1st Reading 11/28/2023
2nd Reading 11/28/2023

BILL NO. 23-58 ORDINANCE NO. 5412

AN ORDINANCE REPEALING CHAPTER 9 SECTION 9-16, AND CHAPTER 20 SECTION 20-1 OF THE MUNICIPAL CODE OF THE CITY OF CRESTWOOD, MISSOURI; AMENDING CHAPTER 2 SECTION 2-56, CHAPTER 20 SECTIONS 20-7 AND 20-10; AND ADOPTING A NEW SECTION 10-1 CREATING A PUBLIC SAFETY BOARD

WHEREAS, the Board of Aldermen of the City of Crestwood (the "City") has previously adopted ordinances creating a Police Board and a Fire Board; and

WHEREAS, Section 6.1(b) of the City's Charter provides that existing boards and commissions shall remain in effect unless changed pursuant to the Charter by ordinance; and

WHEREAS, the City wishes to combine the function and services of the Police Board and Fire Board into one entity and create a new Public Safety Board and dissolve the current Police Board and Fire Board; and

WHEREAS, the Board of Aldermen finds that the dissolution of the Police and Fire Boards and the creation of a new Public Safety Board would be in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CRESTWOOD, MISSOURI, AS FOLLOWS:

SECTION 1: Chapter 9, Section 9-16, Fire Board, and Chapter 20, Section 20-1, Police Board, of the Municipal Code of the City of Crestwood, Missouri are hereby repealed.

SECTION 2: A new Chapter 10, Public Safety, Section 10-1 Public Safety Board, is hereby adopted to read as follows:

Chapter 10 Public Safety

Section 10-1 Public Safety Board.

(a) Composition. The Public Safety Board shall consist of seven citizens of Crestwood with an interest in public safety, including the Police and Fire Departments. Members are appointed by the Mayor with the approval of a majority of the authorized membership of the Board of Aldermen. Reasonable efforts shall be made to ensure all wards are represented; however, the qualifications of members shall be the primary guiding principle in making appointments and no board shall be deemed improperly constituted or unlawful if all wards of the City are not represented thereon. All citizen members shall be appointed to terms of three years in duration, with each term beginning and ending on July 1. The terms shall be staggered in three groups with one group consisting of three members and two groups consisting of two members each. Only one group shall be appointed on July 1 of each year, and another group shall be appointed on July 1 of every following year.

(b) Meetings and quorum. The Public Safety Board shall hold regular meetings every other month, in the odd-numbered months. The Public Safety Board shall meet a minimum of four times per year, at a time scheduled by the Public Safety Board. Additional meetings may be scheduled at any time by the chairperson or three members of the Public Safety Board, provided that one week's notice is provided to the public and all members of the Public Safety Board, including the aldermanic representatives and the Police Chief and Fire Chief. A quorum shall consist of four members of the Board. The aldermanic representatives and any ex officio members do not count towards establishing quorum.

(c) Attendance. Public Safety Board members absent without excuse from three consecutive meetings, whether regular or special, shall be subject to replacement by the Mayor and a majority of the authorized membership of the Board of Aldermen.

(d) Duties and responsibilities. The Public Safety Board shall act in a general advisory capacity to the Police and Fire Departments. It shall make recommendations to the Board of Aldermen for improving police and fire protection within the City, suggest rules and regulations governing the conduct of the members of the Police and Fire Departments, subject to approval by the Board of Aldermen, and do and perform such other services for the safety and protection of the lives of the inhabitants and property of the City as may be directed by the Board of Aldermen from time to time.

(e) Chairperson. The Mayor shall appoint a chairperson from one of the citizen members who shall serve as chairperson for the remainder of that person's term. The chairperson shall be the presiding officer of all meetings of the Public Safety Board and shall have voice and vote the same as all other Public Safety Board members. At the beginning of each term, the Public Safety Board shall organize by electing a vice-chairperson and a secretary from the members. The vice-chairperson shall act as chairperson in the chairperson's absence. In the absence of the chairperson and vice-chairperson, the secretary shall serve as acting chairperson.

(f) Aldermanic representatives. The Mayor, with the approval of a majority of the members the Board of Aldermen, shall appoint two aldermanic representatives from the members of the Board of Aldermen to serve as liaison between the Board of Aldermen and the Public Safety Board and provide policy direction. At least one of the aldermanic representatives shall be present at all scheduled meetings of the Public Safety Board. Participation in all discussions is strongly encouraged, but the representatives shall not have a vote. The Mayor may act as a substitute for the Aldermanic representative or aldermanic representatives may designate a substitute from the Board of Aldermen if any aldermanic representative is unable to attend a meeting.

(g) Ex officio members. The Police Chief and the Fire Chief shall be ex officio, nonvoting members of the Public Safety Board, acting in an advisory capacity. Either the Police Chief or the Fire Chief shall be present at all meetings of the Public Safety Board. If the Police Chief or Fire Chief are unable to attend any such meeting, a representative shall be designated to attend by either the Police Chief, the Fire Chief, or the City Administrator.

(h) Clerical staff. The Public Safety Board shall be provided with a clerical staff person by the City administration, who is not a voting member of the Board. It shall be the duty of this staff to take minutes of the proceedings of the Board. A set of minutes of the Public Safety Board meetings shall be made public in accordance with applicable state law.

(i) Vacancies. Vacancies among non-ex officio members of the Public Safety Board shall be filled in the same manner as an original appointment, with the replacement to serve the unexpired term.

SECTION 3: Chapter 2, Section 2-56, Documents Provided to Attorneys, is hereby amended to read as follows (with new language appearing in red and deleted language being struck through).

Section 2-56 Documents provided to attorneys.

The City Attorney and Assistant City Attorney shall receive from the City Clerk/Collector, whose duty it shall be to furnish them with same, all copies of ordinances, rules and regulations adopted by the Board of Aldermen or by any board or commission of the City, and they shall also receive copies of all minutes of the Board of Aldermen, Planning and Zoning Commission, ~~police and fire boards~~ Public Safety Board, and other boards and commissions which keep minutes

SECTION 4: Chapter 20, Section 20-7, Conduct of Officers, is hereby amended to read as follows (with new language appearing in red and deleted language being struck through):

Section 20-7 Conduct of officers.

Members of the police force shall obey their superiors and all rules and regulations adopted as provided in this chapter, conduct themselves courteously and in conformity with their status as conservators of the peace and shall diligently and circumspectly perform all their duties under the law, ordinances and regulations of the City of Crestwood ~~Police Board~~. They shall obey all laws and ordinances and do nothing to cause aspersion upon or dishonor, degrade, shame or create public doubt or distrust as to themselves, the police force, their superiors or the City.

SECTION 5: Chapter 20, Section 20-10, Reports to chief, is hereby amended to read as follows (with new language appearing in red and deleted language being struck through):

Section 20-10 Reports to chief. `

The Chief of Police shall report on the performance of his duties at all regular Public Safety Board ~~Police Board~~ meetings and to the Board of Aldermen as may be requested from time to time.

SECTION 6: The remaining provisions of Chapter 2, Chapter 9, and Chapter 20 of the Code shall remain in full force and effect.

SECTION 7: This Ordinance shall be in full force and effect on January 1, 2024.

PASSED AND SIGNED this 28th day of November, 2023.

Scott Shuyler

Mayor

ATTEST:

City Clerk

APPROVED this 28th day of November, 2023.

Scott Shuyler

Mayor