



BOARD OF ALDERMEN

Meeting Agenda

MAY 11, 2020

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

1. *Call to Order*
2. *Roll Call*
3. **Approval of Minutes**
 - a. April 27, 2020 Board of Aldermen Meeting
4. **Presentation** – The 2019 Audit Report
5. **Legislation**
 - a. Bill 4060 - Zero Property Tax
 - b. Bill 4061 – Olde Towne Plaza
 - c. Resolution – REJIS/Police Department
 - d. Resolution – Waterford Subdivision Annexation
6. **Consent Items**
 - a. Police - Ammunition
 - b. Public Works – Salt
7. **Mayor's Report**
 - a. Future Meetings
8. **City Administrator's Report**
 - a. Police Department Headquarters Final Design
9. **City Attorney's Report**
10. **Aldermanic Comments**
11. Closed Session
12. **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.

This meeting of the Board of Aldermen will be conducted via videoconferencing. A link to ZOOM is included:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84377407539?pwd=VzdrY1loWFdwSTN6eU5EUXNTb3RMZz09>

Password: 253587

r iPhone one-tap :

US: +13017158592,,84377407539# or +13126266799,,84377407539#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

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Webinar ID: 843 7740 7539

International numbers available: <https://us02web.zoom.us/j/84377407539>



BOARD OF ALDERMEN

Meeting Briefs

MAY 11, 2020

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

MINUTES: Enclosed please find the April 27, 2020 Board of Aldermen Meeting minutes.

PRESENTATION

The 2019 Audit Report is being presented by Rick Gratza and Allison Weems of Kerber, Eck & Braeckel LLP

LEGISLATION

Bill 4060 – AN ORDINANCE SETTING THE REAL ESTATE TAX RATE OF ZERO (0%) PERCENT IN THE CITY OF BALLWIN FOR THE FISCAL PERIOD BEGINNING JANUARY 1, 2020 AND ENDING DECEMBER 31, 2020.

Bill 4061 - AN ORDINANCE AMENDING THE FINAL DEVELOPMENT PLAN FOR OLDE TOWNE PLAZA

Resolution - A RESOLUTION ADOPTING A MEMORANDUM OF UNDERSTANDING WITH THE REGIONAL JUSTICE INFORMATION SERVICE (REJIS) FOR ACCESS TO COMPUTER AIDED DISPATCHING INFORMATION.

Resolution - A RESOLUTION OF SUPPORT FOR ANNEXATION OF RESIDENTIAL PROPERTIES IN WATERFORD SUBDIVISION WITH ADDRESSES ON KYLEWOOD COURT AND KYLEWOOD PLACE.

CONSENT ITEMS

POLICE DEPARTMENT - Ammunition

Staff recommends purchasing ammunition from Gulf States Distributors, which is the low bid.

PUBLIC WORKS – Secondary Salt

Staff is requesting authorization to spend \$56,000 with the St. Louis APWA Salt Co-op managed by the City of Chesterfield. Staff is also requesting authorization to obtain requests for proposals from a secondary salt supplier.



BOARD OF ALDERMEN

Meeting Briefs

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MAYOR'S REPORT

Future Meetings

In accordance with past practice, it is recommended that we schedule only one Board meeting during each of the months of June, July and August. In the past, these meetings have been conducted on the third Monday to accommodate business resulting from Planning and Zoning actions. Direction, by motion, is requested.

CITY ADMINISTRATOR'S REPORT

Police Department Headquarters Final Design.

CITY ATTORNEY'S REPORT

ALDERMANIC COMMENTS



DRAFT MINUTES
BOARD OF ALDERMEN
Meeting Minutes

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

The meeting was called to order by Mayor Tim Pogue at 7:01 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 Bob Kuntz
City Attorney Robert Jones

Absent

MINUTES

The Minutes from the April 2, 2020, Board of Aldermen meeting were submitted for approval. ***A motion was made*** by Alderman Fleming and seconded by Alderman Stallmann to approve the minutes from the April 2, 2020 Board of Aldermen meeting. A voice vote was taken with a unanimous affirmative result and the motion passed.



DRAFT MINUTES
BOARD OF ALDERMEN
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LEGISLATION

Bill 4059 – Metro West Fire Protection District

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF BALLWIN, MISSOURI, ON BEHALF OF THE CITY, TO EXECUTE AN AGREEMENT WITH METRO WEST FIRE PROTECTION DISTRICT FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF A PRIORITY CONTROL SIGNAL SYSTEM AT A CERTAIN CITY OWNED TRAFFIC SIGNAL.

A motion was made by Alderman Fleming and seconded by Alderman Stallmann for a first reading of Bill 4059, title only. A voice vote was taken with unanimous affirmative result and Bill 4059 was read for the first time.

In discussion of Bill 4059:

Alderman Roach asked about the circled word “police” on page two of the document. City Attorney Bob Jones responded that he had done that to make sure of consistency with other agreements with Metro West. It was stated that our police department cannot control this signal; it is controlled by Metro West. Alderman Finley asked for background on the agreement. City Attorney Jones responded that this is updating the controller currently at the intersection. Police Chief Doug Schaeffler also stated that this is simply updating the system in place.

A motion was made by Alderman Roach and seconded by Alderman Fleming for a second reading of Bill 4059. A voice vote was taken with unanimous affirmative result and Bill 4059 was read for a second time.

A roll call vote was taken for passage and approval of Bill No. 4059 with the following results:

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

Nays -- None.

Bill No. 4059 was approved and became Ordinance No. 20-07

CONSENT ITEMS

ADMINISTRATION – MEDICAL INSURANCE RENEWAL

Staff recommends accepting the increase from SLAIT for group medical insurance.

Discussion:

None

A motion was made by Alderman Roach and seconded by Alderman Stallmann to accept staff recommendation and accept the increase for group medical insurance. A voice vote was taken with unanimous affirmative result and the motion passed.



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PUBLIC WORKS – AUTHORIZATION TO SELL VEHICLE

Staff is requesting authorization to sell a 2006 Chevrolet C7500 truck on GovDeals.com.

Discussion:

None

A motion was made by Alderman Roach and seconded by Alderman Stallmann to authorize staff to sell the truck on GovDeals.com. A voice vote was taken with unanimous affirmative result and the motion passed.

MAYOR'S REPORT

Mayor Pogue noted that the second regular Board of Aldermen Meeting in May (May 25) falls on the Memorial Day holiday and asked the board for a motion to cancel the meeting. He also noted a special Board meeting could be called if necessary.

A motion was made by Alderman Fleming and seconded by Alderman Stallmann to cancel the second regular Board meeting in May. A voice vote was taken with unanimous affirmative result and the motion passed.

CITY ADMINISTRATOR'S REPORT

City Administrator Bob Kuntz presented his report regarding the short-term and long-term financial impact on the business community due to the COVID-19 pandemic. He stated we are already seeing some impact on sales tax and the expectation is that the next quarter will be negatively impacted. Some steps that have already been implemented include canceling out-of-state travel, implementing a hiring freeze and scaling back on non-reimbursable major projects. The goal is to keep full-time staff working as much as possible. Alderman Fleming asked about street work. Mr. Kuntz stated that in terms of materials, Public Works has made all their requests and the department is completing work orders, fixing street issues, etc. Alderman Roach asked about the cancellation of any non-reimbursable major projects and if those will be brought to the Board first. Mr. Kuntz stated that any major project would be brought to the Board for a decision.

Mr. Kuntz also presented steps proposed for 2021, including a wage freeze, a continued hiring freeze, suspension of out-of-state travel, decreasing spending, deferring major capital improvement projects which are not offset by grants or other revenue sources, suspending all annexation initiatives, and putting a local use tax on the ballot to try to offset the expected decline in local sales tax. Alderman Roach asked about the full-time hiring freeze, specifically for Public Works. Mr. Kuntz responded that most vacant positions have already been filled. Jim Link has been promoted to Public Works Director and the front line staffing has been strengthened. Alderman Roach asked if we have enough staff for a strong work force during the winter season. Mr. Kuntz stated we have an



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adequate labor force to provide services and maintenance at our current level of service. There was also discussion of Parks and Police Department staffing as well as Permits/Inspections.

Alderman Roach asked about suspending annexations and if the proposed annexation of Kylewood would be affected as he would rather it did not apply. Mr. Kuntz agreed as the Kylewood annexation would have no significant impact since there are so few households. Alderman Stallmann agreed as well.

Mayor Pogue stated the Board would continue to review and monitor projects for amendments and/or changes.

STAFF REPORTS

PARKS – 2020 Compact Tractor Purchase

Staff recommends the purchase of a 2020 Yanmar compact tractor from Turfwerks.

Discussion:

Parks Director Chris Conway stated this purchase is to replace a 1980's tractor which is being used daily for mowing, etc. He had budgeted \$30,000 and the cost for the new tractor is \$29,960 with a trade-in; this is the low bid. Mr. Conway also stated we are delaying the purchase of six golf carts (\$11,900).

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

POLICE – Police Vehicle Purchase Cancellation

The Police Department has cancelled its order for four new Dodge Durangos.

Discussion:

Chief Schaeffler stated the department has cancelled the order for the Durangos, totaling just under \$124,000. He stated Public Works is keeping the vehicles running and performing all necessary maintenance and he is confident in the department's fleet as is. He also stated they could reevaluate later in the year regarding costs for maintenance, etc.

A motion was made by Alderman Stallmann and seconded by Alderman Fleming to accept the department's decision to cancel the order. A voice vote was taken with a unanimous affirmative result and the motion passed.



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PUBLIC WORKS – Microsurfacing

Staff recommends awarding the unit price contract to Donelson Construction through the Greene County cooperative bid contract.

Discussion:

Mayor Pogue congratulated Jim Link on his promotion to Director and asked him to pass on to his staff that they are doing a great job.

Public Works Director Jim Link stated \$189,000 had been budgeted for this project, though the scope of work could be reduced. Alderman Roach stated he is in favor of the original amount as the streets are an asset to our community and a reduction could cause greater deterioration and maintenance costs. Aldermen Stallmann and Utt agreed.

A motion was made by Alderman Fleming and seconded by Alderman Utt to award the unit price contract to Donelson Construction. A voice vote was taken with a unanimous affirmative result and the motion passed.

CITY ATTORNEY'S REPORT

Nothing to report

INFORMATION ONLY

Park Facility Conceptual Plan for Reopening

Mayor Pogue stated that if the Board had any questions, they should contact either City Administrator Kuntz or himself.

ALDERMANIC COMMENTS

Alderman Bullington thanked Chief Schaeffler and his staff for their immediate feedback on Twigwood; long-term solution are being researched on getting drivers to slow down on this street. It was asked if constituents have talked about traffic calming additions. Alderman Bullington stated the addition of a roundabout has been looked at since this street is a long straightaway with nothing to slow people down. There had been a roundabout at Twigwood and Statewood long ago.



DRAFT MINUTES
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Meeting Minutes

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A motion was made by Alderman Fleming to adjourn. The motion was seconded by Alderman Finley. The motion passed by unanimous voice vote. The meeting adjourned at 7:41 pm.

_____ TIM POGUE, MAYOR

ATTEST:

_____ Polly Moore, CITY CLERK

**Independent Auditors' Report on Internal Control
Over Financial Reporting and on Compliance and Other Matters
Based on an Audit of Financial Statements
Performed in Accordance with *Government Auditing Standards***

Honorable Mayor and Board of Aldermen
City of Ballwin, Missouri

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of the City of Ballwin, Missouri, as of and for the year ended December 31, 2019, and the related notes to the financial statements, which collectively comprise the City of Ballwin, Missouri's basic financial statements, and have issued our report thereon dated May 6, 2020.

Internal Control over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City of Ballwin, Missouri's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City of Ballwin, Missouri's internal control. Accordingly, we do not express an opinion on the effectiveness of the City of Ballwin Missouri's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City of Ballwin, Missouri's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Kirby, Eck & Braeckel LLP

St. Louis, Missouri
May 6, 2020

CITY OF BALLWIN, MISSOURI
REPORT TO THE MAYOR AND BOARD OF ALDERMEN
December 31, 2019



CPAs and
Management Consultants

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www.kebcpa.com

Honorable Mayor and Board of Aldermen
City of Ballwin, Missouri

We have audited the financial statements of the governmental activities, each major fund and the aggregate remaining fund information of City of Ballwin, Missouri (the City) for the year ended December 31, 2019. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards and *Government Auditing Standards*, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated December 19, 2019. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Matters

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the City are described in Note A to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during 2019. We noted no transactions entered into by the City during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the City's financial statements were:

- Management records general capital assets on the government-wide statement of net position according to the City's capital asset policy as described in Note A to the financial statements.
- Management records a net pension liability and a net OPEB liability in the government-wide financial statements based on amounts actuarially determined in accordance with the parameters of applicable GASB statements.
- Management records an estimate of accrued compensated absences that will ultimately be paid to employees.

We evaluated the key factors and assumptions used to develop the estimates in determining that they are reasonable in relation to the financial statements taken as a whole.

The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. No misstatements were detected as a result of our audit procedures.

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditors' report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated May 6, 2020.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the City's financial statements or a determination of the type of auditors' opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the City's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Matters

We applied certain limited procedures to management's discussion and other required supplemental information (RSI), as listed in the table of contents of the financial statements, that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

We were engaged to report on other supplemental information which accompany the financial statements, as listed in the table of contents of the financial statements, but are not RSI. With respect to this supplemental information, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplemental information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

We were not engaged to report on the introductory and statistical sections, which accompany the financial statements but are not RSI. Such information has not been subjected to the auditing procedures applied in the audit of the basic financial statements, and accordingly, we do not express an opinion or provide any assurance on it.

Restriction on Use

This information is intended solely for the information and use of management, Mayor, the Board of Aldermen and others within the City and is not intended to be, and should not be, used by anyone other than these specified parties.

Kirby, Eck & Braeckel LLP

St. Louis, Missouri
May 6, 2020

CITY OF BALLWIN, MISSOURI

MEMORANDUM OF ADVISORY COMMENTS

December 31, 2019



CPAs and
Management Consultants

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St. Louis, MO 63102
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Honorable Mayor and Board of Aldermen
City of Ballwin, Missouri

In planning and performing our audit of the financial statements of the governmental activities, each major fund and the aggregate remaining fund information of the City of Ballwin, Missouri (the City) as of and for the year ended December 31, 2019, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, we considered the City's internal control over financial reporting (internal control) as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

However, during our audit we became aware of several matters that are opportunities for strengthening internal controls and operating efficiency. The memorandum that accompanies this letter summarizes our comments and suggestions regarding those matters. This letter does not affect our report dated May 6, 2020, on the financial statements of City of Ballwin, Missouri.

We will review the status of these comments during our next audit engagement. We have already discussed many of these comments and suggestions with various City personnel, and we will be pleased to discuss them in further detail at your convenience, to perform any additional study of these matters or to assist you in implementing the recommendations.

This communication is intended solely for the information and use of management, Board of Alderman and others within the City and is not intended to be and should not be used by anyone other than these specified parties.

Kerber, Eck & Braeckel LLP

St. Louis, Missouri
May 6, 2020

MEMORANDUM OF ADVISORY COMMENTS

December 31, 2019

Payroll

The Finance Clerk responsible for processing payroll has the ability to add new employees and adjust pay rates within the payroll master files. We recommend that those responsible for processing payroll not have access to payroll master files. If this is not practicable, as an alternative, we recommend that an edit report be generated each pay period from the payroll system that indicates any new employees that were added and any changes to pay rates. This report should be reviewed and approved by someone not responsible for processing payroll.



Bill No. 4060
Ordinance No. _____

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

AN ORDINANCE SETTING THE REAL ESTATE TAX RATE OF ZERO (0%) PERCENT IN THE CITY OF BALLWIN FOR THE FISCAL PERIOD BEGINNING JANUARY 1, 2020 AND ENDING DECEMBER 31, 2020.

WHEREAS, the voters of the City of Ballwin previously authorized a tax upon real estate located in the City of Ballwin. The City is authorized under the state law of the State of Missouri to collect real estate taxes at the tax rate of 27 cents per one hundred dollars of assessed valuation on real estate within the City of Ballwin; and

WHEREAS, each year, the Board of Aldermen must set the tax rate in order to notify the Collector of Revenue of St. Louis County of the rate in order to provide for collection and remittance of the same.

WHEREAS, the City of Ballwin has maintained a 0% property tax for the last 33 years,

WHEREAS, by consistently imposing a 0% property tax for over three decades, the City of Ballwin is in the minority of municipalities in St. Louis County to do so,

WHEREAS, the residents and taxpayers of the City of Ballwin are satisfied with the level of services provided,

WHEREAS, the residents and taxpayers of the City of Ballwin do not seek higher taxes, and

WHEREAS, the City of St. Louis currently imposes a property tax on its property owners.

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

Section 1. The City of Ballwin hereby determines that the rate for a tax upon real estate located in the City of Ballwin for the year 2020 shall be zero (0%) percent.

Section 2. All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict repealed.



Bill No. 4060
Ordinance No. _____

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

PASSED this _____ day of _____, 2020.

TIM POGUE, MAYOR

APPROVED this _____ day of _____, 2020.

TIM POGUE, MAYOR

ATTEST: _____
CITY CLERK



Bill No. 4061
Ordinance No. _____

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

AN ORDINANCE AMENDING THE FINAL DEVELOPMENT PLAN FOR OLDE TOWNE PLAZA

WHEREAS, a petition was received from Gerald Bedrin of the Bedrin Organization for Amendment of the Final Development Plan approved for Olde Towne Plaza by adding an addition of approximately 4480 square feet to the space to be occupied by Edge Fitness; and

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

WHEREAS, the Board of Aldermen previously approved the Development Plan for Olde Towne Plaza as Ordinance 00-30 on June 12, 2000; and

WHEREAS, due notice of a public hearing before the Planning and Zoning Commission was held on May 4, 2020, upon the petition, 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 the Amended Final Development Plan be approved.

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

Section 1. The Amended Final Development Plan for Olde Towne Plaza, attached hereto as Exhibit 1, is hereby approved, subject to the following conditions:

a. Petitioner shall maintain a parking ratio within Olde Towne Plaza of no less than 4.51 spaces per thousand feet, as required by Appendix A, Article XV, Section 1. of the Code of Ordinances of the City of Ballwin.

Section 2. This Ordinance shall take effect and be in full force from and after its passage and approval.

PASSED this ____ day of _____, 2020.

TIM POGUE, MAYOR

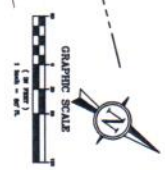
APPROVED this ____ day of _____, 2020.

TIM POGUE, MAYOR



Bill No. 4061

ATTEST: _____
ROBERT KUNTZ, CITY ADMINISTRATOR

14850 MANCHESTER ROAD
BALLWIN, MISSOURI 63011[illegible]

14850 MANCHESTER ROAD, BALLWIN MO 63011

HEAVY TRAIL

SPD 1

Resolution

City of Ballwin, Missouri

INTRODUCED BY

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

A RESOLUTION ADOPTING A MEMORANDUM OF UNDERSTANDING WITH THE REGIONAL JUSTICE INFORMATION SERVICE (REJIS) FOR ACCESS TO COMPUTER AIDED DISPATCHING INFORMATION

WHEREAS, REJIS has requested access to timely computer aided dispatching information for the purpose of providing an incident alert system for law enforcement, corporate private security, and schools to protect students, employees, and the general public.

THEREFORE, BE IT RESOLVED by the Board of Aldermen that the Mayor of the City of Ballwin is authorized to enter into a Memorandum of Understanding with REJIS in the form attached hereto.

PASSED this ____ day of _____, 2020.

TIM POGUE, MAYOR

ATTEST: _____
CITY CLERK



MEMORANDUM OF UNDERSTANDING (MOU)
THE REGIONAL JUSTICE INFORMATION SERVICE (REJIS)
AND
THE BALLWIN POLICE DEPARTMENT

THIS AGREEMENT ("Agreement") is created and entered into between the Ballwin Police Department and Regional Justice Information Service ("REJIS").

WHEREAS, REJIS was established in 1975 by the City of St. Louis and St. Louis County as a government entity to provide information technology products and services to criminal justice and government agencies; and

WHEREAS, REJIS maintains and distributes sensitive criminal justice information for the St. Louis and Kansas City regions as a certified Criminal Justice Information Service Security Policy agency; and

WHEREAS, Corporate Security and private security licensees are authorized to have police powers within their designated areas. And, approximately 9,000 active licenses have been jointly issued by St. Louis City and County. Private security is defined by Missouri statute as a force multiplier and licensees need timely information in their designated areas to protect employees and visitors; and

WHEREAS, Elementary and high school leadership (principals, assistant principals, and security) need timely information about violent incidents occurring within and around the perimeter of their campus to protect students, staff, and visitors; and

WHEREAS, There is a need for regional law enforcement agencies to have timely information about incidents occurring in other jurisdictions in the region; and

WHEREAS, REJIS requests access to timely computer aided dispatching information for the purposes of providing an incident alert system for law enforcement, corporate private security, and schools to protect students, employees, and the general public.

THEREFORE, in consideration of the mutual covenants herein set forth, both parties agree as follows.

A. RESPONSIBILITIES OF THE PARTIES

1. REJIS shall obtain from the Ballwin Police Department limited data collected by the Ballwin Police Department in its computer aided dispatching system. The data may include reported incident times, locations, incident types, times dispatched, GPS or latitude and longitude coordinates (if available), a list of all types of incidents in the system, and other data elements mutually agreeable to by both parties to support information sharing and public safety. Ballwin Police Department and REJIS will jointly determine which specific nature code data will be provided.

2. The REJIS Co-Project Managers are Dr. Daniel Isom, Executive Director for REJIS and Renato N. Gemzon, REJIS Programmer Analyst. Information technology experts selected by the REJIS Co-Project Managers may assist the project managers.
3. Ballwin Police Department will provide to those REJIS individuals listed in Section D - Contact Information of the Agreement to facilitate access to the data to develop an interface, which meets the Ballwin Police Department's data security protocols and requirements. The interface must accept data from the Ballwin Police Department's CAD that is provided to it, and not pull any data from CAD.
4. REJIS will incur or reimburse any and all associated costs for the development and maintenance of the interface and other systems. The program will be supported by service fees established by REJIS for private security access. There will be no cost to schools and law enforcement.

B. CONFIDENTIALITY

1. REJIS agrees to notify Ballwin Police Department immediately of any Missouri Sunshine Law or Freedom of Information Act requests, subpoenas, or judicial orders received by REJIS relating to the Data. Except as otherwise stated in this Agreement, REJIS agrees not to release any Data without the express written consent of the Ballwin Police Department, unless required to do so by court order or by law, including the Missouri Sunshine Law. Additionally, REJIS agrees to cooperate fully with Ballwin Police Department in halting the disclosure of the Data which Ballwin Police Department and REJIS have determined is protected from disclosure under state or federal law.
2. REJIS assumes full responsibility for the confidentiality of the Data after it has been provided by the Ballwin Police Department and agrees to implement appropriate and effective procedures to ensure the confidentiality of the Data and to prevent its unauthorized disclosure.
3. REJIS agrees to abide by all state and federal laws, rules, and regulations regarding the confidentiality and disclosure of the Data. REJIS further agrees not to publish or disclose the Data in any manner that would allow for the identification of an individual or an organization, unless required to do so by court order or law.
4. Ballwin Police Department and REJIS agree the above confidentiality obligations shall remain in effect even after termination of this Agreement.

C. USE OF DATA

1. REJIS will use the data to provide a corporate security alert system. The system will provide geo-fence alerts in their operations centers or to heads of security who hold corporate security advisor licenses.
2. REJIS will also provide an alert system for school leadership (principals, assistant principals, and/or security) for incidents that occur within and around the perimeter of their campus.
3. REJIS will establish a computer aided dispatching network to provide timely information to law enforcement in different jurisdictions.

4. REJIS will use the data in accordance with the REJIS Private Security CAD Access Program and Policies attached as an Addendum.

D. CONTACT INFORMATION

1. During the term of this Agreement, the contact information and the contact persons listed below may be changed with written notification to the other party.

Ballwin Police Department:

REJIS:

Renie Gemzon
REJIS Programmer/Analyst
314-633-0369
4255 West Pine Blvd.
St. Louis, MO 63108
Direct: 314 633.0239

Daniel Isom II, Executive Director
Retired Police Chief, City of St. Louis
REJIS Commission
4255 West Pine Blvd.
St. Louis, MO 63108
Direct: 314 633.0239

E. AMENDMENT OF AGREEMENT

No amendment, modification, or alteration of this Agreement will be valid or effective unless such modification is made in writing and signed by both parties and affixed to this Agreement as an amendment. Except for the specific provisions of the Agreement that is amended, the Agreement remains in full force and effect after such amendment.

F. TERM AND TERMINATION

The term of this Agreement shall begin on the date this Agreement is executed by both parties ("Effective Date") and shall remain in effect until such time it is deemed unnecessary by either party.

G. APPLICABLE LAW

This Agreement shall be governed by the laws of the State of Missouri.

H. WAIVER

Any breach of any provision contained in this Agreement, by either party, shall not be deemed to be a waiver of such provision on any subsequent breach of the same or any other provision contained in this Agreement. Any such waiver must be in writing and signed to be effective and no such waiver or

waivers shall serve to establish a course of performance between the parties, contradictory to the terms hereof.

I. ENTIRE AGREEMENT

This Agreement represents the complete and final understanding of Ballwin Police Department and REJIS. No other understanding, oral or written, regarding the subject matter of this Agreement, may be deemed to exist or to bind the parties at the time of execution.

J. INDEPENDENT CONTRACTOR

Nothing contained in this Agreement shall be construed to render a party to this Agreement or any of its employees, agents, or subcontractors to be a partner, employee, or agent of the other party, nor shall either party to this Agreement have any authority to bind the other in any respect.

IN WITNESS WHEREOF, the parties, through their duly authorized officers, have executed this Agreement effects as of the Effective Date.

THE BALLWIN POLICE DEPARTMENT:

Signed:
Title: Douglas Schaeffler, Chief of Police

Effective Date

THE REGIONAL JUSTICE INFORMATION SERVICE (REJIS):

Signed:
Title: Dr. Daniel Isom, Executive Director

Effective Date

ADDENDUM

REJIS Private Security CAD Access Program and Policies

Specific CAD information as noted in the MOU will be granted to schools, 24-hour corporate security operation centers, heads of security with a corporate security advisor's license, and law enforcement agencies through agreements with REJIS. Any abuse related to release of information will be reported to the St. Louis County/City Private Security Unit. Based on the Private Security Unit's recommendations, REJIS may warn, suspend or revoke access. REJIS and Ballwin Police Department reserve the right to immediately warn, suspend, or revoke access without a review or cause.

School Access

1. Application submitted to REJIS with personal, professional, and school information
2. GEO fence(s) will be established before the application approval (only for school campus or associated properties)
3. REJIS verification of information and appropriate background checks
4. Maximum access limited to three (3) per school personnel (principal, vice principal, and/or security)
5. Mobile or desktop devices must be registered with REJIS
6. Two-factor authentication for mobile devices
7. Historical logs will track information provided to access grantees
8. Access will require yearly application renewal

Private Security Access

1. Application submitted to REJIS with agency and/or individual information
2. REJIS will verify license and agency information with St. Louis City, St. Louis County, and/or the Missouri Department of Public Safety
3. GEO fences will be established before the application approval (partial or full access)
4. Maximum access limited to two (2) per agency (corporate security command centers and/or heads of security with a corporate security advisor's license).
5. Mobile or desktop devices must be registered with REJIS
6. Two-factor authentication for mobile devices
7. Historical logs will track information provided to access grantees
8. Access will require yearly application renewal
9. Access will be immediately denied if an individual or agency's license is revoked, suspended or is not in good standing.

(Note: With registered devices, REJIS will have the ability to cut off access to individuals or agencies at any time.)

Law Enforcement Access

1. Application submitted to REJIS with agency information
2. REJIS will verify agency information
3. Law Enforcement full access for unlimited dispatcher stations
4. Desktop devices must be registered with REJIS
5. Historical logs will track information provided to access grantees

Resolution

City of Ballwin, Missouri

INTRODUCED BY

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

A RESOLUTION OF SUPPORT FOR ANNEXATION OF RESIDENTIAL PROPERTIES IN WATERFORD SUBDIVISION WITH ADDRESSES ON KYLEWOOD COURT AND KYLEWOOD PLACE.

WHEREAS, a verified petition for a simplified boundary change was received from residents owning property in Waterford subdivision, pursuant to RSMo. Section 72.405.6(1); and

WHEREAS, 37 of 46 registered voters, comprising 80% of the residents living in the 26 single-family homes with addresses on Kylewood Court and Kylewood Place signed the petition.

THEREFORE, BE IT RESOLVED by the Board of Aldermen of the City of Ballwin that the City supports the annexation of the aforesaid properties within Waterford subdivision into the City and City staff is hereby directed to undertake all necessary duties to complete such annexation, including but not limited to submission to the St. Louis County Boundary Commission.

PASSED this ____ day of _____, 2020.

TIM POGUE, MAYOR

ATTEST: _____
CITY CLERK





Consent Item

RE: Ammunition Purchase

Department/Program: Police Department – Firearms Training Program

Explanation: A police department's firearms training program is among the most important due to the litigious nature of an Officer Involved Shooting. Our agency requires each officer to attend a minimum of four range days per year, two of which are used to qualify with each firearm platform and two of which are dedicated to skill development.

The current 2020 Budget has set aside \$18,000 for ammunition. The goal is to purchase 50 cases of pistol ammunition and 32 cases of rifle ammunition. Gulf State Distributors holds the current Missouri State Contract (CC200147001). Along with the contract price we obtained two other verbal bids as follows:

COMPANY	COST
Gulf State Distributors	\$16,089.50
Natchez Shooting Supply	\$23,349.34
Midway USA	\$24,889.68

Recommendation: Recommendation is to make an immediate purchase through Gulf State Distributors.

Submitted By: Doug Schaeffler

Date: May 7, 2020



Consent Item

RE: Secondary Salt

Department/Program: Snow and Ice Control

Recommendation: We would like authorization to spend \$56,000 with the St. Louis APWA Salt Co-op managed by the City of Chesterfield. We would also like authorization to obtain requests for proposals from a secondary salt supplier.

TABLE 1	SERVICE PROVIDED	CONTRACT UNIT PRICE
Compass Minerals	Furnishing Salt	\$60.88
Beelman Logistics	Hauling	\$11.75
COMBINED UNIT PRICE		\$72.63

Explanation: Since 2003, we have supplemented the St. Louis Salt Co-op with our own secondary supplier when bid prices were favorable. In 2019, we did not receive any secondary bids due to the higher demands for salt. Salt prices also increased from the previous year due to the same demands. If we do not receive a lower cost per ton from the secondary bidders than the 2020 co-op price, we would like to spend the remaining \$115,000 budget with the Co-op.

Salt history Unit Cost per ton below.

2013-14	2014-15	2015-2016	2016-17	2017-18	2018-19	2019-20
\$49.20	\$67.96	\$62.36	\$56.42	\$57.65	\$59.98	\$72.63

Budget is \$180,000

Submitted By: Jim Link, Director of Public Works

Date: 5-4-2020



TO: Mayor Tim Pogue
Board of Aldermen

RE: Police Department Headquarters Final Design

On March 9, staff was directed to solicit proposals for the final design of this new building. After the request for qualifications was advertised, conditions for a traditional review process changed significantly. In response, we extended the submission deadline and required all interested firms to submit written responses to specific essay questions in lieu of face-to-face interviews.

Chief Schaeffler, Captain Bergfeld and I reviewed and evaluated all 10 proposals that were received. Under normal circumstances, we would be recommending the firm of JEMA Architectural Services as the most qualified to bring this project through design to construction. Unfortunately, the anticipated economic impact related to COVID-19 compel us to recommend that no action be taken at this time and that the project be postponed indefinitely.


Bob Kuntz

City Administrator