



BOARD OF ALDERMEN

Meeting Agenda

APRIL 12, 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 22, 2021 Board of Aldermen Meeting Minutes
- 5. Citizen Comments**
- 6. Legislation**
 - a. Bill 4094 – 14918 Manchester Rd. Lot Split
 - b. Resolution – Retiree Health Insurance
 - c. Resolution – Holloway Rd. Easement
- 7. Consent Items**
 - a. Administration – Dental Insurance
 - b. Administration – Personnel Manual Changes
 - c. Parks – Aqua Wall
 - d. Parks – Ferris Park Change Order
 - e. Police – Police Vehicles
- 8. Mayor’s Report**
- 9. City Administrator’s Report**
- 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 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

APRIL 12, 2021

7:00 PM 1 GOVERNMENT CTR BALLWIN, MO 63011

MINUTES Enclosed, please find the Minutes from the March 22, 2021 Board of Aldermen Meeting.

LEGISLATION

BILL 4094 - AN ORDINANCE APPROVING A SPLIT OF THE LOT KNOWN AND NUMBERED AS 14918 MANCHESTER ROAD IN THE CITY OF BALLWIN.

A petition was received from Ben Stegmann to split the lot known and numbered as 14918 Manchester Road in the City of Ballwin. The petition was referred to and approved by the Planning and Zoning Commission at its April 5, 2021 meeting.

RESOLUTION – A RESOLUTION ADOPTING AN UPDATE TO THE EMPLOYEE RETIREMENT PROGRAM TO REFLECT A COST RATIO OF 50/50 FOR NEW ENROLLEES, TO BE EFFECTIVE JANUARY 1, 2022.

This resolution will update the retiree health insurance program.

RESOLUTION - A RESOLUTION APPROVING DONATION OF 360 SQUARE FEET OF PERMANENT ROADWAY IMPROVEMENT MAINTENANCE UTILITY SEWER AND SIDEWALK EASEMENT ALONG HOLLOWAY ROAD TO ST. LOUIS COUNTY.

This resolution donates a portion of Holloway Rd. easement to St. Louis County.

CONSENT ITEMS

Administration – Dental Insurance

Staff is recommending renewal of the City's employee dental coverage with Delta Dental. There will be no rate increase and a two-year guarantee.

Administration – Personnel Manual Changes

Staff is recommending approval of changes to the Personnel Manual; these changes are to sections covering Residency, Vacancies, Media Inquiries and Family Medical Leave.

Parks – Aqua Wall

Staff is recommending the disposal of the Aqua Climb Portable Poolside Climbing Wall: Asset ID 325.

Parks – Ferris Park Change Order

Staff is requesting the Board approve a change order from Ideal Landscape Group in the amount of \$16,200 for the relocation of the bio-retention basin.

Police – Police Vehicles

Staff is recommending three police vehicles be removed from inventory due to high mileage, excessive repair costs and lack of need.



BOARD OF ALDERMEN

Meeting Briefs

APRIL 12, 2021

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MAYOR'S REPORT

CITY ADMINISTRATOR'S REPORT

CITY ATTORNEY'S REPORT

ALDERMANIC COMMENTS



DRAFT MINUTES
BOARD OF ALDERMEN
Meeting Minutes

March 22, 2021

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 7:01 p.m.

ROLL CALL

Present

Mayor Tim Pogue

Alderman Michael Finley

Alderman Kevin M. Roach

Alderman Mark Stallmann

Alderman Frank Fleming

Alderman Ross Bullington

Alderman Raymond Kerlagon

City Administrator Eric Sterman

City Attorney Robert Jones

Absent

Alderman Mike Utt

Alderman Jim Leahy

MINUTES

The Minutes from the March 8, 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 March 8, 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 22, 2021

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

LEGISLATION

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.

A motion was made by Alderman Fleming and seconded by Alderman Bullington for a first reading of Bill 4092, title only. A voice vote was taken with unanimous affirmative result and Bill 4092 was read for the first time.

Discussion:

None

A motion was made by Alderman Fleming and seconded by Alderman Stallmann for a second reading of Bill 4092, title only. A voice vote was taken with unanimous affirmative result and Bill 4092 was read for a second time.

A roll call vote was taken for passage and approval of Bill 4092 with the following results:

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

Nays -- None.

Bill No. 4092 was approved and became Ordinance No. 21-09

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.

A motion was made by Alderman Stallmann and seconded by Alderman Bullington for a first reading of Bill 4093, title only. A voice vote was taken with unanimous affirmative result and Bill 4093 was read for the first time.

Discussion:

None



DRAFT MINUTES
BOARD OF ALDERMEN
Meeting Minutes

March 22, 2021

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

A motion was made by Alderman Stallmann and seconded by Alderman Bullington for a second reading of Bill 4093, title only. A voice vote was taken with unanimous affirmative result and Bill 4093 was read for a second time.

A roll call vote was taken for passage and approval of Bill 4093 with the following results:

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

Nays -- None.

Bill No. 4093 was approved and became Ordinance No. 21-10

CONSENT ITEMS

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.

Discussion:

A motion was made by Alderman Roach and seconded by Alderman Bullington to approve the consent item as submitted. A voice vote was taken with unanimous affirmative result and the motion passed.

Administration – SUE Transfer

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

Discussion:

A motion was made by Alderman Roach and seconded by Alderman Bullington to approve the consent item as submitted. A voice vote was taken with unanimous affirmative result and the motion passed.

MAYOR'S REPORT

Nothing to report

CITY ADMINISTRATOR'S REPORT

Nothing to report



DRAFT MINUTES
BOARD OF ALDERMEN
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CITY ATTORNEY'S REPORT

Nothing to report

STAFF REPORTS

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.

Discussion:

City Administrator Sterman reported that we have obtained permission from Ameren to use their light poles at Kehrs Mill and Holloway for banners; these light poles currently have brackets which were previously used for banners. There are also poles at the golf course and North Pointe which are city owned. Marketing and Communications Specialist Kennedy Robinson created several designs for the banners, ranging from specific promotion of the golf course and pool to general City of Ballwin branding, decorative banners. Alderman Stallmann stated Ms. Robinson did a great job with the designs and they will be a great addition. Alderman Roach asked about working with Ameren and the process time; Mr. Sterman stated we had to seek a pole license agreement from them which took a few months but the agreement is in place so we do not have to revisit it unless we would want to add additional Ameren poles. Alderman Roach asked what happens with the brackets if they are not being used. Mr. Sterman stated the brackets are the City's and we can remove them; he also stated we have extra brackets should repairs be needed. Alderman Fleming stated he would prefer the banners that specifically say Ballwin. Mayor Pogue stated he believes this is a great project. Alderman Finley suggested that if any St. Louis sports teams were in playoffs, it would be nice to have banners supporting them as well.

A motion was made by Alderman Stallmann and seconded by Alderman Bullington to approve the purchase. A voice vote was taken with unanimous affirmative result and the motion passed.



DRAFT MINUTES
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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.

Discussion:

Finance Officer Denise Keller shared information on the retiree health insurance program which was adopted in 2017. It has become expensive with 2020/2021 retiree benefits costing the City around \$300,000. She further stated this benefit is highly valued, but we need to consider other options in order to be fiscally responsible. Staff's recommendation to the Board is for the eligible age to remain at 60, but with a 50/50 cost share. This is still substantially less expensive than what is available on the open market. Alderman Roach asked if Ms. Keller had received any feedback from staff. Ms. Keller replied that there are employees who would retire earlier if this is adopted as those who are in the plan on December 31, 2021 would be grandfathered in; the new plan would start on January 1, 2022. Alderman Fleming asked about the number of employees who have retired since this was adopted in 2017 and employees who fit the intended profile when this was originally adopted. Ms. Keller explained the benefit further.

A motion was made by Alderman Fleming and seconded by Alderman Bullington to accept the staff recommendation. A voice vote was taken with unanimous affirmative result and the motion passed.

A motion was made by Alderman Fleming and seconded by Alderman Bullington authorizing the City Attorney to draft a resolution to update the retirement program. A voice vote was taken with unanimous affirmative result and the motion passed.

Public Works – Baxter Rd. Easement

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

Discussion:

Public Works Director Jim Link reported that St. Louis County has requested that Ballwin donate 360 square feet of Baxter Rd. easement; this is adjacent to Holloway Park. Mayor Pogue stated he had contacted County Councilman Mark Harder and his staff due to a concern that parking on Baxter Rd. would be removed; he was told that the parking would remain. Councilman Harder's staff is setting up a meeting via Webex on April 7 to address these issues. Mayor Pogue stated he will also push for an in-person meeting as soon as they are permitted. Alderman Finley stated both he and Alderman Utt have had multiple exchanges with residents regarding the parking and they have assured residents they are on the residents' side. He also stated these parking spots are valuable especially for deliveries.



DRAFT MINUTES
BOARD OF ALDERMEN
Meeting Minutes

March 22, 2021

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

A motion was made by Alderman Finley and seconded by Alderman Stallmann to authorize the City Attorney to draft an ordinance donating the Baxter Rd. easement. A voice vote was taken with unanimous affirmative result and the motion passed.

ALDERMANIC COMMENTS

None

A motion was made by Alderman Fleming and seconded by Alderman Stallmann to adjourn. The motion was passed by unanimous affirmative voice vote and the meeting adjourned at 7:32 p.m.

TIM POGUE, MAYOR

ATTEST:

POLLY MOORE, CITY CLERK



Bill No. 4094

Ordinance No. _____

INTRODUCED BY

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

AN ORDINANCE APPROVING A SPLIT OF THE LOT KNOWN AND NUMBERED AS 14918 MANCHESTER ROAD IN THE CITY OF BALLWIN.

WHEREAS, a petition was received from Ben Stegmann to split the lot known and numbered as 14918 Manchester Road in the City of Ballwin; and

WHEREAS, said petition was duly referred to the Planning and Zoning Commission for its consideration and recommendation; and

WHEREAS, a public hearing before the Planning and Zoning Commission was held on April 5, 2021, upon the petition, due notice of which was published and posted according to law and ordinance; and

WHEREAS, the Planning and Zoning Commission has submitted its report to the Board of Aldermen and has recommended that said lot be split in accordance with the petition received; and

WHEREAS, upon review and due consideration of the Planning and Zoning Commission's report, minutes and recommendation, review of the City's Ordinance regarding simple lot splits (Article II, Section 25-38) and submissions of the Petitioner, the Board of Aldermen finds and determines that said lot split meets the criteria contained in the Ordinance.

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

Section 1. A split of the lot known and numbered as 14918 Manchester Road in the City of Ballwin is hereby approved, upon the condition that the curb cut currently located in the northeast corner of Lot 3 shall remain open to ingress and egress for Ballwin Athletic Association even if it is relocated to the south.

Section 2. The lot split plat of 14918 Manchester Road shall be tendered to the St. Louis County Recorder of Deeds by the Petitioner for recording.

Section 3. This ordinance shall take effect and be in full force from and after its passage and approval.

PASSED this ____ day of _____, 2021. _____



Bill No. ~~4094~~

TIM POGUE, MAYOR

APPROVED this ____ day of _____, 2021. _____
TIM POGUE, MAYOR

ATTEST: _____
ERIC STERMAN, CITY ADMINISTRATOR

Resolution

City of Ballwin, Missouri

INTRODUCED BY

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

A RESOLUTION ADOPTING AN UPDATE TO THE EMPLOYEE RETIREMENT PROGRAM TO REFLECT A COST RATIO OF 50/50 FOR NEW ENROLLEES, TO BE EFFECTIVE JANUARY 1, 2022.

WHEREAS, the Finance Officer studied the financial effect of the current employee retirement program which provides that program employees with at least 15 years of service who are 60 years old or older may continue as participants at the City's cost.

THEREFORE, BE IT RESOLVED by the Board of Aldermen that the employee retirement program shall be updated to reflect a cost ratio of 50/50 for new enrollees, to be effective January 1, 2022.

PASSED this ____ day of _____, 2021.

TIM POGUE, MAYOR

ATTEST: _____
CITY CLERK



Resolution

City of Ballwin, Missouri

INTRODUCED BY

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

A RESOLUTION APPROVING DONATION OF 360 SQUARE FEET OF PERMANENT ROADWAY IMPROVEMENT MAINTENANCE UTILITY SEWER AND SIDEWALK EASEMENT ALONG HOLLOWAY ROAD TO ST. LOUIS COUNTY.

WHEREAS, St. Louis County has submitted plans to mill and overlay Baxter Road, requiring a small easement from the City along Holloway Road.

THEREFORE, BE IT RESOLVED by the Board of Aldermen that the Mayor of the City of Ballwin is authorized to execute an easement to St. Louis County in the form attached hereto.

PASSED this ____ day of _____, 2021.

TIM POGUE, MAYOR

ATTEST: _____
CITY CLERK





Consent Item

RE: 2021 Delta Dental Renewal

Department/Program: Administration

Explanation: Dental Coverage

Recommendation:

Delta Dental has offered to renew the City's dental coverage with no rate increase and with a two year guarantee. The benefit coverage remains the same. This will go into effect on June 1, 2021.

Submitted By: Haley Morrison

Date: March 30, 2021

Group Name: CITY OF BALLWIN

Group Numbers: MO91251000

Renewal Period: 6/1/2021 through 5/31/2023

Funding: Fully-Insured

State: Missouri

MO91251000

Incurred Claim Analysis	Prior	Current
Beginning Experience Date:	2/1/2019	2/1/2020
Ending Experience Date:	1/31/2020	1/31/2021
Paid Claims:	\$72,101	\$56,352
Change in Reserves:	-\$3,142	\$2,642
Benefit Changes:	\$0	\$0
Seasonality Adjustment:	\$0	\$10,061
Adjusted Incurred Claims:	\$68,959	\$69,056
Annual Trend Factor: 5.9% per Year	1.18	1.11
Projected Incurred Claims:	\$81,096	\$76,689
Exposure Months:	1,511	1,494
Projected Incurred Claims PEPM:	\$53.67	\$51.33
Period Weighting:	33.00%	67.00%
Weighted Projected Incurred Claims PEPM:	\$52.10	
Projected Exposure Months:	1,548	
Weighted Projected Incurred Claims:	\$80,656	

Rate Development	Formula	Final
Weighted Projected Incurred Claims:	\$80,656	
Target Loss Ratio including Commissions:	73.29%	
<i>Commission Percentage:</i>	5.00%	
Required Premiums:	\$110,046	
Annualized Premium at Current Rates:	\$104,706	
Overall Increase:	5.10%	0.00%

Current Rates

Employee	\$33.78
Employee Plus 1	\$68.22
Family	\$125.16

Renewal Rates

Employee	\$33.78
Employee Plus 1	\$68.22
Family	\$125.16



Consent Item

RE: Personnel Manual Revision

Department/Program: Administration

Explanation:

Residency - The City has relaxed its residency requirements in order to attract applicants.

Vacancies - These edits are in response to our online application system and process.

Media Inquiries - Include the position of Marketing and Communications Specialist.

Family and Medical Leave Act (FMLA) - Section "Use of Paid Leave Required" The title states that is required, however the verbage currently says "may elect."

Recommendation: Accept the proposed changes to the personnel manual. Changes are attached. Strikethrough and red text indicate necessary revisions.

Submitted By: Haley Morrison

Date: April 1, 2021

Residency

The City does not require residency as a condition of employment. ~~for any position except Police Officers, Dispatchers, and certain positions in Public Works, who must live within 30 miles of the City limits.~~ Preference may be given to applicants for positions which are subject to emergency call-in on the basis of residence proximity to the City limits.

Vacancies

Human Resources will prepare and place advertisements for all vacant positions, as needed. Vacancies ~~will also~~ **may** be posted at City Facilities and on the City's Internet Home Page. Postings will also be sent to appropriate organizations and schools depending upon the nature of the position.

All job applications are to be submitted **through the City's online application program.** ~~to the Human Resources Office. Applications that are received at other City sites will be forwarded to Human Resources for processing.~~

Media Inquiries

Inquiries by the media must be referred to the Public Relations Officer (Police), **the Marketing and Communications Specialist** or City Administrator.

Family and Medical Leave Act (FMLA)

The following is The City's policy with respect to employee family and medical leave. If you have questions about the application or interpretation of this policy, please contact the HR Coordinator. *The City reserves the right to interpret, modify, add to or subtract from this policy, with or without notice.*

1. Definitions.

A "family or medical leave of absence" is defined as an approved absence available to eligible employees under certain circumstances for consecutive or intermittent periods of up to twelve (12) months of a rolling period. Circumstances under which leave may be taken include the birth of a child, the placement of a child with the employee for adoption or foster care, situations where an employee is needed to care for a child, spouse, or parent who has a serious health condition and cases where an employee is unable to perform his or her duties because of a serious health condition or a military family leave.

A "military family leave of absence" is defined as an approved absence available to eligible employees under certain circumstances including "military caregiver leave" or "qualifying exigency leave."

“Military caregiver leave” is defined as an approved absence available to eligible employees for the care of a spouse, son, daughter, parent, or next of kin who is a covered service member with a serious injury or illness for a period of up to twenty-six (26) weeks.

“Covered service member” means (a) a member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on a temporary disability retired list, for a serious injury or illness; or (b) a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five (5) years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

“Serious injury or illness” in the case of a member of the Armed Forces (including a member of the National Guard or Reserves) means an injury or illness that was incurred by the member in the line of active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating.

“Serious injury or illness” in the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period of five (5) years means a qualifying injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

“Qualifying exigency leave” is defined as an approved absence available to eligible employees for consecutive or intermittent periods of up to twelve (12) weeks for qualifying exigencies arising out of the fact that the employee’s spouse, son, daughter, or parent is on covered active duty, or has been notified of an impending call or order to covered active duty, in support of a contingency operation, but does not apply to family members of military members who are in the regular armed forces.

“Covered active duty” means (a) in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and (b) in the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty.

A “twelve (12) month period” is defined as a rolling twelve (12) month period measured backward from the date an employee uses family medical leave.

A “family member” is defined as an employee’s spouse, children (son or daughter), and parents. The term parent does not include parent “in-law.” The terms son or daughter do not include individuals age 18 or over unless they are “incapable of self-care” because

of a mental or physical disability that limits one or more of the “major life activities” as defined in the Americans with Disabilities Act.

Federal law governs which employees may be eligible for family or medical leave or military family leave and provides certain conditions or limitations.

2. Eligibility.

To qualify for leave under this policy, an employee (including a part-time employee) must have been employed by The City for at least twelve (12) months. In addition, the employee must have worked at least 1,250 hours during the twelve (12) month period prior to requesting leave. The twelve (12) month period need not be consecutive twelve (12) months. This policy may not apply to certain executive and administrative employees. Please check with the HR Coordinator when you provide notice of your request for leave to determine if you are eligible.

3. Use of Paid Leave Required.

Employees who qualify for FMLA will be assigned 12 weeks of unpaid FMLA. Employees ~~may elect~~ **will be required** to substitute ~~any~~ **their** accrued paid leave during these 12 weeks of unpaid leave. Use of accrued paid leave will count against the 12 weeks of assigned FMLA leave. Once the 12 weeks of FMLA are exhausted, the employee may request additional leave through the office of the City Administrator. If leave is approved, it will be granted in 30-day increments. Additional accrued paid leave may be used at this time, otherwise, additional unpaid leave will be assigned.

4. Requirements for Leave – Certifications.

The City requires medical certification within five (5) business days of an employee's request for foreseeable leave on account of a serious health problem or to care for a seriously ill family member. If it is the employee's own health condition, the medical certification must include a statement from the treating physician that the employee is unable to perform the functions of his or her position. If the requested leave is unforeseeable, The City requires medical certification within five (5) business days after the leave begins.

If leave is requested to care for a family member with a serious health problem, the medical certification must include an estimate of the amount of time the employee will be needed to care for the family member. Under certain circumstances, The City may require a second medical opinion and a periodic reevaluation, for which The City will pay. If the first and second opinions differ, The City may require that a third opinion be obtained, which will also be paid for by The City.

If leave is requested for a qualifying exigency, the employer may require that the employee's request be supported by a copy of the covered service member's active duty orders and certification providing the appropriate facts related to the particular qualifying exigency for which leave is sought, including contact information if the leave involves meeting with a third party.

If leave is requested to care for a covered service member with a serious injury or illness, the employee may require that the employee's request be supported by a certification completed by an authorized health care provider or by a copy of an Invitational Travel Order (ITO) or Invitational Travel Authorization (ITA) issued to any member of the covered service member's family.

Second and third opinions and re-certifications are not permitted for certification of a qualifying exigency or re-certification of a covered service member's serious injury or illness.

5. Benefits During Leave of Absence.

Employees taking family and medical leave under this policy are eligible to continue coverage under the City's existing group health plan for the duration of the leave under normal conditions and requirements. If an employee does not return to work after the completion of approved leave, the employee will be required to reimburse the City for premiums paid to maintain the employee's group health coverage unless the failure to return to work was for reasons beyond the employee's control.

6. Return to Active Employment.

Upon return from approved family and medical leave, an employee will normally be returned to his or her previous position or an equivalent position with equivalent benefits, pay, and other terms and conditions of employment, if the previous position is no longer available.

7. Leave Schedule.

Leave may be taken on a continuing or intermittent basis if medically necessary for a serious health condition of the employee or family member or whenever medically necessary to care for a covered service member with a serious injury or illness or for a qualifying exigency arising out of active duty status or call to active duty of a covered military member. If the leave requested is to be on an intermittent basis, the employee must make a reasonable effort not to disrupt The City's business. If a foreseeable leave is requested on a sporadic schedule or intermittent basis, The City may require the employee to transfer temporarily to a different, equivalent position to permit The City to adjust to recurring periods of absence or a part-time schedule. If the necessity for leave because of any qualifying exigency arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces, leave may be taken intermittently or on a reduced leave schedule.

8. Notification and Reporting.

When the need for leave is foreseeable (such as the birth, adoption or placement of a child and in cases of planned medical treatment of oneself, one's family member or one's family member who is a covered service member), the employee must notify The City at least thirty (30) days in advance of the requested leave. This notice must be

provided to their supervisor and department head in writing on a Request for Sick Leave/FMLA form. In any case in which the necessity for leave is foreseeable due to a spouse, son, daughter or parent of the employee is on covered active duty or because of notification of an impending call or order to covered active duty (a qualifying exigency), the employee shall provide such notice to the employer as is reasonable and practicable. Notice must be given in person (or by telephone in cases of medical emergencies) and may be given by the employee's spouse or other family member only if the employee is unable to do so due to a serious health condition. When the need for leave is unforeseeable, notice must be given as soon as practical after the employee learns of the need for the leave. Absent unusual circumstances, requests for unforeseeable leave must comply with The City's customary leave requirements. In notifying the employer, the employee must provide "sufficient information" to make the employer aware of the need for FMLA leave and the anticipated timing and duration of the leave.

Military Leave

The City of Ballwin will grant an employee a leave of absence from his or her position if the employee's absence is necessitated by his or her uniformed service.

An employee who is or may become a member of the national guard or of any reserve component of the U.S. Armed Forces, shall be granted a leave of absence from his or her respective duties without loss of time, pay, regular leave, impairment of efficiency rating, or of any other rights or benefits to which he or she would otherwise be entitled for all periods of military service during which they are engaged in the performance of duty or training under competent orders for a period not to exceed a total of 120 hours in any federal fiscal year (October 1 through September 30).

Before any payment of salary is made covering the period of the leave, the employee must provide an official order from the appropriate military authority as evidence of such duty for which military leave pay is granted.

An employee who is or may become a member of the national guard or of any reserve component of the U.S. Armed Forces and who is engaged in the performance of duty in the service of the United States under competent orders for an extended and indefinite period of time shall be granted a leave of absence from duty until such military service is completed without loss of position, seniority, accumulated leave, impairment of performance appraisal, pay status, work schedule including shift, working days and days off assigned to the employee at the time leave commences, and any other right or benefit to which the employee is entitled and no retirement benefit will be diminished or eliminated because of such service.

The employee must provide an official order from the appropriate military authority as evidence of such duty for which the leave of absence is granted.

Under certain circumstances, such as emergency military leave, employees shall be compensated for a limited period of time pursuant to applicable law in an amount that represents the difference between the employee's gross regular bi-weekly pay with the

City and his/her total military pay plus allowances, if such military pay and allowances is less than the employee's regular bi-weekly pay.

In order to receive said payment, the employee shall submit, to his/her Department Head and the Director of Finance, an official order from the appropriate military authority evidencing the employee's active duty status and the employee's total military pay plus allowances. The employee shall also submit to the Director of Finance a copy of any military pay documents as required by the Director to determine the amount of compensation to be paid to the employee.

The time limit for returning to work is set forth by applicable law and generally depends on the duration of the employee's military service. Job reinstatement rights are based upon the length of a person's military service.

1 to 30 days of service: The employee must report to work by the beginning of the first regularly scheduled work day falling eight hours after the end of the calendar day following completion of military service.

31 to 180 days of service: An employee must apply for reemployment no later than 14 days after completion of service.

181 or more days of service: An employee must submit the application for reemployment within 90 days after completion of military service.



Consent Item

RE: Authorization to Declare Climbing Wall Surplus

Department/Program: Parks and Recreation

Recommendation:

Staff recommends disposing of Aqua Climb Portable Poolside Climbing Wall: Asset ID 325

Explanation:

Parts for the climbing wall are no longer available. Additionally, after further assessment of pool usage staff have determined that pool guests enjoy being able to swim in the area that was once dedicated solely for the use of the single user climbing wall.

Submitted By: Chris Conway, Director of Parks and Recreation

Date: March 30, 2020



Consent Item

RE: Ferris Park Phase II Development Change Order 3

Department/Program: Parks and Recreation

Recommendation:

Approve change order from Ideal Landscape Group in the amount of \$16,200 for the relocation of bio-retention basin.

Explanation:

Upon construction of the original location of the bio-retention basin, the contractor reached the bedrock. Due to the depth of the bedrock, the contractor was unable to construct the basin to the necessary specifications as approved by the Metropolitan Sewer District (MSD). Therefore it is necessary and required by MSD that the contractor relocate the retention basin to continue the project.

Submitted By: Chris Conway

Date: April 12, 2021



Proposed Change Order

NO. 004- Bio- Basin Relocation

6252 Olsen Road
St. Louis, Mo. 63129
314-892-9500_

Date: 3/31/2021

To: John Hoffman
ICO: Ferris Park
500 New Ballwin Road
Ballwin Mo. 63021

TITLE: Bio- Basin re-location and Cost Impacts

Ideal Landscape Group will re-locate the bio-basin outside of the parking lot footprint and install according to new revised plans. Cost impacts have been incurred such as re-mobilization of equipment additional time required to spoil off and spread soil over the site. Additional Plant material to plant center island area and boulder headwalls at rock outfalls and install native seed outside the walking trail as directed.

Cost:

ITEMS	COST
Material	\$ 4,300.00
Equipment	\$ 2,935.00
Labor	\$ 7,365.00
Subcontractor	\$ 1,600.00
UNIT COST \$ 30.50 CY installed	
Total \$ 16,200.00	

Proposed Change Order: Ideal Landscape Group

Date:

Signed _____

Answer: Approved please proceed

Answered By

Signed: _____ Date: _____



Consent Item

RE: Auctioning of surplus vehicles

Department/Program: Police Department

Explanation: The following vehicles are no longer in use by any city department:

2006 Ford Escape, VIN 1FMYU93166KC66051, Mileage: 95,951 (Building Inspector Vehicle)

2016 Ford Police Sedan, VIN 1FAHP2MK6GG137151, Mileage: 101,086

2016 Ford Police Sedan, VIN 1FAHP22MK3GG137155, Mileage: 112,116

Recommendation: Due to the high mileage, excessive repair costs and lack of need I am recommending these vehicles be removed from the City of Ballwin inventory and sent to auction, as is customary.

Submitted By: Chief Douglas W. Schaeffler

Date: March 31, 2021