

AN ORDINANCE WHICH ESTABLISHES AND MAKES PUBLIC THE METHOD OF DISCLOSING POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS FOR CERTAIN OFFICERS AND ELECTED OFFICIALS OF THE CITY OF CUBA, MISSOURI

RECITALS:

A. The City of Cuba, Missouri (City) has authority under Section 105.485.4, RSMo, to establish and make public its method of disclosing potential conflicts of interest and substantial interests for certain officers and elected officials.

B. The City believes that the proper operation of a municipal government requires that public officials and employees be independent, impartial and responsive to the people; that government decisions and policy be made in the proper channels of the government structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government.

C. In recognition of these goals, the City desires to re-establish a procedure for disclosure by certain officials and employees of personal financial information or other interest in matters affecting the City.

ACCORDINGLY, be it ordained, by the Board of Aldermen of the City of Cuba, Missouri, as follows:

Section 1: Section 2-20 of the Cuba City Code is hereby amended in its entirety to read as follows:

Section 2-20. Disclosure of potential conflicts of interest and substantial interests.

1. Conflicts of interest. The Mayor and any member of the Board of Aldermen who has a substantial personal or private interest, as defined by State law, in any matter coming before the Board for a vote shall publicly disclose the existence of such interest, which disclosure shall be duly noted in the official records of the meeting at which such disclosure is made, and shall thereafter disqualify himself from any discussion or votes before the Board relating to this interest.

2. Disclosure Reports. Each elected official, candidate for elective office, the Mayor, and any purchasing officer (including the City Engineer and Electric Department Superintendent) of the City shall disclose in writing by May 1 of each year on forms approved by the Missouri Ethics Commission the following described transactions, if any such transactions were engaged in during the preceding 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 City, other than compensation received as an employee or payment of any tax, fee or penalty due to the City, and other than transfers for no consideration to the City.

(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 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.

(c) The Mayor, and any purchasing officer (including the City Clerk, the Director of External Management, the City Engineer and Electric Department Superintendent) of the City shall disclose in writing the following:

(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 which 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 or limited partners' units; and the name of any publicly traded corporation or limited partnership which 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;

3. Filing of Reports. Duplicate disclosure reports made pursuant to Section 2 shall be filed with the City Clerk and with the Missouri Ethics Commission. The City Clerk shall maintain such disclosure reports available for public inspection and copying during normal business hours.

4. 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; provided that any member of the (city council/board of aldermen) 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 3: A certified (signed and witnessed) copy of this Ordinance shall be submitted to the Missouri Ethics Commission not later than ten days after passage and approval.

Section 4: To the extent of the foregoing, Section 2-20 of the Cuba City Code is hereby amended and all prior ordinances to the contrary or otherwise inconsistent with the above are hereby repealed.

Section 5: This Ordinance shall be effective from and after the date of its passage and approval.

READ TWO TIMES AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF CUBA, MISSOURI, THIS ____ DAY OF _____, 2021.

CODY LEATHERS, MAYOR

Attest:

LAINIE GARBO, CITY CLERK
(City Seal)

Approved this _____ day of _____, 2021.

CODY LEATHERS, MAYOR

Attest:

LAINIE GARBO, CITY CLERK
(City Seal)

Approved as to the form.
WILLIAMS, ROBINSON, RIGLER & BUSCHJOST, P.C.

By: Lance B. Thurman, #51214
901 North Pine Street, Fourth Floor
Post Office Box 47
Rolla, Missouri 65402
(573) 341-2266

ATTORNEYS FOR THE CITY OF CUBA, MISSOURI

Alderman	Vote on First Reading On _____, 2021	Vote on Second Reading On _____, 2021
Kevin Copling		
Sam Black		
Dave Honea		
Warren Graddy		
Curtis Holt		
Jeff Bouse		