



Missouri Ethics Commission

Elizabeth L. Ziegler
EXECUTIVE DIRECTOR

Final Action: MEC Nos. 21-0042-I, 21-0043-I & 21-0044-I, Steve Myers

Date: 11/12/2021

The Missouri Ethics Commission took final consideration of the complaints filed against Steve Myers at its November 10, 2021 meeting.

Mr. Myers is the former mayor of Pacific, Missouri. The complaints alleged that Mr. Myers violated Missouri's conflict of interest statutes when he resigned his office and promptly accepted a position as Pacific's Director of Community Development.

Section 105.454.1(5), RSMo, contains the following conflict of interest prohibition:

No elected or appointed official or employee of the state or any political subdivision thereof, serving in an executive or administrative capacity, shall:

Perform any service for consideration, during one year after termination of his or her office or employment, **by which performance he or she attempts to influence a decision** of any of . . . any political subdivision in which he or she was an officer or employee or over which he or she had supervisory power[.] (emphasis added)

In 2008, the Commission addressed a similar situation in a formal advisory opinion:

[I]t is not a conflict of interest for member of a board of directors to resign his position on the board and thereafter apply for a paid position in the same political subdivision, per se. However, the board member is prohibited from doing any of the acts set forth in Chapter 105 during the process, and must not attempt to influence the board for one year after he ends his service with the board, pursuant to Section 105.454(5) RSMo.

MEC Advisory Opinion 2008.03.CI.001. Similarly, the Commission recently opined that a former mayor would not be prohibited from accepting a paid position with the city because the position as described did not include any job duties in which he might attempt to influence the city he previously served. MEC Advisory Opinion 2021.07.CI.006.

The Commission's investigation included a careful review of the job duties for the Director of Community Development, a review of minutes of City meetings held since Mr. Myers assumed that role, and interviews.

The City of Pacific is a fourth-class city with a City Administrator who serves as the chief administrative assistant to the mayor and who has the responsibility for general superintending, administration, and management of the city as authorized by Missouri statutes. The Director of

Community Development reports directly to the City Administrator and not to the Mayor or Board of Aldermen as discussed below.

The job description for this position outlines both direct and secondary duties for this position. The director primarily oversees the Parks and Recreation Departments, including infrastructure planning and programs, capital improvements, finance, and budgeting for the department. The director also serves as a building commissioner and planning director until those roles are filled; and supervises site development and subdivision plans.

In addition to those primary duties, the director assists the City Administrator in hiring and recruiting vacant positions, negotiating and managing consultant contracts, and in preparing engineering plans and applications for grants, loan and other financing.

While he attends all regular meetings of the Board of Aldermen, nothing in his position requires or authorizes him to attempt to influence Pacific's decision-makers. Importantly, there was no evidence produced during the investigation to show that Mr. Myers, since taking the Director of Community Development position, had attempted to influence Pacific's Board of Aldermen as prohibited in Section 105.454.1(5), RSMo.

From the facts presented, the Commission found no reasonable grounds exist to support a violation of Chapter 105, RSMo, and dismissed the complaint.

Elizabeth L. Ziegler
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