

AGENDA  
CITY COUNCIL MEETING  
Monday, August 1, 2011  
7:30 P.M.

1. Call to Order
2. Minutes of July 18, 2011 meeting

Old Business

3. Bid Tabulation Review-New Bucket Truck

New Business

4. Visitors (All visitors wishing to address the Council must complete an information card and submit it to the City Clerk before the meeting begins)
5. Bill No. 11-1192: Financial Disclosure
6. Bill No. 11-1193: Real Estate Transfer
7. AECI Statement of Revenues and Expenditures, June 211
8. Building Permit: Metal Carport at 830 Kingshighway, Lot 4 submitted by Henry Fourthman
9. Discussion: Dedicated Sales Tax
10. City Administrator's Report

CLOSED SESSION, relative to:

Leasing, purchase or sale of real estate where public knowledge of the transaction might adversely affect the legal consideration there for (RSMo 610.021.2)

11. Additional items, if requested.

**AN ORDINANCE OF THE CITY OF NEW MADRID, MISSOURI TO ESTABLISH A PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS FOR CERTAIN OFFICIALS.**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW MADRID, MISSOURI, AS FOLLOWS:**

**SECTION I: Declaration of Policy.**

The proper operation of government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in the proper channels of the governmental structure; the 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 officials and employees of private financial or other interests matters affecting the city.

**SECTION II: Conflict of Interest.**

- a. All elected and appointed officials as well as employees of the political subdivision must comply with Section 105.454 of the Missouri Revised Statutes on conflicts of interest as well as any other state law governing official conduct.
- b. Any member of the governing body of a political subdivision who has a "substantial or private interest" in any measure, bill, order or ordinance proposed or pending before such governing body must disclose that interest to the secretary or clerk of such body and such disclosure shall be recorded in the appropriate journal of the governing body. Substantial or private interest is defined as ownership by individual, his spouse, or his dependent children, whether singularly or collectively, directly or indirectly of (1) 10% or more of any business entity; or (2) an interest having a value of \$10,000 or more; or (3) the receipt of a salary, gratuity, or other compensation or remuneration of \$5,000 or more, per year from any individual, partnership, organization, or association within any calendar year:

**SECTION III: Disclosure Reports.**

Each elected official, candidate for elective office, the chief administrative officer, the chief purchasing officer and the full-time counsel shall disclose the following information by May 1 if any such transaction occurred during the previous 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 (\$500), if any, that such person had with the political subdivision, other than

compensation received as employee or payment of any tax, fee or penalty due to the political subdivision, and other than transfers for no consideration to the political subdivision.

b. The date and identities of the parties to each transaction known to the person with a total value in excess of five hundred dollars (\$500), if any, that any business entity in which such person had a substantial interest, had with the political subdivision, other than payment of any tax, fee or penalty due to the political subdivision or transaction involving payment for providing utility service to the political subdivision, and other than transfers for no consideration to the political subdivision.

c. The chief administrative officer, chief purchasing officer, and candidates for either of these positions also shall disclose by May 1, or the appropriate deadline as referenced in Section 105.487 RSMo., the following information for the previous calendar year.

1. The name and address of each of the employers of such person from whom income of one thousand (\$1,000) or more was received during the year covered by the statement;

2. The name and address of each sole proprietorship that 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 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; 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 interest;

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

#### **SECTION IV: Filing of Reports.**

a. The financial interest statement shall be filed at the following times, but no person is required to file more than one financial 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 member of the Board 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.

2. Each person appointed to office shall file the statement within thirty days of such appointment or employment covering the calendar year ending the previous December 31;

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 election. The time period of this statement shall cover the twelve months prior to the closing date of filing for candidacy.

b. Financial Disclosure Reports giving the financial information required in Section 3 shall be filed with the local political subdivision and the Missouri Ethic Commission. The reports shall be available for public inspection and copying during normal business hours.

**SECTION V. Filing of Ordinance.**

A certified copy of this Ordinance shall be filed with the Missouri Ethics Commission within ten days of its adoption.

**SECTION VI. Effective Date.**

This ordinance shall be in full force and effect from and after its passage and approval and shall remain in effect until amended or repealed by the Board of Aldermen.

**READ TWO TIMES, PASSED AND APPROVED THIS 1<sup>ST</sup> DAY OF AUGUST 2011.**

\_\_\_\_\_  
Donnie Brown, Mayor

ATTEST:

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City Clerk

Approved as to Form:

\_\_\_\_\_  
City Attorney

**AN ORDINANCE ACKNOWLEDGING THE TRANSFER OF REAL ESTATE TO THE CITY OF NEW MADRID, MISSOURI PURSUANT TO SECTION 49.292 REVISED STATUTES OF THE STATE OF MISSOURI.**

WHEREAS, the City of New Madrid, Missouri has purchased real property and the deed of transfer is required to be acknowledged pursuant to Seciton 49.292 Revised Statutes of the State of Missouri in order to be recorded by the Recorder of Deeds;

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF NEW MADRID, MISSOURI AS FOLLOWS:

1. That the transfer of the following described real property to the City of New Madrid, Missouri is hereby approved and acknowledged:

TRACT ONE (BeBee Memorial Purchase):

A certain lot of ground, 80 by 269 feet lying north of Mrs. E.M. Denhart lot, on the Brush Prairie road near the City of New Madrid Bounded as follows: Commencing at the North East corner of Mrs. Denhart lot, running West parallel with the present line of fence on the North side of the Denhart lot, thence North 105 feet, thence East 269 feet, thence South 105 feet, to the place of beginning. Except a strip of land 25 feet wide off of the south side of said described lot left for a road, which strip of 25 by 269 feet is not here conveyed. Also known as Lot Ten (10) in Block Six (6), Powell's Fourth Addition to the City of New Madrid County, Missouri, LESS AND EXCEPT that part conveyed for Levee purposes and Road purposes.

TRACT TWO (Masterson Purchase):

All that certain Lot or Parcel of land in the City of New Madrid, Missouri, more particularly described as follows:

Beginning at the intersection of the North line of Waters Street and the West line of Emerson Street in the City of New Madrid, Missouri; thence running North along the West line of Emerson Street One Hundred Seventy-Eight (178) feet to the point of beginning; thence continue North along the West side of Emerson Street Sixty Nine (69) feet, more or less; thence Westerly parallel with Waters Street One Hundred Seven (107) feet, more or less; thence South parallel with Emerson Street Sixty-nine (69) feet, more or less; thence East parallel with Waters Street One Hundred Seven (107) feet, more or less; to the point of beginning;

Being the same lot shown as Lot Number Six (6) in Block Numbered Thirty-three (33), New Madrid County's First Map of the City of New Madrid, Missouri, according to the advance sheet of said map prepared by W.H. Ice, County Surveyor, in Plat Book #4 at Page #6.

READ TWO TIMES AND DULY PASSED AND APPROVED THIS 1<sup>ST</sup> DAY OF AUGUST, 2011.

APPROVED:

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DONNIE BROWN, MAYOR

ATTEST:

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MARIAN B. BOCK, CITY CLERK

APPROVED AS TO FORM:

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LYNN N. BOCK, CITY ATTORNEY