

MEMORANDUM

To: Mayor, Board of Aldermen and Staff

From: Curt Poore

Date: March 11, 2025

RE: Appointment to Standing Committees

I was asked to review Sec. 3-60 (standing committees) and Sec. 19-17 (procedure for taking office), and render an opinion as to whether the timing of the committee appointments conflict with the code.

The general municipal election is the first Tuesday after the first Monday in April (Section 115.121.3 RSMo). This means for Jackson that the election will take place after the first Board meeting in April and that the newly elected officials will take office at the second Board meeting in April, pursuant to Sec. 19-17.

It has been the practice of the Mayor to make appointments to the standing committees at the second Board meeting in April after the election and the first meeting of the newly elected officials.

Sec. 3-60 tells us when standing committees are appointed. The standing committees are “power, light and water” and “street, sewer and cemetery.” They are appointed, according to 3-60, “(A)t the first regular meeting in the month of May, 1963, and every year thereafter at the same meeting...”

It appears that the timing of the committee appointments does conflict with the code. That is, instead of making the committee appointments at the first meeting in May as required by code, the appointments are actually made the second meeting in April.

What are the solutions?

1. Do nothing. The committees don’t act independently of the Board. The votes of the Board are not rendered void by the early appointment of committees.
2. The Mayor can wait and make the appointments at the first meeting in May and thereby, remain compliant with the code.
3. Sec. 3-60 can be amended to read that the committee appointments will take place at the second regular meeting in April instead of the first regular meeting in May.

Also, another interesting point. The City’s practice of allowing the “old” Board to attend and participate in the second Regular meeting in April appears to conflict with Sec.19-17. Paraphrasing, this section states that the candidate who wins the election “...shall be installed in said office at the first regularly scheduled meeting of the board of aldermen after the

election.” This does not appear to allow the participation at the second meeting in April for the board member who loses his/her election. I wasn’t asked to review this issue but thought it should be pointed out.

The Board’s practice, while perhaps not strictly following the code, has worked for many years without objection. If the Board would like to address this issue, it appears that the easiest solution would be to amend Sec. 3-60 to allow the committee appointments at the second regular meeting in April instead of the first regular meeting in May so that the current practice is followed. I have attached a proposed revised code and a proposed ordinance.