

**RESOLUTION NO. 072423-1**

**A RESOLUTION AUTHORIZING AND PROVIDING FOR THE CALLING OF A SPECIAL QUESTION ELECTION IN THE CITY OF ABILENE, KANSAS, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF THE CITY THE QUESTION OF IMPOSING A ONE-QUARTER OF ONE PERCENT (0.25%) CITYWIDE RETAILERS' SALES TAX FOR THE PURPOSE OF FUNDING A LOCAL STREET IMPROVEMENT PROGRAM; AND PROVIDING FOR THE GIVING OF NOTICE OF SAID ELECTION.**

**WHEREAS**, K.S.A. 12-187 *et seq.*, as amended (the "Act"), authorizes the governing body (the "Governing Body") of the City of Abilene, Kansas (the "City") to submit to the electors of the City the question of imposing Citywide retailers' sales taxes, which in the aggregate may be in amounts not to exceed two percent (2%) for general purposes and not to exceed one percent (1%) for special purposes, provided sales taxes for special purposes shall expire ten (10) years from the initial date of collection thereof; and

**WHEREAS**, the Governing Body has determined it is necessary and advisable to authorize the levy of a 0.25% special purpose retailers' sales tax ("Sales Tax"), to begin as soon as the tax may be levied by the Kansas Department of Revenue, which date is expected to be April 1, 2024, with revenue received from the tax used for the specific governmental purposes as described in the ballot question approved by Section 2 of this Resolution, provided the electors of the City authorize such sales tax at an election held in the City for such purpose;

**WHEREAS**, in order to authorize such Sales Tax, it is deemed advisable to call a special question election in the City on November 7, 2023 (the "Election"); and

**WHEREAS**, if approved, the Sales Tax will constitute a sales tax imposed for special purposes, as said term is described in K.S.A. 12-189, as amended.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ABILENE, KANSAS:**

**SECTION 1. Public Purpose; Implementation of Sales Tax.** It is hereby deemed necessary and advisable and in the best interests of the citizens of the City to authorize and impose the Sales Tax to fund a Local Street Improvement Program. Collection of the Sales Tax, if approved by the electors of the City, shall commence on April 1, 2024, or as soon thereafter as permitted by law. All proceeds of the Sales Tax shall be applied for the purposes set forth in this *Section 1*.

**SECTION 2. Special Question Election.** It is hereby authorized, ordered and directed that a special question election shall be and is hereby called to be held in the City on November 7, 2023, at which time there shall be submitted to the qualified electors of the City the following proposition:

Shall the following be adopted?

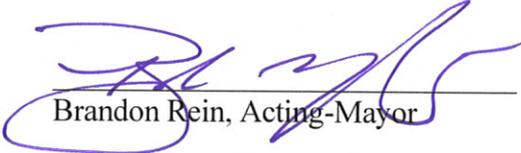
Shall a special purpose retailers' sales tax in the amount of one-quarter of one percent (0.25%) be levied in the City of Abilene, Kansas to take effect April 1, 2024 or as soon thereafter as such tax may be levied by the Kansas Department of Revenue, with revenue from such tax used to fund a Local Street Improvement Program; and provided that such retailers' sales tax shall expire on the date ten years after it is first levied, all pursuant to K.S.A. 12-187 *et seq.*, as amended?

**SECTION 3. Special Question Election Procedures.** The vote at the Election shall be by ballot, and the proposition stated above shall be printed on the ballots, together with voting instructions as provided by law. The City Clerk shall transmit a copy of this Resolution to the Dickinson County Clerk to give notice of the Election as provided by law by publishing a Notice of Special Question Election in substantially the form attached hereto as **Exhibit A** once each week for two (2) consecutive weeks in a newspaper of general circulation in the City, with the first publication to be not less than twenty-one (21) days prior to the date of the Election, and the last publication shall be not more than ninety (90) days prior to the date of the Election.

**SECTION 4. Effective Date.** This Resolution shall be effective from and after its adoption by the Governing Body.

ADOPTED AND APPROVED by the Governing Body of the City of Abilene, Kansas, this 24<sup>th</sup> day of July 2023.



  
Brandon Rein, Acting-Mayor

Attest:

  
Shayla L. Mohr, City Clerk

**CERTIFICATE**

I hereby certify that the above and foregoing is a true and correct copy of Resolution No. 072423-1 of the City of Abilene, Kansas, adopted by the Governing Body on July 24, 2023, as the same appears of record in my office.

DATED: July 24, 2023.

  
Shayla L. Mohr, City Clerk

**Exhibit A**  
to Resolution No. 072423-1

NOTICE OF SPECIAL QUESTION ELECTION

TO ALL OF THE QUALIFIED ELECTORS OF THE CITY OF ABILENE, KANSAS:

Notice is given by the Governing Body of the City of Abilene, Kansas and the County Election Officer of Dickinson County, Kansas that a special question election will be held in the City of Abilene on November 7, 2023, for the purpose of voting on the question of levying a special purpose city retailers' sales tax in the amount of one-quarter of one percent (0.25%) on retail sales consummated within the City of Abilene, Kansas, according to the provisions of K.S.A. 12-187, *et seq.* If approved, the retailers' sales tax will begin on April 1, 2024 or as soon thereafter as the tax may be levied by the Kansas Department of Revenue and the revenue received by the City will be used for public purposes as described in the ballot question. If approved by a majority of the electors voting such tax shall be collected by the Kansas Department of Revenue, and the revenue returned to the city of Abilene.

The polls will be open for voting between 7:00 a.m. and 7:00 p.m. on November 7, 2023, at the following place:

Holm West (Green Ford Building) 2104 N. Buckeye Avenue, Abilene, KS.

The proposition to be voted on shall appear on the ballot as follows:

Shall the following be adopted?

Shall a special purpose retailers' sales tax in the amount of one-quarter of one percent (0.25%) be levied in the City of Abilene, Kansas to take effect April 1, 2024 or as soon thereafter as such tax may be levied by the Kansas Department of Revenue, with revenue from such tax used to fund a Local Street Improvement Program; and provided that such retailers' sales tax shall expire on the date ten years after it is first levied, all pursuant to K.S.A. 12-187 *et seq.*, as amended?

Yes

No

To vote in favor of any question submitted upon this ballot, make a cross or check mark in the square to the right of the word "Yes;" to vote against it, make a cross or check mark in the square to the right of the word "No."

Dated: 7-25, 2023

By:   
Jeanne Livingston  
Dickinson County Clerk/Election Officer