

AN ORDINANCE APPOINTING SCOTT A. SCHAEFER AS CITY ADMINISTRATOR FOR THE CITY OF FRONTENAC, MISSOURI, AND PROVIDING FOR COMPENSATION FOR SERVICES IN SUCH CAPACITY.

WHEREAS, Section 115.240 through 115.300 of the Code of Ordinances of the City of Frontenac, Missouri, provide that the Mayor, with the consent and approval of a majority of the members of the Board of Aldermen, shall appoint a City Administrator, and further provide for establishment of compensation for the City Administrator by ordinance; and

WHEREAS, it is the desire of the Mayor and Board of Aldermen of the City of Frontenac to provide certain benefits, establish certain conditions of employment and to set working conditions of the City Administrator as authorized by Section 115.240(D) of the City Code; and

WHEREAS, it is also the desire of the Mayor and Board of Aldermen to (1) secure and retain the services of the City Administrator and to provide inducement to remain in such employment, (2) make possible full work productivity by assuring the City Administrator’s morale and peace of mind with respect to future security, (3) act as a deterrent against malfeasance or dishonesty for personal gain on the part of the City Administrator, and (4) provide a just means for terminating the City Administrator’s services at such time as he may be unable to fully discharge his duties or when the City may otherwise desire to terminate his employment;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF FRONTENAC, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section One.

A. Scott A. Schaefer is hereby appointed to the office of City Administrator of the City of Frontenac, Missouri, to serve in that capacity beginning Monday, July 10, 2023, and continuing at the pleasure of the Mayor and Board of Aldermen, with the duties, terms and conditions set forth in this Ordinance and as provided by the Laws of Missouri and the Ordinances of the City of Frontenac.

B. Nothing in this Ordinance or elsewhere shall be interpreted or construed as diminishing in any manner the employment-at-will relationship between the City and the City Administrator, or prevent, limit or otherwise interfere with the right of the Mayor and Board of Aldermen to terminate the services of the City Administrator at any time as provided by the Laws of the State of Missouri and the Ordinances of the City, subject only to the provisions set forth in Section Three, below.

C. Nothing in this Ordinance or elsewhere shall prevent, limit or otherwise interfere with the right of the City Administrator to resign at any time upon giving thirty (30) days prior written notice to the Mayor.

Section Two.

A. The compensation for performing the duties of the office of City Administrator shall be an annual salary of One Hundred Forty-Four Thousand Dollars (\$144,000.00), subject to revision by ordinance from time to time. The City shall also make payments to a qualified deferred compensation plan designated by employee in an amount equal to five percent (5%) of annual salary.

B. The City Administrator shall also receive annual vacation, sick leave, health insurance, pension and other employment benefits offered to other employees of the City; provided, however, that the City Administrator shall be credited with having five years of service at the start of employment solely for the purpose of calculating vacation accrual.

C. The City Administrator's duties require the unrestricted use of an automobile. The City agrees to provide a monthly cash expense allowance of Five Hundred Dollars (\$500.00) in return for which the City Administrator shall furnish an automobile suitable for the conduct of the City's business. The City Administrator shall be solely responsible for the purchase, safety, operation, repair, maintenance, insurance, fuel and other costs associated with the ownership and use of said vehicle. The City Administrator shall also maintain in force comprehensive and general liability automobile insurance in the amount of \$1,000,000 for bodily injury and property damage, in the amount of \$1,000,000 for uninsured motorist and underinsured motorist and \$25,000 of medical pay. The City Administrator shall at all times furnish the City with a certificate showing the insurance as above required and keep said insurance current.

D. The City agrees to pay for professional dues and subscriptions of the City Administrator necessary for full participation in at least one national, regional, state and local associations and organizations necessary for the City Administrator's continued professional growth and advancement, and for the good of the City, including but not limited to the International City/County Management Association, Missouri City Managers Association, and St. Louis Areas City Management Association and any other organizations that may be deemed necessary by the City. The City agrees to pay for travel and subsistence expenses of the City Administrator for professional and official travel, meetings, and occasions to adequately continue the professional development of the City Administrator and to pursue necessary official functions for the City, as deemed necessary by the City, but expressly including bi-annual attendance at the ICMA Annual Conference as the City's budget allows as determined by the City.

Section Three.

A. In the event the City Administrator is terminated by the City during such time as the City Administrator is willing to perform his duties under this Ordinance and upon receipt by the City of a release of all claims (other than workers compensation benefits) which City Administrator may believe he may have against the City, in form and substance reasonably satisfactory to the City Attorney, the City agrees to pay the City Administrator:

- (a) three months of salary; and
- (b) for a period not to exceed six months or until such time as health insurance benefits for the City Administrator are available through a new employer, whichever comes first, the City shall pay the city's share of the cost to continue the same health insurance benefit the City Administrator had received during employment at the same level as a full-time city employee; and
- (c) accrued but unused vacation and compensatory time.

B. In the event, however, that (1) the City Administrator resigns voluntarily or (2) the City Administrator is terminated because he (a) fails to perform his duties under this Ordinance and the Ordinances of the City of Frontenac, (b) engages in misconduct involving fraud, immoral or unethical conduct or personal gain, or (c) the City becomes aware of facts that lead to the reasonable belief which brings into question his honesty, then, in any such event, the City shall have no obligation to pay the severance payment provided in paragraph A of this section Three of this Ordinance.

Section Four.

This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF FRONTENAC, MISSOURI, THIS 20th DAY OF JUNE 2023.

Presiding Officer

Attest:

Leesa Ross, City Clerk

APPROVED THIS 20th DAY OF JUNE 2023.

Kate Hatfield, Mayor

Attest:

Leesa Ross, City Clerk