he would like to encourage everyone to phone a friend and neighbors to get them to attend the festival. There will be fireworks on the 9th and 10th and on the 10th there will be a car show.

Alderman Stallman stated that on April 22nd the Parks & Recreation Department is showing "Field of Dreams" on the ball field in Vlasik Park and if anyone is available, they should attend.

He also thanked everyone for being in attendance at the groundbreaking ceremony for Officer Flamion. He added that Chief Scott made the City proud by being a part of the Ceremony.

Alderman Finely asked for follow-up on the Government Center Project. City Administrator Hanson stated he provided the company with a fair amount of data that has accumulated over ten years by staff. City Administrator Hanson and Mr. Hixson are meeting with the architect on Wednesday to provide preliminary directions on layout. A firm has also been contacted to conduct soil samples at a couple of potential sites. The first phase to provide a draft is still on track to be delivered by May.

He also added that he wouldn't mind seeing some design from the City's logo of the silos from the Barn at Lucerne somehow be incorporated into the design. He also added he would like to see the Barn at Lucerne incorporated into the video Mr. Hixson presented.

Mayor Pogue announced that Pursuant to Section 610.021 [1] RSMo, the board will meet in closed session regarding litigation.

Adjourn to Closed Session: A motion was made by Alderman Fleming and seconded by Alderman Kerlagon to adjourn to closed session to discuss employee 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 7:30 p.m.

The Board reconvened in open session at 8:21 p.m.

Mayor Pogue reconvened the open session and stated the Board met in closed session to discuss litigation matters and that no formal action was taken at that time.

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 8:22 p.m.

TIM POGUE, MAYOR

ATTEST:

ERIC HANSON, CITY ADMINISTRATOR

A Johnson
Updated: **April 5, 2017**