



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

August 22, 2022

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 Jim Leahy
- 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 July 25, 2022, 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 July 25, 2022 Board of Aldermen meeting as submitted. A voice vote was taken with unanimous affirmative result and the motion passed.

The minutes from the July 25, 2022 Board of Aldermen closed meeting were submitted for approval. A motion was made by Alderman Fleming and seconded by Alderman Stallmann to approve the minutes from the July 25, 2022 Board of Aldermen closed meeting as submitted. A voice vote was taken with unanimous affirmative result and the motion passed.



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The minutes from the July 25, 2022 Finance Committee meeting were submitted for approval. A motion was made by Alderman Fleming and seconded by Alderman Finley to approve the minutes as submitted. A voice vote was taken with unanimous affirmative result and the motion passed.

**CITIZEN COMMENTS**

Mike Scott, 643 Kehrs Mill Rd, addressed the Board regarding the agenda topic, Employee Compensation. Mr. Scott feels the police department is unique because of situations they have to face day-to-day, but is against other Ballwin employees receiving the raise outlined in the City Administrator’s memo as they already receive a raise every year. He feels taxpayers are not responsible for providing jobs for anyone, but are responsible to pay fair compensation for work performed on the City’s behalf. He feels the City should look for other ways to “reward” employees, such as creating a budget to reward employees who do well.

Steve Mastin, 106 Lea Meadows, addressed the Board regarding the use of golf carts. He presented a handout to Board members only and thanked the Board for their recent conversation about golf carts. He stated that, during his research, he discovered the City’s code precludes any number of mobility devices. He also stated that use of mobility scooters on sidewalks and streets is prohibited and asked if the same would apply to electric bicycles. Mr. Mastin provided a list of areas within Ballwin which use golf carts to include Seven Trails apartments and Meadowbrook Country Club Estates. Mr. Mastin also noted a copy of an email in the packet which he sent to various Board members on November 1, 2021 detailing an issue with Ballwin Police. He states that, aside from Aldermen Finley’s and Stallmann’s acknowledgement of the email, nothing has been done.

Olivia Pieknik, 385 Walnut Point Ct., addressed the Board about the Little Library project. She first thanked all the staff and volunteers for making the past weekend’s Ballwin Days another successful event. Ms. Pieknik shared that, in the most recent Ballwin Life magazine, there is an article about the Little Library project. She stated she has funding for two more and will work with Chris Conway to put these in City parks. She also shared she would like to name one in memory of Kathy Kerlagon, former Alderperson, who recently passed away.

## **PUBLIC HEARING**

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### Olde Towne Plaza TIF District Update

The TIF Public Hearing commenced with a report describing the progress of the Olde Town Plaza Tax Increment Financing District project since inception. Hearings are required every five years through the life of the District. Changes in makeup of the tenants was discussed along with changes to revenues since the last public hearing in 2017. Revenues generated by this project will not be sufficient to fully pay off associated TIF debt obligations. This TIF is scheduled to terminate in October, 2022.

Mayor Pogue opened the public hearing and asked if there was anyone who wished to comment on the TIF District for Olde Towne Plaza. No one came forward and Mayor Pogue closed the public hearing.

## **LEGISLATION**

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Bill 4133 - AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF BALLWIN, MISSOURI TO EXECUTE A FIRST AMENDMENT TO COLLECTIVE BARGAINING AGREEMENT WITH THE EASTERN MISSOURI COALITION OF POLICE, FRATERNAL ORDER OF POLICE, LODGE 15 FOR THE FOUR YEAR PERIOD FROM 2022 THROUGH 2026.

A motion was made by Alderman Fleming and seconded by Alderman Bullington for a first reading of Bill 4133, title only. A voice vote was taken with unanimous affirmative result and the motion passed. Bill 4133 was read for the first time.

### Discussion:

None

A motion was made by Alderman Fleming and seconded by Alderman Bullington for a second reading of Bill 4133, title only. A voice vote was taken with unanimous affirmative result and the motion passed. Bill 4133 was read for the second time.

A roll call vote was taken for passage and approval of Bill 4133 with the following results:

Ayes – Aldermen Utt, Finley, Roach, Stallmann, Fleming, Leahy, Bullington, Siegel

Nays --

Bill No. 4133 was approved and became Ordinance No. 22-20.

## **CONSENT ITEMS**

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### **Administration** – Craft Beer Festival Liquor License

Staff recommends Board approval for the Craft Beer Festival liquor license.

Discussion:

None

A motion was made by Alderman Roach and seconded by Alderman Utt 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 Pogue thanked all the staff and volunteers for all the hard work on a very successful Ballwin Days event. He also thanked staff as there have been quite a few reports on economic development coming on in the City; we are looking forward to seeing the new businesses.

## **CITY ADMINISTRATOR'S REPORT**

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Mr. Sterman first acknowledged that Public Works has received a Silver Shovel award from Spire. This award is given to cities with the fewest number of accidents/incidents involving gas lines. Spire has been giving out this award for three years and Ballwin has received the award all three years. Ballwin also hosted the awards breakfast at the golf course. Mr. Sterman thanked Public Works staff for their work.

Mr. Sterman also noted that Kehrs Mill Rd. will close for several weeks between Ballpark Dr. and Park Dr. for construction work that needs to be done as well as some sidewalk replacement on Kehrs Mill.

Lastly, Mr. Sterman stated he would field any questions about the memo regarding employee compensation, which was included in the packet. Alderman Stallmann asked Mr. Sterman to review merit-based salary and how the six percent works with it. Mr. Sterman explained that the normal annual increase is typically three percent (can fluctuate) and is approved by the Board. There are two pools of employees. One is unionized (police officers) and their three percent increase is guaranteed; the other is non-unionized and the three percent is considered a merit based increase. He did share the departments have some discretion for a higher/lower amount depending on employee performance, but pointed out that if an employee is not doing a satisfactory job, we tend to move on from that employee. Alderman Roach stated he recalls that when the Board decides on merit increases, it has fluctuated in the past. He also stated that it is his understanding that when the Board makes their decision on merit increases, it affects the minimum of the pay scale. Mr. Sterman explained that the city has a policy which sets the



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minimum and maximum of the pay scale and further discussed how ranges are decided using a formula which compares us to 10 comparable cities in the area.

Alderman Siegel asked how the six percent puts us in comparison with those cities; Mr. Sterman further explained how the formula works. Alderman Siegel also asked if the six percent is a one-time adjustment and if the city sees any issue with it. Mr. Sterman stated that six percent is what has been suggested, but the Board could make it another amount if they choose and it is a one-time adjustment. Mr. Sterman also stated the city has reviewed revenues and there is no reason to believe it could not be afforded.

There was discussion about employee vacancy rates throughout the City, how the increase affects the formula used to decide pay ranges and implementation of the increase. Mr. Sterman explained that the increase will not affect the formula or ranges, but affects the actual pay of employees employed on September 1, which is when this would go into effect. Alderman Fleming shared how other employers are working to retain staff and cited some examples which the City does not have the ability to do. He feels our options are limited and supports the increase. Mr. Sterman stated this has been a common discussion in other cities recently and said this is a reflection of what Ballwin is like as an employer and how we treat our staff could help us attract potential employees as well. It was asked if this affected starting pay; Mr. Sterman replied not as a result of this proposal but likely starting pay could increase as a reflection of the market.

A motion was made by Alderman Utt and seconded by Alderman Fleming to approve the staff report and the recommendation of a six percent pay increase for staff. A voice vote was taken with unanimous affirmative result and the motion passed.

**CITY ATTORNEY'S REPORT**

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Nothing to report.

## **ALDERMANIC COMMENTS**

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Alderman Finley stated that, with regard to Mr. Mastin's comments, it should be noted that Mayor Pogue also responded to Mr. Mastin's emails. Alderman Finley also recommended a Public Health and Safety Committee meeting be held to discuss this issue. He would like members of the public to participate in the meeting with their input as well. Mayor Pogue asked Alderman Finley to check the calendar to find a date that would work and notify the committee and Board members. Alderman Finley also asked if there is a lesson to be learned from the Olde Towne TIF and TDD project. Mr. Sterman replied that these types of things should be considered on a case by case basis and, in his opinion, an open mind should be kept to tools provided. There are factors to consider such as the nature of the project and its value to the City. Mayor Pogue asked City Attorney Bob Jones how the TIF came about originally. Mr. Jones further explained how the property owners approached the City.

Alderman Stallmann thanked Alderman Finley for proposing the committee meeting. He feels this is a great way to discuss the issue of golf carts and get citizen input. He noted that subdivisions use golf carts on a regular basis so it is time to review our ordinance on the issue. Alderman Stallmann thanked the Ballwin Days committee as well as the Parks, Police and Public Works departments as they all did a fabulous job with Ballwin Days. He shared that he and his family enjoyed the great crowds and concerts.

Alderman Bullington thanked Public Works, the Police Department and Parks Department for everything they did during Ballwin Days; they all did a great job. He thanked Denise Keller and staff for keeping the financial end together. He recognized the tri-chairs for the event as well as volunteers and shared that everyone's efforts to pull it together made for a very successful event. He then shared that a group there for the car show talked about the overwhelming support of the community showing up for the car show and that Ballwin is a phenomenal place and so family friendly.

Alderman Roach thanked Mike Scott for his comments and, although we cannot implement some of his suggestions because of prohibitions, hopefully his comments will spur some thoughts on staff's part. He also shared he is looking forward to the Public Health and Safety meeting for discussion especially on Mr. Mastin's comment regarding mobility scooters being illegal to use on sidewalks. He also thanked Ms. Pieknik for her email and comments on the Little Library. He asked Ms. Pieknik if Peggy Duenke is involved; Ms. Pieknik replied that she is. He stated Peggy is a pillar in the community so he certainly supports the project.



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A motion was made by Alderman Utt and seconded by Alderman Finley to move to closed session pursuant to Section 610.021(13), for personnel matters.

A roll call vote was taken with the following results:

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

Nays: None

The Board moved to closed session at 8:08 p.m.

A motion was made by Alderman Fleming and seconded by Alderman Utt to reconvene in open session at 9:06. A voice vote was taken with unanimous affirmative result and the motion passed.

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 9:07 p.m.

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

ATTEST:

\_\_\_\_\_ POLLY MOORE, CITY CLERK