

**AGENDA**  
**MAPLEWOOD CITY COUNCIL MEETING**  
**TUESDAY, FEBRUARY 22, 2022 @ 7:30 P.M.**  
**(VIA TELECONFERENCE, [WWW.CITYOFMAPLEWOOD](http://WWW.CITYOFMAPLEWOOD) FOR DETAILS)**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Motion to Excuse Councilperson
5. City Attorney Statement
6. Approval of the Council Agenda
7. Public Forum
8. Announcements
9. Approval of the February 8, 2022 City Council meeting minutes
10. A Resolution of the City Council of the City of Maplewood, Missouri, appointing Laura Lashley and Pat Nasi as property owner representatives to the Deer Creek Center Community Improvement District and establishing their terms of office as expiring August 21, 2024; and appointing Alexis Miller as interim director and city representative to the Deer Creek Center Community Improvement District to complete the remainder of the term of Karen Dilber expiring August 21, 2022.
11. Bill 6181 an Ordinance of the City Council of the City of Maplewood, Missouri, amending Chapter 2, Article IV.-Policemen's and Firemen's Retirement Fund to reflect that the City is opting for LAGERS to administer its legacy Policemen's and Firemen's Retirement Fund
12. Bill 6182 an Ordinance of the City Council of the City of Maplewood, Missouri authorizing the City Manager to execute on behalf of the City of Maplewood an agreement between the City of Maplewood, Missouri, and the Board of Trustees of the Missouri Local Government Employees Retirement System
13. Bill 6183 an Ordinance of the City Council of the City of Maplewood, Missouri amending Chapter 12 Buildings and Building Regulations, Article X. Electricity, Section 12-365 Electrical Code Adopted, by repealing the text of said section and inserting in its stead text

adopting the 2014 National Electrical Code as amended by Saint Louis County, Missouri as the electrical code of the City of Maplewood, Missouri

14. Bill 6184 an Ordinance of the City Council of the City of Maplewood, Missouri amending Chapter 12 Buildings and Building Regulations, Article XI. Plumbing, Section 12-409 Plumbing Code Adopted, by repealing the text of said section and inserting in its stead text adopting the 2015 Uniform Plumbing Code as amended by Saint Louis County, Missouri as the plumbing code of the City of Maplewood, Missouri
15. Bill 6185 an Ordinance of the City Council of the City of Maplewood, Missouri amending Chapter 12, Buildings and Building Regulations, Article IV. Mechanical Code, Section 12-175 County Code Adopted, by repealing the text of said section and inserting in its stead text adopting the 2015 International mechanical Code as amended by Saint Louis County, Missouri as the Mechanical Code of the City of Maplewood, Missouri
16. Old Business – Ordinance Review Committees
17. Council Communication
18. Mayor’s Report
19. City Attorney’s Report
20. City Manager’s Report
21. Public Forum
22. Motion to hold a Closed Session to discuss, if needed, matters relating to litigation, legal actions and/or communication from the City Attorney as provided for in Section 610.021(1)RSMO. and/or specifications for competitive bidding under Section 610.021(11) and/or sealed bids and related documents and sealed proposals and related documents under Section 610.021(11) and/or personnel matters under Section 610.021(13)RSMO. and/or employee matters under Section 610.021(3)RSMO. and/or real estate matters under Section 610.021(2)RSMO. and/or documents related to a negotiated contract under Section 610.021(12)RSMO
23. Adjournment

February 8, 2022

The February 8, 2022 City Council meeting was called to order via teleconference at 7:30 p.m., Mayor Nikylan Knapper presiding.

ON ROLL CALL, the following members were present: Mayor Knapper, Councilmember Crosley, Councilmember Faulkingham, Councilmember Page, Councilmember Phillips, Councilmember Schmidt and Councilmember Wood.

MOTION TO EXCUSE COUNCILPERSON: No need.

The City Attorney asked that the record reflect that pursuant to Section 610.015 of the Missouri Sunshine Law provides that members of the City Council who are not physically present in the Council Chambers can participate and vote remotely on all matters when an emergency exists and she asked that the minutes reflect that we are still under the COVID-19 pandemic.

APPROVAL OF THE COUNCIL AGENDA: Councilmember Schmidt motioned to approve the agenda, seconded by Councilmember Faulkingham, which motion received the approval of the Council.

(7:35 p.m.) PUBLIC FORUM: No one spoke.

ANNOUNCEMENTS: Councilmember Wood made the following announcements:

- An electronics recycling event will be held on March 5, 2022 from 8:00 a.m. – noon at the Maplewood Aquatic Center parking lot. Pre-register to participate at the city's website.
- MODOT will close Manchester Road in both directions from Hanley to Brentwood Blvd. on the weekends of Friday, February 11 from 9:00 p.m. until Monday, February 14<sup>th</sup> at 5:00 a.m. and Friday, February 18 from 9:00 p.m. until Monday, February 21<sup>st</sup> at 5:00 a.m.

APPROVAL OF THE JANUARY 25, 2022 CITY COUNCIL MEETING MINUTES: Councilmember Schmidt motioned to approve, seconded by Councilmember Faulkingham, which motion received the approval of the Council.

**R22-14**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, APPOINTING CYNTHIA COBB TO THE HUMAN SERVICES COMMISSION AND ESTABLISHING HER TERM OF OFFICE AS EXPIRING JUNE 30, 2023 was introduced. It was moved by Councilmember Schmidt and seconded by Councilmember Faulkingham to approve the resolution, which motion received the following roll call vote: Ayes, Mayor Knapper, members Crosley, Faulkingham, Page, Phillips, Schmidt and Wood. Nays, none.

**R22-15**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, APPOINTING MATT WILCOX TO THE HUMAN SERVICES COMMISSION AND ESTABLISHING HIS TERM OF OFFICE AS EXPIRING JUNE 30, 2024 was introduced. It was moved by Councilmember Schmidt and seconded by Councilmember

Faulkingham to approve the resolution, which motion received the following roll call vote: Ayes, Mayor Knapper, members Crosley, Faulkingham, Page, Phillips, Schmidt and Wood. Nays, none.

**R22-16**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, APPOINTING MADISON GOODMAN TO FILL AN UNEXPIRED TERM ON THE SUSTAINABILITY COMMISSION AND ESTABLISHING HER TERM OF OFFICE AS EXPIRING JUNE 30, 2022 was introduced. It was moved by Councilmember Schmidt and seconded by Councilmember Faulkingham to approve the resolution, which motion received the following roll call vote: Ayes, Mayor Knapper, members Crosley, Faulkingham, Page, Phillips, Schmidt and Wood. Nays, none.

**R22-17**, A RESOLUTION OF CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AUTHORIZING THE SELECTION OF CBB TRANSPORTATION ENGINEERS AND PLANNERS TO PERFORM A TRAFFIC STUDY FOR THE CITY OF MAPLEWOOD was introduced. It was moved by Councilmember Schmidt and seconded by Councilmember Faulkingham to approve the resolution, which motion received the following roll call vote: Ayes, Mayor Knapper, members Crosley, Faulkingham, Page, Phillips, Schmidt and Wood. Nays, none.

**R22-18**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AUTHORIZING THE CITY MANAGER TO SIGN MAPLEWOOD'S TITLE VI AGREEMENT TO ENSURE COMPLIANCE WITH THE MISSOURI DEPARTMENT OF TRANSPORTATION'S REQUIREMENTS FOR GRANT FUNDING was introduced. It was moved by Councilmember Schmidt and seconded by Councilmember Faulkingham to approve the resolution, which motion received the following roll call vote: Ayes, Mayor Knapper, members Crosley, Faulkingham, Page, Phillips, Schmidt and Wood. Nays, none.

**R22-19**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AUTHORIZING THE CITY MANAGER TO PURCHASE A 2011 FORD F350 BUCKET TRUCK FOR \$47,900 was introduced. It was moved by Councilmember Schmidt and seconded by Councilmember Faulkingham to approve the resolution, which motion received the following roll call vote: Ayes, Mayor Knapper, members Crosley, Faulkingham, Page, Phillips, Schmidt and Wood. Nays, none.

**BILL 6181**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AMENDING CHAPTER 2, ARTICLE IV.-POLICEMEN'S AND FIREMEN'S RETIREMENT FUND TO REFLECT THAT THE CITY IS OPTING FOR LAGERS TO ADMINISTER ITS LEGACY POLICEMEN'S AND FIREMEN'S RETIREMENT FUND was given its first reading. It was moved by Councilmember Schmidt, duly seconded by Councilmember Faulkingham, that Bill No. 6181 be moved to its second reading, which motion received the approval, by voice vote, of the Council.

On its second reading, it was moved by Councilmember Schmidt, duly seconded by Councilmember Faulkingham, that Bill No. 6181 be passed to its third and final reading, which motion received the approval, by voice vote, of the Council.

**BILL 6182**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI AUTHORIZING THE CITY MANAGER TO EXECUTE ON BEHALF OF THE CITY OF MAPLEWOOD AN AGREEMENT BETWEEN THE CITY OF MAPLEWOOD, MISSOURI, AND THE BOARD OF TRUSTEES OF THE MISSOURI LOCAL GOVERNMENT EMPLOYEES RETIREMENT SYSTEM was given its first reading. It was moved by Councilmember Schmidt, duly seconded by Councilmember Faulkingham, that Bill

No. 6182 be moved to its second reading, which motion received the approval, by voice vote, of the Council.

On its second reading, it was moved by Councilmember Schmidt, duly seconded by Councilmember Faulkingham, that Bill No. 6182 be passed to its third and final reading, which motion received the approval, by voice vote, of the Council.

**BILL 6183**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI AMENDING CHAPTER 12 BUILDINGS AND BUILDING REGULATIONS, ARTICLE X.-ELECTRICITY, SECTION 12-365 ELECTRICAL CODE ADOPTED, BY REPEALING THE TEXT OF SAID SECTION AND INSERTING IN ITS STEAD TEXT ADOPTING THE 2014 NATIONAL ELECTRICAL CODE ADOPTED, BY REPEALING THE TEXT OF SAID SECTION AND INSERTING IN ITS STEAD TEXT ADOPTING THE 2014 NATIONAL ELECTRICAL CODE AS AMENDED BY SAINT LOUIS COUNTY, MISSOURI AS THE ELECTRICAL CODE OF THE CITY OF MAPLEWOOD, MISSOURI was given its first reading. It was moved by Councilmember Schmidt, duly seconded by Councilmember Faulkingham, that Bill No. 6183 be moved to its second reading, which motion received the approval, by voice vote, of the Council.

On its second reading, it was moved by Councilmember Schmidt, duly seconded by Councilmember Faulkingham, that Bill No. 6183 be passed to its third and final reading, which motion received the approval, by voice vote, of the Council.

**BILL 6184**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI AMENDING CHAPTER 12 BUILDINGS AND BUILDING REGULATIONS, ARTICLE XI. PLUMBING, SECTION 12-409 PLUMBING CODE ADOPTED, BY REPEALING THE TEXT OF SAID SECTION AND INSERTING IN ITS STEAD TEXT ADOPTING THE 2015 UNIFORM PLUMBING CODE AS AMENDED BY SAINT LOUIS COUNTY, MISSOURI AS THE PLUMBING CODE OF THE CITY OF MAPLEWOOD, MISSOURI was given its first reading. It was moved by Councilmember Schmidt, seconded by Councilmember Faulkingham, that Bill No. 6184 be moved to its second reading, which motion received the approval, by voice vote, of the Council.

On its second reading, it was moved by Councilmember Schmidt, duly seconded by Councilmember Page, that Bill No. 6184 be passed to its third and final reading, which motion received the approval, by voice vote, of the Council.

**BILL 6185**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI AMENDING CHAPTER 12, BUILDINGS AND BUILDING REGULATIONS, ARTICLE IV. MECHANICAL CODE, SECTION 12-175 COUNTY CODE ADOPTED, BY REPEALING THE TEXT OF SAID SECTION AND INSERTING IN ITS STEAD TEXT ADOPTING THE 2015 INTERNATIONAL MECHANICAL CODE AS AMENDED BY SAINT LOUIS COUNTY, MISSOURI AS THE MECHANICAL CODE OF THE CITY OF MAPLEWOOD, MISSOURI was given its first reading. It was moved by Councilmember Schmidt, seconded by Councilmember Faulkingham, that Bill No. 6185 be moved to its second reading, which motion received the approval, by voice vote, of the Council.

On its second reading, it was moved by Councilmember Schmidt, duly seconded by Councilmember Faulkingham, that Bill No. 6185 be passed to its third and final reading, which motion received the approval, by voice vote, of the Council.

**BILL 6178**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AMENDING CHAPTER 38-PERSONNEL, SECTION 38-2 DEFINITIONS AND SECTION 38-10 CIVIL SERVICE SYSTEM AND COMMISSION ESTABLISHED, TO PROHIBIT DISCRIMINATION AGAINST APPLICANTS AND EMPLOYEES OF THE CITY OF MAPLEWOOD BASED UPON AN INDIVIDUAL'S HAIRSTYLE was given its third and final reading. It was moved by Councilmember Schmidt, duly seconded by Councilmember Faulkingham, that Bill No. 6178 be approved, which motion received the following roll call vote: Ayes, Mayor Knapper, members Crosley, Faulkingham, Page, Phillips, Schmidt and Wood. Nays, none.

Bill No. 6178 was approved by the City Council on this 8<sup>th</sup> day of February, 2022 as **Ordinance Number 5973**.

**BILL 6179**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI APPROPRIATING/TRANSFERRING ONE HUNDRED SIXTY-EIGHT THOUSAND TWO HUNDRED FIFTEEN DOLLARS (\$168,215) FROM THE UNAPPROPRIATED FUND BALANCE OF THE ½ CENT CAPITAL IMPROVEMENTS FUND TO ACCOUNT 2400-70010 CAPITAL OUTLAY TO PAY FOR A ROOF REPLACEMENT AT THE MAPLEWOOD PUBLIC LIBRARY was given its third and final reading. It was moved by Councilmember Schmidt, duly seconded by Councilmember Faulkingham, that Bill No. 6179 be approved, which motion received the following roll call vote: Ayes, Mayor Knapper, members Crosley, Faulkingham, Page, Phillips, Schmidt and Wood. Nays, none.

Bill No. 6179 was approved by the City Council on this 8<sup>th</sup> day of February, 2022 as **Ordinance Number 5974**.

**BILL 6180**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AMENDING CONDITIONAL USE ORDINANCE #5944 TO ALLOW AN OUTDOOR PATIO ENCLOSURE ALONG MANCHESTER ROAD FOR SIDE PROJECT PIZZE AND BEER was given its third and final reading. It was moved by Councilmember Schmidt, duly seconded by Councilmember Faulkingham, that Bill No. 6180 be approved, which motion received the following roll call vote: Ayes, Mayor Knapper, members Crosley, Faulkingham, Page, Phillips, Schmidt and Wood. Nays, none.

Bill No. 6180 was approved by the City Council on this 8<sup>th</sup> day of February, 2022 as **Ordinance Number 5975**.

**R22-20**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AUTHORIZING THE CITY MANAGER TO ACCEPT THE BID OF BADE ROOFING TO INSTALL A NEW ROOF AT THE MAPLEWOOD PUBLIC LIBRARY was introduced. It was moved by Councilmember Schmidt and seconded by Councilmember Faulkingham to approve the resolution, which motion received the following roll call vote: Ayes, Mayor Knapper, members Crosley, Faulkingham, Page, Phillips, Schmidt and Wood. Nays, none.

**OLD BUSINESS—ORDINANCE REVIEW COMMITTEES:** Councilmember Schmidt, Councilmember Wood and Councilmember Phillips gave updates on their ordinance review committee meetings.

**COUNCIL COMMUNICATION:** Councilmember Faulkingham stated the Council Chambers should be ready for hybrid meetings on March 1.

Councilmember Phillips gave a shout-out to the Public Works Street Department on clearing the streets during the recent snowstorm. Councilmember Wood agreed.

**MAYOR'S REPORT:**

- Also expressed her gratitude to the Public Works Street Department
- Will be attending the Missouri Municipal League Legislative Conference on February 15 & 16
- Working with City Manager Reese and MRH Superintendent Dr. Jamison to settle on a date to hold a kid's town hall with MRH students
- Happy Black History month

**CITY ATTORNEY'S REPORT:** No report.

**CITY MANAGER'S REPORT:** City Manager Reese reported on the following:

- Upcoming recycling event requires pre-registration. The event is sponsored by the Sustainability Commission.
- Reviewed the proposed schedule for boards and commissions to report to the Council beginning March 8, 2022 City Council meeting.

(8:09 p.m.) **PUBLIC FORUM:** None.

**MOTION TO HOLD A CLOSED SESSION, IF NEEDED, TO DISCUSS MATTERS RELATING TO LITIGATION, LEGAL ACTIONS AND/OR COMMUNICATION FROM THE CITY ATTORNEY AS PROVIDED FOR IN SECTION 610.021(1)RSMO. AND/OR SPECIFICATIONS FOR COMPETITIVE BIDDING UNDER SECTION 610.021(11) AND/OR SEALED BIDS AND RELATED DOCUMENTS AND SEALED PROPOSALS AND RELATED DOCUMENTS UNDER SECTION 610.021(11) AND/OR PERSONNEL MATTERS UNDER SECTION 610.021(13)RSMO. AND/OR EMPLOYEE MATTERS UNDER SECTION 610.021(3)RSMO. AND/OR REAL ESTATE MATTERS UNDER SECTION 610.021(2)RSMO. AND/OR DOCUMENTS RELATED TO A NEGOTIATED CONTRACT UNDER SECTION 610.021(12)RSMO:** No need.

There being no further business before the Council, the meeting adjourned.

314.444.7600 (*phone*)  
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## LEWIS RICE<sub>LLC</sub>

Attorneys at Law

600 Washington Avenue  
Suite 2500  
St. Louis, Missouri 63101

### MEMORANDUM

TO: Mayor and City Council

CC: Michael Reese, City Manager

FROM: Jacqueline K. Graves, City Attorney

DATE: February 16, 2022

RE: Deer Creek Community Improvement District

In 2012, the City of Maplewood City Council passed Ordinances 5672 and 5673 authorizing the establishment of the Deer Creek Community Improvement District (“Deer Creek CID”). Pursuant thereto, the CID is governed by a board of directors (the “Board”) which consists of five members “appointed by the Mayor with the consent of the City Council, subject to the qualifications set forth in Section 67.1451.2(1)-(2) of the CID Act, and provided that one (1) member of the Board of Directors shall be the City Manager.” Ordinance No. 5672.

Section 67.1451.2(1)-(2) of the CID Act requires that members of the Board be (a) at least 18 years of age and (b) either an owner of real property or of a business operating within the district or a registered voter residing within the district. Where, as here, there are fewer than five owners of real property located within the district, the property owners may designate legally authorized representative to serve on the Board.

Pursuant to the correspondence from Armstrong Teasdale attached hereto, attorneys for the Deer Creek CID, the owners of real property within the district have designated Laura Lashley and Pat Nisi, who are currently on the board and whose terms have expired, to be reappointed to the Board. Both Ms. Lashley and Mr. Nisi are principals of Development Dynamics, LLC, an economic development consulting business, and each has over twenty years of experience. A copy of their website profiles are attached hereto. If reappointed, the terms for Ms. Lashley and Mr. Nisi will expire August 21, 2024.

In addition, Karen Dilber has been serving as the City’s representative on the Board but will be resigning her position, as she is no longer the City’s Finance Director. Although the City’s representative is supposed to be the City Manager, Mr. Reese cannot serve in this position by statute until he has been a resident of the State of Missouri for at least one year. Additionally, Mr. Traxler was unable to hold the position because he is a resident of Illinois. The CID is requesting that Alexis Miller, the City’s current Finance Director, be appointed to complete the term previously held by Karen Dilber, which expires on August 21, 2022.



February 13, 2022

VIA EMAIL

Michael Reese  
City Manager  
City of Maplewood  
7601 Manchester Road  
Maplewood, Missouri 63143  
Via email: m-reese@cityofmaplewood.com

**Re: Deer Creek Center Community Improvement District  
Board Appointments by the City of Maplewood, Missouri (the "City")**

Dear Mr. Reese:

Please be advised that this firm represents the Deer Creek Center Community Improvement District (the "CID").

On the CID's behalf, I respectfully request that you forward this request to the Mayor, which, in her capacity as Mayor, be approved by the Maplewood City Council: (a) re-appoint Laura Lashley and Pat Nasi, property owner representatives, each to additional four-year terms expiring August 21, 2024 on the CID's Board of Directors; and (b) appoint Alexis Miller, City of Maplewood, Missouri representative, as an interim director to complete the remaining term previously held by Karen Dilber which expires August 21, 2022. Please note board members must be over the age of eighteen years of age and have been a resident of the State of Missouri for at least one year at the time of their appointment.

Should you have any questions regarding the proposed appointments, please call me at (314) 552-6634.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Linda K. AuBuchon', written in a cursive style.

Linda K. AuBuchon  
Paralegal

LKA:

February 13, 2022

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cc: Angela Odlum; [aodlum@atllp.com](mailto:aodlum@atllp.com) via email  
Jacqueline K. Graves; [jgraves@lewisrice.com](mailto:jgraves@lewisrice.com) via email

## LAURA LASHLEY

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### Laura Lashley

**Principal**

📞 636.561.8602

✉️ llashley@D2Team.org

Laura Lashley is a principal and co-founder of Development Dynamics (D2). She works with municipalities, private real estate developers, bankers, and underwriters on projects using tax increment financing, transportation development districts (TDD), community improvement districts (CID), neighborhood improvement districts (NID), Chapter 100 industrial revenue, Chapter 353 and BUILD Missouri revenue bonds. Her primary focus has been to provide tax expertise to clients in the telecommunications, food, pharmaceutical, retail, development, and other high-technology industries.

Laura's analytical skills help quantify the results ending in financing or refinancing public and private projects including expressways, corporate headquarters, manufacturing facilities, and entertainment/retail facilities. She has been involved in the issuance of a variety of publicly offered municipal bonds, including general obligation, special tax revenue bonds, and tax increment revenue bonds.

In addition to her more than 20 years of consulting experience, Laura has served communities in Missouri as finance director and in Oregon as a treasury officer, and as an analyst for the Commonwealth of Kentucky. She served on the Government Finance Officers Association's prestigious Debt Committee for three years and was the key leader in utilizing Missouri's first transportation corporation for road improvements. Laura has been instrumental in several municipal financial structures for infrastructure improvements and also has served as a debt financing, budget, and incentives trainer at several municipal seminars.

Prior to co-founding D2, Laura was a senior manager in the state and local tax group of KPMG LLP, where she was responsible for building the Midwest business incentives group as the Midwest Practice Leader. She earned her B.S. in accounting and her M.P.A. from the University of Kentucky. Laura has served on several boards and committees including as a board member for the Missouri Economic Development Council, finance committee for her daughter's school, and development committee at her church.

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## PAT NASI

HOME // OUR TEAM // PAT NASI

### Pat Nasi

**Principal**

☎ 636.561.8602

✉ pnasi@D2Team.org

As a principal and co-founder of Development Dynamics (D2), Pat Nasi assists clients in evaluating economic development incentive opportunities, drawing on his in-depth experience serving a broad array of clients in industrial, office, retail and government sectors throughout his career.

Prior to co-founding D2, Pat was a manager in the state and local tax group in the Chicago and St. Louis offices of Arthur Andersen, where he headed its tax credit and incentive practice for the Great Plains Region. In addition, he has more than 15 years of local government experience, serving as city manager for communities in Missouri and Minnesota.

Applying a creative approach to project issues, Pat leverages his acumen with incentives to elevate projects and generate novel solutions for clients, resulting in the development of strong business connections.

His articles have appeared in Government Finance Review, Nation's Cities Weekly, Public Management (PM) and the Missouri Municipal Review.

Pat earned his B.A. in Political Science and an M.A. in Regional Planning from North Dakota State University and a Certificate in Management from the International City/County Management Association. He has completed additional graduate work at Truman State University.

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**RESOLUTION**

**R22-**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, APPOINTING LAURA LASHLEY AND PAT NASI AS PROPERTY OWNER REPRESENTATIVES TO THE DEER CREEK CENTER COMMUNITY IMPROVEMENT DISTRICT AND ESTABLISHING THEIR TERMS OF OFFICE AS EXPIRING AUGUST 21, 2024; AND APPOINTING ALEXIS MILLER AS INTERIM DIRECTOR AND CITY REPRESENTATIVE TO THE DEER CREEK CENTER COMMUNITY IMPROVEMENT DISTRICT TO COMPLETE THE REMAINDER OF THE TERM OF KAREN DILBER EXPIRING AUGUST 21, 2022.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AS FOLLOWS: Laura Lashley and Pat Nasi, as property owner representatives, are hereby each appointed to the Deer Creek Center Community Improvement District Board of Directors to terms expiring August 21, 2024; and Alexis Miller, as a representative of the City of Maplewood, Missouri, is hereby appointed as an interim director to the Deer Creek Community Improvement District Board of Directors to complete the remainder of the term of Karen Dilber expiring August 21, 2022.

Passed this            day of            , 2022

\_\_\_\_\_  
Nikylan Knapper, Mayor

Attest:

\_\_\_\_\_  
Karen Scheidt, Deputy City Clerk

Approved this            day of            , 2022

\_\_\_\_\_  
Nikylan Knapper, Mayor

Attest:

\_\_\_\_\_  
Karen Scheidt, Deputy City Clerk

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AMENDING CHAPTER 2, ARTICLE IV. – POLICEMEN’S AND FIREMEN’S RETIREMENT FUND TO REFLECT THAT THE CITY IS OPTING FOR LAGERS TO ADMINISTER ITS LEGACY POLICEMEN’S AND FIREMEN’S RETIREMENT FUND.

WHEREAS, Article IV, Sec. 2-212 of the Maplewood Code of Ordinances provides that generally all persons who become employees of the police and fire departments shall be subject to the provisions of the policemen’s and firemen’s retirement fund (the “Plan”); and

WHEREAS, Ordinance No. 5591 of the Maplewood Code of Ordinances provided that, effective January 1, 2011, all eligible current and future members of the police and fire department became covered under the Missouri Local Government Employees Retirement System (“LAGERS”) and as a result, the only individuals whose benefits were provided under the Plan on or after January 1, 2011 were those who, as of January 1, 2011, were retirees, widows, or a terminated employees entitled to vested benefits; and

WHEREAS, pursuant to Section 70.621 of the Missouri Revised Statutes, the City may enter into an agreement with LAGERS whereby LAGERS assumes all duties and responsibilities of operating the Plan; and

WHEREAS, the City Council recognizes that certain amendments to the Maplewood Code of Ordinances are necessary to allow LAGERS to administer the Plan and wishes to amend Chapter 2, Article IV. – Policemen’s and Firemen’s Retirement Fund for that purpose.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AS FOLLOWS:

Section I. Chapter 2, Article IV of the Maplewood Code of Ordinances is hereby amended to read as follows:

**ARTICLE IV. - POLICEMEN’S AND FIREMEN’S RETIREMENT FUND**

**Sec. 2-206. – Creation; Frozen.**

- (a) There shall be a policemen’s and firemen’s retirement fund, hereinafter referred to as “the fund” or “the plan”, which shall provide money for the retirement of employees of the police and fire departments who retired or discontinued service prior to January 1, 2011, and a pension for their widows and minor children. The provisions of this article, as may be amended, which provisions govern the fund, are sometimes referred to as “the plan” or “this plan.”
- (b) All assets of the fund, including investment income, shall be held in trust for the exclusive benefit of the employees entitled to benefits under this plan and their

beneficiaries and shall be used to pay benefits to such persons or to pay administrative expenses of the fund and shall not be diverted to or used for any other purpose or revert to or inure to the benefit of the city, except as otherwise provided in this article.

- (c) Notwithstanding anything to the contrary, effective January 1, 2011, the fund was frozen, such that no person shall become subject to the fund, no pension benefit shall accrue under fund for any person for any period beginning on or after January 1, 2011, and no benefit shall be payable pursuant to the fund with respect to any person, except any individual who, prior to January 1, 2011, was a retiree, a surviving spouse, or a terminated employee of the police and fire departments who was entitled to a vested benefits, and except as otherwise expressly provided in section 222(c). Effective as of April 1, 2022, the Missouri Local Government Employees Retirement System will take over the performance of all duties and responsibilities of operating the fund and administering the payment of the amount, and other features, of the benefits under the fund to the applicable participants and beneficiaries.

**Sec. 2-207. - Board of trustees.**

- (a) *Composition.* Effective as of April 1, 2022, the retirement fund shall be under the exclusive control of a board of the Missouri Local Government Employees Retirement System, hereinafter referred to as “the board”. Prior to April 1, 2022, the retirement fund was under the exclusive control of a board of trustees, which consisted of the city manager, one member of the police department, one member of the fire department, and one citizen appointed by the mayor and approved by the other members of the board of trustees and one member employed by a commercial enterprise located in the city appointed by the mayor and approved by the city council. The members of the board of trustees from the police and fire departments were elected by the members of their respective departments once every two years, on the first Monday in December.
- (b) *Rules and regulations.* The board may make rules and regulations for the government of its affairs and the administration of the fund, and for the limitation of time within which claims may be filed.
- (c) *Jurisdiction.* The board shall have exclusive jurisdiction of all retirement claims, benefits and refunds with respect to the administration of the fund, but not the trust established in connection with the fund. It shall hold hearings and take and preserve evidence, records and make final findings and decisions, which shall be subject only to review by certiorari with right of appeal as in civil cases from the decision of a reviewing board.
- (d) *Data.* The board shall keep such data as shall be necessary for actuarial valuation of the funds of the fund, and for checking the experience of the fund.

- (e) *Record of proceedings.* The board shall keep a record of its proceedings and keep those reports open to the public for inspection.
- (f) *Investments of assets.* The board shall hold assets of the fund in trust and shall invest and reinvest all assets of the fund.

**Sec. 2-208. - Monetary composition.**

- (a) The fund shall include all moneys that may be given to the board and any other funds given by any person for the uses and purposes for which the fund was created. The board may take, by gift, grant, devise or bequest, any money, personalty, realty, or any interest of any kind whatever in any property of any kind whatever, and subject to any limitation and condition whatever.
- (b) The fund shall also include all money, fees, rewards or emoluments of any kind that may be paid or given to the fund.

**Sec. 2-209. - Mandatory employer contributions.**

- (a) Effective on and after January 1, 1995 and through December 31, 2010, the city shall contribute to the fund an amount equal to seven percent of the stated base salary of every employee who is eligible to receive benefits under this article. Such amount, referred to as the “mandatory employer contribution,” shall be treated as an employer contribution for federal income tax purposes on and after such date.
- (b) For purposes of this article, a year of “service” or “service in the department” shall mean a 365-day period in which a person was employed by the police department or fire department and for which a mandatory employer contribution was made with respect to such employee’s stated base salary and credited to the fund in accordance with subsection (a) of this section.
- (c) The actual base salary payable in cash to such an employee shall be the employee’s stated base salary less the mandatory employer contribution paid to the fund on behalf of such employee.
- (d) On and after January 1, 2011, no further contributions will be made to the fund pursuant to this section 2-209.

**Sec. 2-210. - Exemption of school traffic officers and special police officers.**

The provisions of this article do not apply to school traffic officers or special police officers.

**Sec. 2-211. - Tax.**

A property tax shall be levied on every \$100.00 of assessed valuation of all taxable property in the city. This amount shall be contributed to the trust and shall be used to provide money for the retirement of eligible employees of the police and fire departments and for no other purposes.

**Sec. 2-212. - Plan participation required.**

Prior to January 1, 2011, all persons who become employees of the police and fire departments after the original effective date of the fund were subject to the provisions of this article as a condition of their employment, excluding those employees, if any, that had passed their 35th birthday at the time of initial employment, and consequently were not eligible for participation prior to October 16, 1992, and that have exercised their one-time election not to participate in the plan. No such employee who has so elected not to participate in the plan shall be eligible for any benefits (retirement, disability, widow's and children's, or otherwise) under this article. On and after January 1, 2011, no new employees of the police and fire departments became eligible to participate in the plan, and all active employees of the police and fire departments became eligible to participate in the Missouri Local Government Employees Retirement System and were no longer eligible or participating in the fund.

**Sec. 2-213. - Pension amount—Application for retirement.**

Any employee of the police department or fire department who retired or discontinued service prior to January 1, 2011 and had 20 years of service in the department was permitted to file with the board an application for pension on retirement, also setting forth the time, not less than 30 nor more than 90 days after filing the application at which he desired to be retired; and although his service had been discontinued during such period of notification, he may have retired as of the time desired and shall be paid monthly, for life, out of the fund, a retirement pension of 40 percent of his base pay, which shall include longevity and educational bonuses at the time of retirement, per month. His pension will increase each year two percent of the 20-year base after 20 years' service until he has reached the 30-year level. For 30 years' service, he will receive 60 percent of his base pay at the time of retirement without age limit. 60 percent of the base pay shall be the maximum pension.

**Sec. 2-214. - Same—Application for early retirement.**

Any employee of the police department or fire department who retired or discontinued service prior to January 1, 2011, had at least ten but less than 20 years of service in the department and was not being entitled to any other retirement benefit from the fund, was permitted to file with the board an application for pension, also setting forth the time, not less than 30 nor more than 90 days after filing the application, at which he desired to be retired; and although his service had been discontinued during such period of notification, he may have retired as of the time desired and shall be paid monthly, for life, out of the fund, a retirement pension beginning at age 55 years equal to two percent per year of service in the department of his base monthly pay.

**Sec. 2-215. - Disability retirement.**

- (a) Any employee of the police department or fire department who was permanently and totally disabled by injury or disease prior to January 1, 2011 shall be paid out of the fund monthly for life as long as such employee is disabled:
  - (1) 60 percent of his pay if such disability was caused by accident while performing his duty; or
  - (2) 40 percent of his pay if such disability was caused by a nonduty accident; provided two or more of the doctors on the medical board have certified to the board that the disability is permanent and total and that the employee shall be retired from service.

A person retired from service prior to January 1, 2011 pursuant to section 2-214 shall not be eligible to retire under or receive payments pursuant to section 2-213.

- (b) The board shall only retire, pursuant to this section, as many employees in both the police department and fire department as there is a safe and adequate reserve in the fund.

**Sec. 2-216. - Medical board.**

This provision only applies to determinations made prior to January 1, 2011. There shall be a medical board of three physicians appointed by the board of trustees. The medical board shall make all physical examinations. Examination funds shall be supplied by the board of trustees out of the fund.

**Sec. 2-217. - Periodic examination of persons on disability retirement.**

This provision only applies to determinations made prior to January 1, 2011. The permanence of disability of a former employee of the police department or fire department on disability retirement allowance, as provided in section 2-215, may be verified by medical examination prior to age 60 years, or after age 60 years if the former employee has had less than 20 years of service, at any reasonable time. The board of trustees in its discretion shall require former employees to undergo a medical examination at a place designated by the medical board. Such examination shall be made by the medical board, or in special cases by an additional physician or physicians designated by the board.

**Sec. 2-218. - Surviving spouse and children's benefits<sup>[j1]</sup>[KD2].**

- (a) If an active and working employee of the police department or fire department shall die from injury or disease as a result of performance of his duties, the surviving spouse shall receive a benefit equal to 40 percent of the employee's base pay at the time of death, plus five percent of the base pay for each child under age 18 years. If there is no such surviving spouse, or the surviving spouse dies,

the monthly payment provided for such surviving spouse shall be divided equally among the children of such member who are living and under the age of 18 years at the time of the division; and each child shall receive its share of such division monthly. As each such child dies or obtains the age of 18 years, the child's share shall be divided among the remaining children, if any, who are living and under the age of 18 years.[j3].

- (b) The surviving spouse of an active and working employee/member of the police department or fire department dying from causes not as a result of the performance of his duties shall receive a benefit equal to 30 percent of the employee's base pay at the time of death plus five percent for each child under the age of 18 years. If there is no such surviving spouse, or the surviving spouse dies, the monthly payment provided for such surviving spouse shall be divided equally among the children of such member who are living and under the age of 18 years at the time of the division; and each child shall receive its share of such division monthly. As each such child dies or attains the age of 18 years, that child's share shall be divided equally among the remaining children, if any, who are living and under the age of 18 years.
- (c) The surviving spouse of an employee who dies after retirement benefits have commenced under section 2-213 shall receive 50 percent of the retiree's benefit, plus five percent of the retiree's benefit for each child under the age of 18 years, but not less than \$250.00 per month. If there is no such surviving spouse, or the surviving spouse dies, the monthly payment for such surviving spouse shall be divided equally among the children of such retiree who are living and under the age of 18 years at the time of the division; and each child shall receive its share of such division monthly. As each such child dies or obtains the age of 18 years, that child's share shall be divided equally among the remaining children, if any, who are living and under the age of 18 years.
- (d) The surviving spouse of an employee who dies after retirement benefits have commenced under section 2-214 shall receive 50 percent of the retiree's benefit. If there is no such surviving spouse, or the surviving spouse dies, the monthly payment for such surviving spouse shall be divided equally among the children of such retiree who are living and under the age of 18 years at the time of the division; and each child shall receive its share of such division monthly. As each such child dies or attains the age of 18 years, that child's share shall be divided equally among the remaining children, if any, who are living and under the age of 18..
- (e) If an active and working employee of the police department or fire department shall die with no surviving spouse or child below age 18 years at the time of death, an amount equal to the contributions made to the fund by the employee [j4][KD5] shall be divided equally among the children of such member who are then living.

**Sec. 2-219. - Procedure upon employee leaving service.**

- (a) Any employee of the police department or fire department voluntarily leaving the service for any cause other than death or retirement with pension, shall be paid on demand the amount of his contribution to the fund made before January 1, 1995, plus the amount of the mandatory employer contributions made on behalf of such employee, pursuant to section 2-209, after 1994, without interest. On reentering the service, that employee enters the service without credit for any prior service.
- (b) Any employee of the police department or fire department leaving the service involuntarily shall be paid, on demand, the amount of his contribution to the fund made before January 1, 1995, plus the amount of the mandatory employer contributions made on behalf of such employee, pursuant to section 2-209, after 1994, without interest. On reentering service, the employee must reimburse the fund for the money he withdrew and be given credit for prior service.
- (c) Effective May 9, 1995 through December 31, 2010, if the distributee of any eligible rollover distribution elects to have such distribution paid directly to an eligible retirement plan and specifies the eligible retirement plan to which the distribution is to be paid (in the form and at the time as the plan administrator may prescribe), the distribution shall be made in the form of a direct trustee-to-trustee transfer to the eligible retirement plan so specified.
- (d) Effective on and after January 1, 2011, the rules and regulations established by the board will govern any eligible rollover distributions.

**Sec. 2-220. - Benefits not assignable, etc.**

The benefit payable by the policemen's and firemen's retirement fund, whether before or after ordered paid by the board, shall not be assignable or subject to counterclaim, recoupment or set off except as provided in this section, nor shall it be subject to assessment, garnishment, execution, injunction, or any other decree, order, process, or proceeding in any court for the payment of any debt of any beneficiary, and the sum shall be held and distributed for the purpose of this article and for no other purpose whatever. Effective prior to January 1, 2011, the preceding sentence shall not apply to a qualified domestic relations order as defined in section 414(p) of the Internal Revenue Code, 26 USC 414(p), except that no amount shall be payable to an alternate payee pursuant to a qualified domestic relations order prior to the date on which an amount is payable to the employee under such order. Effective on and after January 1, 2011, the rules and regulations established by the board will govern any distribution to be made pursuant to a qualified domestic relations order as defined in section 414(p) of the Internal Revenue Code, 26 USC 414(p).

**Sec. 2-221. - Penalty for false statements, etc.**

Any person who shall knowingly, or willfully, make any false statement in regard to applying for or securing a pension under this article, or shall falsify or permit to be falsified, any record

or records kept under or in pursuit of the purposes of this article, in any attempt to defraud, shall as a result of such act, and in addition to any other penalties imposed by this Code, forfeit all his rights, interests and privileges under this article.

**Sec. 2-222. - Special adjustments and benefits payable to present retirees.**

- (a) All individuals who retired prior to July 1, 1987, shall have their benefits increased by two percent times the years between retirement and July 1, 1988. In addition, the minimum benefit is increased from \$100.00 per month to \$250.00 per month.
- (b) All individuals retiring before July 1, 1987, and who did not have longevity and educational bonuses credited as part of their base pay shall receive such credit retroactive to July 1, 1985.
- (c) All participants in the fund who retired or discontinued service prior to January 1, 2011 and who (or whose surviving spouse or beneficiaries) are still receiving a monthly benefit from the fund, shall have their monthly benefit increased by five percent (5%), effective for each monthly benefit payable on and after December 1, 2021. This increase will be administered by Missouri Local Government Employees Retirement System on and after April 1, 2022.

**Sec. 2-223. - Latest date of payment.**

- (a) Notwithstanding anything to the contrary in this article, and notwithstanding any election of the employee, payment of benefits pursuant to section 2-213 shall commence no later than the employee's required beginning date. The "required beginning date" is April 1 of the calendar year following the calendar year in which the employee attains 70½ years of age.
- (b) Section 401(a)(9) (26 USC 401(a)(9)) of the Internal Revenue Code, 26 USC 1 et seq. (the "IRS Code"), is hereby incorporated by reference, and distributions under this plan pursuant to section 2-213 shall be made in accordance with such section and the regulations issued by the secretary of the treasury interpreting such section. Provisions reflecting IRS Code section 401(a)(9) (26 USC 401(a)(9)) shall override any other distribution options that may be inconsistent with such IRS Code section and this section. Any distributions required under the incidental death benefit requirements of IRS Code section 401(a) (26 USC 401(a)) shall be treated as distributions required under IRS Code section 401(a)(9) (26 USC 401(a)(9)) and this section.

**Sec. 2-224. - Limitation on compensation.**

- (a) In addition to any other applicable limitations set forth in this article, and notwithstanding any other provision of this article to the contrary, for fiscal years

of the fund (“plan years”) beginning after 1994, the annual earnings of each employee taken into account shall not exceed \$150,000.00, as adjusted by the commissioner of internal revenue for increases in the cost of living in accordance with section 401(a)(17)(B) of the IRS Code (26 USC 401(a)(17)(B)). The cost-of-living adjustment in effect for a calendar year applies to any period, not exceeding 12 months, over which earnings is determined (“determination period”) beginning in such calendar year. If a determination period consists of fewer than 12 months, such compensation limit will be multiplied by a fraction, the numerator of which is the number of months in the determination period, and the denominator of which is 12.

- (b) For plan years beginning after 1994, any reference in this plan to the limitation under section 401(a)(17) of the IRS Code (26 USC 401(a)(17)) shall mean the annual compensation limit set forth in this section.
- (c) If compensation for any prior determination period is taken into account in determining an employee’s benefits accruing in the current plan year, the earnings for that prior determination period are subject to such annual compensation limit in effect for that prior determination period. For this purpose, for determination periods beginning before the first day of the first plan year beginning after 1994, such annual compensation limit is \$150,000.00.

**Sec. 2-225. - Limitation on benefits.**

Effective May 9, 1995, in no event shall the annual benefit under this article and all other defined benefits plans maintained by the city exceed the amount specified in section 415(b)(1)(A) of the IRS Code (26 USC 415(b)(1)(A)), as adjusted for any applicable increases in the cost of living in accordance with section 415(d) of the IRS Code (26 USC 415(d)), as in effect on the last day of the plan year.

**Sec. 2-226. - Amendment and termination.**

- (a) Prior to April 1, 2022, the city reserves the right at any time and from time to time to modify or amend the plan in whole or in part; provided that no such modifications or amendments shall decrease the benefit of any employees entitled to benefits hereunder or their beneficiaries accrued to the date of such an amendment, except to the extent necessary to maintain the qualified status of the plan; and provided further that the duties or liabilities of the board shall not be increased without its consent.
- (b) Prior to April 1, 2022, the city reserves the right at any time to terminate the plan in its entirety or only with respect to a portion of the fund. All accrued benefits to the extent then funded shall vest as of the effective date of the termination of the plan, and there shall be no forfeitures thereafter. In the event of a partial termination, all rights to benefits with respect to which the plan terminated to the extent then funded shall be fully vested and nonforfeitable as of the date of such

partial termination. In the event of complete termination of this plan, an actuarial valuation shall be made. The funds in the fund shall be allocated on an actuarial basis to pay the benefits in the order and in the manner provided by section 4044 of ERISA (Employee Retirement Income Security Act of 1974 (“ERISA”), 29 USC 1001—1461) with no subclass and categories within the classes described therein. All assets in the fund that are not needed to satisfy in full the accrued benefits of the employees entitled to benefits hereunder or their beneficiaries at the time of such a termination shall revert to the city.

- (c) Effective on and after April 1, 2022, no amendments or termination will be allowed after the Missouri Local Government Employees Retirement System assumes administrative control, other than amendments required to comply with applicable laws or approved by the city and the Missouri Local Government Employees Retirement System; provided, however, that the city reserves the right at any time to unilaterally amend or terminate the provisions of this Article relating to the trust or the amount of tax levied, including, but not limited to, section 2-206(b) and section 2-211.

**Sec. 2-227. - Military service.**

Effective May 9, 1995, notwithstanding any provision of this plan to the contrary, contributions, benefits and service credit with respect to qualified military service will be provided in accordance with IRS Code section 414(u) (26 USC 414(u)).

**Secs. 2-228—2-247. - Reserved.**

Section II. This ordinance shall take effect and be in force from and after its passage and approval as provided by law.

Passed this     day of February, 2022

\_\_\_\_\_  
Nikyln Knapper, Mayor

Attest:

\_\_\_\_\_  
Karen Scheidt, Deputy City Clerk

Approved this     day of February, 2022.

\_\_\_\_\_  
Nikyln Knapper, Mayor

Attest:

\_\_\_\_\_

Karen Scheidt, Deputy City Clerk

**BILL NO. 6182**

**ORDINANCE NO.**

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI AUTHORIZING THE CITY MANAGER TO EXECUTE ON BEHALF OF THE CITY OF MAPLEWOOD AN AGREEMENT BETWEEN THE CITY OF MAPLEWOOD, MISSOURI, AND THE BOARD OF TRUSTEES OF THE MISSOURI LOCAL GOVERNMENT EMPLOYEES RETIREMENT SYSTEM.

WHEREAS, the policemen's and firemen's retirement fund (the "Plan") of the City of Maplewood provides money for retirement for employees of the City's police and fire departments who retired or discontinued service prior to January 1, 2011;

WHEREAS, the Plan is frozen and is currently administered by City staff; and

WHEREAS, the City Council wishes for the Missouri Local Government Employees Retirement System to administer the Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AS FOLLOWS:

Section 1. The City Manager is hereby authorized to execute the Joinder Agreement with LAGERS attached hereto as Exhibit A.

Section II. This ordinance shall take effect and be in force from and after its passage and approval as provided by law.

Passed this \_\_\_ day of February, 2022

\_\_\_\_\_  
Nikyln Knapper, Mayor

Attest:

\_\_\_\_\_  
Karen Scheidt, Deputy City Clerk

Approved this \_\_\_ day of February, 2022

\_\_\_\_\_  
Nikyln Knapper, Mayor

Attest:

\_\_\_\_\_  
Karen Scheidt, Deputy City Clerk

**EXHIBIT A**  
**JOINDER AGREEMENT**

## **Joinder Agreement**

WHEREAS, the City Council of the City of Maplewood, Missouri, (“City”) is an employer in the Missouri Local Government Employees Retirement System (“LAGERS”) and is the sponsor of the policemen’s and firemen’s retirement fund of the City of Maplewood, Missouri (the “Plan”), which is a plan that is similar in purpose to LAGERS within the meaning of Section 70.621.1 RSMo; and

WHEREAS, the board of trustees of the policemen’s and firemen’s retirement fund of the City (“Pension Board”) is the current governing body of the Plan; and

WHEREAS, the Plan is frozen, and the City and Pension Board wish to enter into an agreement whereby LAGERS assumes all duties and responsibilities of operating the Plan, effective no later than April 1, 2022, and

WHEREAS, LAGERS will assume all operational duties and responsibilities for the Plan, and the board of LAGERS shall become the governing board of the Plan in accordance with Section 70.621 RSMo; and

WHEREAS, the City agrees to transfer certain funds from the Plan to LAGERS’ benefit reserve fund created pursuant to Section 70.715 RSMo in a manner consistent with state and federal law and regulations; and

WHEREAS, the City shall continue to have sole responsibility for full funding of the Plan including related expenses.

WHEREAS, it is understood that in entering into this Agreement the City is also acting as agent for the Pension Board.

NOW, THEREFORE, in consideration of the mutual covenants and agreement contained herein, the parties agree as follows:

1. The City of Maplewood, by and through the City Council, irrevocably delegates and cedes to LAGERS all duties and responsibilities of operating the Plan and administering the payment of the amount and other feature of the benefits under and as provided in the Plan to participants and beneficiaries, all in accordance with Section 70.621 RSMo, and LAGERS accepts such delegation and agrees to assume performance of all such duties and responsibilities of operating the Plan and administering the payment of the amount, and other features, of the benefits under and as provided in the Plan to participants and beneficiaries.
2. The board of LAGERS shall become the governing board of the Plan in accordance with Section 70.621 RSMo.

3. Certain funds from the Plan shall be transferred to LAGERS' benefit reserve fund created pursuant to Section 70.715 RSMo in a manner consistent with state and federal law and regulations.
4. The City will timely make available to LAGERS staff all available personnel and financial data necessary for the administration of the Plan including the original files for each participant. Such original files will be sent to LAGERS.
5. In any case of question as to the membership status, eligibility for an amount of benefits, or any other question related to benefits under the existing Plan, the City agrees that LAGERS is to decide the question in accordance with the provisions of the Plan.
6. The City Manager and the duly-authorized designees of the City Manager are hereby authorized, empowered, and directed to act on behalf of the City to take any and all actions required to freeze the Plan.
7. The City, to the extent permitted by law, agrees to hold LAGERS harmless from any liability with respect to this transaction, apart from those obligations imposed on LAGERS by Sections 70.600 – 70.755 RSMo., provided the transaction is completed according to the terms contained herein.
8. The City, to the extent permitted by law, agrees to indemnify and to hold LAGERS harmless from any and all claims, liabilities, losses, damages, court costs and reasonable expenses (including reasonable attorneys' fees) that LAGERS may incur or suffer as a result of any discrepancy between the amount or other feature of the benefit of a participant or beneficiary as determined by the City and communicated by the City to LAGERS, and the amount or other feature of the benefit of a participant or beneficiary in accordance with the Plan document as determined by a final decision of a court with jurisdiction over the matter.
9. LAGERS, to the extent permitted by law, agrees to hold the City harmless from any liability with respect to this transaction, apart from those obligations imposed on the City under its Charter, Code, and Ordinances, provided the transaction is completed according to the terms contained herein. LAGERS, to the extent permitted by law, agrees to indemnify and to hold the City harmless from any and all claims, liabilities, losses, damages, court costs and reasonable expenses (including reasonable attorneys' fees) that the City may incur or suffer as a result of any failure by LAGERS to properly operate the Plan or administer the payment of the amount, or other feature, of the benefit to a participant or beneficiary in accordance with the information communicated by the City to LAGERS.

10. The City Manager and the duly-authorized designees of the City Manager are hereby authorized and directed to take any and all actions required to place the foregoing resolutions into effect, such actions must include amending applicable sections of the City Charter and City Code, and revising relevant Ordinances, such actions are to be taken promptly in accordance with local, state, and federal laws and procedures.

11. This Agreement will be effective as of April 1, 2022.

12. IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year last executed by a party below and acknowledge receipt of one copy of the contract.

CITY OF MAPLEWOOD, MISSOURI

MISSOURI LOCAL GOVERNMENT  
EMPLOYEES RETIREMENT SYSTEM

\_\_\_\_\_  
City Manager \_\_\_\_\_  
Date: \_\_\_\_\_

\_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

ATTEST:

ATTEST:

\_\_\_\_\_  
Deputy City Clerk

\_\_\_\_\_  
Title: \_\_\_\_\_

BOARD OF TRUSTEES OF THE  
POLICEMEN'S AND FIREMEN'S  
RETIREMENT FUND OF THE CITY OF  
MAPLEWOOD, MISSOURI.

\_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Title: \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI AMENDING CHAPTER 12 BUILDINGS AND BUILDING REGULATIONS, ARTICLE X. ELECTRICITY, SECTION 12-365 ELECTRICAL CODE ADOPTED, BY REPEALING THE TEXT OF SAID SECTION AND INSERTING IN ITS STEAD TEXT ADOPTING THE 2014 NATIONAL ELECTRICAL CODE AS AMENDED BY SAINT LOUIS COUNTY, MISSOURI AS THE ELECTRICAL CODE OF THE CITY OF MAPLEWOOD, MISSOURI.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI AS FOLLOWS:

Section I. Maplewood Code of Ordinances is hereby amended by amending Chapter 12 Buildings and Building Regulations, Article X. Electricity, Section 12-365 Electrical Code Adopted, by repealing the text of said section and inserting the following text in its stead, to read as follows:

Sec. 12-365. Electrical Code Adopted.

The National Electrical Code, 2014 edition as adopted by St. Louis County Ordinance No. 27,430 is hereby adopted as the electrical code of the City of Maplewood as if fully set out herein.

Section II. This ordinance shall be in full force and effect fifteen (15) days after its passage and approval.

Passed this 22<sup>nd</sup> day of February 2022

\_\_\_\_\_  
Nikylan Knapper, Mayor

Attest:

\_\_\_\_\_  
Karen Scheidt, Deputy City Clerk

Approved this 22<sup>nd</sup> day of February 2022

\_\_\_\_\_  
Nikylan Knapper, Mayor

Attest:

\_\_\_\_\_  
Karen Scheidt, Deputy City Clerk

**BILL NO. 6184**

**ORDINANCE NO.**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI AMENDING CHAPTER 12 BUILDINGS AND BUILDING REGULATIONS, ARTICLE XI. PLUMBING, SECTION 12-409 PLUMBING CODE ADOPTED, BY REPEALING THE TEXT OF SAID SECTION AND INSERTING IN ITS STEAD TEXT ADOPTING THE 2015 UNIFORM PLUMBING CODE AS AMENDED BY SAINT LOUIS COUNTY, MISSOURI AS THE PLUMBING CODE OF THE CITY OF MAPLEWOOD, MISSOURI.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI AS FOLLOWS:

Section I. Maplewood Code of Ordinances is hereby amended by amending Chapter 12 Buildings and Building Regulations, Article XI. Plumbing, Section 12-409 Plumbing Code Adopted, by repealing the text of said section and inserting the following text in its stead, to read as follows:

Sec. 12-409. Plumbing Code Adopted.

The Uniform Plumbing Code, 2015 edition as adopted by St. Louis County Ordinance No. 27,424 is hereby adopted as the plumbing code of the City of Maplewood as if fully set out herein.

Section II. This ordinance shall be in full force and effect fifteen (15) days after its passage and approval.

Passed this 22<sup>nd</sup> day of February 2022

\_\_\_\_\_  
Nikylan Knapper, Mayor

Attest:

\_\_\_\_\_  
Karen Scheidt, Deputy City Clerk

Passed this 22<sup>nd</sup> day of February 2022

\_\_\_\_\_  
Nikylan Knapper, Mayor

Attest:

\_\_\_\_\_  
Karen Scheidt, Deputy City Clerk

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI AMENDING CHAPTER 12, BUILDINGS AND BUILDING REGULATIONS, ARTICLE IV. MECHANICAL CODE, SECTION 12-175 COUNTY CODE ADOPTED, BY REPEALING THE TEXT OF SAID SECTION AND INSERTING IN ITS STEAD TEXT ADOPTING THE 2015 INTERNATIONAL MECHANICAL CODE AS AMENDED BY SAINT LOUIS COUNTY, MISSOURI AS THE MECHANICAL CODE OF THE CITY OF MAPLEWOOD, MISSOURI.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI AS FOLLOWS:

Section I. Maplewood Code of Ordinances is hereby amended by amending Chapter 12 Buildings and Building Regulations, Article IV. Mechanical Code, Section 12-175 County Code Adopted, by repealing the text of said section and inserting the following text in its stead, to read as follows:

Sec. 12-175. Mechanical Code Adopted.

The International Mechanical Code, 2015 edition as adopted by St. Louis County Ordinance No. 27,619 is hereby adopted as the mechanical code of the City of Maplewood as if fully set out herein.

Section II. This ordinance shall be in full force and effect fifteen (15) days after its passage and approval.

Passed this 22<sup>nd</sup> day of February 2022

\_\_\_\_\_  
Nikylan Knapper, Mayor

Attest:

\_\_\_\_\_  
Karen Scheidt, Deputy City Clerk

Passed this 22<sup>nd</sup> day of February 2022

\_\_\_\_\_  
Nikylan Knapper, Mayor

Attest:

\_\_\_\_\_  
Karen Scheidt, Deputy City Clerk