



**BOARD OF ALDERMEN  
Meeting Minutes**

February 8, 2021

7:00 PM 1 GOVERNMENT CTR/ZOOM. 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 Pogue at 7:00 p.m.

**ROLL CALL**

Present

Mayor Tim Pogue  
Alderman Mike Utt  
Alderman Michael Finley  
Alderman Kevin M. Roach  
Alderman Mark Stallmann  
Alderman Frank Fleming  
Alderman Jim Leahy  
Alderman Ross Bullington  
Alderman Raymond Kerlagon  
City Administrator Eric Sterman  
City Attorney Robert Jones

Absent

**MINUTES**

The Minutes from the January 25, 2021, Board of Aldermen meeting were submitted for approval. *A motion was made* by Alderman Fleming and seconded by Alderman Finley to approve the minutes from the January 25, 2021 Board of Aldermen meeting as submitted. A voice vote was taken with unanimous affirmative result and the motion passed.

**LEGISLATION**

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**BILL 4087 - AN ORDINANCE ACCEPTING WESTRUN DRIVE AND WILHELMINE COURT FOR PUBLIC MAINTENANCE AS PROVIDED FOR IN THE CODE OF ORDINANCES OF THE CITY OF BALLWIN.**

With approval of this bill, the City accepts Westrun Drive and Wilhelmine Court for public maintenance.

A motion was made by Alderman Stallmann and seconded by Alderman Bullington for a first reading of Bill 4087, title only. A voice vote was taken with unanimous affirmative result and Bill 4087 was read for the first time.

Discussion:

None

A motion was made by Alderman Kerlagon and seconded by Alderman Stallmann for a second reading of Bill 4087, title only. A voice vote was taken with unanimous affirmative result and Bill 4087 was read for a second time.

A roll call vote was taken for passage and approval of Bill 4087 with the following results:

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

Nays -- None.

Bill No. 4087 was approved and became Ordinance No. 21-04

**BILL 4088 - AN ORDINANCE GRANTING A SPECIAL USE EXCEPTION TO VEGGIE COUPLE, LLC, D/B/A THE WOLF CAFÉ FOR MANUFACTURING OF ALCOHOL (BEER) ON SITE AT 15480 CLAYTON RD.**

The Wolf Café would be able to manufacture alcohol (beer) on site with approval of this bill.

A motion was made by Alderman Fleming and seconded by Alderman Utt for a first reading of Bill 4088, title only. A voice vote was taken with unanimous affirmative result and Bill 4088 was read for the first time.

Discussion:

Alderman Finley stated he has talked with Jason Riegelsberger, the property manager and former Board of Adjustment Chairman. Mr. Reigelsberger is very much in favor of this. Mayor Pogue stated the Planning and Zoning Commission gave this a unanimous positive recommendation.

A motion was made by Alderman Fleming and seconded by Alderman Bullington for a second reading of Bill 4088, title only. A voice vote was taken with unanimous affirmative result and Bill 4088 was read for a second time.

A roll call vote was taken for passage and approval of Bill 4088 with the following results:

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

Nays -- None.

Bill No. 4088 was approved and became Ordinance No. 21-05

**RESOLUTION - A RESOLUTION SUPPORTING AN APPLICATION TO THE LAND AND WATER CONSERVATION FUND FOR A GRANT TO RENOVATE HOLLOWAY PARK.**

This resolution supports the City’s application for a grant to renovate Holloway Park.

Discussion:

Alderman Fleming asked if the grant would be for approximately half of the amount in the budget. Parks Director Chris Conway stated it would be for about 50% of the total project.

A motion was made by Alderman Fleming and seconded by Alderman Finley to approve the resolution to pursue the grant. A voice vote was taken with unanimous affirmative result and the motion passed.

**CONSENT ITEMS**

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**Administration** – Liquor License – Wolf Café

Staff recommends approval of the liquor manufacturing license for the Wolf Café. Their petition was presented and approved by the Planning and Zoning Commission on February 1, 2021.

Discussion:

Alderman Roach asked for this item to be pulled.

**Parks** – Ellipticals

Staff recommends the purchase of five Precor ellipticals from Push, Pedal, Pull for \$38,650 utilizing the Sourcewell Cooperative Purchasing Contract.

**Discussion:**

None

A motion was made by Alderman Fleming and seconded by Alderman Bullington to approve staff’s recommendation. A voice vote was taken with unanimous affirmative result and the motion passed.

**Police** – Radar Trailers

Staff recommends disposing of two radar trailers: Asset ID 0129 and Asset ID 0275.

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Discussion:

None

A motion was made by Alderman Fleming and seconded by Alderman Bullington to approve staff's recommendation. A voice vote was taken with unanimous affirmative result and the motion passed.

**Public Works – Loader**

Staff recommends accepting Fabick Cat's proposal through Sourcewell ID# 103894 (formerly NJPA {National Joint Powers Alliance}) for \$175,315.76. This includes the trade in of the 2010 John Deere 544K.

Discussion:

None

A motion was made by Alderman Fleming and seconded by Alderman Bullington to approve staff's recommendation. A voice vote was taken with unanimous affirmative result and the motion passed.

**MAYOR'S REPORT**

Mayor Pogue asked the Board for clarification on the motion made at the last meeting regarding waiving fees for liquor licenses as to whether this was for restaurants or are places selling package liquor to be included as well. His thought was that this was to aid restaurants that have had to close at times during the pandemic. Alderman Utt stated it was his intention that it be for restaurants. Alderman Roach stated his reasoning for pulling Consent Item A was for discussion regarding waiving 2021 fees to help struggling businesses. Mayor Pogue asked City Attorney Jones if the Board would need to make a motion again, clarifying the fees be waived for by the drink, on the premises businesses and manufacturing. City Attorney Jones responded there would need to be a motion, but it will need to be more precise as a full liquor license that allows by the drink on the premises also allows packaged sales. There was discussion and clarification of different types of liquor licenses. City Attorney Jones stated a motion needs to be made with clarification that it's the intent to exclude retailers who sell package liquor or other than a restaurant setting. Mayor Pogue asked if waiving the fees for manufacturing should be included; City Attorney Jones stated yes and that it is a separate license. A motion was made by Alderman Stallmann and seconded by Alderman Roach to exclude liquor by the drink and manufacturing of liquor to exempt them from 2021 license fees. A voice vote was taken with unanimous affirmative result and the motion passed. Mayor Pogue stated this evening's motion overrides the motion from the previous meeting.

A motion was made by Alderman Roach and seconded by Alderman Bullington to approve Consent Item A, The Wolf Café's liquor manufacturing license. A voice vote was taken with unanimous affirmative result and the motion passed.

## **CITY ADMINISTRATOR'S REPORT**

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City Administrator Sterman asked for clarification on the motion made regarding liquor license fees. Is it the Board's intention to not exempt package only and if the business has a full license, do we review to determine if the business is primarily package sales? Alderman Utt stated when he brought this to the Board's attention, it was mainly for restaurants as package sales venues were probably up during the pandemic. Mayor Pogue stated the spirit of this motion was to aid restaurants which had to shut down. Mr. Sterman stated we will carry out the motion as the Board intended.

Mr. Sterman shared that, per Alderman Roach's request regarding reports to the Board on regular department operations, he has started sending those out. He asked the Board to please provide feedback as reports are received so we may better provide information they are looking for.

## **CITY ATTORNEY'S REPORT**

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Nothing to report

## **STAFF REPORTS**

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### **Administration – Owner's Representative Services for New Police Station**

Staff recommends making a motion to approve the contract with Navigate Building Solutions to provide Owner's Representative services to the City for development of a new City of Ballwin police facility.

#### Discussion:

City Administrator Sterman stated seven submittals were received from the RFQ. The committee brought in three firms to interview. It was decided to recommend awarding to Navigate; this will be a \$365,000 contract, payable in monthly installments, effective now through the second quarter of 2023. It is hoped the Board will approve the contract with Navigate this evening as interviews with the architects will be starting soon and we would like to have their assistance. Alderman Finley asked if a general timeline could be provided; City Administrator Sterman provided a preliminary timeline and will be giving regular updates. Navigate will also provide updates on the project. Alderman Roach stated he remembers Navigate from a previous project and feels they are very competent and professional and is pleased they are being recommended by the committee.

A motion was made by Alderman Utt and seconded by Alderman Finley to accept staff's recommendation to authorize the Mayor to execute the contract with Navigate. A voice vote was taken with unanimous affirmative result and the motion passed.



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**ALDERMANIC COMMENTS**

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Alderman Stallmann read an email he and Alderman Roach had received regarding Public Works and their efforts to keep the City's streets clear during the recent snowfall. The email stated that Public Works should be commended for taking care of the streets before, during and after the snow and the resident wished this information be passed on.

Alderman Fleming reported he has sent out the updated poverty letter for everyone. This should be the final, so it can be signed by everyone at the next meeting if it is in person or it will be available at the government center if an in-person meeting is not possible.

Alderman Roach thanked City Administrator Sterman and department directors for the reports already received. He is looking forward to more updates.

Alderman Utt also thanked City Administrator Sterman and appreciates his quick response in getting information to the Board.

A motion was made by Alderman Fleming and seconded by Alderman Finley to adjourn. The motion was passed by unanimous affirmative voice vote and the meeting adjourned at 7:25 p.m.

\_\_\_\_\_ TIM POGUE, MAYOR

ATTEST:

\_\_\_\_\_ POLLY MOORE, CITY CLERK