

Potential Changes with City Attorney Language

1. Section 3.4 ELECTION AND TERMS (BOA) and Section 4.3 (Mayor)

- Potential Term Limit Loophole
- Four-Year Term Limits
 - How the structure will work? Will be structured in Art. 15
- Waiting period for Aldermen/Mayor

Current

Aldermen shall be elected to terms of three (3) years in duration. The terms of the two (2) Aldermen representing each ward shall be staggered.

An alderman shall be limited to three (3) successive, three (3) year terms, not including time served to complete an unexpired term. Such person cannot serve again as alderman in that ward for three (3) years.

New Section 3.4

Aldermen shall be elected to a term of four (4) years in duration. The terms of the two (2) Aldermen representing each ward shall be staggered.

An alderman shall be limited to hold office for three (3) successive terms, not including time served to complete an unexpired term and notwithstanding the alderman's resignation, recall, or removal during their term. ~~Such person cannot serve again as alderman in that ward for three (3) years.~~ Such person shall not be eligible to serve again as alderman until at least one (1) general municipal election has passed since their last term.

New Section 4.3

The Mayor shall be elected by the qualified voters of the city at large at the general municipal election. The Mayor shall hold office for a term of four (4) years.

The Mayor shall be limited to hold office for three (3) successive, terms, not including time served to complete an unexpired term, and notwithstanding the Mayor's resignation, recall, or removal during their term. ~~Such person cannot serve again as Mayor for three~~

~~(3) years.~~ Such person shall not be eligible to serve again as Mayor until at least one (1) general municipal election has passed since their last term.

Section 15.5 FIRST GENERAL MUNICIPAL ELECTION 2026

(a) Purpose. The purpose of the following provisions is to promote the orderly transition from the present government of the City of Crestwood, Missouri, to the new term limits proposed in Sections _____. The provisions of this Section 15.5 shall constitute a part of this Charter only to the extent and for the time required to accomplish that aim.

(b) Transition Schedule.

2026 Municipal Election – Mayor elected for a three -year term

2027 Municipal election – 1 Alderman from each Ward whose term is expiring elected for a three-year term expiring 2030

2028 Municipal election – 1 Alderman from each Ward whose term is expiring elected for a four-year term, expiring 2032

2029 Municipal Election – Mayor elected for a four-year term, expiring 2033

2030 Municipal Election – 1 Alderman from each Ward whose term is expiring elected for a four-year term, expiring 2034

2031 Municipal Election – no regularly scheduled elected official on ballot

Any elected official that previously reached the 3 consecutive term limit found in Section 3.4 shall be eligible for election in 2027.

2. Section 3.9 PRESIDENT OF BOARD OF ALDERMEN

- Allow for Mayor delegation of authority for extended absences

Current

The Board of Aldermen shall choose a President within forty-five (45) days following the date of each general municipal election. The President of the Board of Aldermen shall

preside at meetings of the Board of Aldermen in the absence of the Mayor and shall serve as Acting Mayor in accordance with Article 4.7 (c) of this Charter.

New Section 3.9

The Board of Aldermen shall choose a President within forty-five (45) days following the date of each general municipal election. The President of the Board of Aldermen shall preside at meetings of the Board of Aldermen in the absence of the Mayor and shall serve as Acting Mayor in accordance with Section 4.7(c) of this Charter.

In the event of a temporary absence of the Mayor, the President of the Board of Aldermen shall perform the duties of Mayor, until the Mayor shall return, according to the procedure provided by Ordinance.

3. Section 3.10 LEGISLATIVE PROCEEDINGS.

Current

(a) MEETINGS - The Board of Aldermen shall hold a regular meeting at least once each month at such times and places as the Board may prescribe. Regular meetings shall start no earlier than 7:00 P.M. The Mayor may, or at the request of three (3) aldermen shall, call a special meeting of the Board of Aldermen for a time not earlier than 24 hours after notice is given to all members of the Board of Aldermen then in the city.

All meetings of the Board of Aldermen shall be public meetings, at which the Board of Aldermen shall provide for public comments, unless public access has been restricted pursuant to law. In no event shall any meeting of the Board of Aldermen be held outside the city limits.

(b) QUORUM - A quorum shall constitute one (1) more than half of the total number of authorized members of the Board of Aldermen. If a quorum fails to attend any meeting, it shall stand adjourned until the next regular or special meeting.

(f) PROCEDURE - Every proposed ordinance shall be read by title in an open Board of Aldermen meeting two (2) times before final passage, and at least one (1) week shall elapse between introduction and final passage unless an immediate second reading is approved by unanimous vote of the Board of Aldermen. A copy of each proposed ordinance shall be provided for each member of the Board of Aldermen at the time of its

introduction, and at least three (3) copies shall be provided for public inspection in the office of the City Clerk until such time as the proposed ordinance is either adopted or rejected.

New Section 3.10

(a) MEETINGS - The Board of Aldermen shall hold a regular meeting at least once each month at such times and places as the Board may prescribe by Ordinance. ~~Regular meetings shall start no earlier than 7:00 P.M. The Mayor may, or at the request of three (3) aldermen shall, call a special meeting of the Board of Aldermen for a time not earlier than 24 hours after notice is given to all members of the Board of Aldermen then in the city.~~

~~All meetings of the Board of Aldermen shall be public meetings, at which the Board of Aldermen shall provide for public comments, unless public access has been restricted pursuant to law. In no event shall any in-person meeting of the Board of Aldermen be held outside the city limits.~~

(b) QUORUM - A quorum shall constitute one (1) more than half of the total number of authorized members of the Board of Aldermen. If member(s) of the Board of Aldermen fail to attend any meeting or leaves any meeting early resulting in the lack of a quorum, the meeting shall stand adjourned until the next regular or special meeting.

(c) RULES AND ORDER OF BUSINESS - The Board of Aldermen shall by ordinance determine its own rules and order of business. It shall cause a record of its proceedings to be kept and this record shall be open to public inspection. A separate record shall be kept of closed sessions, which record shall remain closed to public inspection or to legal process, except as otherwise provided by law.

(d) VOTING - The "ayes" and "nays" shall be entered on any question at the request of any two (2) members, provided however, that on the vote on final passage of any ordinance, the "ayes" and "nays" shall in all cases be entered in the record showing the vote of each alderman in attendance. In all roll call votes the names of the members of the Board of Aldermen shall be called in random order. Except as otherwise provided in this Charter, an affirmative vote of a majority of the authorized members of the Board of Aldermen shall be necessary to adopt any ordinance.

(e) FORM OF ORDINANCES - Proposed ordinances and resolutions shall be introduced in the Board of Aldermen only in written or printed form. The enacting clause of all ordinances shall be:

“Be it Ordained by the Board of Aldermen of the City of Crestwood.”

(f) PROCEDURE - Every proposed ordinance shall be read by title in an open Board of Aldermen meeting two (2) times before final passage, and at least one (1) week shall elapse between introduction and final passage unless an immediate second reading is approved by unanimous vote of the Board of Aldermen. *If any proposed ordinance is included on a consent agenda and is not pulled from the consent agenda for further consideration, the title of the proposed ordinance only needs to be read once during said meeting.* A copy of each proposed ordinance shall be provided for each member of the Board of Aldermen at the time *it is publicly posted, and copies* shall be provided for public inspection in the office of the City Clerk until such time as the proposed ordinance is either adopted or rejected.

Persons interested in a proposed ordinance shall be given an opportunity to be heard before the Board of Aldermen in accordance with such rules and regulations as the Board of Aldermen may adopt. If the Board of Aldermen adopts an amendment to a proposed ordinance on the second reading that constitutes a change in substance, the proposed ordinance as amended shall be placed on file for public inspection in the office of the City Clerk for an additional one (1) week before the next consideration.

(g) EFFECTIVE DATE - Every ordinance shall become effective upon its adoption or at any later date specified therein.

Section 4.7 VACANCIES; CENSURE/FORFEITURE OF OFFICE; FILLING OF VACANCIES

Current

(a) VACANCY - The office of Mayor shall become vacant upon the Mayor's death, resignation, removal from office in any manner authorized by law, or forfeiture.

(b) CENSURE/FORFEITURE OF OFFICE - The Mayor shall forfeit such office if at any time during the term of office the Mayor lacks any qualifications prescribed by this Charter or by law. The Mayor shall be subject to censure or forfeiture of office for violating any prohibition of this Charter.

(c) FILLING OF VACANCY - If a vacancy occurs in the office of Mayor, the President of the Board of Aldermen shall have all the powers and perform all the duties of the office until a special municipal election is held for the purpose of electing a Mayor for the remainder of the unexpired term. Said election shall be called for the next legally available election day, except that when the vacancy occurs within twelve (12) months immediately preceding the expiration of the Mayor's term, the President of the Board of Aldermen shall continue to act as Mayor until a Mayor is elected at the general municipal election. As Acting Mayor, the President of the Board of Aldermen shall continue to have a vote in the Board, but shall not have the veto power.

New Section 4.7

(a) VACANCY/TEMPORARY ABSENCE - The office of Mayor shall become vacant upon the Mayor's death, resignation, removal from office in any manner authorized by law, or forfeiture. A temporary absence occurs when the Mayor is unable to perform the duties of the office for a limited period of time, but the office is not vacant. Any temporary absence shall be governed by Section 3.9.

(b) CENSURE/FORFEITURE OF OFFICE - The Mayor shall forfeit such office if at any time during the term of office the Mayor lacks any qualifications prescribed by this Charter or by law. The Mayor shall be subject to censure or forfeiture of office for violating any prohibition of this Charter.

(c) FILLING OF VACANCY - If a vacancy occurs in the office of Mayor, the President of the Board of Aldermen shall have all the powers and perform all the duties of the office until a Mayor is elected at the next general municipal election. If serving as Acting Mayor, the President of the Board of Aldermen shall continue to have a vote in the Board, but shall not have the veto power of the Mayor or the Mayor's ability to cast a tie-breaking vote.

Section 5.2 POWERS AND DUTIES.

Current

(f) BUDGET AND CAPITAL PROGRAM - The City Administrator shall submit annually a recommended budget and a projected five (5) year capital improvement, replacement, and personnel needs program to the Mayor and Board of Aldermen.

New

(f) BUDGET AND CAPITAL PROGRAM - The City Administrator shall submit annually a recommended budget and a projected five (5) year capital improvement, replacement, and personnel needs program to the Mayor and Board of Aldermen. The City Administrator may also submit the aforementioned documents biennially, if allowed by the Board of Aldermen by Ordinance.

Section 7.2 BUDGET.

Current

(a) SUBMISSION; CONTENTS - At least forty-five (45) days prior to the beginning of each fiscal year, the City Administrator shall submit to the Board of Aldermen a proposed final budget and accompanying written narrative. The budget shall provide a complete financial plan of all city funds and activities for the ensuing fiscal year and, except as required by law or by this Charter, shall be in such form as the City Administrator deems desirable or the Board of Aldermen may require. The budget shall indicate in separate sections:

- (1) Proposed expenditures for current operations during the ensuing fiscal year and the method of financing such expenditures; and
- (2) Proposed capital expenditures during the ensuing fiscal year and the proposed method of financing each such capital expenditure.

In no event shall the total proposed expenditures for any fund defined by city ordinances exceed the estimated available revenues. Revenue estimates shall be adjusted to reflect any unencumbered or undesignated balance from the previous year.

(b) CAPITAL PROGRAM - At least forty-five (45) days prior to the beginning of each fiscal year, the City Administrator shall submit to the Board of Aldermen a capital and personnel needs program for at least a five (5) year period, including a list of all

proposed capital improvements, replacement and personnel needs with appropriate supporting information, cost estimates, methods of financing, time schedules and the estimated annual cost of operating and maintaining the proposed facilities. The program shall be reviewed and extended each year.

New

(a) SUBMISSION; CONTENTS - At least forty-five (45) days prior to the beginning of each fiscal year, the City Administrator shall submit to the Board of Aldermen a proposed final budget and accompanying written narrative. The budget shall provide a complete financial plan of all city funds and activities for the ensuing fiscal year and, except as required by law or by this Charter, shall be in such form as the City Administrator deems desirable or the Board of Aldermen may require. The budget shall indicate in separate sections:

- (1) Proposed expenditures for current operations during the ensuing fiscal year and the method of financing such expenditures; and
- (2) Proposed capital expenditures during the ensuing fiscal year and the proposed method of financing each such capital expenditure.

In no event shall the total proposed expenditures for any fund defined by city ordinances exceed the estimated available revenues [plus the unencumbered or undesignated balance from any previous fiscal year](#). Revenue estimates shall be adjusted to reflect any unencumbered or undesignated balance from the previous year.

(b) CAPITAL PROGRAM - At least forty-five (45) days prior to the beginning of each fiscal year, the City Administrator shall submit to the Board of Aldermen a capital and personnel needs program for at least a five (5) year period, including a list of all proposed capital improvements, replacement and personnel needs with appropriate supporting information, cost estimates, methods of financing, time schedules and the estimated annual cost of operating and maintaining the proposed facilities. The program shall be reviewed and extended each year.

Section 9.7 Action on Petitions

Current

(b) SUBMISSION TO THE VOTERS. The vote by the qualified voters of the city on a proposed or referred ordinance shall be held on the next legally available election date

following the expiration of the date for final action by the Board of Aldermen. Copies of the proposed or referred ordinance shall be made available at the polls.

New

(b) SUBMISSION TO THE VOTERS. The vote by the qualified voters of the city on a proposed or referred ordinance shall be held on the next **legally available general municipal** election date following the expiration of the date for final action by the Board of Aldermen. Copies of the proposed or referred ordinance shall be made available at the polls **through the St. Louis County Board of Elections and in the City Clerk's office at least thirty (30) days in advance of the general municipal election.**

Section 9.8. RESULTS OF ELECTION.

Current

(a) INITIATIVE. If a majority of those voting on a proposed initiative ordinance vote in its favor, it shall be considered adopted upon certification of the election results by the St. Louis County Board of Election Commissioners and shall be treated in all respects in the same manner as an ordinance adopted by the Board of Aldermen.

If conflicting ordinances are approved at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict. In the event of a tie, there shall be a run-off election to be held on the next legally available election date.

New

(a) INITIATIVE. If a majority of those voting on a proposed initiative ordinance vote in its favor, it shall be considered adopted upon certification of the election results by the St. Louis County Board of Elections **Commissioners** and shall be treated in all respects in the same manner as an ordinance adopted by the Board of Aldermen.

If conflicting ordinances are approved at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict. **In the event of a tie, there shall be a run-off election to be held on the next legally available election date.**

***Section 10.6 ACTION ON PETITION.**

Current

(a) SUBMISSION TO THE VOTERS. When a recall petition has been finally determined as sufficient, the Board of Aldermen shall at its next regular meeting after receipt of such final determination, fix a date for holding the election at the next legally available election date.

New

(a) SUBMISSION TO THE VOTERS. When a recall petition has been finally determined as sufficient, the Board of Aldermen shall at its next regular meeting after receipt of such final determination, **announce that the recall petition will be submitted to the voters at the next general municipal election. fix a date for holding the election at the next legally available election date.**

Section 11.1 GRANTING OF FRANCHISES.

Current

All public utility franchises and all renewals, extensions and amendments thereof shall be granted only by ordinance. No such ordinance shall be adopted within less than thirty (30) days after application therefor has been filed with the Board of Aldermen, nor until a public hearing has been held thereon. No exclusive franchises shall ever be granted, and no franchise shall be granted for a term longer than twenty (20) years. No such franchise shall be transferable directly or indirectly, except with the approval of the Board of Aldermen expressed by ordinance after a public hearing.

New

To the extent permitted by law, all public utility franchises and all renewals, extensions and amendments thereof shall be granted only by ordinance. No such ordinance shall be adopted within less than thirty (30) days after application therefor has been filed with the Board of Aldermen, nor until a public hearing has been held thereon. No exclusive franchises shall ever be granted, and no franchise shall be granted for a term longer than twenty (20) years. No such franchise shall be transferable directly or indirectly, except with the approval of the Board of Aldermen expressed by ordinance after a public hearing.

Section 11.2 RIGHT OF REGULATION.

Current

Every public utility franchise, whether it be so provided in the ordinance or not, shall be subject to the right of the Board of Aldermen to:

New

To the extent permitted by law, every public utility franchise, whether it be so provided in the ordinance or not, shall be subject to the right of the Board of Aldermen to:

Section 13.5 OFFICIAL BONDS.

Current

All officers and employees of the city who receive, disburse, or are responsible for city funds, and such other appointed or elected officers and employees as the Board of Aldermen by ordinance may designate, shall, within such time after election or appointment as may be fixed by ordinance, and before entering upon the discharge of their duties, give bond to the city in such sums and with such sureties as shall be prescribed by ordinance, and subject to approval by the Board of Aldermen, but not less than \$50,000, conditioned upon the faithful and proper performance of their duties and for the prompt accounting for and paying over to the city of all monies belonging to the city that may come into their hands. The city shall pay the premiums on all such bonds.

New

All officers and employees of the city who receive, disburse, or are responsible for city funds, and such other appointed or elected officers and employees as the Board of Aldermen by ordinance may designate, shall, within such time after election or appointment as may be fixed by ordinance, and before entering upon the discharge of their duties, give bond to the city in such sums and with such sureties as shall be prescribed by ordinance, and subject to approval by the Board of Aldermen, but not less than \$50,000, conditioned upon the faithful and proper performance of their duties and for the prompt accounting for and paying over to the city of all monies belonging to the city that may come into their hands. The city shall pay the premiums on all such bonds. If, at the time the officer, employee, or official would need to give bond, and the City holds an insurance policy that would otherwise fulfill the bond requirements herein, or established by the Board of Aldermen by ordinance, then the Board of Aldermen may waive this requirement.

Section 13.2 POLITICAL ACTIVITY.

Current

No city employee shall solicit any contribution for the campaign fund of any candidate for Crestwood city office or take part in the political campaign of any candidate for Crestwood city office. All employees may exercise their right as private citizens to express opinions and if a qualified voter in Crestwood, to sign a nominating petition for any city candidate, and to vote in any city election.

Political affiliation, participation or contribution shall not be considered in making any city employment decision. No city officer, employee or member of a board or commission shall use official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for Crestwood city office. No city officer, employee or member of a board or commission shall directly coerce, attempt to coerce, command, advise, or solicit a city employee to pay, lend, or contribute anything of value to a committee, organization, agency or person for political or electoral purposes of any candidate for Crestwood city office.

New

No city employee shall solicit any contribution for the campaign fund of any candidate for Crestwood city office or take part in the political campaign of any candidate for Crestwood city office, [while on duty or acting in an official capacity, except as otherwise permitted by state or federal law](#). All employees may exercise their right as private citizens to express opinions and if a qualified voter in Crestwood, to sign a nominating petition for any city candidate, and to vote in any city election.

Political affiliation, participation or contribution shall not be considered in making any city employment decision. No city officer, employee or member of a board or commission shall use official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for Crestwood city office. No city officer, employee or member of a board or commission shall directly coerce, attempt to coerce, command, advise, or solicit a city employee to pay, lend, or contribute anything of value to a committee, organization, agency or person for political or electoral purposes of any candidate for Crestwood city office.