

CITY OF HAMILTON, MISSOURI

BILL NO. 111152

ORDINANCE NO. 1586

**AN ORDINANCE CALLING AN ELECTION ON THE QUESTION OF  
EXTENDING A CAPITAL IMPROVEMENT SALES TAX FOR USE FOR CITY  
STREETS AND SIDEWALKS**

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**WHEREAS**, the Board of Aldermen of the City of Hamilton, Missouri, under the authority of powers given to the City by the provisions of Section 94.577, RSMo, as amended (the "Act"), has determined that it is in the best interests of the City to extend the current one-half cent capital improvements sales tax for the purpose of paying some of the costs of repairing, rehabilitating, constructing and maintaining public streets and sidewalks, upon approval by the voters of the City; and

**WHEREAS**, in 2011 the voters approved the sales tax for such purposes to expire on March 31, 2017; and

**WHEREAS**, the City desires to extend the current tax but the proposed extension of the City capital improvement sales tax cannot become effective until approved by the voters at a municipal, county or state general, primary or special election;

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE  
CITY OF HAMILTON, MISSOURI, AS FOLLOWS:**

**Section 1.** Pursuant to the authority granted by and subject to the provisions of Section 94.575 through Section 94.577, Revised Statutes of Missouri, a tax for the benefit of the city is hereby imposed upon all sellers 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 in section 144.010 through section 144.525, Revised Statutes of Missouri, and the rules and regulations of the director of revenue issued pursuant thereto. Upon voter approval, the extension of the tax shall become effective April 1, 2017, and shall apply to all sales made after March 31, 2017, for a period of 10 years, unless sooner terminated, and shall be collected as provided in Section 94.575 through Section 94.577, Revised Statutes of Missouri.

**Section 2.** The rate of the tax shall be one-half cent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the city, if such property and such services are subject to taxation by the State under the provisions of Section 144.010 through Section 144.525, Revised Statutes of Missouri.

**Section 3.** A special election on this tax shall be submitted to the qualified voters of Hamilton, Missouri on Tuesday, April 5, 2016, on the following proposition:

**PROPOSITION**

**Shall the municipality of Hamilton, Missouri extend the current sales  
tax of one-half cent for the purpose of funding capital improvements**

*Vote: Mass. aye, Trosper - aye, Sewer - aye, Kavanaugh - absent*

(for the purpose of paying the cost of constructing, repairing, and maintaining public streets and sidewalks but no part of such funds will be used for street department personnel expenses) which may include the retirement of debt under previously authorized bonded indebtedness? This sales tax shall terminate on March 31, 2027 unless extended by the voters.

YES       NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO";

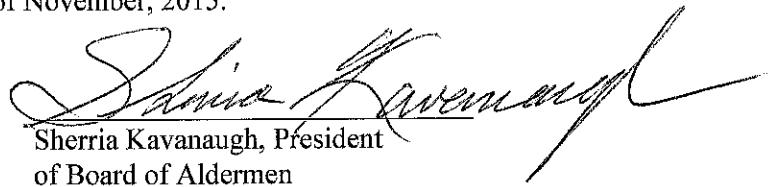
**Section 4.** Attached hereto as **Exhibit A** is a true and correct copy of the Notice of Special Election showing said proposition to be published in accordance with Section 115.127, RSMo.

**Section 5.** The City Clerk is hereby authorized and directed to notify the County Clerk of Caldwell County, Missouri, of the passage of this Ordinance no later than 5:00 P.M. on Tuesday, January 26, 2016, and to include in said notification all of the terms and provisions required by Chapter 115, RSMo, as amended.

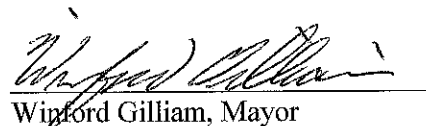
**Section 6.** If this Ordinance is approved by a majority of the votes cast by the qualified voters voting thereon at said election, the City Clerk shall as soon as possible after the election date (but in any event no later than ten (10) days after the election date) forward to the Director of Revenue of the State of Missouri by United States registered mail or 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, and (3) accompanied by a map of the City clearly showing the boundaries thereof.


**Section 7.** This Ordinance shall be in full force and effect from and after its passage and approval.

Read two times, passed and approved on the 11<sup>th</sup> day of November, 2015.

  
Sherria Kavanaugh, President  
of Board of Aldermen

Approved on this 11<sup>th</sup> day of November, 2015.

  
Winford Gilliam, Mayor

Attest:   
Debra Davis, City Clerk

**EXHIBIT A**

**FORM OF NOTICE OF SPECIAL ELECTION**  
(To be completed by adding precincts and polling places  
and to be published pursuant to Section 115.127, RSMo.)

**CITY OF HAMILTON, MISSOURI**

Notice is hereby given to the qualified voters of the City of Hamilton, Missouri, that the Board of Aldermen of the City has called a special election to be held in the City on Tuesday, April 5, 2016, commencing at 6:00 A.M. and closing at 7:00 P.M., on the proposition contained in the following sample ballot:

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**OFFICIAL BALLOT**  
**SPECIAL ELECTION**  
**CITY OF HAMILTON, MISSOURI**

**TUESDAY, APRIL 5, 2016**

**PROPOSITION**

Shall the municipality of Hamilton, Missouri extend a sales tax of one-half cent for the purpose of funding capital improvements (for the purpose of constructing, repairing, and maintaining public streets and sidewalks but no part of such funds will be used for street department personnel expenses) which may include the retirement of debt under previously authorized bonded indebtedness? This sales tax shall terminate on March 31, 2027 unless extended by the voters.

YES       NO

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

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

**PRECINCT**

**POLLING PLACE**

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DATED: \_\_\_\_\_, 2015.

County Clerk of Caldwell County, Missouri