



FROM THE MAYOR'S OFFICE

Date: March 17, 2014

To: Members of the Florissant City Council

From: Mayor Thomas P. Schneider

Subject: Bill 8981

MAYOR SCHNEIDER RETURNS BILL E8981 UNSIGNED ALLOWING URGENT APPROPRIATIONS TO PROCEED.

I hereby return Bill number E8981 unsigned allowing urgent appropriations to take place. As Mayor it is my responsibility to express the reservations I have with the wide variety of expenditures in this \$1,074,183 appropriation. Separate bills should have been introduced according to department category rather than mix Public Works, Parks, Golf Course and Media appropriations into one bill.

I object that urgent business was held hostage so that a half baked pet project could avoid a possible veto to help pacify Mr. Stinnett. We don't like it when Congress attaches a pork barrel project to important National business and we don't need this kind of political dealing in Florissant.

The project that Stinnett is insisting on is to resurface **only half** of the Tower Court Park tennis courts which would look unsightly and would be an inefficient use of tax dollars. The Administration has been working on seeking a St. Louis County Municipal Park grant and a National Tennis Foundation grant this year to help us afford to do this project right by resurfacing all of the courts at once.

Priority was given to this pet project allowing it to supersede previous requests by Public Works for emergency snow removal and construction equipment urgently needed to safely serve ALL of the citizens of Florissant especially after weather emergencies. A handicap accessible senior bus also remains unfunded.

In addition, this bill contains unnecessary and unwelcome language that could be interpreted as endorsing a disregard for the separation of powers between the Administrative branch and the Legislative branch of our government.



FROM THE MAYOR'S OFFICE

Date: March 17, 2014
To: Members of the Florissant City Council
From: Mayor Thomas P. Schneider
Subject: Bill 8982

I hereby return Bill 8982 unsigned. The City Charter clearly assigns all executive and administrative power of the City to the Mayor and all legislative authority to the City Council.

It is my opinion that by designating a specific purchase option to be used for the purchase of equipment the City Council has moved beyond their legislative authority as stipulated in the City Charter and through this bill the City Council is attempting to assume an administrative power. Due to the time sensitivity and urgent need for the equipment I will not veto this bill.

City Councils response to Mayor's return of bills unsigned:

The City Council respectfully disagrees with several statements made in Mayor Schneider's memos regarding his return of bills 8981 and 8982 unsigned. We regret that he has taken this action, and feel compelled to respond after reading the memos to the council that he made public this week.

First of all, we feel it is totally inappropriate for the mayor to "call out" one council person by name in his memo. This is not the first time he has done this, and we feel disrespected by his action. These bills were introduced by the "Council as a Whole" and the vote was 9-0 in favor of both bills. We further object to the mayors comments about "half baked pet projects" and comparison to congresses "pork barrel project(s)." or that "urgent business was held hostage". We see no basis for his statements and believe they are not in the best interest of the City.

One of the "urgent projects" was stopped by the mayor last year, after the council voted unanimously for the city to move forward and seek bids because of the urgency and safety issues that the administration brought to us (light poles). The mayor stopped work on preparing and releasing bid specifications, because the council wanted to know the scope of work and the amount needed after the bids were opened before appropriating funds.

Another "urgent project" is the request for new equipment and golf carts. This last minute emergency was NOT brought to our attention till mid February 2014. During the budget discussions in October, the only request was for one sprayer. However the council held an executive session, a special council meeting, and dedicated time at a council work session to resolve this crisis.

The mayor was specifically invited and encouraged to attend the council work session on Feb 27 (which had been scheduled for several months) when these issues were discussed and agreed upon. He failed to attend this meeting, stating that he had forgotten about another meeting when this meeting was scheduled. The council president specifically asked for members of the city staff to attend this meeting, and the mayor stated he would not allow them to attend.

The mayor also failed to deliver information to the city council to review prior to meetings, many times handing out documents during or just minutes before meetings and work sessions. We do not believe we can review these documents and be prepared to discuss and ask questions when important information is not made available to us in advance.

The mayor states that bill 8981 "contains unnecessary and unwelcome language that could be interpreted as endorsing or disregard for the separation of powers between the Administrative branch and the Legislative branch of our government."

In fact, nothing could be further from the truth. The City Council believes that "good business practices" should always been followed when dealing with taxpayers dollars. But more importantly, we rely on the city charter to be our guide.

The City Charter section 6.4 states:

"All contracts providing for payment in excess of five hundred dollars (\$500.00) but not in excess of five thousand dollars (\$5,000.00) for purchases of supplies, materials or contractual services shall be made with the lowest and best bidder after at least three (3) competitive bids".

It further states: **"All contracts providing for payment in excess of five thousand dollars (\$5,000.00) for the purchase of supplies, materials or contractual services shall be made with the lowest and best bidder after due public notice inviting sealed bids."**

And finally: **"The Council may not except specific contracts, purchases or sales from the requirement of competitive bidding nor shall purchases be parceled or divided to avoid the intent of this Section."**

It is the city councils responsibility to be accountable for taxpayers dollars. When supplemental appropriations are requested during the budget year, we have an obligation to know exactly what is being purchased, the total cost, and how the decision was made to recommend the particular vendor. The City Council has stated publically that we do NOT want to be involved in the bidding process or bid evaluations. We only want to see the final recommendation by administration. We believe this makes good business sense, and that the City Charter is clear on expenditure of taxpayers' dollars.

The City Council regrets the actions of the mayor, and hopes that this clarifies our position. We encourage residents to contact us if they have any questions.

MAYOR SCHNEIDER RESPONDS TO COUNCILMAN LEE'S REMARK OF MARCH 19th.

It shall be noted that Mr. Lee was the primary author and promoter of Bill 8981 therefore the umbrage expressed in his remarks is not surprising.

Mr. Lee claims that an urgent project was stopped by the Mayor last year which is not factual. The administration requested that Bill 8965 be introduced on November 11th to appropriate \$300,000 for the first phase to replace the light poles at St. Ferdinand Park. That bill was removed from the Nov. 11 agenda with a motion by Mr. Lee seconded by Mr. Stinnett. During a January 23 work session after regrettably hostile grilling of our Public Works Director and City Engineer by Council members Lee and Stinnett the Administration was expecting to discuss the details of our Ball Field lights estimates with the Council but that discussion was tabled with a motion by Mr. Stinnett seconded by Mr. Lee.

Mr. Lee complains that the Mayor did not attend the February 27th Council Work session. What he fails to note is that the Mayor explained to the Council repeatedly starting in mid January that he had a legitimate conflict with the date and sincerely requested that the work session be rescheduled when the Administration was available.

I explained that I am the immediate past President of the St. Louis County Municipal League, that I already missed one important Municipal League meeting to attend the above mentioned January 23 work session and that there was very urgent business on the League agenda January 27th that specifically impacts the future of Florissant. In addition, not only did I feel it was necessary for me to attend but I feel it is important for Florissant Council members to attend Municipal League meetings also.

The City Council has repeatedly disregarded the time constraints of the Administration. More troubling is that it appears to me and other members of this Administration that the current City council, at the continuing behest of Mr. Lee and Mr. Stinnett, as evidenced by the section 2 of Bill 8981, has been attempting to move beyond their legislative authority and have advocated for the Council to assume a dangerous level of Administrative Power.