



Municipal Officials Ethics Commission  
Tentative Agenda  
Monday, March 7, 2022  
2:30 PM  
Via Videoconference

*The Municipal Officials Ethics Commission will be meeting on Zoom.*

- 1. Roll Call**
- 2. Approval of Minutes from Previous Meetings**
  - A. Approve Minutes from the March 2, 2022 Regular Meeting
  - B. Approve Minutes from the March 2, 2022 Closed Session
- 3. Approve Report, Advisory Opinion, and Recommendations**
- 4. Other Business**
- 5. Adjourn**



Municipal Officials Ethics Commission  
Draft Minutes  
Wednesday, March 2, 2022  
6:00 PM  
City Hall Board Room

**1. Roll Call**

Roll was called by Bonnie Buckmaster, Public Works Assistant. A quorum of the Commission was present.

Members in Attendance

- Bryan Dehner, Chair
- Gil Scott
- Jerry Felker
- Abby LacKamp
- Michael Pearl

Bonnie Buckmaster, Public Works Assistant, was present on behalf of the City, Joe Vanover, Attorney, was present on behalf of the Ethics Commission.

**2. Approval of Minutes from Previous Meeting**

A. Approve Minutes from the February 23, 2022 Meeting

**GIL SCOTT MOVED TO APPROVE THE MINUTES FROM THE FEBRUARY 23, 2022 MEETING; MICHAEL PEARL SECONDED; MOTION PASSED 5-0.**

**3. Closed Session Pursuant to Section 610.021(1) RSMo for Confidential or Privileged Communications Between a Public Governmental Body or its Representatives and its Attorneys**

**JERRY FELKER MOVED TO ENTER INTO CLOSED SESSION PURSUANT TO SETION 610.021(1) RSMo FOR CONFIDENTIAL OR PRIVILEGED COMMUNICATIONS BETWEEN A PUBLIC GOVERNMENTAL BODY OR ITS REPRESENTATIVES AND ITS ATTORNEYS; GIL SCOTT SECONDED.**

**AYES:** BRYAN DEHNER, GILL SCOTT, JERRY FELKER, ABBY LACKAMP, MICHAEL PEARL

**NOES:** NONE

**ABSTAIN:** NONE

The Commission entered the executive session at 6:05 p.m. At 7:00 p.m., the Commission reconvened in open session.

**4. Discussion of Complaints and Decisions on Complaints**

1. Violations of campaign finance laws in 2019

**BRYAN DEHNER MOVED THAT THE MAYOR DID VIOLATE THE ETHICS CODE; ABBY LACKAMP SECONDED; MOTION PASSED 5-0.**

2. Attempts to coerce companies doing business in Parkville

- a. A commercial lease in 2016

**MICHAEL PEARL MOVED THAT THE MAYOR DID NOT VIOLATE THE ETHICS CODE; JERRY FELKER SECONDED; MOTION PASSED 3-2 (ABBY LACKAMP AND GIL SCOTT NAY).**

- b. A project in 2017

**MICHAEL PEARL MOVED THAT THE MAYOR DID NOT VIOLATE THE ETHICS CODE; JERRY FELKER SECONDED; MOTION PASSED 5-0.**

- c. The Landmark newspaper in 2019

**MICHAEL PEARL MOVED THAT THE MAYOR VIOLATED THE ETHICS CODE; ABBY LACKAMP SECONDED; MOTION PASSED 4-1 (JERRY FELKER NAY).**

3. Instructing or pressuring city officials to violate the Code of Ethics

- a. Request to keep confidential the actions involving the commercial lease in 2016

**GIL SCOTT MOVED THAT THE MAYOR VIOLATED THE ETHICS CODE; ABBY LACKAMP SECONDED; MOTION PASSED 4-1 (BRYAN DEHNER NAY).**

- b. The 2017 project

**GIL SCOTT MOVED THAT THE MAYOR DID NOT VIOLATE THE ETHICS CODE; JERRY FELKER SECONDED; MOTION PASSED 5-0.**

- c. Attempting to get an alderman and others to take action against The Landmark in 2019

**GIL SCOTT MOVED THAT THE MAYOR VIOLATED THE ETHICS CODE; ABBY LACKAMP SECONDED; MOTION PASSED 5-0.**

- d. Instructing city employees to stop delivery of The Landmark to city hall and stop publishing legal notices in it.

**GIL SCOTT MOVED THAT THE MAYOR VIOLATED THE ETHICS CODE; ABBY LACKAMP SECONDED; MOTION PASSED 4-1 (MICHAEL PEARL NAY).**

4. Violations of Sunshine laws in 2018 and 2019

- a. Misleading a reporter

**JERRY FELKER MOVED THAT THE MAYOR DID NOT VIOLATE THE ETHICS CODE; BRYAN DEHNER SECONDED; MOTION PASSED 5-0.**

- b. Calling records requests harassment

**JERRY FELKER MOVED THAT THE MAYOR DID NOT VIOLATE THE ETHICS CODE; MOTION FAILED FOR LACK OF A SECOND.**

**JERRY FELKER MOVED THAT THE MAYOR DID VIOLATE THE ETHICS CODE; ABBY LACKAMP SECONDED; MOTION PASSED 3-2 (JERRY FELKER AND MICHAEL PEARL NAY).**

- c. Obstructing compliance with records productions

**JERRY FELKER MOVED THAT THE MAYOR DID NOT VIOLATE THE ETHICS CODE; ABBY LACKAMP SECONDED; MOTION PASSED 5-0.**

5. Driving while intoxicated in 2020

- a. Driving while intoxicated in 2020

**ABBY LACKAMP MOVED THAT THE MAYOR VIOLATED THE ETHICS CODE; GIL SCOTT SECONDED; MOTION PASSED 4-1 (JERRY FELKER NAY).**

- b. Call to Police Chief

**ABBY LACKAMP MOVED THAT THE MAYOR VIOLATED THE ETHICS CODE; MOTION FAILED FOR LACK OF A SECOND.**

**JERRY FELKER MOVED THAT THE MAYOR DID NOT VIOLATE THE ETHICS CODE FOR CALLING THE POLICE CHIEF; MICHAEL PEARL SECONDED; MOTION PASSED 4-1 (ABBY LACKAMP NAY).**

6. Threatening a citizen in 2020

**BRYAN DEHNER MOVED THAT THE MAYOR VIOLATED THE ETHICS CODE; GIL SCOTT SECONDED; MOTION PASSED 3-1-1 (MICHAEL PEARL NAY; ABBY LACKAMP ABSTAINED).**

7. Concealing her relationship with Creekside's attorney in 2018

**MICHAEL PEARL MOVED THAT THE MAYOR DID NOT VIOLATE THE ETHICS CODE; GIL SCOTT SECONDED; MOTION PASSED 5-0.**

8. Attempting to be appointed to hospital board of directors in 2018

**GIL SCOTT MOVED THAT THE MAYOR DID NOT VIOLATE THE ETHICS CODE; JERRY FELKER SECONDED; MOTION PASSED 5-0.**

9. Destruction of public records in 2019

**JERRY FELKER MOVED THAT THE MAYOR DID NOT VIOLATE THE ETHICS CODE; MOTION FAILED FOR LACK OF A SECOND.**

**GIL SCOTT MOVED THAT THE MAYOR VIOLATED THE ETHICS CODE; ABBY LACKAMP SECONDED; MOTION FAILED 1-3-1 (GILL SCOTT AYE; RYAN DEHNER, MICHAEL PEARL AND JERRY FELKER NAY; ABBY LACKAMP ABSTAINED).**

**JERRY FELKER MOVED THAT THERE WAS NOT ENOUGH INFORMATION TO RULE ON THIS ALLEGATION; ABBY LACKAMP SECONDED; MOTION PASSED 4-1 (GIL SCOTT NAY).**

10. Totality of the Circumstances

**GIL SCOTT MOVED THAT THE ETHICS COMMISSION RECOMMENDS THAT THE BOARD OF ALDERMEN ISSUE A WRITTEN, STRONG REPRIMAND FOR THE VIOLATIONS OF THE ETHICS CODES THAT TOOK PLACE, AS VOTED UPON BY THE ETHICS COMMISSION MEMBERS; ABBY LACKAMP SECONDED; MOTION PASSED 5-0.**

**GIL SCOTT MOVED THAT THE ETHICS COMMISSION WILL HAVE A CLAUSE IN THE REPORT THAT THEY WOULD HAVE RECOMMENDED A SUSPENSION IF THERE WAS A LONGER TIME IN SERVICE; ABBY LACKAMP SECONDED; MOTION FAILED 2-3 (GIL SCOTT AND ABBY LACKAMP AYE; BRYAN DEHNER, JERRY FELKER AND MICHAEL PEARL NAY).**

**JERRY FELKER MOVED THAT THE ETHICS COMMISSION WILL HAVE A CLAUSE IN THE REPORT THAT THE ETHICS COMMISSION POSSIBLY COULD HAVE RECOMMENDED A SUSPENSION IF THERE WAS A LONGER TIME IN SERVICE; ABBY LACKAMP SECONDED; MOTION PASSED 4-1 (MICHAEL PEARL NAY).**

**5. Other Business**

- a. Next meeting – Originally scheduled for Thursday, March 10<sup>th</sup>, moved to Monday, March 7<sup>th</sup> at 3:00 p.m. via videoconference
- b. Other – Commissioners will work on the report to be presented for approval at the next Ethics Commission Meeting

**5. Adjourn**

**JERRY FELKER MOTION TO ADJOURN AT 9:13 P.M., GIL SCOTT SECONDED;  
MOTION PASSED 5-0.**

The Minutes for the March 2, 2022 Regular Meeting have been read and considered by the Municipal Officials Ethics Commission, were approved on the 7<sup>th</sup> day of March 2022.

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Bonnie Buckmaster, PW Assistant

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Approval Date



EXECUTIVE SESSION  
MINUTES  
MUNICIPAL OFFICIALS ETHICS COMMISSION  
CITY OF PARKVILLE  
March 2, 2022

**1. Call to Order**

Chair Bryan Dehner called the March 2, 2022, executive session to order at 6:05 p.m. in the Board Conference Room to discuss Confidential or Privileged Communications Between a Public Governmental Body or its Representatives and its Attorneys Pursuant to Section 610.021(1) RSMo.

Present:

- Bryan Dehner, Chair
- Gil Scott
- Jerry Felker
- Abby LacKamp
- Michael Pearl

Absent:

None

Also in attendance:

- Bonnie Buckmaster, PW Assistant; Assistant Clerk
- Joe Vanover, Attorney for the Ethics Commission

**2. Motion to Enter into Executive Session**

The motion was made during the regular Municipal Officials Ethics Commission meeting.

**3. Confidential or Privileged Communications Between a Public Governmental Body or its Representatives and its Attorneys Pursuant to Section 610.021(1) RSMo**

Discussion was limited to privileged communications between a public governmental body or its representatives and its attorneys.

**4. Motion to Close Executive Session**

**ACTION:** IT WAS MOVED BY GIL SCOTT AND SECONDED BY ABBY LACKAMP TO CLOSE THE EXECUTIVE SESSION.

**RESULT:** MOTION PASSED 5-0.

**AYES:** BRYAN DEHNER, GIL SCOTT, JERRY FELKER, ABBY LACKAMP, MICHAEL PEARL

**NOES:** NONE

**ABSTAIN:** NONE

**5. Motion to Adjourn**

The Commission returned to the regular meeting. The regular meeting was adjourned at 7:00 p.m.

The Minutes for the March 2, 2022 Closed Meeting have been read and considered by the Municipal Officials Ethics Commission, were approved on the 7<sup>th</sup> day of March 2022.

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Bonnie Buckmaster, PW Assistant

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Approval Date



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## Parkville Municipal Officials Ethics Commission

Report, Advisory Opinion, and Recommendations Concerning  
Complaint of Elaine Kellerman against Mayor Nanette Johnston dated October 19, 2021

### Executive Summary

The Parkville Municipal Officials Ethics Commission convened in November 2021 to address the complaint raised by Elaine Kellerman in a sworn complaint received by the City. The Commission proceeded over the course of several weeks to investigate the complaint. The Commission received the mayor's response, Ms. Kellerman's reply to the mayor's response, numerous emails from Ms. Kellerman and others concerning the complaint, and several affidavits of witnesses. The Commission heard testimony on two occasions, from the mayor on one evening and from Ms. Kellerman, Jason Maki, and Steve Coronado on another evening. The Commission deliberated on the allegations and evidence received. The Commission voted on the complaint broken into seventeen decisions amongst nine sections. The Commission did find that the Mayor violated eight of the seventeen counts. On the count of destruction of public records, the Commission determined there was not enough information to make a determination. **The unanimous recommendation of the Commission based on the totality of circumstances was a strongly written reprimand. In addition, a clause is added to the recommendation that if there were a longer term in office, the Commission could possibly have considered a stronger recommendation up to and including suspension.**

### Role of the Ethics Commission

The Ethics Commission, "shall have the power and duty to render advisory opinions to the Board of Aldermen in all ethics complaints and to investigate and report on allegations of violations of the City Code of Ethics and ordinance provisions concerning conflicts of interest and financial disclosure by all elected and appointed officials..." Section 107.100.A, Parkville Municipal Code.

### Obligations and Expectations of Parkville Officials from the Ethics Code

Parkville officials, "are bound to uphold the Constitution of the United States and the Constitution of this State and to carry out impartially the laws of the Nation, State and municipality and thus to foster respect for all government. They are bound to observe in their official acts the highest standards of morality and to discharge faithfully the duties of their office, regardless of personal considerations, recognizing that the public interest must be their primary concern. Their conduct in both their official and private affairs should be above reproach." Section 107.020, Parkville Municipal Code.

### Differentiation between Official Acts and Private Affairs

The first two sentences of Section 107.020 state that officials "are bound to" do certain acts. The third sentence states officials "should be" above reproach. Officials are *bound* to observe the highest standards of morality in their *official acts*, but the Code of Ethics only states that officials *should be* above reproach in their *private affairs*.



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### Consequences of Ethics Violations

The Commission shall issue a report and advisory opinion at the conclusion of its investigation and consideration of the complaint and evidence received. Section 107.100.A. The advisory opinion can include the Commission's recommendations. Section 107.100.D. Violations of the Ethics Code are punishable by a fine of up to five hundred dollars, or up to 90 days imprisonment, or restitution, or by any or all of the above. Section 107.060.A. Violations of the Ethics Code may also constitute a cause for suspension, removal from office, or other disciplinary action by the Board of Aldermen. Section 107.060.B. All final consequences of violating the Ethics Code are decided by either the Board of Aldermen or the courts. The Ethics Commission is not empowered to impose penalties or administrative sanctions. Section 107.060.C.

### The Work of the Ethics Commission

The Ethics Commission met on the below dates. The Ethics Commission received evidence from the following individuals via the listed format:

1. November 8, 2021, The Commission met with a quorum of three Commissioners who took the oath of office. Parkville City Attorney Chris Williams provided an overview of Chapter 107 Code of Ethics and the Ethics Commission Role. It was our first meeting to acknowledge the receipt of the complaint and establish a timeframe for the Mayor's response. The Commission requested outside legal counsel from the Board of Alderman.
2. December 15, 2021, The Commission met in person with a quorum of three Commissioners. Action was taken to accept Joe Vanover as the Ethics Commission's legal counsel. A discussion regarding conflicts of interest surrounding the current Commissioners was had and consensus was there were no conflicts. The remaining meeting was used to discuss the timeline of the complaint as well as the timeline to recommend appointments to fill the two vacancies on the Ethics Commission.
3. December 17, 2021, The Commission delivered a letter to the Platte County Sheriff that requested the investigative reports related to alleged records destruction.
4. January 5, 2022, The Commission met in person. Abby LacKamp was sworn in, and we reviewed applications for Ward 1.
5. The Commission met via Zoom for a special meeting on January 13 to recommend Michael Pearl to the BOA to join the Commission. Mr. Pearl was approved and quickly sworn in.
6. The Commission met on January 19 via zoom for the first time as a full five-person commission. During this meeting the commission decided which segments of the complaint should be investigated further. At that meeting the Commission decided to continue to investigate the matter of Maki v. Parkville, as well as the Mayor's DUI. At this time, the Commission asked for Ms. McChesney, Joe Parente, and members of the BOA to testify. We also asked for written testimony from Chief Kevin Chrisman.



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7. The week of January 27, the Commissioners received training on the Missouri Sunshine Law from the Missouri Attorney General's Office.
8. On February 2, the Commission met via Zoom. At that time, we anticipated hearing testimony from Melissa McChesney, Joe Parente, and David Rittman. We were informed via Chris Williams that they would not participate in person to give testimony. Instead, they gave sworn statements via signed affidavits. These were signed February 7 and delivered to the Commission via Joe Vanover February 7, 2022.
9. The commission received affidavits from Board of Alderman Members, dated February 7, 2022 from:
  - i. Dave Rittman
  - ii. Phil Wassmer
  - iii. Doug Wylie
  - iv. Brian Whitley
  - v. Tina Welch
  - vi. Marc Sportsman
  - vii. Greg Plumb
  - viii. Robert Lock

These affidavits are similar in nature. Each mention that the BOA met in an Executive Session on September 3, 2019. During this session the board did not vote, or otherwise provide any mandate that the City change its position and release the records to Mr. Maki without him complying with the requirement to pay the outstanding balance fee dues.

10. The Commission received an affidavit signed February 7, 2022 from City Employees:
  - i. **Police Chief Kevin Chrisman:** He did not feel that Mayor Johnston's decision to call him during her DUI arrest was unethical, and he did not speak to the arresting deputy.
  - ii. **Melissa McChesney:** followed normal procedures to fulfill Mr. Maki's records requests. She does acknowledge that there was a dispute between the City and Mr. Maki regarding an outstanding balance for records. Mr. Maki paid those fees and picked up the documents a few days later. Ms. McChesney states that she has no knowledge of any directive, mandate, or order from the Mayor and Board Members or Mr. Parente to withhold documents from Mr. Maki. Ms. McChesney does not know of any deletion of a city email account. The City also continues to post legal notices in the Platte County Landmark.
  - iii. **Joe Parente:** Mr. Parente states that normal procedures were followed to fulfill Mr. Maki's requests. At no time did he direct that records were not to be provided to Mr. Maki. He has no knowledge of a vote from the BOA to release the documents to Mr. Maki, or that the Mayor or BOA prevented Mr. Maki from receiving his documents. He does acknowledge that the Mayor tried to get the City to stop sending press releases and legal notices to the Landmark, but he told Ms. McChesney to continue to do so.



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- iv. **Edward (Eddie) Seasholtz:** Mr Seasholtz is an employee of eNet LLC who contracts with the City to provide IT services. In his affidavit, Mr. Seasholtz shares that he received no direction from Mayor, or Alderman to withhold or release any documents regarding Mr. Maki's request for information. All of his communication and directions came from Mr. Parente or Ms. McChesney. He also has no knowledge of any destruction of City email addresses or City documents.
11. The Commission met on February 10, 2022 and heard testimony from Mayor Johnston.
    - ix. During this testimony the **Mayor** shared that she did not direct any City employee to withhold documents from Mr. Maki. Ms. Johnston did not delete any emails regarding Mr. Maki's request. The only email account deleted was an RSVP account she used for a campaign event. The Mayor shared that during the executive session on September 3, 2019 there was never a vote to release or not release the documents to Mr. Maki. She also shared that she was personally disappointed that the City had settled the Maki case. She did direct the City to stop doing business with the Landmark but understood that the City continues to send press releases and legal notices.
  12. Commission met on February 23, 2022 and heard testimony from Ms. Kellerman, Mr. Maki, and Mr. Coronado regarding the Maki v. Parkville lawsuit.
    - i. **Ms. Kellerman:** shared her disappointment at the last-minute changes to the agenda and allowing Mr. Coronado to testify. She also shared her concern that Mr. Felker could not remain unbiased. She also shared that when she pulled Sunshine Requests from the City it was an easy process, and had not paid a fee.
    - ii. **Mr. Maki:** gave a statement regarding Maki v. Parkville. He reviewed the timeline of the case. He also shared his understandings of what his fees were for, and that the fees the city were charging him for research time were illegal. Specifically, the charging of review fees by city staff to determine if a record is open or not. When asked directly how he could tie the Mayor to withholding documents he could not give a clear answer. He also stated that affidavits given to the Commission by members of the Board of Alderman were perjurious. Mr. Maki believes that personal emails from the Mayor were also required to be submitted via the subpoena.
    - iii. **Mr. Coronado,** Lawyer for the City during the Maki V. Parkville suit. Mr. Coronado shared that the city complied by Subpoenas. The Mayor shared that all of her personal emails sent to a City email address were preserved and shared by the City.

See attached lists of affidavits and emails received by the Ethics Commission.

At the March 2, 2022 meeting, the Ethics Commission voted on the nine various aspects of the complaint totaling seventeen separate motions. Of those, eight motions were voted in



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favor of an ethics violation. In regards to the complaint of destruction of public records, the Commission voted that there was not enough evidence to render a decision. (This matter is currently being investigated by the Platte County Sheriff's Department) After discussing the nine violations in their totality, a recommendation to the Board of Aldermen of a strong written reprimand of the Mayor was unanimously approved. In addition, a clause will accompany the recommendation that if there were a longer term in office, the Commission could possibly have considered a stronger recommendation up to and including suspension. (This clause was not unanimous) This report was prepared following that meeting. This report was approved by the Ethics Commission on March 7, 2022.

### The Complaints

The complaints alleged against Mayor Johnston, and her responses, were separated as follows:

1. Violations of campaign finance laws in 2019
  - a. Complaint: Multiple violations of campaign finance laws before and after the 2019 election.
  - b. Response: Mayor denies attempting to conceal donations. Mayor admits to violating the corporate contribution prohibition and the large contribution notice requirement. Mayor asserts the matter has been fully resolved with the agency that has authority over it because she settled the complaints with the Missouri Ethics Commission.
2. Attempts to coerce companies doing business in Parkville
  - a. A commercial lease in 2016
    - i. Complaint: Mayor Johnston conspired to persuade a commercial property owner to "yank the lease" of an "undesirable" tenant in favor of a potential tenant with which the mayor had a personal relationship.
    - ii. Response: Mayor denies a previous relationship with the potential tenant. Mayor admits "yank the lease" was not well thought out.
  - b. A project in 2017
    - i. Complaint: Mayor engineered a deceptive façade of support to a project.
    - ii. Response: Mayor asserts there is nothing wrong with notifying proponents of the project of the opportunity to testify in favor.
  - c. The Landmark newspaper in 2019
    - i. Complaint: Mayor attempted to reduce distribution of The Landmark and stop advertising in it.
    - ii. Response: Mayor does not deny asking businesspeople to discontinue distribution of The Landmark. Mayor admits attempting to get Park University to stop providing content and advertising to The Landmark.
3. Instructing or pressuring city officials to violate the Code of Ethics



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- a. Request to keep confidential the actions involving the commercial lease in 2016
    - i. Complaint: Mayor instructed employees to keep her actions confidential.
    - ii. Response: Mayor asserts it was appropriate to keep the possible lease deal confidential.
  - b. The 2017 project
    - i. Complaint: Mayor instructed an employee to assist in engineering a deceptive façade.
    - ii. Response: Mayor admits she asked a city employee to notify a proponent of upcoming meetings.
  - c. Attempting to get an alderman and others to take action against The Landmark in 2019
    - i. Complaint: Mayor attempted to get others to reduce distribution of The Landmark, stop advertising in The Landmark, and stop sending press releases to The Landmark.
    - ii. Response: Mayor admits she attempted to influence Park University to consider discontinuing providing content to The Landmark and to stop advertising. Mayor claims she had the right to ask the alderman to ask Rotary to discontinue sending press releases to The Landmark.
  - d. Instructing city employees to stop delivery of The Landmark to city hall and stop publishing legal notices in it.
    - i. Complaint: Mayor instructed employees to stop publishing legal notices in The Landmark and stop receiving copies delivered to city hall.
    - ii. Response: Mayor admits The Landmark is no longer delivered to city hall, but the city still publishes legal notices in it.
4. Violations of Sunshine laws in 2018 and 2019
- a. Misleading a reporter
    - i. Complaint: Mayor misled a reporter regarding retrieval of requested records by Jason Maki.
    - ii. Response: Mayor states she relayed to the reporter what she was told regarding retrieval of records.
  - b. Calling records requests harassment
    - i. Complaint: Mayor mischaracterized the records requests as harassment.
    - ii. Response: Mayor says her personal opinion is that the multiple records requests were part of Mr. Maki's non-stop harassment.
    - iii. Rebuttal: Ms. Kellerman claims the mayor breached the settlement contract with Mr. Maki by calling the records requests harassment.
  - c. Obstructing compliance with records productions






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date of this report, no further information has been received from the sheriff's office. It is believed that the investigation has not concluded.

### Decisions of the Ethics Commission

The Ethics Commission finds as follows and makes the following recommendations.

1. Violations of campaign finance laws in 2019  
 Motion made by Chairman Dehner that the Mayor violated the Ethics Code. Seconded by Commissioner LacKamp. Motion carried by a vote of 5-0.  
**Violation.**
2. Attempts to coerce companies doing business in Parkville
  - a. A commercial lease in 2016  
 Motion made by Commissioner Pearl and seconded by Commissioner Felker that the Mayor did not violate the Ethics Code. Motion passed 3 to 2. **No violation.**
  - b. A project in 2017 (Creekside Project)
    - i. Motion by Commissioner Pearl and seconded by Commissioner Felker that the Mayor did not violate the Ethics Code. Motion passed by a 5-0 vote. **No violation.**
  - c. The Landmark newspaper in 2019
    - i. Commissioner Pearl moved and Commissioner LacKamp seconded that the Mayor violated the Ethics Code. Motion carried 4-1. **Violation.**
3. Instructing or pressuring city officials to violate the Code of Ethics
  - a. Request to keep confidential the actions involving the commercial lease in 2016
    - i. Commissioner Scott moved and Commissioner LacKamp seconded that the Mayor violated the Ethics Code. Motion carried 4-1. **Violation.**
  - b. The 2017 project (deceptive façade)
    - i. Commissioner Scott moved and Commissioner Felker seconded that the Mayor did not violate the Ethics Code. Motion carried 5-0. **No Violation.**
  - c. Attempting to get an alderman and others to take action against The Landmark in 2019
    - i. Commissioner Scott moved and Commissioner LacKamp seconded that the Mayor violated the Ethics Code. Motion passed 5-0. **Violation.**
  - d. Instructing city employees to stop delivery of The Landmark to city hall and stop publishing legal notices in it.
    - i. Commissioner Scott moved and Commissioner LacKamp seconded that the Mayor violated the Ethics Code. Motion carried 4-1. **Violation.**



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4. Violations of Sunshine laws in 2018 and 2019
  - a. Misleading a reporter
    - i. Commissioner Felker moved and Chairman Dehner seconded that the Mayor did not violate the Ethics Code. Motion carried 5-0. **No Violation.**
  - b. Calling records requests harassment
    - i. Commissioner Felker's motion that the Mayor did not violate the ethics code did not receive a second and failed.
    - ii. Commissioner Felker moved and Commissioner LacKamp seconded that the Mayor violated the Ethics Code. Motion carried 3-2. **Violation.**
  - c. Obstructing compliance with records productions
    - i. Commissioner Felker moved and Commissioner LacKamp seconded that the Mayor did not violate the Ethics Code. Motion carried 5-0. **No Violation.**
5. Driving while intoxicated incident in 2020
  - a. The DWI incident itself
    - i. Commissioner LacKamp moved and Commissioner Scott seconded that the Mayor violated the Ethics Code. Motion carried 4-1. **Violation.**
  - b. Crossing the line in calling the Chief of Police.
    - i. Commissioner LacKamp motioned that the Mayor did violate the Ethics Code and did not receive a second. Motion failed.
    - ii. Commissioner Felker moved and Commissioner Pearl seconded that the Mayor did not violate the Ethics Code. Motion carried 4-1. **No violation.**
6. Threatening a citizen in 2020
 

Motion by Chairman Dehner and seconded by Commissioner Scott that the Mayor violated the Ethics Code. Motion carried with a vote of 3-1-1. **Violation.**
7. Concealing her relationship with Creekside's attorney in 2018
 

Commissioner Pearl moved and Commissioner Scott seconded that the Mayor did not violate the Ethics Code. Motion carried 5-0. **No violation.**
8. Attempting to be appointed to hospital board of directors in 2018
 

Commissioner Scott moved and Commissioner Felker seconded that the Mayor did not violate the Ethics Code. Motion carried 5-0. **No violation.**
9. Destruction of public records in 2019
  - a. Motion by Commissioner Felker that the Mayor did not violate the Ethics Code. Motion failed due to a lack of a second.
  - b. Motion by Commission Scott and Commissioner LacKamp seconded that the Mayor violated the Ethics Code. Motion failed in a vote 1-3-1.
  - c. Motion made by Commissioner Felker and Commissioner LacKamp seconded that there is not enough information to rule on this allegation and



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that the Sheriff is investigating. Motion carried 4-1. **No decision rendered.**

10. Totality of the Circumstances

- a. Taking all violations into consideration Commissioner Scott moved and seconded by Commissioner LacKamp that the Board of Aldermen issue a written strong reprimand for the violations of the Ethics Code that took place as voted upon by the Ethics Commission Members. Motion carried 5-0. **Decision to recommend strongly written reprimand.**
- b. Commissioner Scott moved and Commissioner LacKamp seconded to include a clause in the report that the Commission **would have** recommended a suspension if there were a longer time in service. Motion failed 2-3.
- c. Commissioner Felker moved and Commissioner LacKamp seconded to add a clause in the report that the Ethics Commission **possibly could have** recommended a suspension if there were a longer time in service. Motion carried 4-1. **Decision to add a clause to the report in addition to the decision on the totality of circumstances which was a strongly written reprimand.**

### Conclusion

The Ethics Commission was convened in November regarding a complaint from Elaine Kellerman. The earliest violation was alleged to have occurred in 2016. Outlined in the complaint section above, Mrs. Kellerman's complaint was broken into 9 sections. The Commission spent significant time and effort to review the information provided. Additional information was further requested by the Commission in the form of witness testimony, affidavits and documents outlined in the work of the ethics commission section above.

On March 2, 2022, the Commission met in person to reach a decision on the complaint. A total of seventeen motions received enough votes to make a decision. Eight of them resulted in a decision that an ethics violation occurred, eight resulting in a decision of no violation and one motion that we do not have enough information to make a decision regarding the destruction of public records.

Each of the Commissioners expressed their opinions and observations on what guided their decision. We encourage residents of Parkville to view the discussion themselves. Within the debate two of the eight ethics violations were identified to have already been handled in the appropriate manner. Those being the campaign violations and DWI charge. Our votes for those items were an acknowledgement that those behaviors do not meet the expectations of our municipal leaders and that it was not beyond reproach. As for six the remaining violations, those seemed to have a pattern of behavior in which the Mayor's human emotion resulted in behaviors not above reproach as the elected leader of this city. Above reproach is a very high bar.



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Two decisions were made on the totality of the eight identified ethics violations based on our deliberation. First was a unanimous decision to recommend to the Board of Alderman a strongly written reprimand as a consequence for the Mayor. Second, the Commission could possibly have considered a stronger recommendation up to and including suspension if there was a longer time in office.

As we look to conclude this official duty of the Ethics Commission there are some items we would like to say for the record:

- We hope this not only concludes the ethics question, but puts to rest the toxic energy that is distracting the mission of running a city.
- We hope this decision does not impede a smooth and efficient transfer of power as a new Mayor and City Manager take office.
- We acknowledge that the Ethics Commission standard of “above reproach” is a very high standard and should be a cautionary tale for those serving or seeking public office.
- All of the items identified as violations were avoidable.

Respectfully submitted,

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J. Bryan Dehner  
Chairman  
Parkville Municipal Officials Ethics Commission

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Date

**Email Catalogue:**

- **January 6:** Received Email from Elaine Kellerman; Objections to Stale Categorization of Complaints



Objection to a Stale  
Categorization of Con

- **January 19:** Received Email from Elaine Kellerman; New Facts supporting Section 1 Part D of my original Complaint



Johnston Ethics  
Complaint Update - J;



Kellerman Exhibits 16  
and 18-24.pdf

- **January 20:** Received email from Elaine Kellerman; Comments Regarding the January 19<sup>th</sup> Meeting of the Ethics Commission



Comments  
Regarding the Januar;

- **January 21:** Received email from Sheryl Biermann; Johnston Ethics Complaint



Email from Sheryl  
Biermann, Johnston Et

- **January 21:** Email from Jason Maki; Facts and Information Regarding Parkville's Breach of Maki v Parkville Settlement



January 21 Maki  
Email .pdf

- **January 25:** Received email from Jason Maki; Johnston Destruction of Evidence



January 25, Email  
from Jason Maki.pdf



Johnston Destruction  
of Evidence and Publi

- **January 25**, Email from Elaine Kellerman; Missouri Municipal League



Jan 25 Elaine  
Kellerman Email, Miss

- **January 31**, Email from Mayor Johnston; including email chain from Joe Vanover



Jan. 31 Email from  
Nan Johnston.pdf

- **February 2**, Email from John Carter; Letter from John Carter to the Parkville Ethics Commission



Feb 2 Email from  
John Carter.pdf



Letter from John  
Carter Parkville Ethics



Feb 2, Additional  
Attachement from Joh

- **February 2**, Letter from City Attorney Chris Williams regarding affidavits



Letter to Joe Vanover  
2-2-22 from Chris Will

- **February 3**, Email from Sharyl Biermann; Concerns/ Exhibit #175



Email from Sheryl  
Biermann, Concerns E

- **February 10**, Emails between Joe Vanover and Chris Williams: Alderman Concerns about scope of Investigations



Alderman Scope of  
Investigation Emails b



Letter to Joe Vanover  
2-2-22 from Chris Will

- **February 10**, Email from Elaine Kellerman; Comments on Agenda/Packet for Tonight's Meeting



February 10 Email  
from Elaine Kellerman

- **February 10**, Email from Jason Maki; False Testimony provided by Alderman, Parente and McChesney



Feb 10 False  
Testimony Provided b



Feb 10 Maki Example  
McChesney Email.pdf

- **February 12**, Email from Elaine Kellerman; Remarks made by Mr. Felker



Feb 12, Remarks  
made by Mr. Felker, C

- **February 14**, Email from Jason Maki; Additional Evidence of False Testimony Provided by Alderman, Parente and McChesney



Feb 14 Maki Email  
Evidence of False Test



Feb 14. Maki  
Example Second exam

- **February 15**, Email from Chris Williams; Update following 2-10 Meeting



Feb 15 Email  
Communication from

- **February 21**, Email from Jason Maki; Letter from Assistant Attorney General of Missouri to the Parkville Ethics Commission



Feb 21 Maki Email  
.pdf



Letter to Parkville  
Ethics Commission 2-

- **February 22**, Email from Jason Maki; Facts Exhibits and Timeline Regarding Fees for Maki Sunshine Requests



Feb, 22 Facts  
Regarding Fees and T



Feb 22 Maki Email  
.pdf

- **February 23**, Email from Elaine Kellerman; Clarifications



Kellerman Email,  
Clarifications.pdf

- **February 24**, Email from Jason Maki; Evidence of Additional Email Destruction by Johnston



Feb 24 Maki  
Email.pdf



Feb 24 Attachment 1  
Johnston additional d



Feb 24 Attachment 2  
Johnston additional d



Feb 24 Attachment 3  
June 10 Preservation I



Feb 24 Attachment  
4.pdf

- **February 24**, Email from Jason Maki; Johnston's Duty to Preserve Evidence and Response to Coronado's Testimony



Feb 24 Maki  
Johnston's Duty to Pre

- **February 24**, Email from Elaine Kellerman; The Mayor's Own Words



Feb 24;  
Kellerman.pdf

- **February 24**, Email from Nan Johnston; Clarification of Testimony on 2/23



Feb 24 Johnston  
Clarification on Testir

- **March 2**, Email from Jason Maki; Recent Payments to Mr. Coronado



March 2 Maki Email  
.pdf



March 2 attachement  
Coronado Payments F

**Affidavit Received by the Ethics Commission:**

**City Employees:**

- Chief Chrisman:



Chrisman Affidavit  
2-7-2022.pdf

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- Joe Parente:



Affidavit -  
Parente.pdf

- Melissa McChesney:



Affidavit of Melissa  
McChesney.pdf

- Eddie Seasholtz:



Affidavit of Eddie  
Seasholtz.pdf

**Board of Alderman:**

- Dave Rittman:



Dave Rittman  
Affidavit 2-4-22 ref Pa

- Phil Wassmer:



Affidavit of Philip  
Wassmer.pdf

- **Doug Wylie:**



Affidavit of Doug  
Wylie.pdf

- **Tina Welch:**



Affidavit of Tina  
Welch.pdf

- **Marc Sportsmann:**



Affidavit of Marc  
Sportsman.pdf

- **Greg Plumb:**



Affidavit of Greg  
Plumb.pdf

- **Robert Lock:**



Affidavit of Robert  
Lock.pdf

- **Mayor Nan Johnston:**



Affidavit to ethics  
commission 2-10-22 f