

**CITY OF BEL-RIDGE
BOARD MEETING MINUTES
FOR
MAY 21ST, 2018
4:00PM**

Before the meeting was called to order Alderman Russell informed the residents that it was not an Emergency Meeting it was a Working Session. Anything regarding personnel would be discussed in closed session.

Mayor Fair called the meeting to order. No roll call was taken

ATTENDEES WERE AS FOLLOWS:

Alderman Abernathy

Alderman Brown

Alderman Nelson

Alderman Ruff

Alderman Russell

Alderman Tope

Mayor Fair

Also present was City Attorney, Steve Martin.

NOTE: Due to a conference, the clerk was away for training. The recorder was handed to Alderman Nelson by Sgt. Martin. The recorder was started and stopped by Alderman Nelson. After the meeting the recorder was returned to Sgt. Martin for safe keeping.

Alderman Russell asked that the Board make a motion in regards to the Officers that were attacked by citizen of Bel-Ridge, asking for their equipment. The Board knew nothing of a review board. It was illegally done and put the City of Bel-Ridge in jeopardy of being sued. It was a personnel issues that should not have been displayed to the members of the City. All personnel issues should be discussed in a closed session.

Alderman Tope replied "that's some crap"

Mayor Fair informed Alderman Russell that the committee was already formed and it was created by the previous administration.

Alderman Russell informed Mayor Fair that the committee does not handle personnel issues.

Mayor Fair replied "it was not a personnel issue. He is the one who brought the letter to the Officers."

Alderman Russell replied, "but you did it in front of the citizens. That is not their business."

Mayor Fair asked Alderman Russell, "why didn't she step up?"

Alderman Russell responded, "as soon as she heard about it she sent a letter", by email and asked the Mayor if he received it.

Mayor Fair informed Alderman Russell that he had not received anything.

Alderman Russell informed the Board that the email stated that what Mayor Fair had done was non-in void because he had not taken the proper process.

Mayor Fair asked Alderman Russell if the grievance that he received was proper process? It was a bunch of lies.

Alderman Russell replied, "you should not have want the way you did sir." You disrespected them in front of the citizen of Bel-Ridge. It should have been done in a closed session. That is cause for impeachment.

Mayor Fair responded, "well impeach me."

Alderman Tope suggested that the Board asked the Attorney is it required by state law that all personnel matters be discussed in a closed session.

City Attorney, Steve Martin informed the Board that not all personnel matters need to be discussed in closed session, but serious personnel matters are always discussed in closed session.

Alderman Tope replied "thank you"

Alderman Russell mentioned, the Police Chief issue should not have been taken up by the Mayor, it should have been brought to the Board. Mayor Fair had no grounds to hand the Police Chief a letter. Alderman Russell went on to say, the Police Chief should have received a day to ten (10) days total warning. There was nothing wrong with what Mayor Fair did, it was how it was done that was total wrong. Making the City liable of being sued.

Mayor Fair mentioned that he has talked to the Chief several times. He has come to the City Hall for information that he was refused. Mayor Fair asked Alderman Russell "if she is the Mayor then who is he?"

Alderman Russell informed Mayor Fair that she is not the Mayor.

Mayor Fair replied, "you are talking like you are the Mayor." He Mayor has a right to the documents that he requests.

Alderman Russell asked, "what does that have to do with the Police Chief?"

Mayor Fair replied, the Chief is the one that said that there is only one key to Jackie's office."

Alderman Russell asked, "why are you taking about Jackie's office?"

Mayor Fair responded, "that where he said the files were."

Alderman Brown asked Mayor Fair if the actions he took with the citizen was because he was denied access to Jackie's office?

Mayor Fair answered, he did not want access to Jackie's office, he was fingerprinted when he first got into office, so he should have had access to City Hall and he does not. He has to have the girls in the office let him in because he does not have a key. He only has a fob to the back door.

Mayor Fair went on to say that he asked the Chief about a key to Jackie's office, but he was not going to be in there long. He just wanted the documents that he requested.

Alderman Russel informed the Mayor that there are processes. He cannot just go through files and hand them out. She cannot just come in the building and do what she wants either. She only has a fob too. If you did not do the transaction process properly to have the equipment that you need to function that's no one fault.

Alderman Ruff asked Mayor Fair "was there a specific reason that he wanted to get into Jackie's office."

Mayor Fair answered, "no, he just wanted the documents that he asked Jackie for and she went off the deep end a couple of times." He asked for the minutes. He wrote it down on paper and she "gives" me what she wants to give me, not what I asked for." Mayor Fair said he wanted "closed minutes meeting" so how complicated can that be.

Alderman Russell answers, "first of all, you were not even the Mayor for the minutes that you were requesting. You were a citizen." "If that is the case Alderman Russell feels that she should just be able to come and ask for closed minutes." "there is a process and the sunshine law is in affect with this." "we cannot just hand out documents because you ask, there is a process Mayor Fair."

Mayor Fair retorts to the next issue. Everyone voted at the lase meeting for Alderman Russell to be board president. He asked for a motion and a second and got that. First reading got that but there was no seconded reading. Mayor Fair asked Attorney Martin to answer the issue. He was right there.

City Attorney, Steve Martin informed Mayor Fair, "there is no seconded reading on resolutions. That is an Ordinance process, selecting a Board Chairman/President is not an Ordinance."

Mayor Fair says "the Board voted on it, so what are you saying."

Attorney Martin answers, "it is not an Ordinance."

Mayor Fair asked if anyone else had anything to say?

Alderman Abernathy asked Mayor Fair to "explain to her how he gave the Chief the paperwork, that he gave to him in front of a bunch of people."

Mayor Fair explained, "he slides the paperwork to the from where he was sitting and handed it to him in his hand, and the Chief walked away with it."

Alderman Abernathy asked Mayor Fair "was there people around?"

Mayor Fair answered, "just the people who were in the Board room and a couple of Officers." "And St. Louis County was there also."

Alderman Brown asked Mayor Fair, "who was present?"

Mayor Fair mentions, Ms. Abernathy was present, he believes Julia was there.

Julia states, "she was not there"

Mayor Fair says, "Oh yes, Julia was not there, and he thinks there was only about four (4) peoples in there."

Alderman Brown asked Mayor Fair "who was in there?"

Alderman Tope says, "Abernathy was not present."

Mayor Fair states, Lena was in there, Jerome was there.

Alderman Abernathy mentioned that Ms. Wagner was there, she just put her hand up.

Alderman Russell stated that the point was, "Mayor Fair assigned a Board that was not approved by the Board of Alderman, she was sorry but those are the rules."

Mayor Fair responses, "so you tellin me I have no powers to do anything"

Alderman Russell mentioned, "she is not talking about his power, she is talking about following protocol and procedures." "he did not let the Board know anything about it." "and the minute we found out about it."

Mayor Fair interrupted by saying "he had spoke to Alderman Brown about it." "He told Brown what he had been up to the City Hall and had gotten nowhere."

Alderman Brown responded "Whoa, now I asked you what it was you were trying to get and you would always reply "that's ok, I'll figure it out." "these were your works."

Mayor Fair stated, "no I did not."

Alderman Brown continued, "and you not suppose to get the minutes to close meeting", "but you never asked me that." "you just asked for documents."

Alderman Brown told Mayor Fair that "he is coming to him from the point that he is always saying, "we need to work together", "so what is it you are trying to get out of there?"

Mayor Fair answered "I want to work together, but you all have to work with me."

Alderman Ruff asked Mayor Fair, "why do you have to have these minutes right now?"

Mayor Fair says, "Ordinances and stuff that was passed that he needs to know what is going on."

Alderman Ruff asked, "specifically what are you trying to find out is going on?"

Mayor Fair felt, "he has the right to know what is going on."

Alderman Ruff asked Mayor Fair, "which Ordinances are you trying to found out about?"

Mayor Fair commented, "he does not know which one it is, it has been so long now."

Alderman Russell reminded Mayor Fair, "he was at almost every meeting that the Board has had, you might not stay the complete time but any Ordinance that was motioned and passed you were mostly here." Alderman Russell mentioned "if he needed the code book, he could have called her."

Mayor Fair asked "why didn't he get a code book, in the first place."

Alderman Russell informed Mayor Fair, "because you transition to the position did not go right." "you did not communicate with the proper people to get what you needed, to get into the building, or to get the proper information you need to go forward."

Mayor Fair stated, "it has been atomicity from day one." "This is what she is showing him."

Alderman Russell states, "she is not one to have atomicity." "he has never called her, she calls him." And has only answered one time. Alderman Russell has reached out to Mayor Fair and has nothing against him and does not know him.

Mayor Fair responded, "Amen"

Alderman Russell mentioned to Mayor Fair that, "he can not keep doing things that could jeopardies the City and lead us to being sued."

Mayor Fair answered, "he does not have a problem with protocol or doing the right thing." "All he needs is some cooperation."

Alderman Russell suggested that Mayor Fair "go to some Municipal League classes. The things he is doing are inappropriate." "he does not talk to people correctly and you would get more out of people if you would stop saying "you want it now."

Mayor Fair responded, "she has been feed wrong information." "He brings the letter in and gives it to who ever it is suppose to be given to and let them know

this is what I requested." He does not stay at the City Hall, he leaves. He does not hurt anyone's feelings. These are all lies.

Alderman Russell informed Mayor Fair, they are stating in this meeting, the review board that he has was formed illegally in regards to the Board of Alderman had not knowledge that it was going forth." "On top of that you handed an Officer a written reprimand in front of citizens." "If you were working they would take you in a private setting to reprimand you."

Alderman Ruff stated, "and we still do not have any knowledge of the review board."

Mayor Fair stated, "if it was him, it would have never got to this. All he asked for was some simple information." "If he is the Mayor, he should be able to request this stuff and move on." "He spoke to the Chief three (3) or four (4) times."

Alderman Russell informed the Mayor that "grievances have been filed and the Union is involved. The City can be liable for all of this."

Mayor Fair retorted to the letter. The reason he says the letter is full of lies is because, "St. Louis County was here when it was done."

Alderman Russell asked that the Board of Alderman would make a motion to Attorney appointed to the Police Dept. and recommends Attorney Sam Alton." Alderman Russell states that, "we got to correct this thing before it goes down the road to where we could be financially liable." "All you had to do was it by yourself with the Board of Alderman approval."

Mayor Fair asked Alderman Tope if he had anything to say?

Alderman Tope stated, "He does not understand, you are trying to have the Prosecuting Attorney represent the Police?"

Alderman Russell says, "yes." "In order for this not to happen again." "This is senseless, all it took was for the Mayor to call a meeting and have the Board of Alderman to make a motion on what your concerns are and we could have voted on it."

Alderman Tope asked that City Attorney, Steve Martin, be included in this discussion. Alderman Tope informed Mr. Martin that Alderman Russell wanted the Prosecuting Attorney to represent the Police Department against the Mayor.

Alderman Russell stated, "No, so the Mayor would understand guidelines, protocol and the steps of command."

Alderman Abernathy asked if the "Union would provide an Attorney?"

Attorney Martin informs the Board of Alderman that he "understands that the Mayor has sot some City records, some that have not even been typed yet and demanded them immediately, has also asked for access to confidential Police record, which are not commonly available to elected Officials." Attorney Martin stated, "He saw a letter from the Prosecuting Attorney indicating that the court records and the police records of confidentiality were not to be given out." "The Prosecuting Attorney is involved and that is separated from the City records, such as meetings and contracts entered into by the City."

Alderman Tope thinks, "there is some confusing due to the fact she is the court clerk and the city clerk." "The same records are kept in the same office."

Alderman Russell responded, "No they are not."

Mayor Fair states, "that's what they told me."

Alderman Tope stated, "the recordings of the closed meetings and open meetings are in the court/city clerks office."

Alderman Russell stated, "only because we did not have a City clerk at the time and that person step over to help with the minutes, but the point of the matter is that this meeting is very serious." "You all are pushing it aside and kicking it around, it needs to be acknowledge of how important it is that this could affect the City of Bel-Ridge, financially."

Alderman Tope would agree and says, "for Mr. Martin to give a good legal opinion, he needs to have all the facts and he does not feel that he knows the City

records are kept in the same office, and that is all the Mayor was after was City records."

Alderman Russell mentioned that, "the Mayor did not know, you are saying that's what he was seeking." "The Mayor did not say that you did."

Mayor Fair responded, "that what I brought up there was a letter for City records."

Alderman Russell asked Mayor Fair, "Why couldn't you wait on Ms. Jackie?" "She would give it to you."

Mayor Fair replies, "every time I went to her, she had a different story, a new song and dance, like the other night, she had a tandom for no reason." "you can't talk to her."

Alderman Brown mentioned, "there were times when you were looking for something and Jackie was not here and you were requesting the Chief to give you access to Jackie's office."

Mayor Fair stated, "No no, no sir." "he asked for the records and when he first came in he was fingerprinted and all, he asked for the minutes, nothing else the recorded, the tapes of the minutes." "a simple thing, that you all are blowing out of proportion because the Chief says that he asks for." "What would he do with those records?"

Alderman Brown responded, "No the Chief said you asked for access to her office, and she was not here that day."

Mayor Fair stated, "that is were they told me the records were." He thought, "all police department are supposed to have a locked file on criminals and all that stuff."

Alderman Brown mentioned, "they do and for extra security they are locked in her office."

Alderman Tope suggested that all the City records and files be moved over to the other side of City Hall, so that we can avoid this.

Alderman Russell informed the Board of Alderman and the Mayor that it is a sunshine law, you have to request those things, they are not just available for you to come and get.

Alderman Tope suggest that records be moved to the one office so that only court records are in the police clerk's office.

Alderman Ruff asked the Mayor to explain what he meant by "playing hard ball"

Mayor Fair replied that he never said that he wanted to play hard ball.

Alderman Russell asked that the Board and the Mayor get back to the reason for the meeting. Alderman Russell informed Mayor Fair that he was going to have to change the way he approaches the staff. And he can not form any board without the approval of the Board of Alderman.

Mayor Fair requested that a young lady from the audience come and read an ordinance.

Alderman Russell informed the Mayor that this was not an open session, it is a working session where the citizens could come and listen not speak.

A resident from the audience shouts that this was a board of concerned citizens that were already in place.

Alderman Russell replied that there was no board of concern citizens already in place. There has never been a Citizens Board. When was it approved?

Alderman Ruff asked who the citizen committee was made of.

The resident from the audience mentions that it was made of people.

Mayor Fair asked that it be pulled up and brought back to him and the Board of Alderman. He pulled it up online and it was already formed.

Alderman Russell asked for the minutes showing where the citizen board was approved and who was the president of the committee.

Mayor Fair replied that he did not have that information with him because he did not come for this. Mayor Fair asked how the Board could come together and work. But he is going to do his own investigation because something is not right.

Alderman Russell asked the Officers that where involved in the meeting to tell the Board what transpired during the meeting.

Chief Harris informed the Board that the Offices, Fisher, Wilson and himself, where on a Heroin overdose case at 8642 Natural Bridge, when a female Officer from St. Louis County called and asked them to come back to the station, because there were people there. Chief Harris mention that the call was still in process when they returned to the station. As he was walking into the station up the stairs, Detective Magers and Kick where walking down a suspect from an investigation they were working on. Chief Harris mentions that the assistant Chief walked into the room first, saw at least eight (8) people in the room and asked who they were. A female with gray hair and glasses, Chief pointed out in the back of the room, replied "it is the concern citizen review board"

Harris went on to say, he walked in the room and the female with the glasses tried to keep Lieutenant Wilson from coming in the room. But Wilson came anyway because he is part of the command staff. Harris mentioned that he was standing behind the Mayor so he could not see his facial expressions. Ms. Anderson and Mr. Robinson were taping the entire event.

Ms. Anderson, shouted "don't lie on me"

Chief Harris asked one of the Officers was Ms. Anderson there recording and his reply was "yes."

Chief Harris informed the Board that he was handed a piece of paper by the Mayor. He read the first (1) line and asked the Mayor did the Board approve the letter. The Mayor's response was, "the Board does not have to approve it, he is the Superior Official for the City of Bel-Ridge and the Chief." At that time Harris informed the Board that he was asked to relinquish his equipment to this female

citizen of Bel-Ridge, who he did not know. There were about six (6) witnesses in the room.

Mayor Fair asked Chief Harris to bring the six (6) witnesses.

Chief Harris informed the Board that he refused to relinquish his equipment to the unknown citizen, and requested to speak to his lawyer. Harris states that he was told to make the phone call there and he declined due to Attorney/Client privileges and left the room. Immediately, Lieutenant Wilson and Assistant Chief Fisher left the room behind him, at which time the City Attorney was on the phone with the Mayor and told him he could not be doing what he was doing. "Too late, he did it anyway." Chief Harris states, he then went downstairs and contacted his Attorney, the City Attorney and the Union Official.

Chief Harris did not know what else happen in the room after he left. Harris turned his attention to the letter that he was given by Mayor Fair. Chief Harris read from the New Police Chiefs Law that was passed in 2013. "The Chief shall serve during the pleasure of the Board, except that such Chief of Police shall only be removed, suspended or demoted for cause", then it listed reason. Harris mentions that none of the reasons are listed in the Mayors letter. The letter was not on City letterhead and had many grammar and spelling errors.

Chief Harris read the letter. The letter stated, Chief Harris was being suspended and asked to turn in his badge and weapon until further notice. Failure to comply would result in pursuing this matter with St. Louis County Police Department and St. Louis County Prosecuting Attorney. Chief Harris informed the Board of the failure to implement a restraining order on May 1st, 2018 to Ms. Rachel White, allegations. Harris explain that the order was not given until later that evening, when Rachel White, the previse Mayor what already out of the building. At which time Assistant Chief Fisher and Chief Harris had walked her out of the building and made sure she did not take any City equipment.

Ms. Russell did not want to know personnel issues, only what happen in the room.

Assistant Chief Fisher informed the Board that he witnessed the situation and agreed that what Chief Harris mention was what was asked of him, to turn in his badge, gun and ID. Fisher stated that the Chief did refuse to give it to the lady.

Alderman Ruff asked what was the lady's name.

The Officers all replied, "I don't know."

Alderman Ruff pointed to the lady in the audience and aske what her name was. She replied, "Thelma Wider."

Assistant Chief Fisher mentioned that when the Chief would not give the gun to the citizen, Mayor Fair asked him to give it to the St. Louis County Sargent and the Sargent stated he was not going to take the Chief gun.

Mayor Fair admitted to calling the St. Louis County Sargent to the City Hall. He informed the Board that he did it because he wanted a witness there. Mayor Fair stated he was going to bring the St. Louis County Sargent back to clarify everything because there are a lot of lies being told. None of what the Officers stated happen.

Asst. Chief Fisher replied that it is a mess to bring County to Bel-Ridge. It is a mess to bring the media to Bel-Ridge.

Mayor Fair stated the Asst. Chief Fisher has had an attitude since day one.

Alderman Russell stated that Mayor Fair was putting City business out in the streets when Bel-Ridge has Officers right here at he could have called. This needs to go to the Attorney General. This alone is grounds for impeachment, asking him to give his weapon to a citizen.

Mayor Fair informed the Board to bring it on because he already has the Attorney General investigating this. Mayor Fair stated, "Let me tell you something, when you leave your gun in the restroom unsecured, what is that all about." Mayor Fair said "he has a witness saying he found Chief Harris weapon loaded and unsecured in the bathroom."

Alderman Brown asked Mayor Fair, "when did this happen?"

Mayor Fair replied, "last year."

Asst. Chief Fisher informs Mayor Fair that "if he was going to fire the Chief for that reason he should have done it when he became Mayor, not because he felt that the Chief did not comply with his demands." "That is retaliation."

Chief Harris mentioned that it was 5:30am in the morning and he was sick.

Alderman Russell interrupted the Chief by saying "it was a year ago and that makes it non-in void situation."

Alderman Ruff asked Mayor Fair "who would he like to resign or be impeached?"

Mayor Fair responded to the question by asking Alderman Ruff, "what has he done in his ward"

Alderman Russell informed Mayor Fair that he was still going about things improperly. This is a working session.

Alderman Ruff mentioned that the first thing he is trying to do is get the streets done.

Alderman Russell mentioned the impeachment of the Board members by Mayor Fair when he will not work with them.

Mayor Fair mentions that the impeachment information is going to the Attorney General's Office.

Alderman Russell replied, "that's fine." "His issue is going to the Attorney General also because he has violated the Officers."

Mayor Fair replied, "you all have violated me. Because the Board has not done anything to work with him"

Alderman Russell tells Mayor Fair, "He has been unethical"

Mayor Fair mentions “the Board has too.”

Alderman Russell tells Mayor Fair that “his behavior has been unappropriated.”

Mayor Fair replies, “so have you guys.”

A motion was made by Alderman Russell to start the impeachment of Mayor Fair.

City Attorney Steve Martin suggested that the impeachment of Mayor Fair be put on the next agenda, because it was not place on this agenda. Mr. Martin mentions that there are personnel matters on the agenda, and they could go to the back.

Alderman Russell agreed that the Mayor and the Board need to go into closed session because they do have some issues to discuss. Alderman Russell asked if they could close the open working session and go to the back for closed session.

A motion was made by Alderman Ruff and seconded by Alderman Nelson to close the open working session and go into closed session for personnel matters. A roll call vote was taken by Alderman Ruff as follows:

Mike Ruff	-	aye
Wilma Abernathy	-	aye
Karen Nelson	-	aye
Robin Russell	-	aye
Glenn Tope	-	nay
Reginald Brown	-	aye
Mayor Fair	-	nay

5 ayes, 2 nays, 0 absent. **Motion passed.**

The Mayor and the Board went into close session but the time was not recorded.

Mayor Fair announced, “the return of himself and the Board of Alderman into open session and requested a motion to adjourn the open session.

A motion was made by Alderman Tope and seconded by Alderman Russell to adjourn the open session. A voice vote was taken and all were in favor except Alderman Abernathy who was not present at the time of the vote. **Motion passed.**

Meeting adjourned. The time was not recorded.

The recording of the minutes was taken by Alderman Nelson and transcribed by Deputy Clerk, Jacqueline Jones.

The Board of Alderman approved the May 21st, 2018 meeting minutes on the 14 day of August, 2018

Andrea Jones
Andrea Jones – City Clerk