

AGENDA

- 1. Call to Order**
- 2. Roll Call**
- 3. Pledge of Allegiance**
- 4. Approval of Minutes**
 - [a.](#) Minutes of the January 8, 2024 Board of Aldermen Meeting
- 5. Citizen Comments**
- 6. Legislation**
 - [a.](#) 4185 – B & S Equities, LLC SUE aka Scrubbles Car Wash
- 7. Consent Items**
 - [a.](#) Parks & Recreation – Fairway Mower Purchase
 - [b.](#) Public Works – Roller Purchase
- 8. Mayor’s Report**
- 9. City Administrator’s Report**
 - a. Grocery Sales Tax
- 10. City Attorney’s Report**
- 11. Staff Reports**
 - [a.](#) Parks & Recreation – North Pointe Kiddie Pool Resurfacing
 - [b.](#) Public Works – Skid Hook Lift Purchase
- 12. Aldermanic Comments**
- 13. Closed Session**
- 14. Adjourn**

NOTE: Due to ongoing City business, all meeting agendas should be considered tentative. Additional issues may be introduced during the course of the meeting.

CLOSED SESSION: Pursuant to Section 610.022 RSMo., The Board of Aldermen could, at any time during the meeting, vote to close the public meeting and move to closed session to discuss legal matters, personnel/employee matters, and/or real estate, as provided under Sections 610.021(1) RSMo., 610.021(2) RSMo., 610.021(3) RSMo.

ADA NOTICE: Residents of Ballwin are afforded an equal opportunity to participate in the programs and services of the City of Ballwin regardless of race, color, religion, sex, age, disability, familial status, national origin or political affiliation. If one requires an accommodation, please call (636) 227-8580 V or (636) 527-9200 TDD or 1-800-735-2466 (Relay Missouri) no later than 5:00 p.m. on the third business day preceding the hearing. Offices are open between 8:00 a.m. and 5:00 p.m. Monday through Friday.



BOARD OF ALDERMEN
Meeting Minutes

JANUARY 8, 2024

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 Mark Weaver
Alderman Ross Bullington
Alderman David Siegel
City Administrator Eric Sterman
City Attorney Robert Jones

Absent

The Pledge of Allegiance was recited.

MINUTES

The minutes from the December 11, 2023 Board of Aldermen meeting were submitted for approval.

A motion to approve as submitted was made by Alderman Frank Fleming and seconded by Alderman Michael Finley.

The minutes from the December 11, 2023 Board of Aldermen Closed Session meeting were submitted for approval. A motion to approve as submitted was made by Alderman Frank Fleming and seconded by Alderman Michael Finley.



BOARD OF ALDERMEN
Meeting Minutes

JANUARY 8, 2024

7:00 PM 1 GOVERNMENT CTR. BALLWIN, MO 63011

The minutes from the December 18, 2023 Board of Aldermen meeting were submitted for approval.

A motion to approve as submitted was made by Alderman Frank Fleming and seconded by Alderman Michael Finley.

The minutes from the December 18, 2023 Board of Aldermen Closed Session meeting were submitted for approval. A motion to approve as submitted was made by Alderman Frank Fleming and seconded by Alderman Michael Finley.

CITIZEN COMMENTS

Matt Conlon spoke to the Board of Aldermen about Brennan Redinger filing to run for office when he was not eligible. Conlon told the Board he was not happy spending taxpayer money to figure out that issue. He also voiced concerns that no alderman spoke up about the issue after the Post Dispatch put an article out. He noted the Office of Chief Disciplinary Counsel looked into the matter and sent a letter to the City Attorney.

Connie Oster spoke to the Board of Aldermen about the lighted crosswalk signs in front of Holy Infant. She noted she had spoken to the Board back when they were installed, and wanted them to be reinstalled/fixed at Holy Infant and Selvidge Middle School. She was concerned about the lack of pedestrian safety if those signs are not operational again.

CONSENT ITEMS

Administration – Check Signatories

Staff recommends that the Board approve the authorized signers for all City accounts as presented.

Alderman Mark Stallmann made a motion to accept staff's recommendation, and Alderman Mike Utt seconded the motion. Staff's recommendation was accepted unanimously.

Administration – Semi-Annual Revenue/Expenditure Statement

Staff recommends that the Board approve the semi-annual statement of revenues and expenditures.

Alderman Mark Stallmann made a motion to accept staff's recommendation, and Alderman Mike Utt seconded the motion. Staff's recommendation was accepted unanimously.



BOARD OF ALDERMEN
Meeting Minutes

JANUARY 8, 2024

7:00 PM 1 GOVERNMENT CTR. BALLWIN, MO 63011

Public Works – Backhoe Purchase

Staff recommends we purchase a Backhoe, from Luby Equipment (CNI industrial) using the Missouri State Bid for a total cost of \$153,815.72.

Discussion:

Alderman David Siegel questioned whether this backhoe needed to be replaced right now or if it could wait. He asked staff the reasoning behind the replacement.

Public Works Director Jim Link noted there are a lot of issues that typically come up with these backhoes over the next several years. He had budgeted for more trucks to be replaced this year, but can't get any trucks because of lack of availability, so he opted to replace the backhoe this year rather than in the next few years.

Alderman Siegel noted he had a hard time justifying getting rid of this backhoe at this time.

Alderman Kevin Roach questioned how many hours would be put on it in the next year, and Public Works Director Jim Link noted there could be several hundred hours.

Alderman Frank Fleming made a motion to accept staff's recommendation, with Alderman Ross Bullington seconding the motion. Staff's recommendation was approved, with Alderman David Siegel being the only nay.

MAYOR'S REPORT

Mayor Tim Pogue noted there was a town hall meeting about fentanyl from St. Louis County Councilman Mark Harder on January 25th that is taking place at the Ballwin Golf Course.

CITY ADMINISTRATOR'S REPORT

City Administrator Eric Sterman noted there is a Parks & Recreation Citizen Advisory Committee meeting at 5:30 on Monday, January 22, 2024 before the Board of Aldermen meeting. Pickleball courts and Vlasik Park will be discussed.

CITY ATTORNEY'S REPORT

City Attorney Bob Jones noted he followed up with the attorney in the nitrous oxide case that was discussed at last Board meeting. He has not heard back yet. He did not that there are some statutes that could come into play in banning the sale of nitrous oxide in other states, but Missouri does not have anything like that.



BOARD OF ALDERMEN
Meeting Minutes

JANUARY 8, 2024

7:00 PM 1 GOVERNMENT CTR. BALLWIN, MO 63011

STAFF REPORTS

Administration – Sewer Lateral Bid

Staff recommends accepting the bid from A&A Sewer for Sewer Lateral repair work.

Discussion:

Interim Building Commissioner Seth Pecoraro noted the sewer lateral work goes out for bid every two years. He noted that A&A Sewer, who the City has used in the past, has received several compliments. Mayor Tim Pogue also noted the same.

Alderman Mark Stallmann noted the program is necessary in Ballwin, as the aging infrastructure only gets older.

Alderman Mark Weaver questioned why the City's contractor does not take the repair all the way out to the street/sidewalk anymore. City Administrator Eric Sterman noted previously the sewer lateral repair fund had more requests than money, but the City currently has a reserve. He noted they can change the funding amount per homeowner in the future if needed.

Alderman Mark Stallmann made a motion to accept staff's recommendation with a second from Alderman David Siegel. The motion passed unanimously.

Public Works – New Ballwin Road Lighted School Crosswalk Signs

Staff is looking for direction from the Board regarding adding replacing the lighted crosswalk signs at New Ballwin.

Discussion:

Public Works Director Jim Link noted the crosswalk lights were originally set to be replaced in the New Ballwin Road project, but ended up being cut out due to costs. The lights have failed and parts are too old to be replaced, so he asked the Board what they would like to do moving forward.

Mayor Tim Pogue noted it was his preference to get us back to where we were.

The Board agreed and noted it was a busy street and pedestrian/student safety was important.

Alderman Ross Bullington asked if there could also be lighted crosswalk signs at Ferris Park as well.

Public Works Director Jim Link noted St. Louis County owns that portion of road, so we would have to work with them as to whether they would be allowed there.

Alderman Mark Stallmann made a motion to proceed with the purchase of two lighted school crosswalk signs not to exceed \$22,000 for two signs. Alderman Kevin Roach seconded the motion.

The motion was approved unanimously.



BOARD OF ALDERMEN
Meeting Minutes

JANUARY 8, 2024

7:00 PM 1 GOVERNMENT CTR. BALLWIN, MO 63011

ALDERMANIC COMMENTS

Alderman Mark Stallmann noted an email from the Missouri Municipal League highlighted a bill in the House Utilities Commission that would limit municipal control of right of way.

Alderman Mike Utt thanked Connie Oster for her comments made about the lighted crosswalk signs on New Ballwin Road.

ADJOURNMENT

A motion was made by Alderman Frank Fleming and seconded by Alderman Michael Finley to adjourn. The motion was passed by unanimous affirmative voice vote and the meeting adjourned at 7:45 p.m.

_____ TIM POGUE, MAYOR

ATTEST:

_____ MEGAN FREEMAN, CITY CLERK



Bill No. 4185

Ordinance No. _____

INTRODUCED BY

ALDERMEN UTT, FINLEY, STALLMANN, ROACH, FLEMING, WEAVER, SIEGEL, BULLINGTON

AN ORDINANCE GRANTING A SPECIAL USE EXCEPTION TO B & S EQUITIES, LLC FOR FRONT YARD PARKING AND OPERATION OF A CARWASH BUSINESS AT 14660 MANCHESTER ROAD.

WHEREAS, a petition has been received from B & S Equities, LLC, requesting the use of certain property for front yard parking and operation of a carwash business at 14660 Manchester Road; and

WHEREAS, said petition was duly referred to the Planning and Zoning Commission for its investigation and report; and

WHEREAS, due notice of a public hearing before the Planning and Zoning Commission upon said petition was published and posted according to law and ordinance; and

WHEREAS, a public hearing was held before the Planning and Zoning Commission on January 4, 2024, upon said petition; and

WHEREAS, the Planning and Zoning Commission has submitted its report recommending approval to the Board of Aldermen; and

WHEREAS, the Board of Aldermen has determined that an establishment for the purposes disclosed above, under certain conditions, would not substantially increase traffic hazards or congestion; would not adversely affect the character of the neighborhood; would not adversely affect the general welfare of the community; would not over-tax public utilities; would not adversely affect public safety and health; is consistent with good planning practice; can be operated in a manner that is not detrimental to the permitted developments and uses in the District; and can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area; and

WHEREAS, all applicable matters in Section 2 of Article XIV of Appendix A, "The Zoning Ordinance," have been adequately provided for:

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BALLWIN, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. A special use exception, subject to the conditions hereinafter specifically set forth, is hereby granted to B & S Equities, LLC, to use the premises in the City of Ballwin, Missouri, known as 14660 Manchester Road for front yard parking and operation of a carwash business in a commercial district, as is made and provided for in Article XIV of Appendix A.

Section 2. The special use exception hereby issued, and referred to in Section 1, is issued to the named permittee only and shall not be assigned or transferred, without the permission of the Board of Aldermen of the City of Ballwin.



Bill No. 4185

Ordinance No. _____

Section 3. The special use exception hereby issued and referred to in Section 1, shall be valid only if the conditions set forth in the Addendum, attached hereto as Exhibit 1 and made a part hereof, are observed by permittee.

Section 4. This Ordinance shall take effect and be in full force from and after its passage and approval.

PASSED this ____ day of _____, 2024.

TIM POGUE, MAYOR

APPROVED this ____ day of _____, 2024.

TIM POGUE, MAYOR

ATTEST: _____
ERIC STERMAN, CITY ADMINISTRATOR

EXHIBIT ONE

The permittee granted a Special Use Exception per the ordinance hereby appended to, their assignees and successors, as authorized and approved by the Board of Aldermen of the City of Ballwin, agree to abide by the following provisions, the provisions of all ordinances of the City of Ballwin, and all applicable laws of St. Louis County, the State of Missouri and of the United States of America and to require all licensees, franchisees, and lessees to similarly abide by said ordinances, laws and provisions, as appropriate to such special use exception. In addition, the following provisions, as appropriate, shall apply:

1. There is no outdoor storage, display or sale of any merchandise, equipment, vehicle, supplies or product except as may be provided and limited by this Special Use Exception or ordinance of the City of Ballwin.
2. There is no servicing, repair, cleaning, maintenance or other work on any merchandise, equipment, vehicle, materials, supplies, or product except as may be provided and limited by this Special Use Exception or ordinance of the City of Ballwin, except within a fully enclosed building which shall not include carports, porte-cocheres, accessory structures or temporary coverings and/or enclosures such as tents, tarpaulins, flies, or other similar structures.
3. Any violation of the laws, statutes, ordinances, codes, policies and regulations of the City of Ballwin, St. Louis County, the State of Missouri, or the United States of America by the permittee, its agents, servants or employees shall be cause for the revocation of the Special Use Exception hereby granted.
4. That a detailed final development plan, meeting the requirements of the Board of Aldermen and The Zoning Commission as outlined in the final staff report and public meeting minutes, shall be submitted to the Building Commissioner within thirty (30) days of passage and approval of this ordinance by the Board of Aldermen.
5. That the site, premises and/or land use described by the permittee in the application and subsequently approved by this ordinance is developed and operated in accordance with the final approved development plan and the provisions of this ordinance, and any failure to do so shall be cause for the revocation of the Special Use Exception hereby granted.
6. All new utility and other service laterals and connections on the site and/or premises, and all connections to site improvements and fixtures installed outside of a fully enclosed building shall be installed underground.
7. All sign illumination and other lighting is selected and arranged so as not to cast light upon, and/or be a nuisance, to any right-of-way or any other property.
8. The permittee and their approved assignees or successors, if any, shall preserve, maintain and care for all plantings, and landscaped and planted areas on the site and/or premises, in accordance with the landscape and site plans of this ordinance. Such maintenance, preservation and care shall include all planted and landscaped rights-of-way adjacent to the site and/or premises addressed and approved by the Special Use Exception hereby granted.
9. Trash and debris shall not be allowed to accumulate and the site/premises shall at all times be kept clean and free of all refuse, debris, leakage and recyclable material accumulation.

10. All trash dumpsters and recyclable material storage areas shall be screened with a 100% opaque screen which shall totally obscure any visibility of the dumpster and recyclables container. Such screening shall be permanent in nature and architecturally compatible with the associated development. Said enclosure and screening may not be located within any front yard and shall not interfere with driver visibility or any loading, parking or vehicular circulation.

11. Unless otherwise provided by this Special Use Exception or other ordinances of the City of Ballwin, no vehicles, equipment or property may be parked or stored on the premises for which this permit is issued except non-commercial vehicles as defined by the Ballwin Ordinances and one fully operational and licensed delivery/service vehicle per business or tenant or use operated on the premises.

12. No changes or departures from the approved final development plan may be made without the approval of the Board of Aldermen in accordance with the provisions of Article XIV, Section 3, of the Ballwin Zoning Ordinance.

13. This Special Use Exception shall terminate three months following the non-renewal of the business license for the business associated with the location for which the Exception is granted.

14. All motor vehicles shall be parked on a paved parking lot that has been paint striped to show designated parking areas.

15. Applicant shall improve the turning radius entering the carwash tunnel to better accommodate longer vehicles.



Consent Item

RE: Purchase of Jacobsen Fairway Mower

Department/Program: Parks and Recreation/ Golf Maintenance

Explanation:

The 2024 operating budget includes \$88,000 for the purchase of a fairway mower. The current fairway mower is a 2007 Toro and has been showing its age the past couple of years. The fairway mower is used four days per week during the summer months. After 17 years several repairs have been made to this unit and more repairs are needed to keep this equipment running.

The attached pricing reflects 25% off the retail price as part of the Omnia Purchasing Program contract price TurfWerks offers.

Additionally we have been quoted \$7,200 for trades. I intend on bringing the pieces of equipment that are declared as assets back to the board to be designated as surplus at a future meeting in order to process the trade in.

Recommendation:

Award a contract for the purchase of a new Jacobsen Fairway mower to TurfWerks through the Omnia Cooperative Purchasing Program. The City currently owns a Jacobsen Greens Mower and Boom Sprayer. Both pieces of equipment have been found to be very reliable.

Submitted By: Chris Conway, CPRP, Director of Parks and Recreation

Date: January 22, 2024

Equipment Quote

Customer Name	Ballwin Golf Club	Date	9/25/23
Account Number		Ship Address	333 Holloway Rd.
Contact Person	Chris Root	City, State	Ballwin, MO
Phone Number	314.607.8202	Zip Code	63011
Email Address	croot@ballwin.mo.us	Authorized Signer & Title	

Ron Exler

Omnia Government Contract

MODEL #	QTY	PRODUCT DESCRIPTION	MSRP		Omnia Contract Price 25% Off
068019-693410E	1	New Jacobsen LF570 4wd fairway mower	\$ 94,391.00		\$ 70,793.25
68127	1	Sun Canopy	\$ 1,656.00		\$ 1,242.00
67987	1	9-blade HD fairway reel	\$ 3,730.00		\$ 2,797.50
67987	1	9-blade HD fairway reel	\$ 3,730.00		\$ 2,797.50
67987	1	9-blade HD fairway reel	\$ 3,730.00		\$ 2,797.50
67987	1	9-blade HD fairway reel	\$ 3,730.00		\$ 2,797.50
67987	1	9-blade HD fairway reel	\$ 3,730.00		\$ 2,797.50
123268	1	3" grooved front roller	\$ 457.00		\$ 342.75
123268	1	3" grooved front roller	\$ 457.00		\$ 342.75
123268	1	3" grooved front roller	\$ 457.00		\$ 342.75
123268	1	3" grooved front roller	\$ 457.00		\$ 342.75
123268	1	3" grooved front roller	\$ 457.00		\$ 342.75
					\$ -
					\$ -
		1 Unit Currently Available for Spring of 2024			\$ -
		4 More to Arrive Summer of 2024			\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
			Subtotal		\$87,736.50
			Sales Tax		Exempt
Notes			TOTAL		\$87,736.50



Consent Item

Subject: Asphalt Roller Purchase

Department/Program: Public Works/Pavement

Explanation: In the 2024 budget we have, \$30,000 budgeted to replace a 2000 Wacker brand roller Model RD11A. This is our “small” roller that we use on a daily basis during the construction season. This roller is not operational and was parked for the remainder of the 2023 season. We also request scrap, sell, or dispose of this item on Govdeals.com or Purple wave auction or similar auction site. Whichever we can get a higher price for.

Recommendation: Staff recommends we purchase the Bomag model BW900-50 dual drum vibratory roller from CMW equipment through Sourcewell Bomag contract no: 03211-BAI for a total cost of \$19,375.00

Submitted By: Jim Link

Date: 1-14-2024



Staff Report

Subject: North Pointe Kiddie Pool Resurfacing

Department/Program: Parks and Recreation/ Aquatic Center

Explanation:

The surface of the kiddie pool surfacing at the aquatic center has been a problem for many years. The paint chips up leaving sharp edges which results in numerous injuries each year. Additionally the surface appears to be in disrepair regardless of the maintenance that is performed by staff. Each year, in an attempt to repair the surface, staff scrape and prepare the surface for new paint sometimes as a touch up and other times a complete repaint of the pool's surface. Unfortunately, not long after the pool opens for the season new chips and cracks form. It is unclear why this continues to happen but we suspect it is an issue with the base layers of paint that have been coating the pool surface for years.

After some research we have found that a system called thermoplastic surface coating may be the solution. The system uses thermoplastic beads made from acrylic resins that are applied pneumatically using air and propane. The beads are sprayed through a patented applicator, melting and liquefying as they pass through the nozzle, and then solidify as they hit the surface. The result is a seamless, durable finish that is resistant to chemicals, UV rays, rusting, fading and corrosion. The finish will be non-porous, and chip resistant with a high elastic memory. This coating should last ten years. Currently The City budgets to repaint the pool every two seasons.

Recommendation:

I recommend awarding a contract to AAD Eco Cleaning and Restoration LLC for existing coating removal down to bare concrete and application of the thermoplastic surface coating. Total cost is \$29,757. The City has budgeted \$30,000 in its 2024 operating budget for this service. We were unable to bid this out as AAD Eco Cleaning and Restoration LLC is the only company in St. Louis that is licensed by the manufacturer (U-Coat Technologies) to perform this service.

Submitted By: Chris Conway, CPRP, Director of Parks and Recreation

Date: January 22, 2024



Staff Report

Subject: 2-Ton Truck Bed/Skid Hook Lift

Department/Program: Public Works/Support

Explanation: In the 2024 budget, staff budgeted \$20,000 for 4- Hook lift skids for the 2-ton Hooklift loader trucks.

Staff is recommending the purchase of four Hook lift skids at \$4958.80 each for a total of \$19,835.20. The skids will be developed into temporary leaf boxes, salt brine tanks and flat beds. This will allow us to quickly change from construction to leaf collection to snow preparation in several minutes whereas it used to take us several hours to remove a leaf box and place a salt spreader or brine tank or to simply use the dump bed. This also gives us multi uses for the trucks instead of purchasing trucks that only have one function.

These items are not on State bid, but Woody's municipal supply built these trucks and are the dealer for the hook lift system that we already purchased.

Recommendation: Staff recommends we purchase the four 2-ton Hook lift skids for \$19,835.20 from Woody's Municipal Supply.

Submitted by: Jim Link

Date: 1-16-2024

Date: 1-8-24**INFORMAL PRICE QUOTATION**

Vendor Number*	Vendor	Qty	Unit Cost	Net Cost	Delivery Cost	Total Cost	Delivery Date
1.	Woody's Municipal Supply	4	\$4958.80	\$19,835.20		\$19,835.20	NA
2.							
3.							
4.							

* Additional Vendors listed on separate sheet

Recommended Vendor: Woody's Municipal Supply

Item Description
Blank skids for hooklift trucks(4)

Account Number: 01-02-28-222999


Department Head

City Administrator

Comments: Vendor specificPrepared by: Robert Farek

Woody's Municipal Supply Co.

"Leading the way in municipal sales and service"

PO Box 432 Office: 618-656-5404
Edwardsville, IL 62025 Fax: 618-656-6105
www.WoodysMunicipal.com

QUOTE - DO NOT PAY

Section 11, Item b.

Quote: 01-2276
Date: 1/6/2024

PO:
CustId: BALLWIN MO.

Cust Email:
Phone: (636) 227-8580
Salesperson: CGoclan
User: TMoore

Bill To:

Ballwin, MO., City of
1 Government Center
Ballwin, MO 63011

Ship To:

Ballwin, MO., City of

Item	Type	Description	Qty	Tax	Price	Discount	Net Price
HLSUB 5411	QU	Hiab HLSUB 5411	4.0000		\$4,958.80		
		Bod - Body Subframe 11' @ 54" Hook Height					
		8x10 Ground Rollers: 2					
		Roller Assembly:					
		Total HLSUB 5411					\$19,835.20
Total:							\$19,835.20

Totals

Sub Total: \$19,835.20
Total Tax: \$0.00
Invoice Total: \$19,835.20

Quote good for 30 days