



BOARD OF ALDERMEN
Meeting Minutes

June 14, 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 7:00 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 May 24, 2021, Board of Aldermen meeting were submitted for approval. *A motion was made* by Alderman Fleming and seconded by Alderman Bullington to approve the minutes from the May 24, 2021 Board of Aldermen meeting as submitted. A voice vote was taken with unanimous affirmative result and the motion passed.

The minutes from the May 24, 2021 Strategic Planning Session were submitted for approval. Alderman Fleming asked for a change to further clarify his statement regarding looking at handicapped playground equipment. A motion was made by Alderman Fleming and seconded by Alderman Kerlagon to accept the change. A voice vote was taken with unanimous affirmative result and the motion passed. A motion was made by Alderman Fleming and seconded by Alderman Bullington to approve the minutes from the May 24, 2021 Strategic Planning Session as amended. A voice vote was taken with unanimous affirmative result and the motion passed.



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CITIZEN COMMENTS

Matt Bene, 1134 Westrun Dr., and his son, Charlie, addressed the Board regarding traffic concerns. Mr. Bene stated residents in the area are requesting a stop sign be added at Westrun and Marsten. He also stated he had asked Chief Schaeffler to put up a speed sign in that area, which showed 65% of cars were speeding. Residents are concerned at the number of speeding cars as there are many children who reside in this area. Mr. Bene shared that, since 2018 when Ruppel Farms opened, there is significantly more traffic. He stated he has petitions from neighbors requesting the stop sign; he gave copies to all Board members. He also has a letter from his neighborhood association supporting this request. Mayor Pogue thanked Mr. Bene for addressing the Board and recommended Chief Schaeffler and Public Works Director Jim Link look into this issue to see if this is the best solution or if there are other solutions that may be better.

PRESENTATIONS

JEMA/Navigate

Jen Kissinger from Navigate discussed items that have been completed for the new police department building such as geotechnical, site survey, environmental and the title search investigation. John Mueller and John Emert from JEMA presented a schematic design with a level-by-level overview and outdoor view renderings. Topics of discussion included parking (for visitors and unmarked/marked department vehicles), the size of the new building compared with the old, the possibility of expansion for the future and the sallyport.

Ms. Kissinger discussed budget issues and materials cost escalation/getting materials. She also talked about bid alternates such as permeable asphalt, carport structures and additional sunshades. She expects to have an update for the Board in September.

Mayor Pogue recommends moving forward to the next phase. A motion was made by Alderman Fleming and seconded by Alderman Utt to proceed to the design development phase. A voice vote was taken with unanimous affirmative result and the motion passed.



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Flock Cameras

Lisa Dunn from Flock Safety presented a brief overview on the license plate recognition cameras. She shared the cameras record the rear license plate of vehicles as they pass through; the driver is not recorded. She also discussed the different ways an agency can search to see if a vehicle has been in the area. The cameras are leased for \$2500/year. Mayor Pogue asked if the data is ours; Ms. Dunn stated it is and is not sold or shared. Alderman Roach asked about other communities who currently have the cameras; Ms. Dunn shared some of the communities such as Fenton (10), Farmington (6), St. Charles County (18) and O’Fallon, MO (18). Alderman Leahy stated we would be able to work in cooperation with other agencies with our two cameras on Ballwin’s major thoroughfare, Manchester Rd.

OLD BUSINESS

Police Department – Flock Cameras

Alderman Finley stated he feels the Board has done its due diligence regarding the cameras, including discussion of the cameras in several Board meetings, and has heard no concerns voiced by citizens nor has he received any negative citizen feedback. A motion was made by Alderman Bullington and seconded by Alderman Roach to proceed with the cameras. A voice vote was taken with unanimous affirmative result and the motion passed.

LEGISLATION

Bill 4097 – MSD Easement

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF BALLWIN, MISSOURI, ON BEHALF OF THE CITY, TO EXECUTE AN EASEMENT WITH THE METROPOLITAN ST. LOUIS SEWER DISTRICT.

A motion was made by Alderman Fleming and seconded by Alderman Stallmann for a first reading of Bill 4097, title only. A voice vote was taken with unanimous affirmative result and Bill 4097 was read for the first time.

Discussion:

City Administrator Sterman stated MSD is doing improvements in this area, replacing older lines and expanding the size of others. This is a benefit to Ballwin residents, so we felt it appropriate to work with them on this.

A motion was made by Alderman Roach and seconded by Alderman Finley for a second reading of Bill 4097, title only. A voice vote was taken with unanimous affirmative result and Bill 4097 was read for a second time.



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A roll call vote was taken for passage and approval of Bill 4097 with the following results:

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

Nays -- None.

Bill No. 4097 was approved and became Ordinance No. 21-14

Bill 4098 – Ameren Franchise Agreement

AN ORDINANCE RENEWING AN EXISTING FRANCHISE AND GRANTING FOR A PERIOD OF TWENTY (20) YEARS TO UNION ELECTRIC COMPANY D/B/A AMEREN MISSOURI, A CORPORATION, ITS SUCCESSORS AND ASSIGNS, A NON-EXCLUSIVE FRANCHISE, RIGHT, PERMISSION AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, EXCAVATE FOR, PLACE, MAINTAIN, OPERATE, AND USE ALL EQUIPMENT, FACILITIES, DEVICES, MATERIALS, APPARATUS OR MEDIA INCLUDING BUT NOT LIMITED TO DUCTS, LINES, PIPES, HOSES, CABLES, CULVERTS, TUBES, POLES, TOWERS, WIRES, CONDUITS, CONDUCTORS, MANHOLES, TRANSFORMERS UNDERGROUND VAULTS, SWITCHGEAR, CAPACITORS, RECEIVERS, AND TRANSMITTERS, WITH ALL NECESSARY OR APPROPRIATE APPURTENANCES AND APPLIANCES IN CONNECTION THEREWITH, IN, ALONG, ACROSS, OVER AND UNDER THE STREETS, ROADS, ALLEYS, SIDEWALKS, SQUARES, BRIDGES, AND OTHER PUBLIC PLACES IN THE CITY OF BALLWIN AND AREAS DEDICATED TO THE CITY FOR PUBLIC UTILITY USE, FOR THE PURPOSE OF TRANSMITTING, FURNISHING AND DISTRIBUTING ELECTRICITY WITHIN AND THROUGH SAID CITY, PRESCRIBING THE TERMS AND CONDITIONS OF SUCH GRANT, IMPOSING CERTAIN OBLIGATIONS UPON THE GRANTEE, ITS SUCCESSORS AND ASSIGNS, SUCCESSIVELY, IN CONNECTION THEREWITH.

A motion was made by Alderman Fleming and seconded by Alderman Finley for a first reading of Bill 4098, title only. A voice vote was taken with unanimous affirmative result and Bill 4098 was read for the first time.

Discussion:

City Attorney Bob Jones stated this is the franchise agreement granted for Ameren to operate in the City of Ballwin; they are exclusive as they are the only provider in the area. The seven percent gross receipts tax is included which the City can amend during the term of the agreement. Ameren also has an obligation to repair places where they have to cut our infrastructure. Overall, Mr. Jones stated he is satisfied with the franchise as they have served us well over the last 20 years and they accepted everything we asked them to do for the agreement. Alderman Roach asked if streetlights came up; Mayor Pogue stated those are mandated by the Public Service Commission.



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A motion was made by Alderman Finley and seconded by Alderman Stallmann for a second reading of Bill 4098, title only. A voice vote was taken with unanimous affirmative result and Bill 4098 was read for a second time.

A roll call vote was taken for passage and approval of Bill 4098 with the following results:

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

Nays -- None.

Bill No. 4098 was approved and became Ordinance No. 21-15

CONSENT ITEMS

Administration – SUE Transfer Pizza Hut

Staff recommends approving the Special Use Exemption Transfer.

Discussion:

This item was pulled by Alderman Roach for further discussion.

Administration – Document Destruction

Staff recommends approval to destroy certain documents.

Discussion:

None

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

Administration – Liquor Licenses

Staff recommends approval of the liquor licenses for Ballwin restaurants/businesses.

Discussion:

None

A motion was made by Alderman Fleming 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

Nothing to report

CITY ADMINISTRATOR'S REPORT

City Administrator Sterman reported that, at the last meeting, the Board approved the contract to Krupp Construction for additional scope items, not to exceed the amount of the original budget. We were awarded additional scope for curbs/sidewalks; Mr. Sterman will provide an update in July.

Regarding Consent Item A, Alderman Roach asked why the SUE transfer was needed for Pizza Hut. City Attorney Jones responded this was due to the front yard parking; all front yard parking requires an SUE as does restaurant use. Alderman Roach asked if every business in Ballwin Plaza required an SUE. Mr. Jones responded he believes there is an SUE which covers the entire plaza, but the restaurant itself requires the SUE transfer because of new ownership. A motion was made by Alderman Roach and seconded by Alderman Kerlagon to approve Consent Item A. A voice vote was taken with unanimous affirmative result and the motion passed.

CITY ATTORNEY'S REPORT

Nothing to report

STAFF REPORTS

Administration – Budget Survey

Staff is presenting a synopsis of the Budget Survey.

Discussion:

Finance Officer Denise Keller and Marketing/Communications Specialist Kennedy Robinson presented the results from the Budget Survey. Ms. Keller stated that criteria from the Government Finance Officers Association states we need to have public engagement in our budget process; we opted to do a survey. Ms. Robinson reported there were 250 responses (roughly 2% of Ballwin households) over the time frame of April 22 – May 31. The survey could be found on the city's social media pages, on email blast, our electronic board, the City website and in Ballwin Life magazine. Ms. Keller reminded everyone that the results cannot be validated as we cannot verify responses we received on-line. Items covered included services that residents thought most important as well as services they really liked having, how residents felt about ways to cover costs for projects and input from residents about projects they would like to see done.

Ms. Keller stated this information would be shared in staff meetings for feedback and to discuss ways to educate residents.



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Administration – Demolition Contracts

Discussion:

City Administrator Sterman reported the Board’s approval is requested for the not to exceed bid for the demolition of two properties. Both homeowners were warned and, at a hearing in April, they were given 30 days to remediate. He stated they hope to work with the homeowner at Clayton Rd. so they may make repairs, but there is no timeline. City Attorney Bob Jones stated the Clayton Rd. property is in litigation, so any discussion regarding this property should take place in closed session.

A motion was made by Alderman Roach and seconded by Alderman Stallmann to accept staff’s recommendation regarding the demolition on Morena Ct. and table the demolition at 14640 Clayton Rd. for further information. A voice vote was taken with unanimous affirmative result and the motion passed.

ALDERMANIC COMMENTS

Alderman Bullington congratulated Ballwin resident Tyler Downs and his family as Tyler will be going to Tokyo to compete in the Olympics in diving. Tyler got his start with the Blue Dolphins.

Alderman Stallmann thanked staff for the great job they did in presenting movie night at the Golf Course.

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 8:32 p.m.

_____ TIM POGUE, MAYOR

ATTEST:

_____ POLLY MOORE, CITY CLERK