



BOARD OF ALDERMAN REGULAR MEETING
1 GOVERNMENT CTR, BALLWIN, MO 63011
MONDAY, FEBRUARY 26, 2024 at 7:00 PM

AGENDA

- 1. Call to Order**
- 2. Roll Call**
- 3. Pledge of Allegiance**
- 4. Approval of Minutes**
 - [a.](#) Minutes of the February 12, 2024 Board of Aldermen Meeting
- 5. Citizen Comments**
- 6. Legislation**
 - [a.](#) Bill 4187 – Personnel Salary Ranges
- 7. Consent Items**
 - [a.](#) Administration – 2024 Merit Increases
 - [b.](#) Administration – Dunkin’ Donuts SUE Continuation
- 8. Mayor’s Report**
- 9. City Administrator’s Report**
- 10. City Attorney’s Report**
- 11. Staff Reports**
 - [a.](#) Administration – Kehrs Mill Fence
- 12. Aldermanic Comments**
- 13. Closed Session**
- 14. Adjourn**

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

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

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



BOARD OF ALDERMEN
Meeting Minutes

FEBRUARY 12, 2024

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

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

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

ROLL CALL

Present

Mayor Tim Pogue
Alderman Mike Utt
Alderman Michael Finley
Alderman Kevin M. Roach
Alderman Mark Stallmann
Alderman Frank Fleming
Alderman Mark Weaver
Alderman Ross Bullington
Alderman David Siegel
City Administrator Eric Sterman
City Attorney Robert Jones

Absent

The Pledge of Allegiance was recited.

MINUTES

The minutes from the January 22, 2024 Board of Aldermen meeting were submitted for approval. Alderman Michael Finley made a motion to amend and change “west” to “east” on page 2. Alderman Mark Stallmann seconded the motion. The motion was approved unanimously and the minutes were amended.

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



BOARD OF ALDERMEN
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CITIZEN COMMENTS

None.

OLD BUSINESS

Bill 4185- AN ORDINANCE GRANTING A SPECIAL USE EXCEPTION TO B & S EQUITIES, LLC FOR FRONT YARD PARKING AND OPERATION OF A CARWASH BUSINESS AT 14660 MANCHESTER ROAD.

Discussion:

City Attorney Bob Jones noted he compiled a draft bill with changes that were approved by the petitioners at the last Board meeting. He noted he added paragraphs 16-18 regarding removing 6 stalls on the east side of the property and adding in an easement for a sidewalk to be constructed by the petitioner but deeded to the City. Alderman Mark Stallmann made a motion to amend the bill, with Alderman Ross Bullington seconding that motion. A voice vote was taken with unanimous affirmative result and the motion passed.

Alderman Kevin Roach questioned the size of the easement. City Attorney Bob Jones replied it would be a standard 10 feet to allow for construction and maintenance of the sidewalk. City Administrator Eric Sterman noted that will be recorded in the easement that the property owner will construct the sidewalk and the City will own it. Alderman David Siegel questioned who would own the curb & gutter. City Administrator Eric Sterman noted the City would not own the curb and gutter, and it will be noted in the easement. Alderman Mike Utt thanked the petitioners for listening to their concerns and making changes to reflect that.

A motion was made by Alderman Frank Fleming and seconded by Alderman Ross Bullington for a second reading of Bill 4185 as amended, title only. A voice vote was taken with unanimous affirmative result and the motion passed.

A roll call vote was taken for passage and approval of Bill 4185 with the following results:

Ayes: Aldermen Utt, Finley, Roach, Stallmann, Fleming, Weaver, Bullington, Siegel

Nays:

Bill No. 4185 was approved and became Ordinance No. 24-01.

LEGISLATION

Bill 4186- AN ORDINANCE GRANTING A SPECIAL USE EXCEPTION TO AHMED ALWAHIB, FOR OPERATION OF A RESTAURANT WITH FRONT YARD PARKING.

A motion was made by Alderman Frank Fleming and seconded by Alderman Michael Finley for a first reading of Bill 4186, title only. A voice vote was taken with unanimous affirmative result and the motion passed.



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Discussion:

Alderman Mark Stallmann noted the Planning & Zoning Commission met on this issue last week and unanimously recommended this SUE for approval.

A motion was made by Alderman Frank Fleming and seconded by Alderman Michael Finley for a second reading of Bill 4185, title only. A voice vote was taken with unanimous affirmative result and the motion passed.

A roll call vote was taken for passage and approval of Bill 4186 with the following results:

Ayes: Aldermen Utt, Finley, Roach, Stallmann, Fleming, Weaver, Bullington, Siegel

Nays:

Bill No. 4186 was approved and became Ordinance No. 24-02.

CONSENT ITEMS

Police Department – MODOT Grants

The staff recommends the Mayor and each Alderman sign the City Council Authorization form so the Ballwin Police Department may apply for the four 2024 Missouri Department of Transportation Traffic Enforcement Grants that we apply for yearly.

Alderman Frank Fleming thanked Captain John Bergfeld for providing the memo and all of the accompanying paperwork so he could read it all.

Alderman Kevin Roach made a motion to accept staff's recommendation. It was seconded by Alderman David Siegel. A voice vote was taken with unanimous affirmative result and staff's recommendation was accepted.

Public Works – One Ton Cab and Chassis

Staff recommends purchasing one single cab 1-ton cab and chassis for \$69,419.38 from All Star-DCJR and two Crew Cab 1-ton chassis for \$142,819.40 from Sunset Ford.

Alderman Frank Fleming questioned whether Public Works Director Jim Link would rather have three of the same type of car. Public Works Director Jim Link replied it was easier to work with two crew cab trucks and one single cab truck.

Alderman Kevin Roach made a motion to accept staff's recommendation. It was seconded by Alderman David Siegel. A voice vote was taken with unanimous affirmative result and staff's recommendation was accepted.

**BOARD OF ALDERMEN**
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MAYOR'S REPORT

Mayor Tim Pogue asked for a motion to reappoint Michael Swain to the Planning & Zoning Commission. Alderman Kevin Roach made the motion and Alderman Mark Stallmann seconded the motion. A voice vote was taken with unanimous affirmative result and the motion passed.

CITY ADMINISTRATOR'S REPORT

City Administrator Eric Sterman discussed the Parks & Recreation Citizen Advisory Committee's meeting prior to this meeting. He noted the redesign options for the Public Works facility were presented and the committee liked Option B, which was the same one the Board liked when presented the options.

The Board of Aldermen all agreed Option B was the best, and directed staff to move forward with that option. City Administrator Sterman noted the Board will have to approve the design contract which will most likely be back before the Board in the next few months.

CITY ATTORNEY'S REPORT

None.

STAFF REPORTS**Police Department – 2024 Vehicle Purchase**

Staff recommends approval for the purchase of four new Dodge Durangos for a price not to exceed \$200,000.

Ballwin Police Captain John Bergfeld recommended purchasing four new Dodge Durangos from Landmark Dodge or another dealer. He noted most dealerships are moving away from contracts, but the state of Missouri has a preferred vendor program, which would apply here. He noted the vehicles will cost \$43,000 each, and there is a budget of \$200,000. He also noted the City will remove four vehicles from the Police Department's fleet and place them within the rest of the City of Ballwin's fleet.

Alderman Frank Fleming questioned whether the department wanted to be specific with which vehicles would be purchased. Captain Bergfeld noted there are other departments across the St. Louis area that are scrambling to find vehicles, and Dodge seems to have the most reliable delivery dates. He also noted the department has several Durangos already in the fleet and the officers seem to like them.

Captain Bergfeld also noted the dealership will not confirm what colors will be available until the Durangos are actually on the dealership lot. Alderman Frank Fleming noted he wanted to see the department work towards standardization of the fleet, with vehicles having more visibility with logos. Alderman David Siegel noted the department could put a wrap over the car instead of painting it if the department does not receive the colors they want. Alderman Michael Finley noted he was glad to see things moving away from pickup trucks.

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Alderman Frank Fleming made a motion to approve the purchase of four new Dodge Durangos from a suitable dealership. Alderman Ross Bulling seconded the motion. A voice vote was taken with unanimous affirmative result and the motion passed.

Public Works – Leaf Vac Purchase

Staff recommends we purchase the Leaf Vacuum attachment for the two-ton Hook lift truck for \$138,010.00 from Woody's Municipal Supply.

Public Works Director Jim Link noted this is the same kind of leaf vacuum attachment purchased last year that the department still doesn't have. It's also from the same supplier.

Alderman Mark Stallmann questioned whether there was a timeline from the supplier. Public Works Director Jim Link noted they will have the previously ordered one by leaf season this year, but the third one would most likely not be available by this year's leaf season.

Alderman David Siegel questioned how many the department would ultimately like to have. Public Works Director Jim Link noted six would be great, but the department could work with four. Alderman Siegel noted the department could theoretically be able to eliminate outside help with that many leaf vacuums.

Alderman Kevin Roach asked if there were any other providers the City could purchase from. Public Works Director Jim Link noted there not any others that had this style vacuum. He also noted the City does not pay until delivery of the leaf vacuum. Alderman Mike Utt questioned if we could buy more now and pay later. City Administrator Sterman noted it depends on when they would come in. The department also wants a larger sample size to make sure these leaf vacuums work the best for the City's needs.

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

Public Works – Truck Bed Hydraulics Purchase

Staff recommends purchasing one flatbed dump and two dump bodies including the Hydraulics-Plow Spreader from the low bidder Knapheide for a total cost of \$117,963.00. For the three trucks, we recommended to purchase in a previous memo. Budget for all three vehicles is \$405,000.00. Total cost of the cabs and chassis, plus these proposed beds and hydraulics will be \$330,201.78, which is below budget.

Public Works Director Jim Link noted his department usually budgets enough for all replacement components on these trucks. But this would be under budget because they don't need two salt spreaders.

Alderman David Siegel noted these are not for hook lift trucks.



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

ALDERMANIC COMMENTS_____

None.

ADJOURNMENT_____

A motion was made by Alderman Frank Fleming and seconded by Alderman Michael Finley to adjourn. The motion was passed by unanimous affirmative voice vote and the meeting adjourned at 7:33 p.m.

_____TIM POGUE, MAYOR

ATTEST:

_____MEGAN FREEMAN, CITY CLERK

Bill No. 4187

Ordinance No. _____

INTRODUCED BY

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

AN ORDINANCE AMENDING SECTION 2-34 OF THE CODE OF ORDINANCES OF THE CITY OF BALLWIN WITH RESPECT TO PERSONNEL SALARY RANGES.

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

Section 1: Section 2-34 of the Code of Ordinances of the City of Ballwin shall be amended as follows (additions in **RED**):

Sec. 2-34. - Personnel salary ranges.

(a) The salary ranges for all full-time employees, as determined by the Ballwin Pay Plan, are updated annually and approved as part of the annual budget appropriation. The pay plan is kept on record in the office of the Ballwin Finance Officer and is available for public review during the regular business hours of the Ballwin Government Center, ~~14811 Manchester Rd.~~, **1 Government Ctr.**, Ballwin, Missouri.

(b) The wage rate for all seasonal positions shall be updated annually and approved as part of the annual budget appropriation. A listing of these wage rates shall be kept on record in the office of the Ballwin Finance Officer and is available for public review during the regular business hours of the Ballwin Government Center, 14811 Manchester Rd., Ballwin, Missouri.

(c) Unless otherwise determined by the board of aldermen, the ranges shall be automatically adjusted to reflect the 70th percentile of the ten selected comparable cities in metropolitan St. Louis, on an annual basis, during the regular budget process and determined by the following formula: $((\text{highest} - \text{lowest}) \times .70) + \text{lowest}$. Adjustments to the range may be made in the event that the highest salary for any position is ten percent or more higher than the second highest salary. In that event, the highest salary will be replaced with the second highest salary to calculate the new minimum or maximum salary for a position. At the time of each full-time employee's annual review, or upon commencement of employment, an employee whose salary falls below the annually established range minimum shall be raised to the range minimum, subject to annual appropriation by the board of aldermen. **Employees with tenure whose salaries are brought up to the new minimum for their salary range will also receive an additional adjustment based on their years of service in their current position using the following scale:**

Years of Service Additional Increase

1-3 3%

4-10 6%

11+ 9%



Bill No. 4187

Ordinance No. _____

(d) The municipal judge, the prosecuting attorney, the public defender, and the city attorney's compensation may be adjusted annually at the average increase applied for other city employees. The compensation of the city administrator shall be reviewed annually and adjusted, if appropriate, by the board of aldermen.

(e) Unless otherwise determined by the board of aldermen, the ranges shall be automatically adjusted to fall within the 70th percentile of the ten selected comparable cities in the metropolitan St. Louis, on an annual basis, during the regular budget process utilized by the city.

Section 3: This ordinance shall be in full force and effect from after the date of its passage and approval and shall remain in effect until amended or repealed by the Board of Aldermen.

PASSED this ____ day of _____, 2024.

TIM POGUE, MAYOR

APPROVED this ____ day of _____, 2024.

TIM POGUE, MAYOR

ATTEST: _____
ERIC STERMAN, CITY ADMINISTRATOR



Consent Item

RE: 2024 Merit Increases

Department/Program: Administration/Finance

Recommendation: Staff recommends that the Board approve a salary increase of 3% for all full-time staff effective April 1, 2024.

Explanation: Historically the award of merit increases for staff is made after receipt of final year-end sales taxes as a gauge of current economic conditions. Sales tax revenues for 2023 totaled \$11,598,226, which is below the amended budget by \$191,774 or 1.6%, and below the original budget by \$123,774 or 1.1%. Collections surpassed those in 2022 by 1.2% or \$140,688.

The City still anticipates a healthy surplus in 2023 despite the sales tax shortfall. Step increases for salaries will be required for uniformed police personnel under their collective bargaining agreements.

Along with merit increases, an additional increment will be added to the salaries of any employee with one or more years of service if that salary is being brought up to the new minimum for their range. This change was discussed during the budget process as a retention tool and is reflected in legislation, which is before the Board for approval tonight.

A merit raise of 3% was budgeted for 2024.

Submitted By: Denise Keller, Finance Officer

Date: February 21, 2024

Consent Item

RE: Special Use Exception Extension - 14924 Manchester Road - Dunkin Drive Thru

Department/Program: Administration, Planning & Zoning

Explanation: The Board of Aldermen approved a Special Use Exception (SUE-23-01) on February 27, 2023, allowing for the establishment of a restaurant with a drive-thru and front yard parking at 14924 Manchester Road, as outlined in Ordinance 23-05. The petitioner now seeks an extension on the approval of this Special Use Exception.

According to Section 4(11) of Article XIV, if the grantee of a special use exception fails to proceed with the permitted use or construction/development within one year from the effective date of the exception, and no extension is granted by the Board of Aldermen, the exception will be considered abandoned and will terminate.

Recommendation: Staff recommends approval, with a limit of 180 days.

Submitted By: Lynn Sprick, City Planner

Date: Feb 26, 2024

Staff Report

Subject: Fence at 624 Kehrs Mill Road

Department/Program: Administration – Inspections

Explanation:

The homeowner would like to install a 4'-6' aluminum fence in the front yard area of the corner lot at 624 Kehrs Mill Road and Lucerne Drive. There is currently a wooden split rail fence that has been in place for some time, and there are no other existing front yard fences nearby. The proposed fence would exceed the existing fence footprint.

City Ordinance 7-224 prohibits fences within 15' of the right of way of intersecting roads, and front yard locations in general except with the permission of the Board of Aldermen. This ordinance goes on to list Article XVI, section 9 of the Zoning ordinance for details to any permissions given including submittal of a site plan with the location, height, any landscaping on the right of way side, illustration of the type of fence to be erected, and approximate grade elevations of both sides in the area of the fence. The submitted illustration looks like the proposed fence may be similar to a small existing section of metal fence on the Lucerne Drive side. The submitted fence permit application was vague in regards to the height, landscaping, grade details and appears to be inside the 15' setback from street right of way lines and possibly the road intersection at the front of the property.

The application is also required to contain an agreement with the stipulation any permission may be revoked if the fence is not maintained as described in Section 9. This agreement would also need to be drawn up if permission was given. There are photos attached of the area.

Submitted By: Seth Pecoraro

Date: 2/20/2024

