

NOTICE SPECIAL MEETING

Notice is hereby given that the Board of Aldermen of the City of Seligman, Missouri, will conduct a Special meeting beginning at 6:30 P.M. on May 5th, 2025, at City Hall, 29144 Main Street, Seligman, MO 65745.

The tentative agenda of the meeting includes:

AGENDA

Employee Complaints / Grievance Received against West Ward Alderman Michael Lamb (this is the second attempt for this meeting)

Attorney General response to complaints received 5/1/25

Call for the impeachment of Alderman Michael Lamb with Board vote per RSMo 79.240

Proposed ordinances and/or resolutions to be discussed and/or acted upon at any meeting which were made known to the city clerk prior to the agenda posting deadline are available at City Hall. News Media may obtain copies of this notice by contacting the city clerk at Seligman City Hall, 29144 Main St., Seligman, MO 65745, 417-662-3600 phone, 833-277-7002 fax

Posted May 1st, 2025 at City Hall 3:21pm by Bern

Statement of events – Michael Lamb Building Permit

12/3 – Mr. Lamb stopped in to City Hall to fill out his building permit application, once complete he stated he would be in later to pay the application fee, while we were discussing his building I stated several items:

“Are the pins available?”

“I feel like there is an issue here, I will have to read code to recall the issue and I will let him know”

“It will be next week before I can go on site”

Mr. Lamb made no argument to the discussion above in person, he stated he would like for the building to be up before Christmas.

(At this time there was no mention of a pour date for the concrete or delivery of the building, Matt Phillips was present for this discussion.)

12/4 – Mr. Lamb dropped off the check for the permit and Sarah issued him a receipt.

12/7 – When arriving home late in the evening I noticed some dirt work had been done.

12/9 – When leaving for work I noticed the forms for the pad had been placed, 7:30am.

Around 1pm Mike Avers text me that the concrete had been poured.

12/10 – Not available to inspect today, I have a training class until noon, then after council work.

12/11 – Training until noon, 12:30pm - Inspection day, Mr. Lamb came out after I had started hunting for pins, I was having a hard time locating any pins on the North or South end of the property, he mentioned there was a pin next the the NE power pole (information provided by the previous owner) but no pin or marker was available. I mentioned noticing the pad was already poured before the inspection had taken place, he replied that the concrete was a week early to his surprise. I mentioned the front yard, he had removed the corner post of the front yard fence and placed the pad in the front yard, he did not agree, I told him I would research it a bit more, and I started measuring and running lines from other options.

I pulled a line from the existing fence on the North East side to the South East fence and staked a line.

I pulled measurement from the center of the road to 30', staked the lines.

I pulled measurements from the side of the utility pole that was mentioned by the previous owner, there was no good connecting point for me to use with this reference.

I pulled measurements from the West side existing barb wire fence on the North side and again as close to the pad, measuring 168' and placing markers. I had little faith in this method after measuring for a bit, but it was close to measuring from the center of the road.

I text Mr. Lamb to discuss this outside, we walked around a bit while I explained my measurement issues, he mentioned calling the electric company and they stated they only install poles on the property line, based on my measurements I did not believe this to be true. I told him the closest measurement I can reference is the rear fence, that means the setback was a couple feet into his concrete pad. He insisted that the electric poles are on the property line and that is where he measured from to start. He asked me if he needed to move the pad, I replied that I am not telling him he has to do anything. Further into our discussion about the property lines he asked if he needed to get a survey, I replied that I am not telling him he has to do that, but I did ask you at the time you filled out the application if the pins were available, you replied you weren't sure, I told him I would try to find something on site.

I had to leave for a bit and later returned on site.

Mr. Lamb came out still talking about the power poles and that the lines I was pulling were not correct, he stated the building was going up on Monday and he needed this done. I talked more about the front yard and the fence that was removed, he still did not agree and said that code needed to be changed. I did warn that he cannot build without a permit, he replied saying the building was going up on Monday, I warned him that he would be in violation of the City code and subject to a citation for violation of City code, he replied that the building is going up regardless.

I concluded the onsite inspection saying that I could not approve the permit since the front yard setback could not be identified and agreed upon, further the way City code reads, his front yard is an issue. I left the property.

I contacted Mike Avers in his Mayor capacity to explain my day, also Brenda McKinney in her P&Z capacity.

12/12 – 7:45am I started receiving texts and calls from Mr. Lamb, he asked if he was alright with the setback or if he needed to alter the pad, nothing had changed from the discussion the day before, the same issues I mentioned were still present. I spent a lot of my day

reading code in depth for an answer or other option. I did ask about roof pitch in an attempt to find a solution, I was met with resistance.

I left work at noon for a doctor visit.

I spoke to Mike Avers about this, he was contacted by Mr. Lamb as well.

Mike Avers text me that the pad had been chopped in the front and extended in the rear.

12/13 – I refused to answer Mr. Lamb's phone calls until I came to work. He started off asking if he was good to go since moving the concrete pad, I told him nothing changed since we could not come to an agreement on the property line, and the front yard was still an issue. He said well then, I have been reading the City code and there are a lot of issues, the marijuana code does not match State RSMo, and the Blackburn zoning changes were illegally done, I'm not going to let this go. He then requested again to be on the agenda for the P&Z meeting to get the language changed, I told him he already was.

Later this day Mike and I met on site to discuss the different methods I used to try and discern the lot line, Darla came out and we tried to explain what we had come up with, I asked for the drawings of the building to be put up as I was exploring alternative options to solve the hangup, she was not comfortable sharing this due to personal information on the document, our casual conversation was not received well and Darla obviously took offense to something that was said, I told her we would be leaving the property now and we left.

Later this day I was present for a phone call between Mike Avers and Mr. Lamb. Mr. Lamb did text the building plans, unfortunately that did not help me in the hunt to find a solution.

12/16 – Zoning meeting, this was a waste of time for everyone present, Mr. Lamb should never have brought this to the meeting asking for changes to be made to solve an issue he had with code. I stated that there was nothing that could be done in this meeting to change City code in order to help his situation, He replied that the commission could make a motion and the Mayor could approve that change, I will touch on this later*. While discussing the issues I had with the inspection, the lot line and how I tried to discern it was called into question, Mr. Corn asked if we have used the R/W measurements before, and yes we had, the issue was Mr. Lamb was not accepting of this measurement or any other measurement I attempted....later I asked point blank if he would accept the R/W measurement from the center of the road, Mr. Lamb said he would at that point. The front yard was still an issue as code reads "No accessory structures or uses shall be located within a required or established front yard". The fence was intact and present when he applied for the permit, Donna asked if Mr. Lamb could submit a new application and move on since the fence is no longer present, while this does not seem like the right thing to do, I did not see an issue with Mr. Lamb withdrawing his original application and filling out a

new application. He stated that the building crew would be on site the next morning and asked if the inspection could be done first thing.

Video footage of this meeting available as evidence.

12/17 – Mike Avers and myself met on site to measure the R/W which had been previously marked with stakes, the ground was painted indicating the lot line and then the 25' setback was also marked, the fence was not present and more fence was being removed. I staked the permit and concluded the inspection.

Observation - Improper and unethical conduct of a City Alderman, attempted persuasion of the Mayor, Zoning administrator and Zoning Commission to violate City Code for his own personal gain:

Mayor persuasion – Since Mr. Lamb did not agree with my conclusion he contacted the Mayor multiple time to persuade him to override the decision and force me to approve his application. Mr. Lamb also enlisted Ron Corn (Alderman) to discuss this issue with the Mayor. He attempted to coerce the Mayor into overruling the decision of the zoning administrator, of which the Mayor does not have the authority to do so, which violates his oath of office.

Zoning Administrator – After I stated my issues yet again on the phone 12/13, Mr. Lamb said he would not let this go....he had been reading code and found a lot of issues that need to be fixed, the marijuana code does not match the state code, and that the commission approving the Blackburn zoning change was done illegally. I told him that had nothing to do with the situation at hand. Mr. Lamb stated to me that the building was going up regardless....this would violate City code, this violates his oath of office.

Zoning Commission – Mr. Lamb requested to be on the agenda to discuss issues with code that directly effected his application, he was requesting changes to take place in order to move his application along. He was told there wasn't anything that could be done at the meeting, but argued that these items needed to be corrected immediately, and that all the commission had to do was vote on the changes and the Mayor could sign them into law. He further went on to argue with members that understood the process for changing the regulations is to propose a change to be voted on, Mr. Lamb continued to argue. Decisions of the zoning administrator can be appealed to the Board of Adjustments, Mr. Lamb attempted to persuade the zoning commission to change regulations immediately, even though the process for amending code is clearly outlined in code, which violates his oath of office. This is also unethical to seek a change and argue a change to regulations to suit his needs.

Conclusion – Mr. Lamb is willing to violate City code as stated above, and unethical behavior has been observed by multiple City Officials.

Brian Nichols

Follow up:

1/13/25 6pm

I passed out this statement to each City official, Mr. Lamb started to argue the facts mentioned in the statement, Alderman McKinney instructed Mr. Lamb to let everyone read it before discussing it.

After discussing the events with raised voices for nearly an hour, the discussion was settled with Mr. Lamb agreeing to bring his statement of events to the next meeting for discussion.

Later that evening after the meeting Mr. Lamb text Mayor Avers saying that should have been discussed in closed session.

Video footage of this meeting available as evidence.

1/17/25 11:36am Mayor Avers text me to call him, I did, he mentioned Alderman Corn requested a meeting with him on site at DD park to put this thing with Mr. Lamb to rest. I had no further communications with Mayor Avers for over a week as I was on vacation from 1/19 – 1/26.

2/10/25 during office hours when Mayor Avers was in City Hall I asked him directly what the outcome of his meeting with Alderman Corn, he said Ron just wanted to end the situation.

6pm Meeting

Alderman Lamb started off requesting the mention of the statement at the last meeting be removed from the minutes since it was not on the agenda, *(Department report discussion is on every agenda since this is the time to question City personnel about event that happen the Month prior, the topic of zoning administrator position and recent events was listed as an item for discussion prior to the meeting in accordance with the MO sunshine*

law) Back and forth discussion resumed about the events and discussion from the last meeting, Mr. Lamb again arguing that it should be done in closed session..... I stated that he had no problem with calling me out in front of multiple people at a public planning and zoning meeting, discussing my performance as zoning administrator and the gall of me to tell a citizen that “I do not work for you Steve” after being asked why I didn’t come help him with a private business project....The whole matter has already been made public. The argument continued. This discussion concluded with Mr. Lamb agreeing to bring his statement to the next meeting.

Video footage of this meeting available as evidence.

3/10/25 Mr. Lamb was not in person for this meeting, he attended the meeting via Webex on a tablet. When the topic came up he was asked for his statement, he replied saying “he was told we were dropping that, he has left it alone and was not committing anything and was leaving it alone”. The Mayor told him he believes there was a ethics violation and he was asked two months not to get his letter in, Alderman McKinney stated to Mr. Lamb that there seems to be discussions happening outside of the Board meetings between three people and that needs to stop, the discussion needs to be at the meetings. She asked him again for his statement since he does not agree with my report of the issue. Mr. Lamb said what are you going to do when there is an ethics violation on part of Brian, because that will fall back on you as the Mayor, and do you really want to waste the Cities money. Mr. Lamb said again that he will bring a statement next month and we will have a guest as well.

Video footage of this meeting available as evidence.

3/17/25 Lamb dropped off his resignation letter for his Alderman Position and seat on the planning and zoning commission. This was accepted by the zoning commission later that evening.

3/27/25 Lamb retracted his resignation for the Alderman position. The MML was consulted about this.

4/2/25 Office discussion with the Chief lead to a discussion about Mr. Lamb calling the City attorney to discuss illegal conduct on my part and of the mayor, at this time no information is available. The Mayor was notified of this in person.

4/7/25 After court finished Avers and Weber (City Attorney) came over to City Hall to discuss the conversation she had with Lamb and his accusations:

Minutes are gone, they don’t exist.

Council Books are gone, they have been deleted.

I took this opportunity to explain to Weber about the council books on OneNote, there is no requirement to retain these items.....however I simply move old meeting to a file with the corresponding year as not to congest the current year book, the larger the book the slower it is to load.....and it is very apparent that books are not looked at before the meetings.

I also detailed my process of filing ordinances and minutes in the appropriate hard cover binder, minutes are also held in digital form on dropbox (cloud file storage).

Prior to this matter being brought up, I was not asked for any of these documents or asked any questions about this material, had I been the answer would have been simple and would not have required the City Attorney to be bothered, it is unclear if the City will be charged for the conversation Mr. Lamb had with the City Attorney, Mr. Lamb does not have the authority to to authorize the expense.

4/14/25

I have a recording of this meeting from multiple cameras, multiple sunshine law violations occurred on part of Lamb (documented and reported to the secretary of state), as well personnel being berated by Lamb.

7:52pm Lamb asked if the Board still needed a statement from him or did you drop all that, was that revoked or what happened.

Avers said we are still waiting for your statement.

Lamb replied with it wasn't on the agenda. (it has been on the agenda since January and mentioned at each meeting)

Lamb passed out his statement.

McKinney said with your statement the way you wrote it, "Mistakes were made, but the permit was issued, so the matter has been resolved" The Board can accept Brian's statement as true.

Lamb replied you could, but there are no ethics violations in there and furthermore there are items that happened that probably should not have. I am willing to let it all go, but if its not let go then he is prepared to move forward, but hoping this would all be let go, or Brian could retract his statement.

Video footage of this meeting available as evidence.

4/21/25

Mayor Avers asked me to reach out to each Alderman about a special meeting on 4/23 – 6pm to discuss the statements and grievance reported against Lamb, I received confirmation from Lamb that he would attend virtually, a link was emailed to him, and

again on 4/23 since he had not confirmed the Webex invite previously sent. The only Alderman that had not responded to my multiple attempts was Alderman Pratt.

4/23/25

Alderman Mckinney and Mayor Avers were the only members to show up, no contact from Pratt, the Webex link was not responded to on part of Lamb, and Tanis had a medical emergency and was not able to attend.

4/24/25

Mayor Avers asked me to contact the City Attorney for help with a Board of Impeachment hearing for Lamb.

OATH OF OFFICE

State of Missouri, County of Barry, City of Seligman, s.s.

I, Michael Lamb, do solemnly swear or affirm that I possess all the qualifications prescribed by law for the office of West Ward Aldermen and that I will support the Constitution of the United States and the Constitution of the State of Missouri, and the provisions of all laws of this state affecting cities of the Fourth Class and the Ordinances of the City of Seligman, Missouri, and that I will faithfully demean myself while in the office of West Ward Aldermen of the City of Seligman, Missouri, for which I was elected.



Subscribed and Sworn to before me on this 8th day of April, 2024.

Witness my hand and seal of the City of Seligman, Missouri, the day above written, Brian Nichols, City Clerk.

COMMISSION

State of Missouri, County of Barry, City of Seligman, s.s.

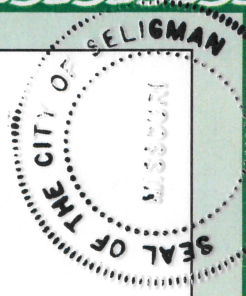
WHEREAS, Michael Lamb has been sworn in as West Ward Aldermen of the City of Seligman, County of Barry and has fulfilled his/her duty by taking the oath of office,

NOW, THEREFORE, I Michael Avers, do, by the authority in me vested as Mayor of the City of Seligman, commission Michael Lamb as West Ward Aldermen of the City of Seligman for the term of Two Years beginning April 8th, 2024 until the next Municipal Election in April 2026.

GIVEN under my hand with the corporate seal of said City hereto affixed this 8th day of April, 2024.



Michael Avers, Mayor



I, Michael Lamb, hereby resign my positions held on City of Seligman Planning and Zoning board, and City of Seligman Alderman board effective immediately; 17 March 2025.

Michael Lamb

I, Michael Lamb, hereby retract my resignation for City of Seligman Alderman board effective 27 March 2025.

A handwritten signature in cursive script, reading "Michael Lamb". The signature is written in dark ink and is positioned below the printed text. The paper has some horizontal creases and minor discoloration.

April 14, 2025

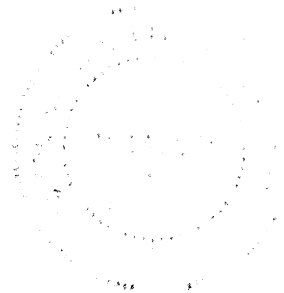
Mistakes and errors were made; but obviously it has been resolved since I was provided the building permit and the building has been completed.

I am proud to continue to serve the citizens of the community, and will continue to have their best interest in mind.

Thank you for the opportunity to provide this statement and for us to move past this issue, allowing for a constructive positive working relationship.

Michael Lamb

City of Seligman West side Alderman





Missouri Ethics Commission (MEC)
PO Box 1370, Jefferson City, MO 65102, (800) 392-8660 www.mec.mo.gov
Official Complaint Form (Sections 105.957 & 130.054, RSMo, & MO Const.)

Office Use:

THIS FORM MUST BE RETURNED BY MAIL OR HAND-DELIVERED
FAXED COPIES OR EMAILS WILL NOT BE ACCEPTED

INDIVIDUAL BRINGING COMPLAINT: (must be a natural person)

DATE OF COMPLAINT:	NAME: (First & Last)	TITLE OF OFFICE HELD OR SOUGHT (if applicable):	
ADDRESS: (required)		EMAIL:	
CITY, STATE & ZIP: (required)			COUNTY:
WORK PHONE: ()	HOME PHONE: ()	CELL PHONE: ()	

The Commission will send a copy of this complaint, which includes the name of the person bringing the complaint, to the organization(s), committee(s), or individual(s) against whom the complaint is brought.

INDIVIDUAL(S) AND/OR ORGANIZATION(S) OR COMMITTEE(S) AGAINST WHOM COMPLAINT BROUGHT:

(Please limit filing to those individuals and/or entities against whom the specific complaint is alleged. File separate complaints if alleging violations of a similar nature against separate and distinct individuals/organizations/committees/entities. Use additional pages if necessary.)

NAME:	TITLE OF OFFICE HELD OR SOUGHT (if applicable):		
ADDRESS: (required)	EMAIL:		
CITY, STATE & ZIP: (required)	COUNTY:	DATE OF ELECTION: (if applicable)	
WORK PHONE: ()	HOME PHONE: ()	CELL PHONE: ()	

NAME:	TITLE OF OFFICE HELD OR SOUGHT (if applicable):		
ADDRESS: (required)	EMAIL:		
CITY, STATE & ZIP: (required)	COUNTY:	DATE OF ELECTION: (if applicable)	
WORK PHONE: ()	HOME PHONE: ()	CELL PHONE: ()	

VERIFICATION BY OATH OR AFFIRMATION

This complaint shall be sworn to under penalty of perjury.

STATE OF MISSOURI

COUNTY OF _____

I, _____ being duly sworn upon oath and affirmation legally administered,
(Complainant Name)

certify under penalty of perjury that the information contained in this complaint is complete, true, and correct, to the best of my knowledge and belief.

Complainant Signature

Subscribed and sworn to before me this _____ day of _____, _____.

My Commission Expires: _____

NOTARY STAMP

Notary Public Signature

- ☐ 1) The requirements imposed on lobbyists contained in Sections 105.470 to 105.478, RSMo;
- ☐ 2) The financial interest disclosure requirements contained in Sections 105.483 to 105.492, RSMo;
- ☐ 3) The campaign finance disclosure requirements contained in Chapter 130, RSMo and the Missouri Constitution;
- ☐ 4) Article VIII, Section 23, of the Missouri Constitution (complaints relating to campaign finance can only be filed against a candidate within 60 days prior to the primary election until after the general election in which the candidate is running but not within the 15 days prior to the election);
- ☐ 5) The conflict of interest laws contained in Sections 105.450 to 105.467, RSMo, and Section 171.181, RSMo;
- ☐ 6) Any code of conduct promulgated by any department, division or agency of state government, or by state institutions of higher education, or by executive order;
- ☐ 7) The provisions of the Constitution or state statute or order, ordinance or resolution of any political subdivision relating to the official conduct of officials or employees of the state and political subdivisions.

☐ NO Are any of the matters alleged by you the subject of civil or criminal litigation?

☐ YES If yes, please provide the county, _____ and case number, _____ if known.

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.



SELIGMAN POLICE DEPARTMENT

Chief Matt Phillips

29144 Main Street,
Seligman, Mo 65745
O) 417.662.3600

I, Kevin M Phillips, in the full compacity as Chief of Police for the City of Seligman formally submit a grievance against Alderman Michael Lamb. Below I will list the reasonings for submitting my grievance against Lamb that occurred during the Board of Alderman meeting on 4/14/2025

1. Lamb violated RSMo 610.020 by speaking on items not on the agenda, specifically the Chief of Police and City Administrator position.
2. Lamb violated RSMo 106.273 for the following reasonings:
 - a. Lamb failed to provide written notice of the intent of removal or suspension.
 - b. Lamb failed to provide written notice of the date time and location of said meeting.
 - c. Lamb failed to provide a set of allegations against the chief including a statement of facts supporting said allegations.
 - d. Lamb failed to provide "just cause" of removal. Just cause meaning of the 6 allowed reasons for removal by State Statute.
3. Lamb stated that it was important to the State whether the position was appointed or a contract position. RSMo 106.273 states a chief is "any nonelected chief law enforcement officer of any political subdivision" and the process of removal or suspension apply regardless of appointment or contract. The terms of a contract cannot override state statute.
4. Lamb suggested that the city "only extend the contract of the chief of police for 30 days, in violation of RSMO 106.273.
5. Lamb stated I was "flying off the handle" because I was stating specific State Statute and I wished to submit a grievance against him. This act was in clear violation of Policy 313.3.2 Retaliation which states"
 - a. Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because the person has engaged in protected activity, filed a charge of discrimination, participated in an investigation, or opposed discriminatory practice. Retaliation will not be tolerated.
6. Lamb then again violated RSMo 610.020 and started talking about previous minutes claiming they were gone, which was not on the agenda.
7. Lamb again violated RSMo 610.020 attempting to bring up the City Administrator position, which was not on the agenda.
8. Lamb suggested that the City Administrator position was "still part of new business" again violating RSMo 610.020.
9. Lamb then violated RSMo 610.020, 610.021.3, and policy 1010.6.2 for personal complaints. Lamb in open session spoke claiming he didn't need the "hostility". I object to his use of the word "hostility", during the time of explaining the policy and state statues, I did not yell, scream or act in a way that would alarm someone. I have previously observed lamb during council meetings, yell, scream, and beat his hands on the table, which I would clarify has hostile.
10. Lamb violated RSMo 610.020, again, by bringing up city ordinances and the lack of the ordinances being online, an item that was not on the agenda.

A handwritten signature in black ink, appearing to read "K. Phillips".

4/20/25

4/20/2025

Brian Nichols
27947 Walnut Street
Seligman, MO 65745

Dear Mayor and Board of Aldermen,

I felt it necessary to present a recap of the April 14th meeting minutes and noted violations on part of multiple employees during the meeting, all of which was recorded, I fear there will be turmoil in the near future if these issues are not acted upon.

Department Reports:

Mr. Lamb disrupted the agenda by discussing his need to have items available on the website and council book, further wanting an explanation of the discussion from the last zoning meeting which he submitted items to be discussed, then proceeded to discuss those item across the room with McKinney....

These items were not on the agenda and disrupted the meeting, Avers attempted to redirect the meeting but was further interrupted asking to have the items previously submitted be added again and discussed. Avers asked McKinney to add the items and go over each item for consideration at the next meeting.

Old Business / Salary:

During the discussion of this bill, Lamb disrupted the agenda and began to discuss complaints he had received from his constituents about the police department, Matt attempted to inform Lamb about the laws governing complaints and how they should be handled.

These items were not on the agenda and disrupted the meeting, Avers attempted to redirect the meeting but was further interrupted by Lamb talking about the vehicle letters.

New Business: (Election results, Oath of Office, Mayor Pro Tem, City Attorney, Municipal Court Judge, Account Signers)

After the discussion about the judge appointment Lamb stated we have another appointment, Chief of Police, and began to discuss the issue back and forth with Avers. Lamb made the suggestion that the Board extend Matts term for 30 days. Matt announced that the discussion needs to stop and that he will be contacting the Chief's association, he further instructed Lamb to read RSMo. (Information has been available in the books) Discussion back and forth between Lamb, Matt and Avers continued, Matt announced he would like to file a grievance. Lamb stated he wasn't trying to get Matt fired, but seeking

answers. Everyone present witnessed Lamb berate Matt two times, “getting bent out of shape”, “flying off the handle”.

At this point Lamb started to discuss the meeting minutes and previous council meeting books, Avers showed proof of the items existence and attempted to redirect the meeting.

Lamb then wanted to discuss Brian’s contract, Avers and Matt attempted to resolve the matter by quoting the answers received from the City attorney. Avers attempted to redirect the meeting.

Lamb turned to Matt and again berated him saying “in the future I don’t need the hostility”. Matt replied with his reason behind being physically upset, it is his belief that there is a plot to have him removed from office. Avers attempted to redirect the meeting and discuss code enforcement.

Lamb interrupted the meeting to discuss having City code put on the website. He further stated that when he gets attitude that doesn’t help anything, he then berated Matt saying “or if I got attitude”, then he has a problem.

Lamb further interrupted the meeting to talk about the meetings being recorded, Avers discussed the matter with Lamb and attempted to redirect the meeting.

These items were not on the agenda and disrupted the meeting.

Avers asked for items to discuss next month:

Lamb requested web access to the previous council books, and began to talk about why they are needed and how he would use them.

This item was not on the agenda and disrupted the meeting.

Just after the meeting adjourned, but before anyone but Kyle left, Lamb turned to Matt and said “in the future Matt, if you would just talk to me directly, that would have been a lot better, I wasn’t trying to attack you”. Matt replied by saying “ I have been clear I was done talking about this”.



SELIGMAN POLICE DEPARTMENT

Office: 417.662.3600 Dispatch: 417.847-4911 Fax: 417.662.3718

29144 Main Street, Seligman Missouri, 65745

Matt Phillips, Chief of Police

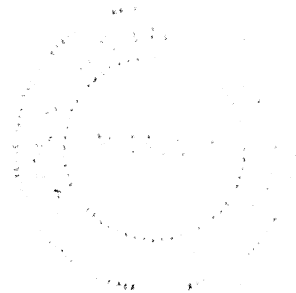


5/1/2025

Dear Mayor Michael Avers,

I am writing this letter to inform you and to report that I feel Alderman Michael Lamb has violated Ordinance 15-07, specifically the anti-retaliation. I further believe that Lamb has violated Missouri Revised State Statute 105.055. I feel that as a result of filing a grievance on 4/21/2025, Lamb has retaliated against me for my role in the protected act of filing a grievance, reporting his numerous violations of law, policy, ordinances and ethics. I believe that Lamb is attempting the removal of my position due to my grievance. I further believe that Lamb has retaliated against Brian Nichols for reporting similar acts conducted by Lamb. I believe that part of Lambs request for closed session is a direct retaliation against me. I believe that Lamb will speak of the removal of my position in direct violation of Missouri Revised State Statute 106.273. As stated in 106.273.2.1 a notice to me must be given with no fewer than 10 days prior to the meeting "at which his or her removal will be considered." I previously filed a grievance against Lamb for this same action and he is repeating it again. I am also notifying you that I have intent to notify the Missouri Chief of Police Association for representation for this matter.

Thank you,
Kevin M. Phillips
Chief of Police





**Sunshine Law Violation
Complaint Form**

ANDREW BAILEY
MISSOURI ATTORNEY GENERAL

ago.mo.gov
800-392-8222

The Attorney General is charged with enforcing the Missouri Sunshine Law. To ensure that government is open, the Attorney General reviews complaints regarding potential Sunshine Law violations and, in certain cases, takes legal action. However, please understand that the Attorney General cannot act as your attorney but represents the state's interests in ensuring that public meetings and records are open to the extent provided by law.

If you would like to file a sunshine law violation complaint, please complete and mail this form to:
Missouri Attorney General's Office • Sunshine Complaint Unit • P.O. Box 899 • Jefferson City, MO 65102

Your Information

YOUR NAME Brian Nichols W
First Last Mi
ADDRESS 27947 Walnut Street Seligman MO 65745 Barry
Street City State Zip County
E-MAIL brian.nichols@seligmanmo.com
PRIMARY PHONE NO. (4 1 7) 3 4 2 - 6 5 5 4
SECONDARY PHONE NO. () -

Public Body Information

NAME OF PUBLIC BODY Board of Aldermen EMAIL officials@seligmanmo.com
ADDRESS 29144 Main Street Seligman MO 65745 Barry
Street City State Zip County
CONTACT PERSON Michael Avers ATTORNEY FOR PUBLIC BODY (IF KNOWN) Sarah Weber
PHONE NO. (4 1 7) 3 4 2 - 9 8 2 9

Complaint Information

NATURE OF COMPLAINT ☐ Meeting ☐ Record ☐ Both meeting and record
DESCRIBE COMPLAINT Alderman Lamb kept discussing items that were not on the agenda
at the April 14th Regular Board of Aldermen meeting
HAVE YOU CONTACTED A PRIVATE ATTORNEY OR PROSECUTING ATTORNEY ABOUT THIS MATTER? ☒ Yes ☐ No IF YES, HAS THE ATTORNEY TAKEN ACTION ON YOUR BEHALF? ☐ Yes ☐ No
IF ATTORNEY HAS TAKEN ACTION, DESCRIBE ACTION TAKEN TO DATE AND WHETHER LITIGATION HAS BEEN FILED.

IF LITIGATION HAS BEEN FILED, PLEASE PROVIDE THE CASE NUMBER IF KNOWN. _____
IF APPLICABLE, PLEASE PROVIDE THE NAME OF YOUR LEGAL COUNSEL AND LEGAL COUNSEL'S LAW FIRM.

From: SunshineComplaint <SunshineComplaint@ago.mo.gov>
Sent: Thursday, May 1, 2025 10:56:58 AM
To: Seligman Officials <officials@seligmanmo.com>
Subject: FW: New submission from Sunshine Law Complaint Form

Good morning –

The Missouri Attorney General's Office has received two Sunshine Law complaints regarding the City of Seligman's regular meeting held on April 14th, 2025, at 6:00PM. The complaints allege that an Alderman repeatedly discussed items that were not included on the posted tentative agenda for that meeting.

Please note that the Attorney General's Office does not represent either party to this matter. Our role is to review allegations of noncompliance with Missouri's Sunshine Law (Chapter 610, RSMo) and ensure public governmental bodies are adhering to the transparency obligations imposed by law.

To assist in reviewing this complaint and providing all parties an opportunity to be heard, we respectfully request that the City provide the following information by May 9th, 2025.

1. A written response addressing the allegations within the complaints (the complaints and supporting documentation have been attached to this email).

Under RSMo 610.020, the tentative agenda must be constructed in a manner to advise the public of the matters to be considered. This inquiry is not a finding of violation, but part of our responsibility to determine whether further review is necessary.

Thank you for your attention to this matter and your continued commitment to open and accountable government. If additional time is needed to respond, please notify me directly.

Thank you,

Brandon Roberts | Director of Sunshine Law Outreach
Missouri Attorney General's Office
207 West High Street
Jefferson City, MO 65101
(573) 751-9405
Brandon.Roberts@ago.mo.gov

From: AGO Website <Noreply@ago.mo.gov>
Sent: Thursday, May 1, 2025 10:17 AM
To: SunshineComplaint <SunshineComplaint@ago.mo.gov>
Subject: New submission from Sunshine Law Complaint Form

Your Contact Information
Name
Brian Nichols
Address
27947 Walnut St. Seligman, MO 65745 Map It
County
Barry
Primary Phone Number
4173426554
Email
brian.nichols@seligmanmo.com
Public Body Information
Public Body Name
City of Seligman
Address
29144 Main Street Seligman, MO 65745 Map It
County
Barry
Phone
4176623600

Email
officials@seligmanmo.com
Contact Person
Michael Avers
Attorney for Public Body (if known)
Sarah Weber
Complaint Details
Nature of Complaint
Meeting
Description of Complaint (Be as detailed as possible)
Alderman Lamb kept discussing items that were not on the agenda at the regular meeting on April 14th at 6pm. The attached minutes have been reviewed by the Mayor for accuracy, but they have not been approved yet. Also attached is my personal recap of the meeting with greater detail after reviewing the video footage of the meeting, which is available. I know our Chief of Police Matt Phillips also filed a complaint earlier today.
File Upload: Please upload any supporting documentation
• BrianRecapLetter.pdf • MeetingNotice.pdf • 41425MinutesDRAFT.pdf
Have you contacted a private or prosecuting attorney on this matter?
Yes
If yes, has the attorney taken action on your behalf?
No

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AN ORDINANCE OF THE CITY OF SELIGMAN, MISSOURI, TO ESTABLISH A
PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND
SUBSTANTIAL INTERESTS FOR CERTAIN OFFICIALS.

BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF SELIGMAN,
MISSOURI, AS FOLLOWS:

Section 1 - Declaration of Policy

The proper operation of government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in the proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a procedure for disclosure by certain officials and employees of private financial or other interests in matters affecting the political subdivision.

Section 2 - Conflicts of Interest

- a. All elected and appointed officials as well as employees of a political subdivision must comply with conflict of interest statutes under Chapter 105 of the Missouri Revised Statutes as well as any other state law governing official conduct.
- b. Any member of the governing body of a political subdivision who has a “substantial personal or private interest” in any measure, bill, order or ordinance proposed or pending before such governing body must disclose that interest to the secretary or clerk of such body and such disclosure shall be recorded in the appropriate journal of the governing body. Substantial personal or private interest is defined as ownership by the individual, his spouse, or his dependent children, whether singularly or collectively, directly or indirectly. Please take note - the minimum requirements outlined in statute for an ordinance do not include penalties. Any penalties that the subdivision is authorized to enforce should be established by the ordinance. Upon adopting the ordinance, the political subdivision becomes responsible for enforcing the ordinance and any penalties. All candidates must file a Financial Interest Statement for Political Subdivisions if they have any transactions over \$500 with the political subdivision, even if candidates are not listed specifically in the ordinance. If candidates do not have any transactions, consult ordinance for filing requirements. Review the ordinance prior to adoption to ensure it includes all of the aspects desired by the political subdivision. indirectly of: (1) 10% or more of any business entity; or (2) an interest having a value of \$10,000 or more; or (3) the receipt of a salary, gratuity, or other compensation or remuneration of \$5,000 or more, per year from any individual, partnership, organization, or association within any calendar year.

Section 3 – Disclosure Reports

Each elected official, candidate for elective office, the chief administrative officer, the chief purchasing officer, and the full-time general counsel shall disclose the following information by May 1, or the appropriate deadline as referenced in Section 105.487 RSMo, if any such transactions occurred during the previous calendar year:

- a. For such person, and all persons within the first degree of consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total value

in excess of five hundred dollars, if any, that such person had with the political subdivision, other than compensation received as an employee or payment of any tax, fee or penalty due to the political subdivision, and other than transfers for no consideration to the political subdivision.

- b. The date and the identities of the parties to each transaction known to the person with a total value in excess of five hundred dollars, if any, that any business entity in which such person had a substantial interest, had with the political subdivision, other than payment of any tax, fee or penalty due to the political subdivision or transactions involving payment for providing utility service to the political subdivision, and other than transfers for no consideration to the political subdivision.
- c. The chief administrative officer, chief purchasing officer, and candidates for either of these positions also shall disclose by May 1, or the appropriate deadline as referenced in Section 105.487, RSMo., the following information for the previous calendar year:
 1. The name and address of each of the employers of such person from whom income of one thousand dollars or more was received during the year covered by the statement;
 2. The name and address of each sole proprietorship that he owned; the name address and the general nature of the business conducted of each general partnership and joint venture in which he was a partner or participant; the name and address of each partner or coparticipant for each partnership or joint venture unless such names and addresses are filed by the partnership or joint venture with the secretary of state; the name, address and general nature of the business conducted of any closely held corporation or limited partnership in which the person owned ten percent or more of any class of the outstanding stock or limited partnership units; and the name of any publicly traded corporation or limited partnership that is listed on a regulated stock exchange or automated quotation system in which the person owned two percent or more of any class or outstanding stock, limited partnership units or other equity interests;
 3. The name and address of each corporation for which such person served in the capacity of a director, officer, or receiver.

Section 4 – Filing of Reports

- a. The financial interest statements shall be filed at the following times, but no person is required to file more than one financial interest statement in any calendar year;
 1. Every person required to file a financial interest statement shall file the statement annually not later than May 1 and the statement shall cover the calendar year ending the immediately preceding December 31; provided that any member of the Board of Aldermen may supplement the financial interest statement to report additional interests acquired after December 31 of the covered year until the date of filing of the financial interest statement.
 2. Each person appointed to office shall file the statement within thirty days of such appointment or employment covering the calendar year ending the previous December 31;
 3. Every candidate required to file a personal financial disclosure statement shall file no later than fourteen days after the close of filing at which the candidate seeks nomination or election or nomination by caucus. The time period of this

statement shall cover the twelve months prior to the closing date of filing for candidacy.

- b. Financial disclosure reports giving the financial information required in Section 3 shall be filed with the local political subdivision and with the Missouri Ethics Commission. The reports shall be available for public inspection and copying during normal business hours.

Section 5 – Filing of Ordinance

A certified copy of the ordinance, adopted prior to September 15th, shall be sent within ten days of its adoption to the Missouri Ethics Commission.

Section 6 – Effective Date

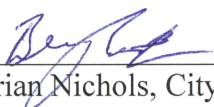
This ordinance shall be in full force and effect from and after the date of its passage and approval and shall remain in effect for two years from the date of passage.

PASSED AND ADOPTED by the following vote:



Michael Avers, Mayor

ATTEST



Brian Nichols, City Clerk



To approve Bill # 586

1st Reading

Motioned Lovstad
Seconded Hughes

Aye

Nay

Lovstad	<u>✓</u>	_____
Corn	<u>✓</u>	_____
Hughes	<u>✓</u>	_____

Absent _____

2nd Reading

Motioned Hughes
Seconded Corn

Aye

Nay

Lovstad	<u>✓</u>	_____
Corn	<u>✓</u>	_____
Hughes	<u>✓</u>	_____

Absent _____

BILL NO. 425

ORDINANCE NO. 15-07

AN ORDINANCE ENACTING A HARASSMENT AND SEXUAL HARASSMENT POLICY
FOR THE EMPLOYEES OF THE CITY OF SELIGMAN

WHEREAS, the City of Seligman requires a Harassment and Sexual Harassment Policy for its employees;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SELIGMAN, MISSOURI, AS FOLLOWS:

SECTION 1. The City of Seligman adopts the following as its Harassment and Sexual Harassment Policy:

**CITY OF SELIGMAN HARASSMENT AND SEXUAL
HARASSMENT POLICY**

Policy Statement:

(i) The purpose of this policy is to set forth clear and consistent guidelines for defining and handling cases of Harassment and Sexual Harassment involving City employees. Through implementation of this Policy, the City intends to provide a harassment-free and sexual harassment-free working environment for its employees, and thereby enhance the ability of City employees to deliver safe and efficient service to the community.

(ii) All City employees are expected to treat others with dignity and respect. The City does not tolerate harassment of job applicants, employees, vendors, citizens, or anyone else.

Definitions:

(i) Harassment is the making of any submission to or rejection of any slurs, jokes, or other verbal, graphic, or physical conduct either directly to, about, or generally regarding any one person or group of persons protected under this policy as the basis of any employment-related decision or action, or the creating of an intimidating, hostile, or offensive working environment by such conduct. The list of conduct is not exhausted and may include other actions, whether physical, verbal, or graphic.

(ii) Sexual Harassment is any unwelcome sexual advances, requests for sexual favors, and any other verbal and physical conduct of a sexual nature toward someone of any gender or gender identity by someone of the same sex or opposite sex.

(iii) City employees include any current City employee, job applicants, vendors, citizens, independent contractors completing work for the City, the Mayor, the City Attorney, the City Judge, and the members of the Board of Aldermen.

Policy Against Harassment Generally:

Any form of harassment related to an employee's race, color, sex (same sex or opposite sex), gender, sexual orientation, gender identity, pregnancy, religion, national origin, ancestry, age, citizenship status, physical or mental disability, veteran status, or any other basis protected by federal, state, or local laws, will not be tolerated and is a violation of this policy. Any violation of this policy is punishable under the Disciplinary Action section of this policy.

Policy Against Sexual Harassment:

- (i) Sexual harassment of any form or nature will not be tolerated.
- (ii) Unwelcome sexual advances, requests for sexual favors, and any other verbal, graphic, and/or physical conduct of a sexual nature may constitute sexual harassment when:
 - (1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
 - (2) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions or actions affecting such individual; or
 - (3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.
- (iii) This policy is gender-neutral. This policy includes conduct by someone against another of the opposite sex as well as conduct by someone against another of the same sex.
- (iv) Examples of sexual harassment may include (This list is not exhausted and may include other forms or types of sexual harassment):
 - (1) Verbal harassment, including sexual remarks and sexually derogatory comments or slurs;
 - (2) Visual harassment, including sexually derogatory posters, cartoons, drawings, etc.;
 - (3) Physical interference with normal work or movement; or
 - (4) Unwelcome sexual touching or advances.
- (v) Any violation of this policy is punishable under the Disciplinary Action section of this policy.

Procedures for Reporting Harassment:

- (i) If a City employee feels as though he or she is being harassed based upon his or her race, color, sex (same sex or opposite sex), gender, sexual orientation, gender identity, pregnancy, religion, national origin, age, citizenship status, physical or mental disability, veteran status, or any other basis protected by federal, state, or local laws, the City employee must give the City notice in one of the following ways:
 - (1) Written or Oral notice to his or her supervisor;
 - (2) Written or Oral notice to the Mayor;
 - (3) Written notice to the Board of Aldermen requesting a conference to discuss the complaint if:
 - (A) Neither (1) nor (2) above are comfortable alternatives for the City employee; or
 - (B) The City employee is not satisfied with the investigation and potential disciplinary action taken after notice to either (1) or (2) above.

(ii) Any City employee who witnesses, has personal knowledge of, or becomes aware of any harassment of an employee by either a supervisor, subordinate, co-worker, or non-employee should report the harassment by either:

- (1) Written or Oral Notice to his or her immediate supervisor
- (2) Written or Oral Notice to the Mayor.

Investigation:

Any reports of harassment or sexual harassment by either an individual citizen complaining of harassment or sexual harassment or by any City employee who has reported harassment or sexual harassment will be investigated upon receipt.

Disciplinary Action:

Upon completion of the investigation, disciplinary action may be taken where appropriate. Disciplinary action may include suspension, loss of vacation time, termination, or any other appropriate action.

Non-Retaliation Policy:

Employees who bring complaints under these harassment policies or who assist in any investigation will not, as a result of bringing such complaint or assisting in any investigation, be adversely affected in the terms and conditions of their employment.

Application of this Policy:

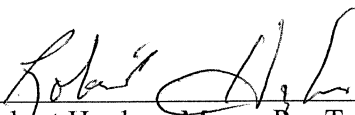
This policy applies not only to actions between supervisors and subordinates, but also to actions between coworkers. Harassment of City employees, in connection with their work, by non-employees also may violate this policy. Appropriate action will be taken with respect to violation of this policy by any non-employee.

Disclaimer of Knowledge:

City employees are not to assume that the City is aware of any current or past harassment. It is the City employees' responsibility to report incidents occurring against an individual employee or group of employees, that an employee has witnessed, or that an employee has knowledge about, even if the harassment is not occurring against the employee directly.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval.

Read two times and passed by the Board of Aldermen of the City of Seligman, Missouri this 11 day of May, 2015.



Robert Hughes, Mayor Pro Tem

ATTEST

Brian Mohr
City Clerk



BE IT REMEMBERED that the above Ordinance was adopted upon its third reading by the following votes:

ALDERMAN	<u>Avers</u>	VOTES	<u>✓</u>
ALDERMAN	<u>Corn</u>	VOTES	<u>✓</u>
ALDERMAN	<u>Hughes</u>	VOTES	<u>✓</u>
ALDERMAN	<u>Harling</u>	VOTES	<u>✓</u>

5/5/25 MEETING MINUTES-DRAFT



Call to Order 6:30pm

Present Aldermen Lamb (Webex Attendance), McKinney, Pratt and Tanis. Mayor Avers, Brian Nichols, Matt Phillips (webex), Neal Stanley, Harrison Pratt, Brenda McIlvain, Jeanne Raphael and Husband, Clifford Ferguson

Agenda

Employee Complaints / Grievance Received against West Ward Alderman Michael Lamb (this is the second attempt for this meeting) - Mayor Avers proceeded to read all of the statements, complaints, grievances and letters received from Brian Nichols and Matthew Phillips, all provided in the council pack. Mayor Avers asked Lamb for a response after reading everything, he responded with "The accusations and allegations are a legal matter that need to be addressed by the City attorney for course of action and guidance so that we know how to properly address this".

Attorney General response to complaints received 5/1/25 - Mayor Avers asked everyone to provide a letter in response to be sent.

During this time Clifford Ferguson from the audience raised his hand and Mayor Avers acknowledged him, he asked questions about the Board of Adjustments and ~~de-annexation~~ disincorporation, Mayor Avers said his questions had nothing to do with the meeting and moved on.

Call for the impeachment of Alderman Michael Lamb with Board vote per RSMo 79.240.
Motion to proceed with the articles of impeachment and seek special counsel. McKinney, Second Tanis, Aye Tanis and McKinney, Nay Lamb and Pratt, Mayor Avers broke the tie with a yay vote.

Adjourn - Motion to Adjourn at 7:26pm - Motion McKinney, Second Tanis, Aye McKinney, Tanis, Pratt No vote by Lamb recorded

Corrected 6/10/25 BWN