

MONDAY, NOVEMBER 21, 2022 7:00 P.M.
BOARD OF ALDERMEN
MINUTES

MAYOR MIKE WILCOX

ALDERMAN PAUL ROETTGER

ALDERMAN AARON NAUMAN

ALDERMAN LISA CAPSHAW CUSHING

ALDERMAN BERRY LANE

ALDERMAN TONY ROBERTS

ALDERMAN SARAH VITALE

CITY ATTORNEY, JIM HETLAGE
CITY ADMINISTRATOR, BEN DECLUE
DEPUTY CITY CLERK, JOANNE CARR

MEETING CALLED TO ORDER

The meeting was called to order at 7:00 PM by Mayor Wilcox.

ROLL CALL

Present: Alderman Roberts, Alderman Lane, Alderman Nauman,
Alderman Capshaw Cushing, Alderman Vitale

Absent: Alderman Roettger

Present: Chief Jeff Beaton, Judge Chris Graville, Prosecutor Brian Malone, Steve Chamberlain,
City Treasurer, Dan Lawrence, Finance Director, Keith Slusser, Auditor, Fick Eggemeyer &
Williamson

APPROVAL OF THE AGENDA

Mayor Wilcox asked if there were any changes to the November 21, 2022 meeting agenda.
There were none. Alderman Nauman approved the agenda. Alderman Lane seconded the
motion which was unanimously approved.

APPROVAL OF THE MINUTES FROM NOVEMBER 7, 2022 MEETING

Mayor Wilcox asked if there were any changes or corrections to the Board minutes from
November 7, 2022 meeting. Alderman Nauman moved approval of the minutes. Alderman
Lane seconded the motion, which was unanimously approved.

CITIZEN COMMENTS

None

TREASURER'S REPORTS- SEPTEMBER AND OCTOBER 2022

Mr. DeClue reported that he and Mr. Lawrence were on hand to answer any questions the Board might
have. Mr. DeClue reported that any updates were self-explanatory adding that the glitch in the City of
Brentwood sales tax management was assigned this month with a \$50,000 payment to Glendale as back
taxes. Mr. DeClue noted that through the year, Brentwood misreported their taxes which resulted in big
payouts in many municipalities. Mr. DeClue stated that the City would continue to receive extra going
forward adding that the County Treasurer indicated that most municipalities would receive \$3,000 to

\$4,000 but received \$50,000. Mr. DeClue stated that St. Ann received a large sum, but Olivette's payment was reduced with the corrections. Mr. DeClue noted that pool cities received taxes based per capita. Mr. DeClue stated that the County gave the City documentation for the receipt of the money, but it did not include a full rundown, adding that he was 95% sure the algorithm in Brentwood was fixed. Mr. DeClue noted that no municipalities had reported being off adding that Brentwood was receiving a fundamental amount of money, asked the State and County about the payments and to their credit, did try to understand the oversized fund payouts.

Mr. DeClue stated that he and Mr. Lawrence had worked together and checked with other governing bodies, adding that they had not seen anything like Brentwood's situation before and noted that a performance audit had not been done. Mr. DeClue stated that the formula for payments was based on a computer program written for the unique St. Louis County Municipalities tax situation. Mr. DeClue stated that the situation had been modified but added that it would be wise for the County to run an audit particularly with ARPA funds.

COURT UPDATE – JUDGE CHRIS GRAVILLE AND PROSECUTOR BRIAN MALONE

Judge Graville introduced himself to the Board noting that he was the presiding judge of the unified courts of Oakland, Warson Woods and Glendale which merged two months ago. Judge Graville stated that he owned his own firm, noted that his wife was a State Judge and a son attended Kirkwood High School. Judge Graville stated that he worked for Des Peres, Westchester, and was a judge for 20 years in Warrington. Judge Graville stated that he had worked with Overland which consolidated with St. Ann. Judge Graville stated that he was the judge in Oakland before consolidation, sat on two Supreme Court committees, compliance and education and added that this was an awesome place to work. Judge Graville gave an example regarding his younger son and Halloween noting that when they visited the Glendale Police Department, the department played up both he and his son's role for Halloween.

Judge Graville stated that the needs of the court are being met and was going great, noting that he and Mr. Malone were interchangeable. Judge Graville reported that the Court Clerk, Ms. Kollmeyer was the best court clerk in the County was fantastic and assisted in running the court smoothly. Judge Graville stated that the only thing he encountered related to the enforcement of the housing code and related issues adding that the issues were coming to the court often. Judge Graville stated that before reaching court, every effort was being made to keep issues on a friendly basis between the courts, police and neighbors and offenders which led to desired results.

Mayor Wilcox asked how the transition was going related to night court to daytime court. Judge Graville stated that everyone liked the change, adding that the new hours helped Ms. Kollmeyer, and eliminated her overtime. Judge Graville stated that most municipalities liked daytime court adding that there was more assistance for the Bailiff and not as informal as in the past. Judge Graville stated that the court liked to close by 8:45 am and noted that he liked that each City had its own day, which was important for their identities.

Mayor Wilcox thanked Judge Graville for his service.

Mr. Malone, Prosecuting Attorney introduced himself, adding that he had known everyone in the City for the most part due to his tenure as Architecture Review Board attorney, the Board of Adjustment Attorney and sitting in when necessary for the Board of Aldermen. Mr. Malone stated that he became the Glendale and Oakland Prosecuting Attorney in 2021 and recently started working with Warson Woods. Mr. Malone stated that he worked well with the Municipal courts, worked in Southern Michigan where the dockets were large, worked for Town and Country, Warson Woods, and Weldon Springs. Mr. Malone stated that this unified court runs very well adding that there was more specific guidance from the State, manageable docket and professional police make the job much easier. Mr. Malone noted

that they all can work seriously with clients related to housing codes and nuisance properties who were given many opportunities through the police department with Captain Catlett direction. Mr. Malone stated that a docket in day is the wave of the future, adding that the City of Glendale's pay online service will see an increase, and noted that smaller cities were merging throughout the county. Mr. Malone noted other cities could learn from the Glendale/Oakland/Warson Woods templet which worked very well.

Mayor Wilcox asked if there was a plan in place for a backup should someone miss court. Mr. Malone stated that there were a few colleagues in his office who would pitch in. Judge Graville stated that there was a standing appointment with a provisional judge from St. Louis County, Judge Dan Kertz, who lives in Kirkwood and works in St. Charles County adding that he is a great guy who will serve at any time when necessary. Judge Graville also stated that there were no complaints related to their job performance but added that if there were any, please let them know. Judge Graville stated that it was their belief that people needed to be treated with respect adding that it allowed for quick adjudication.

CITY TREASURER UPDATE – STEVE CHAMBERLAIN

Mr. Chamberlin introduced himself, stating that he had met most of the Board during his tenure on the Pension Board, added that he has been a resident of Glendale for 20 years, raised two boys, enjoyed the community and servicing the City of Glendale. Mr. Chamberlin stated that he was an attorney by trade, with experience in finance, taxation and governance noting that he has worked 20 plus years auditing complex State governments, national programs, and served the City as a Trustee of the Pension Board. Mr. Chamberlin stated that he was glad to help with Prop P and most recently, as City Treasurer which was enjoyable as well. Mr. Chamberlin stated that he approached the position as a citizen resident looking at books, adding that his background in fraud was useful in reviewing the City's books. Mr. Chamberlin stated that he coordinated with Mr. Lawrence regarding payroll, overtime numbers, check registers, General Liability and reconciliation adding that he worked well with Mr. Lawrence and the City's auditor. Mr. Chamberlin stated that if there was some outstanding thing that was identified, I raise questions, such as unusual vendors, or employee issues, adding that after speaking with Mr. Lawrence he provides the explanation. Mr. Chamberlin also noted that there was a process of clarification for auditors adding that he usually spent 45 minutes looking at the City's books.

Alderman Nauman asked Mr. Chamberlin if there were any control deficiencies in the system. Mr. Chamberlin stated that there were and walked through them with Mr. Lawrence and added initials. Alderman Nauman stated that generally we would like the finance officer to design the control noting that the auditor had asked for it. Mr. Chamberlin stated that in his personal opinion, he would consider the whole process, including document the entire process in a broader fashion and establishing the duties of a City Treasurer through an ordinance adding that it is currently a footnote in the audit. Mr. Chamberlin added that a policy statement would be useful which pointed to a statute indicating the how, when and why's and by validating the Board's expectations, and hold someone accountable. Alderman Nauman commented that the City did have a control deficiency and that there is no domination of the process. Mr. Chamberlin stated that it should be written internally. Mr. Chamberlin stated that the prior City Treasurer, who was a CPA, made handwritten notes 8 years ago and used the notes to walk through the City Treasurer's duties adding that the prior City Treasurer tried to create a trail which also showed what needed to be achieved, etc. adding that it was given to Mr. Lawrence and Mr. DeClue. Mr. Chamberlin stated that the document plus what was inherited could be used for 80% of the information needed with an additional 20% added to form a policy statement and documentation adding that he did give Mr. Lawrence and Mr. DeClue the prior Treasurer's notes, translated for the layman. Mr. DeClue stated that the City needed a line of defense between the Finance Director, the City Treasurer, with the auditor looking at different parts. Mr. Chamberlin stated that the work he was doing now was as close to a real time check as the City could get adding that he would work with Mr. Lawrence and Mr. DeClue to finalize a document.

An offer of thanks was given to John Schuster and Gaylord Risley for the prior work they did as City Treasurer.

FY21-22 AUDIT PRESENTATION- KEITH SLUSSER OF FICK EGGEMEYER & WILLIAMSON

Mr. Slusser introduced himself and discussed the audit report briefly, highlighting pages related to the report on the audit and opinions, auditor's responsibilities, management's discussion and analysis overview, the basic financial statement and internal control over financial reporting and other matters based on an audit. Mr. Slusser stated that the auditing process varies from year to year noting that the City received a site visit only from Mr. Slusser adding that it was efficient. Mr. Slusser stated that he had a staff working in their office who were familiar with the Glendale files. Mr. Slusser stated again that the audit was always reviewed by another auditor who also reviewed the financial statements. Mr. Slusser stated that the audit varies year to year, in what is looked at whether it is bank statements, payroll, or GL reports so that the City was not complacent. Mr. Slusser stated that the finance records are created by the Finance Director then reviewed and approved by the City Treasurer on a regular basis.

Mr. Slusser stated that with regard to control deficiencies, his office did not want to get specific adding that the overall procedures followed are good but agreed that the procedures should be defined but not necessarily in detail. Mr. Slusser suggested that the City reach out to neighboring Municipalities with similar finance departments adding that Mr. Lawrence attended financial conferences where he could find and speak to other finance directors. Mr. Slusser stated that it was best practice to have reviews done by someone who does not have the authority which is another step in the audit process. Mr. Slusser stated that his auditing team tested different things every year, randomly selecting 5 or so different areas to study which as noted earlier was one way to prevent fraud and keep City staff on their toes.

Mayor Wilcox asked about the type of business Mr. Slusser engaged. Mr. Slusser stated that they audit 12 Fire Districts, 30 to 35 cities, water districts and school districts totaling 120 government entities. Mr. Slusser stated that he would be happy to help with the manual.

DISCUSSION: RETIREE HEALTH INSURANCE BENEFIT

Mr. DeClue reported that following up after discussions last month, survey results from 26 out of 30 full time employees was included in the packets adding that an overwhelming number agreed that the retirement age should be 55 years, dependents covered and a split in years of service between 15 or 20 years on the job. Mr. DeClue noted that some employees thought it would be nice if the City would cover premiums, but others said it was not necessary. Mr. DeClue stated that in general, the employees were very appreciative of the City considering the program.

Mr. DeClue stated that he had also prepared a sample ordinance establishing the benefit in the City's employee manual for the Board's review. Mr. DeClue stated that some additional information concerning how each employee might be impacted based on how the benefit is constructed- i.e., 15 or 20 years of service, 55 or 60 retirement age was also prepared.

Alderman Roberts stated that the vast majority of municipalities do not cover premium. Alderman Vitale stated that with the understanding, should this ordinance pass, the employee would be responsible to pay the cost of the insurance, allowing them to retire earlier with insurance, up to age 65, when they would be eligible for Medicare. Mr. DeClue stated that an employee would stay on the plan but would pay the total premium which is in opposition to what happens under regular employment. It was noted that the retirement age was 65 years of age.

Mayor Wilcox noted the employee survey, stating that the decision the Board makes will impact the entire city, noting that this is bigger than any one employee but for all employees and a retention tool. It was noted that dependents should not be considered as part of the equation, but it was clarified by Ms. Jill Newman, Daniel and Henry, who advised that it was a requirement if the spouse was included in the coverage. Mr. DeClue stated that Alderman Roettger had asked for the enclosed chart which noted how the benefit would impact the employee base adding that if employees paid the premium, it did not matter except for the claim history which would be the same if an employee remained employed. Alderman Vitale stated that the spirit of the program should be to think and reward the longer serving employees who have given their careers to the City and who want to enjoy retirement and allowing them to do that is appropriate and respectful. Alderman Vitale stated that 15 years of service with the City was a lower number and agreeable but added that retiring at age 55 was the question. Following 15 years of service with retirement at age 55 would give an employee 10 years of insurance.

Alderman Lane stated that this benefit would be another way of hiring for retention adding that it was a good benefit. Alderman Vitale agreed with Alderman Lane adding that the entire Board thinks it is a good idea. Alderman Vitale stated that legally, the Board should reward the employees' long service; but added that there should be a clause added to protect the City such as renewing the Ordinance every 3 to 5 years in light of insurance renewals, and/or different insurance company renewals to protect the City. Mr. Hetlage agreed that benefits are determined on an annual basis and were not necessarily permanent adding that it may make sense to include an affirmative act by the Board every five years written in the Ordinance.

Alderman Nauman stated that the entire Board agreed this is a good idea and understood the importance of the benefit adding that he agreed with Ms. Newman who stated that the benefit should coincide with the July 1 renewal. Alderman Nauman stated the next step would be to work out the numbers, comparing Glendale to other communities, and finding the middle ground without creating a challenge to our limited resources. Alderman Nauman also suggested that a comparison be made with non-government entities.

It was noted that his benefit should be set up as an incentive to stay with the City but not so attractive that the benefit creates turnover and that the gap between service and retirement should not be too excessive.

Alderman Vitale stated she was leaning towards 20 years of service as a milestone adding that it could be a nice expectation noting that 15 years of service was easier to attain but 20 years of service with the retirement age of 60 could work. It was asked if there were any police in the room; Sergeant Mason stated that LAGARS retirement age was 55 and with physical expectations required, age 60 would be harder. Alderman Nauman stated that he understood adding that in the past, the City did not see so much turnover as we do now and asked about what is making employees leave. It was noted that officers were joining at age 25 without the expectation of staying 40 years or they are coming from other districts when they are age 40.

It was noted that the Board understood the physical nature of the job adding that compensation does vary from city to city. Alderman Lane noted that the City did not want people to work forever adding that the Board needed to come up with numbers to make this work.

Alderman Roberts, making reference to the chart noted that every city uses age 60 for the retirement age related to this benefit and liked the idea of a floating parity and asked if there was a way to look at the benefit set up as a tiered system noting that cost was always an issue. It was noted that it may be difficult for a city to maintain in light of the possibility of 4 people retiring in the next 5 years, 3 employees now, and possibly 6 within the next 3 years.

Alderman Capshaw Cushing stated that when someone retires, the City saves money and money is also saved with a new employees start at a lower salary scale and added that these issues needed to be factored into the program and to find a way to come up with a good number.

It was noted that there was a pay scale adding that someone could be hired at the top of the pay scale who is older, or due to the pay scale, move up quickly on the tier, losing the savings gained by a new hire.

Alderman Roberts stated that Chesterfield looked at alternate retirement ages but settled on age 60.

Mr. DeClue stated that employees were technically eligible to retire at age 55 and start a new job and create a new pension adding that LAGARS allows members to draw at age 55. It was noted that the retirement age of 55 together with LAGARS would bridge the 10-year gap before Medicare.

Alderman Roberts asked about the average premium charge, wondered if the City would pay anything as a reward for working longer adding that a percentage could be worked out.

Alderman Nauman stated that he liked the sentiment adding that the numbers would need to be worked out.

It was noted that people come out of academy at the age of 20 plus, adding that the City would like to attract people to stay 15 to 20 years and that the cost to the City would be the claim usage. Mr. DeClue stated that Glendale was in a group of cities with SLAIT including property insurance, etc., which are pooled resources for insurance as well. There are 2,000 employees in the pool that Glendale just joined with the process of sharing losses with everyone else. Alderman Vitale stated that the SLAIT board set a series of rate adjustments based on claims adding that the City's future was unknowable, and added that people who would be retired, or the people who are new, would all be part of the claims pool. Alderman Vitale stated that retirees would be included but noted that hiring a new person whose health is unknown could also grow the pool. Mayor Wilcox stated that aging created more claims adding that no matter it was a risk to the City.

Mr. DeClue asked about the next step; is there consensus with the Board, can this benefit be brought forward with an Ordinance allowing that it would be impossible to guess at the claim data. It was noted that Ms. Newman stated earlier that there would be a bump in claims but would eventually level out. One of the Board members noted that a consideration of premium change in the next agreement should be added and commented that statics would be available only in the long term.

With straw poll, it was agreed that years of service would be 20 years with retirement set at age 60.

DISCUSSION: RECREATIONAL MARIJUANA SALES TAX

Mr. DeClue stated that the passage of Amendment 3 in the November election, municipalities in Missouri now have the ability to levy a tax on the retail sale of recreational marijuana of up to 3%. Mr. DeClue stated that although Glendale did not have any dispensaries and is somewhat of a poor candidate for one due to our limited commercial buildings, many cities in the area are actively discussing putting this tax on the April ballot. Mr. DeClue stated that it might be better to have the tax in place before the new dispensaries come along, so they know the ground rules from day 1. Mr. DeClue noted that the State would be charging a 6% tax and by joining the pool, there will be much more educational material available for all municipalities adding it to their ballot.

Alderman Vitale asked about monitoring of home business sales noting that the State Statute included sales out of a home. It was noted that the State disposed of home

business licensing requirements which will make it impossible to collect sales tax in those cases.

Mr. DeClue stated that several of our neighboring cities were considering adding the ballot item. It was noted that Glendale may be the first local entity actively discussing the ballot item. Alderman Lane, and Alderman Nauman agreed that we should place it on our April, 2023 ballot.

DISCUSSION: “VEHICLE PROWLING” OFFENSE ORDINANCE

Mr. DeClue stated that the Mayor brought to our attention that Shrewsbury is actively considering creating a “vehicle prowling” offense in their municipal code as a way of further deterring and punishing those individuals coming into our communities for the purpose of “clotting” vehicles and/or stealing them. Mr. DeClue stated that it would give our local prosecutor another tool with which to charge these offenders should St. Louis County decline to prosecute. Mr. DeClue stated that he and Chief Beaton talked about this idea adding that this would add to the City’s existing tool kit to remove offenders from our streets. Chief Beaton stated that there was evidence that this type of ordinance used in other cities was proving to be a successful new program adding that all the Police Chiefs were in favor. Mr. DeClue stated that St. Charles County did a great job with a task force adding that we were not as fortunate and noted that the departments believe implementation of such an ordinance would now be an appropriate next step to take. It was noted that this information should be shared with other Municipalities such as Oakland, Warson Woods, etc., so the entire community could feel a general sense of protection. Chief Beaton stated that St. Louis County adopted the ordinance due to the current weakness in existing ordinances.

Mr. DeClue asked for a straw vote on interest in writing such an ordinance. The Board of Aldermen agreed it was a good idea which should move forward.

REPORTS

Mr. DeClue

Mr. DeClue reported that the ARB workshop will be held Wednesday, December 7th. Alderman Nauman, Alderman Lane, Alderman Vitale, Alderman Roberts, and Mayor Wilcox will be in attendance.

Alderman Roettger

None

Alderman Vitale

Alderman Vitale reported that she would not be running for re-election this term due to personal reasons adding that she enjoyed the position and all it entailed. Alderman Vitale stated that she would continue in her position through the next swearing in of Aldermen.

Alderman Lane

It was noted that the Parkland issue was resolved with an extension of the parking variance. Alderman Lane stated that the Board needed to discuss Public Works staffing, Police Department accreditation, Code Enforcement, Boards and Commissions, and Retirees, adding that ARB guidelines were moving forward. Mr. DeClue stated he met with Mr. Henke, Director of the Kirkwood Park, and Rec, and was putting an agreement together adding that Oakland was always interested in a similar agreement.

Alderman Capshaw Cushing

None

Alderman Roberts

None

Alderman Nauman

None

Mayor Wilcox

Mayor Wilcox asked about Code Red and the marketing plan.

Chief Beaton stated that he would be going through more training adding that the City did a soft rollout adding that at the next meeting, he would be able to show the features of the program. Chief Beaton stated that the current sign-up was for Glendale only and was waiting for Oakland and Warson Woods to link up adding that Kirkwood was on board but was not totally scaled for this program noting that Kirkwood's. Chief Beaton stated that the dispatchers will also go to training in addition the Chief and Captain now adding that Kirkwood was using Code Red for utilities but will switch soon. Chief Beaton stated that marketing was planned for our residents adding that there is a map with icons showing where signups have occurred in the City. Chief Beaton stated that with mapping information, marketing will be shifted based on usage. Chief Beaton stated that Code Red would be utilized for urgent messages at this time. Mayor Wilcox noted that the trash bills can handle upcoming events noting that too many messages could create a turn-off by the residents. Chief Beaton stated that the system can be used the way the City prefers including emergency alerts.

EXECUTIVE SESSION

Alderman Nauman moved to adjourn to Executive Session. Alderman Lane seconded the motion. There being no further questions or discussion, Mayor Wilcox called for a vote:

Ayes: Alderman Nauman, Alderman Roberts, Alderman Capshaw Cushing
Alderman Lane, Alderman Vitale

Nays: None

Not Present: Alderman Roettger

ADJOURNMENT

Alderman Lane moved to adjourn the meeting, seconded by Alderman Nauman. The motion was unanimously approved.

These minutes are approved as submitted this 5th day of December, 2022.

Joanne Carr
Deputy City Clerk