



OFFICE OF THE STATE AUDITOR
PETITION AUDIT REQUEST

(Form PAR 15-1)

Phone (573) 751-4213
Website: <http://www.auditor.mo.gov>

Return to:
Missouri State Auditor's Office
ATTN: Petitions
P.O. Box 869
Jefferson City, MO 65102
or
Petitions@auditor.mo.gov

General Information

Pursuant to Section 29.230.2, RSMo, the State Auditor's Office may be called on to audit any political subdivision of the state if enough qualified voters of that political subdivision request the auditor to conduct an audit.

Completion of this form is an important step in initiating such an audit and providing information necessary to facilitate the petition audit process; and **is required** to obtain a petition signature form. Incomplete forms will be rejected and not considered submitted.

The name and address of the individual to whom the petition signature form is mailed is a **public record** pursuant to Chapter 610 of the Missouri Revised Statutes.

Please type, print, or write legibly in ink.

Political Subdivision to Audit

Political Subdivision Name City of Belton, Missouri	County or Counties in which located Cass County
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Requestor Contact Information

Ruiz	Arthur	Gilbert		
Last name	First name	Middle name		
16206 Speaker Ave.	Belton	MO	64012	Cass
Mailing Address	City	State	Zip	County
beltoncitizensfirst@gmail.com				
Email				
816-331-1307	816-805-3560	816-805-3560		
Home Phone	Cell Phone	Work Phone		

anytime after 9:30 a.m. Monday through Friday on cell phone

Note: A home, cell, or work phone number **is required**. Please indicate the best time to contact you and the preferred method of contact.

Please Complete the Requestor Concern List on the Next Page

After the Petition Audit Request form is received by our office, an Audit Manager will call and discuss the listed concerns with you before providing the petition signature form. Please remember that the State Auditor generally limits the audit to the current time period and most recently completed fiscal year. The scope of the audit may be revised as determined by the State Auditor. Although all concerns will be evaluated and considered for inclusion in the audit, the State Auditor's Office determines the scope of the audit, and some concerns may not be audited based on auditor judgment. All concerns received with this request will remain confidential as part of the audit record.

For Agency Use Only

Date Request Received by SAO:



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Requestor Concern List

*The following information and any additional information provided will remain confidential as part of our audit record.

Please list the concerns you would like the State Auditor to review as part of this audit. These should be listed in order of importance to the petition group. It is important that you include as much information as possible so that we can determine the scope of the expected audit and the estimated cost range. Additional pages may be attached as needed. Additionally, if you have any materials or documents relating to your concern(s), please attach to this request.

Please see the attached 2 page document, listing concerns.



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Requestor Concern List (continued)

1 Accounting for restricted City tax revenue funds

- Are procedures and audit controls in place and followed to keep them segregated from the general funds?
- Budgeted incoming revenue FY2020 for the Public Safety 1/2 cent tax was to be split 50/50 between the Fire and Police Departments. Their corresponding budgets from FY2019 to FY2020 were not increased by the FY2020 budgeted revenue amounts.
- Public Safety Tax; we believe the city created a crisis in order to get this tax passed and that it was not truly needed, when both fire and police were continually under budget year after year. We feel this tax was a way for the city to apply more previously allocated general funds to police and fire back into the general fund.
- Is it necessary to reappropriate tax funds into the general fund reserve line item?

2 Oversight committee created to oversee public safety 1/2 cent tax funds

- Budgeted money has been spent without this committee's awareness.
- A city council liaison was appointed to the oversight committee by the Mayor that was not a city council member- Tom McPherson.
- There is concern that the committee has yet to meet, nor can they agree on the first meeting date.

3 City accounting controls, budget and financial reporting

- The city changed banking institutions in 2019; were all accounts closed out and opened by approved personnel, with dual controls in place? Was the new institution approved within city guidelines?
- Annual financial statements; are they prepared and adopted in accordance with state law?
- City's financial statements published for the public; do they fully comply with state law?
- A fire hydrant was gifted to a for profit entity by the city manager; is this stated in the city's fee structure? Are all fire hydrants gifted to for profit entities?
- Should the assistant city manager and finance director be one position or separate positions in order to maintain dual control? Currently they are combined into one position.
- The budget for year 2018, approved in 2017; there were some pay grade approvals that were changed when it came to the FY 2018 actual budgets (assistant city manager, city clerk, court clerk, and finance supervisor). Were these changes appropriately approved with budget amendments?

4 Audit of the Overhead Allocation of funds from water, sewer and streets

- Is the allocation of these funds appropriate per state guidelines?
- Should these allocations be to cover an allocated portion of the city manager's salary only? Or funds in addition to? FY 2019 allocations; \$815,025 from water, \$618,674 from sewer, \$97,471 from streets, for a total of \$1,531,170 FY 2019. Is this why the city water bills are increasing at an alarming rate?
- Is the city increasing this allocation because the city council can approve an increase in this, instead of asking the voters to approve an increase in the General Fund Levy?

5 Golf Course

- Owned by the city, we'd like a full audit of golf course operations.
- We understand the golf course doesn't pay for water usage, and it doesn't bring in enough money to pay its debt.

6 Municipal Court Audit

- Are the fees collected, applied to the appropriate department and/or budget?

7 Benefits and compensation paid by the city to city elected officials

- Do any elected officials receive benefits/allowances outside of what is allowed by the Charter or State Law?
- Are there any city elected officials that are a part of the City Employee 457, deferred compensation plan?
- Are city elected officials able to request reimbursement for expenses? If so, are they appropriate expenses above what their monthly stipend should cover?

8 Promotion of current City Manager Alexa Barton, from Assistant City Manager to City Manager

- Was promoted in 2017 from Assistant City Manager to City Manager; who approved the promotion, and was it properly approved?
- Were Alexa Barton's previous work history, litigation, and terminations taken into account?
- When she was promoted, Alexa Barton's brother was then and currently is the Mayor of Raymore.

9 Lack of Human Resources official/department

- Retaliation by city management and firing of employees that report misconduct.

- All disciplinary actions are handled by the assistant city manager/finance director, city manager and a hired personnel attorney (which is billed to the city at an hourly rate).
- Significant increase in terminations and resignations (some forced) with severance packages, in calendar years 2018 and 2019 (since the current city management took over).
- Multiple severance packages offered, to what additional cost? Were they offered fairly, without prejudice, and without violation of any law or city personnel code?

10 City Personnel Code

- Nepotism; City Manager's nephew (Turnbow) has been promoted twice, violation of section 2-346.
- Not notifying employees of their rights of appeal when they are terminated, violation of section 2-514.
- Promotion of vacated positions; not promoting tenured staff according to personnel code.
- Promoting part-time employees over full-time graded position tenured employees.
- City Manager is not conducting and documenting annual personnel reviews for department heads per policy.

11 City Council regular meetings and executive session meetings

- Not adjourning regular meetings when going into executive session. Minutes of the regular meeting not consistently notating the time of adjournment.
- Executive session meetings; are the topics noted in the agenda being addressed/discussed in these closed meetings? Are topics outside of those stated in the agenda being discussed? Are the minutes of those sessions properly documented appropriately approved/signed?
- They voted in Executive session to purchase 2 trashcans per household which was voted down by the council, however, they then approved purchasing 1 trashcan per household in closed session. Was this appropriate to be approved in Executive session or should it have been during regular/public meetings?

12 City council members and conflicts of interest

- Possibly voting on items that they should abstain from, e.g. city wide trash contracts that specifically exclude streets within trailer parks; 1 council member owns one of the (for profit) trailer parks, and 1 council member is the head of maintenance at another.
- Conflicts of interest with Council members and their board, commission, and committee affiliations.
- Conflicts of interest with Council members and their professional affiliations, licenses and certifications .

13 Hotel/motel tax accounting

- Expenses from hotel/motel tax are allocated solely to the Economic Development Department. Are these tax funds being used towards appropriate costs?

14 Bonding agents

- Are fees paid to bonding agents fair, reasonable, and consistent?
- Have fees paid to bonding agents ever been subject to a comparison audit?

15 Disposal/sale of city owned land

- Were they properly and legally bid out?

16 Auditing of performing and non-performing TIF's

- Are they appropriately audited?

-

Is there a separation of powers? At one time Belton's city attorney was working as TIF counsel, in addition to human resources counsel, counsel for a developer in Belton, and also as counsel for a competing developer in Grandview, MO.

- Are qualified financial personnel negotiating TIF incentives?
- Are the city performing cost benefits analysis being performed by city qualified personnel? It has been recent practice to take the developer at his word for the cost benefit analysis.
- Former Mayor Jimmy Odom is on the TIF commission and negotiated the over incentivized TIF development known as the Academy Sports Development. Odom also has a business relationship with various TIF developers for pest control, snow removal, and lawn service.

17 Contract bids

- Are they awarded properly and legally?
- The City does not currently show the winning bids.