

**CITY OF FENTON, MISSOURI
625 NEW SMIZER MILL ROAD
FENTON, MO 63026
MINUTES
SPECIAL MEETING OF THE BOARD OF ALDERMEN
THURSDAY, JULY 25, 2019
6:45 P.M.**

CALL TO ORDER: 6:45 P.M.

Mayor Bob Brasses called the Special Meeting of the Board of Aldermen of the City of Fenton, St. Louis County, Missouri to order at 6:45 p.m. on Thursday, July 25, 2019 at City Hall.

PLEDGE OF ALLEGIANCE

ROLL CALL

City Clerk Morgan Kuepfert called the roll:

Alderman Seemayer	<i>Excused</i>	Alderman Clauss	<i>Present</i>
Alderman Sobey	<i>Present</i>	Alderman Patton	<i>Present</i>
Alderman Wisbrock	<i>Present</i>	Alderman Jokerst	<i>Present</i>
Alderman Maurath	<i>Present</i>		

Seven Alderman were present at the opening of the meeting.

CITY OFFICIALS:

Mayor Bob Brasses
City Attorney Erin P. Seele, Esq.
City Clerk Morgan Kuepfert
Interim City Administrator Nikki Finkbiner
Parks and Recreation Director Tye Lydon

This Special Meeting is being called for:

- **MAYOR'S APPOINTMENT OF A WARD 3 ALDERMAN TO FILL AN UNEXPIRED TERM EXPIRING APRIL 2020.**

Alderman Patton made a motion to allow Public Comments. The motion was seconded by Alderman Sobey. Upon a vote being taken, the motion passed.

Darlys Preslar, 1654 Sommerset Ridge, spoke regarding the Mayor's appointment. Ms. Preslar's comments are attached to the Minutes for the record.

Mayor Brasses made a recommendation to appoint Bob Walls to fill the Ward 3 vacancy. He stated that he has known Mr. Walls for a long time, and he is a straightforward and honest guy. Mayor Brasses believes that Mr. Walls would make a good Alderman. Alderman Maurath made a motion to accept the Mayor's recommendation. The motion was seconded by Alderman Jokerst.

Alderman Patton stated that he considered not coming to tonight's Special Meeting, as he has spoken most of his peace already. He further stated that the Board has been in this spot for a long time now and that there are two groups of strong-willed individuals who believe they are right, and that there is no compromise. Alderman Patton wishes that the Board would focus more on employees of the City of Fenton. He explained that retention has been discussed before and feels that the impasse with the Board is hurting the City's ability to continue to retain qualified employees and feels that evidence has shown that, with the City's top position being open. Alderman Patton wants to assure that everyone's best foot is being put forward and consider what is really important.

Mayor Brasses stated that he has put a lot of thought into this situation and had many conversations with the City Attorney. He believes an Aldermen should have been appointed immediately, but his recommendation was questioned. Mayor Brasses then stated that he spoke with the City's former City Clerk regarding the similar situation in 1993 and 1995 and she stated that was just the way it happened at that time. Mayor Brasses explained that he was trying to be proactive by appointing the vacancy right away which would also allow for more people to be considered for the President of the Board and the two liaisons. He further noted that his original nomination has been an Aldermen before which would have made an easier transition. Mayor Brasses stated that he believes in the past that appointed Aldermen have voted on the President and two liaisons and have the same rights as an elected Aldermen. Mayor Brasses finally noted that all of his actions have been based on his true beliefs.

Alderman Jokerst questioned Alderman Patton's statement regarding employee retention and asked for clarification as she interpreted his comment to mean that the issues with retention were with the current Board of Aldermen. Alderman Patton stated that was not the case, and retention issues have been ongoing.

Alderman Clauss explained that she understood the Mayor's intentions and does not totally disagree, however, believes that if protocol was followed, the vacancy would have been appointed already. Alderman Jokerst countered Alderman Clauss' comment, stating that if the Board had voted to approve the vacancy, the President and liaisons would have been appointed by now.

Alderman Maurath stated that it has been made clear that there is no legal precedence that was set 26 years ago, noting that the City does not do business the same way it was done at that time. He stated that this is not the right way to behave and does not believe compromise is necessary when there is a policy in place.

Mayor Brasses explained that he did research prior to becoming the Mayor on this situation, and that State Law says that he shall appoint the vacancy. He further explained that he wanted the vacancy appointed instantly, as he believes full representation is the American way of doing things. He also clarified that when he spoke with the former City Clerk, he did not ask for any details, but rather only the history regarding the situation. He noted that at that time, the Board of Aldermen got along and that it is the way it should be now. Mayor Brasses also clarified that the City hasn't been standing still and business is continuing to be conducted. Mayor Brasses concluded by stating that he wishes to move forward, and as a citizen believes that not having full representation is wrong.

Following discussion and upon the roll being called, the Board of Aldermen voted as follows:

Alderman Seemayer	Absent	Alderman Clauss	Nay
Alderman Sobey	Abstain	Alderman Patton	Abstain
Alderman Wisbrock	Aye	Alderman Jokerst	Aye
Alderman Maurath	Aye		

It was announced that the motion failed.

Mayor Brasses made a recommendation to appoint Robin Huels to fill the Ward 3 vacancy. Alderman Clauss called for a point of order as she believed a topic can only be reconsidered by the winning party of the motion. City Attorney Erin Seele stated that the nomination is for a different person so that this is not a reconsideration but a new motion. Alderman Sobey made a motion to approve the Mayor's recommendation. The motion was seconded by Alderman Jokerst. Upon the roll being called, the Board of Aldermen voted as follows:

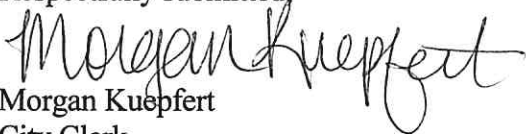
Alderman Seemayer	Absent	Alderman Clauss	Nay
Alderman Sobey	Abstain	Alderman Patton	Abstain
Alderman Wisbrock	Aye	Alderman Jokerst	Aye
Alderman Maurath	Aye		

It was announced that the motion failed.

- **ADJOURNMENT**

At 7:07 p.m., Alderman Maurath made a motion that the meeting be adjourned. The motion was seconded by Alderman Patton. Upon a vote being taken, the motion passed.

Respectfully submitted,



Morgan Kuepfert
City Clerk
City of Fenton

Notes 7-25-19

RULES FOR MISSOURI FOURTH-CLASS CITIES

My name is Darlys Preslar and I live at 1654 Somerset Ridge.

Mayor Brasses, there have been many votes on various issues since you became mayor, the votes have all stood except for one. A 4-3 vote on May 2 that you refused to recognize. On p. 4 of the Rules for Fourth Class Cities it states: ONCE A VOTE IS HELD (even if it's a close vote or tied), it becomes the whole board's decision and the city's position. I believe you swore to uphold the city's ordinances and our state's constitution, but you failed to do so in this instance.

There've been some unintended consequences to denying the May 2, 4-3 vote, ~~against filling the ward 3 seat before other business was taken care of.~~ For example, who would lead a meeting if you are not in attendance? That's a pretty important question and I'm guessing that's why on p.4 of the Rules for Fourth Class Cities it states: *At the first meeting following an election, the board should elect an "acting president of the board of aldermen" (79.090).* It would seem the 4 aldermen who voted the way they did, understood the importance of taking care of this business and following the rules for fourth class cities.

I am happy to see that the special meeting tonight does not include all the other city business. This is a step in the right direction for people who are not available to attend earlier meetings. However, during the board meeting, without chairmen of the various committees, are these committees being served with all the input they should have? These chairmen are vital to the success of those parts of our government. More fallout to not accepting the May 2 vote.

If the vote had stood, just one week later, May 9, the new ward 3 alderman would have been seated and chairmen of committees would have been put in place. Just one week after the May 2 ignored vote, all of this would have been settled.

~~I'm sorry,~~ I just don't buy the argument that all residents should have been represented at this May 2 meeting by having 8 aldermen. The county govt. is functioning with 5 of the 7 required councilmen, yet 7 or our 8 aldermen are not enough to carry on city business for one meeting? It happens all the time.

WHAT IS YOUR REAL REASON FOR HOLDING OUR CITY HOSTAGE? WHY IS OUR GOVERNMENT STILL OPERATING AT HALF SPEED WHEN A BOARD MAJORITY HAS MADE A DECISION? ★

— DO YOUR JOB AS SPELLED OUT IN THE RULES FOR FOURTH CLASS CITIES AND GET OUR GOVERNMENT OPERATING THE WAY IT SHOULD!

*Please include my comments in tonight's minutes,
★ How dare you say as mayor you can disregard a board
vote!*