



MINUTES OF THE BOARD OF ALDERMEN MEETING
CITY OF BALLWIN – 300 Park Drive
January 11, 2016

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

ABSENT

Mayor Tim Pogue
Alderman James Terbrock
Alderman Michael Finley
Alderman Kevin Roach
Alderman Mark Stallmann
Alderman Frank Fleming
Alderman Jim Leahy
Alderman Ross Bullington
Alderman Kathy Kerlagon
City Administrator Eric Hanson
City Attorney Robert E. Jones

The Pledge of Allegiance was given.

MINUTES

The Minutes of the *December 14, 2015 Board of Aldermen meeting minutes and Closed Session minutes* were submitted for approval.

A motion was made by Alderman Fleming and seconded by Alderman Bullington to approve the December 14, 2015 Board Meeting minutes as submitted. A voice vote was taken with a unanimous affirmative result and the motion passed.

A motion was by Alderman Fleming and seconded by Alderman Leahy to approve the December 14, 2015 Closed Session meeting minutes as submitted. A voice vote was taken with a unanimous affirmative result and the motion passed.

NEW BUSINESS

LEGISLATION

BILL NO. 3909 AMENDMENT TO PURCHASING ORDINANCE

A motion was made by Alderman Fleming and seconded by Alderman Kerlagon for a first reading of Bill No. 3909. A voice vote was taken with a unanimous affirmative result and Bill No. 3909 was read for the first time

Alderman Finley stated that he preferred that Ballwin favor local businesses when making purchases. City Administrator Hanson stated that this Bill is in consideration for circumstances where state bids are not available and staff would try to favor local businesses. He explained further, that in the case with the Consent Items, the pricing is already discounted by being a state bid. Buying multiple new vehicles from a local vender would not result in lower pricing. City Administrator Hanson stated it would up to the Board to make that decision and to set that type of standard. He also referred the question to City Attorney Jones to find out if there would be any restrictions or legislation that would prevent the City from selecting a local vender instead of the low bidder. City Attorney Jones stated that the City could select a local vender to award the contract to as long as this local vender's bid met certain criteria set out within the current ordinance.

A motion was made by Alderman Fleming and seconded by Alderman Stallmann for a second reading of Bill No. 3909. A voice vote was taken with a unanimous affirmative result and Bill No. 3909 was read a second time.

A roll call vote was taken for passage and approval of Bill No. 3909 with the following results:
Ayes – Aldermen Fleming, Stallmann, Finley, Bullington, Kerlagon, Terbrock, Leahy, Roach;
Nays -- None.

Bill No. 3909 was approved and became **Ordinance No. 16-01**

BILL NO. 3910 RIES ROAD ESTATES SUBDIVISION

A motion was made by Alderman Terbrock and seconded by Alderman Finley for a first reading of Bill No. 3910. A voice vote was taken with a unanimous affirmative result and Bill No. 3910 was read for the first time

A motion was made by Alderman Finley and seconded by Alderman Terbrock for a second reading of Bill No. 3910. A voice vote was taken with a unanimous affirmative result and Bill No. 3910 was read a second time.

A roll call vote was taken for passage and approval of Bill No. 3910 with the following results:
Ayes – Aldermen Terbrock, Finley, Bullington, Leahy, Kerlagon, Stallmann, Fleming, Roach;
Nays -- None.

Bill No. 3910 was approved and became **Ordinance No. 16-02**

BILL NO. 3911 STONEY CREEK LANE STREET ACCEPTANCE

A motion was made by Alderman Kerlagon and seconded by Alderman Bullington for a first reading of Bill No. 3911. A voice vote was taken with a unanimous affirmative result and Bill No. 3911 was read for the first time

A motion was made by Alderman Bullington and seconded by Alderman Fleming for a second reading of Bill No. 3911. A voice vote was taken with a unanimous affirmative result and Bill No. 3911 was read a second time.

A roll call vote was taken for passage and approval of Bill No. 3911 with the following results:
Ayes – Aldermen Bullington, Fleming, Roach, Finley, Stallmann, Leahy, Terbrock, Kerlagon;
Nays -- None.

Bill No. 3911 was approved and became **Ordinance No. 16-03**

CONSENT ITEMS

Budgeted items which are low bid and do not exceed expenditure estimates and/or items which have been previously approved in concept.

- a. BALLWIN ATHLETIC ASSOCIATION LIQUOR LICENSE
- b. PARKS & RECREATION TRUCK PURCHASE
- c. PUBLIC WORKS PICK-UP TRUCK PRUCHASE
- d. PUBLIC WORKS PURCHASE OF TWO 2-TON TRUCKS
- e. CHECK SIGNATORIES
- f. SEMI-ANNUAL REVENUE/EXPENSE STATEMENT PUBLICATION

Alderman Finley asked that item “B” be removed from the consent item list for additional discussion.

A motion was made by Alderman Stallmann and seconded by Alderman Fleming to accept the Consent Items A, C, D, E, and F. A voice vote was taken with a unanimous affirmative result and the motion passed.

MAYOR’S REPORT

Law Enforcement Day Saturday, January 9th was Law Enforcement Day. Mayor Pogue thanked and recognized the Ballwin Police Department for the services it provides to the City. It’s because of our police department that Ballwin remains one of the top honored safest cities in Missouri and in the country.

Snow Plow Website Mayor Pogue praised the website that provides an up-to-date map of where the plow trucks are and the street conditions. He had spoken to a few residents who said they had found the site helpful. Mayor Pogue looks forward to seeing the continued progress as the year goes on.

Ballwin Days Committee Mayor Pogue announced that the first Ballwin Day’s Committee meeting for 2016 would be held on January 19th at 7:00 p.m. at The Pointe.

CITY ADMINISTRATOR'S REPORT

Manchester Road Banners City Administrator Hanson informed the Board that there are about twenty locations along Manchester Road on the new light standards on which banners could be placed . He plans to discuss with staff some options for the installation of the banners.

Temporary Alternative Work Policy Amendments to the current work policy to accommodate pregnant women was presented to the Board for its approval. The employee manual currently does not state or provide accommodations to our female employees who may need to be on light duty work for part of their pregnancy.

A motion was made by Alderman Stallmann and seconded by Alderman Leahy to accept the work policy amendment to the personnel manual. A voice vote was taken with a unanimous affirmative result and the motion passed.

There was further discussion of the Parks and Recreations truck purchase. Mayor Pogue asked Public Works Director, Gary Kramer, if he saw a benefit, such as maintenance ease, choosing to go with a local bid for a vehicle. Mr. Kramer stated that most vehicles in need of repairs and maintenance work are sent to ELCO regardless of where they are purchased.

Alderman Terbrock clarified that Alderman Finley was asking if the bid could potentially go to Dave Sinclair Ford, a St. Louis dealership, instead of the low bid at Joe Machens Ford located in Columbia. Alderman Terbrock stated he didn't like the idea of going to another dealership and asking it to lower offer a lower bid price after the bids were opened. This could lead to a situation where Ballwin was no longer able to obtain competitive bids.

Alderman Leahy asked if the price of the bid included delivery cost, which he was informed that it did.

Alderman Fleming added, that since it's a state bid and the vehicle is delivered, the low bid should be awarded the contract.

A motion was made by Alderman Fleming and seconded by Alderman Stallmann to accept Consent Item B. A voice vote was taken with a unanimous affirmative result and the motion passed.

CITY ATTORNEY'S REPORTS

House Bill No. 1993 City Attorney Jones stated that this legislation would be an overhaul of the Sunshine Law and the City would bear some significant costs in order to make these changes. One change the passing of this legislation would cause is the requirement that Cities index their public records. He stated that one of his primary concerns is the summarizing of the Closed Session minutes being made public; the topics typically discussed in Closed Sessions are sensitive in subject and information.

CLOSED SESSION

Mayor Pogue announced that Pursuant to Section 610.021 [1] RSMo, the board will meet in closed session regarding litigation.

Adjourn to Closed Session: A motion was made by Alderman Fleming and seconded by Alderman Leahy to adjourn to closed session to discuss litigation matters. A roll call vote was taken with the following results:

Ayes: Aldermen Terbrock, Finley, Roach, Stallmann, Fleming, Leahy, Bullington, Kerlagon
Nays: None

The motion passed to adjourn to closed session at 7:23 p.m.

The Board reconvened in open session at 7:45 p.m.

Mayor Pogue reconvened the open session.

ALDERMANIC COMMENTS

Alderman Fleming: In regards to previous discussions about Ballwin's debt exposure for Olde Towne Plaza bonds, Ballwin is only exposed up to \$250,000 per year. Alderman Fleming stated that he wants to be sure that this status has not changed since those discussions. He wanted to have a Finance & Administration committee meeting. He proposed the committee meet at 6:00 pm on January 25th. Committee members that should be in attendance are Aldermen Finley, Roach, Kerlagon and Fleming; it was encouraged that the other Board members be in attendance.

A motion was made by Alderman Fleming and seconded by Alderman Terbrock to adjourn the Board of Aldermen Meeting. A roll call vote was taken with a unanimous result, and the meeting was adjourned at 7:50 p.m.

TIM POGUE, MAYOR

ATTEST:

ERIC HANSON, CITY ADMINISTRATOR

T Aiken
A Johnson

Updated: **January 21, 2016**