

BILL NO.: 4875

ORDINANCE NO.: _____

Introduced by: Mayor Babatunde Deinbo

**AN ORDINANCE OF THE CITY OF BERKELEY, MISSOURI, REPEALING
SECTION 115.020 (E) (F) (G) WHICH ARE RELATED TO GASOLINE
ALLOWANCE AND PURCHASE APPROVAL FOR MEMBERS OF THE
COUNCIL**

WHEREAS, the council was allowed to make purchases on the city credit card turning in the receipts to the city clerk without a full explanation; and

WHEREAS, the council is requiring the repeal of this practice and the following of Section 115.020 (A) (B) (C) and (D) for approval of reimbursements.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BERKELEY, MISSOURI, AS FOLLOWS:

Section 1. The City Council hereby repeals Section 115.020 (E) (F) (G) all related to approving purchases and gasoline allowance for members of the council. In reference to Ordinances #4134 (passed 05-19-2014), #4135 (passed 05-19-2014), #4191 (passed 02-16-2015), #4558 (passed 6-17-2019), and #4642 (passed 11-02-2020).

Section 2. The council and city manager will follow the rules set out in Section 115.020 (A) (B) (C) and (D) for approval of reimbursements.

Section 3. This Ordinance shall be in full force and effect from and after its passage.

1st Reading this _____ day of _____ 2022

2nd Reading this _____ day of _____ 2022

3rd Reading, PASSED and APPROVED, this _____ day of _____ 2022

Babatunde Deinbo, Mayor

ATTEST:

Deanna L. Jones, City Clerk

Approved as To Form:
Donnell Smith, City Attorney

Final Roll Call:

Councilwoman Verges	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Williams	Aye ___	Nay ___	Absent ___	Abstain ___
Councilman Hoskins	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Anthony	Aye ___	Nay ___	Absent ___	Abstain ___
Councilman Hindeleh	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman-at-Large Crawford-Graham	Aye ___	Nay ___	Absent ___	Abstain ___
Mayor Deinbo	Aye ___	Nay ___	Absent ___	Abstain ___

City of Berkeley, MO
Friday, April 29, 2022

Chapter 115. City Officials

Article I. General Provisions

Section 115.020. Reimbursement to Councilmen and City Manager.

[CC 1961 §4.14; Ord. No. 3287 §1, 6-20-1994; Ord. No. 4032, 2-20-2012]

- A. In addition to the expenses incurred by the Council and City Manager and provisions made for reimbursement to them, pursuant to the Charter of the City, the Director of Finance is hereby authorized and directed to advance or reimburse the Councilmen and City Manager for the sum of all conference fees, air fare or mileage, overnight lodging, vehicle rental, public transportation to and from the location of arrival, parking fees, official long distance telephone calls, plus an amount set forth by the U.S. General Services Administration per day (also any partial day) to cover the cost of meals, taxi fare, tips, and entertainment in attending conferences and seminars and other City business when said business is of a sufficient distance to require overnight accommodations. Source documents will be required to receive per diem reimbursement if any one (1) day exceeds the effective amount. Budget approval is required before travel expenses are authorized.
- B. The Council and City Manager shall be reimbursed for expenses that are of official City business. Reimbursement rates can be outlined at the following web address: www.gsa.gov, by searching "per diem rates" and entering the location. Those expenses include, but are not limited to:
1. Membership dues for any Councilman that belongs to an organization that benefits the City.
 2. Publications relating to municipal affairs or other publications whose content would be of benefit to the Council in arranging and managing the affairs of the City.
 3. Office supplies necessary for the performance of the Councilman's functions which are not supplied by the City.
 4. Actual vehicle mileage for City-related business and activities will be reimbursed at the rate permitted by the Internal Revenue Service, as of the beginning of each year.
 5. Actual gas, oil, and other such expenses, when a City vehicle is used, and actual gas when a personal vehicle is used, will be reimbursed.
[Ord. No. 4166 §1, 10-6-2014]
 6. Communication may include, but not be limited to, home and mobile telephone, pager, and etc.
 7. Business meeting arranged that results in expenses will be considered acceptable expenses when City related.
 8. Any expenses not specifically mentioned which are pre-approved by the Council.
- C. An annual budget must be submitted by Councilmen for their monthly and travel expenses. When the Councilmen's budget is approved, reimbursement cannot exceed their respective approved budget, unless authorized by the Council.

- D. All such claims for expenses shall be submitted to the City Manager or a person he designates to review the documentation. All source documents must be submitted by the first (1st) Council meeting of the month following the month of expenses and be verified by the Councilmen as being true and accurate. Source documentation which is submitted by the Councilmen may, at their option, remain their property and be returned to them after review by the City Manager, however the City shall retain a copy of all documentation.

E. *Policy For Approval Of City Manager And Council Expenses.*

[Ord. No. 4134 §§1 — 4, 5-19-2014]

1. All reimbursement expenses and financial requests of the City Manager shall be submitted to the Mayor for approval.
2. The Mayor may appoint any member of the Council as the agent to approve Council reimbursement expenses and financial requests.
3. The Mayor's appointee shall have his/her reimbursement expenses and financial requests approved by the Council as a whole.
4. Any reimbursement expenses and financial requests not approved by the Mayor or the Mayor's appointee shall be submitted to the Council as a whole for final determination.

F. *Gasoline Allowance For Members Of The Council For Council-Related Activities.*

[Ord. No. 4135 §§1, 3, 5-19-2014; Ord. No. 4558, 6-17-2019; Ord. No. 4642, 11-2-2020]

1. Each month any individual member of the Council may submit to the City Clerk an application for reimbursement for mileage relating to Council activities.
2. The applicant shall provide a mileage report identifying the date, the activity, and the total number of miles driven to complete said activity.
3. The City Clerk shall obtain approval for reimbursement by the majority of the Council, and thereafter pay the applicant consistent with the Internal Revenue Standard Mileage Rate.

G. A reimbursement, advance, or allowance is considered made under an accountable plan if it meets the following conditions:

[Ord. No. 4191 §1, 2-16-2015]

1. Business expenses that are allowable as business deductions and that are paid or incurred by the Council member in connection with the performance of services as a Council member of the City of Berkeley.
2. The expense is substantiated to the City within a reasonable period of time.
3. The receipt submitted should indicate the date, time, gallons, place, purpose, cost, and name of Council member. A record of expenses charged to the City directly or indirectly (e.g., through the use of credit cards) should be included.
4. An adequate record must be maintained by the Council member and provided to the Council upon request by the Council.

