BILL 2012-44

****** Full Reading ******

AGENDA ITEM

TO: Mayor and City Council

FROM: Barbara J. O'Connor, CMC, City Clerk

DATE: August 30, 2012

RE: Annual Disclosure for Potential Conflicts of Interest

Issue:

In 1991, the General Assembly adopted the ethics/personal disclosure law. This law affects municipalities with an annual operating budget in excess of $1,000,000. The City of Cameron's operating budget is well in excess of the minimum amount. The attached Bill meets the requirements for disclosure and must be adopted by September 15th each year.

Staff recommends a full reading for Bill 2012-44.

Recommendation:

Council approval by way of a motion and vote is needed.

Bill 2012-44

AN ORDINANCE OF THE CITY OF CAMERON, MISSOURI, TO ESTABLISH A PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS FOR CERTAIN MUNICIPAL OFFICIALS

BE IT ENACTED by the Council of the City of Cameron, 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 state law, in any bill shall disclose on the records of the City Council the nature of his or her interest and shall disqualify himself or herself from council chambers during discussion and voting on any matters relating to this interest.

Section 3. Disclosure Reports. Each elected official and the City Manager shall disclose the following information by May 1, if any such transactions were engaged in during the previous calendar year:

a. 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, 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, 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
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, had with the political division, 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 also shall disclose by May 1, for the pervious calendar year the following information:

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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 general nature of the business conducted of each general partnership and joint venture in which he was a 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 of 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 director, officer or receiver.

Section 4. Filing of Reports. The reports, in the attached format, shall be filed with the City Clerk and with the Secretary of State prior to January 1, 1993, and thereafter with the ethic commission. The reports shall be available for public inspection and copying during normal business hours.

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 person appointed to office shall file the statement within thirty days of such appointment or employment;
b. 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 immediately preceding December 31; proved 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. Filing or Ordinance. If this ordinance is adopted prior to January 1, 1993, then the City Clerk shall send a certified copy of this ordinance to the Secretary of State's Office within ten days of its adoption. If this ordinance is adopted on or after January 1, 1993, then the City Clerk shall send a certified copy of this ordinance to the Missouri Ethics Commission within ten days of its adoption.

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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.

Read two times**,** passed and adopted this 4th day of September 2012.

_____
Mayor Dennis M. Clark

_____
City Clerk/Finance Clerk

Full Reading