

## **AGENDA**

- 1. Call to Order**
- 2. Roll Call**
- 3. Pledge of Allegiance**
- 4. Approval of Minutes**
  - a. Minutes of the March 10, 2025 Board of Aldermen Meeting
  - b. Minutes of the March 10, 2025 Board of Aldermen Closed Session Meeting
- 5. Citizen Comments**
- 6. Legislation**
  - a. Bill 5016 – Zero Property Tax Rate
- 7. Consent Items**
  - a. Parks & Recreation – 2025 Fitness Equipment Purchase
- 8. Mayor’s Report**
- 9. City Administrator’s Report**
- 10. City Attorney’s Report**
- 11. Aldermanic Comments**
- 12. Closed Session**
  - a. Pursuant to Section 610.022 RSMo., the Board may vote to move to closed session to discuss legal matters under Section 610.021 (1).
- 13. 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**

MARCH 10, 2025

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

Absent

- Mayor Tim Pogue
- Alderman Mike Utt
- Alderman Michael Finley
- Alderman Pamela Haug
- Alderman Mark Stallmann
- Alderman Frank Fleming
- Alderman Mark Weaver via Videoconference
- Alderman David Siegel
- Alderman Jim Lehmkuhl
- City Administrator Eric Sterman
- City Attorney Robert Jones

The Pledge of Allegiance was recited.

**MINUTES**

The minutes from the February 24, 2025 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 Finely. A voice vote was taken with unanimous affirmative result and the motion passed.



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**CITIZEN COMMENTS**

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Elise Stansberg of 743 Woodside Trail Drive spoke to the Board in support of a community garden somewhere in Ballwin.

**LEGISLATION**

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**Bill 5014-** AN ORDINANCE GRANTING A SPECIAL USE EXCEPTION TO SG MF ROCKWOOD INVESTORS LLC FOR CARAVEL AUTISM HEALTH FOR FRONT YARD PARKING AND OPERATION OF A NURSERY, PRE-KINDERGARTEN AND DAY CARE/PLAY SCHOOL AT 256 STEAMBOAT LANE.

A motion was made by Alderman Frank Fleming and seconded by Alderman Michael Finley for a first reading of Bill 5014, title only. A voice vote was taken with unanimous affirmative result and the motion passed. Alderman Fleming read Bill 5014, title only.

*Discussion:*

Alderman David Siegel noted the Planning & Zoning Commission was three members short, and the vote in favor of this petition was not unanimous. Representatives from Rockwood Investors LLC and the property manager were there. They noted there were 34 total spots for staff and parents and they would notify the residents of Madison Rockwood that they could not park in those spots.

A motion was made by Alderman Frank Fleming and seconded by Alderman Michael Finley for a second reading of Bill 5014, title only. A voice vote was taken with unanimous affirmative result and the motion passed. Alderman Fleming read Bill 5014, title only.

Mayor Tim Pogue read the conditions for a Special Use Exception.

A roll call vote was taken for passage and approval of Bill 5014 with the following results:

Aye: Aldermen Utt, Finley, Haug, Stallmann, Fleming, Weaver, Lehmkuhl

Nay: Alderman Siegel

Bill No. 5014 was approved and became Ordinance No. 25-04.

**Bill 5015-** AN ORDINANCE GRANTING A SPECIAL USE EXCEPTION TO JORGE J. FLORES FOR INCA MAYA RESTAURANT, FOR OPERATION OF A RESTAURANT WITH OUTSIDE SEATING, SALE OF ALCOHOLIC BEVERAGES, LIVE MUSIC AND FRONT YARD PARKING.



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A motion was made by Alderman Mark Stallmann and seconded by Alderman Frank Fleming for a first reading of Bill 5015, title only. A voice vote was taken with unanimous affirmative result and the motion passed. Alderman Stallmann read Bill 5015, title only.

*Discussion:*

Mayor Tim Pogue noted there was a positive recommendation from the Planning & Zoning Commission. Alderman David Siegel noted everyone on the Commission was excited about this restaurant.

A motion was made by Alderman Mark Stallmann and seconded by Alderman Frank Fleming for a second reading of Bill 5015, title only. A voice vote was taken with unanimous affirmative result and the motion passed. Alderman Stallmann read Bill 5015.

Mayor Tim Pogue read the conditions for a Special Use Exception.

A roll call vote was taken for passage and approval of Bill 5015 with the following results:

Aye: Aldermen Utt, Finley, Haug, Stallmann, Fleming, Weaver, Siegel, Lehmkuhl

Nay: None

Bill No. 5015 was approved and became Ordinance No. 25-05.

## **CONSENT ITEMS**

### **Administration – SUE Transfer 14942 Manchester Road – Telle Tire**

*Staff recommends approval of this Special Use Exception Transfer with the standard Special Use Exception conditions, along with the conditions specified in Ordinance 2026 and outlined in this Consent Item.*

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

### **Parks & Recreation – Parking Lot and Path Sealing Bid Award**

*Staff recommends awarding the contract for asphalt sealing to the low bidder, E. Meier Contracting in the amount of \$37,570.80. We have used E. Meier on past projects with no issues.*

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



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**Public Works – Portland Cement Bid Award**

*Staff recommends awarding this contract at the unit bid price to the low bidder, Buzzi Unicem USA.*

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

**Public Works – Ready Mix Concrete Bid Award**

*Staff recommends awarding this contract at the Unit bid price for the two types of concrete, including the alternate bids, to Valley Material Company.*

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

**Public Works –Crushed Rock & Stone Bid Award**

*Staff recommends awarding this unit price contract to Central Stone including all the alternate bids.*

*Discussion:*

Alderman David Siegel asked Public Works Director Jim Link whether the City uses seagravel in patching. Public Works Director Link noted they do but there was no sea gravel bid.

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

**Public Works –Trailer Purchase Bid Award**

*Staff recommends accepting the proposal to purchase a Trailer from Vermeer in Chesterfield, Missouri not to exceed \$18,679.41.*

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

**Public Works –Surplus Vehicle Disposal**

*Staff recommends auctioning or selling City vehicle listed above with an Auction service or Scrap Yard.*

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



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**MAYOR’S REPORT**

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Mayor Tim Pogue nominated Olivia Pieknik to the Board of Adjustment. Alderman Mark Stallmann made a motion to approve, seconded by Alderman Mike Utt. A voice vote was taken with unanimous affirmative result and the motion passed.

Mayor Pogue noted County Councilman Mark Harder is holding two town halls at the Ballwin Golf Course & Event Center, one on March 19th at 6:30 p.m. and one on Wednesday April 2nd at 6:30 p.m.

Mayor Pogue also noted there is a meeting about the proposed City/County merger on Friday at UMSL.

**CITY ADMINISTRATOR’S REPORT**

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None.

**CITY ATTORNEY’S REPORT**

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None.

**STAFF REPORTS**

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**Parks & Recreation – North Pointe Concession Food Bid Award**

*Staff recommends awarding bid to Martin Brothers. After a thorough item-by-item evaluation, Martin Bros. consistently offers better pricing. Additionally, the City has worked with Martin Brothers for the past several years without any issues, making them a reliable choice.*

*Discussion:*

Parks & Recreation Director Chris Conway noted invitations to bid were sent to three local vendors and two bids were received.

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

**Parks & Recreation – Tennis Courts Repair Bid Award**

*Staff recommends awarding contract to McConnell & Associates for the repairs to the tennis courts in the amount of \$34,860.*

*Discussion:*

Parks & Recreation Director Chris Conway noted the budget for repairs to the courts is \$60,000. There were only two bids received.

Alderman David Siegel asked how many pickleball courts will be placed on the tennis courts.



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Parks & Recreation Director Conway noted there will be two pickleball courts placed on one tennis court and the City will be making the basketball courts permanent.

Alderman Siegel asked about whether there could be a potential sand volleyball conversion to pickleball courts in the future and would like to see the numbers of use this summer.

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

**Public Works – Hot Mix Asphalt Bid Award**

*Staff recommends awarding the unit price contract to the both bidders, New Frontier and Simpson Materials, and to accept alternate bid #1 and #2.*

*Discussion:*

Public Works Director Jim Link noted there were only two bids this year. He recommended awarding the bid to both companies like the City did last year.

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

**Public Works – Ready Mix Sand Bid Award**

*Staff recommends awarding this contract at the unit bid price to low bidder Central Stone company.*

*Discussion:*

Public Works Director Jim Link noted this sand will be used for sandbags and cement production.

Alderman David Siegel noted in the future he'd like to see bids from farther out to see if there is a better price.

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

**Public Works – Curb and Concrete Slab Replacement Bid Award**

*Staff recommends awarding this unit price contract to the second low bidder, Kelpo Contracting Inc. not to exceed \$1,624,956.00.*

*Discussion:*

Public Works Director Jim Link noted he was recommending not choosing the low bidder. It is a new company that has not been around very long and the City of Wildwood and Chesterfield noted they were slow to respond.

He is recommending awarding the bid to the second lowest bidder, Kelpo.

Alderman Michael Finley noted Kelpo has done work with the City for years.



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Public Works Director Link noted there were two closed OSHA violations.

Mayor Tim Pogue noted this was the reason the City does not always choose the lowest, but always chooses the best bid.

Alderman David Siegel noted he wants to make sure employees are inspecting the grade. Public Works Director Link noted he will have two employees checking on the work of Kelpe.

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

**Public Works – Street Sweeping Bid Award**

*Staff recommends awarding the contract to the only bidder, SCA of Missouri, LLC (formerly Contractors and Municipal Sweeping Service Inc.)*

*Discussion:*

Public Works Director Jim Link noted there was only one bid and it was over budget. The City has used SCA of Missouri before. He also noted that MSD requires four sweeps yearly.

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

**Public Works – Street Striping Bid Award**

*Staff recommends awarding the unit price contract to America's Parking Remarketing for \$28,814.94. We have used this company for several years for this project.*

*Discussion:*

Public Works Director Jim Link noted there were two bids. He's recommending America's Parking Remarketing. Alderman David Siegel noted he believes this company did a terrible job last year.

Public Works Director Link noted his staff will be following this company while painting to make sure it's done properly. He also noted the City does stop bars and arrows in house.

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





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**ALDERMANIC COMMENTS**

Alderman Mike Utt noted he saw someone ask whether there was going to be a Town Hall with the candidates in Ward 2.

City Administrator Eric Sterman noted that was not something the City has historically done. It is usually done by a third party. The City could potentially provide space for the Town Hall.

City Attorney Bob Jones also noted the City should not initiate a Town Hall.

Alderman Michael Finley noted he received a voicemail from someone regarding the bathrooms not being open at Vlasis Park. City Administrator Sterman noted the playgrounds are incredibly popular due to the warm weather. He also noted the City cannot begin to winterize the bathrooms yet due to the potential for a winter freeze. He also noted the City will be adding a portapotty in Vlasis Park until the bathrooms can be opened for the season.

Alderman Mark Stallmann asked when a ribbon cutting will be held for Vlasis Park.

City Administrator Sterman noted it will most likely be mid-April.

Alderman Mark Stallmann noted he is going to the Town Hall for the City/County merger bill at UMSL.

**CLOSED SESSION**

A motion was made by Alderman Mike Utt and seconded by Alderman Michael Finley to move to closed session pursuant to Section 610.022 RSMo. (1) and (3).

A roll call vote was taken on the move to closed session with the following results:

Aye: Aldermen Utt, Finley, Haug, Stallmann, Fleming, Weaver, Siegel, Lehmkuhl

Nay: None

The meeting moved to closed session at 7:39 p.m.

**ADJOURNMENT**

When the Board returned to the chambers, Alderman Frank Fleming moved to reconvene in open session. The motion was seconded by Alderman Mike Utt and passed by a unanimous voice vote at 9:07 p.m.

A motion was made by Alderman Frank Fleming and seconded by Alderman Mike Utt to adjourn. The motion was passed by unanimous affirmative voice vote and the meeting adjourned at 9:08 p.m.

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

ATTEST:

\_\_\_\_\_ MEGAN FREEMAN, CITY CLERK



Bill No. 5010

Ordinance No. \_\_\_\_\_

INTRODUCED BY

ALDERMEN UTT, FINLEY, HAUG, STALLMANN, FLEMING, WEAVER, SIEGEL, LEHMKUHL

AN ORDINANCE SETTING THE REAL ESTATE TAX RATE OF ZERO (0%) PERCENT IN THE CITY OF BALLWIN FOR THE FISCAL PERIOD BEGINNING JANUARY 1, 2025 AND ENDING DECEMBER 31, 2025.

WHEREAS, the voters of the City of Ballwin previously authorized a tax upon real estate located in the City of Ballwin. The City is authorized under the state law of the State of Missouri to collect real estate taxes at the tax rate of 27 cents per one hundred dollars of assessed valuation on real estate within the City of Ballwin; and

WHEREAS, each year, the Board of Aldermen must set the tax rate in order to notify the Collector of Revenue of St. Louis County of the rate in order to provide for collection and remittance of the same.

WHEREAS, the City of Ballwin has maintained a 0% property tax for the last 38 years, WHEREAS, by consistently imposing a 0% property tax for nearly four decades, the City of Ballwin is in the minority of municipalities in St. Louis County to do so,

WHEREAS, the residents and taxpayers of the City of Ballwin are satisfied with the level of services provided,

WHEREAS, the residents and taxpayers of the City of Ballwin do not seek higher taxes, and

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

Section 1. The City of Ballwin hereby determines that the rate for a tax upon real estate located in the City of Ballwin for the year 2025 shall be zero (0%) percent.

Section 2. All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict repealed.

Section 3. This Ordinance shall take effect and be in full force from and after its passage and approval.

PASSED this \_\_\_\_ day of \_\_\_\_\_, 2025.

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

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2025.

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

ATTEST: \_\_\_\_\_  
*ERIC STERMAN, CITY ADMINISTRATOR*



## Consent Item

**RE:** 2025 Pointe Fitness Equipment Purchase

**Department/Program:** Parks & Recreation/Parks

**Explanation:**

The 2025 budget includes \$42,000 to replace four Adaptive Motion Trainers (AMT) open stride crosstrainers. After careful consideration staff found it necessary to only purchase two AMTs in order to purchase a configurable functional training solution (cable crossover machine, lat pull down and seated row) to replace two current pieces of equipment that are 20 and 25 years old. Parts for those machines are no longer available from the manufacturer. Any replacement parts would need to be fabricated or searched on the secondary market. Quotes from local vendors were provided through the Sourcewell cooperative purchasing program and are under budget and include delivery and installation.

The existing cross trainer will be sold for \$400 and the two AMTs will be traded in for a credit of \$400 each.

**Recommendation:** Approve purchase for a Life Fitness functional trainer for \$22,264.23 from Advance Exercise and two AMTs for \$18,484 (includes credit for trade in of \$800 for the two existing AMTs) from Push Pedal Pull totaling \$40,748.23.

**Submitted By:** Chris Conway, CPRP, Director of Parks & Recreation

**Date:** March 24, 2025