



BOARD OF ALDERMEN
Meeting Minutes

NOVEMBER 9, 2020

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 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

The Pledge of Allegiance was recited.

MINUTES

The Minutes from the October 26, 2020, 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 October 26, 2020 Board of Aldermen meeting. A voice vote was taken with a unanimous affirmative result and the motion passed.

The Minutes from the October 26, 2020, Board of Aldermen closed meeting were submitted for approval. *A motion was made* by Alderman Fleming and seconded by Alderman Bullington to approve the minutes from the October 26, 2020 Board of Aldermen closed meeting. A voice vote was taken with a unanimous affirmative result and the motion passed.



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CITIZEN COMMENTS

Leah Schroeder, 606 Forest Leaf, addressed the Board. She is the Regional Director for the Borgen Project, which is a non-profit, non-partisan campaign working to make global poverty a focus of U.S. foreign policy. She is asking the Board to consider sending a letter of support to Senators Hawley and Blunt and Representative Wagner regarding global development and poverty fighting programs and how important they are for moral reasons, our economy and security.

LEGISLATION

BILL 4076 - AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF BALLWIN, MISSOURI, TO EXECUTE THE MUNICIPAL HOUSING AND COMMUNITY DEVELOPMENT SUPPLEMENTAL COOPERATION AGREEMENT OF 2020; AND SUPPLEMENTAL AGREEMENTS THERETO WITH ST. LOUIS COUNTY WITH REGARD TO THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1977 AS AMENDED.

This ordinance authorizes the Mayor to execute the Municipal Housing and Community Development Supplemental Cooperation agreement.

A motion was made by Alderman Stallmann and seconded by Alderman Roach for a first reading of Bill 4076, title only. A voice vote was taken with unanimous affirmative result and Bill 4076 was read for the first time.

Discussion:

Alderman Roach asked about the program and how it is used. City Administrator Sterman stated this is a federal program allocating funds all over the country for a variety of reasons. The funding Ballwin receives stays in Ballwin and is used for a home improvement program which is intended to help residents who otherwise couldn't make improvements. He also stated all our funding gets used every year and we have people on a waitlist; it is a well-used program.

A motion was made by Alderman Roach and seconded by Alderman Stallmann for a second reading of Bill 4076, title only. A voice vote was taken with unanimous affirmative result and Bill 4076 was read for a second time.

A roll call vote was taken for passage and approval of Bill 4076 with the following results:

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

Nays -- None.

Bill No. 4076 was approved and became Ordinance No. 20-24



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BILL 4077 - AN ORDINANCE GRANTING A SPECIAL USE EXCEPTION TO 14924 MANCHESTER LLC FOR FRONT YARD PARKING AND OPERATION OF A RESTAURANT WITH FRONT YARD PARKING AND A DRIVE-THROUGH SERVICE WINDOW.

A petition has been received from 14924 Manchester LLC, requesting the use of certain property for front yard parking and operation of a restaurant with front-yard parking and a drive-through service window.

A motion was made by Alderman Finley and seconded by Alderman Stallmann for a first reading of Bill 4077, title only. A voice vote was taken with unanimous affirmative result and Bill 4077 was read for the first time.

Discussion:

None

A motion was made by Alderman Roach and seconded by Alderman Stallmann for a second reading of Bill 4077, title only. A voice vote was taken with unanimous affirmative result and Bill 4077 was read for a second time.

A roll call vote was taken for passage and approval of Bill 4077 with the following results:

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

Nays -- None.

Bill No. 4077 was approved and became Ordinance No. 20-25

BILL 4078 - AN ORDINANCE GRANTING A SPECIAL USE EXCEPTION TO DOWLING ENTERPRISES, LLC FOR FRONT YARD PARKING AND OPERATION OF A CARWASH.

A petition has been received from Dowling Enterprises, LLC, requesting the use of certain property for front yard parking and operation of a carwash.

A motion was made by Alderman Leahy and seconded by Alderman Finley for a first reading of Bill 4078, title only. A voice vote was taken with unanimous affirmative result and Bill 4078 was read for the first time.

Discussion:

Ben Stegmann from Cypress Real Estate came forward to answer any questions. Mayor Pogue asked if any changes or amendments had been made regarding the connection and parking on the north side which had been brought up at the Planning & Zoning meeting. Mr. Stegmann replied that they had reviewed the site plan and made three major changes: 1) The center drive aisle has been widened, 2) Two vacuums have been removed from the northern portion of the site and traded for green space and an escape lane for the carwash; one vacuum was added in the back, and 3) They will be able to construct the cross access from Ball Park Dr.



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Mayor Pogue stated they had received a copy of the MODOT letter regarding the traffic study and asked if Mr. Stegmann had reviewed it yet; all issues contained in the letter have been addressed. Mayor Pogue asked if they had talked with their civil engineer; Mr. Stegmann stated they had and, while the issue is complicated, they have a plan to resolve. Mayor Pogue asked City Attorney Jones if he is comfortable with the contingent items. Mr. Jones replied he is. He also referred to paragraph six of the SUE which states that a final development plan that meets all requirements of the staff report and the minutes of the Board meeting are to be submitted within 30 days.

A motion was made by Alderman Roach and seconded by Alderman Finley for a second reading of Bill 4078, title only. A voice vote was taken with unanimous affirmative result and Bill 4078 was read for a second time.

A roll call vote was taken for passage and approval of Bill 4078 with the following results:

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

Nays -- None.

Bill No. 4078 was approved and became Ordinance No. 20-26

BILL 4079 - AN ORDINANCE GRANTING A SPECIAL USE EXCEPTION TO CHASE FOR OPERATION OF A FINANCIAL INSTITUTION (ATM).

A petition has been received from Chase, requesting the use of certain property for operation of a financial institution (ATM).

A motion was made by Alderman Finley and seconded by Alderman Stallmann for a first reading of Bill 4079, title only. A voice vote was taken with unanimous affirmative result and Bill 4079 was read for the first time.

Discussion:

None

A motion was made by Alderman Roach and seconded by Alderman Utt for a second reading of Bill 4079, title only. A voice vote was taken with unanimous affirmative result and Bill 4079 was read for a second time.

A roll call vote was taken for passage and approval of Bill 4079 with the following results:

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

Nays -- None.

Bill No. 4079 was approved and became Ordinance No. 20-27

BILL 4080 - AN ORDINANCE GRANTING A SPECIAL USE EXCEPTION TO PANERA BREAD FOR FRONT YARD PARKING AND OPERATION OF A RESTAURANT WITH OUTDOOR SEATING AND A DRIVE-THROUGH SERVICE WINDOW.

A petition has been received from Panera Bread, requesting the use of certain property for front yard parking and operation of a restaurant with outdoor seating and a drive-through service window.

A motion was made by Alderman Finley and seconded by Alderman Stallmann for a first reading of Bill 4080, title only. A voice vote was taken with unanimous affirmative result and Bill 4080 was read for the first time.

Discussion:

None

A motion was made by Alderman Roach and seconded by Alderman Finley for a second reading of Bill 4080, title only. A voice vote was taken with unanimous affirmative result and Bill 4080 was read for a second time.

A roll call vote was taken for passage and approval of Bill 4080 with the following results:

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

Nays -- None.

Bill No. 4080 was approved and became Ordinance No. 20-28

CONSENT ITEMS

PARKS – Ferris Park Change Orders

Staff is requesting the Board approve a change order from Ideal Landscape Group in the amount of \$29,300 for additional topsoil and grading for Ferris Park.

Discussion:

None

A motion was made by Alderman Stallmann and seconded by Alderman Bullington to approve the change order. A voice vote was taken with unanimous affirmative result and the motion passed.



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MAYOR'S REPORT

Mayor Pogue asked the Board if they would like to consider the letter of support requested by Leah Schroeder. The Board asked her to email the information she spoke about.

Mayor Pogue also announced that Planning and Zoning Commissioner Tracy Bolte will be resigning as he is moving out of the area, so they will be looking for a replacement. He asked Board members to forward the names of any potential candidates to him.

CITY ADMINISTRATOR'S REPORT

Nothing to report

CITY ATTORNEY'S REPORT

Nothing to report

ALDERMANIC COMMENTS

None

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 7:25 p.m.

TIM POGUE, MAYOR

ATTEST:

POLLY MOORE, CITY CLERK