

**AN ORDINANCE APPOINTING FRANK JOHNSON CITY CLERK FOR THE CITY OF TWIN OAKS AND ESTABLISHING COMPENSATION THEREFOR**

**WHEREAS**, a vacancy exists in the position of City Clerk in the City of Twin Oaks; and,

**WHEREAS**, it has been determined that Frank Johnson meets the requirements and qualifications of Ordinance 20-02 (codified as Section 110.090 of the Twin Oaks Code, hereinafter "Section 110.090") for the position of City Clerk and that his employment by the City is in the best interest of the citizens in terms of efficiency and experience in performing and supervising the City Clerk's office; and,

**WHEREAS**, the Board of Aldermen wishes to appoint and elect Frank Johnson as City Clerk for the City of Twin Oaks.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF TWIN OAKS, MISSOURI, AS FOLLOWS:**

**Section 1.** Pursuant to Section 110.090 of the Municipal Code, Frank Johnson is hereby appointed the City Clerk for the City of Twin Oaks and shall hold the title of "City Clerk/Assistant Administrator."

**Section 2.** The salary for Mr. Johnson as City Clerk shall be Fifty-Six Thousand, Five Hundred Dollars (\$56,500.00) annually. This sum shall be paid on a bi-weekly basis and shall be subject to all normal payroll withholdings and deductions. This salary is subject to review and adjustment at such time as all City salaries are approved as part of the City's budget process.

**Section 3.** In addition to the salary set forth in Section 2, the benefits, terms and conditions of employment shall be generally as set forth in the offer letter, attached hereto and incorporated herein by reference.

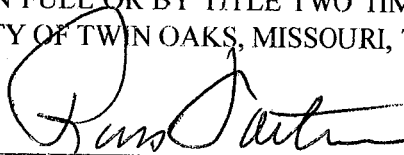
**Section 4.** Mr. Johnson's term of office as City Clerk shall commence as soon as possible, but no later than April 13, 2020, and continue until such time as his employment shall be subject to termination in accordance with Section 115.090.E of the Twin Oaks Code or by Mr. Johnson's resignation.

**Section 5.** Mr. Johnson's duties and responsibilities as City Clerk shall be as set forth in §79.240 RSMo., Section 110.090 of the Twin Oaks Code, the City Clerk Job Description attached as well as the terms of the City's employment policies (Chapter 140).

**Section 5.** Pursuant to §610.023.1 Mr. Johnson is appointed custodian of records for the City of Twin Oaks.

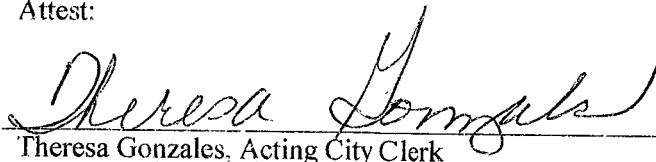
**Section 6.** This Ordinance shall be in full force and effect on and after its passage and approval by the Mayor.

PASSED AFTER HAVING BEEN READ IN FULL OR BY TITLE TWO TIMES PRIOR TO PASSAGE BY THE BOARD OF ALDERMEN OF THE CITY OF TWIN OAKS, MISSOURI, THIS 7<sup>th</sup> DAY OF APRIL 2020.



Russ Fortune, Mayor

Attest:



Theresa Gonzales, Acting City Clerk

March 26, 2020

Mr. Frank Johnson  
2931 Sidney  
St. Louis, MO 63104

Re: *Appointment as City Clerk/Assistant Administrator for the City of Twin Oaks*

Dear Frank:

This letter will formalize the City of Twin Oak's offer of employment to join the City as City Clerk/Assistant Administrator ("City Clerk") as further described below. On behalf of everyone at the City we are pleased you are joining us and look forward to working with you. Your full-time employment and role with Twin Oaks would commence under the following initial terms:

- (1) You will be appointed and employed as the City Clerk of the City of Twin Oaks (the "City Clerk Position") which is an "exempt" position as defined by the Fair Labor Standards Act and therefore, not paid overtime for hours worked in excess of forty (40) hours during the workweek. The City Clerk Position is for an indefinite term subject to the terms and conditions herein, and all applicable laws pertaining to the Position.
- (2) Compensation. Annual compensation for the City Clerk Position shall start at \$56,500 payable biweekly.
- (3) Retirement Plan. The City offers, and the City Clerk Position will be eligible for, a pension fund through Local Association of Government Employee Retirement System (LAGERS).
- (4) The City will work with you to establish a program through which you can be made whole for the difference between your current medical program and cost of switching to your spouse's program which has been agreed to be \$6,000 annually.
- (5) Paid vacation. Vacation leave for the City Clerk Position for the first five (5) years of service shall three (3) weeks annually unless increased by the Board of Aldermen. Thereafter, the then-current, vacation calculations shall apply. Other current leave benefits are set forth in Section 140.040 of the Twin Oaks Personnel Policy Manual.
- (6) The City Clerk Position is expected to continue to carry out the duties set forth in the City Clerk job description (attached).
- (7) The City shall budget and pay for the reasonable professional dues, subscriptions and/or memberships of the City Clerk necessary for his continuing and full participation in national, regional, state, and local professional and civic associations and organizations, provided such participation is necessary and desirable for his continued professional participation, growth, and advancement and is to the benefit of the City. Memberships include, but are not limited to, the Missouri City Clerk's & Finance Officer's Association. Expenditures of funds for memberships in other specific associations shall be subject to the prior written approval by the Mayor in accordance with City Policy.
- (8) The City shall budget and pay for the reasonable costs of registration, travel, and attendance at professional meetings to support the professional development of the City

Frank Johnson  
March 26, 2020  
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Clerk and to pursue necessary functions for City, in consultation with and subject to approval and oversight by the Mayor and subject to approval of the Board. The City also recognizes that certain de minimis expenses of a non-personal and job-affiliated nature will be incurred by City Clerk from time to time, and hereby agrees to reimburse or to pay these general expenses. Such expenses are to be reviewed and approved by the Mayor prior to reimbursement in accordance with established policy.

- (9) The City believes and hopes that you concur that the chief function of local government at all times is to serve the best interests of all of the people (Tenet 4 of the ICMA Code of Ethics) and that a minimum of two years generally is considered necessary in order to render a professional service to the local government. To that end, it is the City's expectation that you would honor a commitment of at least two years with the City barring extraordinary circumstances.
- (10) Per the City's policy manual, the employment will begin with a six (6) month probationary period to allow the employee the opportunity to demonstrate an ability to perform the job and the City to assess performance.
- (11) We would anticipate your employment will commence on April 13, 2020, unless otherwise agreed.

Your employment in accordance with the terms of this offer letter is, of course, dependent on your continued satisfactory performance and is an at-will employment further subject to §79.240 RSMo., and Section 110.090 of the Twin Oaks Code as well as the terms of the City's employment policies (Chapter 140).

We are pleased to be able to offer you this position and look forward to your joining the City. You may accept the City's offer by signing a copy of this letter in the space indicated below and returning the signed copy to us before. Again, on behalf of all of us we look forward to a long and productive relationship.

The City of Twin Oaks

By: Russ Fortune  
Russ Fortune, Mayor

Accepted:

Frank Johnson  
Frank Johnson

Date: 3/26/2020

encl.  
cc: Board of Aldermen w/o encl.

## **CITY OF TWIN OAKS**

1381 Big Bend Road, Twin Oaks, MO 63021  
Voice: 636-225-7873 Fax: 636-225-6547

Position Title: City Clerk  
Supervisor: Mayor  
Type of Position: Management

### General:

The City Clerk serves for an indefinite term and is appointed and may be removed by a majority vote of the Board. The City Clerk is responsible for departments and employees of the City subject to the limitations defined in Resolutions and Ordinances of Twin Oaks and Missouri State Statutes. The City Clerk shall be accountable to the Board pursuant to the statutes of the State of Missouri, the Municipal Code and Ordinances of Twin Oaks and the Resolutions, motions and directives of the Board of Aldermen.

### Skills, Knowledge and Abilities:

- Knowledge and experience regarding municipal government operations.
- Knowledge and experience regarding municipal government financial management.
- Knowledge and experience regarding the management of the physical facilities of the City.
- Ability to effectively communicate orally and in writing.
- Ability to establish and maintain an effective and respectful working relationship with officials, employees, consultants, contractors, businesses, residents and the public.
- Knowledge and experience submitting, obtaining and managing grants.
- Skill in planning, directing and administering municipal programs and services.

### License and Experience:

- Valid Missouri Driver's license.
- Experience in administration of municipalities, or equivalent combination of training and experience.
- Must be bondable as required by the City.

### **GENERAL DUTIES**

- To have charge and custody of the City Seal, ordinances and other records, papers and documents entrusted to his/her care and keeping by the Board of Aldermen.
- Carry out directives of the Board and report promptly any difficulties encountered;
- Subject to direction of the Mayor, be responsible for the administration of all day-to-day operations of Twin Oaks.
- Act as the Custodian of Records for the City per §120.090 of the Twin Oaks Code.

- Promote the economic well-being and growth of Twin Oaks through public and private sector cooperation.
- Recommend and enforce standards, policies, and procedures for the most efficient management of employees and resources.
- Attend Board and commission/board meetings, except as directed by the Mayor, and provide information on appropriate agenda items; prepare and maintain minutes of all public meetings.
- Keep informed concerning current Federal, State and County legislation and administrative rules affecting the City and submit appropriate reports and recommendations thereon to the Board.
- Identify current county, state, federal and private funding sources and as certain eligibility for such funding; assist the Board in obtaining these funds.
- Represent the City in matters involving legislation and intergovernmental affairs as authorized and directed by the Board.
- Act as public information officer for Twin Oaks with responsibility for assuring that the news media are properly informed about operations, and that all open records and meeting laws per Chapter 610 RSMo. ("Sunshine Law") are followed.
- Act as a liaison between the residents of Twin Oaks and the Board; receive suggestions; hear and investigate complaints in relation to all City matters.
- Maintain a recurring events calendar ensuring that all franchises, permits, privileges and contracts of the City are faithfully observed and/or renewed.
- Attend conferences and meetings to keep abreast of current trends in municipal government; represent the City in a variety of local, county, and other meetings.
- Attend City events throughout the year.
- Perform such other duties as may be assigned by the Board.

#### RESPONSIBILITIES TO THE CITY BOARD

- Ensure that required supporting materials are provided for all functions.
- Conduct annual reviews of Ordinances and Policies for potential updates or improvements and recommend action for same to Board.
- Ensure the preparation of Ordinances and Resolutions as requested.
- Keep the Board regularly informed about the activities of the City office by oral or written report at regular or special meetings of the Board.

#### PERSONNEL

- Be responsible for the administrative direction and coordination of all employees of Twin Oaks.
- Conduct annual written evaluations of all employees.
- Inform Mayor and Board of issues relating to possible need for appointment, promotion, suspension or termination of employees.

#### **BUSINESS FUNCTIONS**

- Serve as Budget Officer per §130.030 of the Twin Oaks Code-Prepare draft budgets, coordinate and compile the draft budget for consideration by the Board.
- Be responsible for preparation, posting and publishing of all official notices required of the annual budget and budget proceedings in accordance with State statutes.
- Report to the Board on current fiscal position of the City as directed.
- Administer the budget and recommend such budget control procedures as may be necessary and/or appropriate.
- Oversee expenditures and purchases and ensure compliance with purchasing policies.
- Maintain a continuing review and analysis of budget operations, work practices and costs of municipal services.
- Ensure compliance with statutory competitive bid, prevailing wage, and contracting requirements.
- The City Clerk coordinates and performs work, including, but not limited to;
  - Management of financial functions
  - Maintenance of ledgers and accounting processes
  - Cash management
  - Payroll and accounts payable
  - Securing of annual audits & financial reports by authorized Certified Public Accountants
  - Safe-keeping of securities and valuable papers
  - Collection and deposit with authorized depositories of all revenues
  - Review and maintenance of authorized fidelity bonds and insurance
  - Distribute monthly Profit and Loss and Balance Sheets

#### **PLANNING, DEVELOPMENT, AND ZONING**

- Maintain familiarity with current State statutes, Twin Oaks ordinances and decisions regarding zoning and land division.
- Act as Zoning Enforcement Authority for the City.
- Coordinate preliminary discussion with persons proposing development plans including rezoning, land development and site development. Advise such persons regarding amendments to proposals that may be necessary to meet the needs of the community and comply with Twin Oaks Ordinances.
- Coordinate with City Attorney and Aldermen as required to identify proposed projects on the long-term health, safety, convenience, economic welfare and general welfare of the community.
- Coordinate with City Attorney and Aldermen on a continuing basis over the course of project preparation to ensure the guidance from the Planning & Zoning Commission and Board is effectively incorporated into proposed projects.
- Schedule and attend Board of Adjustment meetings.