



February 9, 2023

To: Mayor Michael Topliff
City Council Members
Allison Skinner, City Clerk

From: City Administrator Sam Anselm

Re: Handbook and Code of Conduct Policy for Public Officials

Executive Summary

The City is requesting approval of a handbook and code of conduct policy for public officials.

Discussion

This resolution adopts a handbook and ethics and code of conduct for newly-elected and existing public officials, including council members, board and commission members, and employees who are appointed by the city council.

Part 1 of the handbook provides information for newly-elected officials on important topics such as the Sunshine Law, communication with citizens, employees, and fellow council members, and the organization to help them get acclimated to their new position with the city.

Part 2 provides information on key boards and commissions that help assist the city in the creation and implementation of policies and procedures.

Part 3 provides information on ethical conduct for public officials, and includes a clause that the handbook is to be reviewed every other year to ensure compliance with current standards, laws and practices.

Fiscal Impact

There is no anticipated financial impact on the city by approving this Resolution.

RESOLUTION 2023-04

RESOLUTION NO. 2023-04

A RESOLUTION TO APPROVE THE HANDBOOK AND CODE OF CONDUCT POLICY FOR PUBLIC OFFICIALS FOR THE CITY OF WEST PLAINS.

WHEREAS, this adopts an official Handbook and Code of Conduct Policy for Public Officials for City of West Plains.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST PLAINS, as follows:

Section 1: The Handbook and Code of Conduct Policy for Public Officials Code of Conduct policy is hereby approved.

Section 2: This Resolution shall be in full force and effect from and after the date of its passage and approval.

PASSED AND APPROVED THIS 21ST DAY OF FEBRUARY 2023.

CITY OF WEST PLAINS, MISSOURI

BY: _____
MAYOR MIKE TOPLIFF

ATTEST:

CITY CLERK ALLISON SKINNER



Handbook and Code of Conduct Policy for
Public Officials

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Welcome and Congratulations

Congratulations on your recent election to city office as a member of the West Plains City Council. As a newly elected public official, you have been provided with both an incredible opportunity and a serious responsibility to serve our residents. You will wear many hats, including legislator, visionary, and ambassador for the city. As you embark upon your new responsibilities, I would like to assure you that I and the rest of the city staff will support, advise, and execute the vision of the city council to ensure we fulfill the goals you set on behalf of our community.

Again, I would like to offer my congratulations and sincere wishes for your success in your coming term.



Sam Anselm
City Administrator

About the Handbook

This handbook is designed to introduce you to your role as a member of the West Plains City Council. It is meant to be informative and helpful, yet simple to read. Sections of this handbook include the roles and responsibilities of both the council and staff, as well as ethics and a code of conduct for public officials.

Part 1 – Structure and Operations

Municipal Government

The City of West Plains operates under a Home Rule City Charter, adopted by the citizens in 2014 with voter-approved amendments in 2020. It provides for a council-manager form of government.

What is the council-manager form of government?

The council-manager form is the most popular structure of government in the United States among municipalities with populations of 2,500 or more. Under this form, residents elect a governing body, including a chief elected official, such as a mayor or board chairperson, to adopt legislation and set policy. The governing body then hires a manager or administrator with broad executive authority to carry out those policies and oversee the local government's day-to-day operations.

The City of West Plains is governed by a city council comprised of the mayor and four council members who serve four-year terms. All council members are voted on by qualified voters of the city.

Roles

Mayor

The mayor is the presiding officer and serves as a voting member of the city council and oversees the council meetings, signs ordinances and resolutions, and serves as the chief spokesperson for the city. The mayor appoints members of various boards and commissions with approval by the council.

City Council

The role of the city council is to adopt legislation, set policy, approve the annual budget, select the city administrator, and vote on the recommendations of the city administrator regarding key personnel matters, including the appointment/removal of department directors.

City Administrator

The city administrator is responsible for carrying out the council's legislative and policy decisions, providing professional advice to the council, and operating the city on a day-to-day basis, through coordination with staff. The City of West Plains currently has about 200 full-time employees, not including part-time or seasonal employees. An organization chart is included as Appendix B for your review.

City Attorney

The city attorney is appointed by the council and attends all regular council meetings, advises the city council and staff on legal issues, and helps prepare ordinances, resolutions, and agreements. When legal questions arise and it is necessary to confer with the city attorney,

please contact the city administrator. Calling or meeting with the city attorney is normally coordinated through the city administrator to assist in obtaining the most efficient use of legal services and to control legal costs.

City Clerk

The city clerk is the official record keeper for the city and is responsible for preparing ordinances, resolutions, and other items for the city council and other boards/commissions. During meetings the city clerk takes minutes and records votes that are taken. Additionally, the city clerk's office coordinates the process of filling records requests made by the public, processes business licenses, and administers oaths of office for elected and sworn positions.

City Council Meetings

Regular meetings of the West Plains City Council are held on the third Monday of each month at 5:30 p.m. in the council chambers at city hall. If a city holiday falls on the Monday of a council meeting, the meeting is moved to the next day. If you cannot attend a meeting, please let the city clerk know prior to the meeting. A quorum of three is required to conduct business.

All meetings are conducted using the parliamentary procedure of Robert's Rules of Order. City council meetings are open to the public, unless there is a specific reason to hold a closed meeting in accordance with the exceptions listed in the Missouri Sunshine Law (see below). Meeting packets, which include the tentative agenda and supporting materials for the items listed on the agenda, are emailed to the council, and posted to the city's website anywhere from 7-10 days prior to the meeting.

Regular meetings of the city council consist of:

- Invocation: please stand and bow your head. The mayor will recognize any pastor or employee giving the invocation.
- Pledge of Allegiance: remain standing to join in the Pledge. The mayor pro-tem or a recognized guest leads the Pledge of Allegiance.
- Call to Order/Roll Call/Establishment of Quorum: the mayor will call the meeting to order, and the city clerk records attendance to verify a quorum. If a council member is absent, a motion and second will be called for to excuse the member's absence.
- Approval of the Consent Agenda: the consent agenda may contain bids, financial reports, minutes, pay requests, board appointments and other items. A motion to approve the consent agenda is made and seconded, then voted upon by the council. If you want to vote separately on an item listed on the consent agenda, you can request that the item be removed from the consent agenda, in which case it will be discussed later during the meeting under Council Action.
- Recognition of Guests: if a citizen signs up and is on the agenda to address the council, s/he will be recognized as a guest and will have five minutes to speak.
- Public Hearing: if scheduled, a motion will be made to open the public hearing, whereby staff will present the item, to be followed by statements from the applicant with an opportunity for you to ask questions. Following this, citizens are given an opportunity to

speak in favor of or against the item. Once all comments have been received, the mayor will close the public hearing.

- Resolutions and Ordinances:
 - Resolutions are acts done through ministerial powers of the council. A resolution is usually temporary, establishes policy, declares intent, finds facts, or is ceremonial. Resolutions also include the approval of contracts. Resolutions are introduced and seconded, then a voice vote is taken to approve or deny the resolution.
 - Ordinances are pieces of formal legislation that create law when passed or prescribe government conduct. Per the charter, all ordinances are read twice:
 - The purpose of the first reading is to introduce the bill and give an opportunity for council members to ask questions. Debate on the item is reserved for the second reading of the bill.
 - The second reading normally takes place at the following meeting to allow an opportunity for citizen input and council debate before the final vote takes place.
 - Ordinances are voted upon with a roll call vote, with each council member's vote recorded separately.
- Council Action: any bid, surplus property item, recommendation from citizen boards, or an item removed from the Consent Agenda, may be found under Council Action. Each item requires a motion and a second for approval, with a voice vote taken by the council.
- City Administrator's Report: the city administrator reports to the council on matters not previously addressed.
- Adjournment: with no further business to discuss, the meeting is adjourned by the mayor.

Other Meetings

Other meetings involving the city council include:

- Work Sessions: typically involve in-depth discussions on a specific topic. This includes budget work sessions, presentations on items that may require council action in the future, or updates provided by the city administrator.
- Closed Sessions: a closed council meeting may take place before the meeting or when necessary.

The Sunshine Law

All government entities and their boards and commissions must comply with [Chapter 610 of the Revised Statutes of Missouri](#), more commonly known as the Missouri Sunshine Law. The law generally requires all meetings of boards or commissions to be open to the public. It also requires that meeting dates and times be posted at the place where the meeting will be held, at least 24 hours prior to the meeting, exclusive of weekends and holidays.

The law provides for closed meetings only for specific subjects such as the purchase of real

estate, discussion of a specific lawsuit, or dealing with personnel matters. Any votes taken during closed meetings must be recorded and made available to the public within 72 hours of the vote.

The City of West Plains believes very strongly that the city council and all boards and commissions have the responsibility to not only honor the letter of the Sunshine Law but to honor the spirit of the law as well. A helpful booklet containing the do's and don'ts as they pertain to compliance with the Sunshine Law is available upon request by contacting the city clerk.

Conflicts of Interest

Please see Part III of the handbook regarding conflicts of interest. Here, we offer you a tip...openness is the best policy. If you think a potential conflict exists, you can discuss the matter with other members of the city council, the city administrator or, if necessary, with the city attorney. If you are in doubt, the safest course of action is to abstain from participating in any discussions or votes on that issue. Abstention from an issue should include physically leaving the room where the city council is meeting during the period the matter is discussed or voted upon unless it is necessary to remain in the room to maintain a quorum.

Communication

An email address will be created and assigned for you, and citizens are given that email address as their way to reach you. We suggest you check your email daily, as employees also use it frequently to communicate with you. Occasionally, you may receive written materials from employees, or publications, periodicals, or written correspondence from the community. This mail will be held for you at city hall, and you are free to check your mailbox at any time.

Communicating with Council Members

As noted below, written communication between council members is subject to the Sunshine Law. If you respond to another council member's email, as a courtesy to all other council members, you should consider hitting "reply all" and include the city clerk to ensure the record is retained.

Attendance at community or social events may result in a quorum of council members being present, so please refrain from talking about city business during these events. Discussion and debate about city business should be limited to public meetings, work sessions, or closed sessions where proper notice has been given to the public.

Communicating with Citizens

If you receive a citizen complaint or question that you do not know the answer to, please feel free to contact the city administrator, who will direct the concern or question to the right staff person to respond.

Social Media

It is common for newly-elected officials to have personal, candidate, or public official social media accounts. Social media is a great way to communicate with residents, stay on top of activities happening around the city, etc. But there are pitfalls that you should be aware of. There are several resources available online that offer guidance on the safe way to use social media as an elected official, and you're encouraged to check those out or ask the city administrator for links. Here are a few tips/reminders:

- First Amendment considerations: if you have an account that identifies you as a member of the city council, be advised that blocking people from your page, deleting comments, etc. can be and has been considered a First Amendment violation by the courts. So please avoid such actions.
- Public meeting/records: your public official profile is subject to open records laws, so if three or more council members comment on the same post regarding city business, it could be considered a public meeting and therefore violate the Sunshine Law. Also keep in mind that social media comments on your public profile could be subject to open records requests, so you should avoid deleting comments. Posts or comments on your personal account about city business may be interpreted as "official" as well.

Communicating with City Employees

Communications with staff are best handled through the city administrator. This is to ensure compliance with Section 3.5 of the charter, but also helps the city administrator be aware of concerns and requests that members of the governing body have and can see that they are being addressed.

Inquiries from council members directly to leadership team members are acceptable and encouraged, but if you email a staff member directly, please "cc" the city administrator for the same reasons above. The charter prohibits council members from providing directions/orders to staff, so if you see/hear something that needs to be taken care of, please contact the city administrator.

Sunshine Law Reminder

Most communication from the city will come to you in the form of an email or occasional text message. Please note, per state law, emails and text messages that deal with city business are considered public records, even if they are sent to/from a private email address. As such, anyone, at any time, can request a copy of emails or text messages sent to or from you. If the topic is related to city business, in most cases that information must be provided to the requestor. This process is handled through the city clerk's office.

Compensation

Council members, including the mayor, receive \$100 per month as compensation. Funds for training and attendance at conferences are budgeted and paid directly by the city. These events will be coordinated and scheduled through the city clerk.

Key Calendar Events

January	February	March	April
<ul style="list-style-type: none"> • MEC Personal Finance Disclosures Sent • Chamber of Commerce Banquet 	<ul style="list-style-type: none"> • MML Legislative Conference 		<ul style="list-style-type: none"> • City Council/General Municipal Election
May	June	July	August
<ul style="list-style-type: none"> • MEC PFDs Due to State 	<ul style="list-style-type: none"> • MML Elected Officials Training Conference 		<ul style="list-style-type: none"> • Tax Levy Public Hearing and Adoption
September	October	November	December
<ul style="list-style-type: none"> • MML Conference 	<ul style="list-style-type: none"> • Budget Work Session(s) 	<ul style="list-style-type: none"> • Budget 1st Reading 	<ul style="list-style-type: none"> • Budget Public Hearing • Budget 2nd Reading • Adoption of CIP • Candidate Filing for April election

Facility Tours

We encourage you to tour the various public facilities and projects listed below (staff will coordinate upon request):

City Hall/Police Department Complex
 Fire Stations
 Library

Public Works facilities/Solar Array
 Parks and Trails
 Airport

In addition, you are invited to schedule time to spend with various departments to observe day-to-day operations and functions (staff will coordinate upon request).

Part 2 – Advisory Boards and Commissions

Boards and commissions in the City of West Plains are an integral and important part of the city's government. Residents who serve on a board or commission dedicate many hours each month without compensation to make the City of West Plains' government as reflective as possible of the attitudes and beliefs of all residents.

The mayor, with the approval of the city council, appoints board and commission members. A resident may express an interest in serving on a particular board or commission to a member of the city council or through volunteer work within the community. A resident may be asked to serve on a particular board or commission. A good rule of thumb when considering appointments is to appoint individuals who have the appropriate skills and interests for a given board or commission and strive to select a representative cross-section of the West Plains community.

While some boards and commissions draw their authority from state statutes, others receive their authority from local ordinances. Except for the Board of Adjustments & Appeals, boards and commissions serve an advisory role to the city council. They may study specific issues such as a change in zoning, or they may provide general suggestions for a specific government function, such as the Parks and Recreation Board. In either case, the city council receives important recommendations and information from these committees but retains the ultimate decision-making authority.

Current Boards and Commissions

Planning & Zoning Commission
Board of Adjustments & Appeals
Library Board
Parks & Recreation Board

Tax Increment Finance Commission
Galloway Park Advisory Board
Tourism Development Advisory Council
Civic Center Board

Role of Council Liaison

The mayor may appoint a council liaison to serve as a non-voting member of a board or commission. Otherwise, it is not unusual to have a member of the city council attend various board and commission meetings from time to time. Some members of the city council do this solely to become more familiar with board and commission members, as well as the work of the group itself.

Whether the council member appointed to a board or commission is actively involved in the group's discussions depends on the nature of the work that the board or commission performs, as well as the desires of its members. More information on this is covered in Part III of the handbook.

Role of City Staff

The city administrator's office coordinates all staff activities for the boards and commissions. A staff person who is appointed by and responsible to the city administrator through the

appropriate department head represents the city administrator at all board and commission meetings. The staff liaison's principal role is to provide technical support to the boards and commissions and to facilitate the flow of information between the mayor, city council, and the boards and commissions.

The staff liaison is responsible for keeping the city council informed of all board and commission activities through the department head. If a board or commission member has a specific concern about the role of a staff liaison, he or she should contact the city administrator.

Removal/Resignation

Removal

The chair of the board or commission, the council liaison (if appointed), or the city administrator may recommend consideration of a member's removal to the city council. The reasons for removal may include, but are not limited to:

- Inappropriate and/or malicious use of social media. Members whose actions result in using social media in an inappropriate and/or malicious manner may be removed from the board or commission.
- Continuous absences from all regularly scheduled meetings. Members who impair the proper functioning of the board or commission due to their constant inability to attend meetings or to participate in board or commission activities may be removed from the board or commission.
- Misconduct at meetings. Members whose actions seriously interrupt the orderly process of said meetings may be removed from the board or commission.
- Neglect of duty. Members who intentionally disregard duly assigned tasks or repeatedly fail to carry out the responsibilities expected of a board or commission member may be removed from the board or commission.
- Ineligible to serve. Members who do not maintain the eligibility requirements for appointment to the board or commission may be removed.

Resignation

Board or commission members may resign by giving appropriate written notice of resignation. The chair shall notify the entire board or commission, the city administrator's office, and/or the mayor. A board or commission member who resigns his or her position may apply for re-appointment later.

Planning & Zoning Commission

Members and Organization

- Nine (9) members including the mayor and a member of the council selected by the council.
- Seven (7) members appointed by the mayor with the approval of the city council.
- Four- (4) year staggered terms.
- All citizen members of the commission shall serve without compensation.
- Officers: Members of the Planning Commission shall elect a chairperson from among its members. The term of the chairperson shall be for 1 year with eligibility for reelection.

Meetings and Reports

- Meetings are held at least 10 days before the regular city council meeting, at 5:30 PM in the council chambers at city hall.

Powers and Duties

- Review and make recommendations on various planning matters, such as rezoning, site plan reviews, zoning ordinance amendments, street vacations and future land use recommendations.
- Formulate and adopt a plan for the physical development of the city (Comprehensive Plan).
- Recommend regulations governing the subdivision of land within the City.

Staff Support

- Building Official/Zoning Administrator
- Planning Director
- City Clerk

Authority

- West Plains City Code Section 400.485
- RSMo. 89.370

Board of Adjustments & Appeals

Members and Organization

- Five (5) members plus three (3) alternates appointed by the mayor and council who must be residents of the city, none of whom can be members of the city council or Planning and Zoning Commission. Four (4) members constitute a quorum.
- The alternate members serve in the absence of or disqualification of regular members.
- Members serve staggered terms of five (5) years.
- Officers: board members shall elect a chairperson and vice-chairperson, each to serve a one-year term.
- The board shall keep records of its examinations and official actions.

Meetings and Reports

- The board meets on call of the chairperson depending on need. The board must hear and decide on an appeal within 30 days after the notice of appeal is filed with the city.
- The board is required to keep minutes of their proceedings reflecting the vote of each member on each question and all other official actions, all of which are public record. From time to time, a court reporter may be required to record the proceedings before the board.

Powers and Duties

- Hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by an administrative official in the enforcement of the zoning ordinance.
- Hear and decide in specific cases a request for a variance from specific terms of the Zoning Ordinance. In its review, the board examines the practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the zoning ordinance. The board may vary or modify the application of the ordinance provisions relating to the use, construction or alteration of buildings or structures, or the use of land, so that the spirit of the ordinance is observed, public safety and welfare secured, and substantial justice done.
- Hear and decide all other matters referred to in the zoning ordinance.
- A concurring vote of four (4) members is required to reverse any order, requirement, decision, or determination or to decide in favor of any applicant on any matter presented in the application or to effect any variation from the zoning ordinance.

Staff Support

- Building Official/Zoning Administrator
- City Clerk

Authority

- West Plains City Code Section 50-31
- Chapter 89 RSMo.

Library Board

Members and Organization

- Consist of nine (9) members chosen from the citizens and taxpayers within the city limits, with reference to their fitness for such office.
- Members appointed by the mayor shall serve staggered terms of three (3) years.
- No member can serve for more than three (3) consecutive three-year terms.
- No member of the city government shall be a member of the board.
- Board shall meet and organize by election of one (1) member as president and other such officers as they may deem necessary.

Meetings and Reports

- Meetings are held on the fourth Monday of the month at 6:00 p.m.
- An annual report stating the condition of the library, its services, the various sums of money received from the Library Fund and from other sources, and how the monies have been expended and for what purposes shall be made to the mayor and city council, and a copy shall be transmitted to the Missouri State Library, within eight (8) weeks after the end of the fiscal year.

Powers and Duties

- Shall make and adopt such by-laws, rules, and regulations for their own guidance and for the government of the library as may be necessary.
- Appoint a properly qualified library director who shall be the chief executive and administrative officer for the library.
- All monies received for the library shall be deposited in the city treasury to the credit of the City Library Fund and shall be kept separate and apart from other monies of the city and drawn upon by the proper officers of the city.

Special Provisions

- The board may extend privileges and use of the library to non-residents through agreements with other existing libraries allowing for the exchange of services upon such terms and conditions as the board may prescribe.

Staff Support

- Library Director

Authority

- City Code, Chapter 230
- RSMo Chapter 182.200

Parks and Recreation Board

Members and Organization

- Nine (9) members chosen from the citizens and taxpayers of the city and within the West Plains area with reference to their fitness for such office, appointed by the mayor with the approval of the city council.
- Three (3) year staggered terms.
- Officers: Members of the Parks and Recreation Board shall elect a president, vice-president, and such other officers each June, as they deem necessary to serve for a term of one-year each.

Meetings

- Meetings are held on the first Wednesday of each month at 6:00 p.m. Special meetings are held when necessary.

Powers and Duties

- To study and make plans and recommendations for the development and maintenance of facilities and activities for a progressive parks and recreation system within the city. The Board shall consider those issues that relate to the city parks and shall make recommendations to the city council at such times as the board may see fit or as the council may direct.

Staff Support

- Parks and Recreation Director
- Administrative Assistant for Parks and Recreation

Authority

- West Plains City Code Section 30-29
- RSMo 90.500 – 90.570

Tax Increment Finance Commission

Members and Organization

- Consist of 11 members, six (6) of whom shall be appointed by the mayor with consent of a majority of the city council, and five (5) of whom shall be appointed as provided in the Act.
- Members appointed by the mayor shall serve staggered terms of four (4) years.
- Members appointed by the other taxing jurisdictions as provided in the Act shall serve from the time that the affected taxing jurisdictions are notified in writing of a proposed redevelopment plan or designation of a redevelopment area until final approval or disapproval of the redevelopment plan, redevelopment project or designation of a redevelopment area by the city.

Meetings and Reports

- Meetings on call, when TIF applications come forward.

Powers and Duties

- Hold public hearings and make recommendations to the city council concerning the adoption of (or amendment to) redevelopment plans, redevelopment projects and the designation of redevelopment areas.

Special Provisions

- Quorum for public hearings, votes, and other business thereon shall consist of a majority of the commissioners.
- Specific conflict of interest provisions in the TIF statutes may apply.

Staff Support

- City Administrator
- City Attorney
- Finance Director
- Planning Director
- City Clerk

Authority

- RSMo Section 99.800 through Section 99.866

Part 3 – Ethics and Code of Conduct for Public Officials

Declaration of Policy

It is the policy of the City of West Plains, Missouri, to uphold, promote and demand ethical conduct from its elected and appointed public officials (hereinafter "public officials"). The citizens and businesses of the city are entitled to have fair, ethical, and accountable local government. The city recognizes the importance of making known to the public the ethical principles that guide the work of public officials. Public officials of the city are to maintain the highest standards of personal integrity, truthfulness, and fairness in carrying out their public duties. To fulfill this mission, the city hereby adopts a code of ethics for public officials to assure public confidence in the integrity of local government and its effective and fair operation.

Responsibility of Public Office

Stewardship of the public interest shall be the public official's primary concern, working for the common good of the citizens of the city, and avoiding actions that are inconsistent with the best interests of the city. All persons, claims, and transactions coming before the city council or any city board, commission, or committee shall be assured of fair and equal treatment.

Compliance with Law

Public officials are agents of public purpose and hold office for the benefit of the public. They are bound to uphold the laws of the nation, state, and the city, and to carry out impartially these laws in the performance of their public duties to foster respect for all governments. These laws include, but are not limited to, the United States and Missouri Constitutions, the laws of the State of Missouri, and city ordinances.

Conduct of Officials

The professional and personal conduct of public officials shall be above reproach and shall avoid even the appearance of impropriety. Public officials shall refrain from abusive conduct, personal charges, or verbal attacks upon the character or motives of the mayor, other members of the city council, boards, commissions, committees, city staff, and the public.

Performance of Duties

Public officials shall perform their duties in accordance with the processes and rules of order as established by the city council, boards, commissions, and committees governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the city council by city staff.

Public officials shall be loyal to the political objectives expressed by the electorate and the programs developed to attain those objectives.

Public Meetings

Public officials shall prepare themselves for the public issues, listen courteously and attentively to all public discussion before the body, and focus on the business at hand. Officials shall refrain from interrupting other speakers, making personal comments not germane to the business of the body, or otherwise interfering with the orderly conduct of meetings.

Decision Based on Merit

Public officials shall base their decisions on the merits and the substance at hand.

Communication

Public officials shall publicly share with the body substantive information that is relevant to a matter under consideration by the city council or any boards, commissions, and committees of the city which they may have received from sources outside the public decision-making process.

Conflict of Interest

In order to assure independence and impartiality on behalf of the common good, public officials shall not use their official positions to influence government decisions in which they have a material financial interest or personal relationship, which may give rise to the appearance of a conflict of interest or impropriety. As a result, public officials shall disclose investments, interest in real property, sources of income, and gifts, and shall abstain from participating in deliberations and decision-making, including voting, where conflicts may exist.

Public officials should avoid action, whether specifically prohibited or not, which might result in or create the appearance of:

- using their public office for private gain,
- offering preferential treatment to any person,
- impeding city efficiency and economy,
- losing complete independence or impartiality,
- making a city decision outside of official channels,
- adversely affecting the confidence of the public and the integrity of the city.

Gifts, Gratuities, and Favors

Public officials shall comply with the requirements of Missouri law relating to the acceptance and reporting of gifts, gratuities, and favors.

Confidentiality of Information

Other than public information or with legal authorization, public officials shall not disclose or furnish to anyone any information concerning city property, personnel, litigation, or proceedings of the city that was obtained because of their positions with the city. This section shall not be construed to limit, hinder, or prevent the divulgence or use of information in the performance of official duties, but shall prohibit the use of or the providing of information that

would place the public official or the recipient in a vantage position over the public and thereby constitute a violation of public trust. Confidential information shall include, but not be limited to, any written information which is not subject to disclosure pursuant to Missouri law or any other statutory exemption regarding public records, or any oral information which was not discussed at an open public meeting.

Use of Public Resources

Unless specifically permitted by city policy, the use of city facilities, equipment, vehicles, supplies, on-duty personnel, or other goods or services, is limited to city business. Public resources may not be used for private gain or personal purposes except on the same basis that they are otherwise normally available to the public. Normal rental or usage fees may not be waived except in accordance with city policy.

A public official may use the city's name, letterhead, logo, or seal only when it is perceived as representing the city or the body as a whole, and only with the prior consent of the city council. However, this provision will not prohibit individual council members from using city letterhead and resources to write personal congratulatory letters, letters of recommendation, references, endorsements, and such, with a copy being provided to the city clerk.

A public official shall not utilize the city's name, letterhead, logo, or seal for the purpose of endorsing any political candidate, business, commercial product, or service.

Appearance for Private Interests

As stewards of the public interest, the mayor and members of the city council shall not appear on behalf of the private interests of third parties before the city council or any other board, commission, committee, or proceeding in the city. Public officials of boards, commissions, and committees shall not appear before their own bodies, or before the city council, on behalf of the private interests of third parties on matters related to the areas of service of their bodies.

Advocacy

Public officials shall represent the official policies or positions of the city to the best of their abilities when designated as delegates for this purpose. When representing their individual opinions and positions, public officials shall explicitly state that they do not represent their body or the city, and they shall not give the inference that they do.

Policy Role of Officials

Public officials shall respect and adhere to the city administrator form of government as outlined in the charter, ordinances, policies, or procedures with respect to the city administrator's relationship to the city council. In this structure, the city council determines the policies of the city with the advice, information and analysis provided by the public, boards, commissions, committees, and city staff. Except as provided by city ordinance, city council members shall not interfere with the administrative functions of the city or the professional duties of city staff or impair the ability of staff to implement city policy decisions.

Independence of Boards, Commissions, and Committees

The value of independent advice and recommendations of boards, commissions, and committees to the public decision-making process is of such significance that members of the city council should refrain from using their positions to influence the deliberations or outcomes of board, commission, and committee proceedings.

Behavior

To reflect well on the city, all elected and appointed officials shall conduct themselves in a professional business manner and should refrain from the public use of profane or offensive language. The city strongly disapproves of and does not tolerate harassment of any kind. Public officials shall avoid offensive or inappropriate harassing behavior. Complaints of harassment will be promptly and carefully investigated in accordance with city policy.

Positive Workplace Environment

Public officials shall support the maintenance of a positive and constructive workplace environment for city employees, and for citizens and businesses dealing with the city. Public officials shall recognize their roles in dealing with city employees and refrain from creating the perception of inappropriate action to city staff.

City Attorney to Render Opinions on Request

Whenever any public official, subject to this policy, is in doubt as to the proper interpretation or application of this code of ethics policy, that public official may request that the city administrator solicit from the city attorney a full written statement of the facts and questions. The city attorney shall then render a written opinion to such public official and to the city administrator, who shall then provide the opinion to all members of the city council without use of the name of the public official involved, unless such public official permits the use of his or her name.

Implementation

The code of ethics for public officials of the city is intended to be self-enforcing. Therefore, it becomes most effective when public officials are thoroughly familiar with it and embrace its provisions. For this reason, these ethical standards shall be included in the regular orientation of candidates for city council, newly elected officials, and appointed members of all boards, commissions, and committees of the city.

Public officials entering office shall receive a statement certifying that they have read and understand the city's code of ethics. Signing the statement is optional. However, all public officials are subject to the provisions of the code of ethics, whether the statement is signed.

The code of ethics shall be reviewed biannually by the city council. Recommendations received from the review shall be considered by the city council. The code of ethics shall be updated, as necessary, in May of even-numbered years.

Compliance and Enforcement

The city's code of ethics expresses standards of ethical conduct expected for the public officials of the city council, boards, commissions, and committees. Public officials themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of the government.

A person making a complaint against a public official for violation of this policy shall submit the complaint, in writing, to the city administrator for submission to the city attorney, who will determine its legal sufficiency. The written complaint must be based upon the personal knowledge of the complainant and must be signed under oath or affirmation by the person filing the complaint.

If the city attorney determines that the complaint is legally sufficient, the city administrator shall hire and appoint a hearing officer to determine if probable cause of the violation(s) of this policy exists. If the hearing officer determines that probable cause does exist for violation of this policy, the hearing officer shall report the finding to the city council.

The city council shall make a final determination upon a majority vote of all members, except for any member of the city council which is the subject of a complaint. The hearing by the city council shall not be subject to the strict rule of evidence, and the standard of proof required for a final determination of violation of this policy shall be a preponderance of the evidence. At the discretion of the city council, sanctions may include private or public reprimand or censure, removal or exclusion from leadership positions, governing boards, or other official positions or duties, that do not conflict with Missouri Statutes.

Appendix A – Current Officials

Current Elected Officials

Member	Term Expires	First Elected
Mike Topliff, Mayor	2023	2013
Josh Cotter, Mayor Pro-Tem	2023	2015
Jessica Nease	2026	2019
Johnny Murrell	2024	2020
John Niesen	2025	2022

Director's Team

Name	Title	Contact Information
Sam Anselm	City Administrator	256-7176, ext. 2207 sam.anselm@westplains.gov
Shayne Eades	Utilities Director	256-7176, ext. 2206
Emily Gibson	Planning Director	256-7176, ext. 2215 emily.gibson@westplains.gov
Brian Mitchell	Transportation Director	256-7176, ext. 2236 brian.mitchell@westplains.gov
Stephen Monticelli	Police Chief	256-7176, ext. 2308 stephen.monticelli@westplains.gov
Earlene Rich	Finance Director	256-7176, ext. 2209 earlene.rich@westplains.gov
Allison Skinner	City Clerk	256-7176, ext. 2235 allison.skinner@westplains.gov
Kurt Wilbanks	Fire Chief	256-7176, ext. 2401 kurt.wilbanks@westplains.gov
Beccie Williams	Human Resources Director	256-7176, ext. 2210 beccie.williams@westplains.gov

Appendix B – Organization Chart

