

RESOLUTION NO. 11-13-25C

A RESOLUTION TO SUBMIT TO THE QUALIFIED ELECTORS OF THE CITY OF EDGERTON, KANSAS, THE PROPOSITION OF LEVYING A ONE PERCENT (1%) SPECIAL PURPOSE SALES TAX WITHIN THE CITY FOR THE PURPOSES OF CITY INFRASTRUCTURE IMPROVEMENTS TO STORMWATER AND STREET INFRASTRUCTURE INCLUDING STORMWATER STRUCTURES AND FACILITIES, STREETS, CURB AND GUTTERS, SIDEWALKS, BRIDGES, STREETLIGHTS, AND OTHER ADJACENT PUBLIC USE INFRASTRUCTURE NEEDS.

WHEREAS, K.S.A 12-189 et seq., as amended, authorize the City of Edgerton ("City") to submit to the qualified electors for the City the proposition of levying a one percent (1%) special purpose City Sales Tax; and

WHEREAS, the City Council finds and determines that additional revenue is necessary and desirable to fund City infrastructure improvements, including the repairing, rebuilding, rehabilitating, upgrading, constructing and improving of stormwater and street infrastructure including stormwater structures and facilities, streets, curb and gutters, sidewalks, bridges, streetlights, and other adjacent public use infrastructure needs, and all things necessary to such projects; and

WHEREAS, the Edgerton City Council finds and determines it is in the best interest of the City to raise additional revenue by creating and levying of a one percent (1%) special use City Sales Tax, such tax to take effect on October 1, 2026, and ending September 30, 2036.

WHEREAS, the City Council has determined it is the best interest of the City to call for a special election for the authority to levy such tax.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EDGERTON, KANSAS, AS FOLLOWS:

Section 1. A special mail ballot election shall be held in the manner prescribed by law on the first Tuesday, following the first Monday, in March; that date being March 3, 2026 for the purpose of submitting to the qualified electors of the City of Edgerton, the question of levying of a special purpose City Sales Tax within the City, in the amount of one percent (1%) to be used for the purpose of funding City infrastructure improvements, including the repairing, rebuilding, rehabilitating, upgrading, constructing and improving of stormwater and street infrastructure including stormwater structures and facilities, streets, curb and gutters, sidewalks, bridges, streetlights, and other adjacent public use infrastructure needs, and all things necessary to such projects. If approved, such tax will be an additional tax from what is currently levied. If approved by a majority of the electors voting on the proposition, such tax shall take effect on October 1, 2026, at one percent (1%) special purpose City Sales Tax, and end on September 30, 2036.

Section 2. At the special election, the proposition to be voted on shall appear on the ballot as follows:

Shall the City of Edgerton, Kansas ("City") be authorized to levy a one percent (1%) special purpose City Sales Tax within the City, and to use the revenue from the tax, in whole or in part, with any other funds:

- (a) to fund stormwater infrastructure improvements including the repairing, rebuilding, rehabilitating, upgrading, constructing and improving stormwater infrastructure including structures, pipes, facilities and other adjacent stormwater improvement needs;
- (b) to fund street infrastructure improvements including the repairing, rebuilding, upgrading, constructing, and improving streets, curb and gutters, sidewalks, bridges, streetlights and other adjacent City infrastructure;
- (c) to fund all things related to and necessary to construct and finance such projects including bonds and other obligations;

Provided that such tax shall take effect October 1, 2026, and such tax will expire ten (10) years later on September 30, 2036.

Section 3. The Johnson County Election Commissioner is requested to conduct the special election as a mail ballot election in accordance with the Mail Ballot Election Act, K.S.A. 25-431 et seq., as amended; to prepare a written plan for the conduct of the election as a mail ballot election; to see approval of the written plan from the Secretary of State of Kansas; and, in conjunction with the City Clerk, to cause notice of the mail ballot special election to be published in accordance with K.S.A. 12-189 et seq., as amended, and K.S.A. 10-120.

Section 4. If approved by a majority of the electors voting thereon, such tax shall be subject to all applicable state laws and administrative rules and regulations of the Kansas Department of Revenue and the services of the Kansas Department of Revenue shall be utilized to administer, enforce and collect such tax.

Section 5. The City Clerk is authorized and directed to deliver this Resolution and a notice of the election (is substantially the same form attached to this Resolution) to the Election Commissioner of Johnson County, Kansas, who is authorized to and shall give notice of the election, as provided by law, by publishing the notice of election once each week for two consecutive weeks in a newspaper of general circulation in the City, as provided by K.S.A. 10-120, with the first publication to be not less than twenty-one days prior to the date of the election. The vote at the election shall be by mail ballot, and the proposition stated above shall be printed on the mail ballot, together with voting instructions as provided by law.

Section 5. This Resolution shall take effect from and after its adoption by the Governing Body of the City.

ATTEST:

CITY OF EDGERTON, KANSAS


Dusti Callahan, City Clerk

By: 
Donald Roberts, Mayor

APPROVED AS TO FORM:



Todd Luckman for

Stumbo Hanson, LLP, City Attorneys