

PUBLIC NOTICE

**CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI
SPECIAL MEETING WORKSHOP OF
THE BOARD OF ALDERPERSONS
VIA VIDEO/TELECONFERENCE
THURSDAY, NOVEMBER 12, 2020
7:00PM – 9:00 PM**

Notice is hereby given that the City of Bellefontaine Neighbors (“City”) will hold a special Board of Alderpersons meeting on Thursday, November 12, 2020, 7:00 – 9:00 p.m. via video/teleconference.

In view of the COVID-19 pandemic, and the Federal, State, County, and City Emergency Declarations, and in accordance with the provisions of Sec. 610.020, RSMo., the City acknowledges that it would be dangerous and impractical, if not impossible, for this meeting to be physically accessible to the public. The City also recognizes the need for the public’s business to be attended to in order to protect the public health, safety, and welfare. In order to balance the need for both continuity of government and protection of the health and safety of our residents, business persons and employees, this meeting of the Board of Alderpersons will not be open to public attendance in person. **THE MEETING WILL BE ACCESSIBLE BY THE PUBLIC IN REAL TIME ONLY BY A VIDEO/TELEPHONE CONFERENCE CALL VIA ZOOM. THE INSTRUCTIONS TO JOIN ARE BELOW:**

To Join the meeting by via website:

- (1) Go to Zoom at <https://zoom.us>**
- (2) Select Join a Meeting**
- (3) Enter Meeting ID: 825 620 8214**
- (4) Enter Password: 4i85eK**

To Join the meeting by phone call (audio):

- (1) Call 1 312 626 6799 US (Chicago)
1 646 558 8656 US (New York)**
- (2) Enter Meeting ID: 825 620 8214**
- (3) When prompted, enter the Pass Code 452739**

THE AGENDA FOR THIS BOARD MEETING IS SET FORTH HEREIN.

Instruction for providing public comments: Persons interested in making their views known on any matter will be able to speak during the video/teleconference meeting under “Public Comments.” In addition, anyone may send an email with their comments to the City Clerk at FStevens@cityofbn.com by no later than Wednesday, November 11, 2020 by 12:00 p.m. All comments received by email will be entered into the public record and publicly read as time allows. All emailed comments will also be distributed to the entire Board at or before the meeting. Thank you for your understanding and patience as we all try to get through these unprecedented times.

**POSTED: NOVEMBER 10, 2020 @5:00 P.M.
BY: CITY CLERK**

**SPECIAL MEETING WORKSHOP
THURSDAY – NOVEMBER 12, 2020 - 7:00PM – 9:00PM**

**BELLEFONTAINE NEIGHBORS BOARD OF ALDERPERSONS
WILL CONVENE FOR THE ABOVE REFERENCED MEETING
VIA ZOOM.**

AGENDA

1. CALL MEETING TO ORDER
2. ROLL CALL
3. APPROVE AGENDA
4. MEETING OPEN TO THE PUBLIC - 3 MINUTES TIME LIMIT
5. APPROVAL OF INVOICES OVER \$500.00
6. RESOLUTION NO. 2020-08 – STL CO. MUNICIPAL PARKS GRANT – ALDERWOMAN DAILES
7. RESOLUTION NO. 2020-09 – CENSURING ALDERWOMAN DAILES FOR MISCONDUCT – ALDERMAN CARROLL
8. BILL NO. 2599 - AN ORDINANCE AUTHORIZING AN AGREEMENT WITH CURTIS, HEINZ, GARRETT & O'KEEFE, PC. TO RETAIN THE SERVICES OF THE LAW FIRM AND HELMUT STARR TO ACT AS SPECIAL COUNSEL TO THE CITY REGARDING VARIOUS CITY LEGAL ISSUES – ALDERWOMAN AVANT-ELLIOTT
9. DISCUSSION OF ESTABLISHING THE BISSELL HILLS SHOPPING CENTER AS A COMMUNITY IMPROVEMENT DISTRICT (CID) – ALDERMAN CARROLL
10. DISCUSSION AND APPROVAL FOR MR. KELLY TO COME AND PRESENT/TRAIN/MEDIATE AT THE DECEMBER 10TH SPECIAL BOA MEETING AT 7P – ALDERMAN CARROLL
11. WILLIAM SIMMONS – SHERWOOD HILLS SUBDIVISION
12. APPROVAL OF A CONSULTING ATTORNEY TO PROVIDE THE CITY'S RESPONSE TO THE SUNSHINE COMPLAINTS CONCERNING THE AUGUST 6TH AND AUGUST 12TH BOA MEETINGS
13. MEETING OPEN TO THE PUBLIC – 3 MINUTES TIME LIMIT
14. ADJOURNMENT

THIS AGENDA WITH PUBLIC NOTICE OF THE BOARD OF ALDERPERSON'S SPECIAL MEETING ON NOVEMBER 12, 2020 WAS POSTED ON NOVEMBER 10, 2020 AT 5:00 P.M. IN BELLEFONTAINE NEIGHBORS CITY HALL (FRONT DOOR) AND ON THE CITY'S WEBPAGE AT www.cityofbn.com. FOR A COPY, CONTACT THE CITY CLERK'S OFFICE.

Copies of this notice may be obtained by contacting:

Fran Stevens, City Clerk
City of Bellefontaine Neighbors
9641 Bellefontaine Road
St. Louis, MO 63137
(314) 867-0076

Introduced By: Alderperson Dailes

Resolution No: 2020-08

A RESOLUTION ESTABLISHING THE CITY OF BELLEFONTAINE NEIGHBORS SUPPORT
TO APPLY FOR THE ST. LOUIS COUNTY MUNICIPAL PARKS GRANT.

WHEREAS, the City of Bellefontaine Neighbors, Missouri is an incorporated municipality in St. Louis County that has Parks which serve its residents and the surrounding communities; and

WHEREAS, the Parks in the City of Bellefontaine Neighbors are in need of major improvements and upgrades to facilitate the use by residents and others of the City's Parks; and

WHEREAS, City of Bellefontaine Neighbors agrees to move this project forward collaboratively and support it financially upon selection by Municipal Parks Commission for Planning Grant and Construction Grant and support the project through completion with a tentative scheduled end date of 2023; and

WHEREAS, the City of Bellefontaine Neighbors recognizes the members of the current Board may not maintain their current status as an elected official throughout the duration of the project.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF ALDERPERSONS FOR THE CITY OF BELLEFONTAINE NEIGHBOS AS FOLLOWS:

BE IT FURTHER RESOLVED that the Board of Alderpersons of the City of Bellefontaine Neighbors; that any elected official who is elected after this resolution is passed honors the project and the financial obligations through to completion as established.

PASSED BY THE BOARD OF ALDERPERSONS FOR THE CITY OF BELLEFONTAINE
NEIGHBORS ON THIS ____ DAY OF NOVEMBER, 2020.

Tommie Pierson, Sr., Mayor

ATTEST:

Fran Stevens, City Clerk

Introduced By: Alderperson Carroll

Resolution Number: 2020-09

A RESOLUTION OF THE CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI CENSURING ALDERWOMAN ALEASE DAILES.

WHEREAS, The Board of Aldermen desires to take a public stance and formally express its disdain for Alderwoman Alease Dailes' misconduct, creating a hostile work environment for city employees, harassment of city employee(s), derogatory statements made toward board members during and outside of meetings, and making racially derogatory comments towards another Alderwoman and other peers.

WHEREAS, This conduct has caused employees to feel harassed, intimidated, fearful, and threatened and board members to feel harassed and belittled.

WHEREAS, This conduct has been detrimental to the relationships with the community and elected members

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI AS FOLLOWS:

Section 1. The Board of Aldermen assembled in open session and by a vote of the majority of its members have found that Alderwoman Alease Dailes has engaged in the following:

- A. Harassing and creating a hostile work environment for city employees.
- B. During the closed session of the October 1, 2020 Board of Aldermen meeting, Alderwoman Alease Dailes used a racially derogatory term(s) towards another Alderwoman.
- C. During meetings, after meetings, and via social media platforms, Alderwoman Dailes has made derogatory statements about elected members and city staff on public social media sites

Section 2. Alderwoman Alease Dailes is hereby directed to:

- A. Stop harassing city employees and be mindful of your position as an elected official and act with decorum when interacting with city employees and fellow elected officials.
- B. Attend mediation session(s), conducted by a professional mediator who is not a city employee, with the victims of the harassment.
- C. By mindful that she represents a diverse community and the use of any racially derogatory language will not be tolerated by this Board of Aldermen and the community
- D. Reflect on your statements and actions and seek out professional assistance or implicit bias training to help you with internalized racism and biases.

Section 3. Alderwoman Alease Dailes will receive upon approval of the majority of the Board of Alderman, Articles of Impeachment for any violation of any part of this resolution.

Section 4. Now, therefore, in consideration of the foregoing recitals, the majority of the publicly elected members of the Bellefontaine Neighbors Board of Aldermen hereby adopt this resolution censuring Alderwoman Alease Dailes for her misconduct, creating a hostile work environment for city employees, harassment of city employee(s) and elected peers, and making racially derogatory comment toward another Alderwoman and other peers.

This Resolution shall become effective immediately upon its passage.

Passed this _____ day of _____, 2020.

Tommie Pierson, Mayor

ATTEST:

Fran Stevens, City Clerk

BILL NO. 2599

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AN AGREEMENT WITH CURTIS, HEINZ, GARRETT & O'KEEFE, PC. TO RETAIN THE SERVICES OF THE LAW FIRM AND HELMUT STARR TO ACT AS SPECIAL LEGAL COUNSEL TO THE CITY REGARDING VARIOUS CITY LEGAL ISSUES.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI, AS FOLLOWS:

Section 1.

The Mayor or other appropriate city officials are hereby authorized to execute and enter into an agreement for professional services with Curtis, Heinz, Garrett & O'Keefe, PC to retain Helmut Starr to serve as special counsel related to legal issues of the City as requested from time to time by the Mayor or the Board of Aldermen and in substantial accordance with the terms and conditions set forth in Exhibit A, attached hereto and incorporated herein by this reference.

Section 2.

This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

PASSED BY THE BOARD OF ALDERMEN FOR THE CITY OF BELLEFONTAINE NEIGHBORS THIS _____ DAY OF _____, 2020.

Presiding Officer

Attest:

Fran Stevens, City Clerk

Tommie L. Pierson, Mayor

Attest:

Fran Stevens, City Clerk

APPROVED THIS _____ DAY OF _____, 2020.

CONTRACT
SPECIAL COUNSEL

The Contract made and entered into this 5 day of November 2020, by and between the City of Bellefontaine Neighbors, hereinafter referred to as "City", and Helmut Starr, hereinafter referred to as "Attorney":

WITNESSETH:

WHEREAS, it is the desire of the City of Bellefontaine Neighbors and the Attorney to reduce to writing the terms under which Attorney will perform services as Special Counsel for the City of Bellefontaine Neighbors,

NOW, THEREFORE, IT IS AGREED BY AND BETWEEN THE PARTIES AS FOLLOWS:

1. Employment: City hereby employs Helmut Starr as Special Counsel, and Helmut Starr hereby accepts such employment upon the terms and conditions hereinafter set forth.
2. Employment Period: The employment period shall commence as of the date of execution hereof and shall continue until the Board of Aldermen determines that the Special Counsel services described herein are no longer needed, unless earlier terminated by either party effective 60 days following written notice thereof to the other party.
3. Licensed: The Attorney shall be duly licensed to practice law in the State and Federal Courts within the State of Missouri.
4. Base Salary Duties: The duties of the Special Counsel, if they include attendance at regular meetings of the Board of Aldermen held on the first and third Thursdays of each month, shall be paid for at a base salary as defined in paragraph five (5) hereof.
5. Base Salary: The base salary will be Three Hundred Fifty Dollars

(\$350.00) per regular meeting set forth in paragraph 4 above.

6. Substitute Attorney: In the event Helmut Starr cannot attend a meeting of the Board of Aldermen or other board or commission as requested, the Board President will determine whether there is a need for Special Counsel services at such meeting. If, in the opinion of the Board President, legal counsel is required, Helmut Starr shall provide, at the same cost as set forth in paragraph 5 above, a substitute Attorney from the Curtis, Heinz, Garrett & O'Keefe, P.C. law firm with municipal law experience to attend such meeting. The substitute Attorney shall also be licensed to practice law in the State and Federal Courts within the State of Missouri.

7. Additional Duties: In addition to the Special Counsel's duties that may be requested as set forth in Paragraph four (4), above, it shall further be the Special Counsel's duty to, upon the request of the Mayor or the Board President, as authorized periodically by the Board of Aldermen, to: (a) review contracts entered into by the City; (b) attend special or additional meetings of the Board of Aldermen, meetings of the Planning and Zoning Commission and the Board of Adjustment; (c) to consult with the Mayor, the Board of Aldermen or other City officials in drafting legal opinions, ordinances or resolutions; (d) represent the City in other matters, as directed by the Mayor or the Board of Aldermen, in Federal and State Courts and in or before State and Federal administrative agencies and commissions; and (e) generally represent and advise the City of Bellefontaine Neighbors and its officials in such other legal matters as may be required from time to time.

8. Additional Salary: In addition to the base salary for services as set forth in paragraph five (5), shall be paid additional compensation for the performance of all

matters as set forth in Paragraph seven (7) at the rate of Two Hundred Fifty Dollars (\$250.00) per hour for Helmut Starr and partners of the firm, One Hundred and Sixty-Five Dollars (\$165.00) per hour for attorneys who are associates of the firm and Ninety Dollars (\$90.00) per hour for paralegal services through April 30, 2021. Beginning May 1, 2021, the hourly rates of compensation shall change to Two Hundred and Sixty Dollars (\$260.00) per hour for Helmut Starr and partners of the firm, One Hundred and Seventy-Five Dollars (\$175.00) for attorneys who are associates of the firm and Ninety Dollars (\$90.00) for paralegal services through April 30, 2022. Beginning May 1, 2022, the hourly rates of compensation shall change to Two Hundred and Seventy Dollars (\$270.00) per hour for Helmut Starr and partners of the firm, One Hundred and Eighty-Five Dollars (\$185.00) for attorneys who are associates of the firm and One Hundred Dollars (\$100.00) for paralegal services. Special Counsel authorized to use the services of other lawyers in the firm of which he is a member for the performance of any of the services hereinabove set forth. Special Counsel shall submit a statement to City for such additional services, if any, on a monthly basis stating the rate and a detailed statement of the number of hours required to provide such services. The additional hourly compensation shall be due and paid to Special Counsel no later than thirty (30) days following the date of each such statement. All Special Counsel services shall be under the direction and control of Special Counsel Helmut Starr.

9. Supersedes Prior Contracts: The execution of this contract shall serve to supersede any prior contractual arrangements between the parties relating to the same or similar matters, effective on the first day of the month following the date of execution first stated above.

IN WITNESS WHEREOF, we have hereunto set our hands and seals the day and year first above written.

HELMUT STARR

CITY OF BELLEFONTAINE NEIGHBORS

Helmut Starr,
Special Counsel

Tommie L. Pierson
Mayor

ATTEST:

Fran Stevens, City Clerk

NOTICE OF 2020 KWANZZA CELEBRATION CANCELLATION

Please post that the 5th Annual Bellefontaine Neighbors Kwanzaa Celebration is being cancelled this December, 2020 due to the COVID Pandemic. This was an easy decision for me as I consider the health and well-being of everyone who supports this wonderful and educational celebration to be at the forefront of this decision. I'd like to take this opportunity to thank each and every one who has attended this celebration for the past 4 years, but want to assure you we will be working diligently to assure we can celebrate in December, 2021. Thanks to all for your understanding.

Alderwoman B. West
Ward 1