



MINUTES OF THE BOARD OF ALDERMEN MEETING
CITY OF BALLWIN – 300 Park Drive

December 8, 2014

THE MINUTES ARE PREPARED IN SUMMARY TO REFLECT THE OVERALL DISCUSSIONS,
NOT VERBATIM QUOTES.

The meeting was called to order by Mayor Pogue at 7:02 p.m.

PRESENT

Mayor Tim Pogue
Alderman Jimmy Terbrock
Alderman Michael Finley
Alderman Mark Harder
Alderman Shamed Dogan
Alderman Frank Fleming
Alderman Jim Leahy
Alderman Kathy Kerlagon
Alderman Mike Boland
City Administrator Robert Kuntz
City Attorney Robert E. Jones

ABSENT

The Pledge of Allegiance was given.

MINUTES

The Minutes of the *November 24, 2014 Board of Aldermen meeting* were submitted for approval. A motion was made by Alderman Fleming and seconded by Alderman Terbrock to approve the Minutes as submitted. A voice vote was taken with a unanimous affirmative result and the motion passed.

PRESENTATION

County Council Recognition: Mayor Pogue recognized retiring County Councilman Greg Quinn for his years of service representing District 7 and the City of Ballwin. The Mayor presented Mr. Quinn with a Proclamation of Appreciation for his service to the community.

Mr. Quinn thanked the Board for the award and their service to the community. He said he was proud to call Ballwin his hometown and that it was an honor to have represented the City for so many years. He indicated he was glad that another Ballwin resident, Mark Harder, would continue to serve on the Council.

Staff Recognition: Mayor Pogue presented Certificates of Achievement to three staff members for their years of service to the City of Ballwin and the community. He recognized Police Chief Steve Schicker for 35 years, Assistant City Administrator Tom Aiken for 35 years, and Director of Parks and Recreation Linda Bruer for 30 years of service.

PENDING ISSUES

None.

CITIZEN COMMENTS

Charles Sample, 482 Hillbrook Drive, thanked the Mayor and Board of Aldermen for allowing him to speak. He congratulated the Police and Public Works Departments on a great job providing city services to residents. The first item he spoke about was regarding an ordinance relating to commercial vehicles not being allowed to park on city streets overnight and on weekends. He indicated that in the Oak Creek subdivision, commercial vehicles such as vans, panel trucks, and pick-up trucks are parking on the streets. He said he spoke to the Police Department about his concerns, but because the ordinance does not include such vehicles, they are unable to address the issue. He would like the ordinance to be redefined to prohibit certain types of what he considers to be commercial vehicles from parking on the streets. His second item of concern relates to an ordinance regarding vehicles parking between the curb to the sidewalk on the grass areas. He would like to see that ordinance expanded so the grassy areas are not being torn up by cars parked along the curb.

PUBLIC HEARINGS

2015 Budget: City Administrator Kuntz acknowledged the amount of time and effort spent preparing the 2015 Budget by staff and commended them for their hard work. He then gave a brief overview of the numerous work sessions and Board meetings held during the budget process. The total spending plan for 2015 will be \$20,370,296. This equates to \$743,307 more than the 2014 amended budget, exclusive of transfers of fund balance, which was approved on November 10, 2014. Limited use of fund balance will be required to achieve budget balance for 2015. He said that Ballwin's financial position remains good and therefore we can continue to serve the community.

Mayor Pogue asked if there was anybody wanting to address the Board regarding the 2015 budget; no comments were made. With no comments being made, the public hearing was closed.

NEW BUSINESS

LEGISLATION

BILL #3856 - 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, 2015, AND ENDING DECEMBER 31, 2015, PROVIDING FOR EXPENDITURES IN ACCORDANCE WITH SAID BUDGET AND MAKING APPROPRIATIONS THEREOF.

A motion was made by Alderman Fleming and seconded by Alderman Finley for a first reading of Bill No. 3856. A voice vote was taken with a unanimous affirmative result and the motion passed. Bill No. 3856 was read for the first time.

Alderman Finley asked City Administrator Kuntz about the significant increase in the asset seizure fund allocation for 2015. Mr. Kuntz replied that the fund is a restricted fund that accumulates in a segregated manor until such time as it's eligible for allocation of an a non-operating, non-recurring operating expenditure. In this case, due to the approximately \$112,000 commitment for the comprehensive upgrade to the in-car camera systems, Ballwin allocated from the accumulated balance rather than utilizing monies from the operating fund; it's a one-time expenditure.

Alderman Finley indicated that he is not aware of or received any objections to the budget. He has reviewed the 2015 budget and finds it to be proper and in order and will be voting for it. He thanked staff and the department heads for all of the work they put into preparing the budget.

Finance Director Keller gave a brief overview of the new budget format and explained the reason for the changes. She indicated that next year Ballwin would like to submit the budget for the Distinguished Budget Award from the Government Finance Officers Association. Many of Ballwin's neighboring cities receive the award each year.

A motion was made by Alderman Fleming and seconded by Alderman Terbrock for a second reading of Bill No. 3856. A voice vote was taken with a unanimous affirmative result and the motion passed. Bill No. 3856 was read for the second time.

A roll call was taken for passage and approval of Bill No. 3856 with the following results: Ayes – Boland, Dogan, Finley, Fleming, Harder, Leahy, Kerlagon, Terbrock. Nays – None. Bill No. 3856 was approved by a vote of 8-0 and became **Ordinance No. 14-37**.

BILL #3857 - 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, 2015, AND ENDING DECEMBER 31, 2015, PROVIDING FOR EXPENDITURES IN ACCORDANCE WITH SAID BUDGET AND MAKING APPROPRIATIONS THEREOF.

A motion was made by Alderman Harder and seconded by Alderman Leahy for a first reading of Bill No. 3857. A voice vote was taken with a unanimous affirmative result and the motion passed. Bill No. 3857 was read for the first time.

A motion was made by Alderman Kerlagon and seconded by Alderman Boland for a second reading of Bill No. 3857. A voice vote was taken with a unanimous affirmative result and the motion passed. Bill No. 3857 was read for the second time.

A roll call was taken for passage and approval of Bill No. 3857 with the following results: Ayes – Boland, Dogan, Finley, Fleming, Harder, Leahy, Kerlagon, Terbrock. Nays – None. Bill No. 3857 was approved by a vote of 8-0 and became **Ordinance No. 14-38**.

BILL #3858 - AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF BALLWIN WITH REGARD TO CARRYING, DISCHARGING OR BRANDISHING CERTAIN WEAPONS.

A motion was made by Alderman Terbrock and seconded by Alderman Fleming for a first reading of Bill No. 3858. A voice vote was taken with a unanimous affirmative result and the motion passed. Bill No. 3858 was read for the first time.

Alderman Harder asked City Attorney Jones for a summary of the changes in the ordinance.

Mr. Jones indicated that Ballwin's ordinances had very limited legislation regarding weapons and did not recognize all of the concealed carry statutes that have passed since the City adopted its ordinances. The primary goal of Bill #3857 was to repeal the sections of our code that were inconsistent with state statute and then to make the balance of Ballwin's regulations consistent with current state law.

A motion was made by Alderman Fleming and seconded by Alderman Terbrock for a second reading of Bill No. 3858. A voice vote was taken with a unanimous affirmative result and the motion passed. Bill No. 3858 was read for the second time.

A roll call was taken for passage and approval of Bill No. 3858 with the following results: Ayes – Boland, Dogan, Finley, Fleming, Harder, Leahy, Kerlagon, Terbrock. Nays – None. Bill No. 3858 was approved by a vote of 8-0 and became **Ordinance No. 14-39**.

CONSENT ITEM

None.

MAYOR'S REPORT

Mayor Pogue wished Alderman Dogan and Alderman Harder well in their new positions and thanked them for their service to the City of Ballwin.

CITY ADMINISTRATOR'S REPORT

Ferris Park Special Use Exception Transfer: City Administrator Kuntz mentioned that due to a change in ownership an ordinance is necessary to approve this transfer.

Alderman Boland raised questions about the transfer and Towerco; he suggested the topic be held over. He requested that staff extend an invitation to Towerco to attend a future Board meeting to learn more about the company and their intentions.

Alderman Dogan asked if there was a time constraint for approving this.

Mr. Kuntz indicated there was not, but said Ballwin cannot require their presence at a meeting.

Flood Plain Management: Mr. Kuntz explained the need to adopt the new FEMA flood regulations, by ordinance, prior to February 4, 2015; maps were provided. He indicated the changes from the old maps were minor and constrained to the immediate bank areas at Fishpot and Grand Glaize creeks.

City Administrator Aiken briefly reviewed the maps to explain some of the changes. He said that a lot more of Ballwin was taken out of the flood plain than was added to it.

A motion was made by Alderman Fleming and seconded by Alderman Kerlagon to draft legislation to adopt the new FEMA regulations. A voice vote was taken with a unanimous affirmative result and the motion passed.

Sewer Lateral Program: City Administrator Kuntz provided an overview of the updated information regarding this program as requested at the last Board meeting. He said the city attorney confirmed that if it is the intent of the Board to pursue an increase in the fee from the current assessment of \$28 up to the approved maximum of \$50, the Board would have to do so by ordinance no later than January 27, 2015. Another suggestion was for the Board to approve and adopt language that takes the program out of the maintenance arena and puts eligibility back on where it was intended, for blockages or failures of the sewer lateral.

A motion was made by Alderman Leahy and seconded by Alderman Fleming to draft legislation to amend the policy for the Sewer Lateral Program. A voice vote was taken with a unanimous affirmative result and the motion passed.

STAFF REPORTS

None.

CITY ATTORNEY'S REPORT

None.

ALDERMANIC COMMENTS

Alderman Finley congratulated Alderman Dogan and Alderman Harder on their recent appointments and thanked the Board for a good year.

Alderman Dogan said that leaving the Board after three years of service was bittersweet; he thanked Mayor Pogue for appointing him. He also thanked Aldermen Harder, Terbrock and Finley for their friendship and mentorship. He then thanked the residents of Ward 2 who twice placed their trust in him with their votes and said it was an honor and privilege to serve them. For residents of Wards 1, 2, and 4 in the 98th District, he thanked them for their support and said he looks forward to representing them in Jefferson City, Missouri. He added that he would do his best at the state level to help improve our great city and state.

Alderman Harder said he enjoyed representing all Ballwin residents and especially those in Ward 2 since 2011. He hopes he was able to bring new ideas and important initiatives to the City during his tenure. As the new St. Louis County Councilman for District 7, he looks forward to working together with the Board on future efforts to benefit their mutual constituents. He thanked the Board for their leadership and congratulated them on a great year.

Alderman Terbrock wished everybody Happy Holidays and good luck in their new endeavors.

Adjourn: A motion was made by Alderman Fleming and seconded by Alderman Terbrock to adjourn for the year. The motion passed unanimously and the meeting was adjourned at 8:08 p.m.

Tim Pogue, Mayor

ATTEST:

Robert A. Kuntz, City Administrator