

Chapter 21--City Organization

Subchapter A--Aldermen

21.010. Qualifications of Aldermen; terms of office. No person shall be eligible to the office of alderman who is not twenty-one (21) years of age, a citizen of the United States, and an inhabitant and resident of the City for at least one year next before his election and a resident of the ward from which he is elected; nor shall any person be elected an alderman who is in arrears for any tax, lien, forfeiture or defalcation in office. All members of the board shall hold their office for a term of two (2) years.

21.020. Oath. Before entering upon the discharge of the duties of his office, each alderman shall take and subscribe an oath or affirmation before the City Clerk that he possesses all the qualifications prescribed for his office by the laws of the state and this Code or other ordinances of this City; that he will support the Constitution of the United States and of this state, and this Code and other ordinances of this City, and that he will faithfully demean himself in office.

21.030. Membership. The members of the Board of Aldermen shall be two (2) in number from each ward of the City.

21.035. Compensation. An Alderman shall receive the sum of Forty and No/100 (\$40.00) Dollars, per meeting of the Board of Aldermen which he attends. The provisions of this Section shall not take effect on the term of office of any current Alderman of the City, but shall become effective upon the next election of a particular Alderman. (Ordinance 925, passed and effective 10/2/07)

Subchapter B--Officers and Employees

21.100. Officers enumerated. The officers of this City shall consist of:

1. The following elective officers:
 - a. Mayor,
 - b. Aldermen (two (2) from each ward);
2. and the following appointive officers:
 - a. City Clerk,
 - b. City Attorney,
 - c. City Collector,
 - d. Treasurer,
 - e. Fire Chief,
 - f. Chief of Police,
 - g. City Judge,
 - h. and such other agents as may be appointed from time to time.

(Amended by Ordinance 696, Passed & Effective 5/18/87 and by Ordinance 853, Passed & Effective on 4/19/99)

21.110. Term of appointive officers. All appointive officers shall be appointed to serve at the pleasure of the Mayor and the Board of Aldermen. There is no duty on the part of the Mayor to re-appoint current appointive officers at the expiration of their terms.

21.120. Officers to be qualified voters and residents; exceptions. All officers elected to offices or appointed to fill a vacancy in any elective office under the City government shall be voters under the laws and Constitution of this State and this Code; except that appointed officers need not be voters of the City. No person shall be elected or appointed to any office who shall at the time be in arrears for any unpaid City taxes, or forfeiture, or defalcation in office. All officers, except appointed officers, shall be residents of the City.

(Amended by Ordinance 572, Passed & Effective 4/30/76 and Ordinance 830, Passed & Effective on 6/1/98)

21.130. Oath of office; bond generally. Every officer of the City and his assistants, and every alderman before entering upon the duties of his office shall take and subscribe to an oath or affirmation before some person authorized to administer oaths, that he possesses all qualifications prescribed for his office by law' that he will support the Constitution of the United States and of this state, the provisions of all laws of this state affecting the City and the Code of Ordinances and other ordinances of the City; and faithfully demean himself while in office, which oath or affirmation shall be filed with the City Clerk. Every officer of the City, when required by this Code or other law or ordinance, shall, within fifteen (15) days after his appointment or election, and before entering upon the discharge of the duties of his office, give bond to the City in such sum and with such sureties as may be designated by this Code or other ordinance, conditioned upon faithful performance of his duty, and that he will pay over all money belonging to the City and fully account for the same, as provided by law, that may come into his hands. If any person elected or appointed to any office shall fail to take and subscribe such oath or affirmation, or to give bond as herein required, his office shall be deemed vacant. For any breach of condition of any such bond, suit may be instituted thereon by the City, or by any person in the name of the City to the use of such person.

21.135. City officials; bond. The following officers shall, before entering upon their official duties, execute good and sufficient official bonds for the benefit of the City of Sarcoxie, Missouri, the cost thereof to be paid by the City as follows:

City Clerk:	\$25,000
City Collector:	\$25,000
Clerk of the municipal Court:	\$5,000

(Amended by Ordinance 883, Passed & Effective 5/30/02)

21.140. Commission to be delivered. Upon filing of the oath of office and approval of bond, when bond is required, the City Clerk shall deliver to the person elected or appointed a commission signed by the Mayor, and under the seal of the City, duly countersigned by the Clerk, authorizing the person therein named to discharge the duties of the office therein named for the term for which he was appointed or elected.

21.150. Salaries. The Board of Aldermen shall have the power to fix the compensation of all officers or employees of the City by ordinance. The salary of an officer shall not be changed during the time for which he was elected or appointed. In addition to the fees allowed by this Code or other law or ordinance, the City officers shall receive such compensation for their services as the Board of Aldermen shall from time to time provide.

21.160. Administration of oaths. The Mayor, Police Judge, and City Clerk are hereby empowered and authorized to administer oaths or affirmations in the following cases:

1. The Mayor, to witnesses or other persons concerned with any subject under consideration by the Board of Aldermen in which the interest of the City is involved.
2. The Police Judge, to witnesses, jurors, or other persons relating to any trial or other proceedings within the jurisdiction of his court.
3. The City Clerk, to any person certifying to any demand or claim against the City concerning the correctness of the same.

21.170. Vacancies. Vacancies shall be filled as follows: If a vacancy occurs in any elective office, the Mayor or the person exercising the duties of the Mayor shall cause a special meeting of the Board of Aldermen to convene where a successor to the vacant office shall be selected. The successor shall serve until the next regular election. If a vacancy occurs in any office not elective, the Mayor shall appoint a suitable person to discharge the duties of such office until the first regular meeting of the Board of Aldermen thereafter, at which time such vacancy shall be permanently filled. (Amended by Ordinance 712, Passed and Effective date not listed)

Subchapter C--Mayor

21.200. How Elected, etc. The chief executive officer of the City shall be the Mayor, who shall be elected by the qualified voters of the City, and shall hold his office for two (2) years and until his successor shall be elected and qualified. No person shall be Mayor unless he be at least twenty-five (25) years of age, a citizen of the United States, and a resident of the City at the time of and for at least one year next preceding his election.

1. When two (2) or more persons shall have an equal number of votes for the office of Mayor, the matter shall be determined by a flip of a coin between the two candidates.

21.210. Standing committees appointed. The Mayor shall, at the first meeting of the Board of Aldermen after each annual election, name the members of such standing committees as he deems necessary, which shall consist of two (2) or more members of the Board of Aldermen.

21.220. Proclamations, meetings, elections. The Mayor shall have the power to issue proclamations, call mass meetings and regular and special elections in such a manner as this Code or other ordinances or state law may provide.

21.240. May remit fines, grant pardons, etc. The Mayor shall have power to remit fines and forfeitures, and to grant reprieves and pardons for offenses arising under this Code or other ordinances of the City; but this section shall not be so construed as to authorize the Mayor to remit any costs which may have accrued to any officer of the City by reason of any prosecution under the laws or ordinances of the City.

21.250. Appoint certain officers; control police. The Mayor, with the advice and consent of the Board of Aldermen, shall have the power to appoint all appointive officers of the City. He shall have authority to give such orders to the Chief of Police of the City as in his judgment and public good may require, and it shall be the duty of the Chief of Police to obey such orders. (Amended by Ordinance 858, Passed & Effective 7/19/99)

21.260. Power to enforce laws. The Mayor shall be active and vigilant in enforcing all laws and this Code or other ordinances for the government of the City, and he shall cause all subordinate officers to be dealt with promptly for any neglect or violation of duty; and he is hereby authorized to call on every inhabitant of the City to aid in enforcing the laws.

21.270. Presiding over Board of Aldermen; voting rights; supervision of City affairs. The Mayor shall have a seat in and preside over the Board of Aldermen, but shall not vote on any question, except in case of a tie, nor shall he preside or vote in cases when he is an interested party. He shall exercise a general supervision over all the officers and affairs of the City, and shall take care that this Code or other ordinances of the City, and the state laws relating to such City, are complied with.

21.280. Communications to Board. The Mayor shall from time to time communicate to the Board of Aldermen such measures as may, in his opinion, tend to the improvement of finances, the police, health, security, ornament, comfort and general prosperity of the City.

21.290. Approval of bills; veto power. Every bill presented to the Mayor for his approval shall be returned by him to the Board of Aldermen, with his approval endorsed thereon, or with his objections thereto, in writing, on or before the next regular meeting of the board succeeding the date on which the bill was so presented. The Mayor may also veto any portion or all of the general appropriation bill, or any item of the same.

21.295. Compensation. The Mayor shall receive compensation for services as Mayor to the City in the amount of Fifty and No/100 (\$50.00) Dollars, per meeting of the Board of Aldermen that the Mayor attends. The provisions of this Section shall not take effect until an election occurs for the position of Mayor. (Ordinance 925, passed and effective on 10/2/07)

Subchapter D--City Attorney

21.300. Appointment; term. The Mayor, with the advice and consent of the Board of Aldermen, at the first meeting after each annual City election shall appoint a suitable person as City Attorney who shall hold office for one year, unless sooner removed from office, and until his successor is appointed and qualified.

21.310. Qualifications. No person shall be appointed to the office of City Attorney unless he be a licensed and practicing attorney at law in this state.

21.320. Duties generally. The City Attorney shall, in addition to his other duties which are or may be required by this Code or other ordinance, and, when ordered by the Mayor or Board of Aldermen to do so, to prosecute or defend all suits and actions originating or pending in any court of this state, to which the City is a party, or in which the City is interested.

1. It shall be the duty of the City Attorney to prosecute all persons charged with a violation of this Code or other ordinance of the City, when same is a contested case.

2. The City Attorney shall make, and he is hereby authorized and empowered to make, affidavits on behalf of the City in all cases where the same may be necessary in taking an appeal or change of venue or any other matter necessary to proper legal proceedings.

3. The City Attorney shall give his opinion to all City officials.

21.330. Report to Board of Aldermen. The City Attorney need not attend all meetings of the Board of Aldermen unless requested by the Mayor or majority of the Board of Aldermen. Any member of the Board of Aldermen may at any time call upon the City Attorney for an oral or written opinion to decide any question of law, but not to decide upon any parliamentary rules or to resolve any dispute over the propriety of proposed legislative action.

1. The City Attorney shall report to the Board of Aldermen the condition of any matters pending or unsettled in the City Municipal Court, or any other proceeding pending in any other court of which he may have charge under orders of the Mayor or Board of Aldermen.

21.340. Temporary absence; acting City Attorney. In case of absence, sickness or

other inability of the City Attorney to attend court, or when, before assuming his official duties, he shall have been counsel adverse to the City, he shall inform the Mayor thereof, in writing, and the Mayor shall appoint some other attorney to represent the City in such cases, or during temporary absence, sickness or inability. Should the City Attorney fail, neglect, or refuse to give such notice, as above provided, and the interests of the City in case of such failure, neglect or refusal, need the immediate services of an attorney, then the Mayor may appoint some other attorney to attend to such cases, who shall receive the compensation allowed to the City Attorney for like services.

21.350. Compensation. The City Attorney shall be allowed compensation such as from time to time shall be fixed by the Board of Aldermen. The City Attorney shall not receive compensation contingent upon the outcome of any case in the Municipal Court.

Subchapter E--City Clerk

21.400. Selection by Mayor and Board of Aldermen. The Mayor shall appoint with the advice and council of the Board of Aldermen, a City Clerk at the first meeting of the board in May of each year. Said City Clerk shall hold office for one year, unless sooner removed from office, and until his successor is appointed and qualified.

21.410. Qualifications. The City Clerk shall be at least twenty-one (21) years of age to be eligible for such office.

21.420. Duties generally. The City Clerk shall, in addition to other duties which are or may be required of him by this Code or other ordinance, attend all meetings of the Board of Aldermen.

1. That the City Clerk of Sarcoxie be and hereby is appointed custodian of the records of the City of Sarcoxie and that such custodian is located at City Clerk's Office, City Hall, Sarcoxie, Missouri.

2. That said custodian shall respond to all requests for access to or copies of a public record within the time period provided by statute except in those circumstances authorized by statute.

3. That the fee to be charged for access to or furnishing copies of records shall be hereinafter provided, which fees have been determined not to exceed the actual cost of the document search and duplication. The fee shall be \$.25 per page.

4. He shall prepare all certificates of election or appointment of the City officers, and deliver the same to the persons elected or appointed.

5. He shall countersign all City bonds, warrants, drafts and orders upon the treasury for money, and shall see that all ordinances appropriating money out of the treasury are endorsed by the treasurer before passage, and shall affix thereto the seal of the City and

keep a record thereof, showing the number, date and amount thereof, the name of the person to whom, and on what account issued, and when redeemed.

6. He shall record the certificates, oaths and bonds of all the City officers.
7. He shall keep an index of the records of the proceedings of the Board of Aldermen.
8. He shall prepare annually a statement of the receipts and expenditures of the City, and cause the same to be published in a newspaper published in the City.
9. He shall furnish without delay to any person, when called upon during business hours to do so, certified copies of any records, books or papers which are in his custody, for which services a reasonable fee to be set by City ordinance may be charged, and which shall be paid by the person demanding such certified copy into the treasury of the City.
10. Tax Statements and Water Bills. It shall be the duty of the Clerk to prepare all tax statements and water bills and items related thereto.
11. To perform the duties of the Collector, in absence, on a temporary basis.

21.430. Compensation. The salary of the City Clerk shall be such as from time to time the Board of Aldermen shall fix by ordinance as a certain amount per month, payable weekly by warrant on the City treasurer.

21.440. Temporary City Clerk. Upon temporary disability or inability of the City Clerk to perform his duties as set forth in this Code or other ordinances of the City due to illness, absence from the City or other cause, the Mayor with the advice and consent of the Board of Aldermen shall, in the same manner as the City Clerk is elected as set forth in Section 21.400, proceed to elect a temporary City Clerk who shall have the same powers and duties as the regular City Clerk and shall hold office until the disability of the City Clerk is removed.

1. Such temporary City Clerk shall receive as compensation such salary as the Board of Aldermen shall provide for at the time of the election of such officer.

Subchapter F--City Collector

21.500. Appointment. The Mayor, with the advice and consent of the Board of Aldermen, at the first meeting after each annual City election, shall appoint a suitable person as City collector who shall hold office for one (1) year unless sooner removed from office and until his successor is appointed and qualified. (Amended by Ordinance 853, Passed & Effective 4/19/99)

21.510. Oath. The Collector shall, before entering upon the duties of the office, take

and subscribe an oath or affirmation that he possesses all the qualifications prescribed for the office by law, and that he will support the constitution of the United States and of this state, the provisions of all laws of this state affecting cities of the fourth class, and this Code and other ordinances of this City, and faithfully demean himself in office.

21.520. Duties generally. The Collector shall perform all the duties specified in this Code and shall perform such other duties as maybe directed by the Mayor and Board of Aldermen listed as follows, but not necessarily limited thereto:

1. To Collect All Moneys Due to the City. It shall be the duty of the Collector to collect all monies due the City including taxes levied by law, fees for licenses, charges for water service, refuse service, and all water service, sewer service, refuse service, and any and all other taxes, fees, and charges whatsoever.

2. To Settle Daily. The Collector shall pay into the Treasury each day, all monies received by him or her from all sources levied by law or ordinance, all licenses, of every description, authorized by law to be collected and all monies belonging to the City and in his or her hands.

3. Delinquent Taxes. All delinquent taxes and water bills shall be handled by the Collector in the manner set forth in Ordinance No. 526, passed July 10,1972, or any ordinance superseding said Ordinance No. 526.

4. To Report Monthly. The Collector shall report to the Board at the regular meetings in each month, all taxes collected on the real and personal delinquent lists and all delinquent water bills collected and he or she shall pay the same into the City treasury and shall receive credit therefore.

5. To Turn Delinquent List to Successor. The Collector shall turn over to his or her successor in office all uncollected delinquent lists, receiving credit therefore; and his or her successor shall be charged therewith. But the Board may declare worthless any and all personal delinquent lists which they may deem uncollectible.

6. To Make Annual Report. The Collector shall at the first regular meeting in July of each year, make a detailed report to the board, stating the various money collected by him or her during the preceding year and the amount uncollected and the names of the persons from whom he failed to collect and the causes therefore.

7. To Settle At The End Of The Term. At the expiration of his or her term, or if he or she resign, be removed from office. The Collector or if he or she dies, his executor or administrator shall immediately make a complete settlement of his accountability or her account with the board, and deliver to his or her successor in office all things pertaining thereto.

8. Work Hours. The Collector shall be on duty at the City Hall each working day

Monday through Friday, from 8:30 a.m. to 4:30 p.m.

9. To perform the duties of the City Clerk in her temporary absence.
10. Emergency Services Dispatcher. To serve as an emergency dispatcher during normal work hours.

21.530. Deputy Collector. The Mayor may appoint with advice and consent of the Board of Aldermen a deputy collector to be approved by the Board of Aldermen, and when such deputy collector shall have taken and subscribed to the oath provided by this Code, he shall possess all the qualifications and powers and be charged with the same duties as the collector.

Subchapter G--City Treasurer

21.600. Appointment. The Mayor, with the advice and consent of the Board of Aldermen, at the first meeting after each annual City election, shall appoint a suitable person as City Treasurer who shall hold office for one year unless sooner removed from office and until his successor is appointed and qualified.

21.610. Oath. Before entering upon the discharge of the duties of his office, the City Treasurer shall take and subscribe an oath that he possesses all of the qualifications prescribed for his office by this Code or other ordinance; that he will support the Constitution of the United States and of the state, the provisions of the state law which relate to this City and this Code and other ordinances of the City, and that he will faithfully demean himself in office.

21.620. Duties generally. The Treasurer shall perform all the duties specified in this Code and shall perform such other duties as may be directed by the Mayor and Board of Aldermen listed as follows, but not necessarily limited thereto:

1. Shall receive and safely keep all money of the City which may come into his hands, and shall disburse the same only upon warrants properly drawn, and which are signed by the Mayor and attested by the City Clerk.
2. He shall keep, in a set of books provided for that purpose, a full and accurate account of all money received and disbursed by him on behalf of the City specifying the date of receipt or disbursement, from whom received, to whom disbursed and on what account received and disbursed.
3. He shall keep a separate account of each fund and appropriation, and the debits and credits belonging thereto.
4. He shall keep a register of all warrants paid into the treasury, describing such warrants by their date, number, name of payee and amount, specifying the time of receipt

thereof, from whom received and on what account.

5. On the fifteenth day of each month he shall furnish the City Clerk with a written statement showing the balance in the treasury at the beginning of the month, the amount received during the month and on what account received, the amounts disbursed during the month and on what account disbursed, and the balance remaining to the credit of each fund and constituting the general balance in the treasury at the close of business on the date when such statement is made as aforesaid.

6. He shall receive and safely keep all warrants, bonds and obligations of the City entrusted to his care and shall dispose of the same only upon proper authority from the Board of Aldermen, or as provided by this Code or other ordinances.

21.630. Books of the City. To the maximum extent practicable, the books of the City shall be kept in accordance with the Accounting Manual for Missouri Municipalities published by the Missouri Municipal League.

21.640. Annual Report. The City Treasurer shall report to the Board of Aldermen, at its first regular meeting held in August of each year, the amount of receipts and disbursements of the treasury during the preceding year, the balance remaining to the credit of each fund and constituting the general balance in the treasury on the first day of July; also the amount of bonds maturing in the succeeding year for the redemption of which provision must be made, and the amount of money required to pay the interest falling due on the indebtedness of the City during each year.

21.650. Access to officers books: City Clerk to enjoy same access. The City Treasurer and City Clerk shall have free access to each other's offices for the inspection of all books, accounts and papers which they respectively contain, and free access to all other offices of this City for the inspection of such books, accounts and papers as concern any of their duties.

21.660. Compensation. The Treasurer shall receive as full compensation such a sum as shall be, from time to time, fixed by ordinance of the Board of Aldermen.