

**AN ORDINANCE OF THE CITY COUNCIL CALLING AN ELECTION ON THE QUESTION OF RENEWING A CITY SALES TAX TO FUND PARKS & RECREATION CAPITAL IMPROVEMENT PROJECTS; 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 2003, the citizens of Republic voted to impose a one-quarter cent (\$.25) capital improvements sales tax (“the Parks CIP Sales Tax”) to provide funding to the City’s Parks and Recreation Department for the construction of the Republic Aquatic Center in 2005. Additional funding generated by the Parks CIP Sales Tax allowed for construction of The Amp @ J.R. Martin Park, Republic Veterans Memorial and the purchase and development of Brookline Park, Owen Park and various other updates and amenities within existing parks.

**WHEREAS**, the Parks CIP Sales Tax is set to expire in September 2024; and

**WHEREAS**, the Parks and Recreation Department desires to renew the Parks CIP Sales Tax in order to assist in funding additional capital improvement projects including, but not limited to, expansion of the Republic Aquatic Center, development of a large community park featuring a regional sports complex, and the development of a farmers market/community event space at J.R. Martin Park.

**WHEREAS**, the City is requesting approval to place the renewal of the Parks CIP 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 Parks CIP Sales Tax on the August 2, 2022 ballot to provide the funding for the expansion of the Republic Aquatic Center, a community park featuring a regional sports complex and development of a farmers market and community event space at J.R. Martin Park in Republic.

**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 PARKS SYSTEM CAPITAL IMPROVEMENT PROJECTS, SUCH TAX TO TERMINATE AUTOMATICALLY 25 YEARS AFTER THE IMPOSITION THEREOF?

THE CURRENT ONE-QUARTER CENT PARKS SYSTEM CAPITAL IMPROVEMENTS SALES TAX IS SCHEDULED TO EXPIRE ON SEPTEMBER 30, 2024. THE CITY INTENDS TO USE THIS SALES TAX TO FUND CAPITAL IMPROVEMENT PROJECTS INCLUDING, BUT NOT LIMITED TO, EXPANSION OF THE REPUBLIC AQUATIC CENTER, DEVELOPMENT OF A LARGE COMMUNITY PARK FEATURING A REGIONAL SPORTS COMPLEX, AND THE DEVELOPMENT OF A FARMERS MARKET/COMMUNITY EVENT SPACE AT J.R. MARTIN PARK.

[ ] 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 parks system capital improvement projects, 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 parks system capital improvement projects, 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 Parks CIP 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 Parks CIP 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 Parks CIP 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:**