

AN ORDINANCE OF THE CITY COUNCIL CALLING AN ELECTION ON THE QUESTION OF RENEWING A CITY SALES TAX FOR LOCAL PARKS TO FUND PARKS & RECREATION GENERAL OPERATIONS; DESIGNATING THE TIME FOR HOLDING SAID ELECTION; AND AUTHORIZING AND DIRECTING THE CITY CLERK TO GIVE NOTICE TO THE COUNTY CLERKS OF SAID ELECTION

WHEREAS, the City of Republic, Missouri, (“City” or “Republic”) is a municipal corporation and Charter City located in Greene County, Missouri, being duly created, organized, and existing under the laws of the State of Missouri; and

WHEREAS, the City is authorized under the provisions of the Missouri Constitution and Sections 94.500 through 94.550 RSMo., the City Sales Tax Act, to impose a general city sales tax as long as it does not result in a combined rate of sales taxes adopted under Section 94.510 in excess of two percent (2%); and

WHEREAS, in 1981, the citizens of Republic approved a one percent (1%) city sales tax (“Original Sales Tax”), which shall remain in full effect regardless of the provisions of this Ordinance, including the outcome of the vote contemplated herein; and

WHEREAS, in 1990, the citizens of Republic voted to impose a one-quarter cent (\$0.25) local parks sales tax (“the Local Parks Sales Tax”) to assist in funding general park operations, including but not limited to hiring and retaining personnel, park beautification and maintenance, facility upkeep and facility maintenance, operating expenditures, and special events and programming, with a 14-year sunset.

WHEREAS, in 2002, the citizens of Republic voted in favor of extending the imposition of the Local Parks Sales Tax for an additional twenty (20) years.

WHEREAS, The Local Parks Sales Tax is set to expire in March 2024.

WHEREAS, the Local Parks Sales Tax is estimated to generate \$918,550 in the year 2022, covering 27.27% of operating expenditures for the City’s Parks & Recreation Department; and

WHEREAS, the City is requesting approval to place the renewal of the Local Parks Sales Tax on the August 2, 2022 ballot, with a 25-year sunset.

WHEREAS, a proposed sales tax cannot become effective unless approved by a majority of qualified voters as defined by Republic Code and other applicable law, at a municipal election; and

WHEREAS, the City Council has determined it is necessary to place the renewal of the Local Parks Sales Tax on the August 2, 2022 ballot to provide the funding for the continued improvements, maintenance and upkeep of the City’s parks and park facilities.

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

Section 1: An election is hereby ordered to be held in the City of Republic, Missouri, pursuant to Section 94.510, RSMo., on August 2, 2022, by and amongst the voters of the City of Republic. The following questions shall be posed at said election, in substantially and materially the following form:

QUESTION

SHALL THE CITY OF REPUBLIC, MISSOURI, EXTEND AN EXISTING SALES TAX OF ONE-QUARTER OF ONE PERCENT (1/4 OF 1%) FOR THE PURPOSE OF PROVIDING FUNDING FOR LOCAL PARKS, SUCH TAX TO TERMINATE AUTOMATICALLY 25 YEARS AFTER THE IMPOSITION THEREOF?

THE CURRENT ONE-QUARTER CENT LOCAL PARKS SALES TAX IS SCHEDULED TO EXPIRE ON MARCH 31, 2024. THE CITY INTENDS TO USE THIS SALES TAX TO CONTINUE TO FUND GENERAL PARK OPERATIONS, MAINTENANCE, PERSONNEL, PROGRAMMING, AND SPECIAL EVENTS.

[] YES

[] NO

INSTRUCTIONS TO VOTERS: If you are in favor of extending the current sales tax of one-quarter of one percent (1/4 of 1%) for the purpose of providing funding for local parks, place an "X" in the box to the immediate left of "YES". If you are opposed to extending the current sales tax of one-quarter of one percent (1/4 of 1%) for the purpose of providing funding for local parks, place an "X" in the box to the immediate left of "NO".

The authorization of said sales tax will authorize the levy and collection of a sales tax in addition to the other taxes provided for by law, on all retail sales made in such City which are subject to taxation under the provisions of Section 144.010 to 144.510, inclusive, of the Revised Statutes of Missouri, 1994, as amended.

- Section 2:** The City Clerk is hereby authorized and directed to conduct said election in a manner consistent with the provisions of Chapter 115 of the Revised Statutes of Missouri and/or Chapter 94 of the Revised Statutes of Missouri, whichever governs.
- Section 3:** That the form and notice of said election and ballot to be in substantially the same form as the copy attached hereto and labeled "Exhibit A".
- Section 4:** The City Clerk is hereby authorized and directed to file a certified copy of this Ordinance with the County Clerk of Greene County, Missouri and the County Clerk of Christian County, Missouri, no later than 5:00 p.m. on May 24, 2022.
- Section 5:** If the proposed Local Parks Sales Tax is approved by a majority of the votes cast by the qualified voters voting thereon, the City Clerk shall, within ten (10) days, forward to the Director of Revenue of the State of Missouri by United States registered or certified mail, a certified copy of this Ordinance with a map clearly showing the boundaries of the City and the Local Parks Sales Tax shall become effective no later than the first day of the second calendar quarter after the Department of Revenue receives notification of the same, and shall be levied, collected and distributed in the manner provided by the applicable provisions of the City Sales Tax Act.

Section 6: If the proposed Local Parks Sales Tax is not approved by a majority of the votes cast by the qualified voters voting thereon, this Ordinance shall have no further effect, and the one-quarter of one percent (0.25%) sales tax proposed herein shall not be effective, however, the failure of this proposition to receive the requisite majority vote shall have no effect on the Original Sales Tax. Nothing herein is intended to be nor shall be deemed as an abolition of the Original Sales Tax or any other tax levied by the City.

Section 7: The Greene County Clerk and Christian County Clerk are hereby authorized to conduct said election in a manner consistent with the provisions of Chapter 115 of the Revised Statutes of Missouri and designate the polling places for the qualified voters of the City.

Section 8: The whereas clauses are hereby specifically incorporated herein by reference.

Section 9: The provisions of this Ordinance are severable and if any provision hereof is declared invalid, unconstitutional, or unenforceable, such determination shall not affect the validity of the remainder of this Ordinance.

Section 10: This Ordinance shall take effect and be in force from and after its passage as provided by law.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Republic, Missouri, this _____ day of _____, 2022.

Matt Russell, Mayor

Attest:

Laura Burbridge, City Clerk

Approved as to Form:

Megan E. McCullough

Megan McCullough, City Attorney

Final Passage and Vote: