

**AN ORDINANCE AMENDING TITLE I, CHAPTER 105, ARTICLE 3, SECTIONS 1.105.340, 1.105.350, 1.105.480, 1.105.600 AND 1.105.620 OF THE CITY OF GLADSTONE, MISSOURI'S MUNICIPAL CODE REGARDING THE CITY COUNSELOR.**

**WHEREAS**, pursuant to Resolution R-15-81, effective February 2, 2016, the appointed City Counselor will become a part time position; and

**WHEREAS**, various provisions of Title I, Chapter 105, Article 3 of the Municipal Code ("Code") of the City of Gladstone, Missouri contemplate a full time City Counselor; and

**WHEREAS**, in order to reflect this change in the City Counselor position, it is necessary and the City Council desires to amend said provisions of the Code.

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

Section 1. That Section 1.105.340 of the Code be amended to read as follows:

**Section 1.105.340. – Residency Requirements.**

All officers elected or appointed to offices under the city government shall be qualified voters under the laws and constitution of this state and, except the city sextons, appointed public safety officers and employees having only ministerial duties or the city counselor if not employed full time, shall be residents of the city, or shall establish residency within a reasonable time after appointment. No person shall be elected or appointed to any office who shall at the time be in arrears for any unpaid city taxes, or forfeiture or defalcation in office.

Section 2. That Section 1.105.350 of the Code be amended to read as follows:

**Section 1.105.350. – Payment of officers and employees; creation of positions.**

- (a) All officers of the city shall be paid in equal biweekly installments for their services except as otherwise provided by law or contract and all employees of the city shall be paid twice each month.
- (b) The creation of all officers and salaries attached thereto which may be provided by state law shall be by ordinance and they shall be for an indefinite term.

Section 3. That Section 1.105.480 of the Code be amended to read as follows:

**Section 1.105.480. – Compensation and expenses.**

- (a) *Compensation.* The city counselor (if employed full time) shall be paid a salary as set forth in the current salary ordinance.
- (b) *Expenses.* The city counselor shall be reimbursed for all reasonable and necessary expenses advanced or incurred by the city counselor in connection with legal services performed for the city.
- (c) *Statements.* The city counselor shall submit, at such times as requested by the city council or mayor, a statement of the legal matters being handled.

Section 4. That Section 1.105.600 of the Code be amended to read as follows:

**Section 1.105.600. – Disclosure reports.**

Each elected official, the city manager, the assistant city manager, the city treasurer, the finance director, and the city counselor (if employed full time) shall disclose the following information by May 1 if any such transactions were engaged in during the previous calendar year:

- (1) For such person, and all persons within the first degree of lineal consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total value in excess of \$500.00, if any, that such person had with 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.
- (2) The date and the identities of the parties to each transaction known to the person with a total value in excess of \$500.00, if any, that any business entity in which such person had a substantial interest as defined in RSMo 105.450, as amended, had with the political subdivision, other than payment of any tax, fee or penalty due to the political subdivision or transactions 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, assistant city manager, city treasurer, finance director, and their spouses and dependent children also shall disclose by May 1 for the previous calendar year the following information:
  - a. The name and address of each of the employers of such person from whom income of \$1,000.00 or more was received during the year covered by the statement;
  - b. The name and address of each sole proprietorship that he owned; the name, address and the general nature of the business partner or participant; the name and address of each 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 by any closely held corporation or limited partnership in which the person owned ten percent or more of any class of the outstanding stock or limited partnership units; and the name 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 two percent or more of any class of outstanding stock, limited partnership units or other equity interests;

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

Section 5. That Section 1.105.620 of the Code be amended to read as follows:

**Section 1.105.620. – Filing of financial interest statement.**

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 city manager, assistant city manager, city treasurer, finance director, and city counselor (if employed full time) shall file the statement within 30 days of such appointment or employment;
- (2) Every other person required to file a financial interest shall file the statement annually not later than May 1 and the statement shall cover the calendar year ending the immediately 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 filing of the financial interest statement.

Section 6. That this Ordinance shall be in full force and effect from and after the date of its passage and approval.

Section 7. That all ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

**INTRODUCED, PASSED, SIGNED, AND MADE EFFECTIVE BY THE CITY COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, ON THIS 25<sup>TH</sup> DAY OF JANUARY, 2016.**



Mayor Bill Garnos

ATTEST:



Ruth E. Bocchino, City Clerk

First Reading: January 25, 2016

Second Reading: January 25, 2016



**All-America City**

**Gladstone**



**2008**

**OFFICE OF THE CITY COUNSELOR**

**DATE:** JANUARY 21, 2016

**TO:** BILL GARNOS, MAYOR  
JEAN MOORE, MAYOR PRO TEM  
CAROL SUTER, COUNCILMEMBER  
BRIAN HILL, COUNCILMEMBER  
R.D. MALLAMS, COUNCILMEMBER  
KIRK DAVIS, CITY MANAGER

**FROM:** CHRIS WILLIAMS, INTERIM CITY COUNSELOR

**RE:** AMENDMENTS TO CITY CODE REGARDING CITY COUNSELOR  
POSITION

On December 14, 2015, the City Council adopted Resolution R-15-81 approving an agreement with Williams & Campo, P.C. for City Counselor services. The agreement provides for me to be appointed as the City Counselor effective February 2, 2016. As you know, I will be serving in this role on a part time basis. Several provisions in the City Code applicable to the City Counselor position contemplate this position being filled by a full time employee. In order to reflect the change of the City Counselor from a full time employee to a part time contracted position, it is necessary to make amendments to the City Code. Bill No. 16-06 amends the City Code to reflect this change. Also included with the Bill is a document showing the specific additions made to each of the City Code sections.

Please let me know if you have any questions or need any additional information regarding this issue.

Addition of language to code sections shown below in bold and double underline:

**Section 1.105.340. – Residency Requirements.**

All officers elected or appointed to offices under the city government shall be qualified voters under the laws and constitution of this state and, except the city sextons, appointed public safety officers and employees having only ministerial duties **or the city counselor if not employed full time**, shall be residents of the city, or shall establish residency within a reasonable time after appointment. No person shall be elected or appointed to any office who shall at the time be in arrears for any unpaid city taxes, or forfeiture or defalcation in office.

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- (c) *Statements.* The city counselor shall submit, at such times as requested by the city council or mayor, a statement of the legal matters being handled.

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- (2) The date and the identities of the parties to each transaction known to the person with a total value in excess of \$500.00, if any, that any business entity in which such person had a substantial interest as defined in RSMo 105.450, as amended, had with the political subdivision, other than payment of any tax, fee or penalty due to the political subdivision or transactions involving payment for providing utility service to the political subdivision, and other than transfers for no consideration to the political subdivision.
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  - a. The name and address of each of the employers of such person from whom income of \$1,000.00 or more was received during the year covered by the statement;
  - b. The name and address of each sole proprietorship that he owned; the name, address and the general nature of the business partner or participant; the name and address of each 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 by any closely held corporation or limited partnership in which the person owned ten percent or more of any class of the outstanding stock or limited partnership units; and the name 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 two percent or more of any class of outstanding stock, limited partnership units or other equity interests;
  - c. The name and address of each corporation for which such person served in the capacity of a director, officer or receiver.

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- (1) Each city manager, assistant city manager, city treasurer, finance director, and city counselor (if employed full time) shall file the statement within 30 days of such appointment or employment;
- (2) Every other person required to file a financial interest shall file the statement annually not later than May 1 and the statement shall cover the calendar year ending the immediately 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 filing of the financial interest statement.