

CITY OF FAIR GROVE

HANDBOOK FOR ELECTED BOARD OF ALDERMAN, APPOINTED BOARDS, AND COMMISSIONS

In order to assist in setting direction for the city, the Board of Aldermen considers the advice of its various boards and commissions. Citizens who serve on boards and commissions, therefore, play an important part in translating ideas into programs and suggestions and concerns into change. They also expand the knowledge and experience based on the elected decision makers.

The Board of Aldermen has engaged more and more citizens in the process of government by creating new advisory boards when the need arises. At present, the City of Fair Grove has the following advisory bodies:

1. Planning and Zoning Commission
2. Board of Zoning Adjustment- final decision maker to be recorded.
3. Building Code Board of Appeal
4. Park Board- is an administrative board for the city.

Purpose

The purpose of this Handbook for Board of Alderman, appointed Boards and Commissions is to explain the role of boards, commissions and committees in advising the Board of Aldermen and to set forth guidelines to assist in carrying out their work.

City Structure

In order to be more effective in fulfilling their purpose, board and commission members should understand the organizational structure of the city.

The City of Fair Grove is a fourth class municipality operating pursuant to the RSMo Chapter 79 and the Fair Grove Code of Ordinances.

The citizens have chosen a Board/Mayor form of government. Under this form, the citizens elect six board members, two from each ward, and one mayor at large. The entire Board elects the mayor pro tem (chairman). The Board of Aldermen sets the goals and policies for city government, and annually adopts a budget in support of city activities.

ARTICLE I. BOARD MEMBER EXPECTATIONS

Attendance

The effective operation of a board depends upon regular attendance of the members at meetings. As a result, for boards which meet monthly, a member may be removed from the position prior to expiration to a term when that member is absent from three consecutive meetings, or four meetings in a year, for reasons other than illness, unless prior arrangements have been made with the board for the absence. For boards that meet more frequently than monthly, a member may be removed when that member is absent from more than 25% of the meetings, unless prior arrangements have been made with the board for the absences.

The chairperson of the board shall be responsible for calling those board members who are not regularly attending the board's meeting in order to encourage them to attend. If a board member's attendance does not improve after being so contacted by the chairperson, the chairperson shall inform the board member in writing that the board will be considering a recommendation to the Mayor regarding the member's possible removal from the board.

If a member is unable to attend a meeting, the secretary or chairperson of the board should be notified at least 24 hours in advance of the meeting. Repeated absences, even if not consecutive, may also be cause for removal.

Board members are encouraged to give the chairperson of the board as much advance notice as possible, preferable 90 days advance notice, of the board member's intention to resign from the board and to advise the chairperson of the intended date of such resignation.

Conflicts of Interest

The objective of the Board of Aldermen is that the members avoid any conflict of interest. A member should also carefully consider for him or herself avoiding even the appearance of impropriety. Since there may be areas where board members are unsure or unaware that a conflict exists, the following guidelines should be considered.

If a board member has acquired confidential information in the course of official duties that information cannot be used to substantially further the member's personal financial interests. Occasionally gifts are offered to board members. If it appears under the circumstances that a gift has been offered to the member for the purpose of rewarding the member for official action, the board member should refuse the gift. If a gift is of substantial value and would tend to improperly influence a reasonable person, the gift should be refused. A gift of substantial value includes an economic benefit such as loans at a rate substantially lower than the current commercial rate for similar loans. Such an economic benefit would also include compensation received for personal services that substantially exceeds the fair market value of the services.

No board member can participate in any matter, directly or indirectly, in which the board member attempts to influence any decision by (i) the board, committee or commission in which they are a member or (ii) the Fair Grove Board of Aldermen, when the member knows that such a decision may lead to the acceptance of the performance of a service or the sale, rental or lease of property, for a payment in excess of \$500 per transaction or \$5000 per year, to the member, their spouse, dependent children or any business in which they are associated, unless the award is made pursuant to a contract made after public notice and competitive bidding.

State law provides that a board member shall not hold an interest in a business or undertaking that may possibly be directly and substantially economically affected by any official action of the member's board. A board member shall not perform an official act causing an economic detriment to the member's business or personal competitors.

If a member has a personal or private interest in any matter before the board, the member must disclose the interest to the board must not vote on the matter and must refrain from attempting to influence the other board members in voting on the matter. The member should consider not only his or her financial interests and investments, but also those of spouse and children.

If you are unsure of your legal responsibilities on any matter coming before your advisory body, you should seek the advice of the City Attorney as soon as possible before the meeting.

Board Responsibilities

Each board, committee and commission is responsible to investigate and make thoughtful recommendation to the Board of Aldermen and city staff on issues coming before it. Such recommendations are often most useful if they include alternatives that were considered and an analysis of the pros and cons of the alternatives.

Matters upon which a board makes recommendations can come from the Board of Aldermen, from city staff, the citizens of Fair Grove and from the board members themselves. The Board of Aldermen does not wish to impose a rigid structure upon the thoughts and ideas of any board, committee or commission, but instead believes that creative and innovative ideas can come from many different sources. Often, however, ideas will originate with the consideration and adoption of goals by the Board of Aldermen, and boards, committees and commissions will be asked to consider such goals.

The normal channels for communication between the Board of Aldermen and the boards, committees and commissions are through the Aldermen liaison to the board and city staff in the affected department. Such person will report to the Board of Aldermen the deliberations and recommendations of the board. The boards, committees and commissions, and their individual members, are always free to communicate directly with the Board of Aldermen on any matter concerning their areas of responsibility.

In considering recommendations from boards, committees and commissions, the Board of Aldermen will attempt to balance the many diverse interests in our community.

Code of Ethics

The citizens and businesses of Fair Grove, Missouri are entitled to have fair, ethical and accountable local government which has earned the public's full confidence for integrity.

To this end, the Fair Grove Board of Aldermen has adopted a Code of Ethics for members of the Board of Aldermen and of the City's boards, committees and commissions to assure public confidence in the integrity of local government and its effective and fair operation.

1. Act in the Public Interest

Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of the people of Fair Grove and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before the Fair Grove Board of Aldermen, boards, committees and commissions.

2. Comply with the Law

Members shall comply with the laws of the nation, the State of Missouri and the City of Fair Grove in the performance of their public duties. These laws include, but are not limited to: the United States and Missouri constitutions; the Fair Grove Municipal Code; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and City ordinances and policies.

3. Conduct of Members

The professional and personal conduct of members must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of Aldermen, boards, committees and commissions, the staff or public.

4. Respect for Process

Members shall perform their duties in accordance with the processes and rules of order established by the Board of Aldermen and boards, committees and commissions governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the Board of Aldermen by City staff.

5. Conduct of Public Meetings

Members shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.

6. Decisions Based on Merit

Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.

7. Communication

Members shall publicly share substantive information that is relevant to a matter under consideration by the Board of Aldermen or boards, committees and commissions, which they may have received from sources outside of the public decision making process.

8. Conflict of Interest

In order to assure their independence and impartiality on behalf of the common good, members shall not use their official positions to influence government decisions in which they have a material financial interest or where they have an organizational responsibility or personal relationship which may give the appearance of a conflict of interest. In accordance with the law, members shall disclose investments, interests in real property, sources of income, and gifts; and they shall abstain from participating in deliberations and decision-making where conflicts may exist.

9. Gifts and Favors

Members shall not take any special advantage of services or opportunities for personal gain, by virtue of their public office that are not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits which might compromise their independence of judgment or action or give the appearance of being compromised.

10. Confidential Information

Members shall respect the confidentiality of information concerning the property, personnel or affairs of the City. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.

11. Use of Public Resources

Members shall not use public resources not available to the public in general, such as City staff time, equipment, supplies or facilities, for private gain or personal purposes.

12. Advocacy

Members shall represent the official policies or positions of the Board of Aldermen, board, committee or commission to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members shall explicitly state they do not represent their body or the City of Fair Grove, nor will they allow the inference that they do.

13. Policy Role of Members

Members shall respect and adhere to the structure of the Fair Grove city government as outlined by the Fair Grove Municipal Code. In this structure, the Board of Aldermen determines the policies of the City with the advice, information and analysis provided by the public, boards, committees and commissions, and City staff.

14. Independence of Boards, Committees and Commissions

Because of the value of the independent advice of boards, committees and commissions to the public decision-making process, members of the Board of Aldermen shall refrain from using their position to unduly influence the deliberations or outcomes of board, committee and commission proceedings.

15. Positive Work Place Environment

Members shall support the maintenance of a positive and constructive work place environment for City employees and for citizens and businesses dealing with the City. Members shall recognize their special role in dealings with City employees to in no way create the perception of inappropriate direction to staff.

16. Implementation

As an expression of the standards of conduct for members expected by the City, the Fair Grove Code of Ethics is intended to be self-enforcing. It therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions.

For this reason, ethical standards shall be included in the regular orientations for newly appointed officials. Members entering office shall sign a statement affirming they have read and understood the City of Fair Grove code of ethics. In addition, the Code of Ethics shall be annually reviewed by boards, committees and commissions, and the Board of Aldermen shall consider recommendations from boards, committees and commissions and update it as necessary.

17. Compliance and Enforcement

The Fair Grove Code of Ethics expresses standards of ethical conduct expected for members of the Fair Grove Board of Aldermen, boards, committees and commissions. Members themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government.

The chairs of boards, committees and commissions and the Mayor have the additional responsibility to intervene when actions of members that appear to be in violation of the Code of Ethics are brought to their attention. The Board of Aldermen may remove members of boards, committees and commissions from office.

ARTICLE II. ORGANIZATION OF THE BOARD

Annually, each board shall choose a chairperson. Additional offices may be created by the board from time to time as necessary. If a city staff person is not made available to serve as recording secretary, a board shall also choose a recording secretary.

Duties of Mayor or Chairperson

The Mayor or Chairperson serves as the presiding officer over all meetings. It is the responsibility of the Mayor or Chairperson to conduct meetings, keep the discussion on track, encourage the input of ideas and facilitate the overall decision process. The Mayor or Chairperson should clarify ideas as they are discussed and should repeat motions to ensure that all members fully understand the wording of the item upon which they are voting. It is also the Mayor or Chairperson's responsibility to sign all documents on behalf of the board, see that all of the decisions of the board are carried out properly, and perform any other duties and functions requested by the board.

The Mayor or Chairperson, working with the recording secretary, is responsible for preparing an agenda for each meeting and assuring its circulation in advance to all members of the board and other persons who have requested notification and to ensure public notice of the board's regular and, if any, special meetings.

ARTICLE III. MEETINGS

Open Public Meetings

All meetings at which any public business is discussed where a quorum of the board is present are public meetings open to the public at all times.

Quorum

The majority of all of the members of a board shall constitute a quorum, except where statute or ordinance defines the necessary number for a quorum. In order to conduct business at any meeting, a quorum shall be present. No action shall be taken in the absence of a quorum, except to adjourn the meeting to a future date.

Special Meetings

A special meeting may be called by the Mayor or Chairperson, or upon the written request of three members of the board. Notice should be given to each of the board members by personally serving them or by leaving notice at their usual place of residence. Notice of special meetings should be given as much in advance as possible. The notice of a special meeting shall set forth the time, place, date and purpose of the meeting. Attendance at a special meeting constitutes a waiver of the notice of the meeting.

Public Notice

Public notice of all meetings where the board may take any formal action or at which a majority or quorum of the board is expected to attend shall be given. The public notice shall be given no less than twenty-four hours in advance of the meeting and shall be posted at such place as the Board of Aldermen shall designate. The notice shall contain a specific agenda if possible.

Rules of Order

Generally, meetings can be held in any manner that assures an orderly and focused discussion, and facilitates the input of all members of the board. When necessary, in order to effectively conduct business, as determined by a majority vote of those present, Robert's Rules of Order shall be in effect.

ARTICLE IV. APPOINTMENTS AND VACANCIES

Unless otherwise provided by state law or by the ordinance establishing the particular board, committee or commission, the following guidelines will be used in dealing with appointments and vacancies to boards and commissions.

Advertisement for Applications

Whenever a vacancy occurs in a board or commission, whether by expiration of term of office, removal of a member, resignation or other reason, the following steps will be taken unless otherwise directed by the Board of Aldermen:

City Clerk's Office will cause advertisement for the solicitation of applicants for Board and Commission positions open to be placed at City Hall and other places within the City.

Review Process

Applications for the position should be obtained on-line or from the City Clerk's Office. Applications shall be filed with the City Clerk's office. All applications shall be evaluated by the Board of Aldermen.

The applicants for Board and Commission members shall be evaluated upon qualification, experience, knowledge, interest, willingness to serve, ward residency, the need for a diverse cross-section of the community, past and current service on other City boards, committees and commissions, and other factors deemed relevant by the Board of Aldermen.

CITIZEN'S GUIDE TO Fair Grove's Boards & Commissions

Board of Zoning Adjustment

Responsibility: Serves as a quasi-judiciary board that hears variances, appeals and ordinance interpretations relating to regulations contained in the Zoning Ordinance.

Membership: Five members appointed by the Mayor with approval from the Board of Aldermen for five-year terms (May).

Meetings: Meet as needed.

Building Code Board of Appeals

Responsibility: Determine questions of fact as to the acceptability and adequacy of alternate materials, equipment, design and types of construction. Review decisions of the City's Code Official in the interpretation of the City's Building Codes. The Board may grant modifications to the codes.

Membership: Five members appointed by the Mayor with approval from the Board of Aldermen for five-year terms (August).

Meeting Dates: Meet as needed.

Park Board

Responsibility: Oversee all aspects of the Fair Grove Parks and Recreation.

Membership: Nine members appointed by the Mayor with approval from the Board of Aldermen for three-year terms (June).

Meeting Dates: Meet the second Monday of each month.

Planning & Zoning Commission

Responsibility: Conduct studies and recommend to the Board of Aldermen plans, goals and objectives relating to the growth, development and redevelopment of the City. Oversee the development and update the city's Comprehensive Development Plan, and to make recommendations to the Board of Aldermen concerning the adoption of zoning and subdivision regulations.

Membership: The Commission shall consist of not more than fifteen (15) nor less than seven (7) members and are appointed by the Mayor with approval of the Board of Aldermen for four-year terms. (September).

Meeting Dates: The first Monday of each month.

