



## BOARD OF ALDERMEN Meeting Minutes

May 10, 2021

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 Pogue at 7:01 p.m.

### ROLL CALL

#### Present

Mayor Tim Pogue  
Alderman Mike Utt  
Alderman Michael Finley (left at 7:47)  
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 April 26, 2021, Board of Aldermen meeting were submitted for approval. *A motion was made* by Alderman Fleming and seconded by Alderman Kerlagon to approve the minutes from the April 26, 2021 Board of Aldermen meeting as submitted. A voice vote was taken with unanimous affirmative result and the motion passed.

The Minutes from the April 26, 2021 Board of Aldermen closed meeting were submitted for approval. A motion was made by Alderman Fleming and seconded by Alderman Utt to approve the minutes from the April 26, 2021 Board of Aldermen closed meeting as submitted. A voice vote was taken with unanimous affirmative result and the motion passed.

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## **EMPLOYEE RECOGNITION**

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### **Sgt. Robert Rogers promotion**

Police Chief Doug Schaeffler recognized Sgt. Rob Rogers' promotion. Sgt. Rogers started with Ballwin Police Department in November 1996. He has served the department as a fraud detective, background investigator, business resource officer, DARE instructor, field training officer and firearms instructor. In 2020, he was appointed as a Lead Officer. Sgt. Rogers earned a Bachelor of Science degree in Criminal Justice from University of Missouri-St. Louis.

### **Lt. Robert Wetzel promotion**

Chief Schaeffler recognized Lt. Rob Wetzel's promotion. Lt. Wetzel began his career with Ballwin Police Department in January 1996. He served in the patrol unit for six years before being detached to the Drug Task Force unit with St. Louis County Police. He has also served as a detective with Ballwin and worked with the Major Case Squad. He was promoted to Sergeant in August 2010. Lt. Wetzel earned a Bachelor of Arts degree in Criminal Justice from Lindenwood University. He will be taking over the Bureau of Professional Standards.

## **PRESENTATION**

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### **2020 Audit Presentation**

The 2020 Audit Report was presented by Rick Gratza, Partner, and Allison Weems, Audit Manager, with Kerber, Eck & Braeckel LLP. The financial statements received an unmodified opinion with no material weaknesses or material noncompliance noted. No new accounting policies were adopted during the year, and no misstatements were detected as a result of audit procedures.

A series of charts were presented which reflected various ratios for the City in each of the past three years. The level of fund balance that is unassigned in the general fund as a percentage of expenditures is 58%, with 20% usually considered desirable. Capital asset condition is 30%. Over the past four years, the City's depreciable capital assets have had approximately a third of their useful lives remaining indicating a continual investment by the City that is keeping pace with depreciation. The pension plan funding ratio is 89%. Plans with a funding ratio of 80% or more are generally considered healthy plans. The current ratio is a measure of the City's ability to pay its short-term obligations. The City's ratio is 15.4%; a current ratio of 2.00 or higher indicates good current liquidity and an ability to meet the short-term obligations.

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## **LEGISLATION**

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### **BILL 4096 - AN ORDINANCE GRANTING A SPECIAL USE EXCEPTION TO JUSTICE GROWN DISPENSARY FOR OPERATION OF A MEDICAL MARIJUANA DISPENSARY AT 14787 MANCHESTER ROAD.**

A motion was made by Alderman Fleming and seconded by Alderman Utt for a first reading of Bill 4096, title only. A voice vote was taken with unanimous affirmative result and Bill 4096 was read for the first time.

#### Discussion:

Alderman Roach asked City Attorney Robert Jones about compliance with Federal law and if the City had any liability. Mr. Jones explained that there is no liability to the City and the vast majority of states allow medical and/or recreational marijuana.

Mitch Zaveduk from Justice Cannabis attended this evening's meeting and answered questions from the Board, and addressed issues such as taxes in this industry, safeguards regarding odors and affect on illegal trade. He was asked if there is both medical and recreational marijuana use allowed in Missouri. Mr. Zaveduk explained that Missouri is a "medical only" state, so a medical card is needed for a person to be able to purchase from the dispensary. He also explained that they are required to track "seed to sale" and that no consumption is permitted on site. Alderman Fleming asked City Attorney Jones about the number of licenses allowed in Ballwin; Mr. Jones stated only three are allowed.

A motion was made by Alderman Fleming and seconded by Alderman Bullington for a second reading of Bill 4096, title only. A voice vote was taken with unanimous affirmative result and Bill 4096 was read for a second time.

A roll call vote was taken for passage and approval of Bill 4096 with the following results:

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

Nays -- None.

Bill No. 4096 was approved and became Ordinance No. 21-13

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## **CONSENT ITEMS**

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### **Parks – Vlasis Park Master Plan**

Staff recommends contracting with the Lawrence Group for the Vlasis Park Master Plan.

Discussion:

None

A motion was made by Alderman Roach and seconded by Alderman Stallmann to accept staff's recommendation. A voice vote was taken with unanimous affirmative result and the motion passed.

## **MAYOR'S REPORT**

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Mayor Pogue announced there is a vacancy on the Board of Adjustment in Ward 4 and asked that suggestions for replacement be forwarded to him.

Mayor Pogue also announced the following committee appointments:

Finance & Administration:

Alderman Fleming (Chair)

Alderman Kerlagon

Alderman Finley

Alderman Stallmann

Parks & Recreation:

Alderman Stallmann (Chair)

Alderman Utt

Alderman Fleming

Alderman Bullington

Public Health & Safety:

Alderman Finley (Chair)

Alderman Roach

Alderman Leahy

Alderman Bullington

Public Works:

Alderman Leahy (Chair)

Alderman Utt

Alderman Kerlagon

Alderman Roach

Mayor Pogue appointed Alderman Finley to the Planning & Zoning Commission. A motion was made by Alderman Utt and seconded by Alderman Bullington to accept the appointment. A voice vote was taken with unanimous affirmative result and the motion passed.

Mayor Pogue reminded everyone that the proposed Strategic Planning meeting will be at 6 p.m. on May 24, 2021, before the Board of Aldermen meeting.

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Lastly, Mayor Pogue shared the summer schedule for the Board; the second meeting (fourth Monday) of the months of June, July and August would be cancelled. A motion was made by Alderman Utt and seconded by Alderman Bullington to accept the summer schedule. A voice vote was taken with unanimous affirmative result and the motion passed.

### **CITY ADMINISTRATOR'S REPORT**

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Nothing to report

### **CITY ATTORNEY'S REPORT**

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Nothing to report

### **STAFF REPORTS**

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#### **Public Works – Equipment Repair/Upgrade**

Recommendation: To authorize the City Administrator to approve repairs for the salt conveyor and purchase a new calcium chloride tank not to exceed \$50,000.

#### Discussion:

Public Works Director Jim Link reported that between \$150,000 - \$200,000 is budgeted each year for salt for snow removal. As we did not have a bad winter, he would like to divert about \$50,000 to repair the salt conveyor and purchase a brine tank. He further explained that when the conveyor was installed in 2004, it carried about 300 tons of salt an hour; it currently only carries about 12 tons an hour. He also stated the calcium chloride tank has been drained and is being used for salt brine; they would like to purchase another tank for calcium chloride. Alderman Roach asked if a backhoe thumb was still needed as there had been talk of purchasing one previously. Mr. Link stated he would check and report back. Alderman Roach also asked about the causes of the deterioration; Mr. Link replied time and age, sitting in weather which are signs of normal wear. Alderman Bullington asked if the improvements would bring the conveyor back to normal and if Mr. Link was confident the repairs would take care of any issues; Mr. Link replied they would.

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

### **ALDERMANIC COMMENTS**

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None



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A motion was made by Alderman Fleming and seconded by Alderman Utt to adjourn. The motion was passed by unanimous affirmative voice vote and the meeting adjourned at 8:03 p.m.

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

ATTEST:

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