

ORDINANCE NO. 3112

AN ORDINANCE TO SUBMIT TO THE QUALIFIED ELECTORS OF THE CITY OF PAOLA, KANSAS THE PROPOSITION OF LEVYING A ONE QUARTER CENT (.25%) RETAILERS' SALES TAX IN THE CITY OF PAOLA TO PAY COSTS OF OPERATING, MAINTAINING AND EQUIPPING THE CITY'S FIRE STATION AND RELATED FACILITIES.

WHEREAS, K.S.A. 12-187 *et seq.*, as amended, authorizes the governing body of the city of Paola, 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 levy a new one quarter of one percent (.25 %) retailers' sales tax, to begin on October 1, 2017 and continue for 10 years through September 30, 2027, with revenue received from the tax used to finance operation, maintenance and equipping of the City's fire station and related facilities (the "Fire Station Project") and to pay obligations of the City issued to finance the Fire Station Project.

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

Section 1. A special question election is called to be conducted on June 20, 2017, 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 quarter of one percent (.25%), with such tax to take effect on October 1, 2017, 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 the city of Paola, Kansas levy a retailers' sales tax in the amount of one quarter of one percent (.25%), to take effect on October 1, 2017, upon termination of the City's existing .25% retailers' sales tax, and to be levied for ten years until September 30, 2027 on retail sales consummated within the city of Paola, with revenues of such tax to be used to help finance operation, maintenance, and equipping of the

City’s fire station and related facilities to serve the City (the “Fire Station Project”) and to pay obligations of the City issued to finance the Fire Station Project, if any, all pursuant to K.S.A. 12-187 et seq., as amended?

Section 4. The Miami County Clerk is authorized to and shall give notice of the bond 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.

ADOPTED AND APPROVED by the governing body of the City of Paola, Kansas on April 11, 2017.

CITY OF PAOLA, KANSAS

[Seal]

By _____
Artie Stuteville, Mayor

ATTEST:

By _____
Daniel G. Droste, City Clerk

Exhibit A to Ordinance No. 3112

(First published in the *Miami County Republic*, on _____, 2017,
and subsequently on _____, 2017.)

NOTICE OF SPECIAL QUESTION ELECTION

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

Notice is given by the Governing Body of the city of Paola, Kansas and the County Election Officer of Miami County, Kansas that a special question election will be held in the city of Paola, Kansas on June 20, 2017, for the purpose of voting on the question of levying a retailers' sales tax in the amount of one quarter of one cent (.25%) on retail sales consummated within the city of Paola, Kansas, according to the provisions of K.S.A. 12-187 *et seq.* If approved, the retailers' sales tax will begin on October 1, 2017 (upon termination of an existing .25% retailers' sales tax levied by the City) and continue through September 30, 2027 and the revenue received by the City will be used to finance operation, maintenance and equipping of the fire station and related facilities to serve the City. 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 Paola.

The polls will be open for voting between 7:00 a.m. and 7:00 p.m. on June 20, 2017 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 the city of Paola, Kansas levy a retailers' sales tax in the amount of one quarter of one percent (.25%), to take effect on October 1, 2017, upon termination of the City's existing .25% retailers' sales tax, and to be levied for ten years until September 30, 2027 on retail sales consummated within the city of Paola, with revenues of such tax to be used to help finance operation, maintenance, and equipping of the City's fire station and related facilities to serve the City (the "Fire Station Project") and to pay obligations of the City issued to finance the Fire Station Project, if any, 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 _____, 2017.

By _____
Janet White, County Clerk/Election Officer