CITY OF WARRENSBURG
CITY CLERK

August 6, 2020

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

Dear Mayor and Council Members:

SUBJECT: An Ordinance Re-Adopting Section 2-1 to Establish a Procedure to Disclose Potential Conflicts of Interest and Substantial Interests of Certain Municipal Officials.

The State of Missouri requires the City of Warrensburg to establish and file with the Missouri Ethics Commission a procedure to disclose potential conflicts of interest and substantial financial interest of Municipal officials every two years. The City's last ordinance was adopted in 2018.

Attached is the ordinance that outlines the conflict of interest procedures. This ordinance will establish conflict of interest procedures that should be followed, who should file, and when they should file.

If you have any questions, do not hesitate to contact me.

Sincerely,

Cindy Gabel
City Clerk

BILL NO. _____ **ORDINANCE NO. _____**

AN ORDINANCE RE-ADOPTING SECTION 2-1 TO ESTABLISH A PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS OF CERTAIN MUNICIPAL OFFICIALS.

BE IT ORDAINED BY THE CITY COUNCIL AS FOLLOWS:

Section 1. Section 2-1 of the Code of Ordinances of the City of Warrensburg is hereby re-adopted to read as follows:

Sec. 2-1. Disclosure of conflicts of interest and substantial interests, procedure.

a) Declaration of Policy. The proper operation of municipal government requires that public officials and employees be independent, impartial and responsible. That government decisions and policy be made in the proper channels of the government structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a public policy requiring disclosure by certain officials and employees of private financial or other interests in matters affecting the City.

b) Conflicts of Interest. The Mayor or any Member of the City Council who has a substantial personal or private interest, as defined by state law, in any bill, shall disclose on the records of the City Council, the nature of their interest and shall disqualify themselves from voting on any matters relating to this interest.

c) Disclosure Reports. Each elected official, the City Manager and the general Counsel (if employed full-time) shall disclose the following information by May 1 if any such transaction were engaged in during the previous calendar year:

1. For such person, and all persons within the first degree of consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total value in excess of $500 (five hundred dollars), if any, that such person had within the political subdivision, other than compensation received as an employee or payment of any tax, fee, or penalty due to the political subdivision, and other than transfers for no consideration to the political subdivision; and,

2. The date and the identities of the parties of each transaction

known to the person with a total value in excess of $500 (five hundred dollars), if any, that any business entity in which such person had a substantial interest, had with the political subdivision, other than payment of any tax, fee or penalty due the political subdivision or transaction involving payment for providing utility service to the political subdivision and other than transfers for no consideration to the political subdivision.

3. The City Manager also shall disclose by May 1 for the previous calendar the following information:

   a. The name and address of each of the employers of such person from whom income of $1,000 (one thousand dollars) or more was received during the year covered by the statement; and

   b. The name and address of each proprietorship that he owned; the name, address and general nature of the business conducted of each general partnership and joint venture in which he was a partner or co-participant for each partnership or joint venture unless such names and addresses are filed by the partnership or joint venture with the Secretary of State; the name, address and general nature of the business conducted of any closely held corporation or limited partnership in which the person owned 10% (ten percent) or more of any class of the outstanding stock or limited partnership units; and the nature of any publicly traded corporation or limited partnership that is listed on a regulated stock exchange or automated quotation system in which the person owned 2% (two percent) or more of any class of outstanding stock, limited partnership units or other equity interests; and

   c. The name and address of each corporation for which such person served in the capacity as a director, officer or receiver.

d. Filing of Reports. The reports shall be filed with the City Clerk and with the Ethics Commission prior to January 1 each year. The reports shall be available for public inspection and copying during normal business hours.

e. When Filed. The financial interest statements shall be filed at the following times, but no person is required to file more than one financial

interest statement in any calendar year:

1. Each person appointed to office shall file the statement within 30 (thirty) days of such appointment or employment;

2. Every other person required to file a financial interest statement shall file the statement annually not later than May 1 and the statement shall cover the calendar year ending the immediate preceding December 31; provided that any Member of the City Council may supplement the financial interest statement to report additional interests acquired after December 31 of the covered year until the date of the financial interest statement.

Section 2. It is intended that the provisions of this ordinance be incorporated into the Code of Ordinances.

Section 3. This ordinance shall be in full force and effect from and after its passage.

Section 4. Filing of Ordinance. The City Clerk is directed to send a certified copy of this Ordinance to the Ethics Commission within 10 (ten) days of its adoption.

Passed by the City Council in open session this ____day of _____, 2020.

_____
Bryan Jacobs, Mayor

ATTEST:

_____
Cindy Gabel, City Clerk