



DRAFT MINUTES
BOARD OF ALDERMEN
Meeting Minutes

MARCH 30, 2020

6:00 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 Tim Pogue at 6:00 p.m.

ROLL CALL

Present

Mayor Tim Pogue
Alderman Mike Utt
Alderman Michael Finley
Alderman Kevin M. Roach
Alderman Mark Stallmann
Alderman Frank Fleming
Alderman Jim Leahy
Alderman Ross Bullington via remote feed
Alderman Raymond Kerlagon
City Administrator Bob Kuntz – adjacent hallway
City Attorney Robert Jones – adjacent hallway

Absent

MINUTES

The Minutes from the March 9, 2020, Board of Aldermen meeting were submitted for approval. ***A motion was made*** by Alderman Fleming and seconded by Alderman Roach to approve the minutes from the March 9, 2020 Board of Aldermen meeting. A voice vote was taken with a unanimous affirmative result and the motion passed.

The Minutes from the March 9, 2020, Finance and Administration meeting were submitted for approval. ***A motion was made*** by Alderman Fleming and seconded by Alderman Stallmann to approve the minutes from the March 9, 2020 Finance and Administration meeting. A voice vote was taken with a unanimous affirmative result and the motion passed.



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The Minutes from the March 2, 2020, Board of Aldermen work session were submitted for approval. A *motion was made* by Alderman Fleming and seconded by Alderman Finley to approve the minutes from the March 2, 2020 Board of Aldermen work session. A voice vote was taken with a unanimous affirmative result and the motion passed.

MAYOR'S REPORT

Future Meetings

Mayor Pogue reported that Planning and Zoning for April 6 has been cancelled due to lack of agenda items. It is expected that they will meet on May 4 as scheduled. It was proposed that the April 13 Board meeting be cancelled but the April 27 meeting be conducted as scheduled. He also reported that the Board of Adjustment meeting for April 15 will be held to consider a variance for Uptown Cheapskate for the sale of merchandise of which more than 25% is used (pre-owned). He suggested that the June 4-7 Ballwin Days festival be cancelled with the potential of a fall celebration event, if possible. He noted that the committee co-chairs were all supportive of this decision.

A motion was made by Alderman Utt and seconded by Alderman Roach to approve all of these changes. A voice vote was taken with unanimous affirmative result and the motion passed.

Current Operations

Mayor Pogue provided a comprehensive rundown about what actions we are taking to deal with the current health crisis. He reported that the Maryland Heights plan would be a good template for us to follow in this situation. Alderman Finley asked if all department heads had reviewed these guidelines. City Administrator Kuntz confirmed that there had been considerable staff input and that they supported the necessary changes. City Attorney Jones added that safeguards were in place to insure that the city would be protected against abuse stemming from at-home applications and personal equipment usage.

A motion was made by Alderman Stallmann and seconded by Alderman Roach to draft legislation to declare a local emergency. A voice vote was taken with unanimous affirmative result and the motion passed.

Shelter in Place

Mayor Pogue called upon Haley Morrison and Denise Keller to present an overview of the staff plan that would be triggered in the event of quarantines, furloughs and positive staff test results. There was considerable discussion regarding employee compensation under these circumstances.

A motion was made by Alderman Stallman and seconded by Alderman Bullington for staff to develop comprehensive guidelines and present them for approval at the next Board meeting. A voice vote was taken with unanimous affirmative result and the motion passed.

CITY ADMINISTRATOR'S REPORT

Yard Waste

Republic Services has advised that they would like to suspend curbside service due to safety concerns for their employees. Rather than totally eliminate this program, they propose that dumpsters be provided at locations such as Holloway Park and the Pointe for those residents who are willing to deliver their yard waste to one of these sites using the haul away dumpsters that would be provided and emptied on a regular basis. Following vigorous debate and discussion, a motion was made by Alderman Roach and seconded by Alderman Utt that they should continue to perform all services under the terms of the current contract through the month of April, but the topic could be revised at the April 27 meeting if conditions warrant. A voice vote was taken with unanimous affirmative result and the motion passed.

Government Center Parking Lot

The City Administrator reported that modifications required MSD approval and increased the total project cost from \$175,000 (authorized) to \$177,817.

A motion was made by Alderman Fleming and seconded by Alderman Finley to approve and execute the amended contract. A voice vote was taken with unanimous affirmative result and the motion passed.

Skid steer and Attachment Purchases

Public Works is requesting approval to purchase a skid steer and attachments from Fabick Cat using the Sourcewell contract, #103894. Sourcewell is a cooperative government agency which allows other governmental agencies to use cooperative purchasing agreements to buy services and products.

A motion was made by Alderman Roach and seconded by Alderman Stallmann to approve the skid steer purchase using Sourcewell. A voice vote was taken with unanimous affirmative result and the motion passed.



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CITY ATTORNEY'S REPORT

City Attorney Jones reported on the requirements for a remote meeting. The Missouri Sunshine Law requires notice to the public and a proposed agenda at least 24 hours in advance, unless there is an emergency. He stated that there should never be such an emergency and a proposed agenda should be posted and available to the public at least 24 hours in advance. If there is going to be a remote meeting, it must allow for videoconferencing (audio and video) if a roll call vote is going to be taken. The exception is an emergency where a majority of the quorum of the board is present in person, but this is unlikely with the current pandemic. A platform like Zoom which has been utilized in other cities and also by Ballwin staff would allow the public to observe the meeting and comment. Public comment is not required unless there is a scheduled public hearing, but can be allowed at the meeting.

Based on these guidelines, Mayor Pogue suggested that a special meeting be conducted at 6:00 p.m. on Thursday, April 2, 2020 for the purpose of enacting special legislation and approving a plan for sheltering in place.

ALDERMANIC COMMENTS

None

A motion was made by Alderman Fleming to adjourn. The motion was seconded by Alderman Leahy. The motion passed by unanimous voice vote. The meeting adjourned at 7:53 pm.

_____ TIM POGUE, MAYOR

ATTEST:

_____ Polly Moore, CITY CLERK