

AN ORDINANCE OF THE CITY OF GLADSTONE, MISSOURI, TO ESTABLISH A PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS FOR CERTAIN MUNICIPAL OFFICIALS PURSUANT TO THE STATE OF MISSOURI ETHICS LAW.

WHEREAS, pursuant to Missouri State Law, municipalities with an annual operating budget in excess of One Million Dollars are required to readopt an ordinance every two years by September 15th establishing a procedure to comply with personal financial disclosure requirements for submission to the Missouri Ethics Commission; and

WHEREAS, the City of Gladstone, Missouri has determined it advisable to annually re-adopt such an ordinance to ensure full compliance with State Law.

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

Section 1. **Declaration of Policy.** The proper operation of municipal government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in the proper channels of the governmental 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 procedure for disclosure by certain officials and employees of private financial or other interests in matters affecting the City.

Section 2. **Conflicts of Interest.** The Mayor or any member of the City Council who has a substantial personal or private interest, as defined by Missouri statutes 105.450 to 105.492, in any legislation shall disclose on the records of the City Council the nature of his interest and shall disqualify himself from voting on any matters relating to this interest.

Section 3. **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 1st if any such transactions were engaged in during the previous calendar year:

 a. 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 five hundred dollars, 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.

b. The date and the identities of the parties to each transaction known to the person with a total value in excess of five hundred dollars, if any, that any business entity in which such person had a substantial interest as defined in R.S.Mo. 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.

c. The City Manager, Assistant City Manager, City Treasurer, Finance Director, and their spouses and dependent children also shall disclose by May 1st for the previous calendar year the following information:

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

2. 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;

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

Section 4. Filing of Reports. The reports, in the attached format, shall be filed with the City Clerk and the Missouri Ethics Commission.

Section 5. 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:

a. Each City Manager, Assistant City Manager, City Treasurer, Finance Director, and City Counselor (if employed full time), shall file the statement within thirty days of such appointment or employment;

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

Section 6. **Filing of Ordinance.** The City Clerk is directed to send a certified copy of this ordinance to the Missouri Ethics Commission.

Section 7. **Effective Date.** This ordinance shall be in full force and effect from and after the date of its passage and approval and shall remain in effect until amended or repealed by the City Council.

INTRODUCED, READ, PASSED, AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 8th DAY OF AUGUST, 2022.



Bill Garnos, Mayor

ATTEST:



Kris Keller, City Clerk

1st Reading: August 8, 2022

2nd Reading: August 8, 2022



Request for Council Action

RES ☐ #

BILL ☒ # 22-28

ORD # 4.605

Date: 7/21/2022

Department: General Administration

Meeting Date Requested: 8/8/2022

Public Hearing: Yes ☐ Date: [Click here to enter a date.](#)

Subject: Conflict of Interest Disclosure Law for political subdivisions.

Background: When the General Assembly adopted the ethics/personal financial disclosure law in 1991, an MML-supported amendment allowed municipal officials to adopt their own simplified personal financial disclosure requirements by ordinance. This law affects only municipalities with an annual operating budget in excess of \$1 million. The General Assembly requires each political subdivision to readopt the ordinance every two years. However, in order to avoid the significant consequences of the failure to readopt the ordinance, MML urges municipalities with an annual operating budget more than \$1 million to adopt the personal financial disclosure ordinance annually, and by Sept. 15 each year, and to forward a copy of the ordinance to the Missouri Ethics Commission.

Budget Discussion: Funds are budgeted in the amount of \$ 0 from the N/A Fund. Ongoing costs are estimated to be \$ 0 annually. Previous years' funding was \$0

Public/Board/Staff Input: Staff recommends passage of the Ordinance

Provide Original Contracts, Leases, Agreements, etc. to: City Clerk and Vendor

Kris Keller
City Clerk

JM
City Attorney

SW
City Manager