

**CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI
BOARD OF ALDERMEN AND MAYOR MEETING MINUTES
THURSDAY, FEBRUARY 15, 2024-7:31PM**

PRESENT Mayor Dinah Tatman, City Attorney Dorothy White-Coleman, Treasurer Rick Rognan, Finance Director Lori Lenz and City Clerk Semmie Ruffin-Hall.

Mayor Tatman CALLED MEETING TO ORDER at 8:18 p.m.

Pledge of Allegiance

ROLL CALL: City Clerk Semmie Ruffin Hall called the roll:

- Alderwoman Theresa Hester- **Present**
- Alderwoman Peg Warnusz- **Present**
- **Alderwoman Lynette VonSeggern-Excused Absence**
- Alderman (Board President) James Thomas, Sr.- **Present**
- Alderwoman Regina Harmon-Ward- **Present**
- Alderwoman Alease Dailes- **Present**
- Alderwoman Alicia Smith- **Present**

Six Present/One Excused Absence -Quorum was established.

MOTION TO APPROVE THE AGENDA

Alderwoman Alease Dailes motioned to approve the agenda for Thursday, February 15, 2024 with amendment for items #6, 7, 8 and 10 for the record and would like to add for the vote Bellefontaine Home Improvement so after new business add discussion of the \$400,000.00 for \$100,000.00 for each ward open for discussion to be added to the agenda; seconded by President James Thomas, Sr.

City Clerk Semmie Ruffin Hall called the roll for approval of agenda:

- Alderwoman Theresa Hester-**Yes**
- Alderwoman Peg Warnusz-**Yes**
- Alderman (Board President) James Thomas, Sr.-**Yes**
- Alderwoman Regina Harmon-Ward-**Yes**
- Alderwoman Alease Dailes-**Yes**

- Alderwoman Alicia Smith-Yes
6-Yays/0-Nays. Motion passes.

MEETING OPEN TO THE PUBLIC (With 3-minute time limit)

Felicia Bishop-10XX Fontaine Place

- I want to take a few moments to speak on my experience. In my 8 months here, I have worked under the most hostile, toxic environment imaginable.
- I will not bite my tongue regardless to whom.
- I May disagree. “These ae my experiences”, Alease Dailes you have displayed a level if unprofessionalism,
- Disrespect and bullying toward me. To the remaining administration, you are al at fault to a certain extent.
- Because you all know how she treats me, yet no one calls her on her crap. It is clear there is a four against three
- Board. Alease Dailes you are evil and vindictive, you changed on me once you realized I was not a “yes” person.
- As for now I feel the time is not a good pairing. I will soon part ways as code enforcer and become active as a citizen.
- This will allow me to speak freely without feeling censored, or the board retaliating.
- I would love to stay, maybe-If things change I can come back, I am full of knowledge, information and documentation regarding my concerns of Mistreatment.

Carla Hudson-24XX Harbor Landing Circle

- Read letter. Letter is attached.

Anthony Green-92XX Waldorf Drive

- Did send a letter out to everyone on the .dais that the Mayor cannot reconcile the accounts. I know we have a big problem with these bank recs because I have been at this podium numerous times with the previous Mayor.
- When we get our treasurer report I want to know how many more banks recs need to be done for the FYI 2022 Audit.

MOTION TO APPROVE THE UNAPPROVED MINUTES

- B.O.A Meeting Minutes-01-04-24
- B.O.A Meeting Minutes-01-18-24

President James Thomas, Sr. made a motion to approve B.O.A 01-04-24 and the B.O.A Meeting Minutes from 01-18-24, second by Alderwoman Alease Dailes. No Discussion.

City Clerk Semmie Ruffin Hall called the roll for approval of unapproved minutes:

- Alderwoman Alicia Smith-Yes
- Alderwoman Alease Dailes-Yes
- Alderwoman Regina Harmon-Ward-Yes
- Alderman (Board President) James Thomas, Sr.-Yes
- Alderwoman Peg Warnusz-Yes
- Alderwoman Theresa Hester-Yes

6-Yays/0-Nays. Motion passes.

MOTION TO APPROVE THE INVOICES

➤ **01-11-2024 through 01-30-2024-\$67,865.75**

President James Thomas, Sr. motioned to approve the invoices dates January 11, 2024 through January 30, 2024 for \$67,865.75; Seconded by Alderwoman Regina Harmon-Ward. No discussion.

City Clerk Semmie Ruffin Hall called the roll for approval of invoices dated 01-11-2024 through 01-30-2024 in the amount of \$67,865.75.

- Alderwoman Alicia Smith-No
- Alderwoman Alease Dailes-No
- Alderwoman Regina Harmon-Ward-Yes
- Alderman (Board President) James Thomas, Sr.-Yes
- Alderwoman Peg Warnusz-Yes
- Alderwoman Theresa Hester-Yes

4 Yays/2-Nays. Motion passes.

➤ **01-31-2024 through 02-09-2024-\$919,882.03**

President James Thomas, Sr. motioned to approve the invoices dates January 31, 2024 through February 9, 2024 for \$919,882.03; Seconded by Alderwoman Peg Warnusz.

Discussion

Alderwoman Alease Dailes stated, President Thomas sent an email for check #46802 (special events) of \$910.84. I would like to have (motioned) that removed for further review. Mayor Tatman stated that is the mailing of the Mayors end of year report and you are asking for that to be pulled. Alderwoman Dailes stated yes for further review. Seconded by Alderwoman Alicia Smith.

City Clerk Semmie Ruffin Hall called the roll for removal of check #46802 for \$910.84.

- Alderwoman Alicia Smith-Yes
- Alderwoman Alease Dailes-Yes
- Alderwoman Regina Harmon-Ward-No
- Alderman (Board President) James Thomas, Sr.-Yes
- Alderwoman Peg Warnusz-No
- Alderwoman Theresa Hester-No

3 Yays/3-Nays. Motion fails.

Alderwoman Alicia Smith stated she wanted it to go on record as to why she voted no, there is no bill in this\is packet.

City Clerk Semmie Ruffin Hall called the roll for approval of invoices 01-31-2024 through 02-09-2024-\$919,882.03

- Alderwoman Alicia Smith-No
- Alderwoman Alease Dailes-No
- Alderwoman Regina Harmon-Ward-Yes
- Alderman (Board President) James Thomas, Sr.-Yes
- Alderwoman Peg Warnusz-Yes
- Alderwoman Theresa Hester-Yes

4-Yays/2-Nays. Motion passes.

TREASURERS REPORT (RICK ROGNAN)

-Keep in mind this report goes all the way past page 17. (Alderwoman Dailes asked if this is unaudited December report)-Rick stated correct. The last three pages we already discussed at the last open meeting, which was bank accounts and payroll. So know what we are going to do is concentrate on page 2 and 3 and the pages In between page numbers 4 through page number14(those are the details behind the pages we will speak to tonight.

- Page 2 represents the summary of revenue and expenses.
- Category 4 is what we are concentrating on; keep in mind we are six months in (this is July 1 through December 31). Means 50% threshold is our threshold.
- Category 6 is difference between the first 6 months of this year and the first six months of last year. Therefore, you get a quick comparison.
- Start up above General Fund Revenue you are at 47.55%, so we are slightly below where we should be at this point.
- Then you look down the expenses:

- A. Administration is only at 28.74%
- B. Courts are at 38.19%
- C. Street Department right now is at 62.05%
- D. Recreation Center is at 77.74%
- E. Police Department is at 47.44%

In total, the departments are at 47.26%, which almost mirrors where you are at with revenue. So the revenue coming in almost equates to what we are spending by department. No keep in mind when you look at the street department 62.05% some of the expenses related to payroll are sitting up in administration in that budget. Because that happened before we separated and called it Public Works. So some of those expenses for salary sit up there. So that is why you see the street department right now appears to be over budgeted. When we did the budget in 2022/2023, some of the personnel in street department was embedded in administration. Because of that, the street department will look over budgeted for this year. Now the rec center, that is real, the rec center will be over budgeted on payroll cost, we already know that 77.74% is beyond 9 months. Nine months is 75%. Therefore, that means you are already running payroll numbers in the rec center through early April. All the others if we hold true we will be on budget in total for payroll again based on what we saw in December. We will know more as the months go on. Keep in mind in total for the city we will be on budget for payroll. We will be over in some and under for others. However, that will be on target, on budget.

- Page 3 little bit longer revenue.
 - A. Sales tax right now and City Tax are at 48.44% (50% is our threshold)
 - B. Gross receipts are at 48.69%
 - C. Licenses are at 20.29%
 - D. Permits and expenses are at 13.21%
 - E. Courts are only at 3.53% of revenue
 - F. Rec Center on the revenue side is at 65.01% so that is good news.
Producing more revenue on the rec side more than anticipated.
 - G. Other Revenue 45.96%

All the rest of the pages again help support what we are talking about in regards to each of these numbers. I will be glad to explain any specific regard to any category or item within this report.

DISCUSSION

President Thomas asked MOSIP Funds where we were going to put the ARPA. Funds. We approved an ordinance in Oct. 2022 have those funds been moved over yet. **Rick (Treasurer) stated** at this point and time it has not. **President Thomas asked** how much interest we would be gaining, how much is the amount we have now left in ARPA: **Rick (Treasurer) stated** about two million. **President**

Thomas asked that two million was over in MOSIP how much would we be gaining on today's interest. **Rick (Treasurer) stated** now keep in mind the ARPA has been going back and forth based on expenses, just on a million dollars in ARPA right now, MOSIP has been paying about 5.22%. Therefore, you would be looking at quite a bit of interest. I would say if you are looking at it on a yearly basis it is over \$50,000.00. **President Thomas stated** \$50,000.00 that we have missed. **Rick (Treasurer) stated** had the opportunity it would be more than that. The balances have been back and forth even at a million you are looking at about \$75,000. **President Thomas stated** we need to get that money moved over, your opinion as the treasurer. **Rick (Treasurer) stated** now keep in mind we have to have it earmarked by the end of this year. Therefore, we do not want to put it out too far. We really need to earmark it; we are going to have to spend it so we really need to move forward so it does not hurt to put it in ARPA until then. They have two accounts; one is going to be like a CD, which is 5.33%, and Liquid Account is like 5.22%. Just keep it in Liquid Account it is still much better than what we are going to get at Simmons Bank. **President Thomas stated** that is what he was saying. Because ARPA money now is gaining only 2%, **Rick (Treasurer) stated** 2% or 3% at Simmons. **President Thomas stated** on a million plus dollars, **Rick (Treasurer) stated** million plus dollars, correct. **President Thomas stated** that was all I had. **Alderman Theresa Hester stated** are all the bank recs completed and ready for the audit of 2022. **Rick (Treasurer) stated** I do not believe they are all complete, I think that is still in process. **Alderman Theresa Hester asked** do you know how many we have to go. **Mayor Tatman stated** that is a question our Finance Director can report on if she would come to the podium. Rick is not involved in doing the bank recs right now. **Lori Lenz (Finance Director) stated** as of today (02/15/24) all the 2022 bank recs are complete and ready to go for audit. **Mayor Tatman stated** I am going to stand; I am not going to ask anyone else our finance department has been in a state of contention. This woman has worked Saturdays, Sundays and nights most of the time by herself. To give clarifications the Mayor does not do bank recs. I verify the journal entries, which is my responsibility to do. So all the bank recs are done and we are ready to do the 2022 audit, keep in mind we had three audits that were due when I got here in April. Therefore, we had one done in June, so now we are ready to go back out to RFQ to put an auditing firm in place. However, I want to commend her for the hard work and the toxic atmosphere she has done a tremendous job and I want to say to her THANK YOU. She did not have to stay so to your question Mr. Green all of the bank recs up until October of 2022 are done, but for the Audit to be done for the physical year of 2022, they have been reconciled and we are ready for an auditor to come and do our 2022 audit. **Rick (Treasurer) stated** so keep in mind with that being said now keep in mind what that means is that now we are going to

be going into October so what that means is when the auditor gets here within two or three months they will be able to do the 2022 audit and by then June will come for this year and we will have another audit ready to go. Probably will take them anywhere from two to six months but we need to do this to get our Bond Rating back. Without this, we basically are being held captive as we speak. **Alderman Dailes** asked our fiscal year runs, **Rick (Treasurer) stated** from July 1 to June 30. **Alderman Dailes stated** so the end of our fiscal year is June 30, **Rick (Treasurer) stated** correct. Now at this pace the good news is it takes 2 months per year we made be able to get the final 2024 audit done before December 31st which is the due date and if that happens we will be current. We can go back to the Bond Market and get our rating back, so again everything takes some time but non the less this will be the step we need to take first. **Alderman Dailes asked** do you have the true balance of what the ARPA Funds are. **Rick (Treasurer) stated** well the true balance what was in the account all of the balances are here, go to page 15 so this is what is in the account, so if you on page 13 if you look to the far right, the third column from the right says December 31, 2022 compared to 2023 so you can see. So, you will be looking at the December 31, 2023 that balance you can see \$2,111,281.47 you see that is the balance. That is not the balance that should be there that is the balance that sits in the account as of December 31, 2023. **Alderman Dailes stated** based on these dates when we did we got an account quick book reports and it showed us we had \$1,409,886.00 so from December 31st and we go from January to current we can subtract and that way we can come up with the one million. **Rick (Treasurer) stated** correct. **Mayor stated** she wanted to commend Rick as well. Mr. Green thank you, our finance department has been entangled for years, but as he reported, we are right alone with revenues and expenses are in line. We are ready for another audit and so the financial integrity of the City is intact. You do not have to worry you heard it for yourself. I had them make copies for the citizens to look over, thank you Rick and Lori.

BILL NO. 2684- AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI, TO EXECUTE AND ENTER INTO LEASE AGREEMENT ON BEHALF OF THE CITY OF BELLEFONTAINE NEIGHBORS WITH AMERICOM IMAGING SYSTEMS, INC. (INTRODUCED BY ALDERWOMAN ALEASE DAILES)

Alderman Alease Dailes made a motion to table Bill #2684 until the next meeting for us to have all the documents; second made by **President Thomas**.
No Discussion.

City Clerk Semmie Ruffin Hall called the roll to table Bill #2684

- Alderwoman Alicia Smith-Yes
- Alderwoman Alease Dailes-Yes
- Alderwoman Regina Harmon-Ward-Yes
- Alderman (Board President) James Thomas, Sr.-Yes
- Alderwoman Peg Warnusz-Yes
- Alderwoman Theresa Hester-Yes

6-Yays/0-Nays. Motion passes.

Alderwoman Alease Dailes made a motion to discuss the Home Improvement Program and to take a vote from the Board of Aldermen; seconded by President Thomas.

Discussion:

Alderwoman Dailes stated the City Clerk sent this out to you two weeks ago for you all to review. I got this home improvement draft from the City of Dellwood and it has been tested by and proven. In addition, what this will do is give each homeowner in the City of Bellefontaine Neighbors using the ARPA Funds gives \$1,000.00 to homeowners for improvements. Regardless of what they need is to show proof based on the application if they need anything fixed in their home. Let me give you a brief synopsis:

- Rehabilitation of existing dwelling units is now seen as a major component of maintain the housing stock of the nation. In short, housing is a resource. It must be protected. The City of Bellefontaine Neighbors Home Improvement Program is designed to meet that goal.
- Each portion of the Home Improvement Program is designed to remedy either an existing housing problem or prevent further problems. It also protects and bolsters the value of all existing housing in the City of Bellefontaine neighbors by preventing anyone (1) house from prompting decline in an otherwise sound neighborhood.
- This program is for the residents of the City of Bellefontaine Neighbors, who owns and resides in the property. Each homeowner has the responsibility to his/her neighborhood and his/her community to keep his/her dwelling in suitable repair. There are no income restrictions in this program.

Alderwoman Dailes stated and this will be for the homeowner. We have some items on here. The only stipulation that I would change we allow our senior citizens to come in and put in an application. Sometimes our senior citizens some of them do not have access to a computer some of them do not know how to use a computer. We want to make sure every homeowner that wants this program that

they have access to it. The other item is we will have to hire an engineer that has electrical and plumbing background and that is because if someone wants to get an outlet fixed or a pipe fixed in their house. The engineer would have to be certified in that. What the board decides. We will leave it open, say for instance if we vote tonight we will have to put everything in place for we would go for 90 days you would apply for it and after 90 days everyone that applied for this here would be able to get their property fixed provided that we can get a City Inspector with plumbing and electrical background. That is what I am asking the board to take the remainder of the ARPA Funds because based on the information given by the Code Enforcer that I took from her, she said we had 70% renters subtracted that and we came up with about 1450 homes and that came up to a million and some change for us to do this for our homeowners it may be less so every homeowner may not apply for it but at least we will have the funds we will be giving back to the community. And I am asking the board if I can make a motion. If you have, any questions if we can discuss that now.

Alderman Hester stated when did we get this, this is my first time seeing this.

City Clerk stated it was in the meeting packet that was cancelled, **President**

Thomas stated February 1. **Alderman Hester stated** the homeowner has to be

living in the home, occupying the home, OK. This program will go from what period, you said 90 days. **Alderman Dailes stated** it will be based on what the board says for 90 days or six months it depends on what the board wants to do, we first have to first get it approved and then we can decide if we want to extend from what date we will start to what date we will end. I think I had in an email that was sent out it would start in March and go through June for everyone to apply.

Alderman Hester stated we definitely have the money, **Alderman Dailes stated** yes we will use the remainder of the ARPA Funds but we have to make sure that the board wants to do this. Completely for the citizens. **Alderman Peg**

Warnusz stated I was just wondering if you had Planning and Zoning look at this. Who is all involved, is this word for word from Dellwood. We are not Dellwood, we probably have similarities. I will say I have not seen this either. I think we would need some people look into this before we enter this kind of plan. I think it could be very helpful to our citizens but who is going to monitor the program I think it is a lot of unanswered questions but I think it is a good program.

Alderman Dailes stated I do her those answers for you. Planning and Zoning is for Planning and Zoning. This is for home improvement from homeowners only, It is self-explanatory it is basically \$1000 the homeowner have to have their own contractors who are bonded. We have to have a part time or temporary inspector that has plumbing and electrical background. I give you an example. If someone wants to go in and put in light fixture in the ceiling. The inspector becomes he has electrical and plumbing background he can inspect it. This has nothing to do with

Planning or Zoning because the homeowner automatically live in their home what they have to provide is their deed or something that says they own their home. We should have them on file as the homeowner. We do not need an ordinance because we are not going to enter into contract with anyone it has called an OEMS I think it was stated. It is really really simple. Dellwood is a 4th Class city and that is why we picked them, it has nothing to do with Planning and Zoning. It specifically opening up the door for our homeowners to give back using the ARPA Funds \$1000. When the applications come in, they get everything on the computer. But because we have people in our community they may not be able to use a computer they would come in. This program is just giving the homeowner \$1,000 to do any type of repairs related to their homes and we are going to have our attorney review it, however I had to ask the board would they be in agreement to set the money aside for the homeowner program so we can give back to our homeowners \$1,000 for the home repairs. **Attorney Dorothy White-Coleman stated** essentially what **Alderman Dailes** is requesting is that the board approve the concept and allocate the money. The details of the program will still have to be flushed out and then put in writing. So that the requirements will be there we don't have that done yet. We are talking about a concept tonight. And that is it. **Alderman Dailes stated** basically if you could read this here basically everything is in it. We would have our attorney review it and if there is something in there she wants to change and the boards wants to review. But we are going to make sure it protects the homeowner and it definitely protects the city. That's why we have to have a part time inspector because we cannot use ARPA Funds for payment. This will be for a short term community program that's why it will be for only "X" amount of money. I have been listening to our citizens everybody needs a little bit of help. This \$1,000 could help with some of the write ups that could be on their homes. This would be the first thing that has to be done, if they have a broken garage that was written up that is the first thing they would have to fix. If they don't have a door that is working properly, any type of violation can be fixed first on the homeowner's property. This is only for homeowners. **Alderman Hester stated** so we do draft a plan for the homeowners program here, who do we reach out to I would like to be a part of this. Do we email you attorney. **Alderman Dailes stated** if we approve it tonight we have a draft that's why I sent it two weeks ago and asked everyone's thoughts. So after you read it over and if something you want to add or take out then you do that give it to the City Clerk and she will give it to the City Attorney. **Alderman Hester** so my answer is the City Clerk. **Mayor Tatman stated** I think it is a fabulous program that could be implemented. The only caution I want to give, we already have the ARPA money allocated and you are saying this is going to be a million plus dollars in the 2022/2023 budget there was money already allocated that hasn't been spent. **Alderman Dailes stated**

that is why I am asking the board we ask for TV Boards we ask for a lot of stuff, but we have to do something for our citizens. **Mayor stated, Alderwoman Dailes** I am saying it is a good program, but what I want to caution us is its going to have to be paired down because in the 2022/2023 budget there are items that are already allocated, so even though we have 2 point whatever million in the bank actually less we are paying bills for things that are coming in. If you remember we allocated things in that budget for certain things already, (that is why I suggested the \$400,000.00) so that amount and that amount is going to deplete significantly so we wouldn't be able to give we would not be able to give the citizens that amount that is what I want to cautious us in voting for something we don't have the complete money for. We will be able to do some, but not everyone.

President Thomas stated I think the amount of \$1,000 may break the bank, but we do need to give the citizens an amount of money, but I believe that that amount of money just my opinion I was looking at \$700.00 no some residents may not need \$700 worth of work. The contractor may come in and say I approve for \$450 the contractor may say its \$900, I would like to see in here if it is over the amount the homeowner will responsible for the rest of that money. **Alderwoman Dailes states** if you read the draft it states only up to \$1000 if you read the contract. I would like to refer back to Rick do you have our 2022/2023 budget on hand. I looked in the ARPA Funds and we never ordered the boards that were never ordered, we had the speed bumps, the sound system. I am trying to give back to our citizens because the money has to be allocated by December. We have not given anything to the citizens I think up to \$1,000 everything is in the draft if you read it. That is why I am asking the remaining dollar amount be given to the home improvement program. **Alderwoman Dailes would like to make a motion that the remaining dollar amount of the ARPA FUNDS; President Thomas interrupted and stated** if we do that and we don't spend all the money we will have to give it back. No I am saying if you say we are going to hold all the rest of the ARPA money bases off of what we are going to give the homeowner and I am just going to say, \$500,000.00 and we on spend \$350,000.00 we held that \$500,000.00 to the left at then Rick at the end of the season if we did not use that money then. **Rick (Treasurer) stated** yes ARPA gave us the opportunity and earmarked through December of this year. Earmarked means we are going to have it sat aside we also have an extension through December 2026 to have spent the money. For some reason I will set the deadline if it is not you could always reallocate it by this December to spend before December 2026. **Alderwoman Dailes stated** that is why I asked the board could we open it up for 90 days and hopefully if we do pass it we can put it in Spring Newsletter. It is only for homeowners based on the homeowners that applied within 90 days or we can do it for 60 days. Of those applications we will know how much is earmarked. This will

give us an opportunity to delegate and find out how many homeowners we have in our community because we still have to do that. And that is why I am asking the board everything that is left over we don't know it may be more than enough. But if we earmark it from March, April and May. The deadline will be May 31st. Anyone that did not apply they don't do it. **Rick (Treasurer) stated** you will need to amend the budget for 2022/2023 for ARPA to do exactly whatever the board intends on doing. **Mayor Tatman stated** again in the 2022/2023 budget allocated money for things to be done in each department in the city. Therefore, we would have to halt all of that. The work has already been started on somethings. RFQ's been sent out. We will have to stop all of that and we will be discussing that coming up next. At the beginning of the administration, I proposed that we allocate \$400,000.00 per ward. We can do that and still have with the things that are already allocated. Two police cars that has been allocated in there already, we still have some repair work on the buildings that have already been allocated. I just want to caution us because we are making amendments to commitments we already allocated. **Alderman Dailes stated** the reason why I brought this up we allocated that money when we first got it. The homeowners first. I am asking the board if you want to consider this here and we can come back and see if we can allocate x amount of dollars to give to the homeowners so we can implement the program if you are interested. **Alderman Alicia Smith** I agree I would like to know personally what would be left with everything that is allocated. Can I get that answer whether it is from the Director, the Treasurer it doesn't matter to me. I would like a physical number of what would be left. Even with the projects that have been completed and the ones that are allocated what would be left and when will those projects be completed. Is that a question that can be answered? **Mayor Tatman stated** actually if you look at the strategic plan that I presented at the beginning and Lori gave you the guys the balance that was 1.4, correct so take that, look at the sheet I will make sure that the finance director give you in 2022/2023 budget on page 17. That will show you things that were allocated and keep in mind we also giving you things that you have voted for since then. Things you voted for since then, because we gave the Public Works Department extra money, we gave the Recreation Center extra money. We got three air conditioner units that are still in order. So yes, we will make sure you will get that information. **Alderman Alicia Smith asked** you mentioned the air conditioner that one of those units was under warranty do we know which one. **Mayor Tatman stated** that is a question for our Director. There is still a discrepancy about that. **President Thomas stated** and with that can we get an update on where we are with those appropriations like the sound systems. I know Jimmy had been trying to get it done, but it never has been done. **Mayor Tatman stated** he has been working on that and the company he had pulled away and he will be sending out another one. People are pulling out

because they do not have the proper personnel. That is why I was trying to caution before you vote on it because you do not have a good numbers and we do not want to amend the agenda and take away what we have already committed for the departments and the staff to do. **Alderman Dailes stated** when she does provide all of that for us can she make sure she gives us the minutes for the vote tally. **Mayor Tatman stated** absolutely you will have everything verified.

Alderman Dailes motioned to table the Bellefontaine Home Improvement Program until the next meeting we should have all the information first meeting in March; second by Alderman Alicia Smith.

City Clerk Semmie Ruffin Hall called the roll to table Bellefontaine Home Improvement Program:

- Alderman Alicia Smith-Yes to table
- Alderman Alease Dailes-Yes to table
- Alderman Regina Harmon-Ward-Yes to table
- Alderman (Board President) James Thomas, Sr.-Yes to table
- Alderman Peg Warnusz-Yes to table
- Alderman Theresa Hester-Yes

6-Yays/0-Nays. Motion passes.

Alderman Dailes motioned to discuss in an open session, \$400,000.00 (\$100,000.00 per ward) which has never been brought up or the board has never discussed in an open session; second by Alderman Harmon-Ward

Discussion

Alderman Harmon –Ward stated the money that are available after the appropriated ARPA Funds, right. Out of this \$100,000.00 per ward, this money is left over after the appropriated money has been spent. I just want everyone to understand that this money is available but the other money is not, is that correct. **Mayor stated** yes. **Alderman Dailses stated** since the board has never voted on the \$400,000.00 on it and what is the plan for each ward. James and I had talked about it individually we did not want to divide one ward does this and one ward does that so what is the plan. **Mayor Tatman stated** each ward is different. We had talked about each alderperson create a program. Because under the ARPA Program you have to have a plan within the guidelines, the Untied Treasurer give. **Alderman Smith stated** the question she has is for our treasurer. Can you tell me when these funds were set aside or allocated? **Mayor Tatman interjected** and stated they are not allocated they are proposed, this is what I proposed at the

beginning. **Alderman Smith stated** so how do we know we have these funds. Just like the other vote, we just tabled. I guess the question that I am asking is, if we already set aside a lot of other things we have already allocated how do we know what is left if we still do not have a number. I am looking for the 2022/2023 budget, so we have an exact number. **Mayor stated** yes. That worksheet the only thing that is not on there is the extra things since that was done the board has allocated. But yes I assure you that piece of paper there came from page 17 of the 2022/2023 budget. **Alderman Smith stated** I am assuming prior to or after these numbers have changed. **Mayor Tatman stated** that is what I said, yes. **Alderman Smith stated** again for me I do not know about the rest I would like the exact figure of what we would have.

APPOINTMENT OF NEW POLICE CHIEF

Mayor Tatman stated the Mayor makes the appointments but up to the board to vote. Pretty good candidates that applied some more than others. The appointment I put forth is Mr. Philip Lukens to become our new Police Chief.

Alderman Hester made a motion for new Police Chief, Philip Lukens to serve City of Bellefontaine Neighbors; second by **Alderman Peg Warnusz**.

DISCUSSION:

Alderman Hester stated she appreciated both candidates. We definitely need someone that has experience. After interviewing both of them, I found that one was more decorated than the other was and that is why my recommendation was Lukens.

City Clerk Semmie Ruffin Hall called the roll to Philip Lukens as Chief of Police for City of Bellefontaine Neighbors:

- Alderman Alicia Smith-No
- Alderman Alease Dailes-No
- Alderman Regina Harmon-Ward-No
- Alderman (Board President) James Thomas, Sr. -No
- Alderman Peg Warnusz-Yes
- Alderman Theresa Hester-Yes

2-Yays/4-Nays. Motion fails.

Mayor Tatman stated interviews would begin again for a Police Chief.

POLICE DEPARTMENT NEW HIRES WERE INTRODUCED:

- **Officer Edward J. Lee**
- **Officer Tyrone F. Eastern**

OFFICER RECOGNITION

- **Sgt. Joe Edwards**
- **Officer Ronald Freeman**
- **Officer Christopher Barnett**

MEETING OPEN TO THE PUBLIC (With 3-minute time limit)

Viola J. Jones-14XX Kilgore Drive

-Thirty-years ago big sink hole and was patched up and now opening up again. Right next to Christ Church. I just wanted to reiterate that the patchwork is not good enough.

Bryant Nelson-9XX Marias Drive

-Employees are leaving
-We would not be rushing this Home Improvement if the Board had done this in April.

Donna Luther-101XX Tramonte Court

-Alease I am tired of the way you treat people
-You could have done a lot for citizens and you have not
-You have just clogged the whole process.

Shelly Davis-11XX Jennings Station Road

-Lived in Bellefontaine for 35 years
-Someone hit her husband he had only liability insurance just to get off lot
-Very disappointed with our Police Department

Anthony Green-92XX Waldorf Drive

-Felicia is doing what she is supposed to doing
-We finance 100% of the Courts
-No Idea what Judge Draper is doing?
-Over 400 cases have been sited but they have been written off.
-Yall better ask some questions.

Mayor Tatman Read charge of Derelict of Duties.

- Letter attached.

Adjournment;

Alderwoman Theresa Hester motioned to adjourned; second by Alderwoman Harmon-Ward.

City Clerk Semmie Ruffin Hall called the roll for adjournment:

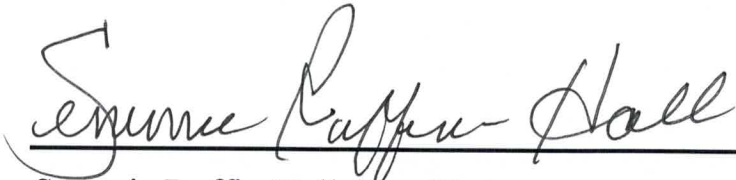
- Alderwoman Alicia Smith-Yes

- Alderwoman Alease Dailes-**Yes**
- Alderwoman Regina Harmon-Ward-**Yes**
- Alderman (Board President) James Thomas, Sr.-**Yes**
- Alderwoman Peg Warnusz-**Yes**
- Alderwoman Theresa Hester-**Yes**

6-Yays/0-Nays. Motion passes to adjourn

Adjournment at 9:37pm

ATTEST:

A handwritten signature in cursive script that reads "Simmie Ruffin-Hall". The signature is written in black ink and is positioned above a solid horizontal line.

Semmie Ruffin-Hall-City Clerk

Approved by the Board of Aldermen on: 03-21-24

Carla L Hudson
2465 Harbor Landing Circle
St. Louis, MO 63136
(314) 324-8317

January 20, 2024

Dear Mayor and Board of Aldermen,

I attended the Fence Workshop held by Zoom on Friday, January 19, 2024. Once again, First, I want to thank you for presenting the workshop. I was disappointed as this meeting quickly lost quorum and the discussion, not yielding any results. I am still left wondering what the purpose was. The Ordinance was created by Alderwomen Peg Warnusz, Theresa Hester, Code Enforcer, Felecia Bishop, City Engineer, Clayton Klein and Legal Counsel, Dorothy White-Coleman. In addition, The Ordinance is in line with Missouri State Statutes. The staff and City Attorney have done their due diligence. I would like to know when you will stop second guessing them?

It is frustrating to the residents that our time is continually wasted. Alderwoman Smith has continually stated the Ordinance is not within the guidelines of the Missouri State Statutes. However, she refuses to state what in the Ordinance is unlawful. She went a step further and stated she was not going to do anyone else's job and provide a copy of the Missouri State Statute to the City Clerk. I agreed with Alderwoman Dailes (I believe it was her who stated "I thought we were working as a team"). This grandstanding has to stop. The residents should not have to plead with the Board to actually make a true effort to legislate. We deserve more than what you are giving us as our Aldermen. Please stop wasting our time. The Fence Workshop lasted thirty-two minutes as a couple Aldermen needed to leave early. It was at that time that quorum was lost and the meeting ended. I am sure you all realized this was a complete waste of time. As a result, I have provided a copy of the Missouri State Statute to the City Clerk.

Alderwoman Smith made a comment that a resident implied she is never prepared for the meetings and she took offense to the comment. I would like to clarify the statement I made. It is a huge disservice to the residents when you wait until open session to ask these questions. There is nothing wrong with asking questions. I want know why you don't utilize time effectively and ask questions in advance? When you ask questions in advance, you have ample opportunity to get your questions answered in sufficient time to review the answers and come to the meeting prepared to conduct business and decrease delays. You could easily state, based on the answers I received to my questions, I can now make an informed decision. It is abundantly clear that you are aware of these questions in advance. Why wait until you have an audience? What is your real goal? Let's put personal feelings aside and try to work cohesively. The current dysfunction is time consuming and is a huge disservice to our Beautiful City. Let's try to do better.

Respectfully,



Carla L. Hudson, Notary

Revisor of Missouri



Words

1st search term or section nu

And

2nd search term



CH n

[View entire chapter](#)

Title XVII AGRICULTURE AND ANIMALS

Chapter 272 Fences and Enclosures [^] !

GENERALLY

- 272.010** Field to be enclosed by fence. (8/28/2001)
- 272.020** Fencing requirements. (8/28/2001)
- 272.030** Owners of stock liable for damages, when. (10/14/2016)
- 272.040** Judge may appoint viewers to view fence — compensation of appointees. (8/28/2001)
- 272.050** Persons injuring animals liable for damages, when. (8/28/2001)
- 272.060** Division fences — rights of parties in, how determined. (8/28/2001)
- 272.070** Duty of judge if owners disagree — apportionment of costs. (8/28/2001)
- 272.080** Value of fence may be recovered, when. (8/28/1939)
- 272.090** Fence to be divided for purpose of repair. (8/28/1945)
- 272.100** Duties of persons appointed — their fees. (8/28/2001)
- 272.110** Division fences to be kept in repair. (8/28/2001)
- 272.120** Division fences not to be removed without consent of owners. (8/28/1939)
- 272.130** Judgment of associate circuit judge reviewed in same manner as other civil ... (8/28/2001)
- 272.132** Total cost of fence attributable to one landowner, when. (8/28/2001)
- 272.134** Agreement for no fence permitted. (8/28/2001)
- 272.136** Landowner may exceed lawful fence requirements. (8/28/2001)

LOCAL OPTION

- 272.210** Definitions. (8/28/1965)
- 272.220** Fields enclosed, how. (8/28/1965)
- 272.235** Adjoining landowners obligated to build fence — when — exceptions. (8/28/1965)
- 272.240** Partition fences — owner may demand payment, when. (8/28/1965)
- 272.250** Duty of judge if parties disagree on value — fence viewers to estimate. (8/28/1963)
- 272.260** Value of fence may be recovered, when. (8/28/1963)
- 272.270** Fence owners may agree on maintenance — agreement recorded — refusal to ... (8/28/1963)
- 272.280** Duties of judge if parties disagree on repairs — fence viewers to designate. (8/28/1963)
- 272.290** Special partition fences — owner may demand payment, when. (8/28/1965)
- 272.300** Fees of fence viewers, judge and sheriff — taxed as costs. (8/28/1963)
- 272.310** Owners to repair division fence — remedy for failure. (8/28/1963)
- 272.320** Division fence not to be removed — exceptions. (8/28/1963)
- 272.330** Application of law. (8/28/1963)
- 272.340** Judgment of judge may be reviewed in circuit court. (8/28/1963)
- 272.350** Petition for review shall state what. (8/28/1963)
- 272.360** Provisions of law effective after election. (8/28/1963)
- 272.370** Petition for election — notice — order of adoption. (8/28/1963)

- Cross References

High voltage electrified security fence systems, department of corrections, 217.141

Revisor of Missouri



Words

1st search term or section ni

And

2nd search term



272.010. Field to be enclosed by fence. — All fields and enclosures where animals are kept shall be enclosed by a lawful fence as defined in section [272.020](#).

(RSMo 1939 § 14569, A.L. 2001 H.B. 219 merged with S.B. 462)

Prior revisions: 1929 § 12906; 1919 § 5511; 1909 § 6454

CROSS REFERENCE:

Railroad companies to maintain lawful fence; gates and cattle guards, where, [389.650](#)

----- **272.010 8/28/2001** -----

272.020. Fencing requirements. — 1. Any fence consisting of posts and wire or boards at least four feet high which is mutually agreed upon by adjoining landowners or decided upon by the associate circuit court of the county is a lawful fence.

2. All posts shall be set firmly in the ground not more than twelve feet apart with wire or boards securely fastened to such posts and placed at proper distances apart to resist horses, cattle and other similar livestock.

(RSMo 1939 § 14570, A.L. 2001 H.B. 219 merged with S.B. 462)

Prior revisions: 1929 § 12907; 1919 § 5512; 1909 § 6455

----- **272.020 8/28/2001** -----

***272.030. Owners of stock liable for damages, when.** — If any horses, cattle or other stock shall break over or through any lawful fence, as defined in section [272.020](#), and by so doing obtain access to, or do trespass upon, the premises of another, the owner of such animal shall be liable for any damages sustained if the owner of the trespassing horses, cattle, or other stock was negligent.

(RSMo 1939 § 14571, A.L. 1945 p. 917, A.L. 1978 H.B. 1634, A.L. 2016 S.B. 844)

Prior revisions: 1929 § 12908; 1919 § 5513; 1909 § 6456

*Effective 10-14-16, see § 21.250. S.B. 844 was vetoed June 28, 2016. The veto was overridden on September 14, 2016.

----- **272.030 10/14/2016** -----



272.040. Judge may appoint viewers to view fence — compensation of appointees. — Upon complaint of either party claiming to be injured because of the trespass or taking up of livestock as described in section [272.030](#), the associate circuit judge shall, without delay, issue an order to three disinterested householders of the neighborhood, not of kin to

either party, reciting the complaint, and requiring them to view the fence where the trespass is complained of, and take memoranda of the same, and appear before the court on the day set for trial; and their evidence shall determine the lawfulness of such fence. The persons appointed by the associate circuit judge shall be paid twenty-five dollars each per day for the time actually employed which shall be taxed as costs in the case equally against the parties and collected accordingly.

 (RSMo 1939 § 14572, A.L. 1945 p. 917, A.L. 2001 H.B. 219 merged with S.B. 462)

Prior revisions: 1929 § 12909; 1919 § 5514; 1909 § 6457

----- 272.040 8/28/2001 -----

272.050. Persons injuring animals liable for damages, when. — If any person who does not maintain a sufficient fence shall hurt, wound, lame, kill or destroy, or cause the same to be done by shooting, worrying with dogs, or otherwise, any of the animals in this chapter mentioned, such person shall satisfy the owner in double damages with costs.

 (RSMo 1939 § 14573, A.L. 2001 H.B. 219 merged with S.B. 462)

Prior revisions: 1929 § 12910; 1919 § 5515; 1909 § 6458

----- 272.050 8/28/2001 -----

272.060. Division fences — rights of parties in, how determined. — 1. Whenever the owner of real estate desires to construct or repair a lawful fence, as defined by section 272.020, which divides his or her land from that of another, such owner shall give written notice of such intention to the adjoining landowner. The landowners shall meet and each shall construct or repair that portion of the division fence which is on the right of each owner as the owners face the fence line while standing at the center of their common property line on their own property. If the owners cannot agree as to the part each shall construct or keep in repair, either of them may apply to an associate circuit judge of the county who shall forthwith summon three disinterested householders of the township or county to appear on the premises, giving three days' notice to each of the parties of the time and place where such viewers shall meet, and such viewers shall, under oath, designate the portion to be constructed or kept in repair by each of the parties interested and notify them in writing of the same. Such viewers shall receive twenty-five dollars each per day for the time actually employed, which shall be taxed as court costs.

2. Existing agreements not consistent with the procedure prescribed by subsection 1 of this section shall be in writing, signed by the agreeing parties, and shall be recorded in the office of the recorder of deeds in the county or counties where the fence line is located. The agreement shall describe the land and the portion of partition fences

between their lands which shall be erected and maintained by each party. The agreement shall bind the makers, their heirs and assigns.

(RSMo 1939 § 14574, A.L. 2001 H.B. 219 merged with S.B. 462)

Prior revisions: 1929 § 12911; 1919 § 5516; 1909 § 6459

----- **272.060 8/28/2001** -----



272.070. Duty of judge if owners disagree — apportionment of costs. — If either party fails to construct or repair his or her portion of the fence in accordance with the provisions of section [272.060](#) within a reasonable time, the other may petition the associate circuit court of the county to authorize the petitioner to build or repair the fence in a manner to be directed by the court. If the court authorizes such action, the petitioner shall be given a judgment for that portion of the total cost of the fence which is chargeable as the other party's portion of the fence, court costs and reasonable attorney's fees. Any such judgment shall be a lien on the real estate of the party against whom the judgment may be given.

(RSMo 1939 § 14575, A.L. 1945 p. 917, A.L. 2001 H.B. 219 merged with S.B. 462)

Prior revisions: 1929 § 12912; 1919 § 5517; 1909 § 6460

----- **272.070 8/28/2001** -----

272.080. Value of fence may be recovered, when. — If the person thus assessed or charged with the value of one-half of any fence, under the provisions of this chapter, shall neglect or refuse to pay over to the owner of such fence the amount so awarded, the same may be recovered before an associate circuit judge, or other court of competent jurisdiction.

(RSMo 1939 § 14576)

Prior revisions: 1929 § 12913; 1919 § 5518; 1909 § 6461

----- **272.080 8/28/1939** -----

272.090. Fence to be divided for purpose of repair. — If the parties cannot agree as to the part each shall have and keep in repair, either of them may apply to an associate circuit judge of the county who shall forthwith summon three disinterested householders of the township to appear on the premises, giving three days' notice to each of the parties of the time and place where said viewers shall meet, and said viewers shall, under oath, designate the portion to be kept in repair by each of the parties interested, and notify them in writing of the same.

(RSMo 1939 § 14577, A.L. 1945 p. 917)

Prior revisions: 1929 § 12914; 1919 § 5519; 1909 § 6462

(1958) On appeal from judgment in injunction suit to prevent adjoining landowner from repairing certain portion of division fence, denying injunctive relief and attempting to designate portion of fence each party was to maintain, court held that as oral agreement of plaintiff with defendant's predecessor as to maintenance of division fence was not binding on defendant, the only method of determining rights was under this section and disapproved lower court's attempt to designate portions to be maintained by the parties. *McNaughton v. Schaffer (A.)*, 314 S.W.2d 245.

----- 272.090 8/28/1945 -----



272.100. Duties of persons appointed — their fees. — The persons appointed by the associate circuit judge pursuant to section 272.040 to discharge the duties therein specified shall receive twenty-five dollars each per day for the time actually employed, which shall be taxed as costs in the case against the parties and collected accordingly.

(RSMo 1939 § 14578, A.L. 2001 H.B. 219 merged with S.B. 462)

Prior revisions: 1929 § 12915; 1919 § 5520; 1909 § 6463

----- 272.100 8/28/2001 -----

272.110. Division fences to be kept in repair. — Every person owning a part of a division fence shall keep his or her portion of the same in good repair according to the requirements of this chapter, and may enter upon any land lying adjacent thereto for such purpose.

(RSMo 1939 § 14579, A.L. 2001 H.B. 219 merged with S.B. 462)

Prior revisions: 1929 § 12916; 1919 § 5521; 1909 § 6464

----- 272.110 8/28/2001 -----

272.120. Division fences not to be removed without consent of owners. — No division fence shall be removed without the consent of all the owners thereof, unless for the purpose of opening a public road or highway.

(RSMo 1939 § 14580)

Prior revisions: 1929 § 12917; 1919 § 5522; 1909 § 6465

CROSS REFERENCE:

Double damage for removal of partition fence without giving notice, 537.350

----- 272.120 8/28/1939 -----



272.130. Judgment of associate circuit judge reviewed in same manner as other civil actions. — Any person aggrieved by any order or judgment of the associate circuit judge made or entered pursuant to the provisions of section [272.040](#) or [272.070](#) may have the same reviewed in the same manner as other civil actions.

(RSMo 1939 § 14581, A.L. 1978 H.B. 1634, A.L. 2001 H.B. 219 merged with S.B. 462)

Prior revisions: 1929 § 12918; 1919 § 5523; 1909 § 6466

----- **272.130 8/28/2001** -----

272.132. Total cost of fence attributable to one landowner, when. — If either of two adjoining landowners does not need a fence, the landowner that needs a fence may build the entire fence and report the total cost to the associate circuit judge who shall authorize the cost to be recorded on each deed. Should the landowner that claimed no need for a fence subsequently place livestock against the fence, the landowner that built the fence shall be reimbursed for one-half the construction costs share to be determined as provided in section [272.060](#).

(L. 2001 H.B. 219 merged with S.B. 462)

----- **272.132 8/28/2001** -----

272.134. Agreement for no fence permitted. — Nothing in this chapter shall prevent adjoining landowners from agreeing that no fence is needed between their property.

(L. 2001 H.B. 219 merged with S.B. 462)

----- **272.134 8/28/2001** -----



272.136. Landowner may exceed lawful fence requirements. — Nothing in this chapter shall prevent either of adjoining landowners from building the landowner or the landowner's neighbor's portion of a fence in excess of the lawful fence requirements prescribed by this chapter.

(L. 2001 H.B. 219 merged with S.B. 462)

----- **272.136 8/28/2001** -----

272.210. Definitions. — As used in sections [272.210](#) to [272.370](#) the following words and terms have the following meanings:

(1) "**Lawful fence**", a fence with not less than four boards per four feet of height; said boards to be spaced no farther apart than twice the width of the boards used fastened in or to substantial posts not more than twelve feet apart with one stay, or a fence of four barbed wires supported by posts not more than fifteen feet apart with one stay or twelve

feet apart with no stays, or any fence which is at least equivalent to the types of fences described herein;

(2) "**Stay**", a vertical member attached to each board or wire comprising the horizontal members of the fence.

(L. 1963 p. 401 § 1, A.L. 1965 p. 395)

----- 272.210 8/28/1965 -----

272.220. Fields enclosed, how. — All fields and enclosures in which livestock are kept or placed shall be enclosed by a lawful fence.

(L. 1963 p. 401 § 2, A.L. 1965 p. 395)

----- 272.220 8/28/1965 -----



272.235. Adjoining landowners obligated to build fence — when — exceptions. — If there is a need for a fence by either of two joining landowners both shall be obligated to build and maintain a fence under the provisions of sections [272.210](#) to [272.370](#). Nothing in sections [272.210](#) to [272.370](#) shall prevent joining landowners from agreeing that no fence is needed between their property.

(L. 1965 p. 395)

----- 272.235 8/28/1965 -----

272.240. Partition fences — owner may demand payment, when. — Whenever the owner of real estate desires to erect or construct a lawful fence which wholly or partially borders the land of another, he shall notify the other owner that he desires a division fence. If within ninety days after receiving the notice, the other landowner has not erected or constructed one-half of the division fence, the owner desiring the fence may apply to the associate division of the circuit court for an order to proceed with the construction and ordering the other landowner to pay one-half the value of so much thereof, as borders his land, and upon the payment shall own an undivided one-half of the fence; except that no owner shall be required to pay more than one-half the value of a lawful fence of four barbed wires, regardless of the type fence constructed. The associate division of the circuit court costs shall be taxed against the other landowner.

(L. 1963 p. 401 § 4, A.L. 1965 p. 395)

----- 272.240 8/28/1965 -----

272.250. Duty of judge if parties disagree on value — fence viewers to estimate. — If the parties interested fail to agree as to the value of one-half of the fence, the owner of the fence may apply to a circuit or associate circuit judge of the county, who shall without

delay issue an order to three disinterested householders of the township, not of kin to either party, reciting the complaint, and requiring them to view the fence, estimate the value thereof, and make return under oath to the judge on the day named in the order.

(L. 1963 p. 401 § 5)

----- 272.250 8/28/1963 -----



272.260. Value of fence may be recovered, when. — If the person thus assessed or charged with the value of one-half of any fence, under the provisions of sections 272.210 to 272.370 shall neglect or refuse to pay over to the owner of the fence the amount so awarded, the same may be recovered before a court of competent jurisdiction.

(L. 1963 p. 401 § 6)

----- 272.260 8/28/1963 -----

272.270. Fence owners may agree on maintenance — agreement recorded — refusal to agree, procedure. — 1. The several owners may, in writing, agree upon the portion of partition fences between their lands which shall be erected and maintained by each, which writing shall describe the lands and the parts of the fences so assigned, be signed and acknowledged by them, and filed and recorded in the office of the recorder of deeds of the county or counties in which they are situated. Any such agreement shall bind the makers, their heirs and assigns.

2. When one owner desires to make a division of the fence between his land and an adjoining landowner refuses to agree to a division, then the provisions of section 272.280 may be used to effect a division which shall be recorded in the office of the recorder of deeds in the county in which most of the fence is located.

(L. 1963 p. 401 § 7)

----- 272.270 8/28/1963 -----

272.280. Duties of judge if parties disagree on repairs — fence viewers to designate. — If the parties cannot agree as to the part each shall have and keep in repair, either of them may apply to a circuit or associate circuit judge of the county who shall forthwith summon three disinterested householders of the township to appear on the premises, giving three days' notice to each of the parties of the time and place where said viewers shall meet, and the viewers shall, under oath, designate the portion to be kept in repair by each of the parties interested, and notify them in writing of the same.

(L. 1963 p. 401 § 8)

----- 272.280 8/28/1963 -----

**272.290. Special partition fences — owner may demand payment, when. —**

Whenever the fence of any owner of real estate now erected or constructed, or which shall hereafter be erected, constructed or rebuilt, the same being thereafter a fence designed to restrain swine, sheep or other animals requiring special fences, borders the land of another or which becomes a part of the fence bordering the land of another and is used to enclose such animals owned by the other person, on demand made by the person owning the fence, the other person shall pay the owner one-half of the value of so much thereof as borders his land, and upon the payment shall own an undivided half of the fence; except that no owner shall be required to pay more than the amount which would have been required to erect, construct or rebuild a lawful fence of four barbed wires on his one-half of the fence.

(L. 1963 p. 401 § 9, A.L. 1965 p. 395)

----- 272.290 8/28/1965 -----

272.300. Fees of fence viewers, judge and sheriff — taxed as costs. — The persons appointed by the judge under sections 272.250 and 272.280 to discharge the duties therein specified, shall receive five dollars each per day for the time actually employed, which, together with the fees of the judge and sheriff, shall be taxed as costs in the case against the parties in proportion to their respective interests, and collected accordingly.

(L. 1963 p. 401 § 10)

----- 272.300 8/28/1963 -----

272.310. Owners to repair division fence — remedy for failure. — Every person owning a part of a division fence shall keep the same in good repair according to the requirements of sections 272.210 to 272.370. Either party owning land adjoining a division fence may, upon the failure of any of the other parties, have all that part of the division fence belonging to the other parties repaired, upon the failure of the other party to do so, the repairing to be at the cost of the party so failing to repair his part of the fence.

(L. 1963 p. 401 § 11)

----- 272.310 8/28/1963 -----



272.320. Division fence not to be removed — exceptions. — No division fence shall be removed without the consent of all the owners thereof, unless for the purpose of opening a public road or highway or making repairs.

(L. 1963 p. 401 § 12)

----- 272.320 8/28/1963 -----

272.330. Application of law. — 1. The provisions of sections [272.240](#) to [272.350](#) shall apply to any division fence even though it may stand wholly upon one side of the division line.

2. The provisions of sections [272.210](#) to [272.370](#) shall not apply to counties which have all or partial open range.

(L. 1963 p. 401 § 13)

----- **272.330 8/28/1963** -----

272.340. Judgment of judge may be reviewed in circuit court. — Any person aggrieved by any order or judgment of the judge made or entered under the provisions of sections [272.250](#) and [272.280](#) may have the same reviewed by a petition in the circuit court of the county wherein the proceedings were had, verified by affidavit. A copy of the petition shall be delivered to the adverse party at least fifteen days before the commencement of the next term of the court, and the original filed in the office of the clerk; provided, that the petition may be filed within thirty days after the order or judgment was made or rendered, and not afterward.

(L. 1963 p. 401 § 14)

----- **272.340 8/28/1963** -----

272.350. Petition for review shall state what. — The petition shall set forth the grounds of objection, and upon the filing thereof the circuit court shall be possessed of the cause, and proceed to hear and determine the objections, and make such order or judgment as may be right and just in the premises.

(L. 1963 p. 401 § 15)

----- **272.350 8/28/1963** -----

272.360. Provisions of law effective after election. — The provisions of sections [272.210](#) to [272.370](#) are hereby suspended in the several counties of this state until a majority of the legal voters of any county voting on the question at any general or special election called for that purpose shall decide to enforce the same in the county.

(L. 1963 p. 401 § 16)

----- **272.360 8/28/1963** -----

272.370. Petition for election — notice — order of adoption. — The county commission may on its own motion and shall upon the petition of one hundred real estate owners of ten acres or more of the county submit to the voters at a general or special election the proposition for the adoption by the county of the provisions of sections [272.210](#) to [272.370](#). The commission shall cause notice of the election to be published in a

newspaper published within the county, or if no newspaper is published within the county, in a newspaper published in an adjoining county, for three weeks consecutively, the last insertion of which shall be at least ten days before the day of the election, and by posting printed notices thereof at three of the most public places in each township in the county. If a majority of the voters voting on the proposition vote in favor of the adoption of the provisions of sections 272.210 to 272.370 the county commission shall issue an order declaring the adoption. From and after the issuance of the order the provisions of sections 272.210 to 272.370 shall be in full force and effect in the county and the provisions of sections 272.010 to 272.140 shall be suspended in the county.

(L. 1963 p. 401 § 17)

----- 272.370 8/28/1963 -----

Click here for the **Reorganization Act of 1974 - or - Concurrent Resolutions Having Force & Effect of Law**

In accordance with Section **3.090**, the language of statutory sections enacted during a legislative session are updated and available on this website on the effective date of such enacted statutory section.



▶ **Other Information**

▶ **Other Links**



Missouri Senate



MO.gov



Missouri House

Errors / suggestions -
WebMaster@LR.mo.gov



History and Fun Facts

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FROM THE MAYOR'S DESK 02-15-24 STATEMENT OF DERELICT OF DUTY

DEAR BOARD OF ALDERMAN:

Derelict. A person is derelict in the performance of duties when that person willfully or negligently fails to perform that person's duties or when that person performs them in a culpably inefficient manner.

Since being sworn into office on Thursday, April 23, 2023 this administration has faced opposition from the majority of the Board. Specifically Alderman James Thomas, Alderwomen Alease Dailes, Regina Harmon-Ward, and Alicia Smith. Also, there is a lack of cohesion and low productivity within the legislative branch.

I agree that there have been some genuine concerns about the financial health and other issues in our city. They have been prevalent for the last several years. Within the last 10 months this administration, staff and employees have been working tirelessly to and have rectified some challenges

I think it was disingenuous to try to hold the administration captive by motioning for a hiring and spending freeze while voting to give yourselves a raise in your proposed 2023–2024 budget. In addition, the Board does not have the authority to enact a hiring or spending freeze, unless it is put in an ordinance.

You have amended the majority of the agendas to prohibit citizens from being appointed to serve on the Board and commissions. This was done on three occasions. These Boards and commissions are critical and are needed to assist with serving citizens, and to help ensure that our government operates efficiently.

You voted not to approve my appointment of Mr. Wesley Gillespie to serve the unexpired term in Ward#1. This egregious action handicapped your colleague Alderwoman, Theresa Hester and disenfranchised 25% of our citizens. Also, it left them without equal representation in their government for 10 months.

You also removed a request to allocate money to hire essential employees for the public works and finance departments and a city administrator.

You have made accusations of me misusing the reimbursement policy and voted against reimbursing me for money that was spent on behalf of the administration, stating that I may have done something illegal. This allegation was never investigated by the Board. I offered proof of following proper procedures and even after doing so the majority of the Board (4) voted on two more occasions not to authorize reimbursement.

You have tried to damage my reputation by making allegations of misappropriation ("unauthorized, improper, or unlawful use of funds or other property for purposes other than that for which intended.") of federal funds. This serious, egregious statement can result in legal action being taken!

Also, not taking proper steps to obtain bids, purposely making the City lose grant funding. We didn't apply for the municipal parks grant because the Board of Alderman 2023- 2024 budget was not completed in time to allow for a grant application to be submitted.

The majority of the Board blamed me for making your budget late stating "I didn't allow the Board to schedule budget meetings." The Board has the authority to amend the agenda and has exercised this authority on several occasions.

During, the Board of Alderman meeting on Thursday, November 16, 2023 there was a statement read of no confidence in this administration. You encouraged media outlets to write a story citing "No Confidence." This story was reported on the front page of the St. Louis Post-Dispatch, newspaper and online outlet.

Seven baseless allegations have been filed with the Missouri, Ethics Commission. Two allegations will be investigated because one involves alleged misappropriation of money, which was for the One-Time Municipal Administrative Pay for our employees. This issue was voted on October 5, 2023. The vote was three yes and three no. I broke the tie by voting yes to adopt the Resolution as it was and adding the verbiage Alderwoman Theresa Hester suggested.

The other is alleged violation of a City Ordinance. Not getting 3 bids for work that was done to clean and sanitize the police, public works and administration departments vents and carpets, stating that the work was in excess of \$10,000. There were three bids submitted and five companies contacted for cleaning vents. There was one contacted for shampooing and sanitizing all carpets. We also did BBB reports.

The cost of cleaning the police department was \$6200, the administration building was \$5700, and cleaning carpet \$1324. One company won the bids for all. We cut one check for \$13,324. Proper procedures were followed.

These actions have deterred conversations with potential developers and businesses from considering being a part of the Economic Blueprint in our City. In other words, they are not coming!

While doing all of this, you have failed to create or revise any legislation within the last 10 months to help enhance the health, safety and wellbeing of citizens of this “Great City”

Your continued disregard for the health, safety and well-being of citizens, employees, staff and police officers is very destructive and has created a toxic environment.

There has been a lot of damage done, and it’s evident that the majority of this Board does not want to work collaboratively with this administration.

April 3, 2023 the citizens voted for me to serve as Mayor and I still have 3 years and 2 months, that’s 1,167 days to go. I will continue to serve with dignity, truth and full transparency.

Your Servant Leader
Mayor Reverend Dinah Tatman