

AGENDA

- 1. Call to Order**
- 2. Roll Call**
- 3. Pledge of Allegiance**
- 4. Approval of Minutes**
 - a. April 24, 2023 Board of Aldermen Meeting Minutes
 - b. April 24, 2023 Board of Aldermen Closed Session Meeting Minutes
- 5. Citizen Comments**
- 6. Legislation**
 - a. Conflict of Interest Ordinance
- 7. Consent Items**
 - a. Police Department – Record Destruction
- 8. Mayor’s Report**
- 9. City Administrator’s Report**
 - a. Parks & Recreation Citizen Advisory Committee
- 10. City Attorney’s Report**
- 11. Aldermanic Comments**
- 12. Closed Session**
- 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**

APRIL 24, 2023

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

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

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

ROLL CALL

Present

Absent

- Mayor Tim Pogue
- Alderman Mike Utt
- Alderman Michael Finley
- Alderman Kevin M. Roach
- Alderman Mark Stallmann
- Alderman Frank Fleming
- Alderman Jim Leahy
- Alderman Ross Bullington
- Alderman David Siegel
- City Administrator Eric Sterman
- City Attorney Kyle Cronin

The Pledge of Allegiance was recited.

MINUTES

The minutes from the April 5, 2023 Board of Aldermen meeting were submitted for approval. A motion to approve as submitted was made by Alderman Frank Fleming and seconded by Alderman Michael Finley and passed unanimously.

The minutes from the April 5, 2023 Board of Aldermen Closed Session meeting were submitted for approval. A motion to approve as submitted was made by Alderman Frank Fleming and seconded by Alderman Jim Leahy and passed unanimously.



**BOARD OF ALDERMEN
Meeting Minutes**

APRIL 24, 2023

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

The minutes from the April 10, 2023 Board of Aldermen meeting were submitted for approval. Alderman Michael Finley made a motion to remove the sentence “Alderman Michael Finley congratulated Alderman Mark Stallmann for his election win” and replace it with “Alderman Michael Finley congratulated all recently elected Board Members for their wins in their wards.” A motion to approve the minutes as amended was made by Alderman Frank Fleming and seconded by Alderman Ross Bullington and passed unanimously.

The minutes from the April 10, 2023 Board of Aldermen Closed Session meeting were submitted for approval. A motion to approve as submitted was made by Alderman Frank Fleming and seconded by Alderman Michael Finley.

Mayor Tim Pogue thanked Alderman Jim Leahy for his 14 years of service as an Alderman, and two and a half years of service on the Planning & Zoning Commission. He also presented Alderman Leahy with a plaque commemorating his time with the City. The rest of the Board of Aldermen thanked Alderman Jim Leahy and wished him well.

PRESENTATIONS

Aldermen Mark Weaver was sworn in as the newest Board of Aldermen member. Mayor Tim Pogue was sworn in for another term as Mayor. Aldermen Ross Bullington, Mark Stallmann and Mike Utt were sworn in for another term on the Board of Aldermen.

ROLL CALL

Present

Absent

- 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 Kyle Cronin



BOARD OF ALDERMEN
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CITIZEN COMMENTS

Brian Youtzy, 108 Breezeview Drive, spoke before the Board of Aldermen about an issue with his neighbors on Breezeview Drive. He asked to be kept updated on the ordinance violations.

Michael Scott, 643 Kehrs Mill Road, requested that the Planning & Zoning meetings return to the previous Ballwin practice of posting a sign at the physical location of the spot that is up for discussion at P & Z meetings. He also asked that a 30 day waiting period be imposed on whoever is making requests.

LEGISLATION

None.

MAYOR'S REPORT

Mayor Tim Pogue recommended Frank Fleming as President of the Board of Aldermen. Michael Finley made a motion and Alderman Mike Utt seconded. The motion was approved unanimously. Mayor Tim Pogue also recommended appointing Alderman Mark Stallmann to the Planning and Zoning Commission. Alderman Michael Finley made a motion to approve and it was seconded by Alderman Ross Bullington. Mayor Tim Pogue noted he would make committee assignments at the next meeting.

CITY ADMINISTRATOR'S REPORT

City Administrator Eric Serman noted that a stop sign at Monticello and Claymont is already listed in the City's municipal code, but was either never erected or removed. The City is planning to put that stop sign back, as soon as some computer issues are fixed. He also noted that the Parks & Recreation Citizen Advisory Board will be on the agenda at the second meeting in May.

City Administrator Serman also noted that the pool is now reopened at the Pointe after storms damaged the facility. The City is working with insurance on repairs. There is other minor damage at some other City parks that insurance will also be looking at.

City Administrator Serman noted that the new Police Station is on track to be finished on time. The City is currently in the punch list phase, and still planning on moving into the facility at the end of May with a ribbon cutting on July 8th.

CONSENT ITEMS

Administration - Health Insurance Renewal

Staff recommends accepting the 6% medical insurance premium increase from St. Louis Area Insurance Trust.



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Discussion:

Alderman Frank Fleming noted that many people often talk about a potential City/County merger and the collaboration that would result, and noted that this is an example of cooperation between cities. Alderman Mark Stallmann asked what cities are a part of SLAIT, and City Administrator Eric Sterman noted that there are between 25-30 cities in SLAIT.

Alderman Frank Fleming made a motion to accept staff’s recommendation. Alderman Ross Bullington seconded that motion and it was unanimously approved.

Administration - SUE Transfer Lal Qila

Staff recommends Special Use Exception Transfer to new owners of Lal Qila Restaurant.

This item was pulled before the Board of Aldermen meeting.

CITY ATTORNEY’S REPORT

Nothing to report.

STAFF REPORTS

Public Works – Microsurfacing Bids

Staff recommends awarding the unit price contract not to exceed \$453,800.51 to Donelson Construction through the Greene County cooperative bid contract.

Public Works Director Jim Link told the board that this bid for microsealing will boost street ratings and help get our streets in better condition without having to repave or replace streets. He noted that Public Works has waited a few years to do this, so this year there are a lot of streets to do. He also noted the typical lifespan of the microsealing is around 15-20 years.

Alderman Mark Stallmann made a motion to accept staff’s recommendation that was seconded by Alderman Frank Fleming. The motion passed unanimously.

ALDERMANIC COMMENTS

Alderman Mark Stallmann thanked the staff at the Pointe and Parks Director Chris Conway for a great job with the storm damage.

Alderman David Siegel discussed the Parks and Recreation Advisory Board ordinance, and asked to take out the provision that a Ballwin Days committee member be put on the Board.



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Alderman Ross Bullington disagreed, saying it was imperative that Ballwin’s biggest festival was represented on the Advisory Committee. Alderman Frank Fleming agreed, and questioned whether the Advisory Committee should be meeting once a quarter and whether that was too aggressive.

Alderman Mark Stallmann noted that the Ballwin Days Committee didn’t want to take on the full responsibility of becoming the Advisory Committee, but wanted to be represented on the Committee.

Alderman Michael Finley noted that he was still hoping to hear from St. Louis County’s Vector Control about the mosquito fogging, and directed staff to see if they would be available at the next meeting on May 8th.

CLOSED SESSION

A motion was made by Alderman Mark Stallmann and seconded by Alderman Michael Finley to move to closed session. The motion was passed by unanimous affirmative voice vote and the meeting moved to closed session at 7:38 p.m.

A motion was made by Alderman Frank Fleming and seconded by Alderman Stallmann to move back to open session. The motion was passed by unanimous affirmative voice vote and the meeting moved back to open session at 8:09 p.m.

OPEN SESSION

City Administrator Sterman made a brief remark about how he had authorized a time-sensitive software purchase per his authority under Section 2-4.7 of the City Code authorizing emergency purchases and stated that if any Aldermen had questions about it, to please come and ask him. A motion was made to adjourn by Alderman Frank Fleming, which was seconded by Alderman Michael Finley and passed unanimously by voice vote. The meeting adjourned at 8:12 p.m.

TIM POGUE, MAYOR

ATTEST:

MEGAN FREEMAN, CITY CLERK



Bill No. 4169

Ordinance No.

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

AN ORDINANCE IN THE CITY OF BALLWIN, MISSOURI, READOPTING CHAPTER 2, ARTICLE II, DIVISION 2 OF THE CODE OF ORDINANCES WHICH ESTABLISHED A PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTEREST FOR CERTAIN MUNICIPAL OFFICIALS.

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

Section 1: Sections 2-51 through 2-55 of the Code of Ordinances of the City of Ballwin shall be restated as follows:

Section 2-51. Declaration of Policy - The proper operation of municipal government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in the proper channels of the government structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a procedure for disclosure by certain officials and employees of private financial or other interest in matters affecting the City.

Section 2-52. Conflicts of Interest to be Disclosed - The Mayor or any member of the Board of Aldermen who has a substantial personal or private interest, as defined by State law, in any bill shall disclose on the records of the Board of Aldermen, the nature of his/her interest and shall disqualify himself/herself from voting on any matters relating to this interest.

Section 2-53. Disclosure Reports - Each elected official, the chief administrative officer and the chief purchasing officer shall disclose the following information by May 1 if any such transactions were engaged in during the previous calendar year:

A. For such person, and all persons within the first degree of consanguinity or affinity of such person, the date and identities of the parties to each transaction with a total value in excess of two hundred fifty dollars, if any, that such person had with the political subdivision other than compensation received as an employee or payment of any tax, fee or penalty due to the political subdivision, and other than transfers for no consideration to a political subdivision; and

B. The date and the identities of the parties to each transaction known to the person with a total value in excess of two hundred fifty dollars, if any, that any business entity in which such person had a substantial interest, had with the political subdivision, other than payment of any tax, fee or penalty due to the political subdivision or transactions involving payment for providing utility service to the political subdivision, and other than transfers for no consideration to the political subdivision.

C. The chief administrative officer and the chief purchasing officer also shall disclose by May 1 for the previous calendar year the following information:

1. The name and address of each of the employers of such person from whom income of one thousand dollars or more was received during the year covered by the statement.



Bill No. 4169

Ordinance No. _____

2. The name and address of each sole proprietorship that he owned; the name, address and the general nature of the business conducted of each general partnership and joint venture in which he was a partner or participant; the name and address of each partner or co-participant for each partnership or joint venture unless such name and address are filed by the partnership or joint venture with the Secretary of State; the name, address and general nature of the business conducted of any closely held corporation or limited partnership in which the person owned ten percent or more of any class of the outstanding stock or limited partnership units; and the name of any publicly traded corporation or limited partnership that is listed on a regulated stock exchange or automated quotation system in which the person owned two percent or more of any class of outstanding stock, limited partnership units or other equity interests.

3. The name and address of each corporation for which such person served in the capacity of a director, officer or receiver.

Section 2-54. Filing of Reports - The reports in the attached format shall be filed with the City Clerk and with the Missouri Ethics Commission. The reports shall be available for public inspection and copying during normal business hours.

Section 2-55. When to File Reports - The financial interest statements shall be filed at the following times, but no person is required to file more than one financial interest statement in any calendar year;

A. Each person appointed to office shall file the statement within thirty days of such appointment or employment;

B. Every other person required to file a financial interest statement shall file the statement annually not later than May 1, and the statement shall cover the calendar year ending the immediately preceding December 31; provided that any member of the Board of Aldermen may supplement the financial interest statement to report additional interest acquired after December 31 of the covered year until the date of filing of the financial interest statement.

Section 2: The City Clerk shall send a certified copy of this ordinance to the Missouri Ethics Commission within ten days of its adoption.

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 _____, 2023.

TIM POGUE, MAYOR

APPROVED this ____ day of _____, 2023.

TIM POGUE, MAYOR

ATTEST: _____
ERIC STERMAN, CITY ADMINISTRATOR



Consent Item

RE: Notice of Destruction of Records

Department/Program: Police Department

Explanation: A list of records kept during the normal course of business is presented to the Board as they have surpassed their retention date.

Recommendation: Staff requests the Board’s approval to destroy these records which have been kept per the Missouri Secretary of State - State Archives - Local Records Retention Schedule (August 2021).

Submitted By: Sgt. Joe Venneman

Date: May 17, 2023

NOTICE OF DESTRUCTION OF RECORDS

Per the Missouri Secretary of State - State Archives - Police Clerks Records Retention Schedule, August 2021

DESTRUCTION REQUESTS:

Arrest Records:

Also Called: Arrest Log, Arrest Files, Arrest Register, Arrest Register ID, Fingerprints, Booking Sheet

Function: Document arrest

Content: Name, d.o.b., Social Security Number, Address, Phone Number, cause of arrest

Retention: 5 Years Disposition: Destroy Securely.

Note: Fingerprints are normally sent to Highway Patrol, Central Repository; if copies are kept locally, they are merely reference

Approval Date: August 25, 2009

Internal Affairs Records:

Also Called: Investigation File

Function: Documents internal investigations

Content: Date, time, location, description of incident; reports and other investigative materials related to the incident.

Retention: 5 Years from end of investigation Disposition. Destroy Securely.

Note: Approval Date: August 24, 2017

Logs:

Also Called: Desk Books, Activity Logs, Car Logs, Daily Logs, Officer Logs, P.M. Appointments, Watchman File-Printout, Commander Book, Holdover Inspection, Complaint Numbers Log, Unsecure Building Report, Standby Book/list/notification, Case Assignment Book

Function: Record of daily, weekly or monthly activities.

Content: Date, time, activity, car number, Officer DSN

Retention: 5 Years or Completion of Audit Disposition, Destroy.

Note: Approval Date: August 25, 2009

DATE OF DESTRUCTION:

Section 7, Item a.

To be destroyed the week May 22, 2023, following approval by the Board of Alderman at its May 22, 2023 meeting.

Destruction follows specifications prescribed by the State of Missouri, Secretary of State , local records retention schedule.

METHOD OF DESTRUCTION:

Secure Document Destruction of St. Louis

Owner: Julie Steinhauser

Ph (314) 601-1551

email: Julie@SDDStL.com