



MINUTES OF THE BOARD OF ALDERMEN MEETING
CITY OF BALLWIN – 300 Park Drive
November 23, 2015

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 Hanson
City Attorney Robert E. Jones

The Pledge of Allegiance was given.

MINUTES

The Minutes of the *November 9, 2015 Board of Aldermen meeting minutes* were submitted for approval.

A motion was made by Alderman Finley and seconded by Alderman Fleming to amend paragraphs one and two under Bill 3897, on page two, of the November 9, 2015, draft to add “businesses which provide energy efficient fixtures”. A voice vote was taken with a unanimous affirmative result and the motion passed.

A motion was made by Alderman Fleming and seconded by Alderman Bullington to approve the November 9, 2015 regular meeting minutes as amended. A voice vote was taken with a unanimous affirmative result and the motion passed.

PENDING ISSUES

LEGISLATION

OUT-OF-STATE VEHICLE TAX Bill No. 3898

A motion was made by Alderman Fleming and seconded by Alderman Finley for a second reading of Bill No. 3898. A voice vote was taken with a unanimous affirmative result and Bill No. 3898 was read a second time.

A roll call vote was taken for passage and approval of Bill No. 3898 with the following results:
Ayes – Aldermen Fleming, Finley, Bullington, Terbrock, Leahy, Roach, Kerlagon, Stallmann;
Nays -- None.

Bill No. 3898 was approved and became **Ordinance No. 15-39**

NEW BUSINESS

LEGISLATION

TOWER LOAN SUE Bill No. 3902

A motion was made by Alderman Fleming and seconded by Alderman Leahy for a first reading of Bill No. 3902. A voice vote was taken with a unanimous affirmative result and Bill No. 3902 was read for the first time

A motion was made by Alderman Fleming and seconded by Alderman Leahy for a second reading of Bill No. 3902. A voice vote was taken with a unanimous affirmative result and Bill No. 3902 was read a second time.

A roll call vote was taken for passage and approval of Bill No. 3902 with the following results: Ayes – Aldermen Fleming, Terbrock, Bullington, Stallmann, Leahy, Roach, Kerlagon, Finley;
Nays -- None.

Bill No. 3902 was approved and became **Ordinance No. 15-40**

ESSEN PLACE DRIVE Bill No. 3903

A motion was made by Alderman Fleming and seconded by Alderman Kerlagon for a first reading of Bill No. 3903. A voice vote was taken with a unanimous affirmative result and Bill No. 3903 was read for the first time

Alderman Terbrock asked if the final overlay had been done on these streets. Gary Kramer, Director of Public Works, stated it had been completed.

A motion was made by Alderman Fleming and seconded by Alderman Kerlagon for a second reading of Bill No. 3903. A voice vote was taken with a unanimous affirmative result and Bill No. 3903 was read a second time.

A roll call vote was taken for passage and approval of Bill No. 3903 with the following results:
Ayes – Aldermen Fleming, Kerlagon, Finley, Stallmann, Roach, Bullington, Terbrock, Leahy;
Nays -- None.

Bill No. 3903 was approved and became **Ordinance No. 15-41**

MISSOURI AMERICAN WATER COMPANY TO INSTALL FIRE HYDRANT

Bill No. 3904

A motion was made by Alderman Kerlagon and seconded by Alderman Bullington for a first reading of Bill No. 3904. A voice vote was taken with a unanimous affirmative result and Bill No. 3904 was read for the first time

A motion was made by Alderman Fleming and seconded by Alderman Terbrock to approve an amendment correcting a spelling error in the title of the ordinance. A voice vote was taken with a unanimous affirmative result and the motion passed.

A motion was made by Alderman Fleming and seconded by Alderman Leahy for a second reading of Bill No. 3904. A voice vote was taken with a unanimous affirmative result and Bill No. 3904 was read a second time.

A roll call vote was taken for passage and approval of Bill No. 3904 with the following results:
Ayes – Aldermen Fleming, Leahy, Terbrock, Roach, Bullington, Stallmann, Finley, Kerlagon
Nays -- None.

Bill No. 3904 was approved and became **Ordinance No. 15-42**

CONSENT ITEMS

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

1. Kabuki Liquor License
2. Police Department Cabling

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

MAYOR'S REPORT

Mayor Pogue announced that Metro has approved the extension of the bus route to Wildwood Community College and to the YMCA. He thanked the Board for supporting this bus line extension.

HISORTICAL COMMISSION RE-APPOINTMENT

Mayor Pogue asked the Board to approve his recommendation to re-appoint Helen Pisarkiewicz, Alice Mertz, and Carol Stafford. If approved, their new term expirations will be 12/31/18.

A motion was made by Alderman Stallmann and seconded by Alderman Finley to accept the Mayor's recommendation and re-appoint Helen Pisarkiewicz, Alice Mertz, and Carol Stafford to the Historical Commission. A voice vote was taken with a unanimous affirmative result and the motion passed.

CITY ADMINISTRATOR'S REPORT

City Administrator Hanson thanked Gary Kramer, for providing a City map online illustrating, to some extent, the current status of the leaf pick-up. This will help residents know when to expect leaf pick-up in their neighborhood. The City has received positive feed-back on this new feature.

BUDGET REVIEW

City Administrator Hanson stated at the past budget meetings, Alderman Roach had asked about prioritizing the railroad tie wall on Happy Ct. City Administrator Hanson explained it was possible to begin the preliminary engineering process in 2016. If this was a viable option, the board should let staff know so it may be budgeted.

Denise Keller, Finance Officer, present the final draft proposal for the 2016 Budget to the Board prior to it being submitted for approval. She highlighted the items that would not be included in the 2016 budget and deferred for a later time. She also recapped the projected budget expenditures and revenues for 2016.

The final presentation and approval request for the 2016 Budget will be at the next Board meeting.

STAFF REPORTS

PURCHASE OF USED EQUIPMENT

City Administrator Hanson explained that certain pieces of specialized equipment, such as bucket trucks, if purchased new, are expensive. The City may be able to get a better deal if it could buy used or auctioned equipment. He gave the example that Ameren had a huge sale of specialized equipment, including bucket trucks, in the state of Missouri the prior week. The City could have bid on these items. There were several options of such vehicles that were on sale for half of what a new vehicle would cost, but staff does not have the authority to bid or purchase these kinds of items unless staff asks well in advance. Given the time frame necessary for the approval of such a request, the equipment is typically no longer available for purchase.

City Administrator Hanson suggested that the purchasing ordinance be amended to allow staff the ability to move forward and try to acquire specialized equipment at a significantly reduced cost.

Alderman Leahy asked how parameters would be set for such a purchase. City Administrator Hanson explained the intentions would be that the staff would know in advance the type of equipment they would like to acquire. They would research equipment pricing to develop a range of how much to expect this item to cost. Staff would then present these findings to the Board asking for authorization to proceed to locate a particular piece of equipment with authorization, if the parameters are met, to negotiate a purchase.

A motion was made by Alderman Roach and seconded by Alderman Stallmann to allow City Attorney Jones to draft legislation for the purchase of used vehicle to be considered at the next Board meeting. A voice vote was taken with a unanimous affirmative result and the motion passed.

Alderman Fleming asked that this item be submitted on the next agenda for discussion purposes. City Attorney Jones stated he would have it under his report for the next meeting.

DETACHMENT OF .6 ACRES TO ELLISVILLE

Assistant City Administrator Tom Aiken explained that the property owner, Ron Hopper and developer McBride and Sons Homebuilders, are seeking to detach .6 acres of Ron Hopper's land at 104 Jacob Ln. to allow its annexation by Ellisville to facilitate the creation of a 20 lot subdivision on an adjacent parcel in Ellisville. Mr. Aiken displayed a map of the property and the location of the .6 acres that are the subject of this proposal. He stated his recommendation to the Board would be to detach this property to Ellisville. Retaining these two lots in Ballwin would create service provision problems and unnecessary expenses. He does not foresee any negative ramifications in approving this detachment.

Alderman Finley asked if there may be a potentially opposite situation down the road where Ballwin would want to acquire a piece of property from Ellisville, if Ellisville would be as considerate. He asked if a letter would be drawn up to the City of Ellisville asking if they would be willing to work with or help Ballwin if a similar circumstance were to come up. Mr. Aiken said he had not drafted or sent such a letter but that could certainly be done.

Alderman Roach asked if the two properties presented on the map were farm land. Mr. Aiken stated that Mr. Hopper's property is undeveloped and the adjoining property to the south has a house on it. Mr. Aiken explained that he was unaware of how these properties came to be in their current status. The City annexed them this way. There could be a long history that the City does not know about.

Alderman Roach also asked if the Humphreys who own the adjoining property had any comments about this detachment. Mr. Hopper was present at the meeting. He stated that he had been in communication with the Humphreys about combining their properties and utilizing the adjacent street in Ballwin for access but the owner has no interest in that type of transaction at this time.

Alderman Finley asked if Attorney Jones found everything in order with this request. City Attorney Jones confirmed that he found everything in order.

A motion was made by Alderman Roach and seconded by Alderman Stallmann to authorize City Attorney Jones draft legislation for the detachment of this .6 acres of land. A voice vote was taken with a unanimous affirmative result and the motion passed.

CITY ATTORNEY'S REPORTS

City Attorney Jones stated he received a copy of a version of the St. Louis County Police Standards bill. He stated he would like to discuss and inform the Board, in the closed session meeting, about what litigation issues may be on the horizon in regards to this legislation.

Mayor Pogue announced that Pursuant to Sections 610.021 [1] RSMo and 610.021 [3] RSMo, the board will meet in closed session to discuss legal and employee matters.

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

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

The motion passed to adjourn to closed session at 7:48 p.m.

The Board reconvened in open session at 9:28 p.m.

Mayor Pogue reconvened the open session.

A motion was made by Alderman Fleming and seconded by Alderman Terbrock to reconvene in open session. A voice vote was taken with a unanimous affirmative result and the motion passed.

ALDERMANIC COMMENTS

Alderman Leahy asked Ms. Bruer if or how she got rid of the geese at Vlais Park because he wasn't seeing any. Ms. Bruer said she did not know why this was the case and that there are geese at Vlais Park.

Alderman Roach commended Ms. Keller and her staff for the great work on the budget and he is looking forward to the final presentation of the budget at the next meeting.

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 9:29 p.m.

TIM POGUE, MAYOR

ATTEST:

ERIC HANSON, CITY ADMINISTRATOR

T Aiken
A Johnson

Updated: **November 25, 2015**