

ORDINANCE NO. 408

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MARQUETTE, IOWA RELATING TO CONFLICTS OF INTEREST

BE IT ORDAINED by the City Council of the City of Marquette, Iowa, as follows:

SECTION 1. SECTION MODIFIED. Section 5.07 of the Code of Ordinances of the City of Marquette, Iowa, is repealed and the following adopted in lieu thereof:

1. Compensation of Officers. The payment of lawful compensation of a City officer or employee holding more than one City office or position, the holding of which is not incompatible with another public office or is not prohibited by law.

(Code of Iowa, Sec. 362.5[3a])

2. Investment of Funds. The designation of a bank or trust company as a depository, paying agent, or for investment of funds.

(Code of Iowa, Sec. 362.5[3b])

3. City Treasurer. An employee of a bank or trust company, who serves as Treasurer of the City.

(Code of Iowa, Sec. 362.5[3c])

4. Contracts. Contract made by the city, upon competitive bid in writing, publicly invited and opened.

(Code of Iowa, Sec. 362.5[3d])

5. Stock Interests. Contracts in which a City officer or employee has an interest solely by reason of employment, or a stock interest of the kind described in paragraph *i*, or both, if the contracts are made by competitive bid in writing, publicly invited and opened, or if the remuneration of employment will not be directly affected as a result of the contract and the duties of employment do not directly involve the procurement or preparation of any part of the contract. The competitive bid qualification of this paragraph does not apply to a contract for professional services not customarily awarded by competitive bid.

(Code of Iowa, Sec. 362.5[3e])

6. Newspaper. The designation of an official newspaper.

(Code of Iowa, Sec. 362.5[3f])

7. Existing Contracts. A contract in which a City officer or employee has an interest if the contract was made before the time the officer or employee was elected or appointed, but the contract may not be renewed.

(Code of Iowa, Sec. 362.5[3g])

8. Volunteers. Contracts with volunteer fire fighters or civil defense volunteers.

(Code of Iowa, Sec. 362.5[3h])

9. Corporations. A contract with a corporation in which a City officer or employee has an interest by reason of stock holdings when less than five percent (5%) of the outstanding stock of the corporation is owned or controlled directly or indirectly

by the officer or employee or the spouse or immediate family of such officer or employee.

(Code of Iowa, Sec. 362.5[3i])

10. Cumulative Purchases. Contracts not otherwise permitted by this section, for the purchase of goods or services which benefit a City officer or employee, if the purchases benefiting that officer or employee do not exceed a cumulative total purchase price of six thousand (\$6000.00) in a fiscal year.

(Code of Iowa, Sec. 362.5[3j])

11. Franchise Agreements. Franchise agreements between the City and a utility and contracts entered into by the City for the provision of essential City utility services.

(Code of Iowa, Sec. 362.5[3k])

12. Third Party Contracts. A contract that is a bond, note or other obligation of the City and the contract is not acquired directly from the City, but is acquired in a transaction with a third party who may or may not be the original underwriter, purchaser or obligee of the contract.

(Code of Iowa, Sec. 362.5[3l])

SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjunction shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

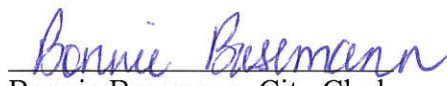
SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and posting as provided by law.

Final Reading and Passed by the Council on the 10th day of September 2019.



Mayor

ATTEST:




Bonnie Basemann, City Clerk

First Reading: 9/10/19 Ayes: Halvorson, Ries, Schneider, Soulli; Nays: none

Second Reading: Waived

Final Reading & Passage: 9/10/19 Ayes: Halvorson, Ries, Schneider, Soulli;
Nays: none

I certify that the foregoing was posted as Ordinance No. 408 on the 11th day of September 2019 through the 23rd day of September 2019.



Bonnie Basemann, City Clerk