

ORDINANCE NO. BG2019 - 18

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 25 (CODE OF ETHICS) OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO AMEND SUBCHAPTERS RELATED TO DEFINITIONS, NEPOTISM AND FINANCIAL DISCLOSURE AS RECOMMENDED BY THE BOARD OF ETHICS

WHEREAS, the City of Bowling Green Board of Ethics met for a regular meeting on March 26, 2019 and is recommending amendments to the Code of Ethics to revise language in Subchapters 25-2 (Definitions), 25-11 (Nepotism) and 25-12 (Financial Disclosure); and,

WHEREAS, the proposed amendments as recommended by the Board of Ethics are in the best interests of the City.

NOW, THEREFORE, BE IT ORDAINED by the City of Bowling Green, Kentucky as follows:

1. Chapter 25 (Code of Ethics) is hereby amended as follows:

25-2 DEFINITIONS.

...

“Domestic Partner” shall mean an adult, unrelated by blood, with which an unmarried or separated official or employee has an exclusive committed relationship, maintains a mutual residence and shares basic living expenses.

...

“Family Member” shall mean a spouse, domestic partner, children and grandchildren and their spouses, parents and parents of a spouse, and brothers and sisters and their spouses.

“Immediate Family Member” means a spouse, domestic partner, an unemancipated child residing in the official’s or employee’s household, or a person claimed by the official or employee, or the official’s or employee’s spouse, as a dependent for tax purposes.

...

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“Relative” parent, step-parent, grandparent, child, step-child, grandchild, husband, wife, domestic partner, brother, step-brother, half-brother, sister, step-sister, half-sister, sister-in-law, brother-in-law, son-in-law, daughter-in-law, mother-in-law, and father-in-law. Also included in this definition are any other persons who live in the public official’s or employee’s home. The definition does not include the public official’s or employee’s spouse’s relatives, except for the in-laws specifically listed. “Sister-in-law” and “brother-in-law” are further defined as the sibling of the public official’s or employee’s spouse, or the spouse of the public official’s or employee’s sibling.

...

25-11 NEPOTISM.

1. ~~[No relative of a member of the Board of Commissioners or the City Manager may be employed or assigned to any type of position under the jurisdiction of the City Manager, nor shall any relative of a member of the Board of Commissioners or the City Manager be appointed by the Mayor or Board of Commissioners to any City or joint City / County created agency, board or commission or to any agency, board or commission that receives funding from the City. An applicant for a classified position shall not be considered for appointment in a department where a relative would be in the employee’s direct line of supervision nor shall an employee be promoted or placed in a position in which the employee would be in the direct line of supervision of a relative. No employee shall be involved in the hiring, supervision, promotion, evaluation, training and/or discipline of a relative in any type of position under the jurisdiction of the City Manager.]~~ No relative of a member of the Board of Commissioners or the City Manager may be employed or assigned to any type of position under the jurisdiction of the City Manager.

2. ~~[“Relative” shall include: parent, step-parent, grandparent, child, step-child, grandchild, husband, wife, brother, step-brother, half brother, sister, step sister, half-sister, sister-in-law, brother-in-law, son-in-law, daughter in law, mother in law, and father-in-law. Also~~

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~~included in this definition are any other persons who live in the employee's home. The definition does not include the employee's spouse's relatives, except for the in-laws specifically listed. "Sister-in-law" and "brother in-law" are further defined as the sibling of the employee's spouse, or the spouse of the employee's sibling.]~~ No relative of a member of the Board of Commissioners or the City Manager shall be appointed by the Mayor or Board of Commissioners to any City or joint City/County created agency, board or commission or to any agency, board or commission that receives funding from the City.

3. An applicant for a classified position shall not be considered for appointment in a department where a relative would be in the employee's direct line of supervision. An employee shall not be promoted or placed in a position in which the employee would be in the direct line of supervision of a relative.

4. No employee shall be involved in the hiring, supervision, promotion, evaluation, training and/or discipline of a relative in any type of position under the jurisdiction of the City Manager.

[3]5. Cohabitation with one's supervisor is prohibited. If this situation comes to the attention of the City, the least senior employee(s) will be terminated in accordance with established personnel policy.

[4]6. No employee shall be disciplined or terminated because of a relationship that predates this Ordinance, nor shall any employee be forced to terminate a relationship that predates this Ordinance as a condition of continued employment. Any appointee to any City or joint City / County created agency, board or commission or any agency, board or commission that receives City funding may continue to serve to the expiration of the existing term of office, but shall not be reappointed for any additional terms.

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25-12 FINANCIAL DISCLOSURE.

...

9. The statement of financial interests shall include the following information for the preceding calendar year:

- (a) The name, current business address, business telephone number, and home address of the filer.
- (b) The title of the filer’s office, office sought, or position of employment.
- (c) The occupation of the filer and the filer’s spouse or domestic partner.
- (d) Information that identifies each source of income of the filer and the filer’s immediate family members exceeding five thousand dollars (\$5,000.00) during the preceding calendar year, and the nature of the income (e.g., salary, commission, dividends, retirement fund distribution, etc.).

...

3. All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in conflict herewith are hereby repealed.

4. This Ordinance is adopted pursuant to KRS 83A.060 in that it was introduced on April 16, 2019, and given final reading on May 7, 2019, and said Ordinance shall be in full force and effect upon signature, recordation and publication in summary pursuant to KRS Chapter 424.

ADOPTED: May 7, 2019

APPROVED: Bruce Wickerson
Mayor, Chairman of Board of Commissioners

ATTEST: Ashley Jackson
City Clerk

SPONSORED BY: Jeffery B. Meisel, City Manager, 03/27/2019, 7:30 a.m.