



**BOARD OF ALDERMEN**  
**Meeting Minutes**

JANUARY 11, 2021

7:00 PM 1 GOVERNMENT CTR/ZOOM. 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 Pogue at 7:00 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
- Alderman Raymond Kerlagon
- City Administrator Eric Sterman
- City Attorney Robert Jones

Absent

Mayor Pogue asked for a moment of silence in memory of former Mayor R. Jon Bopp, who recently passed away. Not only did R. Jon serve as Mayor, his law office was located on Manchester Rd. for years. He was currently serving as a council member in the City of Wildwood.

**MINUTES**

The Minutes from the December 14, 2020, Board of Aldermen meeting were submitted for approval. A ***motion was made*** by Alderman Fleming and seconded by Alderman Bullington to approve the minutes from the December 14, 2020 Board of Aldermen meeting as submitted. A voice vote was taken with a unanimous affirmative result and the motion passed.

## **LEGISLATION**

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**BILL 4084 - AN ORDINANCE GRANTING A SPECIAL USE EXCEPTION TO CHAMPION CAR CARE AUTOMOTIVE REPAIR FOR OPERATION OF A MOTOR VEHICLE SERVICE AND REPAIR BUSINESS AT 15230 MANCHESTER ROAD.**

This ordinance grants a special use exception to Champion Car Care Automotive Repair.

A motion was made by Alderman Fleming and seconded by Alderman Finley for a first reading of Bill 4084, title only. A voice vote was taken with unanimous affirmative result and Bill 4084 was read for the first time.

Discussion:

Alderman Roach asked if the petitioner was on the Zoom meeting; he wanted to know when the business would be opening. Mayor Pogue asked that if the representative was available, they use the Zoom function and raise their hand; there was no response. City Administrator Serman stated he did not have an exact opening date, but they have already been moving equipment in to the location, so he thought they would be opening as soon as possible.

A motion was made by Alderman Fleming and seconded by Alderman Utt for a second reading of Bill 4084, title only. A voice vote was taken with unanimous affirmative result and Bill 4084 was read for a second time.

A roll call vote was taken for passage and approval of Bill 4084 with the following results:

Ayes – Aldermen Finley, Roach, Stallmann, Fleming, Leahy, Bullington, Utt, Kerlagon

Nays -- None.

Bill No. 4084 was approved and became Ordinance No. 21-01

**BILL 4085 - AN ORDINANCE REVISING GOLF COURSE RATES.**

This ordinance revises golf course fees

A motion was made by Alderman Stallmann and seconded by Alderman Bullington for a first reading of Bill 4085, title only. A voice vote was taken with unanimous affirmative result and Bill 4085 was read for the first time.

Discussion:

Alderman Roach directed a statement to Parks Director Chris Conway that, for clarification purposes, this was not lowering or raising golf fees, but bringing all sections of the code into congruity. Mr. Conway stated that was correct as there were conflicting sections/tables within the code.

City Attorney Jones also stated that, at the Board's request, language was included so that City staff may adjust rates as needed and they won't have to come back to the Board.

A motion was made by Alderman Bullington and seconded by Alderman Kerlagon for a second reading of Bill 4085, title only. A voice vote was taken with unanimous affirmative result and Bill 4085 was read for a second time.

A roll call vote was taken for passage and approval of Bill 4085 with the following results:

Ayes – Aldermen Finley, Roach, Stallmann, Fleming, Leahy, Bullington, Utt, Kerlagon

Nays -- None.

Bill No. 4085 was approved and became Ordinance No. 21-02

## **CONSENT ITEMS**

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Administration – Check Signatories

Staff recommends the Board approve authorized signers for all City accounts as presented.

Discussion:

None

A motion was made by Alderman Fleming and seconded by Alderman Stallmann to approve the check signatories. A voice vote was taken with unanimous affirmative result and the motion passed.

Administration – Semi-Annual Revenue/Expenditure Statement

Staff recommends that the Board approve the semi-annual statement of revenues and expenditures.

Discussion:

None

A motion was made by Alderman Fleming and seconded by Alderman Stallmann to approve the semi-annual statement. A voice vote was taken with unanimous affirmative result and the motion passed.

## **MAYOR'S REPORT**

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Mayor Pogue wanted to follow up on the request from Leah Schroeder for the Board to sign a letter of support for the Borgen Project. He stated a draft letter had been sent to everyone and asked if the Board should take consideration on the matter this evening. Aldermen Fleming and Finley both agreed the letter could be more generic; Alderman Finley pointed out several lines he felt should be removed. City Administrator Sterman stated he had sent an updated draft earlier today. Alderman Roach stated he had not seen the draft and asked that the matter be held over. Alderman Finley stated there was no rush and holding it over was not an issue; Alderman Stallmann agreed. Alderman Fleming shared that he would collaborate with City Administrator Sterman on a new draft of the letter; he also stated the Board should stick with her request and be generic; Alderman Stallmann agreed. Mayor Pogue will send the new draft to everyone for review.

## **CITY ADMINISTRATOR'S REPORT**

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City Administrator Sterman reminded everyone that the deadline for candidacy filing is January 19, 2021 at 5:00 p.m. He also updated the Board on the property at 977 Morena. The owner recently passed away and the property is currently owned by the bank. The City is working with the bank to address what the City believes are nuisance issues, particularly on the home's exterior.

## **CITY ATTORNEY'S REPORT**

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City Attorney Jones has drafted an ordinance amending exceptions to the Clean Air Act, adding an exception for military veteran's associations which have certification of exception from St. Louis County and adopts, by reference, a section of St. Louis County code which has certain criteria not necessarily in the City's ordinance. This gives the Board the opportunity to discuss whether the VFW post should be exempt from the Clean Air Act so they could continue to offer a smoking area. Mayor Pogue spoke with the new commander at the VFW; their membership voted in favor of asking the City for the amendment. He also stated this would only affect the canteen area and not the hall where events such as fish fries, bingo, etc. take place. Alderman Roach asked if the banquet hall would remain no smoking and how the canteen area would stay separated from the hall; Mayor Pogue replied the canteen would be the only area where smoking would be permitted and there is a door and wall separating the two areas. Alderman Fleming asked what prompted the VFW to ask; Mayor Pogue stated a member brought it to their attention that the business model had changed and there are now paid employees. Alderman Roach asked if Alderman Finley, the chair of the Public Health and Safety committee, had any concerns; he did not. A motion was made by Alderman Fleming and seconded by Alderman Stallmann for the City Attorney to formally draft legislation for a future meeting. A voice vote was taken with unanimous affirmative result and the motion passed.

## **STAFF REPORTS**

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### **Public Works – Street Assessment**

Public Works Director Jim Link made a power point presentation, sharing information from the Streets Assessment book which had been sent to the Board earlier in the week. He discussed all aspects of street assessment including how the streets are maintained, being proactive and the benefits of keeping the City's streets in good condition. He also talked about looking into the future (2021-2035), costs for replacement, notifications to businesses, etc. He discussed the best way to allocate funding as we are in a ten-year cycle.

### **Public Works – Ries Rd STP**

Staff is recommending allowing Cochran Engineering to submit a proposal and an application to East-West Gateway Council of Governments and provide professional engineering services. Mr. Link stated we had applied for the grant last year, but our application was rejected; he would like to try again. The cost for application is \$5000, which is reimbursed if the application is not approved. Alderman Roach asked if there was something wrong with the previous application; Mr. Link stated projects are scored on a point system and other projects scored higher than ours. Mayor Pogue stated this happened before with the New Ballwin Rd. project. A motion was made by Alderman Roach and seconded by Alderman Stallmann to approve staff's recommendation to submit the application. A voice vote was taken with unanimous affirmative result and the motion passed.

Mayor Pogue discussed the two recent water main breaks and asked Mr. Link if he has any idea when Missouri American Water would be fixing the patch. Mr. Link stated he has called Missouri American Water but has yet to receive a response. He also stated we would intervene if necessary to get things moving.

## **ALDERMANIC COMMENTS**

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Alderman Leahy stated he had sent a letter to Board members as he feels the meetings should return to in-person. He also stated City employees are back out in the field and have been at work in various departments, so the Board should also return to in-person meetings.

Alderman Finley shared that Monte's School of Music, located in Claymont Center is merging with Mozingo's. Mozingo's will be moving from Ellisville to the Claymont Center location; they will have musical instruments and equipment for sale. Alderman Finley stated he has been taking lessons at Monte's, and that this will be a great place to go for lessons. City Attorney Jones added that the end cap of Claymont where Mozingo's is moving to is the original location of Mozingo's. Alderman Roach asked Alderman Finley if he knew what the name of the merged businesses will be; Alderman Finley did not have the name available.



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A motion was made by Alderman Fleming and seconded by Alderman Finley to adjourn. The motion was passed by unanimous affirmative voice vote and the meeting adjourned at 8:00 p.m.

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

ATTEST:

\_\_\_\_\_ POLLY MOORE, CITY CLERK