

**CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI
BOARD OF ALDERMEN SPECIAL MEETING
IMMEDIATELY FOLLOWING CLOSED MEETING
WEDNESDAY, SEPTEMBER 11, 2024
VIA ZOOM**

**Notice is hereby given that the City of Bellefontaine Neighbors will
hold a SPECIAL Board of Aldermen meeting on Wednesday
September 11, 2024, IMMEDIATELY FOLLOWING CLOSED MEETING.
VIA ZOOM**

**THE MEETING WILL BE ACCESSIBLE BY THE PUBLIC IN PERSON AND REAL TIME
VIA ZOOM.**

THE INSTRUCTIIONS TO JOIN ARE BELOW.

To Join The Meeting Via Website:

- (1) Go to Zoom at <https://zoom.us>**
- (2) Select Join a Meeting**
- (3) Enter Meeting ID: 825 620 8214**
- (4) Enter Password: 4i85eK**

To Join the Meeting By Phone Call (Audio):

- (1) Call 1 312 626 6799 US (Chicago)
1 646 558 8656 US (New York)**
- (2) When prompted, enter the Pass Code 452739**

SPECIAL MEETING AGENDA

BELLEFONTAINE NEIGHBORS BOARD OF ALDERMEN

WEDNESDAY-SEPTEMBER 11, 2024

VIA ZOOM

1. **CALL THE MEETING TO ORDER**
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **ROLL CALL**
4. **APPROVAL OF AGENDA**
5. **OLD BUSINESS:**
 - A. **CORRECTION ON BILL #2697 (INTERIM CHIEF) SHOULD BE BILL #2698 (ORDINANCE # IS 2670)**
6. **NEW BUSINESS**
 - A. **BILL NO. 2699-AN ORDINANCE ESTABLISHING THE POSITION AND COMPENSATION FOR PERFORMING THE DUTIES OF EXECUTIVE ASSISTANT TO THE MAYOR OF THE CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI.- - (INTRODUCED BY ALDERWOMAN PEG WARNUSZ)**
 - B. **RESOLUTION #2024-03-A RESOLUTION, the City of Bellefontaine Neighbors (the "City") previously adopted such regulations now codified as Sections 2-71 through 2-80 of the Code of Ordinances of the City of Bellefontaine Neighbors, Missouri, which, inter alia, established and made public the City's chosen method of disclosing potential conflicts of interest and substantial interests in accordance with the requirements of Section 105.485.4. (INTRODUCED BY ALDERMAN JAMES THOMAS)**
7. **ADJOURNMENT**

NOTICE IS HEREBY GIVEN THAT ON THE 11TH DAY OF SEPTEMBER, 2024 SUBJECT TO A MOTION DULY MADE AND ADOPTED, THE BOARD OF ALDERPERSONS MAY HOLD A CLOSED MEETING FOR THE PURPOSE OF DISCUSSING MATTERS RELATING TO ONE OR MORE OF THE FOLLOWING: LEGAL ACTIONS, CAUSES OF ACTION, LITIGATION OR PRIVILEGED COMMUNICATIONS BETWEEN THE CITY'S REPRESENTATIVES AND ITS ATTORNEYS (SEC. 610.021(1): LEASE, PURCHASE OR SALE OF REAL ESTATE (SEC. 610.021(2); HIRING, FIRING, DISCIPLINING, OR PROMOTING EMPLOYEES (SEC. 610.021(3); PREPARATION FOR NEGOTIATIONS WITH EMPLOYEE GROUPS (SEC. 610.021(9); BIDDING SPECIFICATIONS (SEC 610.021(11); AND /OR PROPRIETARY TECHNOLOGICAL MATERIALS (SEC 610.02 (15).

THIS AGENDA WITH PUBLIC NOTICE OF THE BOARD OF ALDERPERSON'S MEETING ON SEPTEMBER 11, 2024 WAS POSTED ON SEPTEMBER 9th,2024 AT 5:00 PM IN BELLEFONTAINE NEIGHBORS CITY HALL (FRONT DOOR) AND ON THE CITY'S WEBPAGE AT www.cityofbn.com. FOR A COPY, CONTACT CITY HALL.

COPIES OF THIS NOTICE MAY BE OBTAINED BY CONTACTING THE CITY OF BELLEFONTAINE NEIGHBORS-9641 BELLEFONTAINE ROAD-ST. LOUIS, MO 63137-(314) 867-0076.

INTRODUCED BY ALDERMAN MICHAEL WIESE

BILL NO. 2699

ORDINANCE NO. _____

**AN ORDINANCE ESTABLISHING THE POSITION AND
COMPENSATION FOR PERFORMING THE DUTIES OF
EXECUTIVE ASSISTANT TO THE MAYOR OF THE CITY OF
BELLEFONTAINE NEIGHBORS, MISSOURI.**

WHEREAS, the Board of Aldermen of the City of Bellefontaine Neighbors, Missouri finds it necessary and appropriate to establish the position of Executive Assistant to the Mayor and establish the duties and compensation for the position; and

WHEREAS, the Board of Aldermen finds and believes that the City will be best served if provisions are made for the duties and compensation for the position of Executive Assistant to the Mayor.

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

Section One.

Chapter 2 Administration, Article III Officers and Employees, of the Code of Ordinances of the City of Bellefontaine Neighbors, Missouri, shall be amended to add the office of Executive Assistant to the Mayor and a new Section initially to be designated as Section 2-186 pertaining to the office of Executive Assistant to the Mayor, as follows:

Chapter 2. Administration

ARTICLE III. Officers and Employees

Division 10. Executive Assistant to the Mayor

Section 2-186 Creation of Office — Appointment — Part-Time Position — Compensation.

- A. Creation of Office. The office of Executive Assistant to the Mayor is hereby created.
- B. Appointment. The Mayor, with the approval of the Board of Aldermen shall appoint a qualified person to the office of Executive Assistant to the Mayor.
- C. Part-Time Position and Duties. The Executive Assistant to the Mayor shall perform such duties of an administrative or executive nature, as the Mayor shall direct from time to time, as identified in **Exhibit A**, attached hereto and incorporated herein by reference. The office of the Executive Assistant to the Mayor shall be a part-time position, and the Executive Assistant shall perform his/her duties during the hours set by the Mayor. The Executive

Assistant shall not hold outside employment for remuneration except with the consent of the Mayor and the Board of Aldermen.

- D. Compensation. The Executive Assistant to the Mayor shall receive compensation in the amount of \$35,000 annually, and such additional compensation as may be determined by the Mayor and Board of Aldermen by ordinance from time to time. The Executive Assistant shall not qualify for any benefits other than the dollar compensation and any benefits approved by the Board for the Executive Assistant position.
- E. Bond. The Executive Assistant to the Mayor, before entering upon the duties of the office, shall file with the City a bond in the amount of \$10,000 conditioned on the faithful discharge and honest performance of the duties of the Executive Assistant as described in **Exhibit A**. The cost of said bond shall be paid by the City; however, should the Executive Assistant be covered by a blanket bond to the same extent, an individual bond shall not be required.
- F. Miscellaneous. In addition to the foregoing duties, the Executive Assistant shall perform any and all other duties or functions as may be prescribed by the Mayor or other ordinances of the City from time to time; provided that the Executive Assistant shall be limited to part time services averaging no more 28 hours per week.

Section Two.

It is hereby declared to be the intention of the Board of Aldermen that the sections, paragraphs, sentences, clauses, phrases and words of this ordinance are severable, and if any section, paragraph, sentence, clause, phrase or word(s) of this ordinance shall be declared unconstitutional or otherwise invalid, such unconstitutionality or invalidity shall not affect any of the remaining sections, paragraphs, sentence, clauses, phrases and words or this ordinance since the same would have been enacted by the Board of Aldermen without the incorporation in this ordinance of any such unconstitutional or invalid portion of the ordinance.

Section Three.

The Chapter, Article, Division and/or Section assignments designated in this Ordinance may be revised and altered by the codification company servicing the City Code of Ordinances upon supplementation of such code if, in the discretion of the editor, an alternative designation would be more reasonable. In adjusting such designations, the editor may also change other designations and numerical assignment of code sections to accommodate such changes.

Section Four.

This Ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and approval by the Mayor.

PASSED BY THE BOARD OF ALDERMEN FOR THE CITY OF BELLEFONTAINE NEIGHBORS THIS ____ DAY OF SEPTEMBER 2024.

Presiding Officer

ATTEST:

City Clerk

APPROVED THIS _____ DAY OF SEPTEMBER, 2024.

Dinah L. Tatman, Mayor

ATTEST:

City Clerk

Job Description
Mayor's Executive Assistant

City of Bellefontaine Neighbors
General

General Purpose of Position

Performs a variety of complex clerical and administrative work for Mayor while providing assistance with the administration of the standard operating policies and procedures of the City.

Major Duties and Responsibilities

Performs administrative duties for the Mayor

- Receives the public and answers questions; responds to inquiries from employees, citizens and others and refers, when necessary, to appropriate persons
- Answers in-coming calls and routes callers or provides information as required
- Schedules appointments and performs other administrative and clerical duties
- Maintains confidentiality of information and documents
- Procures department materials and supplies
- Completes special projects as assigned
- Prepares presentations for self and/or other department personnel
- Composes, types, and edits a variety of correspondence, legal contracts, bid specifications, reports, memoranda, and other material requiring judgment as to content, accuracy, and completeness
- Prepares agendas and supporting materials; may take and transcribe minutes; prepares and distributes minutes and reports when applicable
- Coordinates travel plans for the Mayor
- Coordinates events with Council, employees, and other municipalities
- Prepares statistical reports as needed
- Assists in processing documents and paperwork with necessary signatures between departments
- Processes incoming/outgoing mail and email for the Mayor's office
- Maintains and tracks the department's budget expenditures
- Prepares minutes from Department Head meetings
- Operates office machines as required

Performs other duties as directed

Job Context

Status	Part-time
FLSA Status	Unclassified
Frequency of Supervision	None
Number of Supervised Employees	None
Type of Work Schedule	Regular hours, year-round
Frequency of Overtime	Limited
Frequency of Night Work	Events & Council Meetings, 1 st and 3 rd Thursday
Shift Position	Not Applicable
On Call Status	On a regular basis
Percentage of Work Indoors	95%
Percentage of Work Outdoors	5%

Types of Accountabilities	Monetary, Fiscal, Safety, Legal
Exposure to Chemicals / Hazardous Materials	Almost never
Applicable Chemicals / Hazardous Materials*	Cleaning supplies, toner
Average Stress Level	Average, varies with activities
Physical Work Associated With This Position**	Using a personal computer, sitting for long periods of time, standing, walking, seeing up close, adjusting focus; hearing, speaking, seeing, move up 25 lbs.

*Exposure to chemicals / hazardous materials may not be limited to this list.

**These are the most common types of physical work associated with this position; however, this list is not considered to be exhaustive.

Education and Experience

The person in this position must have a high school diploma or equivalent, with specialized course work in general office practices, and at least five years of progressively responsible experience. Associates degree preferred. Any equivalent combination of education and experience would be considered.

Licenses and Certifications

A valid driver's license is required.

Knowledge, Skills and Abilities

Knowledge

Modern office procedures (phone, answering machines, computer, copier, printers, scanners, projector, etc.)
Office equipment basic maintenance and usage
Safety precautions
Work organization

Proper grammar and the use of English in speaking and writing
Computer operations and applications, including word processing and spreadsheets
General functions and operations of municipal government

Skills and Abilities

High level of great customer service
Demonstrate organizational skills
Demonstrate operation of requisite equipment
Establish and maintain effective working relationships
Prepare and present effectively, oral and written informative material relating to the activities of the department
Maintain confidentiality
Proof read documents accurately
Use various types of office software, including word processing and spreadsheets
Use common sense
Pay attention to detail
Complete detailed work accurately
Provide effective leadership for and maintain harmonious relationships
Meet specified deadlines
Prioritize daily work flow
Work as a team member with other employees
Communicate effectively with others, both oral and written

Administrative Assistant to Mayor	SALARY
Starting Salary	\$35,000.00
Step 1 - 2% increase	\$35,700.00
Step 2 - 2% increase	\$36,414.00
Step 3 - 2% increase	\$37,142.28
Step 4 - 2% increase	\$37,885.13
Step 5 - 2% increase	\$38,642.83
Step 6 - 2% increase	\$39,415.68
Step 7 - 2% increase	\$40,204.00
Step 8 - 2% increase	\$41,008.08
Step 9 - 2% increase	\$41,828.24

INTRODUCED BY: ALDERMAN JAMES THOMAS

RESOLUTION NO: 2024-03

WHEREAS, the City of Bellefontaine Neighbors (the "City") previously adopted such regulations now codified as Sections 2-71 through 2-80 of the Code of Ordinances of the City of Bellefontaine Neighbors, Missouri, which, inter alia, established and made public the City's chosen method of disclosing potential conflicts of interest and substantial interests in accordance with the requirements of Section 105.485.4, aforesaid; and

WHEREAS, Section 105.485.4, requires political subdivisions that wish to establish their own method of disclosing potential conflicts of interest and substantial interests to adopt an ordinance, order or resolution at an open meeting by September 15th biennially;

WHEREAS, the City previously adopted such regulations now codified as Sections 2-71 through 2-80 of the Code of Ordinances of the City of Bellefontaine Neighbors, Missouri, which, inter alia, established and made public the City's chosen method of disclosing potential conflicts of interest and substantial interests in accordance with the requirements of Section 105.485.4, aforesaid; and,

WHEREAS, Section 105.485.4, requires political subdivisions that wish to establish their own method of disclosing potential conflicts of interest and substantial interests to adopt an ordinance, order or resolution at an open meeting by September 15th biennially;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF BELLEFONTAINE NEIGHBORS, SAINT LOUIS COUNTY, MISSOURI AS FOLLOWS:

Section 1. The Board of Aldermen hereby readopts and reaffirms the requirements and policies of Sections 2-71 through 2-80 of the Code of I Ordinances of the City of Bellefontaine Neighbors, Missouri, a copy of which is attached hereto and marked as Exhibit A, as the City's chosen method of disclosing potential conflicts of interest and substantial interests in accordance with the requirements of Section 105.485.4, RSMo. 2016; and,

Section 2. The Clerk of the City of Bellefontaine Neighbors is hereby authorized and directed to file with the Commission a copy of this Resolution, including Exhibit A, within ten (10) days of the date of its adoption by the Board.

Section 3: This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

Adopted this ____ day of September, 2024.

Dinah L. Tatman, Mayor

ATTEST:

City Clerk

City of Bellefontaine Neighbors, MO
Tuesday, September 3, 2024

Chapter 2. Administration

ARTICLE III. Officers and Employees

Division 3. Conflicts of Interest

[1] *Editor's Note: Section 1 of Ord. No. 1492, adopted September 5, 1991, repealed §§ 2-71 — 2-74 and added new §§ 2-71 — 2-79. Former §§ 2-71 — 2-74 pertained to conflicts of interest and derived from §§ 2-21 — 2-24 of the 1964 Code.*

State law references—Regulation of conflicts of interest and lobbying, RSMo. §§ 105.450 — 105.482; local, more stringent regulations authorized, § 105.476.

Sec. 2-71. Definitions.

[Ord. No. 1492, § 1, 9-5-1991]

As used in sections **2-71** through **2-79**, the following terms shall have the following meanings:

ADVERSARY PROCEEDING

Any proceedings in which a record of the proceedings may be kept and maintained as a public record at the request of either party by a court reporter, notary public or some other person authorized to keep such record by law or any rule or regulation of the agency conducting the hearing; or from which an appeal may be taken directly or indirectly, or any proceeding from the decision of which any party may be granted, on request, a hearing de novo; or any arbitration proceeding; or a proceeding of a personnel review board; or an investigative proceeding initiated by an official, department, division or agency which pertains to matters which, depending on the conclusion of the investigation, could lead to a judicial or administrative proceeding being initiated against the party by the official, department, division or agency.

BUSINESS ENTITY

A corporation, association, firm, partnership, proprietorship or business entity of any kind or character.

BUSINESS WITH WHICH ONE IS ASSOCIATED

- (1) Any sole proprietorship owned by oneself, one's spouse or any dependent children in one's custody; or
- (2) Any partnership or joint venture in which one or one's spouse is a partner, other than a limited partner of a limited partnership, and any corporation or limited partnership in which one is an officer or director or of which either one or one's spouse or dependent child in one's custody whether singularly or collectively owns in excess of ten (10) percent of the outstanding shares of any class of stock or partnership units; or
- (3) Any trust in which one is a trustee or settlor in which one or one's spouse or dependent child whether singularly or collectively is a beneficiary or holder of a reversionary interest of ten (10) percent or more of the corpus of the trust.

EXHIBIT A

CITY

The City of Bellefontaine Neighbors, Missouri.

COMMISSION

The Missouri Ethics Commission established pursuant to state law.

CONFIDENTIAL INFORMATION

All information whether transmitted orally or in writing which is of such a nature that it is not, at that time, a matter of public record or public knowledge.

DECISION-MAKING PUBLIC SERVANT

An official, appointee or employee of the city who exercises supervisory authority over the negotiation of contracts, or has the legal authority to adopt or vote on the adoption of rules and regulations with the force of law or exercises primary supervisory responsibility over purchasing decisions and is designated as a decision-making public servant by the board of aldermen.

DEPENDENT CHILD OR DEPENDENT CHILD IN ONE'S CUSTODY

All children, stepchildren, foster children and wards under the age of eighteen (18) residing in one's household and who receive in excess of fifty (50) percent of their support from the individual.

SUBSTANTIAL INTEREST

Ownership by the individual, the individual's spouse, or the individual's dependent children, whether singularly or collectively, directly or indirectly, of ten (10) percent or more of any business entity, or of an interest having a value of ten thousand dollars (\$10,000.00) or more, or the receipt by an individual, the individual's spouse or the individual's dependent children, whether singularly or collectively, of a salary, gratuity, or other compensation or remuneration of five thousand dollars (\$5,000.00), or more, per year from any individual, partnership, organization, or association within any calendar year.

SUBSTANTIAL PERSONAL OR PRIVATE INTEREST IN ANY MEASURE, BILL, ORDER OR ORDINANCE

Any interest in a measure, bill, order or ordinance which results from a substantial interest in a business entity.

Sec. 2-72. Prohibited actions — All officials and employees.

[Ord. No. 1492, § 1, 9-5-1991]

No elected or appointed official or employee of the city shall:

- (1) Act or refrain from acting in any capacity in which one is lawfully empowered to act as an official or employee by reason of any payment, offer to pay, promise to pay, or receipt of anything of actual pecuniary value paid or payable, or received or receivable, to oneself or any third person, including any gift or campaign contribution, made or received in relationship to or as a condition of the performance of an official act, other than compensation to be paid by the city; or
- (2) Use confidential information obtained in the course of or by reason of one's employment or official capacity in any manner with intent to result in financial gain for oneself, one's spouse, dependent child in one's custody, or any business with which one is associated; or
- (3) Disclose confidential information obtained in the course of or by reason of one's employment or official capacity in any manner with intent to result in financial gain for oneself or any other person; or
- (4) Favorably act on any matter that is so specifically designed so as to provide a special monetary benefit to such employee or official or the employee's or official's spouse or dependent children including, but not limited to, increases in retirement benefits, whether received from the city or any third party by reason of such act. For the purposes of this section, "special monetary benefit"

means being materially affected in a substantially different manner or degree than the manner or degree in which the public in general will be affected or, if the matter affects only a special class of persons, then affected in a substantially different manner or degree than the manner or degree in which such class will be affected. In all such matters, such officials or employees must recuse themselves from acting and shall not be relieved by reason of the provisions of section **2-73(3)**, below, except that such official or employee may act on increases in compensation subject to the restrictions of the Missouri Constitution; or

- (5) Use one's decision-making authority for the purpose of obtaining a financial gain which materially enriches oneself, one's spouse or dependent children by acting or refraining from acting for the purpose of coercing or extorting from another anything of actual pecuniary benefit.

Sec. 2-73. Same — Executive or administrative officials and employees.

[Ord. No. 1492, § 1, 9-5-1991]

No elected or appointed official or employee of the city, serving in an executive or administrative capacity, shall:

- (1) Perform any service for the city or for any agency of the city over which the officer or employee has supervisory power for receipt of any compensation, other than the compensation provided for the performance of one's official duties, in excess of five hundred dollars (\$500.00) per annum, except on transactions made pursuant to an award on a contract let or sale made after public notice and competitive bidding, provided that the bid or offer is the lowest received; or
- (2) Sell, rent or lease any property to the city or to any agency of the city over which the officer or employee has supervisory power and received consideration therefor in excess of five hundred dollars (\$500.00) per year unless the transaction is made pursuant to an award on a contract let or sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest received; or
- (3) Participate in any matter, directly or indirectly, in which the officer or employee attempts to influence any decision of the city or any agency of the city over which the officer or employee has supervisory power, when the officer or employee knows the result of such decision may be the acceptance of the performance of a service or the sale, rental or lease of any property to the city or that agency for consideration in excess of five hundred dollars (\$500.00) value per annum to the officer or employee, to his or her spouse, to a dependent child in his or her custody or to any business with which the officer or employee is associated, unless the transaction is made pursuant to an award on a contract let or sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest received; or
- (4) Perform any service for consideration, during one (1) year after termination of his office or employment, by which the officer or employee attempts to influence a decision of the city or any agency of the city over which the officer or employee had supervisory power, except that this provision shall not be construed to prohibit any person from performing such service and receiving compensation therefor in any adversary proceeding or in the preparation or filing of any public document or to prohibit an employee of one department or agency of the city from being employed by another department or agency of the city; or
- (5) Perform any service for any consideration for any person, firm or corporation after termination of the officer's term or the employee's employment in relation to any case, decision, proceeding or application with respect to which the officer or employee was directly concerned or in which the officer or employee personally participated during the period of his or her service or employment.

Sec. 2-74. Prohibited acts; members of the board of aldermen.

[Ord. No. 1492, § 1, 9-5-1991]

(a) No member of the board of aldermen shall:

- (1) Perform any service for the city or any agency thereof for any consideration other than the compensation provided for the performance of one's official duties; or
- (2) Sell, rent or lease any property to the city or any agency of the city for consideration in excess of five hundred dollars (\$500.00) per annum unless the transaction is made pursuant to an award on a contract let or sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest received; or
- (3) Attempt, for any compensation other than the compensation provided for the performance of one's official duties, to influence the decision of any agency of the city on any matter; except that, this provision shall not be construed to prohibit such person from participating for compensation in any adversary proceeding or in the preparation or filing of any public document or conference thereon.

(b) No sole proprietorship, partnership, joint venture, or corporation in which any member of the board of aldermen is a sole proprietor, a partner having more than ten (10) percent partnership interest, or a coparticipant or owner of in excess of ten (10) percent of the outstanding shares in any class of stock shall:

- (1) Perform any service for the city or any agency thereof for any consideration in excess of five hundred dollars (\$500.00) per annum unless the transaction is made pursuant to an award on a contract let after public notice and competitive bidding, provided that the bid or offer accepted is the lowest received; or
- (2) Sell, rent or lease any property to the city or any agency of the city where the consideration is in excess of five hundred dollars (\$500.00) per annum unless the transaction is made pursuant to an award on a contract let or sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest received.

Sec. 2-75. Disclosure of interest required.

[Ord. No. 1492, § 1, 9-5-1991]

- (a) Any member of the board of aldermen who has a substantial personal or private interest in any measure, bill, order or ordinance proposed or pending before the board of aldermen shall, before passing on the measure, bill, order or ordinance, file a written report of the nature of the interest with the city clerk and such statement shall be recorded in the minutes of the meeting.
- (b) Any member of the board of aldermen shall be deemed to have complied with the requirements of this section if he or she has filed, at any time before passing on such measure, bill, order or ordinance, a financial interest statement pursuant to section 2-79(3), below, which discloses the basis for his or her substantial personal or private interest or interests that he or she may have therein. Any member may amend his or her financial interest statement to disclose any subsequently acquired substantial interest at any time before he or she passes on any measure, bill, order or ordinance and shall be relieved of the provisions of subsection (a) of this section.

Sec. 2-76. Prohibited acts — Persons with rule-making authority.

[Ord. No. 1492, § 1, 9-5-1991]

- (a) No member of any agency of the city who is empowered to adopt a rule or regulation, other than rules and regulations governing the internal affairs of the agency, or who is empowered to fix any

rate, adopt zoning or land use planning regulations or plans, or who participates in or votes on the adoption of any such rule, regulation, rate or plan shall:

- (1) Attempt to influence the decision or participate, directly or indirectly, in the decision of the agency of which he or she is a member when he or she knows the result of such decision may be the adoption of rates or zoning plans by the agency which may result in a direct financial gain or loss to such member, the member's spouse or a dependent child in the member's custody or to any business with which the member is associated; or
 - (2) Perform any service, during the member's term, for any person, firm or corporation for compensation other than the compensation provided for the performance of the member's official duties, if by the performance of the service the member attempts to influence the decision of the agency of which he or she is a member; or
 - (3) Perform for one year after termination of the member's term any service for compensation for any person, firm or corporation to influence the decision or action of the agency which he or she served as a member; provided, however, that he or she may, after termination of his or her office or employment, perform such service for consideration in any adversary proceeding or in the preparation or filing of any public document or conference thereon unless he or she participated directly in that matter or in the receipt or analysis of that document while serving as a member.
- (b) No such member or any business with which such member is associated shall knowingly perform any service for, or sell, rent or lease any property to any person, firm or corporation which has participated in any proceeding in which the member adopted, participated in the adoption or voted on the adoption of any rate or zoning plan or the granting or revocation of any license during the preceding year and received therefor in excess of five hundred dollars (\$500.00) per annum except on transaction pursuant to an award on a contract let or sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest received.

Sec. 2-77. Same — Persons in judicial or quasi-judicial positions.

[Ord. No. 1492, § 1, 9-5-1991]

- (a) No person serving in a judicial or quasi-judicial capacity shall participate in such capacity in any proceeding in which:
- (1) He or she knows that a party is any of the following: His or her great-grandparent, grandparent, parent, stepparent, guardian, foster parent, spouse, former spouse, child, stepchild, foster child, ward, niece, nephew, brother, sister, uncle, aunt, or cousin, or any firm or corporation in which he or she has an ownership interest, or any trust in which he or she has any legal, equitable or beneficial interest; or
 - (2) He or she knows the subject matter is such that he or she may receive a direct financial gain from any potential result of the proceeding, except that no provision of this subsection shall be construed to prohibit him or her from participating in any proceeding by reason of the fact that the city, or any agency of the city, is a party.
- (b) No provision of this section shall be construed to prohibit him or her from entering an order disqualifying himself or herself or transferring the matter to another court, body or person for further proceedings.

Sec. 2-78. Exceptions.

[Ord. No. 1492, § 1, 9-5-1991]

- (a) No provision of sections **2-71** through **2-79** shall be construed to prohibit any person from performing any ministerial act or any act required by order of a court of law to be performed.
- (b) No provision of sections **2-71** through **2-79** shall be construed to prohibit any person from communicating with the office of the attorney general or any prosecuting attorney or any attorney for the city concerning any prospective claim or complaint then under consideration not otherwise prohibited by law.
- (c) No provision of sections **2-71** through **2-79** shall be construed to prohibit any person, firm or corporation from receiving compensation for property taken by the city under the power of eminent domain in accord with the provisions of the Missouri Constitution, the Laws of the State of Missouri or the ordinances of the city.

Sec. 2-79. Disclosure of conflicts of interest and substantial interests.

[Ord. No. 1492, § 1, 9-5-1991]

- (a) *Definitions.* For purposes of this section, the following terms shall have the following meanings:

CHIEF ADMINISTRATIVE OFFICER

Shall mean the mayor of the city.

CHIEF PURCHASING OFFICER

Shall mean that official of the city designated by the mayor from time to time to be primarily responsible for purchasing on behalf of the city; provided, however, that the "chief purchasing officer" and "chief administrative officer" may be one and the same person and may be the mayor, if so designated.

ELECTED OFFICIAL

Shall mean each person elected to a city office by the voters of the city or a portion thereof.

FULL-TIME GENERAL COUNSEL

Shall mean the city attorney, but only if employed by the city under such terms that he or she is precluded from providing legal services to any person or entity other than the city.

OFFICIALS (OR "EMPLOYEES") AUTHORIZED TO PROMULGATE OR VOTE ON RULES AND REGULATIONS WITH THE FORCE OF LAW

Shall mean the members of the board of aldermen and such other board, agency or commission members designated from time to time by the board of aldermen as having been specifically delegated such authority.

- (b) *Disclosure statements.* Each elected official, the chief administrative officer of the city, the chief purchasing officer of the city and officials or employees authorized to promulgate or vote on rules and regulations with the force of law shall disclose the following information by May 1 of each year if any such transactions 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 of the city or payment of any tax, fee or penalty due to the city, and any other transfers for no consideration to the city.
 - (2) The date and identities of the parties to each transaction known to any such 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 the 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) *Financial interest statements.* By May 1 of each year the following information for the previous year must be disclosed by the chief administrative officer and the chief purchasing officer. In addition, any other elected or appointed official of the city may file a financial interest statement in lieu of compliance with the requirements of section **2-75(a)**, above.

- (1) 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;
- (2) The name and address of each sole proprietorship owned by such person;
- (3) The name, address and general nature of business conducted by each general partnership and joint venture in which such person was a partner or participant;
- (4) The name and address of each partner or coparticipant for each partnership or joint venture identified according to the preceding subsection, unless such names and addresses are filed by the partnership or joint venture with the Missouri Secretary of State;
- (5) The name, address and general nature of the business conducted by any closely held corporation or limited partnership in which such person owned ten (10) percent or more of any class of the outstanding stock or limited partnership units;
- (6) The name of any publicly traded corporation or limited partnership that is listed on any publicly regulated stock exchange or automated quotation system in which such person owned two (2) percent or more of any class of outstanding stock, limited partnership units or other equity interests;
- (7) The name and address of each corporation for which such person served in the capacity of a director, officer or receiver.

(d) *Times to file financial interest statements.* Financial interest statements shall be filed at the following times, but no person shall be required to file more than one financial 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 person may supplement their 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.
- (2) Each person appointed to an office for which a financial interest statement is required by this section shall file the statement within thirty (30) days of such appointment or employment.
- (3) Financial interest statements filed prior to January 1, 1993, shall be filed with the city clerk and with the Missouri Secretary of State. Reports filed after January 1, 1993, shall be filed with the city clerk and with the Missouri Ethics Commission. All reports shall be available for public inspection and copying during normal business hours of the city hall.

Sec. 2-80. Penalty provisions.

[Ord. No. 2142 § 1, 8-5-2010]

Any person violating Sections **2-71** to **2-79** of this Chapter shall be prosecuted under the general penalty ordinance of the City of Bellefontaine Neighbors as set forth at Section **1-10(a)** of the Code of Ordinances.

Sec. 2-81. through Sec. 2-85. (Reserved)

