

1st Reading:  
2nd Reading:

**SPONSOR: CLAUSS**

**ORDINANCE NO. \_\_\_\_**

**BILL NO. 22-69**

**AN ORDINANCE READOPTING THE CITY OF FENTON'S  
PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF  
INTERESTS AND SUBSTANTIAL INTERESTS FOR  
CERTAIN CITY OFFICIALS, CODIFIED AS CHAPTER 150  
OF THE MUNICIPAL CODE OF THE CITY OF FENTON.**

**WHEREAS**, the Board of Aldermen of the City of Fenton adopted an ordinance enacting certain procedures to disclose potential conflicts of interests and substantial interests for certain city officials which is codified as Chapter 150 of the Municipal Code of the City of Fenton; and

**WHEREAS**, provisions of State Law require the re-adoption of the City's personal financial disclosure ordinance on a scheduled basis.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF FENTON, MISSOURI, AS FOLLOWS:**

**Section 1.** The City of Fenton hereby readopts its Conflict of Interest Policy, as established by Chapter 150 of the Fenton Municipal Code:

Section 150.010 Declaration of Policy. The proper operation of municipal government requires the public officials and employees to 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 City officials and City employees of private financial or other interest in matters affecting the City of Fenton.

Section 150.020 Conflicts of Interest.

- A. All elected officials, candidates for elective office, the Chief Administrative Officer, and the Chief Purchasing Officer must comply with Section 105.452 and Section 105.454, RSMo on conflicts of interest as well as any other laws governing official conduct. For purposes of this Chapter, the Mayor shall be deemed the Chief Administrative Officer and the Chief Purchasing Officer.

**ORD. NO. \_\_\_\_**

**ORD. NO. \_\_\_\_**

- B. 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 measure, bill, order or ordinance proposed or pending before the Board of Aldermen, shall disclose that interest on the records of the Board of Aldermen and shall disqualify himself or herself from voting on any matters relating to such interest.

Section 150.030 Disclosure Reports.

- A. Each elected official, candidate for elective office, the Chief Administrative Officer, and the Chief Purchasing Officer shall disclose the following information by May first (1<sup>st</sup>) of each year, or the appropriate deadline as referenced in Section 105.487 RSMo, if any such transaction occurred 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 an employee 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 the 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; and
  3. The Chief Administrative Officer and Chief Purchasing Officer of the City shall disclose by May first (1<sup>st</sup>), or the appropriate deadline as referenced in Section 105.487, R.S.Mo., the following information for the previous calendar year:
    - a. 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.
    - b. 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;

**ORD. NO. \_\_\_\_**

**ORD. NO. \_\_\_\_**

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 and 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 on 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.

- c. The name and address of each corporation for which such person served in the capacity of a director, officer, or receiver.

Section 150.040 Filing of records. The reports shall be filed with the City Clerk, the Secretary of State's Office, and with the Missouri Ethics Commission. The reports shall be available for public inspection and copying during normal City business hours. The reports shall be substantially in the same form as the one issued by the Missouri Ethics Commission.

Section 150.050 Financial Interest Statements – 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 appointed to the office shall file the statement within thirty (30) days of such appointment or employment covering the calendar year ending the previous December thirty-first (31<sup>st</sup>).
  - 2. Every other person required to file a financial interest statement shall file the statement annually not later than May first (1<sup>st</sup>) and the statement shall cover the calendar year ending the immediately preceding December thirty-first (31<sup>st</sup>); provided that any member of the Board of Aldermen may supplement the financial interest statement to report additional interest acquired after December thirty-first (31<sup>st</sup>) of the covered year until the date of filing of the financial interest statement.
  - 3. Every candidate required to file a personal financial disclosure statement shall file no later than fourteen (14) days after the close of filing at which the candidate seeks nomination or election of nomination by caucus. The time period of this statement shall cover the twelve (12) months prior to the closing date of filing for candidacy.

**ORD. NO. \_\_\_\_**

**ORD. NO. \_\_\_\_**

**Section 2.** Within 10 days of this ordinance's adoption, the City Clerk shall send a certified copy of this ordinance to the Secretary of State's Office and the Missouri Ethics Commission.

**Section 3.** If any clause, word, paragraph, section, or other part or portion of this ordinance is held to be invalid, illegal, or unconstitutional for any reason, the Board of Aldermen hereby declares it would nevertheless have enacted the remaining portions thereof and such remaining portions shall remain in full force and effect.

**Section 4.** This ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED this 25<sup>th</sup> day of August, 2022.

\_\_\_\_\_  
JOE MAURATH, MAYOR

APPROVED this 25<sup>th</sup> day of August, 2022.

\_\_\_\_\_  
JOE MAURATH, MAYOR

ATTEST:

\_\_\_\_\_  
Jane Hungler, City Clerk

Motion to approve. Roll Call vote:

Ayes:

Nays:

Absent:

**ORD. NO. \_\_\_\_\_**