

Chapter 119

BOARDS AND COMMISSIONS

ARTICLE I

Park and Recreation Board

Section 119.010. Park and Recreation Board. [R.O. 2013 §119.010; CC §26.010; CC 1991 §135.010]

Under authority of the State laws of Missouri, Sections 90.500 to 90.570, RSMo., there be and is hereby created a Park and Recreation Board in this City, the Directors of which shall be appointed by the Mayor, subject to the consent of the Board of Aldermen, and shall consist of nine (9) members. Directors appointed to the Park and Recreation Board must be citizens and shall have been residents of the City for at least two (2) years immediately prior to their appointment. No member of the municipal government shall be a member of said Board.

Section 119.020. Terms of Directors. [R.O. 2013 §119.020; CC §26.020; CC 1991 §135.020]

- A. Such members shall hold their respective office from the first (1st) of June following their appointment. They shall be appointed for a term of three (3) years, except that those appointed at the first (1st) meeting shall cast lots for their respective terms, three (3) Directors to serve three (3) years, three (3) Directors to serve two (2) years, and three (3) Directors to serve one (1) year.
- B. The Mayor may, by and with the consent of the Board of Aldermen, remove any member of the Park and Recreation Board for misconduct or neglect of duty.
- C. Vacancies occasioned by removal, resignation or otherwise shall be reported to the Board of Aldermen and shall be filled in like manner as original appointments, except that the term of office is restricted to the unexpired term of office. No Director of the Board shall receive compensation as such.

Section 119.030. Officers, Rules and Power. [R.O. 2013 §119.030; CC §26.030; CC 1991 §135.030]

The Park and Recreation Board shall, immediately after the appointment of Directors, meet and organize by the election of one (1) member as President, a Vice President, Secretary and Treasurer. The Board shall make and adopt such bylaws, rules and regulations for its own guidance and proceedings as may be expedient, not inconsistent with this Chapter and with Sections 90.500 to 90.570, RSMo.

Section 119.040. Duties and Responsibilities. [R.O. 2013 §119.040; CC §26.040; CC 1991 §135.040]

- A. The Park and Recreation Board shall:
 - 1. Survey and make plans for the development and maintenance of facilities and

activities for an adequate municipal park system.

2. The Board shall have exclusive control of the expenditures of all money collected to the credit of the Park Fund and of the supervision, improvement, care and custody of the parks.
3. All monies received for such parks shall be deposited in the Treasury of the City to the credit of the Park Fund and shall be kept separate and apart from all other monies and accounts of the City and be drawn upon by the proper officers of the City upon the properly authenticated vouchers of the Park and Recreation Board.
4. The Park and Recreation Board shall have power to appoint a suitable person to take care of said parks and necessary assistants, if required for said person, and to fix their compensation. The Board shall also have power to remove such appointees for misconduct or neglect of duty and shall in general carry out the spirit and intent of Sections 90.500 to 90.570, RSMo., in establishing and maintaining public parks.

Section 119.050. Annual Reports. [R.O. 2013 §119.050; CC §26.050; CC 1991 §135.050]

- A. The President of the Park and Recreation Board shall present to the Board of Aldermen an annual report. Such report shall be presented at the first (1st) meeting in May of each year and shall consist of:
 1. The condition of their trust as of May first (1st) of that year.
 2. The various sums of money received from the Park Fund and other sources.
 3. The sums of money expended by the Board and for what purposes.
 4. Such other statistics, information and suggestions as the Board may deem to be of general interest.
 5. Submit a proposed park and recreation budget for the coming year.
 6. Make recommendations for improving the park and recreation program and facilities.
 7. Submit an annual planned program for the use of the parks, recreation facilities and areas.
 8. All such portions of said report as related to the receipts and expenditures of money shall be verified by affidavits.

Section 119.060. Private Donations. [R.O. 2013 §119.060; CC §26.060; CC 1991 §135.060]

The Park and Recreation Board shall be held as special trustees for all donations of money, personal property or real estate for the benefit of such park whenever such donations are accepted according to the terms of the deed, gift, devise or bequest of such property.

ARTICLE II
Board of Public Works

Section 119.070. Created. [R.O. 2013 §119.070; Ord. No. 12-03 §1, 12-9-2003]

There is hereby created in and for the City an executive department which shall be known as the Board of Public Works.

Section 119.080. General Supervision. [R.O. 2013 §119.080; Ord. No. 12-03 §2, 12-9-2003]

The provisions of this Article to the contrary notwithstanding, the Board of Aldermen shall have the general supervision and control of the actions and scope of the Board of Public Works.

Section 119.090. Composition. [R.O. 2013 §119.090; Ord. No. 12-03 §3, 12-9-2003]

The Board of Public Works shall consist of four (4) persons who are qualified electors of the City and who have resided in the City for a period of at least two (2) years next before their appointment.

Section 119.100. Appointment. [R.O. 2013 §119.100; Ord. No. 12-03 §4, 12-9-2003]

The members of the Board of Public Works shall be appointed by the Mayor and confirmed by the Board of Aldermen in the same manner as other appointive officers of the City.

Section 119.110. Qualifications for Office. [R.O. 2013 §119.110; Ord. No. 12-03 §5, 12-9-2003]

Each member of the Board of Public Works shall, before entering upon the discharge of his/her duties, take and subscribe the oath prescribed for City Officers; shall have no interest which may create a conflict of interest in the performance of his/her duties.

Section 119.120. Terms of Members. [R.O. 2013 §119.120; Ord. No. 12-03 §6, 12-9-2003]

Such members of the Board of Public Works shall hold their office from May following their appointment. They shall be appointed for a term of four (4) years each, or until their successors are appointed and qualified; provided that the first (1st) incumbents, as members of such Board, shall be appointed and hold office for the term of one (1), two (2), three (3), and four (4) years respectively.

Section 119.130. Non-Partisan — Salary — Bond. [R.O. 2013 §119.130; Ord. No. 12-03 §7, 12-9-2003]

The administration of the Board of Public Works shall at all times and in all respects be entirely non-partisan, and not more than two (2) members thereof shall belong to the same political party. Each member of said Board shall receive such salary as submitted in the annual budget and approved by the Board of Aldermen. Each member shall give such bond as may be prescribed by ordinance and to be paid by Board of Public Works.

Section 119.140. Office Vacated, How. [R.O. 2013 §119.140; Ord. No. 12-03 §8, 12-9-2003]

Any member of the Board of Public Works who shall accept a nomination or appointment for any other City office during his/her official term shall be deemed thereby to have resigned as a member of said Board, and his/her said membership shall there be ipso facto vacated.

Section 119.150. General Authority. [R.O. 2013 §119.150; Ord. No. 12-03 §9, 12-9-2003]

The Board of Public Works shall enforce the performance of all contracts and work, have charge and custody of all books, property and assets belonging or appertaining to such plants (waterworks and sewer system) under its jurisdiction. It shall also exercise such other powers and perform such other duties in the superintendence of public works, improvements, and repairs constructed by authority of the Board of Aldermen or owned by the City. It shall make all necessary regulation for the government of its department not inconsistent with the general laws of the State, this Code or ordinances of the City.

Section 119.160. Financial Obligations. [R.O. 2013 §119.160; Ord. No. 12-03 §10, 12-9-2003]

It shall be the duty of the Board of Public Works to pay all bills and all salaries of its employees and keep books of account showing with entire accuracy contemporaneous current entries of the receipts and expenditure of the Board in such manner as to enable the same to be understood and investigated, and also to preserve on file in its office duplicate vouchers for all its expenditures, which books and duplicates shall at all times be open to the examination of the Mayor and Board of Aldermen or any committee appointed by them. The use of collected funds shall not jeopardize future maintenance and expansion of such plants and works. The Board of Public Works shall make regular reports to the Mayor and Board of Aldermen upon the first (1st) Monday after the third (3rd) Wednesday of each month setting forth all receipts and expenditures of the Board and showing the exact condition of its business. The Board shall keep in separate accounts the records of the receipts and expenditures of the waterworks plant and the sewer system.

Section 119.170. Audit and Annual Report. [R.O. 2013 §119.170; Ord. No. 12-03 §11, 12-9-2003]

The books and records of the Board of Public Works shall be audited by an auditor, who shall be a certified public accountant, at least once a year, which shall be certified by him/her and submitted to the Mayor and Board of Aldermen for their inspection within sixty (60) days following the annual audit. Such auditor shall be paid a reasonable compensation for his/her services as a part of the operational expenses of the plants and works under the supervision and control of the Board.

Section 119.180. Work Contracts. [R.O. 2013 §119.180; Ord. No. 12-03, 12-9-2003]

The doing of all work and the furnishing of all supplies for the water works and sewer system or any other plant or work which may be under the Board of Public Works supervision or control shall be let out in the same manner as other public works are let out, except in cases where it is not practicable to do such work or furnish material by contract. Said Board may have charge of the purchase of all supplies needed by the City in its several departments under such restrictions and regulations as may be provided by ordinance.

Section 119.190. Establishment of Rates. [R.O. 2013 §119.190; Ord. No. 12-03 §12, 12-9-2003]

The establishment, fixing and collecting of all rates for water, sewer, or for the products or services of any other plant or works which may be operated by the Board of Public Works shall be under the supervision and control of the Board of Public Works as has been established as herein provided, subject to the ordinances of such City.

Section 119.200. Protection of Plants, Equipment. [R.O. 2013 §119.200; Ord. No. 12-03 §13, 12-9-2003]

It shall be the duty of the Board of Public Works to provide and maintain proper and full insurance coverage for all plants and equipment coming under its supervision and control; and to keep the City insured against public liability in such amount as the Board of Aldermen shall determine from time to time.

Section 119.210. Workers' Compensation. [R.O. 2013 §119.210; Ord. No. 12-03 §14, 12-9-2003]

It shall be the duty of the Board of Public Works to provide and maintain blanket Workers' Compensation insurance coverage for the employees under its supervision and control.

Section 119.220. Employment of Superintendent. [R.O. 2013 §119.220; Ord. No. 12-03 §15, 12-9-2003]

The Board of Public Works, by and with the advice and consent of the Board of Aldermen, shall have the power to employ a Chief Superintendent who shall be in charge of the various departments coming under the supervision of the Board of Public Works.

Section 119.230. Qualifications of Superintendent. [R.O. 2013 §119.230; Ord. No. 12-03 §16, 12-9-2003]

The person hired as Chief Superintendent by the Board of Public Works shall be some person qualified by education and experience to perform the duties of such office, both in technical knowledge and administrative and supervisory capacity.

Section 119.240. Employment of Other Personnel. [R.O. 2013 §119.240; Ord. No. 12-03 §17, 12-9-2003]

The Chief Superintendent shall hire department heads and such other employees as shall be necessary for the administration of the business of the Board of Public Works, subject to the advice and consent of the Board of Public Works.

Section 119.250. Technical Consultants. [R.O. 2013 §119.250; Ord. No. 12-03 §18, 12-9-2003]

Special engineers and other technical consultants, when necessary, shall be hired by the Board of Public Works with the general knowledge and approval of the Board of Aldermen.

Section 119.260. Dismissal of Appointees, Employees. [R.O. 2013 §119.260; Ord. No. 12-03 §19, 12-9-2003]

If at any time the services of any appointee or employee of the Board of Public Works shall become unsatisfactory, they shall have the authority to dismiss such appointee or employee. But should the Board desire to dismiss the Chief Superintendent, they shall give said Superintendent at least thirty (30) days' notice of their intention to do so. Should said Superintendent desire to be released from employment with the City, he/she shall give to the Board of Public Works of said City at least thirty (30) days' notice of his/her intention to do so, and a non-compliance with this provision shall render said employee liable upon his/her official bond for any damages that may

be sustained by reason of his/her failure to so comply.