



**BOARD OF ALDERMAN REGULAR MEETING**  
**1 GOVERNMENT CTR, BALLWIN, MO 63011**  
**MONDAY, OCTOBER 13, 2025 at 7:00 PM**

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**AGENDA**

- 1. Call to Order**
- 2. Roll Call**
- 3. Pledge of Allegiance**
- 4. Approval of Minutes**
  - [a.](#) Minutes of the September 22, 2025 Board of Aldermen Meeting
  - [b.](#) Minutes of the September 22, 2025 Board of Aldermen Budget Workshop
- 5. Citizen Comments**
- 6. Legislation**
  - [a.](#) Bill 5033 – Shibam Coffee SUE
- 7. Consent Items**
  - [a.](#) Administration – Spice Mantra Liquor License
- 8. Mayor’s Report**
- 9. City Administrator’s Report**
- 10. City Attorney’s Report**
- 11. Staff Reports**
  - [a.](#) Administration – Proposed Revisions to Street Tree Trimming Ordinance
  - [b.](#) Parks & Recreation – Proposed Revisions to Park Fees
- 12. Aldermanic Comments**
- 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**

SEPTEMBER 22, 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 Stallmann at 7:16 p.m.

**ROLL CALL**

Present

Mayor Mark R. Stallmann  
Alderman Michael Finley  
Alderman Janet Rodriguez Judd  
Alderman Pamela Haug  
Alderman Tequila Gray via videoconference  
Alderman Frank Fleming  
Alderman Mark Weaver  
Alderman David Siegel  
Alderman Jim Lehmkuhl  
City Administrator Eric Sterman  
City Attorney Kyle Cronin

Absent

The Pledge of Allegiance was recited.

**MINUTES**

The minutes from the September 8, 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 Finley. A voice vote was taken with unanimous affirmative result and the motion passed.

The minutes from the August 11, 2025 Board of Aldermen Public Works Committee Meeting were submitted for approval. A motion to approve as submitted was made by Alderman Frank Fleming and seconded by Alderman Michael Finley. A voice vote was taken with unanimous affirmative result and the motion passed.



**BOARD OF ALDERMEN**  
**Meeting Minutes**

SEPTEMBER 22, 2025

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

**CITIZEN COMMENTS**

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None.

**LEGISLATION**

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**Bill 5031 - AN ORDINANCE AMENDING SECTION 2-294 OF THE MUNICIPAL CODE OF THE CITY OF BALLWIN REGARDING PUBLIC RECORDS AND VOTES.**

A motion was made by Alderman Frank Fleming and seconded by Alderman Michael Finley for a first reading of Bill 5031, title only. A voice vote was taken with unanimous affirmative result and the motion passed. Alderman Frank Fleming read Bill 5031, title only.

*Discussion:*

Mayor Mark Stallmann noted this bill was the recommendation of the City Attorney due to state law changes. City Attorney Kyle Cronin noted this brings the City's sunshine law into alignment with changes to state code.

A motion was made by Alderman Frank Fleming and seconded by Alderman Michael Finley for a second reading of Bill 5031, title only. A voice vote was taken with unanimous affirmative result and the motion passed. Alderman Frank Fleming read Bill 5031, title only.

A roll call vote was taken for passage and approval of Bill 5031 with the following results:

Aye: Aldermen Judd, Finley, Gray, Haug, Fleming, Weaver, Siegel, Lehmkuhl

Nay: None

Bill No. 5031 was approved and became Ordinance No. 25-21.

**Bill 5032 - AN ORDINANCE ADOPTING A NEW SECTION 17-26 OF THE MUNICIPAL CODE OF THE CITY OF BALLWIN TO CREATE THE OFFENSE OF INTERFERENCE WITH A FIRST RESPONDER.**

A motion was made by Alderman Frank Fleming and seconded by Alderman Michael Finley for a first reading of Bill 5032, title only. A voice vote was taken with unanimous affirmative result and the motion passed. Alderman Frank Fleming read Bill 5032, title only.

*Discussion:*

Mayor Mark Stallmann noted this was also an ordinance recommendation from the City Attorney. City Attorney Kyle Cronin noted the City has a current law in place but this expands that law to match changes made to state code.



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A motion was made by Alderman Frank Fleming and seconded by Alderman Michael Finley for a second reading of Bill 5032, title only. A voice vote was taken with unanimous affirmative result and the motion passed. Alderman Frank Fleming read Bill 5032, title only.

A roll call vote was taken for passage and approval of Bill 5032 with the following results:

Aye: Aldermen Judd, Finley, Gray, Haug, Fleming, Weaver, Siegel, Lehmkuhl

Nay: None

Bill No. 5032 was approved and became Ordinance No. 25-22.

## **CONSENT ITEMS**

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### **Public Works – Temporary Labor for Leaf Collection**

*Staff recommends awarding the contract for temporary laborers for a six week period to Westside Personnel.*

#### *Discussion:*

Alderman David Siegel asked whether the Public Works Department had considered moving the leaf collection up due to leaves already falling.

Public Works Director Jim Link noted the City starts usually the same week of the year and it would take crews up to two weeks to change over all the equipment to leaf collection.

Alderman Siegel suggested, if possible, could staff move it up a week or so.

Public Works Director Link noted he and his staff would do the best they could to move it up if possible.

Alderman Janet Judd noted she was okay with the status quo and didn't see a need to move leaf collection up.

A motion was made by Alderman Frank Fleming and seconded by Alderman Michael Finley 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 Mark Stallmann noted he and City Administrator, Eric Sterman, went to the MML Conference recently. He noted the grocery sales tax elimination bill was one of the largest issues discussed. He also noted the funds for Vlasik Park weren't successful in the state budget this year, but hopes it can be in the future.

Mayor Stallmann also brought up a proposed City Ordinance that would allow residents to trim the trees in the right of way owned by the City. He also asked whether there would be liability issues facing residents.



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City Attorney Kyle Cronin noted he didn't think there would be any changes in liability, both the homeowner and the City are responsible. There would be a requirement for homeowners to do the maintenance in a responsible manner.

City Administrator Eric Sterman noted very few of the City's insurance claims are due to trees, and there most likely would be fewer insurance claims with homeowners being responsible for maintenance as the limbs would be less likely to fall.

He noted the goal of the bill would be allowing, encouraging and requiring residents to trim trees to a certain standard. It would also allow residents to trim to where they like, within limits. Dead trees would still be the City's focus.

Alderman David Siegel noted the overall goal of the bill is to help Public Works Director Jim Link tackle these issues.

Alderman Frank Fleming noted when discussions first started regarding this bill, the goal was to allow homeowners to trim when they wanted to. But he noted the current proposal transfers all responsibility for upkeep to the homeowners and didn't believe this bill would be very popular, essentially forcing homeowners to take care of the City's trees. He noted he wanted residents to have an opportunity to weigh in on this bill.

Aldermen Michael Finley and Tequila Gray noted they agreed with Alderman Fleming.

Alderman Fleming noted he wanted to see the City Attorney draft the bill and allow for the public to comment after a presentation.

City Administrator Sterman noted the City will put it together in a Staff Report with a draft bill for discussion. Right now, residents call in work orders for tree trimming and it goes to the bottom of the list because the City is prioritizing dead trees. That means the City may not get to it for several years.

Alderman Mark Weaver asked if the City could put in the bill that we're allowing homeowners to trim their own trees in the right of way and can still ask the City to do it, but it may be several years before they're taken care of.

Alderman Frank Fleming noted the City currently requires homeowners to shovel sidewalks but we don't ticket for it.

Alderman Janet Judd asked whether it made a difference who planted the tree, and City Administrator Sterman noted the City does not generally plant new trees in the right of way, but encourages homeowners to do so. He noted the City could create a new bill that's softer in language. He noted he didn't want this to be a burden on the homeowners or the City either. He noted that could include wording that the City will trim branches but it will be a lower priority and residents can trim the trees on their own if they want.

Mayor Stallmann also commended Parks & Recreation Director Chris Conway because the Pointe was packed with people and birthday parties over the weekend.

Alderman Michael Finley asked if there was a consensus of Mayors across the state that were concerned about the impact of the grocery sales tax bill. Mayor Stallmann said yes and noted no mayor was in favor of it.



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**CITY ADMINISTRATOR'S REPORT**

None.

**CITY ATTORNEY'S REPORT**

None.

**STAFF REPORTS**

**Administration – Public Works Fiber Installation Bid**

*Staff recommends the Board award the contract for fiber installation for the new Public Works facility to NetCom Inc.*

*Discussion:*

IT Director Paula Reeds noted this bid is for laying fiber for the new Public Works project. The RFP was published and there were 18 inquiries, but only one bid. That bid was under budget.

Alderman David Siegel noted this project is one of the specialty areas of construction and wasn't surprised there were so few bids.

Alderman Frank Fleming asked about a time frame for completion. City Administrator Eric Sterman noted there is a January 9th completion date for the entire project.

A motion was made by Alderman Frank Fleming 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 – Leaf Collection by Contractor**

*Staff recommends awarding the contract for leaf collection for the Meadowbrook Country Club and Claymont subdivision to West County Landscaping.*

*Discussion:*

Public Works Director Jim Link noted this bid is for supplementing leaf collection with a contractor. Only one contractor bid on the project. He also noted this will most likely be the last year we ask for outside contractors for leaf collection. Alderman Frank Fleming asked if the contractor was flexible enough that if the City starts collecting leaves early if they could as well. Public Works Director Link noted yes.

City Administrator Sterman added that even though the contract says it's for these two neighborhoods, they are not getting special treatment and the contractors can work in any part of the City, it's just easier to divide up this way for bidding purposes.

A motion was made by Alderman David Siegel and seconded by Alderman Michael Finley 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 Tequila Gray thanked City staff for making sure she has secure links for these meetings to attend virtually. She also raised a concern about the old Hobby Lobby parking lot and asked about eminent domain. City Administrator Eric Sterman noted there are two properties in question, the old Hobby Lobby building and the red awning building. He also noted the car wash that was proposed for the red awning building fell through. He noted both properties have been cited multiple times and have gone through the municipal court system. Bare minimum changes are made to come into compliance. He noted the nuisance building process is typically for homes, but there is a process but it is not typically done for maintenance issues. He did note the owner of the old Hobby Lobby property did complain about the Aldi, but the City does not have administrative warrant authority.

Alderman Gray asked about the parking lot and whether we should just keep fining him if he doesn't care. City Administrator Sterman noted the judge sets the fine and we do have citation authority for the parking lot maintenance but there is a statutory cap. He noted the City does try to have them fix it, they do the bare minimum, and then eventually get cited again. He noted the City does hear from citizens about those properties. He also noted there is nothing currently in the works for the red awning building since the car wash fell through. Alderman Mark Weaver if the City could come in and fix it and then give the property owner a bill. City Attorney Kyle Cronin noted that's not possible from a legal standpoint.

Alderman Michael Finley noted Aldi has a unique easement on their property, noting it includes the view of Manchester Road. He also wanted to recognize an unsung Ballwin hero at the American Legion Lodge 611. Greg Soaib has been a coach for 39 years a BAA and has been recognized for his longtime coaching and elected into the American Legion Hall of Fame. He wondered if the City could recognize him here with a proclamation. Alderman Mark Stallmann thanked City staff for having the property owners fix the lights at Gordon Plaza.

**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 8:20 p.m.

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MARK R. STALLMANN, MAYOR

ATTEST:

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



WORKSHOP  
Meeting Minutes

SEPTEMBER 22, 2025

6:00 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 Mark Stallmann at 6:00 p.m.

ROLL CALL

Board Members Present

Alderman Janet Rodriguez Judd  
Alderman Michael Finley  
Alderman Pamela Haug  
Alderman Tequila Gray via videoconference  
Alderman Frank Fleming  
Alderman Mark Weaver  
Alderman David Siegel  
Alderman Jim Lehmkuhl  
Mayor Mark R. Stallmann

Absent

Staff Present:

City Administrator Eric Serman  
Public Works Director Jim Link  
City Finance Officer Denise Keller  
Parks & Recreation Director Chris Conway

AGENDA

**Employee Compensation**

City Finance Officer Denise Keller spoke to the Board regarding Employee Compensation. City Administrator Eric Serman noted the Collective Bargaining Agreement for the Police Union is up in September and there's a potential for raises on September 1st. He also noted sales tax is down 10 percent.





WORKSHOP  
Meeting Minutes

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**Capital Fund**

City Finance Officer Keller noted the capital projects over \$250,000 are in the budget. Parks & Recreation Director Chris Conway noted there will be grant applications in October to cover things at the Pointe.

**Special Revenue Funds**

City Finance Officer Keller noted there are several different sources of Special Revenue Funds for the City including TDD, Sewer Lateral Fund, Federal Asset Seizure Fund, P.O.S.T. Fund, etc.

**Revenues and General Fund**

City Finance Officer Keller noted there are several sources of revenue for the general fund for the City, including sales tax revenue, motor vehicle fees, county road tax, business license fees, permits and others.

**Parks & Recreation Revenues**

Parks & Recreation Director Chris Conway noted the City is proposing a one dollar increase on Resident & Non-Resident rates due to rising costs, and notes we will still be competitive on rates. He also noted the City is looking at placing a 15 percent increase on fees. The City is also working on changing the Pointe membership rates and will bring that to the Board at a later date.

The meeting adjourned at 7:11 p.m.

\_\_\_\_\_  
MARK R. STALLMANN, MAYOR

ATTEST:

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



Bill No. 5033

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

INTRODUCED BY

ALDERMEN FINLEY, JUDD, HAUG, GRAY, FLEMING, WEAVER, SIEGEL, LEHMKUHL

---

AN ORDINANCE GRANTING A SPECIAL USE EXCEPTION TO SHIBAM MO INC FOR SHIBAM COFFEE FOR THE OPERATION OF A RESTAURANT WITH FRONT YARD PARKING.

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**WHEREAS**, a petition has been received from SHIBAM MO INC for Shibam Coffee, requesting the use of certain property at 15256 Manchester Road for operation of a restaurant with front yard parking; 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 October 6, 2025, 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 SHIBAM MO INC for Shibam Coffee, to use the premises in the



**Bill No.** 5033  
**Ordinance No.** \_\_\_\_\_

City of Ballwin, Missouri, known as 15256 Manchester Road, Ballwin, Missouri 63011 for operation of a restaurant with front yard parking in the C-1 Commercial District, as is made and provided for in Article IX 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.

**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 pursuant to law.

**PASSED** this 13th day of October, 2025.

\_\_\_\_\_  
*MARK R. STALLMANN, MAYOR*

**APPROVED** this 13th day of October, 2025.

\_\_\_\_\_  
*MARK R. STALLMANN, MAYOR*

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

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## 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. No food or beverage of any kind is delivered outside of a building shown on the accompanying site plan by the permittee, its agents, servants or employees except for purposes of off-site delivery.

4. No food or beverage of any kind is served or dispensed to persons inside of automobiles or other vehicles by the permittee, its agents, servants or employees except from a drive-through window and/or designated waiting spaces specified on the accompanying site plan. Under no circumstances is drive-in curb service permitted.

5. 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.

6. 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.

7. 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.

8. 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.

9. The permittee and their approved assignees or successors, if any, shall preserve,



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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.

10. 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.

11. 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.

12. 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.

13. 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.

14. 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.



## **Consent Item**

**RE:** Spice Mantra Liquor License

**Department/Program:** Administration

**Explanation:**

Spice Mantra recently opened their restaurant at 15307 Manchester Road. They are seeking a Full Liquor License seven days a week.

**Recommendation:** Staff recommends Board approval for Spice Mantra's liquor license.

**Submitted By:** Megan Freeman

**Date:** October 13, 2025



## **Staff Report**

**Subject:** Proposed Revisions to Tree Trimming Ordinance

**Department/Program:** Administration/Public Works

**Explanation:**

At a recent meeting of the Public Works Aldermanic Committee, there was a discussion regarding trimming of City owned street trees. Street tree maintenance is an area where historically the City had not spent a significant amount of resources. In recent years, largely due to the damage caused by the Emerald Ash Borer, the City has allocated significantly more resources towards street tree pruning and removal. Despite these efforts, due to the large volume of trees that have needed to be removed, and the pruning needs of thousands of mature trees, City crews have not always been able to keep up with the volume of requests. While the City has allocated for additional staffing specifically to help with tree work orders, staffing shortages since the Covid pandemic have meant these positions have largely been unfilled.

The City began contracting out some dead tree removals this year, supplementing our City crews. However, we often get requests for tree trimming/pruning, which are placed at a lower priority than other more immediate risks such as dead trees, potholes, or sidewalks in disrepair. This has led some residents to become frustrated by the long wait to have some trees pruned. Furthermore, our City code is not clear and in some places states that residents are not allowed to trim street trees themselves, further adding to the frustration.

This topic was discussed at a recent Public Works Aldermanic Committee meeting as well as a recent Board of Aldermen meeting. At those meetings it was discussed that the City's code should be amended to allow or even encourage residents to prune their own street trees if they wish, as long as they follow good arboricultural standards. Further, the code would be amended to reflect that the City would still retain responsibility for pruning street trees, but the work will be done as time and resources allow, which could lead to longer lead times due to other priorities. The Board did have some discussion about requiring homeowners to prune street trees and no longer having City crews take that responsibility, but they decided not to pursue such a significant change at this time.

In your packet is a draft ordinance reflecting the changes to the street tree ordinance as discussed. This is not up for a vote at this meeting; rather, it is for discussion purposes and the Board can decide if they wish to vote on it at a future meeting.

**Recommendation:**

Consider the draft amended street tree ordinance and determine if it should be placed on a future agenda for a vote.

**Submitted By:** Eric Sterman

**Date:** 10/6/2025



Bill No. \_\_\_\_\_

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

## INTRODUCED BY

ALDERMEN FINLEY, JUDD, HAUG, GRAY, FLEMING, WEAVER, SIEGEL, LEHMKUHL

AN ORDINANCE AMENDING SECTION 29-1 OF THE MUNICIPAL CODE OF THE CITY OF BALLWIN PERTAINING TO STREET TREES.

**WHEREAS**, the City of Ballwin wishes to clarify and make certain changes to its ordinance pertaining to street trees, including a change which would permit but not require a property owner or occupant of a property to prune and maintain trees which are located within a City right-of-way.

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

**Section 1:** Chapter 29, Sec. 29-1 is hereby amended to read as follows:

**CHAPTER 29 – WEEDS, VEGETATION, AND OTHER NUISANCES**

**SEC. 29-1. - WEEDS AND DEBRIS TO BE REMOVED.**

- (a) Any parcel or contiguous parcels of land outside of an enclosed building, or areas visible within a carport, gazebo, porch or other structure (the interior of which is visible from the outside) shall be declared a public nuisance if it has the presence of, vegetation cuttings, dead vegetation, cut and/or fallen trees and shrubs, overgrown vegetation, invasive plants and noxious weeds which are six inches or more in height; refuse; lumber or other construction materials not piled or stacked 12 inches off the ground; broken concrete, rocks or bricks; metal; parts of vehicles or machinery; construction machinery or equipment; broken, non-useable or non-functional furniture, appliances and equipment; any flammable material which may endanger public safety, drainage devices or pipes that daylight in the public right-of-way (or within ten feet thereof unless the discharge can safely be absorbed or directed away from sidewalks and public streets) or any other material which endangers public health and safety. The storage of such materials within a building such as a carport, gazebo, porch or other structure where the interior of which is visible from the outside, in a manner that such materials remain visible from surrounding properties and rights-of-way may be allowed if such materials are screened 100 percent from view from surrounding properties and rights-of-way. Such screening shall not include tarpaulins or similar temporary flexible





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coverings, shall be permanent in nature, structurally sound and erected in accordance with all regulations of the City of Ballwin.

When a public nuisance as described above exists, the building inspector or other designated person shall so declare and give written notice to the owner of the property by personal service or by regular mail directed to the property address and the owner's taxing address and by conspicuously posting notice upon the property. Such notice shall, at a minimum:

- (1) Declare that a public nuisance exists;
- (2) Describe the condition which constitutes such nuisance;
- (3) Order the removal or abatement of such condition within seven days from the date of service of such notice;
- (4) Inform the owner that he or she may file a written request for a hearing before the building inspector or other designated person on the question of whether a nuisance exists upon such property; and
- (5) State that if the owner fails to begin removing the nuisance within time allowed, or fails to pursue the removal of such nuisance without unnecessary delay, the building inspector or other designated person shall cause the condition which constitutes the nuisance to be removed or abated and that the cost of such removal or abatement may be included in a special tax bill or added to the annual real estate tax bill for the property and collected in the same manner and procedure for collecting real estate taxes.

If the owner of such property fails to begin removing the nuisance within the time allowed, or fails to pursue the removal of such nuisance without unnecessary delay, the building inspector or other designated person shall cause the condition which constitutes the nuisance to be removed. If the building inspector or other designated person causes such condition to be removed or abated, the cost of such removal shall be certified to the Director of Finance who shall cause the certified cost to be included in a special tax bill in accordance with section 29-3. If the certified cost is not paid, the tax bill shall be considered delinquent, and the collection of the delinquent bill shall be governed by the laws governing delinquent and back taxes. The tax bill from the date of its issuance shall be deemed a personal debt against the owner and shall also be a lien on the property until paid.

If weeds are allowed to grow, or if debris or refuse is allowed to accumulate, on the same property in violation of this ordinance more than once during the same growing season in the case of weeds, or more than once during a calendar year in the case of



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trash, the designated official may, without further notification, have the weeds or trash removed and the cost of the same shall be billed in the manner described in this section.

- (b) No owner of a contiguous tract of land of more than three acres shall allow weeds, grass and/or similar vegetation to grow to a height in excess of 12 inches upon any right-of-way adjoining such tract or upon such tract within 100 feet of a right-of-way or within 100 feet from any adjoining tract on which there is a building used for human habitation, with the exception that portions of such land with a slope steeper than 3:1 or portions of such land being too rough to mow due to rock outcroppings or similar physical limitations shall be exempt from this provision.
- (c) Parcels of land that are inaccessible to mowing equipment due to topography or land platting constraints or cannot be mowed due to exceptional roughness or slope steepness may be planted in ground covers that are listed by the University of Missouri Extension as being suitable for the St. Louis Metropolitan region provided that the ground cover constitutes more than 90 percent of the vegetation growing in the planted area. Failure to meet this standard will result in the site being held to the applicable standards of subsections (a) or (b) of this section.
- (d) Under no circumstances shall vegetation in portions of the public right-of-way be exempt from the vegetation height regulations of (a) and (b).
- (e) Parcels of land in a wooded state are not required to meet the vegetation height requirements outlined in (a) and (b) above.
- (f) All common ground or other parcels of land permanently dedicated as open areas or green space by deed or plat, or parcels of land in excess of 5,000 square feet in area may be returned to a wooded state provided they are planted with native trees or trees that are demonstrated to be healthy and acclimatized to the region. Such trees shall be planted at the rate of one tree per 650 square feet of gross land area intended to be returned to a wooded state. Such trees shall have a trunk caliper of two inches or greater when measured at a height of four inches above the ground. Such trees shall be monitored and guaranteed to live for five years by the property owner. The failure of the property owner to replace trees that do not survive will result in the area no longer being considered in a wooded state and no longer exempt from the vegetation height regulations of this chapter.
- ~~(f)~~(g) Definition of Street Tree and Park Tree. For the purposes of this section, "street tree" shall be defined as any tree which lies entirely or partially within a city right-of-way, and "park tree" shall be defined as any tree within a park, as the term "park" is defined in section 1-2 of this Code.



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(h) The director of parks and recreation shall develop and maintain a list of trees suitable for planting within city rights-of-way as street trees in three size classifications: small, medium and large. A list of trees not suitable for planting as street trees shall also be created. These lists shall be made available to the public upon request and may be amended and updated from time to time as judged necessary by the director of parks and recreation without notice. Property owners within Ballwin may plant trees in adjoining city right-of-way from the list of trees authorized in this subsection. Property owners shall obtain approval from the director of parks and recreation prior to planting a tree in the city right-of-way.

(g) ~~Owners of real property within Ballwin may plant trees in adjoining city owned rights-of-way from the list of trees authorized in subsection (g).~~

~~Property owners shall obtain approval from the director of parks and recreation prior to planting a tree in the right of way.~~

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(i) It shall be unlawful for any person or firm to remove a street or park tree without first obtaining a Street Tree Removal Permit from the department of public works or a Park Tree Removal Permit approval from the department of parks and recreation. In the event that said permit is granted, said removal shall be conducted in line with all relevant arboricultural standards as laid out in ANSI 300, and shall not be conducted in a way that poses a threat to the health and safety of any person or property.

~~(h)(i) Topping of street or park trees by any person or firm is prohibited, except when conducted by the city when a determination has been made by the City Administrator that it is necessary for safety or arboricultural purposes. Unauthorized removal or topping of street or park trees shall be a violation of this chapter. For the purpose of this section, "street tree" shall be defined as any tree within a public right of way belonging to the city and "park tree" shall be defined as any tree within a park, as the term "park" is defined in section 1-2 of this Code.~~

(k) The city shall plant, prune, maintain and/or remove vegetation within parks and public grounds as may be necessary to ensure public health; to preserve or enhance the symmetry and beauty of such plantings or grounds; to eliminate an unsafe condition; to eliminate hazards to persons and property; to eliminate a condition that, by reason of its nature or location, is injurious to channels, sewers, drainage ways, utility lines, roadways, sidewalks or other improvements within public jurisdiction; or to remove specimens afflicted with any injurious fungus, infestation or other pest.

~~(i)(l)~~ (l) The city shall ~~also~~ plant, prune, maintain and/or remove street trees within public rights-of-way located between the street pavement and any adjacent sidewalk and/or within 12 feet of the street pavement where no sidewalk is installed as resources permit and



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pursuant to the priority determination of the director of public works, provided such trees were initially planted by the city.

(m) A property owner and/or occupant of a property on whose property lies a street tree is permitted to perform pruning and maintenance of said street tree for the following purposes:

- (1) To provide appropriate clearance above and along sidewalks or streets;
- (2) To maintain appropriate sight distance along or near driveways, streets, and intersections; or
- (3) To remove diseased or dead limbs or branches from the street tree.

All pruning and maintenance of a street tree which is undertaken by an owner/occupant pursuant to this subsection shall be conducted in line with all relevant arboricultural standards as laid out in ANSI 300, and shall not be conducted in a way that poses a threat to the health and safety of any person or property.

(n) The owner and/or occupant of every property within the city shall maintain all vegetation in adjoining rights-of-way with exception to street trees, which the owner/occupant is permitted but not required to maintain in compliance with the requirements of 29-1(m) as stated above except street trees maintained by the city in a safe and healthy manner; shall maintain such vegetation appropriately pruned, trimmed or removed so as to avoid hazards to persons and property using the streets, sidewalks and public rights-of-way and shall prevent such vegetation from obstructing vehicular and pedestrian views of any street or sidewalk intersection or approach and all streetlights and traffic control devices. The building commissioner, city engineer or director of parks and recreation or their designees shall notify the property owner and/or occupant and/or agent, in writing or by posting the property, of vegetation that is in violation of this section and creating a hazard to persons and property using the streets, sidewalks or rights-of-way. Such property owner, and/or occupant and/or agent shall remove, trim or prune the vegetation included in such notice within ten days of the mailing or posting of the notice on the property, or appear before the city administrator within such period and show cause why the vegetation should not be removed, trimmed or pruned.

Managed stands of native plants, ornamental grasses, or shrubs, and cultivated agricultural crops, vegetable gardens or flower gardens exceeding six inches in height are permitted provided they are maintained free of turf weeds and grasses, nuisance plants, volunteer trees, invasive plants and noxious weeds, are kept at least four feet from a property line, and do not impair sight distance, or constitute a hurt, injury, inconvenience or danger to the health, safety or welfare of the public or residents and occupants in the immediate vicinity.

The following vegetation conditions shall be deemed a public nuisance and a hazard to



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persons and property:

- (1) Appear dead, diseased, insect-infested, damaged, decayed, dangerous or likely to fall.
- (2) Are not pruned to a height of 14 feet above the street surface or to a height of eight above the sidewalk surface.
- (3) Obstruct a curb, gutter, channel, sewer, drainageway, street, alleyway, sidewalk, streetlight, utility line or other public improvement within the right-of-way.
- (4) Obstruct the view of drivers or pedestrians of roadway and sidewalk intersections, and their approaches so as to constitute a hazard.
- (5) Introduction and/or maintenance of the following noxious weeds and invasive plants listed in appendix A, section 29-6 as may be amended from time to time.

~~(4)~~(6) It shall be unlawful for any person to prevent, delay or interfere with the city or any of its agents while engaging in and about the maintenance, planting, cultivating, mulching, pruning, spraying or removal of any vegetation addressed in this chapter.

**Section 2:** This ordinance shall be in full force and effect from its passage and approval pursuant to law and shall remain in effect until amended or repealed by the Board of Aldermen.

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

\_\_\_\_\_  
**MARK R. STALLMANN, MAYOR**

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

\_\_\_\_\_  
**MARK R. STALLMANN, MAYOR**

ATTEST:

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

## Staff Report

**Subject:** 2026 Recreational Fee Adjustments

**Department/Program:** Parks and Recreation

**Explanation:**

To address rising operational costs of the City's three recreational facilities, the Parks and Recreation Department is proposing several fee adjustments for 2026. These changes are designed to ensure the long-term sustainability of our programs while maintaining service levels. Rising costs can be attributed to an increase in utility rates (Ameren 12%, Spire 10%, Missouri American 11% MSD 7%) , payroll increases for part time and seasonal employees (\$4.30/hr over 5 years), and maintaining aging facilities to ensure they remain modern, functional, and in good working condition.

Proposed Adjustments by Facility:

- Golf Course: A \$1 increase in greens fees for both residents and non-residents, projected to increase greens fee revenue by approximately 7%.

	Current Resident	Proposed Resident	Current Nonresident	Proposed Nonresident
<b>Adult</b>	\$15	\$16	\$20	\$21
<b>Senior/Junior/Hero</b>	\$12 - \$13	\$14	\$17-\$18	\$19

- The Pointe at Ballwin Commons: The Parks and Recreation Citizen Advisory Committee has unanimously voted in favor of restructuring the Pointe membership schedule. This significant revision is needed because the current fee schedule, which has been in place for nearly 30 years, contains anomalies and deep discounts that are no longer financially sustainable. The current 2 type membership system includes a Pointe only membership a

basic membership that includes admission only and combination membership (Platinum)

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that includes additional Pointe amenities (classes, child care, water aerobics) and North Pointe Aquatic Center. The goal is to simplify the structure for both members and staff, ensuring it's easier to understand, purchase, and to implement future fee adjustments as operating costs continue to rise. Most members of The Pointe will experience a fee increase of approximately \$6 to \$15 per month and some will experience a decrease as we merge the two membership types together. Senior Couple memberships will experience the greatest increase because for years, they benefited from a combination of senior and resident discounts, which resulted in a price that was longer financially sustainable. Additionally we are proposing a \$1 increase on resident and nonresident daily rates.

Resident								
	Current Daily	Proposed Daily	Current Pointe Annual	Current Platinum Annual	Proposed All Inclusive Point Annual	Current Pointe Monthly	Current Platinum Monthly	Proposed All Inclusive Pointe Monthly
Youth	\$6	\$7	\$216	\$372	\$275	\$20	\$33	\$25
Adult	\$7	\$8	\$372	\$564	\$435	\$33	\$49	\$40
Senior	\$6	\$7	\$204	\$408	\$275	\$19	\$36	\$25
Senior Couple	NA	NA	\$288	\$528	\$550	\$26	\$46	\$50
Single+1	NA	NA	\$468	\$828	\$659	\$41	\$71	\$60
Family	NA	NA	\$528	\$912	\$659	\$46	\$78	\$60
Hero	\$5	\$7	\$204	\$408	\$275	\$19	\$36	\$25

Nonresident								
	Current Daily	Proposed Daily	Current Pointe Annual	Current Platinum Annual	Proposed All Inclusive Pointe Annual	Current Pointe Monthly	Current Platinum Monthly	Proposed All Inclusive Pointe Monthly
Youth	\$9	\$10	\$348	\$528	\$432	\$31	\$46	\$40
Adult	\$9	\$10	\$576	\$816	\$652	\$50	\$70	\$60
Senior	\$9	\$10	\$360	\$576	\$432	\$32	\$50	\$40
Senior Couple	NA	NA	\$492	\$768	\$864	\$43	\$66	\$80
Single+1	NA	NA	\$732	\$984	\$931	\$63	\$84	\$85
Family	NA	NA	\$816	\$1,176	\$931	\$70	\$100	\$85
Hero	\$8	\$10	\$360	\$576	\$432	\$32	\$50	\$40

- North Pointe Aquatic Center: A 15% increase on passes and a \$1 increase on resident daily admissions. The non-resident daily rate of \$15 will remain unchanged. As an example a 15% increase on passes would result in a \$36 increase for a resident family pool pass.

	Current Daily Resident	Proposed Daily Resident	Current Daily Nonresident	Proposed Daily Nonresident	Current Resident Pass	Proposed Resident Pass	Current Nonresident Pass	Proposed Nonresident Pass
Youth Seniors Hero	\$5-\$6	\$7	\$15	\$15	\$97	\$112	\$153	\$176
Adult	\$7	\$8	\$15	\$15	\$125	\$144	\$216	\$248
Family	NA	NA	NA	NA	\$239	\$275	\$364	\$419

### Recommendation:

It is recommended that legislation be drafted to enact the proposed recreational fee changes as outlined in the attached tables effective January 1, 2026.

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

**Date:** October 13, 2025



Golf Course User Fees Section 18-9 (a)						
Golf Course Rates	Resident	Non Resident				
Adult 9 holes	\$16	\$21				
Senior/Junior/Hero	\$15	\$19				
Community Center Facility Use Fees Section 18-10 (1)						
	Resident			Nonresident		
	Daily	Annual		Daily	Annual	
Youth/Senior/Hero	\$7	\$275		\$10	\$432	
Adult	\$8	\$435		\$10	\$652	
Family	NA	\$659		NA	\$931	
Annual Corporate Membership						
	Annual					
Youth/Senior/Hero	\$346					
Adult	\$490					
Family	\$745					
Bank Draft System 18-12						
	Resident	Nonresident	Corporate			
Youth/Senior/Hero	\$25	\$40	\$32			
Adult	\$40	\$60	\$45			
Family	\$60	\$85	\$68			
North Pointe Aquatic Center Facility Use Fees Section 18-14 (a)						
	Daily Resident	Daily Nonresident	Annual Resident	Annual Nonresident		
Youth/Seniors/Hero	\$7	\$15	\$112	\$176		
Adult	\$8	\$15	\$144	\$248		
Family	NA	NA	\$275	\$419		