



## Board of Aldermen Request for Action

**MEETING DATE:** 8/28/2023

**DEPARTMENT:** Administration

**AGENDA ITEM:** Bill No. 3001-23 – Calling an Election in the City of Smithville, Missouri, 1<sup>st</sup> and 2<sup>nd</sup> Reading

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**REQUESTED BOARD ACTION:**

A motion to approve Bill No. 3001-23, calling an election in the City of Smithville, Missouri and placing the issue on the November 7 ballot as an emergency Ordinance sponsored by Mayor Boley, first reading and second reading by title only.

**BACKGROUND:**

Ongoing funding needs for police operational and equipment needs have been identified for several years. This year, the General Assembly passed, and the Governor has signed a bill that would give the City of Smithville the ability to take to the voters a ballot measure to establish a public safety sales tax.

A half-cent sales tax is projected to generate approximately \$700,000 in revenues annually. It is recommended that, if approved, the tax proceeds be used to fund:

- Addition of two police officers
- Implementation of an animal control program
- Vehicle leasing costs associated with Police Department fleet
- Equipment Upgrades and replacement

**PREVIOUS ACTION:**

At the May 2023 Governing Body retreat, the Board of Aldermen directed staff to develop ballot language. This direction was reiterated at a June 7 work session.

**FINANCIAL CONSIDERATIONS:**

Approval of a public safety sales tax would provide resources to fund police operations and equipment needs.

**ATTACHMENTS:**

- |   |                                   |
|---|-----------------------------------|
| <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Contract |
| <input type="checkbox"/> Resolution           | <input type="checkbox"/> Plans    |
| <input type="checkbox"/> Staff Report         | <input type="checkbox"/> Minutes  |
| <input type="checkbox"/> Other                |                                   |

**AN ORDINANCE OF THE CITY OF SMITHVILLE, MISSOURI, IMPOSING A SALES TAX FOR PUBLIC SAFETY PURPOSES AT THE RATE OF ONE-HALF OF ONE PERCENT, PURSUANT TO SECTION 94.903 R.S.MO. AND PROVIDING FOR SUBMISSION OF THE PROPOSAL TO THE QUALIFIED VOTERS OF THE CITY FOR THEIR APPROVAL AT THE NOVEMBER 7, 2023, ELECTION**

WHEREAS the City of Smithville, Missouri is authorized pursuant to Section 94.903 R.S. Mo. to levy a public safety sales tax at the rate of one-half of one percent. and

WHEREAS the purpose of the public safety sales tax is for the improvement of public safety, including but not limited to, expenditures on or for equipment, City Public Safety employee salaries and benefits and facilities for the Police Department. and

WHEREAS the City's proposed public safety sales tax cannot become effective until approved by the voters at a municipal general, primary, or special election; and the City wishes to submit the issue to the voters. and

WHEREAS the City Board of Alderman wishes to submit the matter of the public safety sales tax to the qualified voters of the city at the general election on November 7, 2023.

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SMITHVILLE, MISSOURI, AS FOLLOWS:**

1) The City of Smithville imposes a public safety sales tax, pursuant to the authority granted by, and subject to the provisions of Section 94.903, R.S. Mo. for public safety purposes. The tax is imposed on all retail sales made in the city that are subject to taxation under Chapter 144 R.S.Mo. The tax shall be in addition to all other sales taxes imposed by law and shall be stated separately from all other charges and taxes. The tax shall be for the purpose of improving the public safety of the city, including, but not limited to expenditures on police equipment, salaries, benefits, and facilities.

2) The rate of tax shall be one-half of one percent.

3) This Ordinance shall be submitted to the qualified voters of Smithville, Missouri for their approval as required by the provisions of Section 94.903 R.S.Mo. at the General election hereby called and to be held in the City on the 7<sup>th</sup> day November 2023. The official ballot to be supplied and used at said election shall be in substantially the following form:

## PROPOSITION

Shall the City of Smithville impose a citywide sales tax at the rate of one-half of one percent for the purpose of improving the public safety of the City?

☐ 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."

4) The City expects to make expenditures on and after the date of adoption of this Ordinance to enhance police services in the City.

5) This Ordinance shall be in full force and effect from and after the date of its passage and approval.

6) The City Clerk is hereby authorized and directed to notify the Clay County Board of Election Commissioners and the Platte County Board of Election Commissioners, no later than 4:00 P.M. on August 29, 2023, of the adoption of this Ordinance and to include in said notification all the terms and provisions required by Chapter 115 of the Revised Statutes of Missouri, as amended.

7) That a Notice of Election, a copy of which is marked as **Exhibit A**, attached hereto and hereby incorporated in this Ordinance by reference, and the same is hereby approved and the Mayor and the City Clerk are hereby authorized and directed to execute the same for and on behalf of the City of Smithville, Missouri, and to deliver the same to the Clay and Platte County Board of Elections in Liberty and Platte City, Missouri no later than 4:00 P.M. on August 29, 2023 and to include in said notification all of the terms and provisions required by Chapter 115 of the Revised Statutes of Missouri, as amended.

8) Within ten (10) days after the approval of this ordinance by the qualified voters of Smithville, Missouri, the City Clerk shall forward to the Director of Revenue of the State of Missouri by United States registered mail or certified mail, a certified copy of this ordinance together with certifications of the election returns and accompanied by a map of the City clearly showing the boundaries thereof.

PASSED by the Board of Aldermen of the City of Smithville, Missouri, this 28th day of August, 2023.

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Damien Boley, Mayor

ATTEST:

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Linda Drummond, City Clerk

First Reading: 08/28/2023

Second Reading 08/28/2023

Exhibit A

NOTICE OF ELECTION

Notice is hereby given that an election to impose a citywide sales tax for the purpose of improving the public safety of the City of Smithville, Missouri will be held in the City of Smithville, Missouri on November 7, 2023, at which election all registered voters in the City of Smithville, Missouri, will be given an opportunity to vote. Official ballot for said election will be in substantially the following form:

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PROPOSITION

Shall the City of Smithville impose a citywide sales tax at the rate of one-half of one percent for the purpose of improving the public safety of the City?

☐ 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."

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The polling place for said election will be open at 6:00 AM and close at 7:00 PM.

Given under my hand and official seal of the City of Smithville, Missouri this 28<sup>th</sup> day of August 2023.

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Damien Boley, Mayor

ATTEST:

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Linda Drummond, City Clerk