



BOARD OF ALDERMAN REGULAR MEETING
1 GOVERNMENT CTR, BALLWIN, MO 63011
MONDAY, DECEMBER 13, 2021 at 7:00 PM

AGENDA

- 1. Call to Order**
- 2. Roll Call**
- 3. Pledge of Allegiance**
- 4. Approval of Minutes**
 - [a.](#) November 22, 2021 Board of Aldermen Meeting Minutes
- 5. Citizen Comments**
- 6. Presentations**
- 7. Legislation**
 - [a.](#) Bill 4109 - 2021 Operating Budget
 - [b.](#) Bill 4110 - 2021 Capital Budget
 - [c.](#) Bill 4111 - Clayton Ridge Dr. Parking
 - [d.](#) Bill 4112 - Roadway and Maintenance Easement Vacation
 - [e.](#) Bill 4113 - Lot Consolidation
- 8. Mayor's Report**
- 9. City Administrator's Report**
- 10. City Attorney's Report**
- 11. Staff Reports**
 - [a.](#) Police - Speeding Ordinance Changes
- 12. Aldermanic Comments**
- 13. Closed Session**
- 14. Adjourn**



BOARD OF ALDERMEN Meeting Minutes

November 22, 2021

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

THE MINUTES ARE PREPARED IN SUMMARY TO REFLECT THE OVERALL DISCUSSIONS, NOT VERBATIM QUOTES.

The meeting was called to order by Mayor Pogue at 7:00 p.m.

ROLL CALL

Present

Mayor Tim Pogue
Alderman Mike Utt
Alderman Michael Finley
Alderman Kevin M. Roach
Alderman Mark Stallmann
Alderman Frank Fleming

Absent

Alderman Jim Leahy

Alderman Ross Bullington
Alderman Raymond Kerlagon
City Administrator Eric Sterman
City Attorney Robert Jones

The Pledge of Allegiance was recited.

MINUTES

The minutes from the November 8, 2021 Board of Aldermen meeting were submitted for approval. A motion was made by Alderman Fleming and seconded by Alderman Finley to approve the minutes from the November 8, 2021 Board of Aldermen meeting as submitted. A voice vote was taken with unanimous affirmative result and the motion passed.

The minutes from the November 8, 2021 Finance Committee meeting were submitted for approval. A motion was made by Alderman Fleming and seconded by Alderman Utt to approve the minutes from the November 8, 2021 Finance Committee meeting as submitted. A voice vote was taken with unanimous affirmative result and the motion passed.



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CITIZEN COMMENTS

Tom Vaughn, 105 Denby Terrace, addressed the Board. He stated that he is very disappointed with the plans for the apartment complex in Vlasik Park. He also stated that, at the Vlasik Park Master Plan meeting, most residents shared they were disappointed as well. There are several areas that residents have concerns with including traffic and parking.

LEGISLATION

Bill 4106 – Budget Reappropriation

AN ORDINANCE AMENDING THE 2021 BUDGET OF CASH REVENUE AND CASH DISBURSEMENTS FOR THE OPERATING, CAPITAL AND TDD FUNDS OF THE CITY OF BALLWIN, ST. LOUIS COUNTY, MISSOURI, PROVIDING FOR EXPENDITURE REVISIONS IN ACCORDANCE WITH SAID BUDGET AND MAKING RE-APPROPRIATIONS THEREOF.

A motion was made by Alderman Fleming and seconded by Alderman Bullington for a first reading of Bill 4106, title only. A voice vote was taken with unanimous affirmative result and Bill 4106 was read for the first time.

Discussion:

Alderman Roach asked about several line items listed; staff provided explanations for each item that was questioned.

A motion was made by Alderman Fleming and seconded by Alderman Stallmann for a second reading of Bill 4106, title only. A voice vote was taken with unanimous affirmative result and Bill 4106 was read for the second time.

A roll call vote was taken for passage and approval of Bill 4106 with the following results:

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

Nays -- None.

Bill No. 4106 was approved and became Ordinance No. 21-23

Bill 4107 – Use Tax

AN ORDINANCE OF THE CITY OF BALLWIN, CALLING AN ELECTION TO BE HELD ON APRIL 5, 2022, IN ORDER TO SUBMIT A PROPOSITION TO THE QUALIFIED VOTERS REGARDING IMPOSITION OF A USE TAX.

A motion was made by Alderman Fleming and seconded by Alderman Bullington for a first reading of Bill 4107, title only. A voice vote was taken with unanimous affirmative result and Bill 4107 was read for the first time.

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Discussion:

Mayor Pogue stated he was contacted by Pat Kelly from the Municipal League asking if we would be putting this on the ballot as we are one of the cities which currently do not have this. He let him know we would be voting on this tonight. He also stated it sounds like there are many cities putting this on the ballot and that St. Louis County may be pursuing it as well. Alderman Stallmann stated that raising taxes is something that is not taken lightly; this is different and not about raising taxes but about fairness to the brick and mortar businesses which support Ballwin. He also said that on-line sales do not pay taxes to the City as the local shops/stores do. Alderman Fleming stated, that, as previously discussed, there will also be a reduction in cable franchise fees we receive. He hopes that the voters will have enough confidence in the Board that money would be spent wisely if this would pass. Alderman Fleming also asked about the ballot language. City Attorney Jones responded that the language comes straight out of the statute. Alderman Roach stated that the state mandated language is terrible and he would prefer to use language as clear as possible. Alderman Utt asked if some sort of educational information could be added to social media; Mayor Pogue responded that if this passes tonight, we can put educational material out there, being careful not to support one way or another. City Administrator Sterman explained that we have to be careful of the language and explained how this differs from the use tax that is already out there. This will shift how this tax is collected and what it is collected for. City Attorney Jones stated that we will need to make information and educational pieces available for voters. Alderman Stallmann stated it is up to us to make the education as clear as possible. Mr. Sterman noted that we have pages reserved in the next Ballwin Life for educational information. There was further discussion of estimated amounts that we would receive and that it would be offset by the cable franchise fee reduction. Alderman Roach asked if any other cities have tested the flexibility of the ballot language; Mr. Jones responded he was not aware of any.

A motion was made by Alderman Fleming and seconded by Alderman Bullington for a second reading of Bill 4107, title only. A voice vote was taken with unanimous affirmative result and Bill 4107 was read for the second time.

A roll call vote was taken for passage and approval of Bill 4107 with the following results:

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

Nays – Alderman Roach

Bill No. 4107 was approved and became Ordinance No. 21-24

Bill 4108 - AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF BALLWIN, MISSOURI, TO EXECUTE THE MUNICIPAL HOUSING AND COMMUNITY DEVELOPMENT SUPPLEMENTAL COOPERATION AGREEMENT OF 2021; AND SUPPLEMENTAL AGREEMENTS THERETO WITH ST. LOUIS COUNTY WITH REGARD TO THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1977 AS AMENDED.

A motion was made by Alderman Fleming and seconded by Alderman Bullington for a first reading of Bill 4108, title only. A voice vote was taken with unanimous affirmative result and Bill 4108 was read for the first time.



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Discussion:

Mayor Pogue stated this is our annual requirement for the Community Development Block Grants for housing improvement for qualified residents. Alderman Stallmann asked that the journalist in the audience publicize that Ballwin has this program for those who cannot afford to do some of their home improvements on their own.

A motion was made by Alderman Roach and seconded by Alderman Utt for a second reading of Bill 4108, title only. A voice vote was taken with unanimous affirmative result and Bill 4108 was read for the second time.

A roll call vote was taken for passage and approval of Bill 4108 with the following results:

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

Nays -- None.

Bill No. 4108 was approved and became Ordinance No. 21-25

RESOLUTION – Leases/Easements at 14811 Manchester Rd.

A RESOLUTION ADDRESSING ONGOING RESPONSIBILITIES FOR LEASES AND EASEMENTS AT 14811 MANCHESTER ROAD.

Discussion:

Mayor Pogue stated this resolution was no longer needed and that we did not need to act on this tonight. City Attorney Jones stated he confirmed with the title company that this was not needed.

MAYOR'S REPORT

Mayor Pogue stated that the disposal of surplus firearms has been discussed at the last two meetings. He asked Chief Schaeffler if he had anything to add this evening. Chief Schaeffler talked about the different options that had been discussed. He asked the Board to please consider the fact that these officers have taken care of these weapons and deserve this opportunity to own them. Alderman Finley asked the Chief if retired officers would be considered; Chief Schaeffler stated it was not a bad idea and he would not have an issue with that. Alderman Fleming further talked about the options and stated he is still comfortable with the initial staff recommendation of a lottery for existing officers with a bill of sale containing language that they must hold on to the weapon for seven years. He stated including retired officers would be fine as well; Alderman Kerlagon agreed. Alderman Fleming asked about a timeline for the sale of the surplus weapons and purchase of new weapons; Chief Schaeffler provided an explanation. A motion was made by Alderman Fleming and seconded by Alderman Bullington to follow staff's initial recommendation. A voice vote was taken with five (5) aye votes and two (2) nay votes and the motion passed.



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Mayor Pogue then shared that he and Alderman Stallmann had met with two trustees regarding the Clayton Ridge parking. He asked that the ordinance for no parking on Clayton Ridge on both sides of the road be brought forth at the next meeting.

CITY ADMINISTRATOR'S REPORT

City Administrator Sterman stated that Holloway Rd. would be opened in its entirety on Wednesday morning. He also shared information on the Municode system and how packets would be handled in the future, moving to an all-electronic version. He also shared how information would be posted on the website and that this would be more user friendly for anyone looking for specific items that would have been discussed in Board meetings. Mr. Sterman also asked the aldermen to let him know if they would like a City-issued tabled.

CITY ATTORNEY'S REPORT

Nothing to report

STAFF REPORT

Parks – New Ballwin Park Playground

Staff recommends awarding the bid to Cunningham Recreation. Cunningham Recreation's qualifying bid comes in \$2.83 under budget, however, is not the lowest bid. After a review of all bids with the City's Inclusion Coordinator, it has been determined that Cunningham Recreation best meets the technical specifications of the project as specified in the LWCF application. The opinion of the Inclusion Coordinator is that the playground events/elements considered for inclusion and exceeding ADA requirements proposed by Cunningham Recreation offer more play value and exceed ADA compliance more than the competing bids.

Discussion:

Parks Director Chris Conway talked about the Land/Water Grant which is offsetting the cost of the playground equipment. The application for the grant was submitted in February 2020 and approved in September 2021. Bids for the equipment were received from five companies. Staff, along with the inclusion coordinator, reviewed all bids carefully to determine which bid would best meet the scope of the project. Mr. Conway stated they are recommending the bid be awarded to Cunningham Recreation; their bid is under budget and the third lowest, but it is felt they best meet the scope of the project to include play value. Alderman Stallmann asked Mr. Conway for a background on ADA enhancements. Mr. Conway shared how they have advanced and also gave highlights of the new equipment. There was further discussion regarding the ground surface, invoicing and the old equipment.



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

ALDERMANIC COMMENTS

Alderman Finley thanked staff for sending flowers upon his dad's passing. He also thanked his colleagues for their kind words and support and especially Aldermen Stallmann and Utt for visiting and checking in.

Alderman Stallmann shared that he witnessed an incident at the Pointe during which lifeguards had to pull a child out of the pool. He stated they were very professional and it was obvious they knew their jobs very well. He also wished everyone a Happy Thanksgiving.

Alderman Roach asked about the leaf program. Mayor Pogue asked about the rental equipment being used by Public Works, Public Works Director Jim Link stated it is currently broken down. Mr. Link also stated there's a need for a smaller version than what's being rented.

A motion was made by Alderman Fleming and seconded by Alderman Finley to adjourn. The motion was passed by unanimous affirmative voice vote and the meeting adjourned at 8:08 p.m.

TIM POGUE, MAYOR

ATTEST:

POLLY MOORE, CITY CLERK



1 Government Center, Ballwin, MO 63011

Section 7, Item a.

BILL NO. 4109

ORDINANCE NO. 21-

INTRODUCED BY

ALDERMEN UTT, FINLEY, ROACH, STALLMANN, FLEMING, LEAHY, KERLAGON, BULLINGTON

AN ORDINANCE APPROVING AND ADOPTING AN OPERATIONS BUDGET OF ANTICIPATED CASH REVENUE AND CASH DISBURSEMENTS FOR THE GENERAL REVENUE FUND OF THE CITY OF BALLWIN, ST. LOUIS COUNTY, MISSOURI, FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2022, AND ENDING DECEMBER 31, 2022, PROVIDING FOR EXPENDITURES IN ACCORDANCE WITH SAID BUDGET AND MAKING APPROPRIATIONS THEREOF.

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

Section 1. The budget of anticipated cash revenue and cash disbursements, as submitted by the City Administrator and Financial Officer of the City of Ballwin, for the fiscal year commencing January 1, 2022, and ending December 31, 2022, which operating budget is attached hereto and made a part hereof, is hereby approved and adopted as the **Operations Budget** of the City of Ballwin for the twelve (12) month period January 1, 2022, through December 31, 2022.

Section 2. The expenditures set out in the **Operations Budget** attached hereto and made a part of this ordinance are authorized for the period January 1, 2022, through December 31, 2022, subject to the certification by the heads of the various departments of the City and the City Administrator, and subject also to the general supervisory control of the Board of Aldermen of the City of Ballwin.

Section 3. All other ordinances or parts of ordinances in conflict herewith are to the extent of such conflict repealed.

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

PASSED this 13th day of December, 2021.

TIM POGUE, MAYOR

APPROVED this 13th day of December, 2021.

TIM POGUE, MAYOR

ATTEST: _____
ERIC STERMAN, CITY ADMINISTRATOR



1 Government Center, Ballwin, MO 63011

Section 7, Item b.

BILL NO. 4110

ORDINANCE NO. 21-

INTRODUCED BY

ALDERMEN UTT, FINLEY, ROACH, STALLMANN, FLEMING, LEAHY, KERLAGON, BULLINGTON

AN ORDINANCE APPROVING AND ADOPTING A BUDGET OF ANTICIPATED CASH REVENUE AND CASH DISBURSEMENTS FOR THE CAPITAL IMPROVEMENT PROGRAM OF THE CITY OF BALLWIN, ST. LOUIS COUNTY, MISSOURI, FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2022, AND ENDING DECEMBER 31, 2022, PROVIDING FOR EXPENDITURES IN ACCORDANCE WITH SAID BUDGET AND MAKING APPROPRIATIONS THEREOF.

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

Section 1. The budget of anticipated cash revenue and cash disbursements, as submitted by the City Administrator and Financial Officer of the City of Ballwin, for the fiscal year commencing January 1, 2022, and ending December 31, 2022, which capital budget is attached hereto and made a part hereof, is hereby approved and adopted as the **Capital Budget** of the City of Ballwin for the twelve (12) month period January 1, 2022, through December 31, 2022.

Section 2. The expenditures set out in the **Capital Budget** attached hereto and made a part of this ordinance are authorized for the period January 1, 2022, through December 31, 2022, subject to the certification by the heads of the various departments of the City and the City Administrator, and subject also to the general supervisory control of the Board of Aldermen of the City of Ballwin.

Section 3. All other ordinances or parts of ordinances in conflict herewith are to the extent of such conflict repealed.

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

PASSED this 13th day of December, 2021.

TIM POGUE, MAYOR

APPROVED this 13th day of December, 2021.

TIM POGUE, MAYOR

ATTEST: _____

ERIC STERMAN, CITY ADMINISTRATOR



Bill No. 4111

Ordinance No. _____

INTRODUCED BY
ALDERMEN UTT, FINLEY, STALLMANN, ROACH, FLEMING, LEAHY, KERLAGON, BULLINGTON

AN ORDINANCE PROVIDING FOR THE ERECTION OF TRAFFIC CONTROL SIGNS AND
AMENDING THE ORDINANCES PROVIDING FOR THE LOCATIONS THEREOF

WHEREAS, the Board of Aldermen, with the assistance of the Police Department, has determined that it is in the public interest to provide for new traffic control signs.

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

Section 1. Sec. 15-482. – Schedule G of the Code of Ordinances of the City of Ballwin shall be amended as follows:

Sec. 15-482. - Schedule G - Parking prohibited at all times.

In accordance with the provisions of section 15-268 and when signs are erected giving notice thereof, no person shall park a vehicle at any time upon any of the streets or parts thereof described in this schedule:

*Street or Part Thereof Where
Parking Is Prohibited*

Clayton Ridge Drive, on both sides, along its entire length.

Section 2. This Ordinance shall take effect and be in full force from and after its passage and approval.

PASSED this ____ day of _____, 2021.

TIM POGUE, MAYOR

APPROVED this ____ day of _____, 2021.

TIM POGUE, MAYOR

ATTEST: _____
ERIC STERMAN, CITY ADMINISTRATOR



Bill No. 4112

Ordinance No. _____

INTRODUCED BY
ALDERMEN UTT, FINLEY, STALLMANN, ROACH, FLEMING, LEAHY, KERLAGON, BULLINGTON

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF BALLWIN, MISSOURI, ON BEHALF OF THE CITY, TO EXECUTE A ROADWAY AND MAINTENANCE EASEMENT VACATION PLAT FOR PART OF LOTS 6 AND 7 OF MARY J. EICKERMANN'S ADDITION.

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

Section 1. The Mayor of the City of Ballwin, Missouri, is hereby authorized to execute a roadway and maintenance easement vacation plat for part of lots 6 and 7 of Mary J. Eickermann's Addition, attached hereto.

Section 2. This Ordinance shall take effect and be in full force from and after its passage and approval.

PASSED this ____ day of _____, 2021.

TIM POGUE, MAYOR

APPROVED this ____ day of _____, 2021.

TIM POGUE, MAYOR

ATTEST: _____
ERIC STERMAN, CITY ADMINISTRATOR



Bill No. 4113

Ordinance No. _____

INTRODUCED BY

ALDERMEN UTT, FINLEY, STALLMANN, ROACH, FLEMING, LEAHY, KERLAGON, BULLINGTON

AN ORDINANCE PROVIDING FOR THE APPROVAL OF A SUBDIVISION PLAT FOR THE BALLWIN POLICE STATION LOT CONSOLIDATION SUBDIVISION AS PROVIDED IN CHAPTER 25, ARTICLE II, SECTIONS 25 AND 26 OF THE CODE OF ORDINANCES OF THE CITY OF BALLWIN, MISSOURI.

WHEREAS, a plan has been received from the City of Ballwin for the subdivision of certain property in the City of Ballwin, consisting of part of Lots 6 and 7 of Mary J. Eickermann's Addition.

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

Section 1. The Subdivision Plat made a part hereof and attached hereto as Exhibit 1 for the Ballwin Police Station Lot Consolidation Subdivision, as submitted to the Board of Aldermen, is hereby approved.

Section 2. The Mayor and City Clerk are authorized and directed to evidence the approval of said Subdivision Plat by affixing their signatures and the official seal of the City of Ballwin to a certification of approval upon the Subdivision Plat of the Ballwin Police Station Lot Consolidation Subdivision, as submitted.

Section 3. The Subdivision Plat of Exhibit 1 is hereby accepted for the development of the Ballwin Police Station Lot Consolidation Subdivision.

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

PASSED this ____ day of _____, 2021.

TIM POGUE, MAYOR

APPROVED this ____ day of _____, 2021.

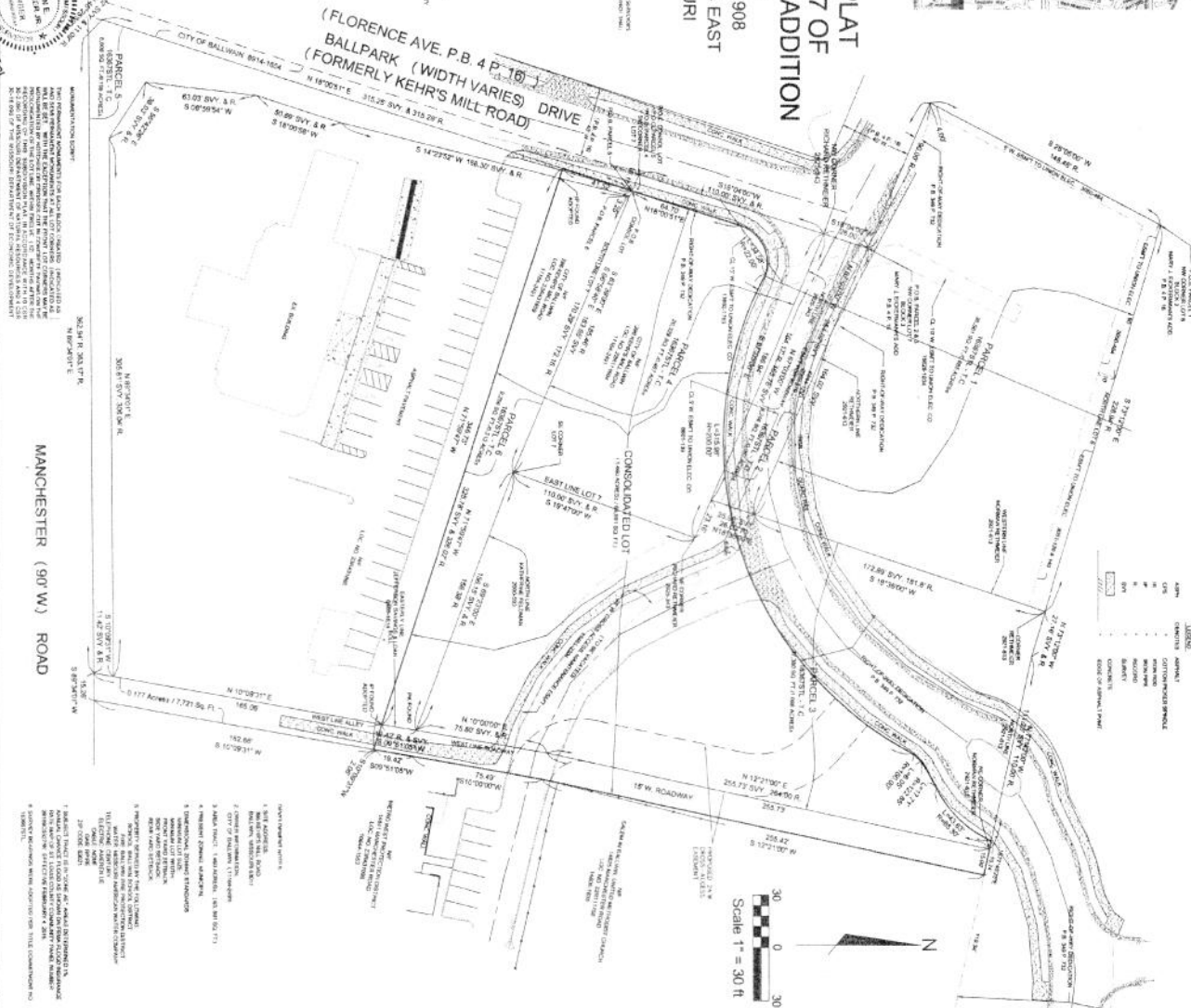
TIM POGUE, MAYOR

ATTEST: _____

ERIC STERMAN, CITY ADMINISTRATOR

AND PART OF U.S. SURVEY 1908
TOWNSHIP 45 NORTH, RANGE 4 EAST
ST. LOUIS COUNTY, MISSOURI

LOCATION MAP
NOT TO SCALE

[illegible][illegible]

MANCHESTER (90° W.) ROAD

[illegible]



Staff Report

Subject: Speeding Ordinance Consolidation

Department/Program: Police Department

Explanation: Since Senate Bill 5, several changes have been made regarding the operations of the court. One of those changes involves assigning Charge Codes to specific speeding charges within a range of speed. If we stay with the current structure of our ordinances, numerous charge codes will need to be added. (Charge codes are numbers used by courts to designate charges.)

The less cumbersome solution to this is to simply reword Ballwin Ordinance 15-181 to include the other speed limits and reference them in a table including the current schedules of the streets.

Please see that attached memorandum from Lt. Curt Saitta for a more in-depth description.

Recommendation:

We request the Board to authorize the City Attorney to give this further review and recommend ordinance updates.

Submitted By: Doug Schaeffler, Chief of Police

Date: December 13, 2021



Ballwin Police Department

Interoffice Memorandum

DATE: 10/28/2021
TO: Captain Bergfeld
FROM: Lt. Saitta
SUBJECT: Ordinance Change and Addition

Since Senate Bill 5 several changes have been made regarding the operations of the court. One of those changes involved assigning Charge Codes to specific speeding charges within a range of speed. For instance a charge code has been assigned for each of the following:

Exceeded by 1-5 miles per hour

Exceeded by 6-10 mph

Exceeded by 11-15 mph

Exceeded by 16-19 mph

Exceeded by 20-25 mph

Exceeded by 26 mph or more

A problem has been identified with our ordinances because each speed limit in the city is identified by a separate ordinance. If we stay with the current structure, charge codes will have to be assigned in the above mentioned increments for each ordinance. Currently the only ordinance in Mobile Ticketing is 15-181, "Generally" which describes the 25 mph speed limit streets. Therefore violations of other speed limits in the city are not listed in Mobile Ticketing and are not being charged correctly. The less cumbersome solution to this is to simply reword 15-181 to include the other speed limits and reference them in a table including the current schedules of the streets.

Current ordinance language:

Sec. 15-181. - Generally.

No person shall operate a motor vehicle (except authorized emergency vehicles on emergency runs) on any highway, road, street or alley in the city at a rate of speed in excess of 25 miles per hour except as may be otherwise provided.

(Code 1973, § 14-144)

Proposed language:

Sec. 15-181. - Generally.

Option #1- No person shall operate a motor vehicle (except authorized emergency vehicles on emergency runs) on any highway, road, street or alley in the city at a rate of speed in excess of 25 miles per hour except as may be otherwise provided **or posted as listed below on the streets as designated in the schedules.**

or

Option #2- In accordance with the provisions of Chapter 15, and when signs are erected giving notice thereof, it shall be unlawful for any person to drive a vehicle at a speed in excess of the speeds listed below on the streets as designated.

The following Table to be included in Option 1 or 2 (whichever is chosen)

Location	Speed
Schedule N (section 15-489)	20 mph
Schedule A (section 15-476)	30 mph
Schedule P (section 15-491)	35 mph

Schedule B (section 15-477) 40 mph

Public areas and Parks and Recreational Areas

Schedule O (section 15-490) 15 mph

Schedule R (section 15-492) 25 mph

Proposed New Ordinance

15-192 No-Point Speeding

It shall be unlawful for any person to operate a motor vehicle at a speed in excess of a duly authorized and posted speed limit as provided in this Code, but notwithstanding any provision to the contrary, a speeding violation which is over the posted speed limit by five (5) miles an hour or less shall be a "no-point" speeding violation as allowed by Section 304.009, RSMo., and shall not be reported to the Missouri Department of Revenue, Division of Motor Vehicles.

This ordinance may be an option for officers who may be reluctant to issue a regular speeding ticket on a neighborhood street for only a few miles over the posted speed limit. More importantly, this ordinance would provide the prosecutor an additional option.

Respectfully Submitted,

Lt. Saitta #190