



**DRAFT MINUTES**  
**BOARD OF ALDERMEN**  
**Meeting Minutes**

DECEMBER 10, 2018

7:00 PM 300 PARK DR., 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 Tim Pogue at 7:00 p.m.

**ROLL CALL**

Mayor Tim Pogue  
Alderman James Terbrock  
Alderman Michael Finley  
Alderman Kevin M. Roach  
Alderman Mark Stallmann  
Alderman Frank Fleming  
Alderman Jim Leahy  
Alderman Ross Bullington  
Alderman Raymond Kerlagon  
Interim-City Administrator Bob Kuntz  
City Attorney Robert E. Jones

The Pledge of Allegiance was given.

**MINUTES**

The Minutes from the November 26, 2018, Board of Aldermen meeting were submitted for approval. *A motion was made* by Alderman Finley and seconded by Alderman Kerlagon to approve the minutes from the November 26, 2018 Board of Aldermen meeting as amended. A voice vote was taken with a unanimous affirmative result and the motion passed.

**PUBLIC COMMENTS**

**Geoger Wrather** spoke about leaf collection, tree trimming and number of people allowed to live in the same house.

**Jim Link** gave an update about leaf collection.

**PUBLIC HEARING 2019 Budget Public Hearing**

Mayor Pogue opened the floor for the Public Hearing by asking if anyone present wished to speak in **favor** of the proposal. No one came forward to speak in favor of the proposal.

Mayor Pogue asked if anyone present wished to speak in **opposition** of the proposal. Michael Bronsa spoke about being conservative and use of Proposition P money. Mayor Pogue closed the Public Hearing.



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**UNFINISHED BUSINESS**

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**LEGISLATION**

The following ordinances pertain to updating Ballwin's Building Codes. Currently Ballwin's building codes are from 2005. If approved as presented, the new adopted codes will update Ballwin to 2015 Codes, with the exception of the Electrical code, which will be updated to 2014. To effectively pass these codes, a first reading of each Bill was required. The first reading of these ordinances was completed during the August 27, 2018, Board of Aldermen Meeting. After the first reading, the codes were made available, for no fewer than 90 days, at the City Clerk's office for public review. A second reading of these bills will need to be done and taken to a vote for passage at this meeting.

**BILL NO. 3999 AN ORDINANCE AMENDING SECTION 7-42(1) OF THE CODE OF ORDINANCES WITH RESPECT TO THE ADOPTION OF ST. LOUIS COUNTY CODES**

*A motion was made* by Alderman Kerlagon and seconded by Alderman Stallmann for a second reading of Bill No. 3999, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 3999 was read for the second time.

A roll call vote was taken for passage and approval of Bill No. 3999 with the following results:

Ayes – Aldermen Terbrock, Finley, Roach, Stallmann, Fleming, Leahy, Bullington, Kerlagon; Nays -- None. Bill No. 3999 was approved and became **Ordinance No. 18-16**

**BILL NO. 4000 AN ORDINANCE ESTABLISHING THE MINIMUM REGULATIONS GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY, AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND THE DEMOLITION OF SUCH STRUCTURES: KNOWN AS THE BUILDING CODE**

*A motion was made* by Alderman Finley and seconded by Alderman Leahy on for a second reading of Bill No. 4000, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4000 was read for the second time.

A roll call vote was taken for passage and approval of Bill No. 4000 with the following results: Ayes – Aldermen Terbrock, Finley, Roach, Stallmann, Fleming, Leahy, Bullington, Kerlagon; Nays -- None. Bill No. 4000 was approved and became **Ordinance No. 18-17**



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**BILL NO. 4001** AN ORDINANCE AMENDING ARTICLE III, SECTION 7-48 OF THE CODE OF ORDINANCES OF THE CITY OF BALLWIN WITH RESPECT TO THE ADOPTION OF THE 2014 EDITION OF THE INTERNATIONAL ELECTRICAL CODE PERTAINING TO THE INSTALLATION OF ELECTRICAL WIRING AND APPARATUS, PROVIDING FOR THE ISSUANCE OF ELECTRICAL PERMITS, FEES, AND RELATED INSPECTION REQUIREMENTS, AND INCLUDING PENALTIES FOR VIOLATION THEREOF

*A motion was made* by Alderman Stallmann and seconded by Alderman Finley for a second reading of Bill No. 4001, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4001 was read for the second time.

A roll call vote was taken for passage and approval of Bill No. 4001 with the following results: Ayes – Aldermen Terbrock, Finley, Roach, Stallmann, Fleming, Leahy, Bullington, Kerlagon; Nays -- None. Bill No. 4001 was approved and became **Ordinance No. 18-18**

**BILL NO. 4002** AN ORDINANCE ADOPTING THE MINIMUM REGULATIONS GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND THE DEMOLITION OF SUCH STRUCTURES; KNOWN AS THE FUEL GAS CODE

*A motion was made* by Alderman Terbrock and seconded by Alderman Bullington for a second reading of Bill No. 4002, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4002 was read for the second time.

A roll call vote was taken for passage and approval of Bill No. 4002 with the following results: Ayes – Aldermen Terbrock, Finley, Roach, Stallmann, Fleming, Leahy, Bullington, Kerlagon; Nays -- None. Bill No. 4002 was approved and became **Ordinance No. 18-19**

**BILL NO. 4003** AN ORDINANCE ADOPTING THE 2015 EDITION OF THE INTERNATIONAL MECHANICAL CODE, REGULATING AND CONTROLLING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION,



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**RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF MECHANICAL SYSTEMS IN THE CITY OF BALLWIN; PROVIDING FOR THE ISSUANCE OF PERMITS AND**

**COLLECTION OF FEES THEREFORE AND AMENDING SECTION 7-43 OF THE CODE OF ORDINANCES OF THE CITY OF BALLWIN**

*A motion was made* by Alderman Bullington and seconded by Alderman Leahy for a second reading of Bill No. 4003, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4003 was read for the second time.

A roll call vote was taken for passage and approval of Bill No. 4003 with the following results: Ayes – Aldermen Terbrock, Finley, Roach, Stallmann, Fleming, Leahy, Bullington, Kerlagon; Nays -- None. Bill No. 4003 was approved and became **Ordinance No. 18-20**

**BILL NO. 4004 AN ORDINANCE ADOPTING THE 2015 EDITION OF THE INTERNATIONAL PLUMBING CODE, REGULATING AND CONTROLLING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF PLUMBING SYSTEMS IN THE CITY OF BALLWIN; PROVIDING FOR THE ISSUANCE OF PERMITS THEREFORE AND AMENDING SECTION 7-44 OF THE CODE OF ORDINANCES OF THE CITY OF BALLWIN**

*A motion was made* by Alderman Bullington and seconded by Alderman Stallmann for a second reading of Bill No. 4004, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4004 was read for the second time.

A roll call vote was taken for passage and approval of Bill No. 4004 with the following results: Ayes – Aldermen Terbrock, Finley, Roach, Stallmann, Fleming, Leahy, Bullington, Kerlagon; Nays -- None. Bill No. 4004 was approved and became **Ordinance No. 18-21**



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**BILL NO. 4005 AN ORDINANCE OF THE CITY OF BALLWIN, ADOPTING THE 2015 EDITION OF THE “INTERNATIONAL RESIDENTIAL CODE”, REGULATING AND GOVERNING THE CONSTRUCTION, ALTERATION, MOVEMENT, ENLARGEMENT, REPLACEMENT, REPAIR, EQUIPMENT, LOCATION, REMOVAL, AND DEMOLITION OF DETACHED ONE AND TWO-FAMILY DWELLINGS AND MULTIPLE SINGLE-FAMILY DWELLINGS (TOWNHOUSES) NOT MORE THAN THREE STORIES IN HEIGHT WITH SEPARATE MEANS OF EGRESS IN THE JURISDICTION; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; AMENDING SECTION 7-46 OF THE CODE OF ORDINANCES AND REPEALING SECTIONS 7-61 AND 7-61.5 OF THE CODE OR ORDINANCES**

*A motion was made* by Alderman Bullington and seconded by Alderman Leahy for a second reading of Bill No. 4005, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4005 was read for the second time.

A roll call vote was taken for passage and approval of Bill No. 4005 with the following results: Ayes – Aldermen Terbrock, Finley, Roach, Stallmann, Fleming, Leahy, Bullington, Kerlagon; Nays -- None. Bill No. 4005 was approved and became **Ordinance No. 18-22**

**BILL NO. 4006 AN ORDINANCE ADOPTING THE 2015 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE**

*A motion was made* by Alderman Roach and seconded by Alderman Leahy for a second reading of Bill No. 4006, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4006 was read for the second time.

A roll call vote was taken for passage and approval of Bill No. 4006 with the following results: Ayes – Aldermen Terbrock, Finley, Roach, Stallmann, Fleming, Leahy, Bullington, Kerlagon; Nays -- None. Bill No. 4006 was approved and became **Ordinance No. 18-26**



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**NEW BUSINESS**

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**2019 CAPITAL BUDGET BILL NO. 4011 AN ORDINANCE APPROVING AND ADOPTING A BUDGET OF ANTICIPATED CASH REVENUE AND CASH DISBURSEMENTS FOR THE CAPITAL IMPROVEMENT PROGRAM OF THE CITY OF BALLWIN, ST. LOUIS COUNTY, MISSOURI, FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2019, AND ENDING DECEMBER 31, 2019, PROVIDING FOR EXPENDITURES IN ACCORDANCE WITH SAID BUDGET AND MAKING APPROPRIATIONS THEREOF**

*A motion was made* by Alderman Kerlagon and seconded by Terbrock for a first reading of Bill No. 4011, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4011 was read for the first time.

*A motion was made* by Alderman Bullington and seconded by Alderman Kerlagon for a second reading of Bill No. 4011, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4011 was read for the second time.

A roll call vote was taken for passage and approval of Bill No. 4011 with the following results: Ayes – Aldermen Terbrock, Finley, Roach, Stallmann, Fleming, Leahy, Bullington, Kerlagon; Nays -- None. Bill No. 4011 was approved and became **Ordinance No. 18-24**

**2019 OPERATING BUDGET BILL NO. 4012 AN ORDINANCE APPROVING AND ADOPTING AN OPERATIONS BUDGET OF ANTICIPATED CASH REVENUE AND CASH DISBURSEMENTS FOR THE GENERAL REVENUE FUND OF THE CITY OF BALLWIN, ST. LOUIS COUNTY, MISSOURI, FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2019, AND ENDING DECEMBER 31, 2019, PROVIDING FOR EXPENDITURES IN ACCORDANCE WITH SAID BUDGET AND MAKING APPROPRIATIONS THEREOF**

*A motion was made* by Alderman Terbrock and seconded by Alderman Finely for a first reading of Bill No. 4012, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4012 was read for the first time.



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*A motion was made* by Alderman Stallmann and seconded by Alderman Bullington for a second reading of Bill No. 4012, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4012 was read for the second time.

A roll call vote was taken for passage and approval of Bill No. 4012 with the following results: Ayes – Aldermen Terbrock, Finley, Roach, Stallmann, Fleming, Leahy, Bullington, Kerlagon; Nays -- None. Bill No. 4012 was approved and became **Ordinance No. 18-25**

**SHOW-ME COURTS ORDINANCE BILL NO. 4013 AN ORDINANCE AUTHORIZING EXECUTION OF THE SHOW-ME COURTS AGREEMENT AND REVISING THE MUNICIPAL COURT COSTS SCHEDULE FOR THE CITY OF BALLWIN**

*A motion was made* by Alderman Roach and seconded by Alderman Leahy for a first reading of Bill No. 4013, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4013 was read for the first time.

*A motion was made* by Alderman Kerlagon and seconded by Alderman Bullington for a second reading of Bill No. 4013, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4013 was read for the second time.

A roll call vote was taken for passage and approval of Bill No. 4013 with the following results: Ayes – Aldermen Terbrock, Finley, Roach, Stallmann, Fleming, Leahy, Bullington, Kerlagon; Nays -- None. Bill No. 4013 was approved and became **Ordinance No. 18-26**

**SUE FOR 15581 MANCHESTER ROAD, YIRO GYRO BILL NO. 4014 AN ORDINANCE GRANTING A SPECIAL USE EXCEPTION TO FADI SHAKIR, FOR OPERATION OF A RESTAURANT WITH ALCOHOLIC BEVERAGE SALES BY THE DRINK FOR CONSUMPTION ON THE PREMISES WHERE SOLD**

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*A motion was made* by Alderman Leahy and seconded by Alderman Finley for a first reading of Bill No. 4014, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4014 was read for the first time.

*A motion was made* by Alderman Finley and seconded by Alderman Bullington for a second reading of Bill No. 4014, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4014 was read for the second time.

A roll call vote was taken for passage and approval of Bill No. 4014 with the following results: Ayes – Aldermen Terbrock, Finley, Roach, Stallmann, Fleming, Leahy, Bullington, Kerlagon; Nays -- None. Bill No. 4014 was approved and became **Ordinance No. 18-27**

## **MAYOR'S REPORT**

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**Finance Department:** The Mayor congratulated the Finance Department for earning the 2017 GFOA Achievement of Excellence Award for the 2017 Budget.

**Next Board Meeting:** The Mayor discussed canceling the December 24, 2018 scheduled Board of Aldermen Meeting

*A motion was made* by Alderman Stallmann and seconded by Alderman Terbrock to cancel the December 24, 2018 Board of Aldermen meeting. A voice vote was taken with unanimous affirmative result and the motion passed.

### **Commission Appointments:**

#### **PLANNING AND ZONING**

Grant Alexander was nominated for the Ward 1 seat vacated by Vern Young.

*A motion was made* by Alderman Terbrock and seconded by Alderman Leahy; a voice vote was taken with a unanimous affirmative result and the motion passed.

Lisa Zimmer was nominated for re appointment of her seat for another four (4) year term.



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*A motion was made* by Alderman Stallmann and seconded by Alderman Roach; a voice vote was taken with a unanimous affirmative result and the motion passed.

#### **BALLWIN HISTORICAL COMMISSION**

The following members' three (3) terms expire on December 31, 2018.

Helen Pisarkiewicz

Alice Mertz

Carole Stafford

*A motion was made* by Alderman Finely and seconded by Alderman Terbrock to appoint Helen Pisarkiewicz, Alice Mertz and Carole Stafford to the Ballwin Historical Commission for a three (3) year term expiring December 31, 2021.

A voice vote was taken with a unanimous affirmative result and the motion passed.

The following one (1) year appointments expire on December 31, 2018.

Chairman: Ken Velten

Vice Chairman: Alice Mertz

Secretary: Marie Clark

*A motion was made* by Alderman Bullington and seconded by Alderman Terbrock to appoint Ken Velten as Chairman, Alice Mertz as Vice Chairman and Marie Clark as Secretary to the Ballwin Historical Commission to serve a one year term, expiring on December 31, 2019.

A voice vote was taken with a unanimous affirmative result and the motion passed.

#### **INTERIM - CITY ADMINISTRATOR'S REPORT**

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Mr. Kuntz reminded the Board about candidate filings and wished everyone happy holidays.

#### **STAFF REPORTS**

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**Police Department**

Police Chief Kevin Scott wished to further inform the Board in regards to how REJIS (Regional Justice Information System) serves different support roles on the police side of operations.

**CITY ATTORNEY'S REPORT**

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Nothing to report

**ALDERMANIC COMMENTS**

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Alderman Finley welcomed back Interim City Administrator Bob Kuntz and thanked the two (2) guests for coming out.

**CLOSED SESSION**

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The Board moved to go into closed session in regards to personnel matters under Section 610.0021 (1) RSMo.

*A motion was made* by Alderman Stallmann and seconded by Alderman Terbrock to go into closed session. A voice vote was taken with a unanimous result.

**OPEN SESSION**

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*A motion was made* by Alderman Fleming and seconded by Alderman Terbrock to adjourn the open session the meeting was adjourned at 8:40 p.m.

\_\_\_\_\_ TIM POGUE, MAYOR

ATTEST:

\_\_\_\_\_ Andy Hixson, CITY CLERK