

**ORDINANCE NO. 2016-06-4410**

**AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF ARKANSAS CITY, KANSAS, AUTHORIZING THE IMPOSITION OF A SPECIAL ONE PERCENT (1%) CITYWIDE RETAILERS' SALES TAX FOR A HOSPITAL AND RELATED MATTERS.**

**WHEREAS**, pursuant to the provisions of K.S.A. § 12-187 *et seq.* (the “Act”), the City of Arkansas City, Kansas (the “City”) is authorized to impose a local retailers' sales tax upon all retail sales within the boundaries of the City, except as specifically exempted by the Act; and

**WHEREAS**, the governing body of the City (the “Governing Body”) adopted Resolution No. 2016-03-3024 of the City on March 8, 2016, which resolution requested authorization to: (1) impose a one percent (1%) city-wide retailers' special purpose sales tax (the “Hospital Sales Tax”), the proceeds of which will be applied only to the payment of debt service previously incurred to construct and equip South Central Kansas Medical Center (the “Hospital”); the collection of such Hospital Sales Tax to commence on October 1, 2016, or as soon thereafter as permitted by law and shall terminate ten years after its commencement; and

**WHEREAS**, the question of the imposition of such Hospital Sales Tax was submitted to the electors of the City at a mail in ballot special question election, with ballots mailed on May 4, 2016 and returned no later than noon on May 24, 2016, and at said election a majority of the qualified electors of the City voting on that proposition voted in favor thereof; and

**WHEREAS**, pursuant to the provisions of the Act and the special question election, the Governing Body deems it necessary and advisable to authorize the imposition of the Hospital Sales Tax for the purposes described above.

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

**SECTION 1. Implementation of Hospital Sales Tax.** The imposition of the Hospital Sales Tax and the application of the revenue received therefrom to pay debt service previously incurred to construct and equip South Central Kansas Medical Center (collectively the “Debt Service”) is hereby authorized. Collection of the Hospital Sales Tax shall commence on October 1, 2016, in accordance with the Act, and shall terminate ten (10) years after its commencement.

**SECTION 2. Maintenance of Sales Tax Funds.** The City of Arkansas City shall hold all sales tax proceeds authorized herein in a special Hospital Sales Tax Fund. The Hospital Sales Tax Fund shall only be used to make debt service payments previously incurred to construct and equip South Central Kansas Medical Center, or to retire said debt service.

**SECTION 3. Department of Revenue Submittal.** The City Clerk shall provide a certified copy of this Ordinance to the State Director of Taxation pursuant to the provisions of the Act and request the imposition of the Hospital Sales Tax in accordance with the provisions hereof.

**SECTION 4. Effective Date.** This Ordinance shall be effective upon passage by the Governing Body, execution by the Mayor and publication once in the official City newspaper.

**PASSED** by the governing body of the City of Arkansas City, Kansas on June 21, 2016  
and **SIGNED** by the Mayor.

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Duane L. Oestmann, Mayor

(SEAL)

ATTEST:

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Lesley Shook, City Clerk

DRAFTED AND APPROVED AS TO FORM:

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Tamara L. Niles, City Attorney

**CERTIFICATE**

I hereby certify that the foregoing is a true and correct copy of the original ordinance; that said Ordinance was passed June 21, 2016; that the record of the final vote on its passage is found in the official Minutes of the meeting; and that it was published in the *Arkansas City Traveler*

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DATED: \_\_\_\_\_.

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Lesley Shook, City Clerk

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