



**DRAFT MINUTES**  
**BOARD OF ALDERMEN**  
**Meeting Minutes**

JANUARY 14, 2019

7:00 PM 300 PARK DR. 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 7:01 p.m.

**ROLL CALL**

Present

Mayor Tim Pogue  
Alderman James Terbrock  
Alderman Michael Finley  
Alderman Kevin M. Roach  
Alderman Mark Stallmann  
Alderman Frank Fleming  
Alderman Jim Leahy  
Alderman Ross Bullington  
Alderman Raymond Kerlagon  
Interim-City Administrator Bob Kuntz  
City Attorney Robert E. Jones

Absent

The Pledge of Allegiance was given.

**MINUTES**

The Minutes from the December 10, 2018, Board of Aldermen meeting were submitted for approval. *A motion was made* by Alderman Finley and seconded by Alderman Stallmann to approve the minutes from the December 10, 2018 Board of Aldermen meeting as amended. A voice vote was taken with a unanimous affirmative result and the motion passed.

**PRESENTATION**

Cochran Engineering gave a presentation about applying for a grant to resurface New Ballwin Road. Ballwin applied for this grant in the past and did not received it. The new proposal would ask for less funds, be completed in a faster time frame, and still meet all requirements. The out of pocket cost for the City to move forward would be \$289,000. *A motion was made* by Alderman Roach to proceed with drafting a proposal for the engineering of New Ballwin Road through Cochran Engineering for consideration at a future meeting and seconded by Alderman Stallmann. A voice vote was taken with unanimous affirmative results.



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**PUBLIC COMMENTS**

**Lou Salamone** spoke about deer hunting in city limits asking to change the time frame of approving annual permission slips and to update Ballwin's code of ordinances related to contacting homeowners about hunting on common ground.

**Richard Boerner** addressed the board and requested a refund of \$25.23 for the amount charged to him to provide public records by the City of Ballwin.

**CONSENT ITEMS**

- a. Bank Signatories
- b. City Hall Furniture
- c. 6 Month Financial Statement
- d. Wildwood Pool Passes

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

**MAYOR'S REPORT**

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**Legislative Updates** Mayor Pogue asked the board to contact him if they are not receiving updates from the municipal league and he will make sure they receive a copy of those updates.

**City Hall Construction** Mayor Pogue stated staff will be moving to the new building on April 1, 2019 with a punch list walk through at the end of January. He also stated he will schedule a walk-through opportunity with the board members in February.

**Snow Removal** Mayor Pogue commended the Public Works Department on their response to a recent large winter weather storm.

**Elected Officials Compensation** Mayor Pogue asked the board to consider authorizing the City Attorney to draft legislation regarding the compensation of future Ballwin elected officials. An approved increase would not go into effect until after the next election. Mayor Pogue suggested a \$100 increase for aldermen and a \$200 increase for the mayor per month. A study was conducted of nearby cities to compare rates and it was noted the last increase for Ballwin for elected officials was in 1991.

*A motion was made* by Alderman Leahy and seconded by Alderman Fleming for the City Attorney to draft legislation related to increasing future Elected Officials compensation to \$900 per month for the mayor and \$450 per month for aldermen. A voice vote was taken with unanimous affirmative result and the motion passed.

## **INTERIM - CITY ADMINISTRATOR'S REPORT**

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**Policy Manual Update** Interim City Administrator Kuntz spoke about making changes to the Ballwin Policy Manual, specifically related to the driving policy and the discipline policy. He stated the updates would be a more progressive and more fair application to the employees while also continuing to take negligence seriously. He requested a motion to make the updates presented by staff.

Alderman Fleming asked if enough discussion was had internally with department heads about the change. Interim City Administrator Kuntz and City Attorney Jones stated they have discussed the policy at length with multiple staff. Alderman Roach stated he would like to work on the policy further and bring it back to a future meeting for approval.

**Staff Resignation** Interim City Administrator Kuntz announced the resignation of Director of Marketing and Communication Kirsten Hochstetler effective February 1, 2019. He also asked for board authorization to enter into an hourly contract for her to continue to provide services to the City on an as-needed basis during the transition. *A motion was made* by Alderman Fleming and seconded by Alderman Stallmann to authorize this agreement. A voice vote was taken with unanimous affirmative result and the motion passed.

## **STAFF REPORTS**

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**Municipal Boundary Adjustment** Assistant City Administrator Andy Hixson discussed cleaning up Ballwin's municipal boundary lines near Reinke Road. This topic will be brought back to the board as legislation at a future meeting.

**Urban Land Institute (U.L.I.)** Assistant City Administrator Andy Hixson spoke about hiring the company to do a study on the best future use of the land on which the old city hall currently sits, which will be vacated in a few months. He stated the advantage of using an independent third party company would be to remove the bias or subjectivity of staff deciding what to do with the land internally. The board requested to see examples of



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deliverables the ULI has provided in the past before moving forward as this study would cost the City \$7,500 to conduct.

**Legislative Conference** Assistant City Administrator Andy Hixson asked the Board to let him know if anyone is interested in signing up for the legislative conference in Jefferson City in February.

**Grant Application** Police Chief Kevin Scott requested Board authorization to apply for grant funding through MoDOT for Fiscal Year 2020 regarding over time traffic enforcement related to hazardous moving violations, occupant protection, youth alcohol enforcement and DWI enforcement. *A motion was made* by Alderman Stallmann and seconded by Alderman Finley to move forward with the grant application process. A voice vote was taken with unanimous affirmative result and the motion passed.

### **ALERMANIC COMMENTS**

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Alderman Finley addressed resident Richard Boerner's refund request stating he thought the charge was excessive. Attorney Jones stated this was a consistent application of the ordinance as it relates to administrative expenses for all Freedom of Information Act Requests made of the City. *A motion was made* by Alderman Finley to refund Mr. Boerner the entire amount, minus \$5. The motion died for lack of a second.

Alderman Finley addressed the topic of deer hunting in Ballwin. City Attorney Jones stated the police interpretation of the ordinance is correct and has been consistently enforced since the adoption of that ordinance. Alderman Fleming stated he was not in favor of changing the notification process related to hunting in common ground. Alderman Terbrock stated he was in favor of exploring the possibility of changing the timeline for approving permits related to deer hunting if staff could do so.

Alderman Finley suggested re-evaluating how meeting minutes are taken when the new City Clerk is hired.

Alderman Bullington complimented the Public Works Department stating they had a fantastic response to the very large amount of snow that fell. He also thanked the Ballwin Police Department and Metro West Fire for their assistance during the storm.



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Alderman Stallmann also suggested re-evaluating how meeting minutes are taken in the future. He also commended Ballwin Public Works Department and the work the City employees did to keep Ballwin streets clear.

**CLOSED SESSION**

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The Board moved to go into closed session for one or more of the reasons as authorized by Section 610.021(1), (2) and (3) Revised Statutes of Missouri, relating to legal issues, real estate and/or personnel, negotiation of a contract.

*A motion was made* by Alderman Fleming and seconded by Alderman Stallmann to go into closed session. A voice vote was taken with a unanimous affirmative result.

**OPEN SESSION**

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*A motion was made* by Aldermen Fleming to reconvene. The motion was seconded by Alderman Stallmann and passed by unanimous voice vote.

*A motion was made* by Alderman Fleming to adjourn. The motion was seconded by Alderman Stallmann. The motion passed by unanimous voice vote. The meeting adjourned at 9:08

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TIM POGUE, MAYOR

ATTEST:

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Andy Hixson, CITY CLERK