

**Board of Aldermen Workshop
City of Troy, Missouri
800 Cap Au Gris Troy, MO 63379
Tuesday, March 26, 2024
6:30 P.M.**

Present for the Troy Board of Aldermen Workshop were Aldermen Gary Leifert, Harold Horner, Steve Jones, David Norman, Kay Diekemper, Rachel Dunard, and Mayor Ron Sconce. Also present were City Attorney Brian Sinclair and City Clerk Tonya Hawkins.

Mayor Sconce opened the workshop at 6:30 p.m. He explained that Bill No. 1391 and Bill No. 1392 had been read twice at the March 18, 2024, board meeting. He said aldermen would have to vote on the bills as is and vote on new bills that would include tonight's amendments.

Alderman Leifert discussed Bill No. 1391 – A Bill to Create Section 125.045 for the Municipal Code of the City of Troy, Establishing a Code of Ethics for Elected and Appointed Officials for the City of Troy, Missouri. He said that by adopting the bill, aldermen would show aldermen's willingness to work together for the benefits of Troy and its citizens.

Alderman Horner asked who would enforce the ordinance if someone violated it. Attorney Sinclair said Section 3 of the bill explains sanctions. Alderman Dunard said the bill should not pertain to appointed officials, who do not receive compensation. She said the 8-page bill is absurd. Alderman Leifert said appointed officials on city boards and commissions represent the City of Troy. Alderman Dunard asked who would be monitoring officials. Alderman Leifert said department leaders would have a say in whether there is a violation. He said infractions would be directed to the mayor. Alderman Dunard said that would be public perception or one person's perception.

Alderman Dunard asked how appointed officials feel about the bill. Alderman Leifert said he spoke to some appointed officials. Alderman Dunard said her mom is an appointed official, and she was not consulted. Alderman Leifert said he did not talk to Alderman Dunard's mother.

Alderman Dunard questioned the prohibition of verbal attacks in Section C of the bill. The consensus of the board was to leave all language in Section C.

Aldermen discussed restrictions on social media posts regarding adjudicative matters pending before the body in Section G. Aldermen discussed public officials demeaning City staff members in public. Alderman Dunard asked at what point the bill infringes on elected officials' First Amendment rights. Attorney Sinclair explained that by adopting the bill, aldermen would agree and thereby choose to follow the code of conduct. Aldermen agreed to replace the word "never" with "avoid" in the following sentence, "Members are also advised to never demean or personally attack an employee regarding the employee's job performance in public."

Regarding confidential information in Section I, Alderman Dunard asked what about the 72-hour rule for matters discussed in Closed Session. City Clerk Hawkins explained the 72-hour rule applies to votes on personnel matters in Closed Session. She expressed that some matters, including those pertaining to lawsuits and real estate, could remain closed until there is a settlement, ruling, or a transaction is complete. City Clerk Hawkins suggested aldermen follow the guidelines in the Missouri Sunshine Law.

Alderman Dunard requested the removal of Section K regarding representation of private interests. She said she is president of the Downtown Business Association, and she would not be able to make requests to the board for the association. Alderman Norman said he did not want it to appear that someone got his or her way because the individual is on the board. Alderman Dunard said she does not make money from requesting events for her associations. Board members agreed an alderman should not vote on a matter if the alderman has personal ties to the group or entity making a request.

Alderman Dunard asked to remove Section L regarding advocacy. When presenting their personal opinions and positions, Attorney Sinclair suggested aldermen state, "I do not represent the body of Troy."

Aldermen discussed whether to engage or ask clarifying questions of citizens during public comments.

Aldermen talked about Section 2, B6 regarding aldermen using cell phones during public meetings. Aldermen Dunard and Norman said they use their cell phones to search the internet during meetings. Mayor Sconce said anything not pertaining to the meeting should be limited. Alderman Dunard said rules in Bill 1391 are like classroom rules. She said she is a 41-year-old elected official who does not need someone to tell her about cell phone use.

Aldermen discussed interaction with staff.

Alderman discussed removing redundant passages.

Alderman discussed removing headings in sections of the bill.

Attorney Sinclair explained he met with Aldermen Norman and Diekemper regarding Bill No. 1392 as Ordinance _____ --An Ordinance Amending Section 115.215 Of Chapter 115: City Administration Specifically Removing The Words "Then-Present" From Section 115.215(1)(E). The two did not have changes for the bill.

Aldermen discussed inquiries from Baker Tilly. They agreed the salary range for a city administrator should be \$105,000 to \$120,000. Aldermen said they would be willing to reimburse a candidate for travel to in-person interviews. They said relocation expenses are negotiable.

The workshop adjourned at 8:06 p.m.

City Clerk

Mayor Sconce