

**CITY OF WARRENSBURG
CITY CLERK**

January 24, 2019

Honorable Mayor and
Members of the City Council
City of Warrensburg, Missouri

Dear Mayor and City Council Members:

SUBJECT: An Ordinance Declaring the Results of the Canvass of Statements of
Candidacy and Establishing a General Election to be Held on April 2, 2019

BACKGROUND:

The filing period for the two positions available on the City Council began on Tuesday, December 18, 2018, and ended on January 15, 2019. Three individuals have filed for the two seats for a three-year term. Those candidates are as follows: Nolan Brooks, Tarl Bentley, and Scott Holmberg.

ISSUE:

I have attached the required forms from the City Council candidates. I have also included the ordinance, a notice of a general election, and a sample ballot.

RECOMMENDATION:

The required documents have been filed at the Johnston County Clerk's office.

Sincerely,



Cindy Gabel
City Clerk

Attachments:

Ordinance
Notice of General Election
Sample Ballot
Required candidate forms

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE DECLARING THE RESULTS OF THE CANVASS OF STATEMENTS OF CANDIDACY AND ESTABLISHING A GENERAL ELECTION TO BE HELD ON APRIL 2, 2019.

BE IT ORDAINED BY THE CITY COUNCIL AS FOLLOWS:

SECTION 1. It is determined that the statements of candidacy and establishing of a general election shall be held in the City of Warrensburg, Missouri, on Tuesday, April 2, 2019, for the election of two City Council members for a three-year term to be chosen at the general election as follows:

Nolan Brooks
Tarl Bentley
Scott Holmberg

SECTION 2. From the canvass of the statement of candidacy files, it is determined by the City Council that the names of Nolan Brooks, Tarl Bentley, and Scott Holmberg have been placed on the ballot.

SECTION 3. The general election shall be held on Tuesday, April 2, 2019, at the polling places designated by the County Clerk, as the election authority of Johnson County, Missouri.

SECTION 4. The City Clerk is authorized to supply the County Clerk with a public notice and sample ballot and is further authorized to deposit with the County Clerk a sum of money which is the estimate of the election expense.

SECTION 5. This ordinance shall be in full force and effect from and after its passage and approval by the City Council.

Passed this _____ day of _____, 2019.

Danielle Johnston, Mayor

ATTEST:

Cindy Gabel, City Clerk

**NOTICE OF GENERAL ELECTION
CITY OF WARRENSBURG, MISSOURI
TUESDAY, APRIL 2, 2019**

Notice is hereby given to the qualified voters of the City of Warrensburg, Missouri, that a general election will be held in the City of Warrensburg on Tuesday, April 2, 2019, for the purpose of the election of two City Council members for the City of Warrensburg for a period of three years.

The qualified voters of the City will vote at the polling places designated by the County Clerk.

The polls will open at 6:00 a.m. and close at 7:00 p.m. Each voter will be furnished a ballot reading as follows:

Warning: Voting for more than the total number of candidates to be elected for any one office will invalidate this ballot.

OFFICIAL GENERAL BALLOT

Candidates for City Council member of the City of Warrensburg, Missouri, at the general election for a period of three years.

Vote for two:

- Nolan Brooks
- Tarl Bentley
- Scott Holmberg

Warning: Voting for more than the total number of candidates to be elected for any one office will invalidate this ballot.

OFFICIAL GENERAL BALLOT

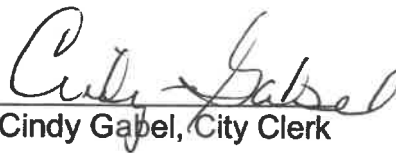
Candidates for Council Members of the City of Warrensburg at the general election for a period of three years.

FOR COUNCIL MEMBER

Vote for two:

- () Nolan Brooks
- () Tarl Bentley
- () Scott Holmberg




Cindy Gabel, City Clerk

Notice to Candidate

Personal Financial Disclosure (PFD) (aka: Financial Interest Statement)

Part One: Candidate Information

Candidate's Name: Nolan Brooks Political Subdivision: _____
Office Sought: City Counselman Date of Election: 04/02/2019

Part Two: Filing Status (Election Official: Select Option A or B. If select Option B, complete Sections 1 & 2)

Option A. Candidate does not have to file a PFD/Financial Interest Statement because:

- The political subdivision's annual operating budget (AOB) is \$1 million or under.
- The political subdivision's AOB is over \$1 million and the subdivision has a conflict of interest ordinance on file with MEC that does not require a candidate running for this position (office sought) to file. (NOTE: if candidate has had a business transaction with the subdivision, refer to Option B, Section 1, Item 1)
- The office sought is committeeman or committeewoman.

Option B. Candidate must file a PFD/Financial Interest Statement with MEC because:

Section 1:

- The political subdivision has an AOB over \$1 million and has a conflict of interest ordinance on file with the MEC that specifically 1) requires a candidate running for this position (office sought) to file, **OR** 2) requires a candidate (including spouse, children, parents, or a business in which they owned a substantial interest) that has had a business transaction with the political subdivision in excess of \$500 in the preceding twelve months to file pursuant to §105.485.4(1) RSMo.
- The political subdivision has an AOB over \$1 million and the subdivision does **NOT** have a conflict of interest ordinance on file with the MEC and the candidate is required to file pursuant to §105.483-§105.492 RSMo.
- Candidate is a new Associate Circuit Judge Candidate (all other judicial candidates file with the Supreme Court).

Section 2: Candidates required to file **must be informed** of the following deadlines/penalties:

- If PFD/Financial Interest Statement is not filed by _____ (14 days after filing closing date);
PENALTY: Candidate will be assessed a minimum of **\$10 per day late fee** for each day the report is late.
- If PFD/Financial Interest Statement is not filed by _____ (21 days after filing closing date);
PENALTY: Candidate will be **disqualified as a candidate** and his/her name will be removed from the ballot.

NOTE: If the political subdivision has a conflict of interest ordinance on file with the MEC:

- And the above filing deadlines are not met; penalties (if any) are assessed by the political subdivision according to its ordinance.
- Candidate must also file a copy of his or her PFD with the governing body/subdivision.

Part Three: Acknowledgement (completed by candidate & witnessed by election official):

I, Nolan Brooks (Print name) hereby acknowledge that I have received:

_____ (initial) **Notice to Candidate**, (written notice of candidate's obligation to file a PFD/Financial Interest Statement, including the consequences for failure to file on time); and

_____ (initial) **Guide to Ethics Law – A Plain English Summary**, (regarding laws governing candidates for election to office in Missouri) and I hereby acknowledge the authority of the Missouri Ethics Commission, or the political subdivision for which I am filing, in enforcing said laws.

Brooks
Signature of Candidate

xibllc@gmail.com
Candidate's Email Address (Optional)

Cindy Label
Signature of Election Official (Witness)

12/11/18
Date

08/2017



Missouri Department of Revenue
Candidate's Affidavit of Tax Payments
and Bonding Requirements

Candidate Information	First Name <i>Nolan</i>		Middle Name <i>Ray</i>		Last Name <i>Brooks</i>	
	Social Security Number [REDACTED]		County of Residence		Telephone Number* [REDACTED]	
	Street Address* <i>405 Hamilton unit B</i>			City <i>Warrensburg</i>		State <i>MO</i>
						Zip Code <i>64093</i>
	Elected Office Candidate is Seeking <i>City Counselman</i>			E-mail Address <i>xibllc@gmail.com</i>		

* Please update the Department should any information change

Signature	Declaration under 115.306, RSMo : I hereby declare under penalties of perjury that I am not currently aware of any delinquency in the filing or payment of any state income taxes, personal property taxes, municipal taxes, real property taxes on the place of residence, as stated on my declaration of candidacy, or that I am not a past or present corporate officer of any fee office that owes any taxes to the state, other than those taxes which may be in dispute. I declare under penalties of perjury that I am not aware of any information that would prohibit me from fulfilling any bonding requirements for the office for which I am filing.	
	Signature <i>Brooks</i>	Date (MM/DD/YYYY) <i>12/11/2018</i>

Notary Information	Embossed or black ink rubber stamp seal		Subscribed and sworn before me, this		
	CYNTHIA GABEL Notary Public - Notary Seal STATE OF MISSOURI Johnson County My Commission Expires: June 24, 2021 Commission #13464006		<i>11th</i> day of <i>December</i> year <i>2018</i>		State
			County (or City of St. Louis)		My Commission Expires (MM/DD/YYYY) <i>06/24/2021</i>
			Notary Public Signature <i>[Signature]</i>		
Notary Public Name (Typed or Printed) <i>Cynthia Gabel</i>					

Please review 115.306, RSMo. A failure to comply may disqualify you from the ballot. Upon request by the Department of Revenue, the candidate shall provide a copy of tax receipts for the candidate's personal property, municipal, and real property taxes, and any other information necessary to demonstrate compliance with 115.306, RSMo.

Mail to: Missouri Department of Revenue
General Counsel's Office
P.O. Box 475
Jefferson City, MO 65105

Phone: (573) 751-4450
TTY: (800) 735-2966
Fax: (573) 751-7151

Visit <http://dor.mo.gov/personal/candidates/>
for additional information.

Form 5120 (Revised 08-2015)





Notice to Candidate

Personal Financial Disclosure (PFD) (aka: Financial Interest Statement)

Part One: Candidate Information

Candidate's Name: TARL BENTLEY Political Subdivision: _____
 Office Sought: CITY COUNCIL Date of Election: 4/2/19

Part Two: Filing Status (Election Official: Select Option A or B. If select Option B, complete Sections 1 & 2)

Option A. Candidate does not have to file a PFD/Financial Interest Statement because:

- 1. The political subdivision's annual operating budget (AOB) is \$1 million or under.
- 2. The political subdivision's AOB is over \$1 million and the subdivision has a conflict of interest ordinance on file with MEC that does not require a candidate running for this position (office sought) to file. (NOTE: if candidate has had a business transaction with the subdivision, refer to Option B, Section 1, Item 1)
- 3. The office sought is committeeman or committeewoman.

Option B. Candidate must file a PFD/Financial Interest Statement with MEC because:

Section 1:

- 1. The political subdivision has an AOB over \$1 million and has a conflict of interest ordinance on file with the MEC that specifically 1) requires a candidate running for this position (office sought) to file, **OR** 2) requires a candidate (including spouse, children, parents, or a business in which they owned a substantial interest) that has had a business transaction with the political subdivision in excess of \$500 in the preceding twelve months to file pursuant to §105.485.4(1) RSMo.
- 2. The political subdivision has an AOB over \$1 million and the subdivision does **NOT** have a conflict of interest ordinance on file with the MEC and the candidate is required to file pursuant to §105.483-§105.492 RSMo.
- 3. Candidate is a new Associate Circuit Judge Candidate (all other judicial candidates file with the Supreme Court).

Section 2: Candidates required to file **must be informed** of the following deadlines/penalties:

- 1. If PFD/Financial Interest Statement is not filed by _____ (14 days after filing closing date);
PENALTY: Candidate will be assessed a minimum of **\$10 per day late fee** for each day the report is late.
- 2. If PFD/Financial Interest Statement is not filed by _____ (21 days after filing closing date);
PENALTY: Candidate will be **disqualified as a candidate** and his/her name will be removed from the ballot.


NOTE: If the political subdivision has a conflict of interest ordinance on file with the MEC:

- 1. *And the above filing deadlines are not met; penalties (if any) are assessed by the political subdivision according to its ordinance.*
- 2. *Candidate must also file a copy of his or her PFD with the governing body/subdivision.*

Part Three: Acknowledgement (completed by candidate & witnessed by election official):

I, TARL BENTLEY hereby acknowledge that I have received:
(Print name)

 **Notice to Candidate**, (written notice of candidate's obligation to file a PFD/Financial Interest Statement, including the consequences for failure to file on time); and

 **Guide to Ethics Law – A Plain English Summary**, (regarding laws governing candidates for election to office in Missouri) and I hereby acknowledge the authority of the Missouri Ethics Commission, or the political subdivision for which I am filing, in enforcing said laws.


 Signature of Candidate

 Signature of Election Official (Witness)

tarlbentley@gmail.com
 Candidate's Email Address (Optional)
12/13/2018
 Date



Missouri Department of Revenue
Candidate's Affidavit of Tax Payments
and Bonding Requirements

Candidate Information	First Name <i>TARL</i>		Middle Name <i>EDWARD</i>		Last Name <i>BENTLEY</i>	
	Social Security Number [REDACTED]		County of Residence <i>JOHNSON</i>		Telephone Number* [REDACTED]	
	Street Address* <i>426 SWALLOW STREET</i>			City <i>WARRENSBURG</i>		State <i>MO</i>
	Elected Office Candidate is Seeking <i>City Council</i>			E-mail Address <i>tarlbentley@gmail.com</i>		Zip Code <i>64093</i>
	* Please update the Department should any information change					

Signature	Declaration under 115.306, RSMo : I hereby declare under penalties of perjury that I am not currently aware of any delinquency in the filing or payment of any state income taxes, personal property taxes, municipal taxes, real property taxes on the place of residence, as stated on my declaration of candidacy, or that I am not a past or present corporate officer of any fee office that owes any taxes to the state, other than those taxes which may be in dispute. I declare under penalties of perjury that I am not aware of any information that would prohibit me from fulfilling any bonding requirements for the office for which I am filing.	
	Signature 	Date (MM/DD/YYYY) <i>12/13/2018</i>

Notary Information	Embossed or black ink rubber stamp seal		Subscribed and sworn before me, this			
	CYNTHIA GABEL Notary Public - Notary Seal STATE OF MISSOURI Johnson County My Commission Expires: June 24, 2021 Commission #13484006		<i>Bth</i> day of <i>December</i> year <i>2018</i>			
			State	County (or City of St. Louis)	My Commission Expires (MM/DD/YYYY)	
			Notary Public Signature <i>Cynthia Gabel</i>		<i>06/24/2021</i>	
		Notary Public Name (Typed or Printed) <i>Cynthia Gabel</i>				

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Notice to Candidate

Personal Financial Disclosure (PFD) (aka: Financial Interest Statement)

Part One: Candidate Information

Candidate's Name: Scott Holmberg Political Subdivision: _____

Office Sought: City Council Date of Election: 11/2/19

Part Two: Filing Status (Election Official: Select Option A or B. If select Option B, complete Sections 1 & 2)

Option A. Candidate does not have to file a PFD/Financial Interest Statement because:

- The political subdivision's annual operating budget (AOB) is \$1 million or under.
- The political subdivision's AOB is over \$1 million and the subdivision has a conflict of interest ordinance on file with MEC that does not require a candidate running for this position (office sought) to file. (NOTE: if candidate has had a business transaction with the subdivision, refer to Option B, Section 1, Item 1)
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- And the above filing deadlines are not met; penalties (if any) are assessed by the political subdivision according to its ordinance.
- Candidate must also file a copy of his or her PFD with the governing body/subdivision.

Part Three: Acknowledgement (completed by candidate & witnessed by election official):

I, John Scott Holmberg (Print name) hereby acknowledge that I have received:

JSH
(initial)

Notice to Candidate, (written notice of candidate's obligation to file a PFD/Financial Interest Statement, including the consequences for failure to file on time); and

JSH
(initial)

Guide to Ethics Law - A Plain English Summary, (regarding laws governing candidates for election to office in Missouri) and I hereby acknowledge the authority of the Missouri Ethics Commission, or the political subdivision for which I am filing, in enforcing said laws.

Signature of Candidate

Scott.Holmberg@yahoo.com
Candidate's Email Address (Optional)

Signature of Election Official (Witness)

11/11/19
Date

08/2017



Missouri Department of Revenue
Candidate's Affidavit of Tax Payments
and Bonding Requirements

Candidate Information	First Name	Middle Name	Last Name	
	John	Scott	Holmberg	
	Social Security Number	County of Residence	Telephone Number*	
	[REDACTED]	Johnson	[REDACTED]	
	Street Address*	City	State	Zip Code
	1226 Dustins Way	Warrensburg	MO	64093
Elected Office Candidate is Seeking	E-mail Address			
Warrensburg City Council	Scott.Holmberg@yahoo.com			

* Please update the Department should any information change

Signature	Declaration under 115.306, RSMo : I hereby declare under penalties of perjury that I am not currently aware of any delinquency in the filing or payment of any state income taxes, personal property taxes, municipal taxes, real property taxes on the place of residence, as stated on my declaration of candidacy, or that I am not a past or present corporate officer of any fee office that owes any taxes to the state, other than those taxes which may be in dispute. I declare under penalties of perjury that I am not aware of any information that would prohibit me from fulfilling any bonding requirements for the office for which I am filing.	
	Signature	Date (MM/DD/YYYY)
		01/11/2019

Notary Information	Embossed or black ink rubber stamp seal	Subscribed and sworn before me, this		
	CARL LARKERBRINK Notary Public - Notary Seal STATE OF MISSOURI Johnson County Commission # 12379369 My Commission Expires: 3/15/2020	11 day of January year 2019		
		State	County (or City of St. Louis)	My Commission Expires (MM/DD/YYYY)
		MO	Johnson	03/15/2020
		Notary Public Signature		
			Notary Public Name (Typed or Printed)	
			Carl Larkerbrink	

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Form 5120 (Revised 08-2015)



