



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

December 13, 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 7:00 p.m.

## **ROLL CALL**

### Present

Mayor Tim Pogue  
Alderman Mike Utt  
Alderman Michael Finley  
Alderman Kevin M. Roach  
Alderman Mark Stallmann  
Alderman Frank Fleming  
Alderman Jim Leahy  
Alderman Ross Bullington  
Alderman Raymond Kerlagon  
City Administrator Eric Sterman  
City Attorney Robert Jones

### Absent

The Pledge of Allegiance was recited.

## **CITIZEN COMMENTS**

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Melissa Murphy, 910 Claybend, addressed the Board regarding Bill 4111, Clayton Ridge Parking. She is the president of the Clayton Ridge board of trustees. She stated the parking on Clayton Ridge is a hindrance to busses, public works vehicles, first responders and anybody trying to get down the street; this is a public road and not really slated for staff/business parking. Ms. Murphy stated that continual parking on the street is a public safety issue and that she is speaking for all the neighbors in asking the Board to please consider making this no parking.

Sara Hayes, 14812 Mondoubleau (Florissant), addressed the Board regarding Clayton Ridge parking. She stated she works at the Wolf and has parked on Clayton Ridge for about a year and a half when working 6 a.m.-2:30p.m. When she arrives in the morning, there is no traffic or loitering. When she leaves around 2:30 she states there are more cars, but no blockades and no traffic issues. She shared that it is convenient for the employees who work there to be able to get to work to serve the community.



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Laurie Mecham, 1470 St. Paul Rd., addressed the Board regarding Clayton Ridge parking. She owns a business located at 15480 Clayton Rd. She stated that when the Clayton Ridge parking was made available, it took a lot of pressure off the businesses and clients. She parks on Clayton Ridge and is there sometimes until 7 or 8 p.m. At that time, she states there is hardly anyone there and she has witnessed no problems on the street; she feels safe when walking to her car. She asked the Board to consider keeping the business parking available on Clayton Ridge.

Juliana Wood, 402C Mid Trail Ct, addressed the Board regarding Clayton Ridge parking. She is the head chef at the Wolf and has worked there since 2013. Working at the Wolf and seeing the sense of community put forth by staff prompted her to move to Ballwin. She also parks on Clayton Ridge and has not witnessed any safety or traffic issues on the road. She is also a Rockwood School District parent and is aware that staffing changes in the district have forced changes to bus routes. She feels that the integrity of the businesses and individuals who work there has been called in to question, which is not fair. She objects to accusations such as trash being thrown around as it is the Wolf's business model to recycle. She asked that the Board consider keeping the parking as staff park on Clayton Ridge so that clients have easier access to the businesses.

Bob Biribin, 249 Geremma, addressed the Board regarding Clayton Ridge parking. Mr. Biribin is the owner of the Wolf. He thanked the Board for allowing everyone to speak. He too would like to see the parking stay in place as it helps for the clients who frequent the businesses. He stated he is on that street nearly every day starting round 4:30 and there is never trash or if he does see trash, he picks it up as they maintain a very clean property. He also stated the Wolf has been a big part of the community as fundraisers, city meetings and events such as the Moonlight Howl are held there. He asked that the Board please table or oppose Bill 4111 as it is detrimental to the businesses. He also feels that there were no issues until the subdivision took down the fence/bushes that lined the street.

Jason Riegelsberger, 441 Bluff Meadow (Ellisville) addressed the Board regarding the Clayton Ridge parking. He is the property manager for 15480 Clayton Rd. He stated this situation is bothering him as they have tried everything possible to help with parking. He shared that he has been sitting in the parking lot for about six months and watched the parking situation on Clayton Ridge. He has not seen any issues for busses, trash trucks, etc. He asked that the Board either table or oppose Bill 4111.

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## **MINUTES**

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The minutes from the November 22, 2021 Board of Aldermen meeting were submitted for approval. Alderman Roach asked for an amendment in his comments under Aldermanic Comments to read “Alderman Roach commended Public Works and the leaf program.” A motion was made by Alderman Roach and seconded by Alderman Finley to approve the amendment. 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 to approve the minutes from the November 22, 2021 Board of Aldermen meeting as amended. A voice vote was taken with unanimous affirmative result and the motion passed.

## **PUBLIC HEARING**

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### 2022 Budget

Mayor Pogue stated the 2022 budget was reviewed and approved by Planning and Zoning at their last meeting and then opened the Public Hearing on the 2022 budget. He asked if anyone wished to speak in favor; no one approached the Board. He asked if anyone wished to speak in opposition; no one approached the Board. Mayor Pogue closed the public hearing.

## **LEGISLATION**

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### **Bill 4109 – 2022 OPERATING BUDGET**

**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, 2022, AND ENDING DECEMBER 31, 2022, PROVIDING FOR EXPENDITURES IN ACCORDANCE WITH SAID BUDGET AND MAKING APPROPRIATIONS THEREOF.**

A motion was made by Alderman Fleming and seconded by Alderman Stallmann for a first reading of Bill 4109, title only. A voice vote was taken with unanimous affirmative result and Bill 4109 was read for the first time.

### Discussion:

Alderman Fleming commented that the link to the document looks good, but had one item to note. It appears the footnote on page 146 was cut off so he asked that be fixed.

Alderman Roach commented that he receives paper packets so he had concerns over the iPads for the aldermen. He stated if there was one thing he would eliminate the iPads would be it.

Alderman Finley commented on the great work done by Finance Officer Keller and her staff. He has received no negative comments from constituents in Ward 1, and has also checked with Alderman Utt who has also received no negative feedback. Alderman Finley stated he finds everything in order.



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A motion was made by Alderman Roach and seconded by Alderman Leahy to remove the iPads for the aldermen from the budget. A voice vote was taken resulting in four aye votes and four nay votes; Mayor Pogue voted nay and the motion did not pass.

A motion was made by Alderman Fleming and seconded by Alderman Finley for a second reading of Bill 4109, title only. A voice vote was taken with unanimous affirmative result and Bill 4109 was read for the second time.

A roll call vote was taken for passage and approval of Bill 4109 with the following results:

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

Nays -- None.

Bill No. 4109 was approved and became Ordinance No. 21-26

**Bill 4110 –2022 CAPITAL BUDGET**

**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, 2022, AND ENDING DECEMBER 31, 2022, PROVIDING FOR EXPENDITURES IN ACCORDANCE WITH SAID BUDGET AND MAKING APPROPRIATIONS THEREOF.**

A motion was made by Alderman Fleming and seconded by Alderman Bullington for a first reading of Bill 4110, title only. A voice vote was taken with unanimous affirmative result and Bill 4110 was read for the first time.

Discussion:

None

A motion was made by Alderman Fleming and seconded by Alderman Utt for a second reading of Bill 4110, title only. A voice vote was taken with unanimous affirmative result and Bill 4110 was read for the second time.

A roll call vote was taken for passage and approval of Bill 4110 with the following results:

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

Nays -- None.

Bill No. 4110 was approved and became Ordinance No. 21-27

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**BILL 4111 - AN ORDINANCE PROVIDING FOR THE ERECTION OF TRAFFIC CONTROL SIGNS AND AMENDING THE ORDINANCES PROVIDING FOR THE LOCATIONS THEREOF.**

A motion was made by Alderman Stallmann and seconded by Alderman Roach for a first reading of Bill 4111, title only. A voice vote was taken with unanimous affirmative result and Bill 4111 was read for the first time.

**Discussion:**

Mayor Pogue stated that this item had been tabled several months ago and he and Alderman Stallmann have had several meetings with trustees and property owners, so it is being brought back to the Board tonight.

Alderman Roach thanked everyone who came out to speak at the meeting. He asked the property owner if they were moving forward with the proposed stop sign. Mr. Riegelsberger said that the stop sign should be up by the end of the year. Alderman Roach also asked about the expansion of the tasting room as it is his understanding there was already a parking deficiency (24 spaces). Mr. Riegelsberger stated they have already been approved for occupancy of 138 people by Metro West. He also stated another issue that has come up is hours of operation; the building is at 89% capacity. During a normal business day, the parking lot will be about 89% full, but there are days that it isn't busy at all. Mr. Riegelsberger also mentioned the Wolf's hours as they are closed on Sunday and open only to 4 p.m. on Saturdays. He also stated he would welcome the opportunity to dialogue with everyone and document situations so everyone can work together.

Mayor Pogue asked about the parking standards which were approved when the development was approved and, while times have changed, they are essentially grandfathered in. City Attorney Jones clarified that the parking/loading requirements were determined when the building development was done and to the best of his knowledge, they are compliant. Mr. Riegelsberger also shared that the downstairs area would not be open until the other businesses in the building had closed, so parking would not be an issue. He also stated that he has reached out to UMB Bank and they have no interest in giving up any parking, possibly because of liability issues. He feels the bank will not work with them. Alderman Roach stated it was his understanding that when the SUE transferred, a parking assessment was done and found to be deficient. City Administrator Sterman shared information about parking issues discussed in 2008 and that the development is grandfathered in.

Alderman Stallmann asked if any other options for parking have been explored because a compromise needs to be found. Mr. Riegelsberger stated they have looked at the lot on the other side of Clayton Rd., but crossing Clayton Rd. is too dangerous. Parking in other neighborhoods is not ideal. Staggering business hours is a possibility. Alderman Finley stated he has had the opportunity to observe the Clayton Ridge parking as he has been in the area several times during afternoon hours. He shared that there were only 6-7 cars parked there and very little activity. When he asked his dentist office staff (at Kehrs Mill and Clayton Ridge), they stated the only issue they ever see would be speeding and the newly placed stop signs should help to alleviate that. A complete ban on parking on Clayton Ridge is unreasonable.

Alderman Stallmann asked if limiting the number of spots would meet the need. Bob Biribin (Wolf owner) stated that there is only room for 11 cars and the average number parked there is seven. Mr. Biribin also discussed his hours of operation and that their busiest time usually is late morning through lunch and when other businesses

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close late afternoon and evening, there is more parking available. Alderman Roach asked about expanding roadway easements to make more parking. Alderman Fleming stated he had asked at a previous meeting and Clayton Ridge is a standard width street which should be able to accommodate traffic and parking.

Alderman Fleming asked Melissa Murphy about the petition and if it has been turned in. Ms. Murphy stated she has it and approximately half the homes have signed it, but it has not been turned in. Ms. Murphy also stated they are willing to compromise and she wants to work out the issue with businesses, but says the businesses have not responded to her. Alderman Roach asked about limiting the number of hours for parking. City Attorney Jones stated this is difficult to enforce. Alderman Stallmann asked about limiting parking on the street to 8 a.m. – 4 p.m. for instance. Ms. Murphy stated she has offered this suggestion as it would work better for school busses, but business owners didn't agree with it. Mayor Pogue then stated that it seems the business owners have been open to compromise and he is having trouble seeing what the issues are. He also stated that no other areas of normal city-wide streets seem to have any issues.

Mayor Pogue asked Chief Schaeffler if he had reached out to Rockwood School District regarding the bus stop; Chief Schaeffler replied that their response was that the bus stop changed due to staffing issues. Alderman Roach stated there needs to be a compromise and offered several other suggestions. He also stated there needs to be more dialogue, but this seems to be a good start.

A motion was made by Alderman Roach and seconded by Alderman Leahy to table Bill 4111. A voice vote was taken with unanimous affirmative result and Bill 4111 was tabled.

**BILL 4112 - AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF BALLWIN, MISSOURI, ON BEHALF OF THE CITY, TO EXECUTE A ROADWAY AND MAINTENANCE EASEMENT VACATION PLAT FOR PART OF LOTS 6 AND 7 OF MARY J. EICKERMANN'S ADDITION.**

A motion was made by Alderman Fleming and seconded by Alderman Bullington for a first reading of Bill 4112, title only. A voice vote was taken with unanimous affirmative result and Bill 4112 was read for the first time.

**Discussion:**

Alderman Roach asked for some background on this Bill. City Attorney Jones stated this is from the original subdivision, adjacent to Ball Park Dr. Alderman Roach stated that this would help us to establish the new roadway and other infrastructural needs for the new police building; Mr. Jones stated that it is so we can create new ingress/egress points.

A motion was made by Alderman Roach and seconded by Alderman Leahy for a second reading of Bill 4112, title only. A voice vote was taken with unanimous affirmative result and Bill 4112 was read for the second time.

A roll call vote was taken for passage and approval of Bill 4112 with the following results:

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

Nays -- None.





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Bill No. 4112 was approved and became Ordinance No. 21-28

**BILL 4113 - AN ORDINANCE PROVIDING FOR THE APPROVAL OF A SUBDIVISION PLAT FOR THE BALLWIN POLICE STATION LOT CONSOLIDATION SUBDIVISION AS PROVIDED IN CHAPTER 25, ARTICLE II, SECTIONS 25 AND 26 OF THE CODE OF ORDINANCES OF THE CITY OF BALLWIN, MISSOURI.**

A motion was made by Alderman Roach and seconded by Alderman Stallmann for a first reading of Bill 4113, title only. A voice vote was taken with unanimous affirmative result and Bill 4113 was read for the first time.

**Discussion:**

Alderman Roach asked for clarification on this Bill; City Attorney Jones stated this bill is to consolidate four parcels of land, making one legal lot which will then be referred to with one book and page number on future recorded documents. Alderman Roach asked if the gift from Regions Bank was included; Mr. Jones replied it is. Alderman Roach thanked Regions Bank.

A motion was made by Alderman Stallmann and seconded by Alderman Bullington for a second reading of Bill 4113, title only. A voice vote was taken with unanimous affirmative result and Bill 4113 was read for the second time.

A roll call vote was taken for passage and approval of Bill 4113 with the following results:

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

Nays -- None.

Bill No. 4113 was approved and became Ordinance No. 21-29

**MAYOR'S REPORT**

Mayor Pogue asked for a motion to cancel the second Board of Aldermen meeting in December. A motion was made by Alderman Roach and seconded by Alderman Stallmann. A voice vote was taken with unanimous affirmative result and the motion passed.

Mayor Pogue asked for approval of the following Historical Commission appointments:

Carole Stafford, David Blinne and Shannon Daugherty – terms to expire 12/31/24

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



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Rebecca Bullington – term to expire 12/31/23

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

Frank Masotto – term to expire 12/31/22

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

### **CITY ADMINISTRATOR'S REPORT**

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Nothing to report.

### **CITY ATTORNEY'S REPORT**

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City Attorney Jones stated he had legal matters which would need to be discussed in closed session.

### **STAFF REPORT**

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Police – Speeding Ordinance Changes

Staff is requesting the Board authorize the City Attorney to give further review to and recommend updates for the speeding ordinance.

Discussion:

Lt. Saitta asked the Board to consolidate all our current speeding ordinances to one ordinance/charge code. Alderman Stallmann clarified that, we are not changing anything, just simplifying the ordinance to align with SB5. Alderman Fleming asked if there is a preference of options that were listed. City Attorney Jones stated option one would be preferred. He also clarified the language that would be changed. A motion was made by Alderman Bullington and seconded by Alderman Roach to accept staff's recommendation with option one. A voice vote was taken with unanimous affirmative result and the motion passed.

### **ALDERMANIC COMMENTS**

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Alderman Leahy stated he is hoping that the Clayton Ridge parking issue can be resolved.

Alderman Stallmann stated that, just because the bill was tabled this evening, we are not done with this issue. The business owners, trustees and residents need to work together to find a workable solution. He also wished everyone a Merry Christmas.



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Mayor Pogue asked Ms. Murphy to get together with the trustees to get three or four dates to see when a meeting can be set up.

Alderman Roach agreed with Alderman Leahy and also wished everyone a Merry Christmas.

Alderman Finley stated he has heard from several people regarding pickleball and asked Parks Director Chris Conway for an update and what we are planning. Mr. Conway stated there are good ideas in the works for pickleball. If we get the Land/Water Grant which we've applied for, one tennis court in Holloway Park will be converted to four pickleball courts. There are also quite a few indoor courts available, but it does take time. Alderman Finley asked if there was a time estimate. Mr. Conway stated if all goes according to plan, we should have four new courts next year.

Alderman Roach stated he had received an email regarding pickleball; it seems there is quite a bit of concern about it in our area.

Alderman Utt shared that Wildwood and Eureka recently passed ordinances about lifting car handles to deter car theft and wanted to know if that was something Ballwin could do. Mayor Pogue stated that the City Attorney Jones, Prosecuting Attorney Graville, City Administrator Serman and Chief Schaeffler would be reviewing the ordinance and reporting back.

Alderman Stallmann commended Public Works for leaf pickup services and thanked them for a job well done. Alderman Roach also commended Public Works.

## **CLOSED SESSION**

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Mayor Pogue requested a motion to move to closed session. A motion was made by Alderman Fleming and seconded by Alderman Finley. A roll call vote was taken with the following results:

Ayes: Aldermen Utt, Finley, Roach, Stallmann, Fleming, Leahy, Bullington and Kerlagon

Nays: None

The meeting moved to closed session at 8:26 p.m.

A motion was made by Alderman Fleming and seconded by Alderman Stallmann to reconvene to open session. A voice vote was taken with unanimous affirmative result and the motion passed. The Board returned to open session at 8:40.



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A motion was made by Alderman Fleming and seconded by Alderman Finley to adjourn. The motion was passed by unanimous affirmative voice vote and the meeting adjourned at 8:41 p.m.

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

ATTEST:

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