



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

OCTOBER 14, 2019

7:00 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 7:22 p.m.

**ROLL CALL**

Present

Mayor Tim Pogue  
Alderman Mike Utt  
Alderman Michael Finley  
Alderman Kevin M. Roach

Alderman Frank Fleming  
Alderman Jim Leahy  
Alderman Ross Bullington  
Alderman Raymond Kerlagon  
City Administrator Bob Kuntz  
City Attorney Robert Jones

Absent

Alderman Mark Stallmann

Alderman Leahy left the meeting at 8:15

The Pledge of Allegiance was recited.

**MINUTES**

The Minutes from the September 23, 2019, Board of Aldermen meeting were submitted for approval. *A motion was made* by Alderman Fleming and seconded by Alderman Finley to approve the minutes from the September 23, 2019 Board of Aldermen meeting as amended. A voice vote was taken with a unanimous affirmative result and the motion passed.

## **PUBLIC COMMENTS**

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None

## **PRESENTATION**

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JEMA presented an update on the site selection for the Police Department building. Site B, the old Government Center, was discussed with two new options which were based on comments received. Option B.1 is a three-story option, which puts a large portion of the police vehicles inside, under the building. A challenge with this option is the additional cost of creating a lower level. The raised top floor would then be level with Manchester Rd. Option B.2 would include the property to the west of the old Government Center. This would be a similar layout to Option B, a two-story with lower level walkout. There would be two means of ingress and egress. Site C – Kehrs Mill, is a three-story option with parking on the lower level. Pros and challenges are the same as previously discussed. Budget amounts for the options were given as follows: B-\$11.9 million, B.1 - \$12.9 million, B.2 - \$11.9 million and C - \$12.9 million. The amount for B.2 does not include property purchase, hazardous material abatement or demolition costs. The next steps are site selection, concept design (six weeks), refine cost opinion (two weeks) and visualization.

There was discussion of the different options now on the table including parking, the benefits of making a building higher and land purchases. City Administrator Kuntz pointed out that this is a big decision, one that will likely last for 30 years and asked the Board to keep in mind the City will soon have a new Police Chief. He also stated the Police Department could operate out of the old government center in the interim if Site D (current police building) were considered, which would enable us to level the old building and start with a clean footprint, as it doesn't appear we are ready to make a decision on site selection. Mayor Pogue asked about a hybrid of the B options as there has been no interest in the old government center building. JEMA representatives stated they think that would definitely be a possibility.

JEMA will forward PDFs of sites for the Board's review.

## **LEGISLATION**

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Bill 4043 – AN ORDINANCE AMENDING SECTION 15-262 WITH REGARD TO FINES FOR ILLEGAL PARKING IN A FIRE LANE.

A motion was made by Alderman Fleming and seconded by Alderman Roach for a first reading of Bill No. 4043, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4043 was read for the first time.



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In discussion of Bill No. 4043:

None

A motion was made by Alderman Fleming and seconded by Alderman Finley for a second reading of Bill No. 4043, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4043 was read for a second time.

A roll call vote was taken for passage and approval of Bill No. 4043 with the following results:

Ayes – Aldermen Utt, Finley, Roach, Fleming, Bullington, Kerlagon;

Nays -- None.

Bill No. 4043 was approved and became Ordinance No. 19-29

**Bill 4044 – AN ORDINANCE AUTHORIZING THE PLACEMENT AND DIRECTION OF CITY LIMITS SIGNS**

A motion was made by Alderman Bullington and seconded by Alderman Roach for a first reading of Bill No. 4044, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4044 was read for the first time.

In discussion of Bill No. 4044:

None

A motion was made by Alderman Fleming and seconded by Alderman Bullington for a second reading of Bill No. 4044, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4044 was read for a second time.

A roll call vote was taken for passage and approval of Bill No. 4044 with the following results:

Ayes – Aldermen Utt, Finley, Roach, Fleming, Bullington, Kerlagon;

Nays -- None.

Bill No. 4044 was approved and became Ordinance No. 19-30

**Bill 4045 – AN ORDINANCE AMENDING THE AMOUNT OF FEES CHARGED FOR CERTAIN RECREATIONAL PROGRAMS**

A motion was made by Alderman Fleming and seconded by Alderman Bullington for a first reading of Bill No. 4045, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4045 was read for the first time.

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In discussion of Bill No. 4045:

Alderman Fleming asked about the \$20 activation fee, noting that the ordinance has it listed as \$10. It was also noted that we are nearly a year behind on codification. Mr. Kuntz stated we are aware of being behind; this is due in part, to turnover in staff. Alderman Roach asked about facility use fees; are they all going to be \$6. Parks Director Chris Conway stated that they all would be \$6 except for non-residents. Alderman Roach stated he was still confused as to why there are age classifications if everyone is paying the same amount and asked why we need to be so specific if, at the end of the day, it's all the same. Alderman Fleming explained that the membership packages are where the breakdowns come about. Alderman Roach asked how long has there been a flat fee; Mr. Conway explained that 2020 will be the first year for a flat daily fee.

A motion was made by Alderman Roach and seconded by Alderman Fleming to hold Bill No. 4045 for further evaluation. A voice vote was taken with a unanimous affirmative result and the motion passed.

**Bill 4046 – AN ORDINANCE AMENDING CHAPTER 18 OF THE CODE OF ORDINANCES OF THE CITY OF BALLWIN WITH RESPECT TO CERTAIN FEES**

A motion was made by Alderman Fleming and seconded by Alderman Bullington for a first reading of Bill No. 4046, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4046 was read for the first time.

In discussion of Bill No. 4046:

Alderman Roach asked if there was any thought to changing costs for military/first responders. Alderman Fleming asked if we were combining the Golf Course and recreation center fee changes into one. Mayor Pogue explained that package rates are not written into the ordinance. Alderman Fleming asked that City Attorney Jones and Mr. Conway work together to get clarification to bring to the next meeting.

A motion was made by Alderman Roach and seconded by Alderman Finley to hold Bill No. 4046 for further evaluation. A voice vote was taken with a unanimous affirmative result and the motion passed.

## **CONSENT ITEMS**

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### **ADMINISTRATION – Auditing Services**

Administration recommends awarding the bid to Hochschild, Bloom & Co. for the years 2019 – 2021 due to favorable pricing and past performance. The remaining term of the existing agreement will be extended an additional year.

There was a discussion of the three companies who placed bids for services and commitment time of the contract. Finance Officer Denise Keller also defined a single audit. Alderman Fleming asked about selecting another bidder

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as Hochschild has performed our auditing services for a long time; it may be time for a “fresh set of eyes”. Alderman Fleming asked about any dealings in the past with the other bidders; Ms. Keller was asked to name references which were included with the bids. Alderman Fleming stated he is more comfortable switching to another bidder. Mayor Pogue stated he is comfortable either way.

*A motion was made by* Alderman Fleming and seconded by Alderman Bullington to select Kerber, Eck & Braeckel LLP for auditing services. A voice vote was taken with unanimous affirmative result and the motion passed.

**ADMINISTRATION – Ballwin Life Magazine**

Staff recommends awarding a one-year contract for the 2020 calendar year to Messenger Printing Group. This company provided the lowest bid for Option #2, which will total approximately \$34,978 for the four issues. Alderman Fleming asked about the glossy finish for the magazine. Officer Scott Stephens explained that “nicer” tends to stay in people’s hands; nicer meaning higher quality. He also further explained that this magazine represents what the City offers to its residents.

*A motion was made by* Alderman Fleming and seconded by Alderman Roach to approve the staff recommendation as submitted. A voice vote was taken with unanimous affirmative result and the motion passed.

**ADMINISTRATION – Personnel Rule Change**

Changes to the manual were made earlier this year based on the approved CBA. It was recently discovered that we should have added a section that deals with “On-Call Pay.” After further review of the CBA, it was discovered that the “Call-In Pay” section should be changed to reflect the accurate compensation of 1.5 times the hourly rate.

*A motion was made by* Alderman Fleming and seconded by Alderman Finley to approve the recommended changes as submitted. A voice vote was taken with unanimous affirmative result and the motion passed.

**PUBLIC WORKS – Mosquito Control**

Staff recommends we continue the contract with St. Louis County along with our program spraying for mosquitos.

*A motion was made by* Alderman Fleming and seconded by Alderman Finley to continue the contract with St. Louis County. A voice vote was taken with unanimous affirmative result and the motion passed.

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**PUBLIC WORKS** – Temporary Labor-Leaf Collection

Staff recommends awarding the contract to Labor Finders for the Unit price of \$15.35 per hour.

Alderman Fleming stated we should not be afraid to spend a little more in order to get the help needed, especially after last year. Mr. Kuntz stated that with the Board’s approval of this contract, we are optimistic that we’ll have a more efficient season; we are locking in an hourly rate and will not hesitate to expand if needed. Alderman Fleming stated if we feel it’s better to authorize a higher amount, it’s fine.

*A motion was made by* Alderman Fleming and seconded by Alderman Roach to approve the staff recommendation of Labor Finders, with a total amount up to \$21,000. A voice vote was taken with unanimous affirmative result and the motion passed.

**MAYOR’S REPORT**

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None

**CITY ADMINISTRATOR’S REPORT**

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Mr. Kuntz stated that Public Works is seeking approval from the Board to purchase a new leaf vacuum. Public Works Director Jim Link explained that three bids had been obtained for the leaf vacuum, with the low bid coming from Erb Turf Equipment, in the amount of \$10,340. A motion was made by Alderman Roach and seconded by Alderman Bullington to approve the purchase of the leaf vacuum from Erb Turf Equipment. A voice vote was taken with unanimous affirmative result and the motion passed.

Mr. Kuntz had nothing further to report.

**CITY ATTORNEY’S REPORT**

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None

**ALDERMANIC COMMENTS**

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None

**CLOSED SESSION**

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The Board moved to go into closed session for one or more of the reasons as authorized by Revised Statutes of Missouri, Section 610.021 (1) relating to litigation/legal issues.

*A motion was made by* Alderman Bullington and seconded by Alderman Roach to go into closed session. A roll call vote was taken with a unanimous affirmative result. The Board moved to closed session at 8:48 p.m.



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**OPEN SESSION**

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*A motion was made* by Aldermen Fleming to reconvene. The motion was seconded by Alderman Finley and passed by unanimous voice vote. The meeting reconvened at 9:03 p.m.

*A motion was made* by Alderman Fleming to adjourn. The motion was seconded by Alderman Roach. The motion passed by unanimous voice vote. The meeting adjourned at 9:04 pm.

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

ATTEST:

\_\_\_\_\_ Polly Moore, CITY CLERK