



BOARD OF ALDERMEN

Meeting Agenda

February 11, 2019

7:00 PM 300 PARK DR. BALLWIN, MO 63011

1. *Call to Order*
2. *Roll Call*
3. *Pledge of Allegiance*
4. **Approval of Minutes:** January 28, 2019 Board of Aldermen Meeting Minutes, and the January 28, 2019 Closed Meeting Minutes
5. **Presentations:** Parks Master Plan
6. **Citizen Comments**
7. Public Hearing: *None*
8. Unfinished Business: *None*
9. **Legislation (Next Ordinance #19-2)**
 - a. Bill No. 4016 Revising Communications Facilities Ordinance
 - b. Bill No. 4017 Updating Utility Gross Receipts Taxes Ordinance
 - c. Bill No. 4018 Ordinance to repeal Cable Television Codes and Enact Codes relating to Regulation of Video Service Providers
 - d. Bill No. 4019 Establishment of Zero Property Tax Rate
 - e. Bill No. 4020 Re-adopting and Amending Conflicts of Interest Ordinance
 - f. Bill No. 4021 Updating Missouri Local Area Governments Retirement Plan Ordinance
 - g. Resolution Supporting the Formation of a Board of Freeholders/Electors
10. **Consent Items**
 - a. Liquor License: Moonlight Bistro
 - b. Public Works: Bucket Truck
11. **Mayor's Report**
12. **City Administrator's Report**
 - a. Updating of Personnel Manual: City Vehicle and Drivers Standards and Disciplinary Procedures
13. **Staff Reports**
 - a. Public Works: Truck Purchases
 - b. Parks: Apparel Bids
14. City Attorney's Report
15. **Aldermanic Comments**
16. **Closed Session:**
 - a. *The Board will meet in Closed session to discuss potential litigation under Section 610.021(1) RSMo*
 - b. *The Board will meet in Closed session to discuss personnel matters under Section 610.021(13) RSMo*
17. Information Only
18. 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 matters relating to litigation, legal actions, and/or communications from the City Attorney, as provided under Section 610.021(1) RSMo., and/or personnel matters under Section 610.021(13) RSMo., and/or employee matters under Section 610.021(3) RSMo., and/or real estate matters under Section 610.021(2) or other matters as permitted by Chapter 610.



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If you have any questions or concerns about any item on the agenda, please contact me prior to the meeting. If you cannot attend this meeting, please contact Mayor Pogue or me as soon as possible so we can plan accordingly.

- Interim City Administrator Bob Kuntz

MINUTES Enclosed, please find the minutes from the January 28, 2019 Board of Aldermen Meeting and minutes from the January 28, 2019 Closed Session for your review and approval.

PRESENTATION of the City of Ballwin Master Parks Plan Final Draft by Kristy DeGuire of DG2 Design Landscape Architecture. This study was approved in May of 2018 by the Board of Alderman and is the first City Parks Master Plan.

NEW BUSINESS

BILL 4016 AN ORDINANCE REVISING SECTIONS OF THE CODE OF ORDINANCES CONCERNING COMMUNICATIONS FACILITIES

Changes to the Code are needed because the Missouri Legislature has enacted changes in related statutes (HB 1991 (2018)) and the FCC has issued new regulations, and other related sections of the City Code of Ordinances have become outdated and need to be revised or repealed.

BILL 4017 AN ORDINANCE UPDATING SECTIONS OF THE CODE OF ORDINANCES CONCERNING UTILITIES GROSS RECEIPTS TAXES.

New telecommunications statutes were passed in 2005, curtailing the ability of municipalities to collect business license taxes based upon gross receipts. Language was inserted into Ballwin's code to try to preserve such taxes. That language has been superseded by subsequent legislation, so it needs to be removed from the current code. This bill also clarifies that gross receipts are collected from business within the city and provides for a sworn statement showing gross receipts of such business in a form prescribed by the finance officer.

BILL 4018 AN ORDINANCE REPEALING SECTIONS 7.5-1 TO 7.5-11 OF THE CITY CODE OF ORDINANCES AND ENACTING A NEW SECTION 7.5-1, RELATING TO VIDEO SERVICE PROVIDERS, AND REPEALING OUTDATED CABLE TELEVISION CODE PROVISIONS

The City has determined it is in the best interest of the public to update its ordinances relating to the regulation of video service providers within the City.

BILL 4019 AN ORDINANCE SETTING THE REAL ESTATE TAX RATE OF ZERO (0%) PERCENT IN THE CITY OF BALLWIN FOR THE FISCAL PERIOD BEGINNING JANUARY 1, 2019 AND ENDING DECEMBER 31, 2019.

On an annual basis the City must provide the Collector of Revenue of St. Louis County with its current year tax levy. For the calendar year, January 1 to December 31, 2019, Ballwin will set the real estate tax rate at zero percent.



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BILL 4020 AN ORDINANCE IN THE CITY OF BALLWIN, MISSOURI, READOPTING AND AMENDING IN PART 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.

Every other year the Board is asked to readopt and amend the procedures to disclose potential conflicts of interest for municipal officials. This ordinance is then filed with the Missouri Ethics Commission.

BILL 4021 AN ORDINANCE REPEALING SECTION 2-31 OF THE CITY CODE OF ORDINANCES AND ENACTING A NEW SECTION 2-31, RELATING TO EMPLOYEE RETIREMENT SYSTEM PARTICIPATION, AND REPEALING OUTDATED EMPLOYEE RETIREMENT SYSTEM CODE PROVISIONS

Ordinance 17 – 34, passed and approved on December 11, 2017 must be codified and reaffirmed.

RESOLUTION A RESOLUTION SUPPORTING THE FORMATION OF A BOARD OF FREEHOLDERS/ELECTORS AS AUTHORIZED BY ARTICLE VI; SECTION 30(a) AND 30(b) OF THE MISSOURI CONSTITUTION.

The Mayor and Board of Aldermen of the City of Ballwin previously passed a Resolution in 2014, resolving to continue to work towards the betterment of the region, but opposing the unification of St. Louis County and the City of St. Louis and the elimination of local government which would result in the reduction of services provided to Ballwin's residents. The Mayor and Board of Aldermen of the City of Ballwin support a Petition for the formation of a Board of Freeholders/Electors as authorized by Article VI; Section 30(a) and 30(b) of the Missouri Constitution and reaffirm their opposition to a unification of St. Louis County and the City of St. Louis which would eliminate local government and result in the reduction of services provided to Ballwin's residents.

CONSENT ITEMS

This section includes budgeted items which are low bid and do not exceed expenditure estimates, and/or items which have been previously approved in concept.

ADMINISTRATION LIQUOR LICENSE-SPIRITS AND GYROS

Staff recommends approving a Full Liquor License (not including Sundays) for Moonlight Bistro LLC, DBA Spirits and Gyros, located at 15581 Manchester Rd.

PUBLIC WORKS BUCKET TRUCK PURCHASE

Staff recommends accepting Altec's quote through Sourcewell for the purchase of the one ton bucket truck.



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OFFICIAL REPORTS

CITY ADMINISTRATOR'S REPORT UPDATING PERSONNEL MANUAL: DRIVING AND DISCIPLINE

These policies are intended to clarify and establish a consistent direction (moving forward) with respect to accidents involving City vehicles and disciplinary procedures stemming from negligence or safety violations.

STAFF REPORTS

PUBLIC WORKS ONE TON TRUCK PURCHASE

Staff recommends purchasing a one ton Dodge Ram Truck directly from a dealer.

PARKS PURCHASE OF STAFF AND RECREATION PROGRAM PARTICIPANT APPAREL

Staff recommends awarding the bid for program/staff apparel to the low bidder, BFM Group.