



DRAFT MINUTES
BOARD OF ALDERMEN
Meeting Minutes

AUGUST 19, 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 7:00 p.m.

ROLL CALL

Present

Mayor Tim Pogue
Alderman Mike Utt

Absent

Alderman Michael Finley

Alderman Kevin M. Roach
Alderman Mark Stallmann
Alderman Frank Fleming
Alderman Jim Leahy
Alderman Ross Bullington
Alderman Raymond Kerlagon
City Administrator Bob Kuntz
City Attorney Robert Jones

Mayor Pogue noted Alderman Finley was moving his son to university.

The Pledge of Allegiance was recited.

MINUTES

The Minutes from the July 15, 2019, 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 July 15, 2019 Board of Aldermen meeting. A voice vote was taken with a unanimous affirmative result and the motion passed.

The Minutes from the July 15, 2019, Board of Aldermen closed session meeting were submitted for approval. A *motion was made* by Alderman Fleming and seconded by Alderman Bullington to approve the minutes from the July 15, 2019 Board of Aldermen closed session meeting. A voice vote was taken with a unanimous affirmative result and the motion passed.



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The minutes from the August 6, 2019 Board Planning Meeting were submitted for approval. A motion was made by Alderman Fleming and seconded by Alderman Utt to approve the minutes from the August 6, 2019 Board Planning Meeting. A voice vote was taken with a unanimous affirmative result and the motion passed.

PRESENTATIONS:

Det. Jeff Southward was presented with the Meritorious Service Citation, the second highest award the police department gives to officers. During an incident with the multijurisdictional task force on May 13, 2019, Det. Southward noticed that a fellow officer was in the line of friendly fire. His quick, decisive action prevented a possible shooting and insured the safety of both law enforcement officers and the suspect.

Officers Robert Berry, Mark Godefroid and Ray Rader and Citizens Steven Nelms, Linda Oitker, Robert Phillips and Jamie Wynd were awarded a Chief's Letter of Appreciation for an incident on May 13, 2019 during which they aided a gentleman suffering cardiac arrest. Citizens were on scene, relaying information to dispatch and rendering aid before the officers arrived. This joint action between the community and police department is deserving of public recognition and one of the things that makes Ballwin strong.

Citizen Anisha Coleman was awarded a Chief's Letter of Appreciation for an incident on June 29, 2019 during which a person had taken his life. The incident was reported by the victim's girlfriend who was on scene. Ms. Coleman stopped at the scene to aid and comfort the girlfriend and stayed on scene to help her talk with officers. Ms. Coleman displayed true compassion, highly deserving of public recognition.

PUBLIC COMMENTS

None

LEGISLATION

Bill 4035 - AN ORDINANCE IN THE CITY OF BALLWIN, MISSOURI, READOPTING AND AMENDING IN PART CHAPTER 2, ARTICLE II, DIVISION 2 OF THE CODE OF ORDINANCES WHICH ESTABLISHED A PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTEREST FOR CERTAIN MUNICIPAL OFFICIALS.

A motion was made by Alderman Fleming and seconded by Alderman Leahy for a first reading of Bill No. 4035, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4035 was read for the first time.



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In discussion of Bill No. 4035:

None

A motion was made by Alderman Fleming and seconded by Alderman Stallmann for a second reading of Bill No. 4035, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4035 was read for a second time.

A roll call vote was taken for passage and approval of Bill No. 4035 with the following results:

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

Nays -- None.

Bill No. 4035 was approved and became Ordinance No. 19-21

Bill 4036 - AN ORDINANCE APPROVING AN AMENDMENT TO POLICE SERVICE AGREEMENT.

A motion was made by Alderman Fleming and seconded by Alderman Bullington for a first reading of Bill No. 4036, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4036 was read for the first time.

In discussion of Bill No. 4036:

None

A motion was made by Alderman Fleming and seconded by Alderman Bullington for a second reading of Bill No. 4036, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4036 was read for a second time.

A roll call vote was taken for passage and approval of Bill No. 4036 with the following results:

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

Nays -- None.

Bill No. 4036 was approved and became Ordinance No. 19-22



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Bill 4037 - AN ORDINANCE AMENDING SECTION 15-480 (SCHEDULE E) OF ARTICLE XII OF CHAPTER 15 OF THE ORDINANCES OF THE CITY OF BALLWIN WITH RESPECT TO STOP SIGNS AT RAMSEY LANE AND BALLWIN COMMONS DRIVE.

A motion was made by Alderman Fleming and seconded by Alderman Kerlagon for a first reading of Bill No. 4037, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4037 was read for the first time.

In discussion of Bill No. 4037:

None

A motion was made by Alderman Fleming and seconded by Alderman Kerlagon for a second reading of Bill No. 4037, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4037 was read for a second time.

A roll call vote was taken for passage and approval of Bill No. 4037 with the following results:

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

Nays -- None.

Bill No. 4037 was approved and became Ordinance No. 19-23

Bill 4038 - AN ORDINANCE AMENDING THE 2019 BUDGET OF CASH REVENUE AND CASH DISBURSEMENTS FOR THE OPERATING AND CAPITAL FUNDS OF THE CITY OF BALLWIN, ST. LOUIS COUNTY, MISSOURI, PROVIDING FOR EXPENDITURE REVISIONS IN ACCORDANCE WITH SAID BUDGET AND MAKING RE-APPROPRIATIONS THEREOF.

A motion was made by Alderman Fleming and seconded by Alderman Bullington for a first reading of Bill No. 4038, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4038 was read for the first time.

In discussion of Bill No. 4038:

None

A motion was made by Alderman Fleming and seconded by Alderman Leahy for a second reading of Bill No. 4038, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4038 was read for a second time.



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A roll call vote was taken for passage and approval of Bill No. 4038 with the following results:

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

Nays -- None.

Bill No. 4038 was approved and became Ordinance No. 19-24

Bill 4039 - AN ORDINANCE AUTHORIZING THE CITY OF BALLWIN, MISSOURI, TO CONTRACT FOR ENGINEERING SUPPORT SERVICES WITH THE CITY OF ELLISVILLE, MISSOURI.

A motion was made by Alderman Stallmann and seconded by Alderman Fleming for a first reading of Bill No. 4039, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4039 was read for the first time.

In discussion of Bill No. 4039:

None

A motion was made by Alderman Roach and seconded by Alderman Stallmann for a second reading of Bill No. 4039, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4039 was read for a second time.

A roll call vote was taken for passage and approval of Bill No. 4039 with the following results:

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

Nays -- None.

Bill No. 4039 was approved and became Ordinance No. 19-25

Bill 4040 - AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF BALLWIN, MISSOURI, TO EXECUTE THE MUNICIPAL HOUSING AND COMMUNITY DEVELOPMENT SUPPLEMENTAL COOPERATION AGREEMENT OF 2019; AND SUPPLEMENTAL AGREEMENTS THERETO WITH ST. LOUIS COUNTY WITH REGARD TO THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 AS AMENDED.

A motion was made by Alderman Stallmann and seconded by Alderman Roach for a first reading of Bill No. 4040, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4040 was read for the first time.



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In discussion of Bill No. 4040:

None

A motion was made by Alderman Stallmann and seconded by Alderman Roach for a second reading of Bill No. 4040, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4040 was read for a second time.

A roll call vote was taken for passage and approval of Bill No. 4040 with the following results:

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

Nays -- None.

Bill No. 4040 was approved and became Ordinance No. 19-26

Bill 4041 - AN ORDINANCE ESTABLISHING A RESTRICTED FUND ACCOUNT FOR CAPITAL/MAJOR INFRASTRUCTURE.

A motion was made by Alderman Stallmann and seconded by Alderman Leahy for a first reading of Bill No. 4041, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4041 was read for the first time.

In discussion of Bill No. 4041:

Alderman Fleming stated Alderman Finley had additional concerns and had spoken with Mayor Pogue; he had no additional objections.

A motion was made by Alderman Bullington and seconded by Alderman Leahy for a second reading of Bill No. 4041, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4041 was read for a second time.

A roll call vote was taken for passage and approval of Bill No. 4041 with the following results:

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

Nays -- None.

Bill No. 4041 was approved and became Ordinance No. 19-27

CONSENT ITEMS

Personnel Changes

Mayor Pogue noted one page of the proposed changes had been amended; there were two references to “Company” amended to “City”. A copy of the amended page was provided for the Board.

A motion was made by Alderman Fleming and seconded by Alderman Stallmann to adopt the proposed changes to the employee manual.

A voice vote was taken with unanimous affirmative result and the motion passed.

MAYOR’S REPORT

Public Defender

Mayor Pogue asked for a motion to appoint Chuck Rizzo as Public Defender. A motion was made by Alderman Roach and seconded by Alderman Bullington. A voice vote was taken with unanimous affirmative result and the motion passed.

Mr. Rizzo thanked the Board for the opportunity to serve the City.

CITY ADMINISTRATOR’S REPORT

City Clerk Designation

Mr. Kuntz proposed a change in designation of the City Clerk, and asked the Board to consider Ms. Polly Moore be appointed and those duties transferred to her. He noted from a practical standpoint, it would be logical to appoint her as she is the recording secretary for the Board. He also noted Ms. Moore must obtain her notary. A motion was made by Alderman Stallmann and seconded by Alderman Roach to appoint Ms. Moore as City Clerk. A voice vote was taken with unanimous affirmative result and the motion passed.

Mr. Kuntz shared that Friday would be Chief Kevin Scott’s last day with the City, noting the Chief had accepted a senior management role with Metro Transit. Mr. Kuntz wished Chief Scott all the best in his new career. He also noted the City would be conducting an extensive search for our new Chief of Police and asked the Board to consider Captain Bergfeld perform the Chief’s duties on an interim basis until the new chief is found. A motion was made by Alderman Roach and seconded by Alderman Stallmann to appoint Captain Bergfeld to perform the duties of Chief on an interim basis. A voice vote was taken with unanimous result and the motion passed.

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Mr. Kuntz also provided copies of staff reports for each of the Board members as requested. There is no uniform standard as yet and these reports will continue on a quarterly basis. Any suggestions from the Board are welcomed.

STAFF REPORTS

Administration: Budget Calendar

Ms. Keller presented the 2020 Budget Calendar for the Board's review. She stated almost all meetings regarding the budget should be able to be handled during normal board meeting hours, though a work session will likely be needed prior to the October 14 Board of Aldermen Meeting.

Administration: 278 Geremma Demolition

Mr. Hixson asked the Board to hold on a decision for the demolition as we heard from McKelvey homes late on the previous Friday. Mr. Kuntz stated he is not in favor of giving McKelvey more time as all protocols have been followed and it is not acceptable to residents and the community to wait even longer. Alderman Roach asked who owns the property; Mr. Hixson stated McKelvey bought the property in late June. Alderman Fleming favors letting McKelvey proceed with the demolition to avoid any city expense or liability. After discussion of items such as the permitting process for demolition, allowing McKelvey to do the demolition instead of the City, and problems the low bidder presented at their last job for the City to include leaving equipment onsite and grading, Alderman Leahy suggested we allow McKelvey until September 1; if they have not started by September 1, the low bidder would be given the demolition bid. It was noted that it should not be back on the next agenda.

A motion was made by Alderman Leahy to approve McKelvey Homes demolition of the property, to be started by September 1, otherwise the demolition would go to the contractor with the lowest bid. City Attorney Jones recommended a deadline should be given for completion.

A motion was made by Alderman Leahy and seconded by Alderman Stallmann to amend the motion to add the project should be completed by September 9. A voice vote was taken with six affirmative votes and one negative vote (Alderman Fleming) and the motion passed.

Police Department: Commercial Vehicle Flow

Chief Scott stated his department was tasked with reviewing the amount of commercial traffic utilizing Milldale, Green Lantern and Mansionhill as a route to businesses at Town and Country Crossing (Clayton Rd and 141). The Chief stated that two GPS maps route vehicles through residential areas. Alderman Roach asked if Google maps could be changed; the Chief did not know. It is the Chief's recommendation that there be several additions



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to Ordinance 15-486, Schedule K and that “No Truck Route” signs should be added at the following locations: eastbound Dutch Mill, just after Henry; westbound Dutch Mill, before Windmill, but after 141; westbound Milldale, before Green Lantern, but after 141; and southbound Mansionhill, just after Woodsmill Rd.

Mayor Pogue asked if it would help to send letters to those businesses to advise their drivers not to cut through on residential streets; Chief Scott replied that it would. It was noted that there should be signage stating there should be no commercial trucks except for local deliveries. Alderman Fleming asked what the cost would be for a ticket. City Attorney Jones replied the driver would be in violation of Ordinance 15-486 with the amount not to exceed \$225. Alderman Roach asked if we go by weight of the vehicle or axles. City Administrator Kuntz stated we would rely on the license plate designation. The Chief also stated that what the Ordinance says is what we adhere to.

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

CITY ATTORNEY’S REPORT

Nothing to report for this meeting.

ALDERMANIC COMMENTS

Alderman Bullington thanked Chief Scott as the Chief has helped to lead as the public face for the department and the city. He also thanked the Chief for his commendable service to the city and residents of Ballwin.

Alderman Stallmann echoed Alderman Bullington’s statement and thanked Chief Scott for doing a fabulous job for the City of Ballwin.

A motion was made by Alderman Fleming and seconded by Alderman Stallmann to adjourn.

ATTEST: TIM POGUE, MAYOR

Polly Moore, CITY CLERK