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**ORDINANCE NO. 1415**

**AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF PHILLIPSBURG, KANSAS IMPOSING A ONE-HALF PERCENT (0.5%) CITY-WIDE RETAILERS' SALES TAX AND RELATED MATTERS.**

**WHEREAS**, by resolution of the governing body of the City of Phillipsburg, Kansas (the "City"), a special election in the City was authorized and called for the purpose of submitting to the electors of the City the question of imposing, under K.S.A. 12-187 *et seq.* (the "Act"), a one-half percent (0.5%) City-wide retailers' sales tax for the purpose of financing maintenance and improvements of infrastructure, streets, sewer system and water system in the City (the "Sales Tax Proposition"), with collection of such sales tax to commence January 1, 2019; and

**WHEREAS**, an election was held in the City on August 7, 2018, at which time there was submitted to the qualified electors of the City the Sales Tax Proposition, and a majority of the qualified electors of the City voting on this proposition voted in favor thereof; and

**WHEREAS**, pursuant to the Act and the results of the aforementioned election, the governing body deems it necessary and advisable to (a) authorize the levy and imposition of a one-half percent (0.5%) City-wide retailers' sales tax (the "New Sales Tax") and (b) apply the revenue received therefrom to financing maintenance and improvements of infrastructure, streets, sewer system and water system in the City; and

**WHEREAS**, the City has previously imposed a one-half percent (0.5%) retailers' sales tax collected within the boundaries of the City (the "Existing Sales Tax"), pursuant to the results of a special election held on April 3, 2001, which Existing Sales Tax commenced on July 1, 2001, and was to be terminated upon the payment of all costs of certain wastewater treatment plant project in the City (the "Project"), including the payment of principal and interest on any obligations incurred by the City to finance such Project costs; and

**WHEREAS**, the City issued its General Obligation Bonds, Series 2015, to finance the costs of the Project, and, as of August 1, 2018, such bonds were paid and redeemed in full, and are no longer outstanding, and the Existing Sales Tax should therefore be terminated.

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

**SECTION 1.** The levy and imposition of the New Sales Tax and application of the revenue received to financing maintenance and improvements of infrastructure, streets, sewer system and water system in the City, is hereby authorized, with collection of the New Sales Tax to commence on January 1, 2019. The termination of the Existing Sales Tax is hereby authorized, and the City Clerk is directed to notify the State Department of Revenue to terminate the Existing Sales Tax as of January 1, 2019.

**SECTION 2.** The Clerk, upon passage of this Ordinance, shall provide a certified copy of the

same to the State Director of Taxation pursuant to K.S.A. 12-189.

**SECTION 3.** This Ordinance shall be effective upon passage by the governing body; approval by the Mayor and publication in the official City Newspaper.

**PASSED** by the governing body of the City of Phillipsburg, Kansas on September 4, 2018, and **APPROVED AND SIGNED** by the Mayor.

  
Mayor

(SEAL)

ATTEST:

  
Clerk