BILL 2011-52

****** First Reading ******

Agenda Item

TO: Mayor and City Council

FROM: Mark S. Gaugh, Interim City Manager

DATE: July 5, 2011

RE: Quarter-Cent Storm Water Sales Tax Ordinance

Issues

For many years, Cameron has experienced problems with storm water drainage in many parts of town. The City has outlined general areas of concern where it might be cost-effective to make infrastructure repairs to reduce the amount of uncontrolled runoff.

The Council Water/Sewer/Storm Water Committee has met on this issue and would like to address storm water issues as soon as it is feasible. Funding for the project was proposed to be provided by a ¼ cent addition to the Sales Tax for a sunset period of twenty years. After that period, the voters can decide to extend or terminate the tax.

In order to get the initiative on the November ballot, it must be submitted to the Counties by August 30, 2011. If three readings are conducted, we will be able to get the ballot language submitted in time. Once the issue is set for November placement, there will be time for public information and input. If funding is approved by the voters in November, the City can then do more final detailed design and formulate the final scope for the storm water improvements. Toni Stegeman, a Gilmore & Bell attorney, has offered to be in attendance to help answer any questions Council may have.

Recommendation

The Water/Sewer/Storm Water Committee recommends that the Council approve the proposed ordinance to place storm water improvements on the ballot. Three readings are recommended.

Bill 2011-52

AN ORDINANCE IMPOSING A CITY SALES TAX FOR STORM WATER CONTROL PURPOSES IN THE CITY OF CAMERON, CLINTON AND DEKALB COUNTIES, MISSOURI, AND CALLING AN ELECTION ON SUCH TAX TO BE HELD ON NOVEMBER 8, 2011

WHEREAS, the City Council of City of Cameron, Clinton and DeKalb Counties, Missouri, under the authority of powers given to the City by the provisions of Section 644.032, RSMo, as amended (the "Act"), has determined that it is in the best interests of the City to impose a city sales tax for storm water control purposes at the rate of one-quarter of one percent (1/4 of 1%) on the receipts from all retail sales within the City which are subject to taxation under Sections 144.010 to 144.525, inclusive, RSMo, such sales tax to expire 20 years after its effective date; and

WHEREAS, no ordinance imposing a sales tax pursuant to the Act shall be effective unless the City Council submits to the voters of the City a proposal to authorize the imposition of the tax, and a majority of the voters approve such proposal;

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

Section 1. A city sales tax for storm water control purposes, at the rate of one-quarter of one percent (1/4 of 1%), on the receipts from all retail sales within City of Cameron, Missouri, is hereby imposed upon all sellers within the City for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail, to the extent and in the manner provided by Sections 144.010 to 144.525, inclusive, RSMo, and the rules and regulations of the Director of Revenue of the State of Missouri issued pursuant thereto. Such tax shall not be effective until the terms and provisions of this Ordinance have been complied with.

Section 2. The imposition of said sales tax shall become effective as provided by law upon approval thereof by a majority of the votes cast on the proposition by the qualified voters of the City voting thereon.

Section 3. A special election is hereby ordered to be held in the City concurrently with the general election on Tuesday, November 8, 2011, on the following proposition:

PROPOSITION _____

Shall the City of Cameron, Clinton and DeKalb Counties, Missouri, impose a sales tax of one-quarter of one percent (1/4 of 1%) for the purpose of acquiring, constructing, improving, repairing, maintaining and operating storm water control measures within the City, in order to reduce potential for flood damage to public and private property, and to reduce public health and safety risks caused by inadequate storm water control, such sales tax to expire 20 years after its effective date?

Section 4. The form of Notice of Special Election containing the proposition, a copy of which is attached hereto and made a part hereof, is hereby approved. The City Clerk is hereby authorized

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and directed to notify the County Clerks of the Counties of Clinton and DeKalb, Missouri, of the adoption of this Ordinance no later than 5:00 P.M. on Tuesday, August 30, 2011, and to include in said notification all of the terms and provisions required by Chapter 115, RSMo.

Section 5. Upon passage of said proposition, the City Clerk shall as soon as possible after the election date (but in any event no later than ten (10) days after the election date) forward to the Director of Revenue of the State of Missouri by United States certified mail (1) a certified copy of this Ordinance, including the Notice of Special Election attached hereto, and (2) a copy of the abstract of votes cast on the proposition at said election. The city sales tax for storm water control purposes hereby imposed shall then become effective on April 1, 2012, or such later date as provided by the Act, and shall be levied and collected in the manner provided by the Act, by Sections 32.085 and 32.087, RSMo, as amended, and by all other applicable laws, until the date that is 20 years after the effective date of the sales tax. The sales tax proceeds shall be used solely for the purposes hereinabove authorized.

Section 6. This Ordinance shall be in full force and effect from and after its passage and approval.

Read and passed on first reading only the 18th day of July 2011.
Read and passed on second reading this __ day of _____2011.
Read and passed on third reading by roll call this __ day of _____2011.

_____

(SEAL) Mayor Frank A. Buck

ATTEST:

_____

City Clerk

First Reading

NOTICE OF SPECIAL ELECTION

CITY OF CAMERON, MISSOURI

Notice is hereby given to the qualified voters of City of Cameron, Missouri, that the City Council of the City has called a special election to be held in the City concurrently with the general election on Tuesday, November 8, 2011, commencing at 6:00 A.M. and closing at 7:00 P.M., on the proposition contained in the following sample ballot:

OFFICIAL BALLOT
SPECIAL ELECTION
CITY OF CAMERON, MISSOURI

TUESDAY, NOVEMBER 8, 2011

PROPOSITION _____

Shall the City of Cameron, Clinton and DeKalb Counties, Missouri, impose a sales tax of one-quarter of one percent (1/4 of 1%) for the purpose of acquiring, constructing, improving, repairing, maintaining and operating storm water control measures within the City, in order to reduce potential for flood damage to public and private property, and to reduce public health and safety risks caused by inadequate storm water control, such sales tax to expire 20 years after its effective date?

YES ☐
NO ☐

INSTRUCTIONS TO VOTERS: If you are in favor of the proposition, place an X in the box opposite "YES." If you are opposed to the proposition, place an X in the box opposite "NO."

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

PRECINCT	POLLING PLACE
_____	_____
_____	_____

DATED: _____, 2011.

_____
County Clerk of _____ County, Missouri

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