



Exhibit G

AGENDA ITEM STAFF ANALYSIS

Project/Issue Name: Bill #11-28 An Ordinance of the City Council of the City of Republic, Missouri, Imposing a Sales Tax for the Purpose of Funding Capital Improvements to the Stormwater Collection System of the City of Republic, Missouri, for the Purpose of Paying All/or a Portion of the Costs of Acquiring Rights-of-Way, Constructing, Enlarging, Extending and Improving Said System; Calling an Election in the City of Republic, Missouri, on the Question of Imposing Said Sales Tax; Designating the Time for Holding Said Election; and Authorizing and Directing the City Clerk to Give Notice to the County Clerks of Said Election. **EMERGENCY READING REQUESTED**

Submitted by: David Brock, Public Works Director

Date: November 14, 2011

Issue Statement

Consideration of an Ordinance calling for a vote regarding the renewal of the stormwater capital improvements tax. ***SECOND READING UNDER EMERGENCY PROVISIONS REQUESTED.***

Discussion and/or Analysis

The current one quarter of one percent sales tax for stormwater improvements will expire on October 1, 2012. If this revenue source is to be maintained for future improvements, then the issue must be put on a municipal election ballot.

February 7th, 2012, is an available election date and currently the only other ballot issues are non-binding presidential primaries. If Council desires to take advantage of this date, Bill #11-28 must be passed and approved prior to November 22nd and certified/delivered to the County Clerks no later than November 29th. These deadlines necessitate that Council pass and adopt the bill under emergency procedures.

Recommended Action

Staff recommends final adoption of Bill #11-28.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI,
IMPOSING A SALES TAX FOR THE PURPOSE OF
FUNDING CAPITAL IMPROVEMENTS TO THE STORMWATER
COLLECTION SYSTEM OF THE CITY OF REPUBLIC, MISSOURI, FOR THE
PURPOSE OF PAYING ALL/OR A PORTION OF THE COSTS OF
ACQUIRING RIGHTS-OF-WAY, CONSTRUCTING, ENLARGING,
EXTENDING AND IMPROVING SAID SYSTEM; CALLING AN ELECTION IN THE
CITY OF REPUBLIC, MISSOURI, ON THE QUESTION OF IMPOSING SAID
SALES TAX; DESIGNATING THE TIME FOR HOLDING SAID ELECTION;
AND AUTHORIZING AND DIRECTING THE CITY CLERKS TO GIVE NOTICE
TO THE COUNTY CLERK OF SAID ELECTION.**

WHEREAS, the City of Republic, Missouri, (herein called the "City") is a municipal corporation 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 Constitution and the statutes of the State of Missouri, to impose a sales tax of one quarter of one percent (1/4 of 1%) for the purpose of stormwater improvements; and

WHEREAS, initially in 1997, and renewed in 2002 and 2007, the voters of the City of Republic did approve a one quarter of one percent (1/4 of 1%) sales tax for stormwater improvements and such tax expires on October 1, 2012; and

WHEREAS, the City Council of the City of Republic, Missouri, has determined that it is necessary and desirable to renew a sales tax for the purpose of funding stormwater improvements as herein provided;

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

Section 1. Pursuant to Section 94.577 of the Revised Statutes of Missouri (the "Act"), a sales tax at the rate of one quarter of one percent (1/4 of 1%) is hereby imposed on all persons in the City of Republic, Missouri, who are engaged in the business of selling tangible personal property and taxable services subject to a sales tax under the provisions of Sections 144.010 to 144.525, inclusive, of the Revised Statutes of Missouri (the "Sales Tax Law"), for the purpose of funding stormwater capital improvements, including the cost of acquiring rights-of-way, constructing, enlarging, extending and improving of the stormwater collection system with said tax to be collected for a period of five (5) years beginning October 1, 2012. Said tax is for the privilege of engaging in such business in the City and shall be in the manner and to the extent provided in the Sales Tax Law and the rules and regulation of the director of revenue of the State of Missouri issued pursuant thereto.

Section 2. All sales tax collected by the City from said tax shall be deposited in a special trust fund and shall be used solely for the purpose of stormwater capital improvements, including the cost of acquiring rights-of-way, constructing, enlarging, extending and improving stormwater collection system; said trust fund shall be designated as the City of Republic Stormwater Capital Improvements Sales Tax Trust Fund and shall be expended only in the manner and for the purposes enumerated in the Act.

Section 3. An election is hereby ordered to be held in the City of Republic, Missouri, on February 7, 2012, on the following question:

QUESTION

**SHALL THE CITY OF REPUBLIC, MISSOURI, CONTINUE TO IMPOSE A SALES TAX AT THE RATE OF ONE QUARTER OF ONE PERCENT (1/4 OF 1%) TO BE COLLECTED FOR A PERIOD OF FIVE (5) YEARS BEGINNING OCTOBER 1, 2012, FOR THE PURPOSE OF FUNDING STORMWATER CAPITAL IMPROVEMENTS?
A VOTE IN FAVOR OF THE QUESTION WILL NOT SERVE TO RAISE EXISTING SALES TAX RATES IMPOSED BY THE CITY OF REPUBLIC.**

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 county which are subject to taxation under the provisions of Sections 144.010 to 144.525, inclusive, of the Revised Statutes of Missouri.

Section 4. That 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.

Section 5. That the form of the notice of said election, a copy of which is attached hereto and made a part hereof, is hereby approved.

Section 6. That a copy of this ordinance shall be filed with the County Clerks of Greene and Christian County, Missouri, no later than 5:00 o'clock p.m. on November 29, 2011.

Section 7. If the sales tax is approved by a majority of the votes cast by the qualified voters voting thereon, then the City Clerk shall within ten 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 said sales tax shall become effective the first day of October 2012, and shall be levied, collected and distributed in the manner provided by the Act.

Section 8. This ordinance shall be in full force and effect from and after its passage by the City Council and approval by a majority of the qualified voters of the City voting in favor of imposing said sales tax.

Section 9. The City Council hereby finds and declares this ordinance constitutes an emergency for the reason that an election must be held before expiration of the Stormwater Sales Tax and an election for February 7, 2012, must be called by November 22, 2011; therefore, this ordinance shall be in full force and effect from its date of passage.

PASSED AND APPROVED at a meeting of the City Council of the City of Republic, Missouri, this _____ day of _____, 2011.

Brian C. Buckner, Mayor

Attest:

Brenda Jackson, City Clerk

Approved for Council Action: _____, City Administrator

Approved as to Form: _____, City Attorney

Final Passage and Vote: _____

[The following notice must be published in compliance with RSMo. Section 115.127(2).]

NOTICE OF ELECTION
REPUBLIC, MISSOURI

Notice is hereby given to the qualified voters of the City of Republic, Missouri, that pursuant to an ordinance duly adopted, the City Council of the City of Republic, Missouri, has called an election to be held in the City on February 7, 2012, commencing at 6:00 o'clock a.m. and closing at 7:00 p.m., for the purpose of submitting to the qualified voters of the City the question contained in the following sample ballot:

OFFICIAL BALLOT
SALES TAX ELECTION
REPUBLIC, MISSOURI

February 7, 2012

QUESTION

SHALL THE CITY OF REPUBLIC, MISSOURI, CONTINUE TO IMPOSE A SALES TAX AT THE RATE OF ONE QUARTER OF ONE PERCENT (1/4 OF 1%) TO BE COLLECTED FOR A PERIOD OF FIVE (5) YEARS BEGINNING OCTOBER 1, 2012, FOR THE PURPOSE OF FUNDING STORMWATER CAPITAL IMPROVEMENTS? A VOTE IN FAVOR OF THE QUESTION WILL NOT SERVE TO RAISE EXISTING SALES TAX RATES IMPOSED BY THE CITY OF REPUBLIC.

YES []
NO []

INSTRUCTIONS TO VOTERS: Complete the arrow pointing to your choice.

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 Sections 144.010 to 144.525, inclusive, of the Revised Statutes of Missouri, the "Sales Tax Law", as amended.

The election will be held at the following polling places in the City:

Republic Polling Places

1. Republic Fire Station #2
3425 E. Sawyer Road
Republic, Missouri
2. Republic Parks & Activity Center
711 E. Miller Road
Republic, Missouri

3. Republic R-3 Middle School
#1 Tiger Drive (688 East Hines)
Republic, Missouri
4. Republic Senior Friendship Center
210 E. Hines
Republic, Missouri