



## **BOARD OF ALDERMEN**

### **Meeting Agenda**

MARCH 22, 2021

7:00 PM 1 GOVERNMENT CTR BALLWIN, MO 63011

- 1. Call to Order**
- 2. Roll Call**
- 3. Pledge of Allegiance**
- 4. Approval of Minutes**
  - a. March 8, 2021 Board of Aldermen Meeting Minutes
- 5. Citizen Comments**
- 6. Legislation**
  - a. Bill 4092 – Wilhelmine Ct. Stop Sign
  - b. Bill 4093 – Waterford Subdivision Stop Sign
- 7. Consent Items**
  - a. Administration – Inspections Truck
  - b. Administration – SUE Transfer
- 8. Mayor's Report**
- 9. City Administrator's Report**
- 10. City Attorney's Report**
- 11. Staff Reports**
  - a. Administration – Street Banners
  - b. Administration – Retiree Health Insurance
  - c. Public Works – Baxter Rd. Easement
- 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 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.



## BOARD OF ALDERMEN

### Meeting Briefs

MARCH 22, 2021

7:00 PM 1 GOVERNMENT CTR BALLWIN, MO 63011

**MINUTES** Enclosed, please find the Minutes from the March 8, 2021 Board of Aldermen Meeting.

## LEGISLATION

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**BILL 4092 - AN ORDINANCE AMENDING SECTION 15-480 (SCHEDULE E) OF ARTICLE XII OF CHAPTER 15 OF THE ORDINANCES OF THE CITY OF BALLWIN WITH RESPECT TO NEW STOP SIGNS.**

This ordinance will codify the existing stop sign on Wilhelmine Ct.

**BILL 4093 - AN ORDINANCE AMENDING SECTIONS 15-480 (SCHEDULE E) AND 15-492 (SCHEDULE R) OF ARTICLE XII OF CHAPTER 15 OF THE ORDINANCES OF THE CITY OF BALLWIN WITH RESPECT TO A NEW STOP SIGN AND SPEED LIMITS IN WATERFORD SUBDIVISION.**

This ordinance will codify the existing stop sign at Kylewood Pl. and Reinke Rd. and provide for a 25 mph speed limit on Kylewood Pl. and Kylewood Ct.

## CONSENT ITEMS

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**Administration – Inspections Truck**

Staff is recommending the purchase of a 2021 Chevrolet Silverado from the Missouri State Contract vendor in the amount of \$24,949.

**Administration – SUE Transfer**

It is recommended that the Board approve a request for a transfer of special use allowance to operate an automotive business.

## MAYOR'S REPORT

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## CITY ADMINISTRATOR'S REPORT

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## CITY ATTORNEY'S REPORT

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## BOARD OF ALDERMEN

### Meeting Briefs

MARCH 22, 2021

7:00 PM 1 GOVERNMENT CTR BALLWIN, MO 63011

## STAFF REPORTS

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### **Administration** – Street Banners

Staff is requesting the Board's approval to move forward with the purchase and placement of street banners on the light poles along Holloway and Kehrs Mill roads.

### **Administration** – Retiree Health Insurance

Staff is requesting a motion be made for a resolution updating the employee retirement program to reflect a cost ratio of 50/50 to be effective January 1, 2022.

### **Public Works** – Baxter Rd. Easement

Staff recommends donating 360 square feet of Baxter Rd. easement to St. Louis County.

## ALDERMANIC COMMENTS

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**DRAFT MINUTES**  
**BOARD OF ALDERMEN**  
**Meeting Minutes**

March 8, 2021

7:00 PM 1 GOVERNMENT CTR/ZOOM. 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 Raymond Kerlagon  
City Administrator Eric Sterman  
City Attorney Robert Jones

Absent

**MINUTES**

The Minutes from the February 22, 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 February 22, 2021 Board of Aldermen meeting as submitted. A voice vote was taken with unanimous affirmative result and the motion passed.

The Minutes from the February 22, 2021 Board of Aldermen closed meeting were submitted for approval. A motion was made by Alderman Fleming and seconded by Alderman Kerlagon to approve the minutes from the February 22, 2021 Board of Aldermen meeting as submitted. A voice vote was taken with unanimous affirmative result and the motion passed.





**DRAFT MINUTES**  
**BOARD OF ALDERMEN**  
**Meeting Minutes**

March 8, 2021

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

## **LEGISLATION**

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**BILL 4089 - AN ORDINANCE SETTING THE REAL ESTATE TAX RATE OF ZERO (0%) PERCENT IN THE CITY OF BALLWIN FOR THE FISCAL PERIOD BEGINNING JANUARY 1, 2021 AND ENDING DECEMBER 31, 2021.**

This ordinance sets the real estate tax rate at 0% in Ballwin for 2021.

A motion was made by Alderman Fleming and seconded by Alderman Finley for a first reading of Bill 4089, title only. A voice vote was taken with unanimous affirmative result and Bill 4089 was read for the first time.

**Discussion:**

Alderman Fleming stated this is a significant piece of legislation and highlighted several items in this ordinance such as the city has maintained a zero percent tax rate for 34 years; this is something other communities do not do. This ordinance has to be passed every year. Alderman Fleming also gave credit to city staff who continue to successfully manage the budget and noted the zero real estate tax is a benefit to residents as well. Alderman Finley agreed with Alderman Fleming's statements and thanked department heads and city staff, whose work through the years has made this possible. Alderman Roach shared that the three final statements of the ordinance were amendments he made in 2019 with the Board's approval.

A motion was made by Alderman Roach and seconded by Alderman Fleming for a second reading of Bill 4089, title only. A voice vote was taken with unanimous affirmative result and Bill 4089 was read for a second time.

A roll call vote was taken for passage and approval of Bill 4089 with the following results:

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

Nays -- None.

Bill No. 4089 was approved and became Ordinance No. 21-06

**BILL 4090 - AN ORDINANCE AMENDING SECTION 15-480 (SCHEDULE E) OF ARTICLE XII OF CHAPTER 15 OF THE ORDINANCES OF THE CITY OF BALLWIN WITH RESPECT TO NEW STOP SIGNS.**

This ordinance will add two new stop signs on Seawind Dr.

A motion was made by Alderman Finley and seconded by Alderman Stallmann for a first reading of Bill 4090, title only. A voice vote was taken with unanimous affirmative result and Bill 4090 was read for the first time.

**Discussion:**



**DRAFT MINUTES**  
**BOARD OF ALDERMEN**  
**Meeting Minutes**

March 8, 2021

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

Alderman Roach stated he had some concerns with how the streets were labeled (Industrial instead of Seawind). City Attorney Jones clarified the purpose of the legislation. Alderman Roach asked Mr. Jones if the fact that the sign says Seawind is immaterial. Mr. Jones stated that after talking with the police department and once the signs are installed, they will have the desired affect.

A motion was made by Alderman Roach and seconded by Alderman Finley for a second reading of Bill 4090, title only. A voice vote was taken with unanimous affirmative result and Bill 4090 was read for a second time.

A roll call vote was taken for passage and approval of Bill 4090 with the following results:

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

Nays -- None.

Bill No. 4090 was approved and became Ordinance No. 21-07

**BILL 4091 - AN ORDINANCE AMENDING AND RETITLING THE ORDINANCE VIOLATION OF FAILURE TO SUPERVISE MINOR TO REFLECT “SOCIAL HOST ORDINANCE.”**

This ordinance will amend the current ordinance to Social Host Ordinance.

A motion was made by Alderman Stallmann and seconded by Alderman Finley for a first reading of Bill 4091, title only. A voice vote was taken with unanimous affirmative result and Bill 4091 was read for the first time.

**Discussion:**

Alderman Roach had a question regarding the phrase “person or person responsible” contained in item two of section two. City Attorney Jones further clarified that this means whoever is in control of the property and that the language used was intentionally loose to give law enforcement the opportunity to investigate as to who is responsible; he also further explained the two changes which were made to the ordinance. Alderman Roach asked about what being held liable for costs means. Mayor Pogue asked Mr. Jones if Sunset Hills ever invoiced responsible parties for costs. Mr. Jones stated that was done as part of the sentence in cases and then further explained the penalty provision in the code.

A motion was made by Alderman Stallmann and seconded by Alderman Fleming for a second reading of Bill 4091, title only. A voice vote was taken with unanimous affirmative result and Bill 4091 was read for a second time.

A roll call vote was taken for passage and approval of Bill 4091 with the following results:

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

Nays -- None.

Bill No. 4091 was approved and became Ordinance No. 21-08



**DRAFT MINUTES**  
**BOARD OF ALDERMEN**  
**Meeting Minutes**

March 8, 2021

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

## **CONSENT ITEMS**

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### **Administration – GeoTech Services – Police Department**

#### **Discussion:**

Alderman Roach asked if the geo borings would only be done on our property or bank property as well. City Administrator Sterman responded that it would be only on our property which was previously acquired from the bank and anywhere affected by construction.

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

### **Police – Watch Guard System**

Staff is recommending the purchase of an extended warranty for the Watch Guard System to keep it in reliable working order.

#### **Discussion:**

Alderman Roach asked Chief Schaeffler what the plan would be once the warranty is up in a year. Chief Schaeffler responded they would reevaluate and look for another warranty.

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

### **Public Works – Concrete Slabs**

Staff is recommending awarding this unit price contract to the low bidder, M&H Concrete Contractors, not to exceed \$937,630.00.

#### **Discussion:**

Alderman Roach asked if M & H Concrete is the same company we had last year. Public Works Director Jim Link responded we had Kelpie last year, but M & H the nine years prior. He also stated that, in 2019, there was a new crew and inspector which may have caused some issues, but those have been resolved.

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



**DRAFT MINUTES**  
**BOARD OF ALDERMEN**  
**Meeting Minutes**

March 8, 2021

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

**MAYOR'S REPORT**

Mayor Pogue reported that St. Louis County Executive Sam Page has loosened Covid restrictions so Board of Aldermen meetings starting with March 22 will be in person.

**CITY ADMINISTRATOR'S REPORT**

City Administrator Sterman reported that Ballwin Days will be held but will be postponed until August 21. It is hoped that by waiting, some of the current Covid restrictions will be lifted and we would be able to have a more normal event.

**CITY ATTORNEY'S REPORT**

Nothing to report

**ALDERMANIC COMMENTS**

None

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 7:27 p.m.

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

ATTEST:

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



**Bill No. 4092**

**Ordinance No. \_\_\_\_\_**

INTRODUCED BY

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

AN ORDINANCE AMENDING SECTION 15-480 (SCHEDULE E) OF ARTICLE XII OF CHAPTER 15 OF THE ORDINANCES OF THE CITY OF BALLWIN WITH RESPECT TO NEW STOP SIGNS.

WHEREAS, the Board of Aldermen adopted certain ordinances that are codified as Section 15-480, Schedule E of Article XII of Chapter 15 of the Ordinances of the City of Ballwin with regard to stop intersections on certain streets; and

WHEREAS, the Board of Aldermen deems it necessary for public safety to amend the aforesaid schedule to include additional stop signs.

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

Section 1. The listing of streets within Section 15-480, Schedule E of the Ballwin Code of Ordinances shall be amended to add a stop sign at the following intersection:

| Intersection or Location                             | Traffic on Street, Road, Highway or Alley Listed Below Shall Stop |
|------------------------------------------------------|-------------------------------------------------------------------|
| Westbound Wilhelmine Court and Westrun Drive         | Wilhelmine Court                                                  |
| Eastbound Fred Kemp Court and Westglen Village Drive | Fred Kemp Court                                                   |

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. 4093**

**Ordinance No. \_\_\_\_\_**

INTRODUCED BY

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

AN ORDINANCE AMENDING SECTIONS 15-480 (SCHEDULE E) AND 15-492 (SCHEDULE R) OF ARTICLE XII OF CHAPTER 15 OF THE ORDINANCES OF THE CITY OF BALLWIN WITH RESPECT TO A NEW STOP SIGN AND SPEED LIMITS IN WATERFORD SUBDIVISION.

WHEREAS, the Board of Aldermen adopted certain ordinances that are codified as Sections 15-480, Schedule E and 15-492, Schedule R of Article XII of Chapter 15 of the Ordinances of the City of Ballwin with regard to stop intersections on certain streets; and

WHEREAS, the Board of Aldermen deems it necessary for public safety to amend the aforesaid schedules to include an additional stop sign and speed limits in Waterford Subdivision.

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

Section 1. The listing of streets within Section 15-480, Schedule E of the Ballwin Code of Ordinances shall be amended to add a stop sign at the following intersection:

| Intersection or Location                 | Traffic on Street, Road, Highway or Alley Listed Below Shall Stop |
|------------------------------------------|-------------------------------------------------------------------|
| Westbound Kylewood Place and Reinke Road | Kylewood Place                                                    |

Section 2. The listing of streets within Section 15-492, Schedule R of the Ballwin Code of Ordinances shall be amended to provide for a 25 mph speed limit on the following streets:

| Route          | Portion or Limits of Route |
|----------------|----------------------------|
| Kylewood Place | Along its entire route     |
| Kylewood Court | Along its entire route     |

Section 3. 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**



**Bill No. 4093**

ATTEST: \_\_\_\_\_  
*ERIC STERMAN, CITY ADMINISTRATOR*



## **Consent Item**

**RE:** Purchase of inspections truck

**Department/Program:** Admin / Inspections

**Recommendation:** This truck is a 2021 budgeted Item for \$25,000. It is recommended to purchase the new 2021 Chevrolet Silverado, from the Missouri State Contract vendor, in the amount of **\$24,949**.

**Explanation:** The inspections department fleet has aging vehicles that need to be replaced. This vehicle will be used to upgrade the fleet.

**Submitted By:** Michael Roberts

**Date:** 3-17-2021

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**LIGHT DUTY TRUCKS AND WORK VANS – 2021 MODEL YEAR**  
(Statewide)

**Contract Number: CC210581001**

**Contractor: Don Brown Chevrolet**

**Primary Award**

**LINE ITEM 161 – Half (1/2) Ton Truck; 4x4; Extended Cab; Regular Fuel**

**UNSPSC Code: 25101507**

**MAKE/MODEL: Chevrolet Silverado 1500 Double Cab 4WD**

**PRICE:**

**\$22,235.00**

**THIS VEHICLE REQUIRES APPROVAL FROM THE STATE FLEET MANAGER**

**EQUIPMENT INCLUDED IN PRICE**

|                                                                    |                                     |
|--------------------------------------------------------------------|-------------------------------------|
| 4.3 Liter, 6 cylinder engine                                       | 147.45" Wheelbase                   |
| 231.7" Overall Length                                              | Automatic 6 Speed Transmission      |
| Manufacturer's Standard Rear Axle Ratio                            | 7000 lbs GVWR                       |
| Standard Bed; 79.44"                                               | Regular Cab                         |
| 2,185 lb Payload                                                   | 4-Wheel Anti-Lock Brakes            |
| Manufacturer's Standard All Season Tires, full spare, tools & jack | Power Steering                      |
| Manufacturer's Standard Heating and Air Conditioning               | Manufacturer's Standard Air Bags    |
| Painted Rear Bumper                                                | Manufacturer's Standard AM/FM Radio |
| Cloth Bench Type (40/20/40) Seat                                   | Two (2) Sets of Keys                |
| Speed Control and Tilt Wheel                                       | Vinyl Floor Covering                |
| 8.08" Ground Clearance                                             | FFV (E-85) Fuel Identifier          |
| Manual windows & locks                                             | Grab Handles                        |
| 12 Volt Powerpoint                                                 | Dome Light                          |
| Auto Lamps                                                         | Rear Camera                         |

Available Exterior Colors: Red Hot, Satin Steel, Northsky Blue, Silver Ice, Summit White, Black, Shadow Grey, Oxford Brown

Available Interior Colors: Jet Black

|                                       |                    |                           |
|---------------------------------------|--------------------|---------------------------|
| Manufacturer's Estimate Fuel Mileage: | City –15 (gas)     | Fuel Tank Size: 24 gallon |
|                                       | Highway –20 (gas)  |                           |
|                                       | Combined –17 (gas) |                           |

**AVAILABLE OPTIONS**

**Line Item 162 – Axle, Rear: Limited Slip** **\$364.00**

**Line Item 163 – 3<sup>rd</sup> Set of Keys** **\$44.00**

**Line Item 165 – Blind Spot Warning Feature** **\$1,723.00**  
(Chrome Bumpers, Power Mirrors, Keyless Entry, Power Window, Power Locks,  
Front & Rear Park Assist, Lane Change & Cross Traffic Alert, EZ Lift Tailgate,  
Power Lock and Release Tailgate)

**Line Item 166 – Trailer Tow Mirrors** **\$1,983.00 include line item 168 & 179**

**Line Item 168 – Power Windows, Power Door Locks,** **\$495.00**  
Power Exterior Mirrors & Remote Keyless Entry  
With Two (2) Transmitters  
\*\*\*Part of Option Package: Power Windows, Power Locks, Lift Assist Tailgate, Remote Keyless Entry

**Line Item 169 – Fog Lights** **\$430.00**

**Line Item 170 – Off Road Tires** **\$196.00**

**Line Item 171 – Crew Cab** **\$2,498.00**  
(156.95" wheelbase and 241.21 Overall Length)

**Line Item 174 – Short Bed (crew cab only)** **\$2,219.00**  
(Length 241.2, 147.43" wheelbase)

**LIGHT DUTY TRUCKS AND WORK VANS – 2021 MODEL YEAR**  
**(Statewide)**

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**DELIVERY:** 80 days ARO – Subject to Delays

**WARRANTY:** 3 year (36,000 miles) bumper to bumper; 5 year (100,000 miles) on the power train.



## **Consent Item**

**RE:** SUE Transfer - 15233 Manchester Rd

**Department/Program:** Planning

**Recommendation:** Recommend to a unique application of transferring Special Use Exception

**Explanation:**

Mr. Little is requesting that the City of Ballwin approve a request for a transfer of special use allowance to operate an automotive business to be permitted.

In most cases of special use exception transfers, there is an ordinance of reference for the purpose of transferring to the new owner of a business which requires it. In this particularly unique situation, this is a business which has stood and operated for longer than our modern Zoning Ordinance has been in effect. One of the landowners, Mr. Steve Vogel, has provided to Staff the original deed for the property, which was signed and dated on November 15, 1965. Additionally there is documentation which includes a lease dated November 1965 to begin occupancy on January 1, 1966. The requirement for a transfer of special use exception did not go into effect until March 22, 1993 through Ordinance 2303 which was an amendment to the initial Zoning Ordinance, which initially went into effect on July 11, 1966 through Ordinance 557.

It is the opinion of the Planning Department that Mr. Little be given the opportunity to obtain the SUE Transfer on the concept of obtaining a continuation of the grandfathered allowance provided to the previous business owner. To this effect, there is no previous Ordinance to reference for transference and this process is rendered largely procedural for the ability to provide the new business owner his required business license. If approved, the resulting Ordinance would be filed together with the original deed and lease for the benefit of whomever might need to provide the same information in an identical situation where a new business owner takes over once more at 15233 Manchester Rd.

Mr. Little is still required to meet modern building code under our Building Department for the purpose of Occupancy.

**Submitted By:** Shawn Edghill, Planning Technician

**Date:** March 16, 2021



## **Staff Report**

**Subject:** Street Banners on Holloway/Kehrs Mill

**Department/Program:** Administration

**Explanation:**

Last fall I was contacted by an Alderman regarding some empty brackets on various light poles along Holloway and Kehrs Mill roads. After looking into the matter, I learned that those brackets were once used to display banners by the City along those roadways. I am not sure why that program was discontinued at some point, but given that the brackets are already there it seems like a good opportunity to place some decorative banners along the roadway to help promote the City.

In recent years Ameren has required cities to enter into a Pole Use License Agreement with Ameren to have access to place street banners on poles owned by Ameren. I contacted Ameren and provided them with the needed information. There is no cost to entering into this agreement, but it helps Ameren ensure that the poles being used are structurally sound and appropriate to hang banners on. In early February Ameren approved the agreement for all of the poles where the brackets are currently placed. They noted in their review that a number of poles on Holloway in front of the golf course and North Pointe are owned by the City, and therefore we have complete control over whether or not to place banners on those poles.

Kennedy has done some mockups of possible banner designs, which are attached to this report. These banners could be used to promote the golf course and North Pointe given their proximity, and also could be used as general decorative banners to promote the City similar to the banners in the medians on Manchester Road. I would recommend a combination of both.

It would cost about \$2,000 to order 20 banners. If the banners were well received more could be ordered in future years and/or different designs could be rotated in. In addition, banners could be placed elsewhere in the City, such as on New Ballwin Road. Conversely, if the Board does not wish to move forward with banners, staff can remove the brackets currently on the poles as they are fairly unattractive by themselves.

**Recommendation:**

Make a motion to move forward with the purchase and placement of street banners on the light poles along Holloway and Kehrs Mill roads.

**Submitted By:** Eric Sterman

**Date:** 3/17/21

**PLAY 9**



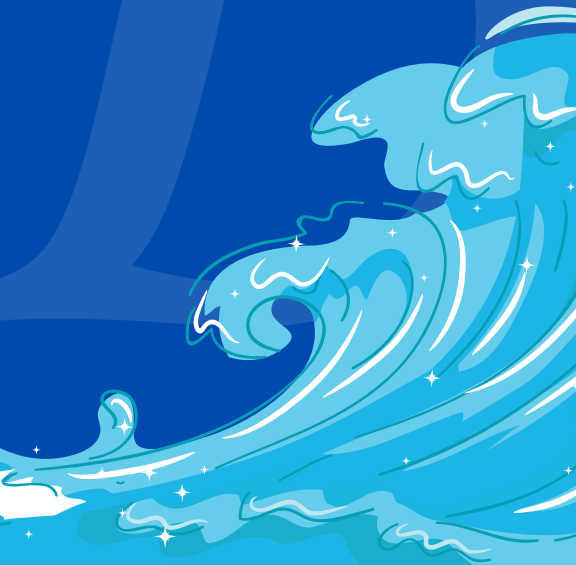






*Ballwin* CITY OF  
Est. 1837

# North Pointe





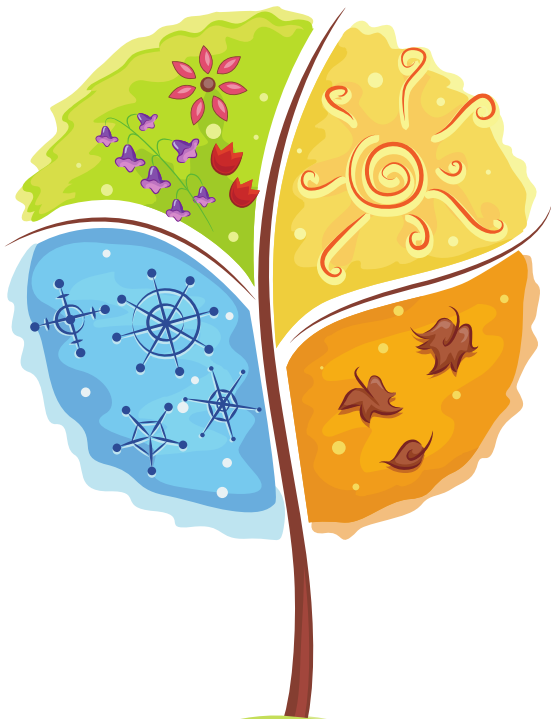


# North Pointe Aquatic Center



# North Pointe Aquatic Center





*City of*

**BALLWIN**

— *Est. 1837* —

*City of*

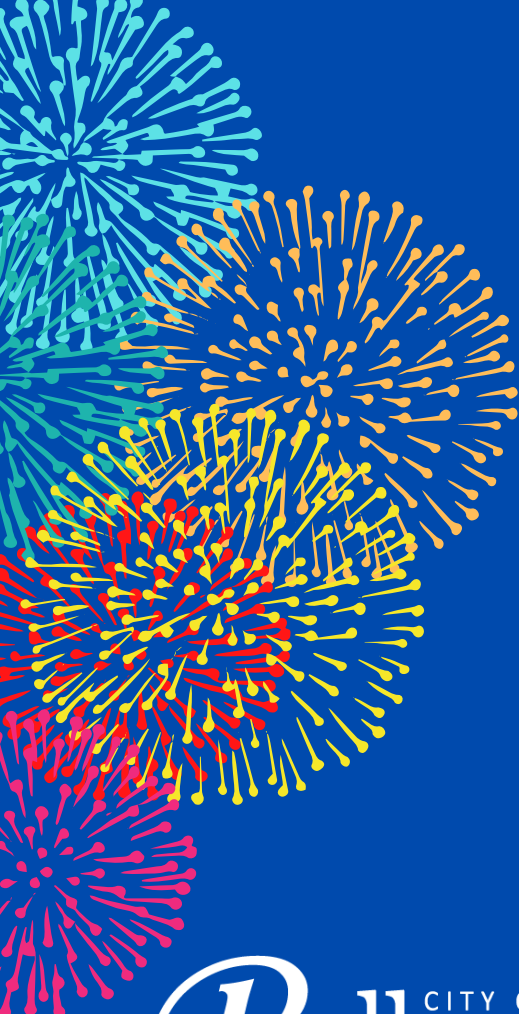
**BALLWIN**

— *Est. 1837* —



# SHOP BALLWIN

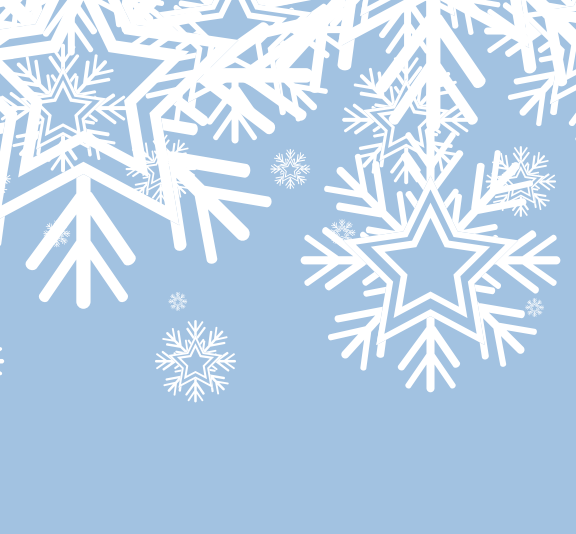




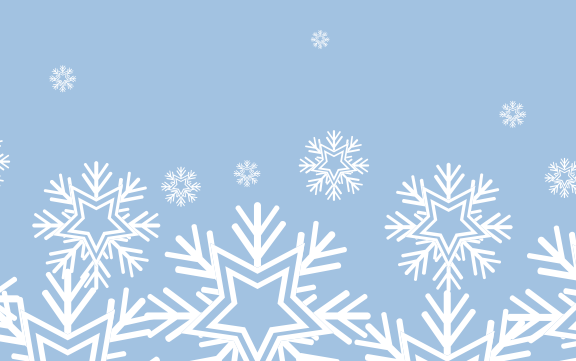
CITY OF  
*Ballwin*  
Est. 1837

# PLAY SHOP LIVE





# WELCOME TO BALLWIN







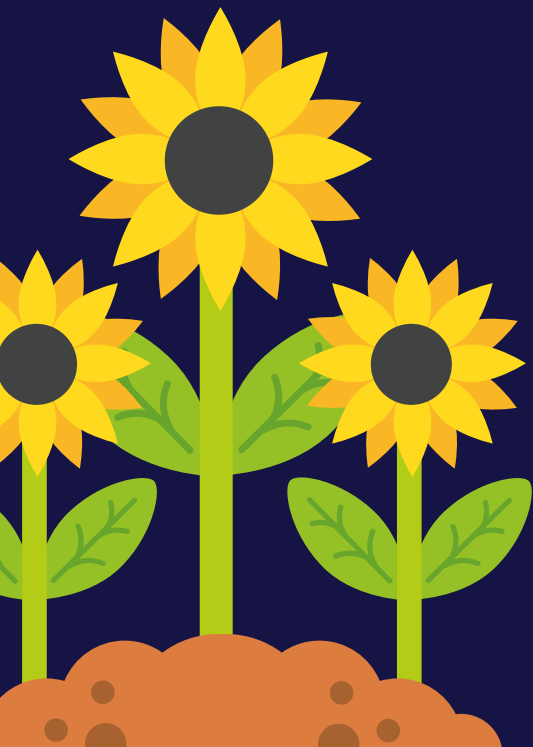
WELCOME TO  
BALLWIN

# City of Ballwin



**Est. 1837**

# BALLWIN





BALLWIN



*Ballwin* CITY OF  
Est. 1837



## **Staff Report**

**Subject:** Retiree Health Insurance Program

**Department/Program:** Administration/Finance

**Explanation:** During the 2021 budget process, staff had reported on the status of the employee retirement program, which was adopted in 2017. Under this program employees with 15 years of service who are age 60 or older may retire and continue as participants in the City's health insurance plan, paying the same amount as active employees do. They may also continue coverage for their spouse and/or dependent children, however, they are responsible for payment of their full premium. This plan was intended to assist employees who are physically struggling with the demands of their jobs but unable to take early retirement due to the high cost of health care. The cost of this program to the city was to be offset by the salary savings from replacing these tenured, higher paid workers with ones starting at the bottom of the pay ranges.

While this program is well intentioned it is costing far more than was anticipated. For employees retiring in 2020 and 2021 alone the cost of their health insurance premiums to the city will be almost \$300,000. The salary savings being realized are not as high as were anticipated either, and less than half of the retirees fit the intended profile, minimizing productivity gains. In 2023 the costs of the program will exceed the savings; in 2024 they will be nearly double.

Staff recognizes the value of this benefit to the employees and would like to preserve it but are striving also to be fiscally responsible.

Under the current plan, the cost of the program to the City for an employee retiring at age 60 is \$30,857- this is the total cost for 5 years. The cost to the retiree is \$1,807. This is a 95% city / 5% retiree cost ratio. The *annual* cost is \$6,171 for the city and \$361 for the retiree. In an effort to be fiscally responsible and reduce the cost to the city, staff is proposing a change in the cost ratio only, to 50% city / 50% retiree. The annual cost for each would then be \$3,266. All other components of the program would remain unchanged. This would take effect January 1, 2022, giving employees who are considering early retirement the opportunity to plan accordingly. All employees currently retired or who choose to retire prior to January 1<sup>st</sup> would be permanently grandfathered in at the existing discounted rates, so they will not be impacted by this change.

### *Why this is good for the retiree*

The primary benefit to the employee of the retiree insurance program is the ability to stay on the City's plan at our negotiated group rates through SLAIT. This component of the benefit will not change. Conversely, without the benefit of access to the City's group insurance, retirees who are not yet eligible for Medicare would have to obtain insurance on the open market under the Affordable Care Act. Annual costs for a plan comparable to ours for a 60 year old non-smoker is about \$11,700. Any pre-existing conditions could increase that figure. Therefore, even under the revised 50/50 cost share, early retirees would still save at least \$8,434 on the cost of health premiums each year compared with buying on the open market. Employees may still take advantage of this benefit at age 60 as well as obtain coverage for their dependents.

### *Why this is good for the City*

The five year cost to the City for a retiree is reduced from \$30,857 to \$16,332, resulting in substantial cost savings and reducing a potential long term financial burden on the City. While there are several retirees for whom the cost of premiums exceeds their salary savings under the current ratio, there are none under the proposed ratio.

**Recommendation:** Make a motion for a resolution updating the employee retirement program to reflect a cost ratio of 50/50 to be effective January 1, 2022.

**Submitted By:** Denise Keller, Finance Officer

**Date:** March 16, 2021

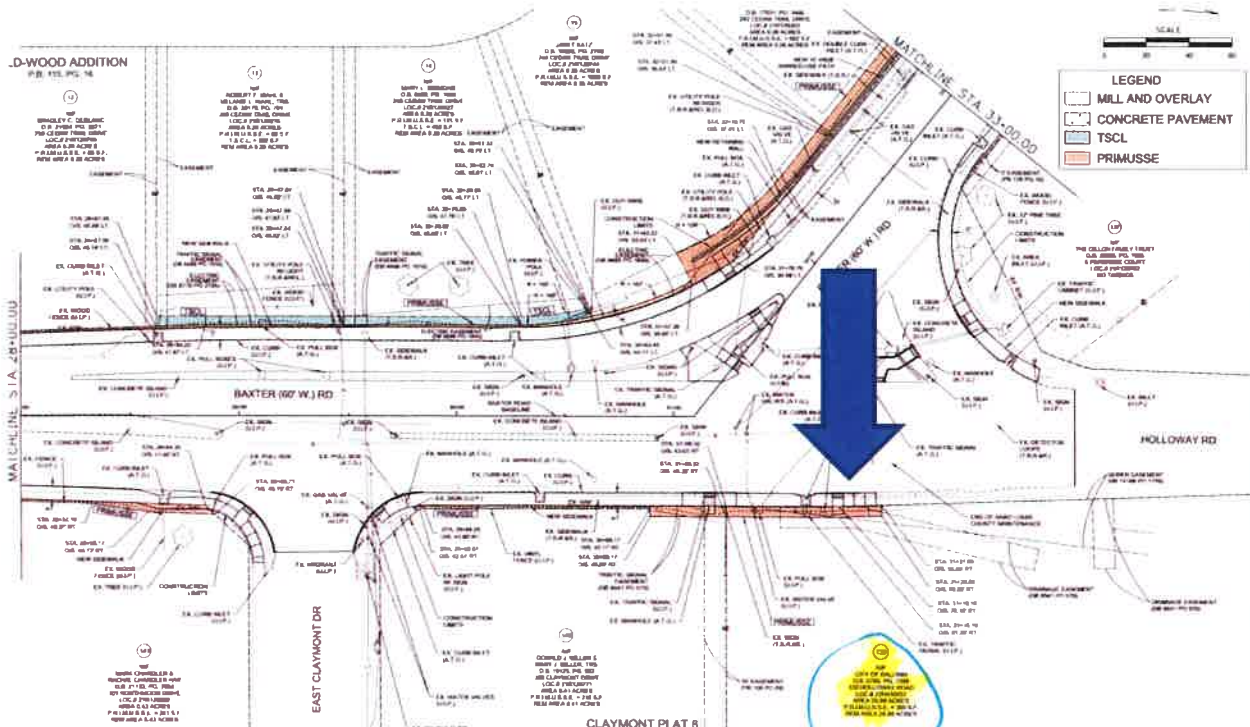
## Staff Report

**Subject:** Acquisition of Right of Way-Baxter Road Resurfacing

**Department/Program:** Public Works/ Engineering

**Recommendation:** Staff recommends donating 360 square feet of Permanent Roadway Improvement Maintenance Utility Sewer and Sidewalk easement.

**Explanation:** St. Louis County has submitted plans to mill and overlay Baxter road with some improvements from Clayton road to Manchester road. They will require a small portion of an easement on Holloway adjacent to City owned property for this project.



**Submitted By:** Jim Link

**Date:** 03-15-2021



Sam Page  
County Executive

Saint Louis  
**COUNTY**  
**TRANSPORTATION**  
**PUBLIC WORKS**

Stephanie Leon Streeter, P.E.  
Acting Director

Joseph W. Kulessa, P.E.  
Acting Deputy Director

January 19, 2021

Mr. Eric Sterman  
City Administrator  
City of Ballwin  
1 Government Center  
Ballwin, Missouri 63011

RE: **Acquisition of Right-of-Way**  
Baxter Road (South) ARS Resurfacing  
St. Louis County Project No. AR-1555  
Federal Project No. STP-5548 (606)  
Parcel No. 139  
Address of Property Affected:  
333 Holloway Road

Dear Mr. Sterman:

St. Louis County Department of Transportation and Public Works is pleased to inform you of a road improvement project planned for your area. Engineering drawings which indicate the extent to which your property will be affected are enclosed.

We do want to inform you that you have the right to receive compensation for the land in question, as determined by an appraisal for rights taken from your property. A *Right-of-Way Acquisition* leaflet is furnished with this letter. The purpose of this leaflet is to explain the process which must be followed to acquire the necessary property rights.

Due to the benefits to be derived from the project, we are hopeful we can reach an agreement with you to donate 360 square feet of Permanent Roadway Improvement Maintenance Utility Sewer and Sidewalk Easement as required for the road improvement project. If you are agreeable to the exchange as proposed, we would appreciate you acknowledging this agreement and waiver of compensation by signing below.

We look forward to the continuation of our road improvement program and are grateful for the opportunity to serve you.

Should you have further questions, please feel free to contact John Eddington, Right-of- Way Manager at (314) 615-8589.

Sincerely,



Stephanie Leon Streeter, P.E.  
Acting Director

SLS:JJE:mtb

Enclosures: Engineering Drawings  
*Right-of-Way Acquisition* leaflet

Accepted by Property Owner(s):

Eric Sterman                      Date  
City Administrator, City of Ballwin

Baxter Road (South) ARS Resurfacing  
St. Louis County Project No. AR-1555  
Federal Project No. STP-5548 (608)  
Parcel No. 139

**PERMANENT ROADWAY IMPROVEMENT,  
MAINTENANCE, UTILITY, SEWER AND SIDEWALK EASEMENT**

**THIS ACQUISITION IS AUTHORIZED BY ST. LOUIS COUNTY ORDINANCE NO. 27,983,2021  
Dated, January 21, 2021**

THIS INDENTURE made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ 2021, between the City of Ballwin, of the County of St. Louis, State of Missouri, Grantor and **ST. LOUIS COUNTY, MISSOURI**, 41 South Central Avenue, Clayton, Missouri 63105, Grantee.

WITNESSETH, that the said Grantor, for and in consideration of the sum of one dollar and other valuable considerations, paid by the said Grantee, the receipt of which is hereby acknowledged, does by these presents, grant unto the said Grantee a permanent easement to improve, construct, repair and maintain roadway improvements, utilities, sewers and sidewalks in upon the following described premises situated in the County of St. Louis and State of Missouri, and more particularly described as follows:

**SEE EXHIBIT "A" PERMANENT ROADWAY IMPROVEMENT, MAINTENANCE, UTILITY,  
SEWER AND SIDEWALK EASEMENT DESCRIPTION – PAGE 3**

TO HAVE AND TO HOLD said easement unto ST. LOUIS COUNTY, MISSOURI, and to its assigns and successors forever.

The said Grantor hereby covenanting that they and their successors, executors, and administrators, shall and will Warrant and Defend the title to the premises unto the said Grantee, and to its successors and assigns forever against the lawful claims of all person whomsoever.

IN WITNESS WHEREOF, the said City of Ballwin has caused these presents to be signed by its City Administrator this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

By: \_\_\_\_\_

Eric Sterman, City Administrator

Baxter Road (South) ARS Resurfacing  
St. Louis County Project No. AR-1555  
Federal Project No. STP-5548 (608)  
Parcel No. 139

State of Missouri     )  
                                  ) ss.  
County of St. Louis    )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2021, before me appeared Eric Sterman, to me personally known, who being by me duly sworn, did say he is City Administrator of City of Ballwin by authority of its City Council, and said City Manager acknowledged said instrument to be the free act and deed of said Municipality.

**IN WITNESS WHEREOF**, I have hereunto subscribed my name and affixed my official seal in the County and State aforesaid, the day and year first above written.

\_\_\_\_\_  
Notary Public

My term expires: \_\_\_\_\_

Baxter Road (South) ARS Resurfacing  
St. Louis County Project No. AR-1555  
Federal Project No. STP-5548 (608)  
Parcel No. 139

Exhibit "A"

PROJECT NAME: Baxter Road  
PROJECT NUMBER: AR-1555  
PARCEL NUMBER: 139  
OWNER: City of Ballwin

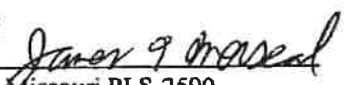
October 19, 2020

**PERMANENT ROADWAY IMPROVEMENT MAINTENANCE  
UTILITY SEWER SIDEWALK EASEMENT**

A tract of land being part of property conveyed to the City of Ballwin by instrument recorded in Deed Book 6706 Page 1598 and being situated in Section 26, Township 45 North, Range 4 East, Saint Louis County, Missouri and being more particularly described as follows:

Beginning at the intersection of the West line of Holloway Road as widened by instrument recorded in Deed Book 8541 Page 570 of the Saint Louis County Records with the North line of property conveyed to the City of Ballwin by instrument recorded in Deed Book 6706 Page 1598, being also the South line of Lot 537 of "Claymont Plat 8" according to the plat thereof recorded in Plat Book 108 Page 69; thence continuing along said West line, South 00 degrees 31 minutes 33 seconds West 52.26 feet to a point; thence South 01 degree 20 minutes 35 seconds East 19.64 feet to a point; thence departing said West line, South 88 degrees 39 minutes 25 seconds West 4.99 feet to a point; thence North 01 degree 27 minutes 05 seconds West 19.77 feet to a point; thence North 00 degrees 33 minutes 22 seconds East 52.29 feet to a point on the aforesaid North line of property conveyed to the City of Ballwin, being also the aforesaid South line of Lot 537; thence continuing along said North line, South 89 degrees 27 minutes 59 seconds East 5.01 feet to the point of beginning according to calculations based on plans prepared for Saint Louis County Project No. AR-1555 and containing 360 square feet more or less.

This property description does not constitute a property boundary survey, but has been written based on a property boundary survey prepared by the St. Louis County Department of Transportation.

By:   
James T. Nussel Missouri PLS-2590  
St. Louis County Department of Transportation  
1050 N. Lindbergh, St. Louis, MO 63132  
(314) 615-1175



***RIGHT-OF-WAY ACQUISITION***

**When a Saint Louis  
County Road Project  
Comes Your Way**

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*Deanna Venker, P.E., Director*

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## **AN EXPLANATION**

### **So that you will know...**

The improvements or relocation of roads usually involves the acquisition of private property necessary for the construction of the roadway facilities.

We must have proper safeguards both for the road users for who the road improvements are made and for the property owners from whom the necessary right-of-way must be acquired. St. Louis County has developed policies and procedures designed to accomplish these two objectives. We want you to be familiar with these policies and procedures.

For this reason, we have prepared this informational brochure. Though it is brief, we hope it will help you become more familiar with our practices—and hence, better equipped to know what to expect during your dealings with St. Louis County Department of Transportation and Public Works.

We sincerely hope the information contained in this brochure will give you a solid basis of fact in your dealings with the Department of Transportation and Public Works - a foundation on which mutual confidence and cooperation can grow. We sincerely hope, also, that at the conclusion of our transaction you will be a firm friend and supporter of St. Louis County Government.

The Project Development Division land acquisition procedure can be separated into three phases. They are:

1. Valuation and Appraisal
2. Negotiations
3. Settlements and Closings, or if necessary  
Acquisition through Eminent Domain

Each phase will be discussed separately in the following paragraphs:

**VALUATION**  
**AND**  
**APPRAISAL**

**What's it worth?**

This is the period in which a study is made to determine the amount of money that you are entitled to receive in payment for the property which is to be acquired from you.

Valuation studies of this type include appraisals which are made by individuals, known as "appraisers". The appraisers will make every effort to extend to you or your designated representative, an invitation to accompany them when inspecting your property. Appraisers will work with and welcome assistance from you or your designated representative during the appraisal process.

The appraisals will be completed by well-qualified, independent appraisers, or by well-trained and equally qualified staff appraisers.

**"Your cooperation and  
assistance will be  
very important."**

Staff appraisers are full-time employees of the Project Development Division— Right-of-Way Section. Independent appraisers are employed by contract to work on specific properties or projects.

In every case, the completed appraisals will be reviewed by a qualified person and just compensation approved by a department official.

If the entire parcel is to be acquired, the appraiser must establish its current fair market value. The current fair market value is the amount of money from a willing and informed seller to a buyer with the same qualifications.

If only a part of your property is needed for the roadway improvement, the appraiser must establish the value of your entire property before it is in any way changed by the proposed roadway improvement. This is commonly referred to as the "before value". They must also determine what the value of your entire remaining property will be, assuming the roadway construction has been completed, considering the physical changes and any benefits or damages that might be created. This is commonly referred to as the "after value". You will be offered the difference between the "before" and "after" value of your property.

Losses in value for which you can be paid are those caused by the loss of land, buildings, improvements and property rights.

The amount of money to be paid to a property owner is called "just compensation".

Your cooperation and assistance, as a property owner, will be important in the appraisal process. We will appreciate any part you take in the valuation study so that in the end, the amount of just compensation to which you are entitled will be the results of the combined efforts of both yourself and the Project



Development Division, Right-of-Way Section.

The Department of Transportation and Public Works address is listed in the back of this brochure for your convenience in the event you have additional information that you feel will assist us in arriving at a fair appraisal of your property.

Before a final decision is made as to the amount that will be offered to you, a review of all facts involved will be made by representatives of the Project Development Division, Right-of-Way Section.

Out-of-state owners are encouraged to forward additional information to us at any time during the valuation phase.

## **NEGOTIATIONS**

### **Based on facts...**

A Project Development Division, Right-of-Way Representative will contact you when the amount of just compensation that you are entitled to receive in payment for the right-of-way acquired from you has been determined.

The Right-of-Way Representative will advise you of the Division's acquisition procedures and explain in detail how the design and construction features of the new improvement will affect your property. You will be given information to know concerning your transaction with the Division.

The amount of money offered to you will be confirmed in writing and will be the amount of just compensation that facts will support as determined through the valuation and appraisal procedures. It has been concluded through experience in negotiations that owners cannot all be treated equally under a flexible procedure where offers can be increased or decreased through a trading process. In justice to all, offers must be based on proven property values and not on an owner's skilled ability in negotiating and trading.

The fact that the Project Development Division does not attempt to purchase right-of-way below the fair market value as determined through appraisal procedures is assurance that the offer to you for your property will be the just compensation that the Project Development Division can pay regardless of whether you are experienced or inexperienced in real estate transactions.

If it is discovered that additional facts or items of value which will justify an adjustment in the amount of just compensation were not considered in the appraisal of your property, such adjustments will be made and a revised offer will be conveyed to you.

When improvements are located within the right-of-way, the owner will be given an opportunity to retain and remove them for salvage value, which will be deducted from the offer.

Relocation assistance will be provided during negotiations to persons occupying a business or dwelling place and for removals of private property. A brochure will be provided to familiarize you with this program.

The Right-of-Way Representative will discuss the transaction for your property only with you or with your properly authorized attorney or representative. Normally, prior to negotiations with your authorized representative, we must have a letter from either you or your authorized representative advising that he or she has been authorized to negotiate in your behalf. We do not normally negotiate with real estate firms or other parties who do not have a direct interest in your property.

The Right-of-Way Representative will take care of the details and paperwork concerning the settlement. It is desired that you receive just compensation for your property that is fair to you and the tax paying citizens of St. Louis County.

## **SETTLEMENTS** **AND CLOSINGS**

### **Of interest to you...**

1. Your signed deed and supporting documents (mortgage releases, leases, etc.) - if any - will be retained by the Project Development Division, Right-of-Way Section or by an Escrow Agent until distribution of the money is made to the party or parties entitled to receive payment, and will then be recorded in the Office of the Recorder of Deeds. Normal closing costs and recording fees are paid by the Project Development Division, Right-of-Way Section.
2. You can expect payment approximately 90 days after the executed deed of conveyance and all documents required for clear title are received in the Project Development Division, Right-of-Way Section or Escrow Agent. Total payment for real property will be made prior to the required date of possession.
3. Occupants of improvements located on land acquired for the highway will be given written notice to vacate a minimum of 90 days in advance of the date required to surrender possession of the property to the Project Development Division, Right-of-Way Section.
4. Owners will be reimbursed for a pro rata portion of the county real estate taxes paid for the current taxable year on property purchased by the Division. The pro rata portion of taxes will cover the full number of months remaining in the calendar year after payment is received for the real property. Claims must be made within 6 months after the City or County tax delinquent date. Delinquent tax payments are not reimbursable. Reimbursement claim forms can be obtained from the Project Development Division, Right-of-Way Section.
5. Owners will be reimbursed for actual penalty costs for prepayment of a preexisting mortgage entered into in good faith and filed of record prior to the scheduled date of the design public hearing for the project.

To be eligible for this payment, the property must be taken in its entirety or the taking must be of such magnitude that the remainder will not provide collateral for the mortgage and/or the mortgagor must require prepayment of the mortgage. Prepayment mortgage penalty claims forms can be obtained from the Project Development Division, Right-of-Way Section.

6. Owners have the right to request review of the pro rata portion of real estate taxes as determined by the Project Development Division, Right-of-Way Section. They also may request review of any penalty cost for prepayment of pre-existing recorded mortgage as determined by the Division. If after this review and discussion you are still not in agreement, you have the right for a formal appeal. This appeal must be filed within 60 days after you have been notified in writing of rejection by the Project Development Division, Right-of-Way Section following its review.

In the event relief requested in your formal appeal to the Project Development Division, Right-of-Way Section is not granted, you still have the right to seek judicial review.

## **EMINENT DOMAIN**

### **How it works...**

If it is not possible for the owner and Project Development Division Right-of-Way representative to agree on the amount of just compensation to be paid, it will be necessary to follow the procedure provided under the law of eminent domain to establish the price to be paid.

If this course of action is take, the following procedure is used:

St. Louis County will file in Circuit Court a condemnation petition setting out the land and/or rights to be acquired and naming all parties who own an interest in it.

The Circuit Judge will set a date for hearing the petition, after which due notice of the date of the hearing will be given to the landowners affected through a "summons". If, on the date set, the Court finds the petition to be proper, the Judge will appoint three disinterested persons (designated as Condemnation Commissioners) to view and appraise the property and determine the amount of just compensation the owner is entitled to receive.

The Court-appointed Commissioners, after considering the facts, make their decision and file their report with the Clerk of the Court. After the Commissioners make their decision concerning just compensation and file their report in Court, St. Louis County must deposit the amount found by them with the Circuit Clerk before taking possession of the property.

Either side can, within 30 days from receipt of notice of filing of Commissioners' report, file exceptions to the Commissioners' Award if they are not satisfied and ask that the matter be tried before a jury for final determination.

If exceptions are not filed by either the owner or St. Louis County, the amount determined by the Court-appointed Commissioners becomes final.

The landowner can withdraw the Court deposit at any time, regardless of whether or not such exceptions are filed; however, if

exceptions are filed and jury award is for a smaller amount, the owner must refund the difference to St. Louis County together with interest on the refunded amount. By the same token, if the jury award is higher, the County must pay the difference, plus interest.

The above is set out not as advice but to inform you of the alternates available should you elect not to accept the offer made for your property.

For specific information or advice concerning condemnation, we suggest that you confer with an attorney of your choice.

## **IN CONCLUSION**

### **That's our wish...**

In this brochure we cannot answer every question concerning road land acquisition procedure. However, we hope the information here will help you to understand the general procedure which we must follow in acquiring real estate.

We sincerely hope that your coming transaction with St. Louis County will be a pleasant experience for both you and the Project Development Division, Right-of-Way Section personnel who you will meet. We believe that you will find them to be courteous and thoughtful and aware of their obligations to you as an individual and to the public in general.



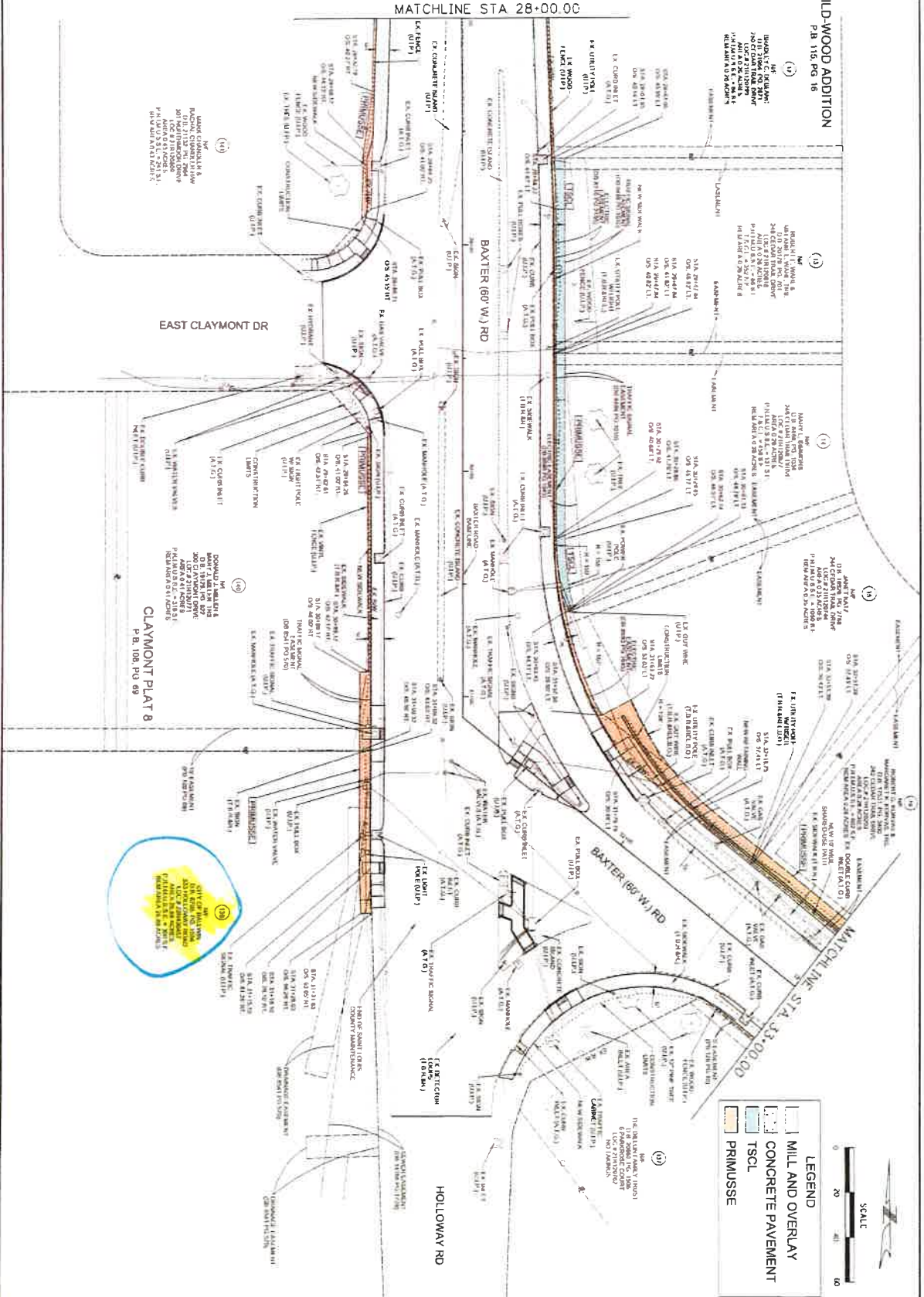
**WHERE TO WRITE**  
**OR CALL**

St. Louis County Department of Transportation and Public Works  
Deanna Venker, P.E., Director  
1050 N. Lindbergh Boulevard  
St. Louis, Missouri 63132  
Telephone No. (314) 615-8501

# WILD-WOOD ADDITION

P.B. 115 PG. 16

MATCHLINE STA 28+00.00



|                                                                                                 |                                                                                                            |                                                                        |                                                                             |                                                                                            |                                                                                            |                                                                          |                                                                            |
|-------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|-----------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|----------------------------------------------------------------------------|
| <p><b>PROJECT</b></p> <p>ARS RESURFACING</p> <p><b>ROADWAY PLANS</b></p> <p>(SHEET 5 OF 21)</p> | <p><b>DESIGNED BY</b></p> <p>ARS</p> <p><b>CHECKED BY</b></p> <p>ARS</p> <p><b>DATE</b></p> <p>8-07-10</p> | <p><b>APPROVED BY</b></p> <p>ARS</p> <p><b>DATE</b></p> <p>8-07-10</p> | <p><b>PROJECT NO.</b></p> <p>ARS-1055</p> <p><b>DATE</b></p> <p>8-07-10</p> | <p><b>PROJECT LOCATION</b></p> <p>WILD-WOOD ADDITION</p> <p><b>DATE</b></p> <p>8-07-10</p> | <p><b>PROJECT DESCRIPTION</b></p> <p>ARS RESURFACING</p> <p><b>DATE</b></p> <p>8-07-10</p> | <p><b>PROJECT OWNER</b></p> <p>ARS</p> <p><b>DATE</b></p> <p>8-07-10</p> | <p><b>PROJECT CONTACT</b></p> <p>ARS</p> <p><b>DATE</b></p> <p>8-07-10</p> |
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