

INTRODUCED BY: ALDERMAN DIMMITT
ALDERMAN PLUFKA
ALDERWOMAN O'NEILL
ALDERMAN WEGGE

AN ORDINANCE AMENDING SECTIONS 115.030.4, .5, .6 AND .8 REGARDING DISCLOSURE OF INTERESTS AND ACTIVITIES BY ELECTED AND APPOINTED OFFICIALS.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BRENTWOOD, MISSOURI, AS FOLLOWS:

SECTION 1: Section 115.030.4, 115.030.5, 115.030.6 and 115.030.8 of the Revised Code of Ordinances of the City of Brentwood, Missouri are hereby repealed and new Section 115.030.4, 115.030.5, 115.030.6 and 115.030.8 are hereby enacted in lieu thereof to read as follows:

Title I. Government Code

Chapter 115: Officers and Employees

Section 115.030.4 Circumstances Requiring Disclosure

1. Each elected official of the City of Brentwood, each member of the Brentwood Architectural Review Board, Board of Adjustment (including alternate members) and Planning and Zoning Commission, the City Administrator, Assistant City Administrator, Finance Director, and City Attorney shall disclose the following information annually by May first (1st), if any such transactions were engaged in during the calendar year ending with the immediately preceding December thirty first (31st):

- (a) Any transaction with the City in excess of five-hundred dollars (\$500.00) which involved the official or employee and any and all persons within the first degree of consanguinity or affinity of that person. Transactions exempted from disclosure include: compensation received as an employee or elected official, payment of any tax, fee or penalty, or any transfers for no consideration to the City.
- (b) Any transaction with the City in excess of five-hundred dollars (\$500.00) which involved any business entity in which such person had a substantial personal or private interest. Transactions exempted from disclosure include: compensation received as an employee or elected official, payment of any tax, fee or penalty, or any transfers for no consideration to the City.

2. The City Administrator, Assistant City Administrator, and Finance Director also shall disclose by May first (1st) for the calendar year ending with the immediately preceding December thirty first (31st) the following information:

- (a) The names and addresses 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 names and addresses of each sole proprietorship owned; the name, address and the general nature of the business conducted of each general partnership and joint venture in which he/she 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 joint venture or partnership 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 (10%) or more of any class of the outstanding stock or limited partnership units; 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.

3. Each elected official of the City of Brentwood and each member of the Brentwood Architectural Review Board, Board of Adjustment (including alternate members) and Planning and Zoning Commission shall disclose by May first (1st) for the calendar year ending with the immediately preceding December thirty first (31st) the following information, and shall file supplementary or revised disclosures within thirty days of a change to relevant information:

- (a) The address of any real estate located in the City of Brentwood in which the elected official or a member of the elected official's immediate family has an ownership or leasehold interest;
- (b) The name and address of any business with which the official is associated or in which the official has a substantial interest that (i) has an ownership or leasehold interest in any real estate in the City of Brentwood; or (ii) is located in the City of Brentwood; or (iii) does business with the City of Brentwood.

4. Each candidate (as defined in Sec. 130.011, RSMo.) for election to a Brentwood municipal office and each committee (as defined in Sec. 130.011, RSMo.) that accepts any contribution or makes any expenditure for the primary or incidental purpose of influencing or attempting to influence the action of voters with regard to any Brentwood municipal candidate or issue election shall file a copy of each report filed with the Missouri Ethics Commission and/or with the St. Louis County Board of Election Commissioners with the city clerk within 24 hours of filing with the Commission or Board.

Section 115.030.5 Disclosure Reports

The disclosure reports, on a form acceptable to the Missouri Ethics Commission and supplemented as necessary to accommodate any information required by the City but not the Commission, shall be made available by the office of the City Clerk for distribution electronically, by telephone fax, and by regular mail. The City Clerk will send a notice in the month of January every year reminding the elected and appointed officials, as well as the City employees of their obligations under Section 115.030 through Section 115.030.8. Completed disclosure reports shall be filed with the City Clerk and with the Missouri Ethics Commission in accordance with the Commission's requirements. The reports shall be available for public inspection and copying during normal business hours.

The disclosure reports shall be filed at the following times:

- (a) Elected and appointed officials covered by this ordinance shall file their initial report as required within thirty (30) days of their election or appointment.
- (b) Every person covered by Section 115.030 through Section 115.030.8 and required to file any report or disclosure shall do so annually not later than May first (1st) covering the calendar year ending with the immediately preceding December thirty first (31st) and periodically as to any additional reports or disclosures required by Sections 115.030.3 and 115.030.4, above.
- (c) Every person covered by Section 115.030 through Section 115.030.8 at the time of adoption of the Ordinance enacting this subsection and required to file any report or disclosure shall file such report or disclosure as may be required of them within sixty (60) days of the adoption of the Ordinance enacting this subsection.
- (d) Any person appointed or elected to an office covered by Section 115.030 through Section 115.030 . after the date of adoption of the Ordinance enacting this subsection shall file such report or disclosure as may be required of them within sixty (60) days of appointment or election to such office.

If the official or employee covered by this ordinance has no conflicts of interest as described herein, a disclosure report is not required, except that an elected official shall be required to file a report attesting that none of the circumstances requiring disclosure under this ordinance exist as to such person. In no event shall any person covered by this ordinance be required to file more than one report per calendar year except as may be required by Sections 115.030.4.3 and 115.030.4.4, above; however, elected or appointed officials may file supplemental disclosure reports describing additional interests acquired after December thirty first (31st) of the covered year until the date of the filing of the disclosure report.

Section 115.030.6 Conflicts of Interest Requiring Recusal

1. The Mayor or any member of the Board of Aldermen who has a substantial personal or private interest in any measure, bill, order, ordinance or matter of any kind proposed or pending before the Board of Aldermen shall disclose that interest to the City Clerk so that such disclosure can be recorded in the records of the Board of Aldermen and shall further recuse themselves from deliberation and voting or acting on any matters relating to this self-interest.
2. Each member of the Brentwood Architectural Review Board, Board of Adjustment (including alternate members) and Planning and Zoning Commission who has a substantial personal or private interest in any measure, bill, order, ordinance or matter proposed or pending before the board, commission or governmental body on which such person serves shall disclose that interest to the City Clerk so that such disclosure can be recorded in the records of the body and shall further recuse themselves from deliberation and voting or acting on any matters relating to this self-interest.

Section 115.030.8 Penalty

Any person violating any part of Section 115.030 through Section 115.030.8 shall be prosecuted under the general penalty ordinance of the City of Brentwood as set forth at §100.080 of the Brentwood Municipal Code. In addition, any person subject to the

requirements of Section 115.030 through Section 115.030.8 shall be subject to removal from office if such person shall fail or refuse to comply with the requirements thereof or shall file any false, incomplete, misleading or fraudulent statement or information in any report or disclosure filed pursuant to Section 115.030 through Section 115.030.8.

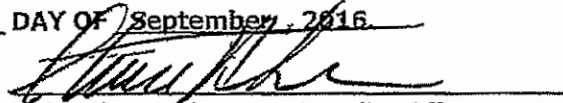
SECTION 2: The Chapter, Article, Division and/or Section assignments designated in this Ordinance may be revised and altered in the process of recodifying or servicing the City's Code of Ordinances upon supplementation of such code if, in the discretion of the editor, an alternative designation would 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 3: It is hereby declared to be the intention of the Board of Aldermen that each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the Board of Aldermen intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect.

SECTION 4: All ordinances and parts of ordinances in conflict with this ordinance are, to the extent of such conflict, hereby repealed.

SECTION 5: This ordinance shall be in full force and effect from and after the date of its passage and approval according to law. This Ordinance shall be in full force and take effect from and after the date of its final passage and approval by the Mayor.

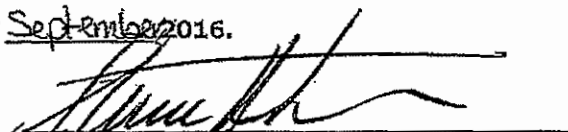
PASSED BY THE BOARD OF ALDERMEN THIS 6th DAY OF September, 2016.


Christopher A. Thornton, Presiding Officer

ATTEST:

Octavia Pittman, City Clerk

APPROVED BY THE MAYOR THIS 6th DAY OF September, 2016.


Christopher A. Thornton, Mayor

ATTEST:

Octavia Pittman, City Clerk

1st Reading: 9/5/16

2nd Reading: 9/6/16