

Chapter 140

FINANCE AND TAXATION

ARTICLE I In General

Section 140.010. Fiscal Year. [R.O. 2012 §140.010; CC 1979 §10-1]

The fiscal year of the City shall commence on the first (1st) day of April of each year and shall terminate on the thirty-first (31st) day of March of the following year.

Section 140.020. Purchasing Procedures. [R.O. 2012 §140.020; CC 1979 §10-3; Ord. No. A-5054 §§1 — 4, 11-10-1989, Ord. No. A-6154 §§1 — 5, 6-28-1995; Ord. No. A-6993, 10-2-2000; Ord. No. 7934, 8-20-2009; Ord. No. 8436, 6-20-2016]

- A. The following purchasing procedures shall apply to all departments of the City:
1. Department heads shall have expenditure authority of up to one thousand dollars (\$1,000.00).
 2. The City Administrator shall approve purchases exceeding one thousand dollars (\$1,000.00).
 3. The Mayor shall approve purchases exceeding ten thousand dollars (\$10,000.00).
 4. The Mayor and Commissioners shall approve purchases exceeding twenty-five thousand dollars (\$25,000.00).
- B. Bids shall be sought whenever practicable. Bids under five hundred dollars (\$500.00) may be verbal, written or faxed. Bids exceeding five hundred dollars (\$500.00) shall be written or faxed and shall be attached to the accompanying requisition. Formal, sealed bidding will be at the discretion of the Council.
- C. To enable the procurement of materials, supplies and/or services in a timely manner during emergency conditions, the City Administrator may approve purchases up to a maximum of twenty-five thousand dollars (\$25,000.00). An emergency condition exists only when declared, in writing, by the Mayor and may be made retroactively to the beginning date of such emergency.

Section 140.025. Procedures For Financial Reporting Purposes For Assets/Projects. [R.O. 2012 §140.025; Ord. No. 7317, 5-20-2003]

- A. New assets/projects costing five thousand dollars (\$5,000.00) or more which have a useful life beyond one (1) year shall be capitalized for financial reporting purposes.

- B. Betterments/improvements for assets/projects costing five thousand dollars (\$5,000.00) or more which have a useful life beyond one (1) year shall be capitalized for financial reporting purposes. A "betterment/improvement" shall be defined as an improvement which significantly increases the useful life of an existing asset or provides a significant new function to an existing asset. A betterment/improvement must be an improvement to property other than by mere repairs.
- C. Assets or projects costing five thousand dollars (\$5,000.00) or more which are merely repairs and maintenance to existing City assets shall be expensed for financial reporting purposes. Also, new assets/projects and betterments/improvements which are under five thousand dollars (\$5,000.00) shall be expensed for financial reporting purposes.

Section 140.030. Reports and Remissions of State Sales Tax. [R.O. 2012 §140.030; CC 1979 §10-4; Ord. No. A-1163 §2, 4-27-1950; Ord. No. 7591 §1, 8-22-2005; Ord. No. 7593 §1, 8-22-2005]

The City Clerk shall make quarterly reports to the State Collector of Revenue of all State sales tax received by the Clerk and shall, at the time of making such reports, remit to the State Collector of Revenue all sales tax received by the City during the period covered by such reports.

Section 140.040. Payment of Special Tax Bills Against Lots, Etc., Owned By Two or More Persons. [R.O. 2012 §140.040; CC 1979 §10-5; Ord. No. A-119 §1, 6-7-1932]

Whenever a special tax bill has been issued by the City against any lot, tract or parcel of land in the City, on account of the construction of sidewalks, curb and gutter, paving or any other kind of improvements authorized by law and this Code and other ordinances of the City, and such lot, tract or parcel of land is or may be owned by two (2) or more parties, the owner of any designated part of the same may pay off such special tax bill on the part so owned, and the City Clerk is hereby authorized to release that portion so paid off on the special tax book record of the City and give the owner a certificate of such payment and release, describing the part so paid off.

Section 140.050. Funds — Drawing in Excess of Revenue For Fiscal Year. [R.O. 2012 §140.050; CC 1979 §10-9]

The City Council shall not allow funds to be drawn in any year for an amount exceeding the revenue of the City for that fiscal year.

ARTICLE II City Property Taxes — Assessment

Section 140.060. General Procedure — Mayor and City Assessor To Sit On County Board of Equalization. [R.O. 2012 §140.060; CC 1979 §10-11; Ord. No. 759 §1, 12-2-1924]

All property in the City shall be assessed by the County Assessor, and such assessment when passed upon by the Boards of Equalization shall be taken as the basis from which the City Council shall make and levy taxes for City purposes. When the County Board of Equalization is sitting for the purpose of equalizing the assessment of City property, the Mayor and a member of the Council shall sit with such Board and, when such Board of Equalization is passing upon the assessment of such City property, shall have a vote in such Board, and they shall be paid for such service in the same amount per day and out of the same fund as other members of the Board of

Equalization.

ARTICLE III
City Property Taxes — Levy and Collection

Section 140.070. City Council To Make Annual Levy. [R.O. 2012 §140.070; CC 1979 §10-14; Ord. No. 764 §1, 12-2-1924]

The City Council shall, within a reasonable time after the Assessor's books of each year are returned, ascertain the amount of money to be raised thereon for general and other purposes and fix the rate of tax therefor by ordinance.

Section 140.080. When Taxes Due and Payable. [R.O. 2012 §140.090; CC 1979 §10-16; Ord. No. 764 §3, 12-2-1924]

City taxes shall become due and payable on the first (1st) day of November in each year.

Section 140.090. Delinquent Taxes — Generally — Penalties — Taxes To Be Enforced and Collected in Accordance With State Law. ¹ [R.O. 2012 §140.100; CC 1979 §10-17; Ord. No. 764 §5, 12-2-1924; Ord. No. A-2657 §2, 1-9-1969]

- A. Upon the first (1st) day of January of each year all unpaid City taxes shall become delinquent, and the taxes upon real property are hereby made a perpetual lien thereon.
- B. Each tract of land in the back tax book, in addition to the amount of tax delinquent, shall be charged with a penalty of eighteen percent (18%) of each year's delinquency except that the penalty on lands redeemed prior to sale shall not exceed two percent (2%) per month or fractional part thereof.
- C. All City taxes shall be enforced and collected in the manner prescribed by law for the enforcement and collection of City taxes applicable to a Third Class City with a commission form of government.

ARTICLE IV
Utility Tax

Section 140.100. Reimposed. [R.O. 2012 §140.140; CC 1979 §10-20.1; Ord. No. A-4094 §1, 9-21-1979]

The municipal sales tax on all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil used for nonbusiness, noncommercial or nonindustrial purposes heretofore imposed within the corporate limits of this municipality is hereby reimposed.

Section 140.110. Rate. ² [R.O. 2012 §140.150; CC 1979 §10-20.2; Ord. No. A-4094 §2, 9-21-1979; Ord. No. 6751 §1, 9-24-1998]

1. Cross Reference — As to general penalty for violations of code, §100.080.

2. Editor's Note — The above tax rate shall be effective January 1, 1999.

The rate of taxation shall be one and three-quarters percent (1.75%) on all domestic utilities within the corporate limits of the municipality. One percent (1%) sales tax to be imposed for the use of general fund purposes, and three-fourths of one percent (0.75%) to be used for capital improvements.

ARTICLE V Sales Tax

Section 140.120. Imposed — Rate — Collection. ³ [R.O. 2012 §140.160; CC 1979 §10-20.3; Ord. No. A-3989 §1, 9-25-1978; Ord. No. 6750 §1, 9-24-1998; Ord. No. 8451, 5-20-2016]

Pursuant to the authority granted by and subject to the provisions of Sections 94.500 to 94.550, RSMo., and Section 144.757 of the RSMo., a tax for general revenue purposes, capital improvement purposes, and transportation improvements is hereby imposed by the City upon all sellers for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail within the City to the extent and in the manner provided in Sections 94.500 to 94.550 and Sections 144.010 to 144.525, RSMo., and under the rules and regulations of the Director of Revenue now and hereafter issued pursuant thereto. The rate of taxation shall be two percent (2%) of the receipts from the sale at retail within the City, if such property and taxable services are subject to taxation by the State under the provisions of Sections 144.010 to 144.525, RSMo. One percent (1%) to be used for the general revenue purposes and one-half of one percent (0.5%) to be used for the purpose of capital improvements, and one-half of one percent (0.5%) to be used to fund a transportation plan for transportation related improvements.

Section 140.130. (Reserved) ⁴

ARTICLE VI Budget and Expenditures

Section 140.140. Expenditures To Be Made in Accordance With Budget — City Administrator Designated Budget Officer. [R.O. 2012 §140.170; CC 1979 §10-21]

All expenditures made by the City from funds under the control of the City or any division thereof shall be made in accordance with a budget formulated and approved by the Council in the manner prescribed by law. The City Administrator shall be designated Budget Officer.

Section 140.150. Budget — Generally. [R.O. 2012 §140.180; CC 1979 §10-22]

The proposed annual budget shall be presented by the Budget Officer to the Council at the first (1st) regular meeting in March and shall be considered and approved or rejected by the Council in the manner prescribed by law.

Section 140.160. Contents of Budget. [R.O. 2012 §140.190; CC 1979 §10-23]

3. Editor's Note — The above tax rate shall be effective January 1, 1999.

4. Editor's Note: Former Section 140.130, Capital Improvement Tax, which derived from Ord. No. 7692 §1, 8-23-2006; Ord. No. 7714, 11-20-2006, was repealed 5-20-2016 by Ord. No. 8451.

- A. The proposed budget shall present a complete financial plan for the ensuing budget year and shall include at least the following information:
1. A budget message describing the important features of the budget and major changes from the preceding year.
 2. Estimated revenues to be received from all sources for the budget year, with a comparative statement of actual or estimated revenues for the two (2) years next preceding, itemized by year, fund and source.
 3. Proposed expenditures for each Department, office, commission and other classification for the budget year, together with a comparative statement of actual or estimated expenditures for the two (2) years next preceding, itemized by year, fund, activity and object.
 4. The amount required for the payment of interest, amortization and redemption charges on the debt of the City.
 5. A general budget summary.

Section 140.170. Limitations On Proposed Expenditures in Budget. [R.O. 2012 §140.200; CC 1979 §10-24]

In no event shall the total proposed expenditures from any fund exceed the estimated revenues to be received, plus any unencumbered balance or less any deficit estimated for the beginning of the budget year; provided, that nothing in this Section shall be construed as requiring the City to use any cash balance as current revenue or to change from a cash basis of financing its expenditures.

Section 140.180. Preparation of Budget By Budget Officer. [R.O. 2012 §140.210; CC 1979 §10-25]

The budget shall be prepared under the direction of the Budget Officer. All officers and employees shall cooperate with and provide to the Budget Officer such information and such records as he/she shall require in developing the budget. The Budget Officer shall review all the expenditures, requests and revenue estimates after which he/she shall prepare the proposed budget as defined in this Article.

Section 140.190. Submission of Budget To City Council — Accompanying Material. [R.O. 2012 §140.220; CC 1979 §10-26]

After the Budget Officer has prepared the proposed budget, he/she shall submit it, along with such supporting schedules, exhibits and other explanatory material as may be necessary for the proper understanding of the financial needs and position of the political subdivision, to the City Council. He/she shall submit at the same time complete drafts of such orders, motions, resolutions or ordinances as may be required to authorize the proposed expenditures and produce the revenues necessary to balance the proposed budget.

Section 140.200. Interested Persons To Be Given Opportunity To Appear Before Adoption of Budget. [R.O. 2012 §140.230; CC 1979 §10-27]

Upon written notice submitted to the Council at least three (3) days before the proposed budget

shall be presented to the Council, the Council shall permit any interested person to appear in person before the Council to present oral arguments or statements in regard to any matter appearing in the proposed budget the council shall have the power to terminate such appearances after a reasonable time.

Section 140.210. Actions By City Council — Approval — Approval of Resolutions, Ordinances, Etc., For Implementation of Budget. [R.O. 2012 §140.240; CC 1979 §10-28]

The Council may revise, alter, increase or decrease the items contained in the proposed budget, subject to such limitations as may be provided by law; provided, that in no event shall the total authorized expenditures from any fund exceed the estimated revenues to be received, plus any unencumbered balance or less any deficit estimated for the beginning of the budget year. The Council shall approve the budget before the beginning of each fiscal year and approve or adopt such orders, motions, resolutions or ordinances as may be required to authorize the budgeted expenditures and produce the revenues estimated in the budget.

Section 140.220. Increase in Total Amount Authorized For Expenditures After Budget Approved. [R.O. 2012 §140.250; CC 1979 §10-29]

After the Council has approved the budget for any fiscal year and has adopted or approved the orders, motions, resolutions or ordinances required to authorize the expenditures proposed in the budget, the Council shall not increase the total amount authorized for expenditures from any funds, except by ordinance setting forth in detail the facts and reasons making the increase necessary and authorizing the expenditures.

Section 140.230. Transfer of Unencumbered Balance From One Department or Office To Another. [R.O. 2012 §140.260; CC 1979 §10-30]

During the budget year the Council may, by ordinance, transfer any unencumbered balance or portion thereof from the expenditure authorization of one (1) department or office to another department or office, except as provided by law.

Section 140.240. Transfer of Funds During Last Two Months of Fiscal Year. [R.O. 2012 §140.270; CC 1979 §10-31]

Nothing in this Article shall be construed to prevent the Council from transferring, during the last two (2) months of the fiscal year, any unexpended funds in the accounts of any department or office of the City to the accounts of another department or office, if a reasonable necessity therefor shall appear.

Section 140.250. Budget, Etc., To Constitute Public Records and Be Open To Inspection. [R.O. 2012 §140.280; CC 1979 §10-32]

The budget or the orders, motions, resolutions or ordinances as may be required to authorize the expenditures proposed in the budget as finally approved, and all orders motions, resolutions or ordinances increasing the total amount authorized for expenditure, shall be and remain on file for three (3) years and shall be public records and open to inspection at all reasonable hours in the office of the City Clerk. To each copy so filed, the Budget Officer shall attest to the fact that the preparation and adoption procedures were conducted in the manner prescribed in this Article.

Section 140.260. Failure of Council To Approve Budget, Etc. [R.O. 2012 §140.290; CC 1979 §10-33]

If, at the beginning of any fiscal year, the Council has not approved or adopted and filed the budget and the expenditure orders, motions, resolutions or ordinances required in this Article for such fiscal year, and except as otherwise provided by law, the several amounts authorized in the expenditure orders, motions, resolutions or ordinances for the next preceding fiscal year for the objects and purposes specified therein, so far as the same shall relate to operation and maintenance expenses, shall be deemed to be reappropriated for the several objects and purposes specified in such expenditure orders, motions, resolutions or ordinances, until such time as the budget and the expenditure orders, motions, resolutions or ordinances for the current year are approved or adopted and filed as required in this Article.

Section 140.270. Expenditure Orders, Resolutions, Ordinances, Etc., To Constitute Authorization For Expenditures — Unauthorized Expenditures. [R.O. 2012 §140.300; CC 1979 §10-34]

The expenditure orders, motions, resolutions or ordinances approved or adopted and filed as provided in this Article, and the transfers made as provided in this Article, shall constitute the authorization for the expenditures of money for the budget year. No expenditure of City funds shall be made, unless it is authorized as provided in this Article.

Section 140.280. Ministerial Duties Generally. [R.O. 2012 §140.310; CC 1979 §10-35]

The Mayor shall make such regulations as he/she shall see fit regarding the performance of ministerial duties in the preparation and administration of the annual budget.

Section 140.290. Payment in Lieu of Taxes For City Utilities. [R.O. 2012 §140.315; Ord. No. 7252 §§2 — 3, 11-7-2002; Ord. No. 7627 §§1 — 2, 12-20-2005]

- A. The City Council hereby approves and accepts payment in lieu of taxes from the proprietary fund to the general fund of the City, the amount and terms thereof to be determined by the City Council after providing for operating expenses, depreciation accruals, amortization of any bonds and/or lease obligations and reasonable accumulations of operating reserves. Municipal utilities shall pay into the general revenue fund of the City each month ten percent (10%) of the gross operating revenue of the electric, water, wastewater and fiber system, which said payments shall be in lieu of taxes. This percentage shall be effective as of January 1, 2006.
- B. The City Council hereby approves and accepts that the municipal utilities shall furnish without charge, at the request of the City Council, utilities to all City-owned buildings and grounds as needed. Municipal utilities furnished to City-owned building and grounds without charge shall be retroactive as of April 1, 2002.

Section 140.300. Reserves and Investments Policy. [R.O. 2012 §140.320; CC 1979 §10-36; Ord. No. 7691 §1, 8-21-2006]

The City of Monett intends to provide guidelines for safe and prudent investment management and reserves methods to provide financial stability. In order to achieve these objectives, the City of Monett hereby adopts a manual with regard to guidelines and policies for reserves and investments procedures. A copy of said manual is on file in the City Administration Office.

ARTICLE VII
City Depository

Section 140.310. Selection Procedure Generally. [R.O. 2012 §140.330; CC 1979 §10-37; Ord. No. 762 §1, 12-2-1924; Ord. No. A-7191 §§1 — 2, 6-20-2002]

The City Council shall from time to time, and when deemed necessary, conduct a meeting to receive sealed proposals for and select a depository for the funds of the City, as in this Article provided for, notice first having been given of the date of such meeting as provided for in this Article.

Section 140.320. Notice of Intention of Council To Receive Bids. [R.O. 2012 §140.340; CC 1979 §10-38; Ord. No. 762 §§2 — 3, 12-2-24; Ord. No. A-7191 §§1 — 2, 6-20-2002]

The City Council shall, at such meeting, by motion made and seconded, order the City Clerk to give notice that it will receive sealed proposals for the custody of the City funds from any banking institution desiring to act as the depository of the City funds, at the next regular meeting or special meeting, which order shall be entered of record by the Clerk on the journal of the City Council. After the making of such order by the Council, the City Clerk shall give such notice that the Council will receive such sealed proposals up to the time of said regular or special meeting. Such notice shall be published by the City in the newspaper in the City doing the City printing at the time. Such notice shall be published for a period of not less than one (1) nor more than four (4) weeks next before the date of the meeting of the Council at which the proposals will be received and shall conform to the provisions of this Article.

Section 140.330. Submission of Sealed Bids — Clerk Not To Disclose Amounts of Bids. [R.O. 2012 §140.350; CC 1979 §10-39; Ord. No. 762 §4, 12-2-1924; Ord. No. A-7191 §§1 — 2, 6-20-2002]

Any banking institution doing business in the City desiring to bid for selection as the depository of the City funds shall deliver to the City Clerk, on or before the day of said regular or special meeting, a sealed proposal stating the rate percent upon daily balances that such banking institution offers to pay to the City for the privilege of being made the depository of the funds of the City, for a period to be set by the City Council, between the date of such bid and the next meeting time for the selection of a depository. It shall be an ordinance violation for the City Clerk or other person to directly or indirectly disclose the amount of such bid to any person before the selection of such depository.

Section 140.340. Depository To Deposit Securities. [R.O. 2012 §140.360; Ord. No. A-7191 §§1 — 2, 6-20-2002]

Upon the opening of the sealed proposals submitted, the City Council shall select as the depository of the funds of the City the banking institution offering to pay to the City the largest amount for the privilege; except that the Council may reject any or all bids. Within five (5) days after the selection of the depository, the banking institution selected shall deposit the securities as required by Sections 110.010 and 110.020, RSMo. The rights and duties of the parties to the depository contract are as provided in Section 110.010, RSMo.

Section 140.350. Payments Out of Depository — Sufficiency of Funds. [R.O. 2012 §140.370; CC 1979 §10-47; Ord. No. 762 §14, 12-2-1924; Ord. No. A-7191 §§1 — 2, 6-20-2002]

No check shall be drawn upon the City Depository by the Treasurer, unless there is an unexpended balance to the credit of the City in the fund upon which such check is drawn. All checks shall require two (2) signatures.