

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

WHEREAS, this same Ordinance is enacted biennially pursuant to the Revised Statutes of Missouri Sections 105.483 (11) and 105.485.4 and was last enacted by the City in 2021 and again needs to be enacted in 2023, and

WHEREAS, Section 3.13.(e) of the West Plains City Charter allows for the City Council by unanimous vote of a quorum to designate Ordinances addressing routinely recurring emergent circumstances in order that two separate readings of the ordinance can occur at a single meeting

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

Section 1: Recurring Emergent Circumstance. This Ordinance is designated as addressing a routinely recurring emergent circumstance allowing the two separate readings of the ordinance to take place at the same meeting.

Section 2: Declaration of Policy. The proper operation of 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 established a procedure for disclosure by certain officials and employees of a private or other interest in matters affecting the city.

Section 3: Conflicts of Interest.

- a) All elected and appointed officials as well as employees of a political subdivision must comply with section 105.454 of Missouri Revised Statutes on conflicts of interest as well as any other state law governing official conduct
- b) Any member of the governing body of a political subdivision who has a "substantial or private interest: in any measure, bill, order or ordinance proposed or pending before such governing body must disclose that interest to the secretary or clerk of such body and such disclosure shall be recorded in the appropriate journal of the governing body. Substantial or private interest is defined as ownership by the individual, his spouse, or his children, whether singularly or collectively, directly or indirectly of:
(1) 10% or more of any business entity; or (2) and interest having a value of \$10,000 or more; or (3) the receipt of a salary, gratuity, or other

compensation or remuneration of \$5,000 or more, per year from any individual, partnership, organization, or association within any calendar year.

Section 4: Disclosure Reports. Each elected official, the chief administrative officer, the chief purchasing officer and the full-time counsel shall disclose the following information by May 1 if any such transaction occurred during the previous calendar year:

- a) For any 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.
- 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 has substantial interest, had with the subdivision, or 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 chief administrative officer and the chief purchasing officer also shall disclose by May 1 for the previous calendar 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 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, 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 5: Filing of Reports.

- a) The financial interest statements shall be filed at the following times but no person is required to file more than one interest statement in any calendar year;
 1. Every 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; 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 interest statement.
 2. Each person appointed to office shall file the statement within thirty days of such appointment or employment;
- c) Financial disclosure reports giving the financial information required in Section 3 shall be filed with the local political subdivision and with the secretary of state and the Missouri ethics commission. The reports shall be available for public inspection and copying during normal business hours.

Section 6: 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 immediately preceding December 31; provided that any member of the city council may supplement the financial interest statement to report additional interest acquired after December 31 of the covered year until the date of filing of the financial interest statement.

Section 7: Effective Date. This ordinance shall be in full force and effect from and after the 23rd day of August, 2023, and shall remain in effect until amended or repealed by the City Council.

PASSED AND APPROVED THIS 23rd DAY OF AUGUST, 2023.

CITY OF WEST PLAINS, MISSOURI

BY: Michael Topliff
MAYOR MICHAEL TOPLIFF

ATTEST:

Allison Skinner
CITY CLERK ALLISON SKINNER