



# CITY OF PEVELY

401 Main Street • Pevely, Missouri 63070

A PUBLIC NOTICE IS HEREBY GIVEN THAT THE BOARD OF ALDERMEN OF THE CITY OF PEVELY, MISSOURI, WILL CONDUCT ITS REGULARLY SCHEDULED BOARD OF ALDERMAN MEETING AT 5:00 P.M. ON SEPTEMBER 6, 2017 AT PEVELY CITY HALL, 401 MAIN STREET, TO CONSIDER AND ACT UPON THE MATTERS ON THE FOLLOWING TENTATIVE AGENDA AND SUCH OTHER MATTERS AS MAY BE PRESENTED AT THE MEETING AND DETERMINE TO BE APPROPRIATE FOR DISCUSSION AT THAT TIME.

## \*\*\*\*Board of Aldermen Special Meeting\*\*\*\*

Special Note: This meeting will be recorded.

**September 6, 2017**

**5:00 P.M.**

### **Agenda**

Pledge of Allegiance

Roll Call

Approval of Agenda

Police Personnel Board Appointments

Adjourn

All copies of all ordinances proposed to be introduced for consideration by the Board of Alderman meeting are available for public inspection at the Office of the City Clerk  
All ordinances and resolutions are read by caption only pursuant to RSMo. 79.130

## Chapter 200. Police Department and Police Personnel Board

### Article II. Police Personnel Board

#### Section 200.060. Composition of the Board.

[R.O. 2004 §202.010; Ord. No. 1021 §1, 2-20-2003]

There is hereby established a Police Personnel Board, as follows:

The Police Personnel Board shall be composed of six (6) members, one (1) of whom shall be a member of and selected by the Board of Aldermen of the City of Pevely and one (1) of whom shall be a member of the Pevely Police Department and recommended for the position by the Chief of Police, said person to carry the rank of sergeant or above. Both of these members shall be appointed for the term of one (1) year by the Mayor of the City with the consent of the majority of the elected members of the Board of Aldermen. The other four (4) members of the Police Personnel Board shall be appointed by the Mayor with the consent of the majority of the elected members of the Board of Aldermen, two (2) of which shall serve for a period of two (2) years and two (2) of which shall serve for a period of three (3) years. The Mayor, with the consent of a majority of the members of the Board of Aldermen, shall fill vacancies for any unexpired term. A member of the Police Personnel Board may be removed in the same manner as other appointed municipal officers pursuant to Section 79.240, RSMo. Members of the Police Personnel Board shall serve until their successors shall have been appointed and qualified. Members of the Board serve without pay for such service.

#### Section 200.070. Qualifications.

[R.O. 2004 §202.020; Ord. No. 1021 §1, 2-20-2003]

Persons appointed as civilian members of the Police Personnel Board shall as of the time of their appointment be at least twenty-one (21) years of age and a qualified voter of the City of Pevely, Missouri. In the case of the member of the Pevely Police Department, the member shall be a full-time member of the Pevely Police Department who carries the rank of sergeant or above, not including the Chief of Police. The other members of the Board shall be residents of the City of Pevely and any of these members who cease to be a resident of the City shall automatically cease to be a member of this Board. Members of the Board shall be required to take an oath of office as prescribed by Section 115.050 of the Municipal Code of the City of Pevely for City Officers.

#### Section 200.080. Organization, Rules, Compensation.

[R.O. 2004 §202.030; Ord. No. 1021 §1, 2-20-2003]

The member of the Police Personnel Board who is also a member of the Board of Aldermen shall serve as Chairman of the Police Personnel Board. The Police Personnel Board shall elect one (1) of its members to serve as Vice Chairman and the Personnel Board may adopt and amend from time to time rules governing its internal operation. Should the Board adopt such rules, it shall file a copy of the same with the City Clerk. A majority of the members of the Personnel Board shall constitute a quorum and the action of a majority of the members present at the meeting at which a quorum is present shall be the action of the Personnel Board.

#### Section 200.090. Powers and Duties.

[R.O. 2004 §202.040; Ord. No. 1021 §1, 2-20-2003]

- A. The Police Personnel Board shall have the following powers and duties:
1. The Board shall be empowered to consider and make recommendations, along with the Police Department, concerning Police personnel policies.
  2. The Board may from time to time be given additional related assignments or responsibilities as deemed appropriate by the Mayor and Board of Aldermen.
  3. The Board shall, if requested by the Mayor or Board of Aldermen, interview prospective applicants for the job of Police Chief, Police Officers and dispatchers for the City. In doing so, the Board may consider recommendations of the Police Chief and any relevant factors, including training and experience, aptitude, knowledge, character, existence of criminal record, health, physical fitness, marksmanship and other qualification as, in the judgment of the Board, shall enter into a proper determination of the relative fitness of the applicants. Examination may be conducted and same may be either written, oral or physical and may evaluate training and experience, require a demonstration of skill or any combination of these factors. Political or religious opinions or affiliations shall not be considered in determining the qualifications of an applicant and the Board shall not elicit information concerning same. The Board shall make recommendations to the Board of Aldermen; however, the appointing authority shall remain in the Mayor with the consent of a majority of the elected members of the Board of Aldermen.
  4. The Mayor and Board of Aldermen may take such disciplinary or other action affecting members of the Police Department as they deem appropriate. If a Policeman or dispatcher has received notice of suspension from duty, demotion or discharge or recommendation for discharge, he/she shall be entitled to a hearing. Waiver of a right to a hearing must be by written waiver delivered to the City Clerk within five (5) calendar days of such notice. Upon receiving such request for a hearing, the City Clerk shall immediately transmit it to the Mayor who upon receipt shall refer it for hearing by the Police Personnel Board for a recommendation from such action as the Board deems appropriate. If requested by the Mayor and Board of Aldermen, the Police Personnel Board shall hold public hearings with reference to disciplinary action against any member of the Police Department utilizing the following procedure:
    - a. Charges as to the factual basis for the disciplinary action shall be referred in writing by the Mayor. A copy of the charges shall be delivered to the member of the Police Department involved or mailed by registered mail to him/her at his/her last known address.
    - b. Thereafter, the Personnel Board shall hold a public hearing on the matter and shall give written notice of the date, time and place of such hearing to the affected member of the Police Department. At such hearing, the Police Personnel Board shall hear the evidence of the City; and the affected member of the Police Department shall be entitled to be present with counsel and shall be entitled to cross-examine witnesses and to present evidence.
    - c. Promptly after the conclusion of the public hearing, the Police Personnel Board shall in open or closed session determine what action, if any, should be taken with respect to such officer; shall reduce their recommendation to writing; and shall immediately certify same to the City Clerk. Such recommendations shall be brought before the Board of Aldermen at its next regular meeting or at a special meeting held for that purpose. The final action shall be taken by the Mayor and Board of Aldermen.