



BOARD OF ALDERMEN

Meeting Agenda

JANUARY 14, 2019

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

1. *Call to Order*
2. *Roll Call*
3. *Pledge of Allegiance*
4. **Approval of Minutes:** December 10, 2018 Board of Aldermen Meeting Minutes
5. **Presentations:** Cochran Engineering on New Ballwin Road
6. **Citizen Comments**
7. Public Hearing: None
8. Unfinished Business: None
9. Legislation: None
10. **Consent Items**
 - a. Bank Signatories
 - b. City Hall Furniture
 - c. 6 Month Financial Statement
 - d. Wildwood Pool Passes
11. **Mayor's Report**
12. **City Administrator's Report**
 - a. Policy Manual Update
13. **Staff Reports**
 - a. Administration: Boundary Adjustment
 - b. Administration: U.L.I. Ballwin Government Center
 - c. Administration: Legislative Conference
 - d. Police: Grant Application
14. **City Attorney's Report**
15. **Aldermanic Comments**
16. **Closed Session:** Subject to a motion duly made in open session and a roll call vote pursuant to Section 610.022 the Board of Aldermen will hold a closed meeting, with a closed vote and record for one or more of the reasons as authorized by Section 610.021(1), (2) and (3) Revised Statutes of Missouri, relating to legal issues, real estate and/or personnel, negotiation of a contract.
17. **Information Only**
18. **Adjourn**

NOTE: Due to ongoing City business, all meeting agendas should be considered tentative. Additional issues may be introduced during the course of the meeting.

CLOSED SESSION: Pursuant to Section 610.022 RSMo., The Board of Aldermen could, at any time during the meeting, vote to close the public meeting and move to closed session to discuss matters relating to litigation, legal actions, and/or communications from the City Attorney, as provided under Section 610.021(1) RSMo., and/or personnel matters under Section 610.021(13) RSMo., and/or employee matters under Section 610.021(3) RSMo., and/or real estate matters under Section 610.021(2) or other matters as permitted by Chapter 610.



BOARD OF ALDERMEN

Meeting Agenda

JANUARY 14, 2019

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

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

- Interim City Administrator Bob Kuntz

MINUTES Enclosed, please find the minutes from the December 10, 2018 Board of Aldermen Meeting for your review and approval.

PRESENTATION

Cochran Engineering will be giving a presentation and staff will be seeking direction on whether or not to proceed in the application process for grant funding for New Ballwin Road.

CITIZEN COMMENTS

NEW BUSINESS

LEGISLATION

CONSENT ITEMS

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

ADMINISTRATION CHECK SIGNATORIES

Staff recommends that the Board approve the authorized signers for all City accounts as presented.

ADMINISTRATION CITY HALL FURNITURE

Staff recommends acceptance of the proposal from Modern Business Interiors utilizing pricing from the National Intergovernmental Purchasing Alliance (National IPA), which is a cooperative purchasing program.

ADMINISTRATION SIX MONTH FINANCIAL STATEMENT

Staff recommends that the Board approve the semi-annual statement of revenues and expenditures.

PARKS AND RECREATION WILDWOOD POOL PASSES

Staff recommends for the 2019 season to allow the sale of up to 50 North Pointe Family Swim Passes to Wildwood residents at the Ballwin resident rate with the City of Wildwood to reimburse Ballwin \$80 per pass sold.



BOARD OF ALDERMEN

Meeting Agenda

JANUARY 14, 2019

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

OFFICIAL REPORTS

MAYOR'S REPORT

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

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

STAFF REPORTS

ADMINISTRATION **BOUNDARY ADJUSTMENT**

St. Louis County has approached Ballwin about cleaning up the boundaries on Reinke Road. Staff is seeking direction for future decisions. The City of Ellisville has agreed to accept a transfer of jurisdiction of right-of-way for two sections of Reinke Road that are currently within unincorporated St. Louis County. This would give the City control of the entire roadway along that subdivision and would not require the subdivision to be annexed at this time.

ADMINISTRATION **ULI FOR GOVERNMENT CENTER**

Urban Land Institute-St. Louis Chapter would be very interested in organizing a panel of local real estate and development experts to provide Technical Assistance to further study these sites and give the City recommendations on future land use and possible tools. Due to timing and condition of the government center, they recommend a TAP for the government center and JB Auto properties as soon as possible.

ADMINISTRATION **LEGISLATIVE CONFERENCE**

Staff would like to inquire if any Board member plans to attend the Annual Legislative Conference.

POLICE **GRANT APPLICATION**

Staff is seeking board authorization for the police department to apply for grant funding through MoDOT for Fiscal Year 2020 regarding overtime hazardous moving mitigation.



DRAFT MINUTES
BOARD OF ALDERMEN
Meeting Minutes

DECEMBER 10, 2018

7:00 PM 300 PARK DR., 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 Tim Pogue at 7:00 p.m.

ROLL CALL

Mayor Tim Pogue
Alderman James Terbrock
Alderman Michael Finley
Alderman Kevin M. Roach
Alderman Mark Stallmann
Alderman Frank Fleming
Alderman Jim Leahy
Alderman Ross Bullington
Alderman Raymond Kerlagon
Interim-City Administrator Bob Kuntz
City Attorney Robert E. Jones

The Pledge of Allegiance was given.

MINUTES

The Minutes from the November 26, 2018, Board of Aldermen meeting were submitted for approval. *A motion was made* by Alderman Finley and seconded by Alderman Kerlagon to approve the minutes from the November 26, 2018 Board of Aldermen meeting as amended. A voice vote was taken with a unanimous affirmative result and the motion passed.

PUBLIC COMMENTS

Geoger Wrather spoke about leaf collection, tree trimming and number of people allowed to live in the same house.

Jim Link gave an update about leaf collection.

PUBLIC HEARING 2019 Budget Public Hearing

Mayor Pogue opened the floor for the Public Hearing by asking if anyone present wished to speak in **favor** of the proposal. No one came forward to speak in favor of the proposal.

Mayor Pogue asked if anyone present wished to speak in **opposition** of the proposal. Michael Bronsa spoke about being conservative and use of Proposition P money. Mayor Pogue closed the Public Hearing.



DRAFT MINUTES
BOARD OF ALDERMEN
Meeting Minutes

DECEMBER 10, 2018

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

UNFINISHED BUSINESS

LEGISLATION

The following ordinances pertain to updating Ballwin's Building Codes. Currently Ballwin's building codes are from 2005. If approved as presented, the new adopted codes will update Ballwin to 2015 Codes, with the exception of the Electrical code, which will be updated to 2014. To effectively pass these codes, a first reading of each Bill was required. The first reading of these ordinances was completed during the August 27, 2018, Board of Aldermen Meeting. After the first reading, the codes were made available, for no fewer than 90 days, at the City Clerk's office for public review. A second reading of these bills will need to be done and taken to a vote for passage at this meeting.

BILL NO. 3999 AN ORDINANCE AMENDING SECTION 7-42(1) OF THE CODE OF ORDINANCES WITH RESPECT TO THE ADOPTION OF ST. LOUIS COUNTY CODES

A motion was made by Alderman Kerlagon and seconded by Alderman Stallmann for a second reading of Bill No. 3999, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 3999 was read for the second time.

A roll call vote was taken for passage and approval of Bill No. 3999 with the following results:

Ayes – Aldermen Terbrock, Finley, Roach, Stallmann, Fleming, Leahy, Bullington, Kerlagon; Nays -- None. Bill No. 3999 was approved and became **Ordinance No. 18-16**

BILL NO. 4000 AN ORDINANCE ESTABLISHING THE MINIMUM REGULATIONS GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY, AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND THE DEMOLITION OF SUCH STRUCTURES: KNOWN AS THE BUILDING CODE

A motion was made by Alderman Finley and seconded by Alderman Leahy on for a second reading of Bill No. 4000, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4000 was read for the second time.

A roll call vote was taken for passage and approval of Bill No. 4000 with the following results: Ayes – Aldermen Terbrock, Finley, Roach, Stallmann, Fleming, Leahy, Bullington, Kerlagon; Nays -- None. Bill No. 4000 was approved and became **Ordinance No. 18-17**



DRAFT MINUTES
BOARD OF ALDERMEN
Meeting Minutes

DECEMBER 10, 2018

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

BILL NO. 4001 AN ORDINANCE AMENDING ARTICLE III, SECTION 7-48 OF THE CODE OF ORDINANCES OF THE CITY OF BALLWIN WITH RESPECT TO THE ADOPTION OF THE 2014 EDITION OF THE INTERNATIONAL ELECTRICAL CODE PERTAINING TO THE INSTALLATION OF ELECTRICAL WIRING AND APPARATUS, PROVIDING FOR THE ISSUANCE OF ELECTRICAL PERMITS, FEES, AND RELATED INSPECTION REQUIREMENTS, AND INCLUDING PENALTIES FOR VIOLATION THEREOF

A motion was made by Alderman Stallmann and seconded by Alderman Finley for a second reading of Bill No. 4001, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4001 was read for the second time.

A roll call vote was taken for passage and approval of Bill No. 4001 with the following results: Ayes – Aldermen Terbrock, Finley, Roach, Stallmann, Fleming, Leahy, Bullington, Kerlagon; Nays -- None. Bill No. 4001 was approved and became **Ordinance No. 18-18**

BILL NO. 4002 AN ORDINANCE ADOPTING THE MINIMUM REGULATIONS GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND THE DEMOLITION OF SUCH STRUCTURES; KNOWN AS THE FUEL GAS CODE

A motion was made by Alderman Terbrock and seconded by Alderman Bullington for a second reading of Bill No. 4002, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4002 was read for the second time.

A roll call vote was taken for passage and approval of Bill No. 4002 with the following results:

Ayes – Aldermen Terbrock, Finley, Roach, Stallmann, Fleming, Leahy, Bullington, Kerlagon; Nays -- None. Bill No. 4002 was approved and became **Ordinance No. 18-19**

BILL NO. 4003 AN ORDINANCE ADOPTING THE 2015 EDITION OF THE INTERNATIONAL MECHANICAL CODE, REGULATING AND CONTROLLING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION,



DRAFT MINUTES
BOARD OF ALDERMEN
Meeting Minutes

DECEMBER 10, 2018

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

RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF MECHANICAL SYSTEMS IN THE CITY OF BALLWIN; PROVIDING FOR THE ISSUANCE OF PERMITS AND

COLLECTION OF FEES THEREFORE AND AMENDING SECTION 7-43 OF THE CODE OF ORDINANCES OF THE CITY OF BALLWIN

A motion was made by Alderman Bullington and seconded by Alderman Leahy for a second reading of Bill No. 4003, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4003 was read for the second time.

A roll call vote was taken for passage and approval of Bill No. 4003 with the following results: Ayes – Aldermen Terbrock, Finley, Roach, Stallmann, Fleming, Leahy, Bullington, Kerlagon; Nays -- None. Bill No. 4003 was approved and became **Ordinance No. 18-20**

BILL NO. 4004 AN ORDINANCE ADOPTING THE 2015 EDITION OF THE INTERNATIONAL PLUMBING CODE, REGULATING AND CONTROLLING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF PLUMBING SYSTEMS IN THE CITY OF BALLWIN; PROVIDING FOR THE ISSUANCE OF PERMITS THEREFORE AND AMENDING SECTION 7-44 OF THE CODE OF ORDINANCES OF THE CITY OF BALLWIN

A motion was made by Alderman Bullington and seconded by Alderman Stallmann for a second reading of Bill No. 4004, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4004 was read for the second time.

A roll call vote was taken for passage and approval of Bill No. 4004 with the following results: Ayes – Aldermen Terbrock, Finley, Roach, Stallmann, Fleming, Leahy, Bullington, Kerlagon; Nays -- None. Bill No. 4004 was approved and became **Ordinance No. 18-21**



DRAFT MINUTES
BOARD OF ALDERMEN
Meeting Minutes

DECEMBER 10, 2018

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

BILL NO. 4005 AN ORDINANCE OF THE CITY OF BALLWIN, ADOPTING THE 2015 EDITION OF THE “INTERNATIONAL RESIDENTIAL CODE”, REGULATING AND GOVERNING THE CONSTRUCTION, ALTERATION, MOVEMENT, ENLARGEMENT, REPLACEMENT, REPAIR, EQUIPMENT, LOCATION, REMOVAL, AND DEMOLITION OF DETACHED ONE AND TWO-FAMILY DWELLINGS AND MULTIPLE SINGLE-FAMILY DWELLINGS (TOWNHOUSES) NOT MORE THAN THREE STORIES IN HEIGHT WITH SEPARATE MEANS OF EGRESS IN THE JURISDICTION; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; AMENDING SECTION 7-46 OF THE CODE OF ORDINANCES AND REPEALING SECTIONS 7-61 AND 7-61.5 OF THE CODE OR ORDINANCES

A motion was made by Alderman Bullington and seconded by Alderman Leahy for a second reading of Bill No. 4005, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4005 was read for the second time.

A roll call vote was taken for passage and approval of Bill No. 4005 with the following results: Ayes – Aldermen Terbrock, Finley, Roach, Stallmann, Fleming, Leahy, Bullington, Kerlagon; Nays -- None. Bill No. 4005 was approved and became **Ordinance No. 18-22**

BILL NO. 4006 AN ORDINANCE ADOPTING THE 2015 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE

A motion was made by Alderman Roach and seconded by Alderman Leahy for a second reading of Bill No. 4006, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4006 was read for the second time.

A roll call vote was taken for passage and approval of Bill No. 4006 with the following results: Ayes – Aldermen Terbrock, Finley, Roach, Stallmann, Fleming, Leahy, Bullington, Kerlagon; Nays -- None. Bill No. 4006 was approved and became **Ordinance No. 18-26**



DRAFT MINUTES
BOARD OF ALDERMEN
Meeting Minutes

DECEMBER 10, 2018

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

NEW BUSINESS

2019 CAPITAL BUDGET BILL NO. 4011 AN ORDINANCE APPROVING AND ADOPTING A BUDGET OF ANTICIPATED CASH REVENUE AND CASH DISBURSEMENTS FOR THE CAPITAL IMPROVEMENT PROGRAM OF THE CITY OF BALLWIN, ST. LOUIS COUNTY, MISSOURI, FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2019, AND ENDING DECEMBER 31, 2019, PROVIDING FOR EXPENDITURES IN ACCORDANCE WITH SAID BUDGET AND MAKING APPROPRIATIONS THEREOF

A motion was made by Alderman Kerlagon and seconded by Terbrock for a first reading of Bill No. 4011, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4011 was read for the first time.

A motion was made by Alderman Bullington and seconded by Alderman Kerlagon for a second reading of Bill No. 4011, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4011 was read for the second time.

A roll call vote was taken for passage and approval of Bill No. 4011 with the following results: Ayes – Aldermen Terbrock, Finley, Roach, Stallmann, Fleming, Leahy, Bullington, Kerlagon; Nays -- None. Bill No. 4011 was approved and became **Ordinance No. 18-24**

2019 OPERATING BUDGET BILL NO. 4012 AN ORDINANCE APPROVING AND ADOPTING AN OPERATIONS BUDGET OF ANTICIPATED CASH REVENUE AND CASH DISBURSEMENTS FOR THE GENERAL REVENUE FUND OF THE CITY OF BALLWIN, ST. LOUIS COUNTY, MISSOURI, FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2019, AND ENDING DECEMBER 31, 2019, PROVIDING FOR EXPENDITURES IN ACCORDANCE WITH SAID BUDGET AND MAKING APPROPRIATIONS THEREOF

A motion was made by Alderman Terbrock and seconded by Alderman Finley for a first reading of Bill No. 4012, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4012 was read for the first time.



DRAFT MINUTES
BOARD OF ALDERMEN
Meeting Minutes

DECEMBER 10, 2018

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

A motion was made by Alderman Stallmann and seconded by Alderman Bullington for a second reading of Bill No. 4012, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4012 was read for the second time.

A roll call vote was taken for passage and approval of Bill No. 4012 with the following results: Ayes – Aldermen Terbrock, Finley, Roach, Stallmann, Fleming, Leahy, Bullington, Kerlagon; Nays -- None. Bill No. 4012 was approved and became **Ordinance No. 18-25**

SHOW-ME COURTS ORDINANCE BILL NO. 4013 AN ORDINANCE AUTHORIZING EXECUTION OF THE SHOW-ME COURTS AGREEMENT AND REVISING THE MUNICIPAL COURT COSTS SCHEDULE FOR THE CITY OF BALLWIN

A motion was made by Alderman Roach and seconded by Alderman Leahy for a first reading of Bill No. 4013, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4013 was read for the first time.

A motion was made by Alderman Kerlagon and seconded by Alderman Bullington for a second reading of Bill No. 4013, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4013 was read for the second time.

A roll call vote was taken for passage and approval of Bill No. 4013 with the following results: Ayes – Aldermen Terbrock, Finley, Roach, Stallmann, Fleming, Leahy, Bullington, Kerlagon; Nays -- None. Bill No. 4013 was approved and became **Ordinance No. 18-26**

SUE FOR 15581 MANCHESTER ROAD, YIRO GYRO BILL NO. 4014 AN ORDINANCE GRANTING A SPECIAL USE EXCEPTION TO FADI SHAKIR, FOR OPERATION OF A RESTAURANT WITH ALCOHOLIC BEVERAGE SALES BY THE DRINK FOR CONSUMPTION ON THE PREMISES WHERE SOLD



DRAFT MINUTES
BOARD OF ALDERMEN
Meeting Minutes

DECEMBER 10, 2018

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

A motion was made by Alderman Leahy and seconded by Alderman Finley for a first reading of Bill No. 4014, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4014 was read for the first time.

A motion was made by Alderman Finley and seconded by Alderman Bullington for a second reading of Bill No. 4014, title only. A voice vote was taken with a unanimous affirmative result and Bill No. 4014 was read for the second time.

A roll call vote was taken for passage and approval of Bill No. 4014 with the following results: Ayes – Aldermen Terbrock, Finley, Roach, Stallmann, Fleming, Leahy, Bullington, Kerlagon; Nays -- None. Bill No. 4014 was approved and became **Ordinance No. 18-27**

MAYOR'S REPORT

Finance Department: The Mayor congratulated the Finance Department for earning the 2017 GFOA Achievement of Excellence Award for the 2017 Budget.

Next Board Meeting: The Mayor discussed canceling the December 24, 2018 scheduled Board of Aldermen Meeting

A motion was made by Alderman Stallmann and seconded by Alderman Terbrock to cancel the December 24, 2018 Board of Aldermen meeting. A voice vote was taken with unanimous affirmative result and the motion passed.

Commission Appointments:

PLANNING AND ZONING

Grant Alexander was nominated for the Ward 1 seat vacated by Vern Young.

A motion was made by Alderman Terbrock and seconded by Alderman Leahy; a voice vote was taken with a unanimous affirmative result and the motion passed.

Lisa Zimmer was nominated for re appointment of her seat for another four (4) year term.



DRAFT MINUTES
BOARD OF ALDERMEN
Meeting Minutes

DECEMBER 10, 2018

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

A motion was made by Alderman Stallmann and seconded by Alderman Roach; a voice vote was taken with a unanimous affirmative result and the motion passed.

BALLWIN HISTORICAL COMMISSION

The following members' three (3) terms expire on December 31, 2018.

Helen Pisarkiewicz

Alice Mertz

Carole Stafford

A motion was made by Alderman Finely and seconded by Alderman Terbrock to appoint Helen Pisarkiewicz, Alice Mertz and Carole Stafford to the Ballwin Historical Commission for a three (3) year term expiring December 31, 2021.

A voice vote was taken with a unanimous affirmative result and the motion passed.

The following one (1) year appointments expire on December 31, 2018.

Chairman: Ken Velten

Vice Chairman: Alice Mertz

Secretary: Marie Clark

A motion was made by Alderman Bullington and seconded by Alderman Terbrock to appoint Ken Velten as Chairman, Alice Mertz as Vice Chairman and Marie Clark as Secretary to the Ballwin Historical Commission to serve a one year term, expiring on December 31, 2019.

A voice vote was taken with a unanimous affirmative result and the motion passed.

INTERIM - CITY ADMINISTRATOR'S REPORT

Mr. Kuntz reminded the Board about candidate filings and wished everyone happy holidays.

STAFF REPORTS



DRAFT MINUTES
BOARD OF ALDERMEN
Meeting Minutes

DECEMBER 10, 2018

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

Police Department

Police Chief Kevin Scott wished to further inform the Board in regards to how REJIS (Regional Justice Information System) serves different support roles on the police side of operations.

CITY ATTORNEY'S REPORT

Nothing to report

ALDERMANIC COMMENTS

Alderman Finley welcomed back Interim City Administrator Bob Kuntz and thanked the two (2) guests for coming out.

CLOSED SESSION

The Board moved to go into closed session in regards to personnel matters under Section 610.0021 (1) RSMo.

A motion was made by Alderman Stallmann and seconded by Alderman Terbrock to go into closed session. A voice vote was taken with a unanimous result.

OPEN SESSION

A motion was made by Alderman Fleming and seconded by Alderman Terbrock to adjourn the open session the meeting was adjourned at 8:40 p.m.

TIM POGUE, MAYOR

ATTEST:

Andy Hixson, CITY CLERK

CONSENT ITEM

RE: Check Signatories

DEPARTMENT: Administration

PROGRAM: Finance

RECOMMENDATION: Staff recommends that the Board approve the authorized signers for all City accounts as presented.

EXPLANATION: Check signatories are to be approved by the Board annually. Andy Hixson and Haley Morrison are currently the authorized check signers for all city accounts. Robert Klahr, attorney for the TDD, is an additional signer for the TDD account. The LOAP account was added in 2014. The City does not own the funds in this account but serves as a custodian for them.

Denise is authorized to make transfers between any of the accounts.

Checking Account	Authorized Signers
General	Andy Hixson, Haley Morrison
Payroll	Andy Hixson, Haley Morrison
Escrow	Andy Hixson, Haley Morrison
Bail Bond	Andy Hixson, Haley Morrison
Sewer Lateral	Andy Hixson, Haley Morrison
Balance Sheet Escrow	Andy Hixson, Haley Morrison
HRA	Andy Hixson, Haley Morrison
Federal Asset Seizure	Andy Hixson, Haley Morrison
POST	Andy Hixson, Haley Morrison
Telephone Escrow	Andy Hixson, Haley Morrison
Special Allocations TIF	Andy Hixson, Haley Morrison
Ballwin Town Center TDD	Andy Hixson, Haley Morrison, Robert Klahr
Lafayette Older Adult Program (LOAP)	Andy Hixson, Haley Morrison

SUBMITTED BY: Denise Keller, Finance Officer

DATE: January 2, 2019

CONSENT ITEM

RE: City Hall Furniture

DEPARTMENT: Administration

PROGRAM: Finance

RECOMMENDATION: Staff recommends acceptance of the proposal from Modern Business Interiors utilizing pricing from the National Intergovernmental Purchasing Alliance (National IPA), which is a cooperative purchasing program.

EXPLANATION: Modern Business Interiors (MBI) is one of several furniture vendors that partner with Chiodini, the architect for the new city hall project. Staff met with each of the vendors and toured their showrooms. MBI was selected for their excellent customer service and an ownership presence in Ballwin.

The furniture will be purchased from the National IPA contract, which is a competitively bid cooperative purchasing contract that mirrors the Federal GSA schedule (the deepest, most aggressive pricing available) by leveraging the buying power of tens of thousands of public agencies, non-profit organizations and educational institutions. The contracts available through the National IPA cooperative are competitively solicited and publicly awarded by a lead agency (government entity/educational institution), using a competitive solicitation process consistent with applicable procurement laws and regulations.

MBI's furniture proposal includes cost of delivery and professional installation by union laborers. Furniture includes demountable office walls, office and conference room furniture, workstations, indoor and outdoor seating, tables, lectern, chairs and chair carts for the aldermanic chambers, and filing systems. The total amount of the proposal is \$279,938.17. The amount budgeted for furniture for the new city hall is \$280,000.

SUBMITTED BY: Denise Keller

DATE: 1/10/19

CONSENT ITEM

RE: Semi-Annual Revenue/Expenditure Statement

DEPARTMENT: Administration

PROGRAM: Finance

RECOMMENDATION: Staff recommends that the Board approve the semi-annual statement of revenues and expenditures.

EXPLANATION: Per RSMo Statute Section 79.160, *“the Board of Aldermen shall semi-annually each year, at times to be set by the Board of Aldermen, make out and spread upon their records a full and detailed account and statement of the receipts and expenditures and indebtedness of the city for the half year ending with the last day of the month immediately preceding the date of such report, which account and statement shall be published in some newspaper in the city.*

In accordance with this statute section, attached is a report of actual revenues and expenditures received/expensed during the period July 1 – December 31, 2018. This needs to be published in a local newspaper by the end of January.

SUBMITTED BY: Denise Keller

DATE: January 8, 2019

CITY OF BALLWIN
GENERAL/CAPITAL PROJECTS FUNDS
REVENUE/EXPENSE STATEMENT
FOR THE SIX MONTH PERIOD ENDING 12/31/18

REVENUE	General Fund	Capital Projects Fund
Sales Taxes	\$ 4,329,571	\$ 407,758
Other Taxes	1,046,127	-
Licenses & Permits	461,834	-
Public Utility Licenses	1,768,001	-
Court Fines	295,745	-
Police & Communications	104,551	-
Community Programs	1,399,377	-
Grants & Donations	21,107	949,617
Sale of Capital Assets	26,997	-
Investment Income	45,074	-
Escrows	13,206	-
Miscellaneous	133,310	-
Other Financing Sources	-	-
Total:	<u>\$ 9,644,900</u>	<u>\$ 1,357,375</u>

EXPENDITURES		
Administration	\$ 1,487,578	\$ 2,034,244
Parks & Recreation	2,210,750	79,851
Police	3,078,075	-
Public Works	2,537,893	504,733
Transfers Out	-	-
Total:	<u>\$ 9,314,296</u>	<u>\$ 2,618,828</u>

CITY INDEBTEDNESS

2002 Tax Increment Revenue Bonds \$ 7,850,000 (1)

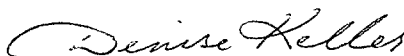
For the Twelve Month Period Ending 12/31/18:

Revenue	\$ 20,478,121	\$ 4,560,305	
Expenditures	20,312,251	4,841,576	(2)

(1) The bonds do not constitute a general obligation or indebtedness of the City. Please refer to the annual audit report on the City's website for additional details.

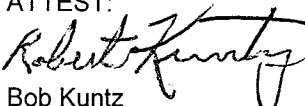
(2) Accumulated fund balance is being used to balance the Capital Fund budget.

I, Denise Keller, Finance Officer for the City of Ballwin, Missouri, certify that to the best of my knowledge, the above unaudited statement is true and in agreement with city records on file as of 12/31/18.



Denise Keller
Finance Officer

ATTEST:



Bob Kuntz
Interim City Administrator

CONSENT ITEM

RE: Wildwood Swim Passes

DEPARTMENT: Parks and Recreation

PROGRAM: North Pointe

RECOMMENDATION: For the 2019 season, allow the sale of up to 50 North Pointe Family Swim Passes to Wildwood residents at the Ballwin resident rate with the City of Wildwood to reimburse Ballwin \$80 per pass sold.

EXPLANATION: For the past several years Ballwin has had this cooperative agreement with the City of Wildwood to offer this service to their residents. \$7,500 in revenue was budgeted in the 2019 budget for the sale of Wildwood passes. In 2018, 29 pool passes were sold resulting in revenue of \$8,011. The sale of up to 50 passes would certainly enhance the facility's revenue with little impact on the facility's operation.

SUBMITTED BY: Hedy Boone, CPRP
Superintendent of Recreation

DATE: December 28, 2018

CITY VEHICLE AND DRIVER STANDARDS POLICY AND ACKNOWLEDGEMENT

City Vehicles

City owned vehicles, other than marked Police Department vehicles, are generally available to employees to facilitate performing job related duties and shall be used for official business whenever possible and practical. City vehicles may not be used for personal purposes unless specifically authorized by the Board of Aldermen or the City Administrator. Members of an employee's family or unauthorized personnel are not permitted to drive City owned vehicles. Police Department vehicles shall be used in accordance with policy established by the Chief. City vehicles are to be secured at all times outside of normal working hours or when off of City-owned property when not in use.

- The vehicles cannot be driven outside the greater St. Louis Metropolitan area without approval of the City Administrator.
- Only employees of the City are permitted to drive the vehicle.
- The vehicles, when available during regular business hours, shall be utilized by other City employees for official City business. All take-home vehicles are to remain on the lot and available to other employees during periods of scheduled absence in excess of 3 days or 5 days if the employee remains in town and available for call-in.
- The vehicles shall not be utilized for any private commercial endeavor.
- Personal usage shall mean any travel not related in any manner to an employee's job-related activities with the City.
- All authorized users will be responsible for State and/or Federal income taxes related to the usage of an employer-furnished vehicle.
- Accidents occurring during personal use will be reported following standard reporting policy. If negligence is determined, the employee shall be responsible for payment of the applicable deduction not covered by insurance in accordance with the provisions of this manual.
- Any maintenance costs shall be the responsibility of the City.
- The City Administrator may modify these conditions.

Driver Standards Policy

City employees who operate City vehicles and equipment must comply with the provisions of City policies, including but not limited to, the Safety Manual, Personnel Manual and this policy. Those employees must maintain a valid driver's license. In certain job classifications this is a CDL license. Any employee whose job requires use of a City vehicle who loses driving privileges, receives a DUI conviction or accumulates more than six points on their driver's license must notify Ballwin of this event in writing. Such record will be retained in the employee's personnel file and considered ~~until~~ **active** until notification of the point level drops below six, the DUI being one year old

or one year following reinstatement of a suspended license. Active driving records in an employee's personnel file will be considered during any merit evaluation.

Periodically, the City will run a check on the driving record of each employee who utilizes City vehicles. Should the record check indicate that the employee has an unacceptable driving record or suspended license that has not been reported, the City may take any disciplinary action up to and including termination of employment.

The City will not knowingly hire anyone for a position requiring a driver's license that has:

1. A DWI on their driving record within six years or
2. More than six points placed on said driving record within two years of his/her interview.

Current employees will be held at these same standards. In the event that a current employee receives more than six points placed on said driving record or a DWI, the employee may be subject to disciplinary action. The City may conduct periodic record checks to insure compliance with this policy.

Any employee whose job performance requires the possession of a valid CDL or drives a city vehicle and who loses the CDL for a violation of or as a consequence of the law shall be subject to disciplinary action up to and including termination from City service. The employee shall notify the policy administrator and the employee's immediate supervisor of the loss of CDL. Failure to notify the policy administrator of the loss of the CDL shall result in immediate termination from City service.

In the interest of the safety of our employees and other drivers, City employees are prohibited for using cellular phones or other mobile communications devices while operating a motor vehicle or equipment during work time and/or while conducting City business. The safe operation of the vehicle is the primary responsibility of all personnel. Whether operating City or personal vehicle or equipment during work time and/or while conducting City business, all employees (except those specifically required by his or her job duties to conduct communications while operating a motor vehicle) are required to safely stop the vehicle before activating the cell phone and remain stopped throughout the entirety of the communication. Any employee involved in an accident while using a cell phone or other mobile communications device, will be subject to disciplinary action up to and including termination of employment, and may be held liable for damages that result from such actions.

Any employee who operates a vehicle or equipment during work time and/or while conducting City business while reading or sending text messages or email messages, in any form or format on a mobile communications device, will be subject to disciplinary action up to and including termination of employment, and may be held liable for damages that result from such actions.

Motor Fuel Usage

The City currently uses an outside vendor to supply motor fuel for all city vehicles and equipment. Fuel rates change daily per market rates. Each city vehicle and large piece of equipment is individually identified. Employees shall follow the usage and recordkeeping requirements for motor fuel usage set by his or her department.

Vehicular Accidents

In the event an employee is involved in any accident resulting in damage to property or in medical treatment requiring more than four hours absence from scheduled work, the employee's Department Head or the Department Head's designee will promptly conduct an investigation and prepare a written report thereof, for submission to the City Administrator. The Department Head and City Administrator will determine the need, if any, for disciplinary action.

If the employee is determined to be at fault, the following disciplinary action may result:

1st "at-fault" accident - a written reprimand shall be placed in the employee's file for no less than six months and no more than 12 months. ~~The written reprimand will be considered during any merit evaluation when the evaluation period overlaps the period covered by the reprimand.~~ Employees who are within their qualifying period may have their qualifying period extended. At a minimum, the qualifying period shall be extended to coincide with the expiration date of the written warning.

2nd "at-fault" accident within any continuous 12 month period - a written reprimand will be placed in the employee's file for no less than 12 months and no more than 18 months. **The employee may be subject to additional discipline** ~~Up to three months' probation may be assigned and a defensive driving course must be taken. Such reprimand will be considered during any merit evaluation when the evaluation period overlaps the period covered by the reprimand.~~ Employees within their qualifying period shall have such qualifying period extended. Such extension shall be no less than the period of probation and may be longer as the situation dictates.

3rd "at-fault" accident within any continuous 12-month period - a written reprimand will be placed in the employee's file for no less than 12 months and no more than 18 months. Six months' probation may be assigned and a defensive driving course must be taken. **The employee may be subject to up to additional discipline.** ~~The written reprimand will be considered during any merit evaluation when the evaluation period overlaps the period covered by the reprimand.~~

Employees who exhibit a pattern of chronic negligence in the operation of motor vehicles may have disciplinary actions taken against them without regard to the progressive disciplinary steps stated above, **up to including suspension, demotion and/or termination.**

It shall be understood that negligence and/or violation of employment rules, **safety rules**, or laws may result in other disciplinary action without a prior record of progressive disciplinary action having been taken against an employee, **up to and including suspension, demotion and/or termination.**

If the accident is a result of absolute inattention and places the employees, other coworkers and/or the general public in extreme danger of physical harm and/or loss of life, suspension without pay may be assigned for a period of no less than three days.

~~Employees who receive suspension as a result of disciplinary action will forfeit any promotion or merit salary increase opportunity occurring during such suspension. The suspension will be considered during any merit evaluation when the evaluation period overlaps the suspension period.~~

An employee that neglects to report an accident may be subject to disciplinary action, up to and including termination of employment with or without further notice.

Acknowledgement Of Receipt Of City Vehicle And Driver Standards Policy

By my signature below, I acknowledge that I have received a copy of the City Vehicle and Driver Standards Policy, and I agree to abide by those and all other requirements contained in it.

Employee Signature

Employee Name

Date

Upon written notification of the disciplinary procedures, the HR Coordinator will retain the file resulting from the investigation in an internal affairs file. A written summary of the disposition of the investigation and any disciplinary action should be retained in the employee's personnel file in accordance with the applicable provisions of this manual.

XI. DISCIPLINARY PROCEDURES

Discipline

The tenure of every employee is conditioned on satisfactory work performance and the availability of funds. Except as otherwise justified by circumstances or required by law, the City shall follow the principles of progressive discipline. It is the City's philosophy that discipline is to be used to correct behavior rather than to punish. Discipline shall be based on the type of misconduct involved, the total facts giving rise to the discipline, and the employee's work record. Any infraction may be deemed as cause for disciplinary action. It shall be understood that serious misconduct and/or violation of law may result in disciplinary action without a prior record of progressive disciplinary action taken against an employee.

An employee may be disciplined, suspended, demoted or terminated for any reason including but not limited to the following:

- Violation of federal, state or local laws or regulations, or violation of City policy, rules or regulations.
- Conviction of a felony.
- Refusal or failure to perform duties as outlined in the employee's job description.
- Repeated substandard performance evaluations.
- Falsification of employment application, time sheets, or other official records.
- Any substance abuse that impairs or interferes with the ability of an employee to perform the functions of their particular position.
- Abuse of leaves of absence.
- Loss, damage, destruction, or theft of City property, records or information.
- Unauthorized use of City vehicles or property.
- ~~Safety violation that endangers life, limb, or property, even if it did not result in an accident.~~
- **Employees who are injured due to negligence, violations of personnel or safety manual rules or manufacture's guidelines, may be disciplined according to the City's disciplinary procedures. It shall be understood that negligence and/or violation of employment or safety rules or laws may result in other disciplinary action without a prior record of progressive disciplinary action having been taken against an employee.**
- **Employees who exhibit a pattern of chronic negligence in safety procedures, may have disciplinary actions taken against them without regard to the progressive disciplinary steps stated in our manual, up to and including suspension, demotion and or termination**

- Fighting or provocation leading to fighting on City property, at City functions, or at such place, situation or time that brings disrepute to the City and its employees.
- Failure to cooperate with an internal investigation or direct orders.
- Failure to truthfully and completely respond to and participate in City investigations and matters related to City functions as requested by supervisors or managers.

In addition to the above, all employees are expected to conduct themselves in accordance with generally accepted norms of work behavior which will reflect favorably on the employee, the personnel system and the City. Since violations of certain regulations are more serious than others, and because each situation must be weighed individually, no specific disciplinary action is mandatory. Depending upon the severity and/or frequency of the infraction, one or more of the following actions may be taken:

Informal Warning
Written Reprimand
Probation
Suspension
Demotion
Termination

Appeals For Discipline Process

1. Employees must first discuss the nature of their complaint with their immediate supervisor. If the complaint cannot be resolved informally, it must be provided in writing to the Department Head and Human Resources Coordinator within five (5) working days of the incident giving rise to the complaint.
2. Upon receipt of such timely written complaint, the Department Head will review the complaint.
3. If a resolution satisfactory to the employee is not made by the Department Head within (5) working days of the filing of the written complaint, the complainant may appeal an issue involving a demotion and/or suspension without pay for five (5) of more working days in writing within five (5) working days to the City Administrator.
4. Upon receipt of a timely appeal, the City Administrator may call an informal meeting with the Human Resources Coordinator, the employee and the Department Head. Decisions of the City Administrator are final.