

ORDINANCE NO. 3253

AN ORDINANCE TO SUBMIT TO THE QUALIFIED ELECTORS OF THE CITY OF ABILENE, KANSAS THE PROPOSITION OF LEVYING A ONE-HALF OF ONE PERCENT (0.50%) RETAILERS' SALES TAX TO FUND GENERAL PURPOSES OF THE CITY, INCLUDING BUT NOT LIMITED TO ACQUISITION AND CONSTRUCTION OF PUBLIC BUILDINGS TO HOUSE CITY HALL AND POLICE AND FIRE DEPARTMENTS

WHEREAS, K.S.A. 12-187 *et seq.*, authorizes the governing body of the City of Abilene, Kansas ("City") to submit to the qualified electors of the City the question of levying a retailers' sales tax in the City and pledging the revenue received from the tax to certain purposes of the City with the tax to be collected by the Kansas Department of Revenue and returned to the City; and

WHEREAS, the governing body of the City has determined it is necessary to authorize the levy of a 0.50% retailers' sales tax, to begin upon the expiration of the City's existing 0.35% retailers' sales tax on March 31, 2018 or as soon thereafter as the new tax may be levied by the Kansas Department of Revenue, which date is expected to be April 1, 2018, with revenue received from the tax used for the governmental purposes as described in the ballot question approved by this Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ABILENE, KANSAS:

Section 1. A special question election is called to be conducted on November 4, 2014, for the purpose of submitting to the qualified electors of the City the question of levying a retailers' sales tax in the City in the amount of one-half of one percent (0.50%), with such tax to take effect upon the expiration of the City's existing 0.35% retailers' sales tax on March 31, 2018 or as soon thereafter as soon as the tax may be levied by the Kansas Department of Revenue, which date is expected to be April 1, 2018, if approved by a majority of the electors voting on the question. The election shall be conducted in the manner prescribed by applicable laws of the State of Kansas.

Section 2. If approved by a majority of the electors voting on the question, the retailers' sales tax will be subject to all applicable state laws and administrative rules and regulations of the Kansas Department of Revenue. The services of the Kansas Department of Revenue shall be utilized to administer, enforce and collect such tax.

Section 3. The proposition to be voted on shall appear on the ballot as follows:

Shall the following be adopted?

Shall a retailers' sales tax in the amount of one-half of one percent (0.50%) be levied in the City of Abilene, Kansas to take effect upon expiration of the City's existing 0.35% retailers' sales tax on March 31, 2018 or as soon thereafter as such tax may be

levied by the Kansas Department of Revenue, which date is expected to be April 1, 2018, with revenue from such tax used to (a) fund general governmental services provided by the City, which include but are not limited to, the design, acquisition, construction and equipping of public buildings and related facilities and purposes necessary to house city offices and the City's police and fire departments; and (b) pay principal and interest on obligations issued to finance such purposes; provided that such retailers' sales tax shall expire on the date twenty (20) years after it is first levied, all pursuant to K.S.A. 12-187 *et seq.*, as amended?

Section 4. The Dickinson County Clerk is authorized to and shall give notice of the election by publishing a Notice of Election (in substantially the form attached to this Ordinance as **Exhibit A**) once each week for two consecutive weeks in a newspaper of general circulation in the City, as provided in K.S.A. 12-187 *et seq.*, and K.S.A. 10-120, with the first publication to be not less than twenty-one (21) days prior to the date of the election. The vote at the election shall be by ballot and the proposition approved by this Ordinance shall be printed on the ballot with the voting instructions required by law.

Section 5. This Ordinance shall take effect from and after its adoption by the Governing Body of the City and publication one time in the official city newspaper.

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ADOPTED AND APPROVED by the Governing Body of the City of Abilene, Kansas on August ___, 2014.

CITY OF ABILENE, KANSAS



By Brenda Finn Bowers
Brenda Finn Bowers, Mayor

ATTEST:

By Penny L. Soukup, CMC
Penny L. Soukup, City Clerk

Exhibit A
To Ordinance No. 3253

NOTICE OF SPECIAL QUESTION ELECTION

TO ALL OF THE QUALIFIED ELECTORS OF THE CITY OF ABILENE, KANSAS:

Notice is given by the Governing Body of the City of Abilene, Kansas and the County Election Officer of Dickinson County, Kansas that a special question election will be held in the City of Abilene on November 4, 2014, for the purpose of voting on the question of levying a city retailers' sales tax in the amount of one-half of one percent (0.50%) on retail sales consummated within the City of Abilene, Kansas, according to the provisions of K.S.A. 12-187 *et seq.* If approved, the retailers' sales tax will begin on upon the expiration of the City's existing 0.35% retailers' sale tax on March 31, 2018 or as soon thereafter as the tax may be levied by the Kansas Department of Revenue, which date is expected to be April 1, 2018 and the revenue received by the City will be used for public purposes as described in the ballot question. If approved by a majority of the electors voting such tax shall be collected by the Kansas Department of Revenue, and the revenue returned to the city of Abilene.

The polls will be open for voting between 7:00 a.m. and 7:00 p.m. on November 4, 2014 at the following places:

[To be supplied by the county clerk/election officer]

The proposition to be voted on shall appear on the ballot as follows:

Shall the following be adopted?

Shall a retailers' sales tax in the amount of one-half of one percent (0.50%) be levied in the City of Abilene, Kansas to take effect upon expiration of the City's existing 0.35% retailers' sales tax on March 31, 2018 or as soon thereafter as such tax may be levied by the Kansas Department of Revenue, which date is expected to be April 1, 2018, with revenue from such tax used to (a) fund general governmental services provided by the City, which include but are not limited to, the design, acquisition, construction and equipping of public buildings and related facilities and purposes necessary to house city offices and the City's police and fire departments; and (b) pay principal and interest on obligations issued to finance such purposes; provided that such retailers' sales tax shall expire on the date twenty (20) years after it is first levied, all pursuant to K.S.A. 12-187 *et seq.*, as amended?

Shall a retailers' sales tax in the amount of one-half of one percent (0.50%) be levied in the City of Abilene, Kansas to take effect upon expiration of the City's existing

0.35% retailers' sales tax on March 31, 2018 or as soon thereafter as such tax may be levied by the Kansas Department of Revenue, which date is expected to be April 1, 2018, with revenue from such tax used to (a) fund general governmental services provided by the City, which include, but are not limited to, the design, acquisition, construction and equipping of public buildings and related facilities and purposes necessary to house city offices and the City's police and fire departments; and (b) pay principal and interest on obligations issued to finance such purposes; and provided that such retailers' sales tax shall expire on the date twenty (20) years after it is first levied, all pursuant to K.S.A. 12-187 *et seq.*, as amended?

Yes _____

No _____

To vote in favor of any question submitted upon this ballot, make a cross or check mark in the square to the right of the word "Yes;" to vote against it, make a cross or check mark in the square to the right of the word "No."

Dated _____, 2014.

By _____

Barbara M. Jones

Dickinson County Clerk/Election Officer