

**EXCERPT OF MINUTES OF A MEETING  
OF THE GOVERNING BODY  
OF THE CITY OF NEODESHA, KANSAS  
HELD ON NOVEMBER 25, 2020**

The governing body met in regular session at 2:00 p.m. The Mayor presided and the following members of the governing body were present:

Commissioner J.D. Moffatt  
Commissioner Tom Nichol

Absent: n/a

The Mayor declared that a quorum was present and called the meeting to order.

\*\*\*\*\*  
(Other Proceedings)

An Ordinance was presented entitled:

**AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF NEODESHA,  
KANSAS, AUTHORIZING THE LEVY OF A ONE PERCENT (1%) CITY-WIDE  
RETAILERS' SALES TAX AND RELATED MATTERS.**

Commissioner Nichol moved that the Ordinance be passed. The motion was seconded by Commissioner Moffatt. The Ordinance was duly read and considered, and upon being put, the motion for the passage of the Ordinance was carried by the vote of the governing body as follows:

Aye: Mayor Johnson, Commissioner Moffatt, Commissioner Nichol

Nay: none

A majority of the Commissioners having voted in favor of the Ordinance, it was declared duly passed and the Ordinance was then duly numbered Ordinance No. 1738 and was signed by the Mayor and attested by the Clerk. The Clerk was further directed to publish the Ordinance or a summary thereof one time in the official newspaper of the City and forward a certified copy of the ordinance to the State Director of Taxation.

\*\*\*\*\*  
(Other Proceedings)

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**CERTIFICATE**

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of Neodesha, Kansas held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

/s/ Stephanie Fyfe

City Clerk

**ORDINANCE NO. 1738**

**AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF NEODESHA, KANSAS, AUTHORIZING THE LEVY OF A ONE PERCENT (1%) CITY-WIDE RETAILERS' SALES TAX AND RELATED MATTERS.**

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**WHEREAS**, pursuant to the provisions of K.S.A. 12-187 *et seq.* (the “Act”), the City of Neodesha, 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 City Commission of the City (the “Governing Body”) deemed it advisable provide for an additional source of revenue to fund infrastructure projects, including improvements to streets, sidewalks, utilities, and stormwater drainage improvements, provided the electors of the City authorize a 1% sales City-wide retailers sales tax (the “Sales Tax”) to be imposed for such purposes; and

**WHEREAS**, the Governing Body deemed it advisable to provide for the calling of a special question election in the City on November 3, 2020, for the purpose of submitting to the qualified electors of the City the question the following question:

Shall the following be adopted?

Shall the City of Neodesha, Kansas, be authorized to impose a one percent (1.00%) Citywide retailers' sales tax, the revenue from which will be used as follows: 0.50% for improvements to streets and sidewalks; and 0.50% for infrastructure, including utility and stormwater drainage improvements; such sales tax to expire ten (10) years after its commencement; all pursuant to the provisions of K.S.A. 12-187 *et seq.*, as amended?

**WHEREAS**, the question of the imposition of the Sales Tax was approved by a majority of the qualified electors of the City voting on that proposition at the special question election; 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 Sales Tax for the purposes described above, which constitutes a sales tax imposed for general purposes.

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

**SECTION 1. Implementation of the Sales Tax.** The levy of the one percent (1%) Sales Tax and the application of the revenue received therefrom is hereby authorized. In accordance with K.S.A. 12-191, collection of the Sales Tax shall commence on April 1, 2021, or as soon thereafter as permitted by law, and shall terminate ten years after its commencement.

**SECTION 2. Department of Revenue Submittal.** The City 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 and request the implementation of the Sales Tax, in accordance with the provisions hereof.

**SECTION 3. Effective Date.** This Ordinance shall be effective upon passage by the Governing Body, execution by the Mayor and publication of this Ordinance or a summary thereof once in the official City newspaper.

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**PASSED** by the governing body of the City of Neodesha, Kansas on November 25, 2020, and **SIGNED** by the Mayor.

(SEAL)

\_\_\_\_\_  
/s/ Devin Johnson  
Mayor

ATTEST:

\_\_\_\_\_  
/s/ Stephanie Fyfe  
City Clerk

**CERTIFICATE**

I hereby certify that the foregoing is a true and correct copy of the original Ordinance; that the Ordinance was passed on November 25, 2020; that the record of the final vote on its passage is found on page 318 of journal J; and that the Ordinance or a summary thereof was published in the *Neodesha Derrick* on December 3, 2020.

DATED: December 3, 2020.

\_\_\_\_\_  
/s/Stephanie Fyfe  
City Clerk

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(Published in *Neodesha Derrick* on December 3, 2020)

**SUMMARY OF ORDINANCE NO. 1738**

On November 25, 2020, the governing body of the City of Neodesha, Kansas (the “City”), passed an ordinance entitled:

**AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF NEODESHA, KANSAS, AUTHORIZING THE LEVY OF A ONE PERCENT (1%) CITY-WIDE RETAILERS' SALES TAX AND RELATED MATTERS.**

The Ordinance authorizes the imposition of a one percent (1%) City-wide retailers' sales tax (the “Sales Tax”) the proceeds of which shall be used as follows: 50% to fund improvements to streets and sidewalks; and 50% for infrastructure, including utility and stormwater drainage improvements. The collection of the Sales Tax to commence on April 1, 2021, or as soon thereafter as permitted by law, and terminate 10 years after its commencement. The question of levying the Sales Tax was approved by the electors of the City at a special question election on November 3, 2020. A complete text of the Ordinance may be obtained or viewed free of charge at the office of the City Clerk, City Hall, 1407 N. 8th, Neodesha, Kansas 66757. A reproduction of the Ordinance is available for not less than 7 days following the publication date of this Summary at <http://neodesha.org/>.

This Summary is hereby certified to be legally accurate and sufficient pursuant to the laws of the State of Kansas.

DATED: November 25, 2020.

/s/ Douglas D. Depew  
City Attorney