

CITY OF MEADVILLE. MISSOURI

Bill No. _____

Ordinance No. 2021-01

An Ordinance replacing Ordinance 2019-06 and approving a new Conflict of Interest Policy

Be it ordained by the Board of Aldermen of the City of Meadville, Missouri as follows:

Section 1. The City of Meadville hereby adopts the following Conflicts of Interest Policy:

A. General Policy. City of Meadville employees and elected officials shall employ independent objective judgment in performing their duties, deciding all matters on their merits alone, free of partiality or prejudice and unimpeded by conflicts of interest or other improper influences. No city employee or elected official shall engage in conduct that constitutes a conflict of interest, which shall be defined as use by an officer or employee of the authority of his/her office or the use of any confidential information received through his/her employment for the private pecuniary benefit of the employee, a member of the employee's immediate family (which includes for the purposes of this Code of Ethics the employee's spouse, domestic partner, parent, sibling and child), or a business with which the employee or a member of the employee's immediate family is associated.

B. Financial Interest. A city employee or elected official shall neither engage nor have any interest, financial or otherwise, direct or indirect, in any business transaction or professional entity, either as a director, officer, partner, trustee, employee, or manager in that entity which conflicts with or impairs the proper discharge of official duties or which could bring disfavor or disrespect upon the employee or elected official of the city.

C. Contracting Decisions. A city employee or elected official shall not recommend, vote or otherwise participate in the decision to make any contract valued at more than \$500 or transactions totaling more than \$5,000 per year, between the city and any business or entity in which the employee or elected official has a personal or financial conflict of interest.

City employees or elected officials shall be deemed to have a financial conflict of interest in a decision if it is reasonably foreseeable that the decision will have a material financial effect on:

1. The employee or elected official's immediate family distinguishable from its effect on the public generally;
2. Any business entity in which the employee or elected official or a member of the employee or elected official's immediate family has a direct or indirect investment worth \$500 or more or in which the employee or elected official or a member of the employee or elected official's family holds any position of management or is a director, officer, partner, trustee, or an employee;
3. Any real property in which the employee or elected official or a member of the employee or elected official's immediate family has a direct or indirect interest worth \$500 or more; or
4. Any source of income for the employee or elected official or the employee or elected official's immediate family of \$500 or more.

A city employee or elected official who has a financial conflict of interest because of his/her relationship with a business must remove him/herself from any decision concerning that entity including any decision to contract or not to contract with the entity and the administration of the contract.

D. Referrals. A city employee or elected official shall not refer a city resident to a service, service provider or product in return for anything of value. Officers or employees making referrals as part of their official duties shall make referrals to more than one provider of the service or product.

E. Outside Income. City employees or elected officials shall not accept any outside earned income in any situation where a reasonable person in the community could conclude that the receipt of the income would be inconsistent, incompatible, or in conflict with their official duties.

F. General Limitation on Solicitation. A city employee or elected official shall not solicit, directly or indirectly, any payments or other benefits under circumstances that would create in the mind of a fair-minded, reasonable person the belief that such payments or benefits were provided with the intent to improperly influence the employee or elected official's actions.

G. Gifts and Gratuities. The acceptance of gifts, payments, or other benefits from those with whom the city does business can be improper. A gift is defined as anything of value which is provided to the extent that payment or consideration of equal or greater value is not received in return including but not limited to tickets to sporting or cultural events; items of food; meals; use of facilities; forgiveness of debts; interests in real property, investments, or merchandise; or a rebate or discount (unless the rebate or discount is normally given to any member of the public). City employees or elected officials who are in the position to make or influence a decision to spend city funds shall not solicit or accept any personal gifts, favors, or benefits of more than nominal value during a calendar year from any single person or organization that might benefit from the employee or elected official's decision. This provision does not apply to:

1. Meals provided at an event at which the employee participates in a seminar or similar activity;
2. Travel expenses and meals paid for by a local, state, federal or foreign government agency; or
3. Items received from a union representing the employee.
4. Items of nominal value (under \$50).

Section 2. That all ordinances or parts of ordinances therefore enacted which are in conflict herewith are hereby repealed.

Section 3. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Aldermen hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 4. This ordinance shall be in full force and effect from and after its passage.

Read twice, passed, and approved by the Board of Aldermen this 8th day of February, 2021.

APPROVED:

Ruth Mundtman

MAYOR

ATTEST:

Kathleen Mearns

CITY CLERK

