

BEFORE THE  
MISSOURI ETHICS COMMISSION

Filed  
DEC 07 2015  
Missouri Ethics  
Commission

MISSOURI ETHICS COMMISSION, )  
)  
Petitioner, )  
) Case No. 15-0048-I  
v. )  
)  
EUGENE STROBEL )  
)  
Respondent. )

CONSENT ORDER

The parties have filed a Joint Stipulation of Facts, Waiver of Hearing, and Proposed Consent Order with the Missouri Ethics Commission. Accordingly, the Missouri Ethics Commission accepts as true the facts stipulated and finds that Respondent Strobel violated Section 105.458.1(1), RSMo.

The Commission directs that the Joint Stipulation be adopted.

1. Respondent shall comply with all relevant sections of Chapter 105, RSMo.
2. It is the order of the Missouri Ethics Commission that Respondent Strobel repay the City of St. Martins the amount he was paid for plowing snow, \$200.40, within 30 days.

SO ORDERED this 7<sup>th</sup> day of December, 2015

By:



Charles E. Weedman, Jr., Chair  
Missouri Ethics Commission

15-0048-IBEFORE THE  
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  )  
  Petitioner,            )  
  )  
v.    )  
  )  
EUGENE STROBEL,                         )  
  )  
  Respondent.            )

Case No. 15-0048-I

**JOINT STIPULATION OF FACTS, WAIVER OF HEARING  
BEFORE THE MISSOURI ETHICS COMMISSION, AND  
CONSENT ORDER WITH JOINT PROPOSED  
FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The undersigned parties jointly stipulate to the facts and consent to the action set forth below.

The undersigned Respondent, Eugene Strobel, acknowledges that he has received and reviewed a copy of the Complaint filed by the Petitioner in this case, and the parties submit to the jurisdiction of the Missouri Ethics Commission.

The undersigned Respondent further acknowledges that he is aware of the various rights and privileges afforded by law, including but not limited to: the right to appear and be represented by counsel; the right to have all allegations against Respondent be proven upon the record by competent and substantial evidence; the right to cross-examine any witnesses appearing at the hearing against Respondent; the right to present evidence on Respondent's behalf at the hearing; and the right to a decision upon the record of the hearing. Being aware of these rights provided to Respondent by operation of law, the undersigned Respondent knowingly and voluntarily waives each and every one of these rights and freely enters into this Joint Stipulation of Facts, Waiver of Hearing before the Missouri Ethics Commission, and Consent

Order with Joint Proposed Findings of Fact and Conclusions of Law, and agrees to abide by the terms of this document.

**I.**

Based upon the foregoing, the Petitioner and the undersigned Respondent jointly stipulate to the following and request that the Missouri Ethics Commission adopt as its own the Joint Proposed Findings of Fact and the Joint Proposed Conclusions of Law, as follows:

**JOINT PROPOSED FINDINGS OF FACT**

1. The Missouri Ethics Commission is an agency of the State of Missouri established pursuant to Section 105.955, RSMo, in part for the purpose of enforcing the provisions of Chapter 105, RSMo.
2. Pursuant to Sections 105.957 and 105.961, RSMo, the Commission's staff investigated a complaint filed with the Commission and reported the investigation findings to the Commission.
3. Based on the report of the Commission's staff, the Commission determined that there were reasonable grounds to believe that violations of law occurred, and it therefore authorized a hearing in this matter pursuant to Section 105.961.3, RSMo.
4. From April 2011 to present, Respondent Strobel has served as the North Ward Board of Aldermen member for the City of St. Martins, Missouri. Respondent Strobel previously served on the Board of Aldermen from 1993 through 1998.
5. The City of St. Martins, Missouri, is a Fourth Class City, under Chapter 79, RSMo, and governed by a mayor, city administrator, and four-member Board of Aldermen serving two-year terms.

6. The City of St. Martins does not compensate its elected officials for their official duties.

7. Since the mid-1990's, Respondent Strobel has been on a list of individuals contacted if the City of St. Martins needs work performed, including snow plowing work.

8. There are seven individuals on the list, and not everyone on that list is trained to use a snow plow.

9. The individuals use city equipment to plow snow.

10. The Park Supervisor for the City of St. Martins is responsible for contacting individuals on the list as needed.

11. The City of St. Martins pays individuals \$15.50 per hour for plowing snow.

12. On February 16, 2015, it snowed in St. Martins, but the individual originally responsible for plowing snow was involved in a vehicle accident and was unavailable to operate the snow plow.

13. The Park Supervisor contacted Respondent Strobel, who plowed snow for approximately 5.5 hours on Monday, February 16, from 1:30 a.m. to 7:00 a.m.

14. The Park Supervisor again contacted Respondent Strobel on February 21, and Respondent Strobel plowed snow for approximately 3 hours on Saturday, February 21, from 7:30 a.m. to 10:30 a.m.

15. The Park Supervisor then contacted Respondent Strobel on March 1, and Respondent Strobel plowed snow for 4.5 hours on Sunday, March 1, from 4:00 a.m. to 8:30 a.m.

16. In all, Respondent Strobel performed approximately 13 hours of work plowing snow for the City of St. Martin between February 16 and March 1, 2015.

17. On March 10, 2015, the City of St. Martins held its regular Board of Aldermen meeting, and approved the treasurer's report, which included a payment of \$200.40 to Respondent Strobel.

18. The minutes from the March 10, 2015, Board of Aldermen meeting do not reflect whether Respondent Strobel abstained from voting on the treasurer's report.

19. There was no objection to the treasurer's report in the minutes from the March 10, 2015, Board of Aldermen meeting.

20. On March 10, 2015, the City of St. Martins issued a check for \$200.40 to Respondent Strobel.

#### **JOINT PROPOSED CONCLUSIONS OF LAW**

21. In fourth class cities governed by Chapter 79, RSMo, "The mayor and board of aldermen ... shall have the care, management, and control of the city and its finances, and shall have the power to enact and ordain any and all ordinances not repugnant to the constitution and laws of this state." § 79.110, RSMo.

22. "No member of any legislative or governing body of any political subdivision of the state shall: (1) Perform any service for such political subdivision or any agency of the political subdivision for any consideration other than the compensation provided for the performance of his or her official duties, except as otherwise provided in this section." § 105.458.1(1), RSMo.

23. There is probable cause to believe that Respondent Strobel violated Section 105.458.1(1), RSMo, by performing services for the City of St. Martins, Missouri, for

consideration while simultaneously serving as a member of the Board of Aldermen for the City of St. Martins.

II.

Based on the foregoing, the parties hereto mutually agree and stipulate that the following shall constitute the order entered by the Missouri Ethics Commission in this matter. This order will be effective immediately upon the issuance of the Consent Order of the Missouri Ethics Commission without further action by any party:

1. The parties understand that the Petitioner will maintain this Joint Stipulation as an open and public record of the Missouri Ethics Commission.
2. The Commission shall issue its Consent Order in the form attached hereto as Exhibit A.
  - a. Respondent shall comply with all relevant sections of Chapter 105, RSMo.
  - b. It is the Order of the Missouri Ethics Commission that Respondent Strobel repay the City of St. Martins the amount he was paid for plowing snow, \$200.40, within 30 days.

RESPONDENT EUGENE STROBEL

PETITIONER MISSOURI ETHICS  
COMMISSION

By: Eugene Strobel 12-3-15  
Eugene Strobel Date

By: James Klahr 12-4-15  
James Klahr Date  
Executive Director

By: Curtis R. Stokes 12/7/15  
Curtis R. Stokes Date  
Attorney for Petitioner