

BILL NO. 1677

ORDINANCE NO.

INTRODUCED BY: Alderwoman Pentland

AN ORDINANCE OF THE CITY OF WARSON WOODS, ST. LOUIS COUNTY, MISSOURI, RE-ESTABLISHING AND MAKING PUBLIC A PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL PERSONAL INTEREST OF CERTAIN MUNICIPAL OFFICIALS.

WHEREAS, Sections 105.483 to 105.492 RSMo imposed certain requirements relating to the filing of personal financial interest statements by employees and elected officials of certain political subdivisions of the State of Missouri; and

WHEREAS, on September 20, 1996, at an open meeting of the Board of Aldermen, the City of Warson Woods enacted Ordinance No. 1131 (now codified as Chapter 122 “Conflicts of Interest” attached as Exhibit 1 and incorporated herein by reference) establishing the City’s method of disclosing potential conflicts of interest and substantial interests and thereby excluding the City and its officers and employees from the requirements of subsection 2 of §105.485 R.S.Mo.; and

WHEREAS, §105.485 R.S.Mo., requires that any political subdivision establishing its own method of disclosing potential conflicts of interest and substantial interests (the “Conflicts Policy”) biennially adopt an ordinance, order or resolution establishing and making public the City’s Conflicts Policy;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WARSON WOODS, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

SECTION 1. In conformance with §105.485.4 R.S.Mo., the Board of Aldermen hereby adopts this Ordinance re-establishing and making public the City’s method of disclosing potential conflicts of interest and substantial interests and approves Exhibit 1 as the City’s official method of disclosing potential conflicts of interest and substantial interests. The Board further adopts and approves the form available at http://www.mec.mo.gov/WebDocs/PDF/Fillable/PFD/PFD_Short.PDF and attached as Exhibit 2 to be filed with the City Clerk by each official, officer, employee and candidate required to make such disclosures by Chapter 125, the Policy and/or Missouri law.

SECTION 2. The City Clerk is directed to send a certified copy of this Ordinance to the Missouri Ethics Commission within ten (10) days of its adoption.

SECTION 3. This ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and approved by the Mayor until amended or repealed by the Board of Aldermen.

PASSED AND APPROVED THIS 16th DAY OF July, 2019.

Laurance M. Howe, Mayor

ATTEST:

Kathy Mahany, CMC/MRCC
City Clerk

APPROVED AS TO FORM:

Paul V. Rost, City Attorney

Exhibit 1

Chapter 122. Conflicts of Interest

Section 122.010. Declaration of Policy.

The proper operation of municipal government requires that public officials and employees be independent, impartial and responsible to the people; 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 of the City of Warson Woods (the "City") of personal or private interests in matters affecting the City.

Section 122.020. Conflicts of Interest.

A. The Mayor or any member of the Board of Aldermen who has a substantial personal or private interest in any bill introduced to the Board of Aldermen shall disclose to the Board of Aldermen the nature of such interest which disclosure shall be recorded in the minutes of the proceedings. Such person shall disqualify himself or herself from voting on any bill relating to such interest. "Substantial or private interest" is defined as ownership by the individual, his or her spouse, or his or her dependent children, where singularly or collectively, directly, or indirectly of:

1. Ten percent (10%) or more of any business entity; or
2. An interest having a value of ten thousand dollars (\$10,000.00) or more; or
3. The receipt of a salary, gratuity, or other compensation or remuneration of five thousand dollars (\$5,000.00) or more per year from any individual, partnership, organization or association within any calendar year.

Section 122.030. Disclosure Reports of Each Alderman, The Mayor and City Clerk.

A. Each Alderman, the Mayor and the City Clerk shall disclose in writing the following information by May first (1st) if any such transactions 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 five hundred dollars (\$500.00), if any, that such person had with the City, other than compensation received as a fee or salary or payment of any tax, fee or penalty due to the City, and other than transfers for no consideration to the City; and
2. The date and the identities of the parties to each transaction known to such person with a total value in excess of five hundred dollars (\$500.00), if any, that any business entity in which such person had a substantial interest, had with the City, other than payment of any tax, fee or penalty due to the City or transactions involving payment for providing utility service to the City, and other than transfers for no consideration to the City.

Section 122.040. Additional Disclosures By The Mayor and City Clerk.

A. The Mayor and the City Clerk also shall disclose in writing by May first (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 (\$1,000.00) or more was received during the year covered by the statement.
2. The name and address of each sole proprietorship that he or she owned; the name, address and the general nature of the business conducted of each general partnership and joint venture in which he or she was a partner or participant; the name and address of each partner or co-participant for each 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 ten percent (10%) 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 in a regulated stock exchange or automated quotation system in which the person owned two percent (2%) 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 122.050. Filing of Disclosure Reports.

Disclosure reports of the information described in Sections 122.030 and 122.040 shall be filed with the City Clerk and with the Missouri Ethics Commission on forms prescribed by the City Attorney. The reports shall be available for public inspection and copying during normal business hours.

Section 122.060. Financial Interest Statement — When Filed.

A. The financial interest statements shall be filed at the following times, but no person is required to file more than one (1) financial interest statement in any calendar year:

1. Each person required to file a financial interest statement under this Section shall file such statement within thirty (30) days of appointment or election;
2. Every other person required to file a financial interest statement shall file the statement annually not later than May first (1st) and the statement shall cover the calendar year ending the immediately preceding December thirty-first (31st); provided that any member of the Board of Aldermen may supplement the financial interest statement to report additional interests acquired after December thirty-first (31st) of the covered year until the date of filing of the financial interest statement.

Exhibit 2



Missouri Ethics Commission (MEC)
PO Box 1370, Jefferson City MO 65102, (800) 392-8660, www.mec.mo.gov

Office Use:

Financial Disclosure Statement for Political Subdivisions

1. Statement Information (select one)

Type: New Amended

2. Filing Status & Time Period Covered (select one & insert time period)

A. Filing Status

- Annual Filer:** file from Jan 1 to Dec 31 of prior year (if no longer serving, enter the time period served), due by May 1
- Newly Appointed/Employed:** file for calendar year before start date, due within 30 days
- Incumbent Candidate:** file from Jan 1 of prior year to closing date for candidacy (may be longer than 12-month period), due within 14 days of closing date for candidacy
- New Candidate:** file for the 12-month period before the closing date for candidacy, due within 14 days of closing date for candidacy

B. Time Period Covered: From ____/____/____ to ____/____/____ (mm/dd/yyyy)

3. Filer Information

<input type="text"/>	<input type="text"/>
Filer's name (First, Middle, Last)	Spouse's name (First, Middle, Last)
<input type="text"/>	<input type="text"/>
Mailing address	City, State, Zip
<input type="text"/>	<input type="text"/>
Dependent child's name* (First, Middle, Last)	Dependent child's name* (First, Middle, Last)
<input type="text"/>	<input type="text"/>
Political Subdivision or State Agency	Title (Position/Office Seeking)

Check if spouse is filing separate from yourself (if your spouse is not required to file a PFD, this statement MUST disclose his/her information).
*Includes all children, stepchildren, foster children and wards under the age of eighteen residing in the person's household and who receive in excess of 50% of their support from the person.

4. Transaction Information

A. List the transactions, valued at more than \$500, you, your spouse, or any relative within the first degree of blood or marriage had with the political subdivision listed above. Do not include compensation received as an employee, payment of taxes, fees or penalties or transfers for no consideration.

<input type="text"/>	<input type="text"/>
Date (mm/dd/yyyy)	Parties involved in transaction
<input type="text"/>	<input type="text"/>
Date (mm/dd/yyyy)	Parties involved in transaction

B. List the transactions for any business entity, in which you, your spouse or any relative within the first degree of blood or marriage held a substantial interest, that conducted business with the political subdivision listed above valued at more than \$500. Do not include payments of taxes, fees or penalties due to the political subdivision or transactions involving payment for providing utility service to the political subdivision or transfers for no consideration. (NOTE: Substantial interest includes ownership of 10% of the business entity or interest valued at \$10,000 or more, or from which a salary, gratuity or other compensation of \$5,000 or more is paid per calendar year).

<input type="text"/>	<input type="text"/>	<input type="text"/>
Date (mm/dd/yyyy)	Name of Business	Parties involved in transaction
<input type="text"/>	<input type="text"/>	<input type="text"/>
Date (mm/dd/yyyy)	Name of Business	Parties involved in transaction

5. Signature (select one, sign & date)

- I affirm and attest under penalty of perjury that information and facts in this report are complete, true, and accurate. I further acknowledge that I am aware that any false statement or declaration made herein is punishable under Ch. 575 RSMo.
- I affirm and attest under penalty of perjury that information and facts in this report are complete, true, and accurate and that my spouse has refused or failed to provide information concerning his or her financial interest and that I have no working knowledge of such interests. I further acknowledge that I am aware that any false statement or declaration made herein is punishable under Ch. 575 RSMo.

<input type="text"/>	<input type="text"/>
Filer's Signature (Required)	Date (mm/dd/yyyy)

NOTE: The following information is required from the Chief Administrative Officer and Chief Purchasing Officer only. Include information for filer, spouse and dependent child(ren).

6. Employment

List the name and address of each employer from whom you, your spouse, or dependent child(ren) received income of \$1,000 or more during the time period covered by this statement.

Employer Name	Employer Address/City/State/Zip	Person's name whom received income
Employer Name	Employer Address/City/State/Zip	Person's name whom received income

7. Sole Proprietorships

List each sole proprietorship owned by you, your spouse or dependent child(ren) during the time period covered by this statement.

Sole Proprietorship Name	Sole Proprietorship Address/City/State/Zip
Sole Proprietorship Name	Sole Proprietorship Address/City/State/Zip

8. General Partnerships, Joint Ventures

List each general partnership and joint venture in which you, your spouse or dependent child(ren) were a partner or participant, and the names of partners or co-participants, unless such names and addresses are filed with the Secretary of State, during the time period covered by this statement.

General Partnership or Joint Venture Name	Address/City/State/Zip	Nature of business	Partner/Coparticipant's Name & Address	Party Involved
General Partnership or Joint Venture Name	Address/City/State/Zip	Nature of business	Partner/Coparticipant's Name & Address	Party Involved

9. Stocks, Bond & Other holdings

EXCEPTION: Interest in any qualified plan or annuity pursuant to the Employees Retirement Income Security Act (ERISA) is not required to be listed.

A. *Limited Partnerships, Closely-held Corporations:* List the name of any closely-held corporation/limited partnership in which you, your spouse, or dependent child(ren) own ten percent (10%) or more of any class of the outstanding stock or units during the time period covered by this statement.

Limited Partnership/Closely-held Corporation Name	Address/City/State/Zip	Nature of Business	Party Involved
Limited Partnership/Closely-held Corporation Name	Address/City/State/Zip	Nature of Business	Party Involved

B. *Publicly Traded Corporation or Limited Partnership:* List the name of any publicly traded corporation or limited partnership which is listed on a regulated stock exchange or automated quotation system in which you, your spouse or dependent child(ren) own two percent (2%) or more of any class of outstanding stock, units or other equity interests during the time period covered by this statement.

Corporation/Limited Partnership Name	Party Involved
Corporation/Limited Partnership Name	Party Involved

10. Corporations

List the name and address of each corporation for which you, your spouse, or dependent child(ren) served in the capacity of a director, officer or receiver during the time period covered by this statement.

Corporation Name	Corporation Address/City/State/Zip	Person's name who served in this capacity
Corporation Name	Corporation Address/City/State/Zip	Person's name who served in this capacity

This form is required to be filed with the Missouri Ethics Commission and with the governing body of your political subdivision. All elected and appointed officials as well as employees of a political subdivision must comply with §105.454 RSMo., on conflicts of interest and their own local code of ethics.