

AN ORDINANCE AMENDING AND RESTATING ORDINANCE NO. 2272 OF THE CITY OF WARRENTON, MISSOURI IMPOSING A SALES TAX FOR THE PURPOSE OF FUNDING CAPITAL IMPROVEMENTS AT THE RATE OF ONE HALF OF ONE PERCENT (0.5%) PURSUANT TO THE AUTHORITY GRANTED BY AND SUBJECT TO THE PROVISIONS OF 94.577 RSMO; IMPOSING A SALES TAX FOR THE PURPOSE OF PROVIDING FUNDING FOR ECONOMIC DEVELOPMENT AT THE RATE OF ONE HALF OF ONE PERCENT (0.5%) PURSUANT TO THE AUTHORITY GRANTED BY AND SUBJECT TO THE PROVISIONS OF SECTION 67.1305 RSMO; PROVIDING FOR SUBMISSION OF THE PROPOSALS TO THE QUALIFIED VOTERS OF THE CITY FOR THEIR APPROVAL AT THE SPECIAL ELECTION CALLED AND TO BE HELD IN THE CITY ON AUGUST 2, 2016.

WHEREAS, the Mayor and Board of Aldermen of the City of Warrenton, Missouri (the "City") has determined that it would be appropriate to allow the citizens of the City to vote on August 2, 2016 whether or not to impose a Capital Improvement Sales Tax and an Economic Development Sales Tax (as such terms are defined below) to be used to fund construction and implementation of an Interstate 70 overpass, roadway and transportation system located between mile markers 190 and 191 (the "Project"); and,

WHEREAS, the City is authorized under Section 94.577 RSMo. to impose a sales tax for the purpose of funding capital improvements (a "Capital Improvement Sales Tax") and, under Section 67.1305 RSMo. to impose a sales tax for the purpose of economic development (an "Economic Development Sales Tax"); and,

WHEREAS, the proposed sales taxes cannot become effective until approved by the voters at a municipal, county or state general primary or special election; and,

WHEREAS, the Board of Aldermen of the City adopted Ordinance No. 2272 on May 17, 2016 and the Board of Aldermen hereby find it is necessary and desirable to amend and restate Ordinance No. 2272 as provided herein.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WARRENTON, MISSOURI, as follows:

SECTION 1. Ordinance No. 2272 is hereby amended and restated as set forth herein and, notwithstanding provisions to the contrary contained herein, this Ordinance is solely an amendment and restatement of Ordinance No. 2272 and does not constitute a repeal thereof.

SECTION 2. There is hereby imposed a sales tax in the amount of one-half cent on all retail sales made in the City which are subject to taxation under the provisions of Sections 144.010 to 144.525, inclusive, of the Revised Statutes of Missouri, as amended, for capital improvement purposes. 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 2. There is hereby imposed a sales tax in the amount of one-half cent on all retail sales made in the City which are subject to taxation under the provisions of Sections 144.010 to 144.525, inclusive, of the Revised Statutes of Missouri, as

amended, for economic development purposes. 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 called and ordered to be held in the City on Tuesday the 2nd of August, 2016. The ballots of submission shall contain substantially the following language:

PROPOSITION O

Shall the municipality of Warrenton impose a sales tax of one half of one percent (0.5%) for the purpose of funding capital improvements associated with the acquisition and construction of a highway overpass over Interstate 70 to be located between mile markers 190 and 191, connecting roadways, right-of-ways and development costs of the project?

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."

PROPOSITION P

Shall the municipality of Warrenton impose a sales tax of one half of one percent (0.5%) for economic development purposes associated with the acquisition and construction of a highway overpass over Interstate 70 to be located between mile markers 190 and 191, connecting roadways, right-of-ways and development costs of the project?

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. If a proposition 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 (but in any event no later than 10 days after the election) forward to the Director of Revenue of the State of Missouri by United States registered or certified mail (1) a certified copy of this Ordinance, including the Notice of Election attached hereto, (2) a copy of the abstract of votes cast on the approved proposition at said election, and (3) a map clearly showing the boundaries of the City.

SECTION 5. All revenue received by the City from the Capital Improvements Sales Tax and Economic Development Sales Tax be deposited, collected and dispersed in a manner consistent with the laws of the State of Missouri.

SECTION 6. The Capital Improvement Sales Tax shall sunset upon payment of all costs related to the Project, including payment of any obligations issued to pay costs of the Project. The Economic Development Sales Tax shall sunset after surrounding

development and redevelopment revenue is sufficient to replace the revenue generated by this one half of one percent (0.5%) sales tax for two (2) consecutive City of Warrenton fiscal years.

- SECTION 7. The forms of the Notice of Special Election for said election, copies of which are attached hereto and made a part hereof, are hereby approved.
- SECTION 8. The City Clerk is hereby authorized and directed to notify the Clerk of the County Commission of Warren County, Missouri of the adoption of this Ordinance no later than 5:00 p.m. on May 24, 2016, and to include in said notification all of the terms and provisions required by Chapter 115 of the Revised Statutes of Missouri, as amended.
- SECTION 9. The Clerk of the County Commission of Warren County, Missouri, be and is hereby authorized and directed to give notice of said election by causing to be published in one newspaper published in the City of Warrenton, Missouri and qualified by law for the publication of such notice under Chapter 493 RSMo., as amended, there being only one qualified newspaper within the bounds of the City; said notice to be published twice, the first publication occurring the second week prior to the election, and the second publication occurring within one week prior to said election.
- SECTION 10. The Clerk of the County Commission of Warren County, Missouri, shall provide the ballot and ballot labels, conduct the election and cause the results thereof to be certified to the Board of Aldermen of the City as provided by law.
- SECTION 11. There is hereby created an economic development tax board to be known as the "Economic Development Tax Board of the City of Warrenton, Missouri" (the "Tax Board"). The Tax Board shall serve as an advisory board to the City as it relates to the consideration of an economic development tax plan in connection with the imposition of the Economic Development Sales Tax in accordance with Section 67.1305 RSMo. (the "Economic Development Sales Tax Act"). The Board of Aldermen hereby authorizes and approves the exercise by the Tax Board of only those powers that are required by the Economic Development Sales Tax Act to be exercised by the Tax Board, as follows:
- (a) The Tax Board shall hold public hearings and give notices pursuant to Section 67.1305.13 of the Economic Development Sales Tax Act on proposed economic development tax plans, economic development projects or designations of economic development areas and any amendments thereto.
 - (b) The Tax Board shall vote on all proposed economic development tax plans, economic development projects or designations of economic development areas and any amendments thereto, within 30 days following completion of a hearing on any such plan, project, designation or amendment and shall make recommendations to the City within 90 days of a hearing referred to in Section 67.1305.13 of the Economic Development Sales Tax Act concerning adoption of or amendment to economic development tax plans, economic development projects or designations of economic development areas.

The Tax Board shall consist of 5 members, 3 of whom shall be appointed by the Mayor with the consent of a majority of the Board of Aldermen, and 2 of whom shall be appointed as provided in the Economic Development Sales Tax Act. The members appointed by the Mayor shall serve initial terms of 2 years, and the remaining members shall be designated to serve for a term of 4 years from the date of such initial appointments. Thereafter, the members appointed shall serve for a term of 4 years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments. The appropriate officials of the City are hereby directed to provide notice to Warren County and the Warren County R-III School District of the establishment of the Tax Board in the manner required by the Economic Development Sales Tax Act.

The Tax Board shall elect from among its members a Chairman, Vice Chairman and Secretary. Meetings of the Tax Board shall be open to the public to the extent provided by law and a record shall be kept of each meeting. The City Clerk shall serve as the custodian of records of the Tax Board. The Tax Board may establish rules and procedures not in conflict with City ordinances or policies or the Economic Development Sales Tax Act and shall meet as required to fulfill its obligations set forth in the Economic Development Sales Tax Act.

The appropriate officials of the City are hereby directed to assist the Tax Board in a manner necessary to insure that the Tax Board fulfills its reporting obligations as set forth in the Economic Development Sales Tax Act.

SECTION 12. This Ordinance shall be in full force and effect from and after its passage and approval.

READ TWO TIMES AND PASSED by the Board of Aldermen of the City of Warrenton, Missouri, this 4th day of October, 2016.



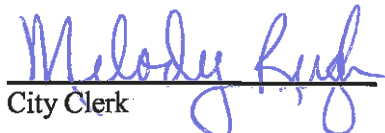
President of the Board of Aldermen

APPROVED BY THE MAYOR of the City of Warrenton, Missouri, this 4th day of October, 2016.



Mayor

ATTEST:



City Clerk