

**TENTATIVE AGENDA**  
**RAYTOWN BOARD OF ALDERMEN**  
**MAY 3, 2016**  
**REGULAR SESSION No. 26**  
**RAYTOWN CITY HALL**  
**10000 EAST 59<sup>TH</sup> STREET**  
**RAYTOWN, MISSOURI 64133**

**OPENING SESSION**  
**7:00 P.M.**

Invocation  
Pledge of Allegiance  
Roll Call

Proclamations and Presentations

- ★ A Proclamation recognizing May 15-21 as EMS Week
- ★ A Proclamation recognizing May 15-21 as Public Works Week
- ★ A Proclamation recognizing May1-7 as Correction/Detention Employee Appreciation Week

Public Comments

Communication from the Mayor

Communication from the City Administrator

Committee Reports

**LEGISLATIVE SESSION**

**1. CONSENT AGENDA**

All matters listed under the Consent Agenda are considered to be routine by the Board of Aldermen and will be enacted by one motion without separate discussion or debate. The Mayor or a member of the Board of Aldermen may request that any item be removed from the consent agenda. If there is no objection by the remaining members of the board, such item will be removed from the consent agenda and considered separately. If there is an objection, the item may only be removed by a motion and vote of the board.

Approval of the Regular April 19, 2016 Board of Aldermen meeting minutes.

**REGULAR AGENDA**

2. Public Hearing: A public hearing to grant a waiver to the approved exterior building materials specified on property located at 8320 Westridge Road.
  - 2a. **SECOND READING: Bill No. 6408-16, Section XIII. AN ORDINANCE GRANTING A WAIVER TO THE APPROVED EXTERIOR BUILDING MATERIALS SPECIFIED IN THE CITY OF RAYTOWN HIGHWAY 350 CORRIDOR DESIGN STANDARDS PROVIDED IN SECTION 50-421(H) OF THE CITY OF RAYTOWN CODE OF ORDINANCES AND APPROVING THE USE OF COMPOSITE SIDING MATERIAL ON PROPERTY LOCATED AT 8320 WESTRIDGE ROAD. Point of Contact: John Benson, Development & Public Affairs Director.**
3. **R-2866-16: A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH TLC AND WARMAN CONCRETE & CONSTRUCTION FOR THE 2016 CONCRETE REPAIR PROJECT IN A TOTAL AMOUNT NOT TO EXCEED \$120,000.00. Point of Contact: Kati Horner Gonzalez, Assistant Director Public Works.**

4. **R-2867-16: A RESOLUTION** AUTHORIZING AND APPROVING THE PROFESSIONAL SERVICES OF STORM WATER INFRASTRUCTURE REPAIR IN THE CITY OF RAYTOWN, MISSOURI FROM WIEDENMANN, INC. UTILIZING THE CITY OF LEE'S SUMMIT, MISSOURI COOPERATIVE PURCHASE CONTRACT AND APPROVING PROJECT EXPENSES FOR 55th STREET WEST OF CRESCENT IN AN AMOUNT NOT TO EXCEED \$39,381.15 AND AMEND THE FISCAL YEAR 2015-2016 BUDGET. Point of Contact: Kati Horner Gonzalez, Assistant Director Public Works..
5. **FIRST READING: Bill No. 6409-16, Section III-A-9: AN ORDINANCE** PROVIDING FOR SUBMISSION OF A PROPOSAL TO DISCONTINUE APPLICATION AND COLLECTION OF THE LOCAL SALES TAX ON THE TITLING OF MOTOR VEHICLES, TRAILERS, BOATS, AND OUTBOARD MOTORS THAT WERE PURCHASED FROM A SOURCE OTHER THAN A LICENSED MISSOURI DEALER TO THE QUALIFIED VOTERS OF THE CITY FOR THEIR APPROVAL AT THE PRIMARY ELECTION CALLED AND TO BE HELD IN THE CITY ON AUGUST 2, 2016. Point of Contact: Teresa Henry, City Clerk.

### **CLOSED SESSION**

**Notice is hereby given that the Mayor and Board of Aldermen may conduct a closed session, pursuant to the following statutory provisions:**

- 610.021(1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys;

### **AJOURNMENT**



## PROCLAMATION

**WHEREAS**, every day residents of the City of Raytown and people throughout the City directly benefit from the dedication and commitment of Raytown Emergency Medical Services employees, those public servants and unsung heroes; and

**WHEREAS**, in 1973, President Gerald Ford authorized EMS Week to celebrate EMS, its practitioners and the important work they do responding to medical emergencies; and

**WHEREAS**, emergency medical services is a vital public service; and

**WHEREAS**, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

**WHEREAS**, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

**WHEREAS**, the members of emergency medical services teams engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

**WHEREAS**, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week;

**NOW THEREFORE**, I, Mayor Mike McDonough, in recognition of this event do hereby proclaim the week of May 15-21, 2016, as

## EMERGENCY MEDICAL SERVICES WEEK

With the theme, EMS STRONG: Called to Care. I encourage the community to observe this week with appropriate programs, ceremonies and activities. Signed this third day of May, in the year two thousand and sixteen.

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Michael McDonough, Mayor



## PROCLAMATION

**WHEREAS**, public work services provided in our community are an important part of our citizens' everyday lives; and

**WHEREAS**, the support of an understanding community is vital to the efficient operation of public works programs such as storm drainage, streetlights, roads, walkways, public buildings, sanitary sewers, wastewater treatment, land development services ;and

**WHEREAS**, the health, safety and comfort of our City depends on these services; and

**WHEREAS**, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform; and

**WHEREAS**, it is in the public interest for the citizens and leaders to gain knowledge of and maintain a progressive interest in the importance of public works and public works programs in our community; and

**WHEREAS**, the year 2016 marks the 56<sup>th</sup> annual National Public Works Week sponsored by the American Public Works Association.

**THEREFORE**, I, Mayor Michael McDonough, in recognition of this event do hereby proclaim the week of May 15-21, 2016 as

## PUBLIC WORKS WEEK

I encourage the community to join me in this worthy observance. Signed this third day of May, in the year twenty sixteen.

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Michael McDonough, Mayor





## PROCLAMATION

**WHEREAS**, no group of Americans has a more difficult or less publicly visible job than the brave men and women who work in our correctional/detention facilities. Corrections/detention employees who work in jails and prisons are currently responsible for the safety, containment, and control of prisoners; and

**WHEREAS**, these employees must protect inmates from violence from fellow prisoners, while encouraging them to develop skills and attitudes that can help them become productive members of society after their release; and

**WHEREAS**, the general public should fully appreciate correctional/detention officials' capable handling of the physical and emotional demands made upon them daily. Their profession requires careful and constant vigilance, and the threat of violence is always present.

**WHEREAS**, it is appropriate that we honor the correctional/detention employees here in Raytown for their invaluable contributions to our society.

**NOW, THEREFORE**, I, Michael McDonough, Mayor of the City of Raytown, Missouri, do hereby proclaim the week of May 1 - 7, 2016, as

### **NATIONAL CORRECTIONS/DETENTION EMPLOYEES APPRECIATION WEEK**

I encourage the community to join me in this worthy observance. Signed this third day of May, in the year twenty sixteen.

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Michael McDonough, Mayor

**DRAFT  
MINUTES  
RAYTOWN BOARD OF ALDERMEN  
APRIL 19, 2016  
REGULAR SESSION NO. 25  
RAYTOWN CITY HALL  
10000 EAST 59<sup>TH</sup> STREET  
RAYTOWN, MISSOURI 64133**

**OPENING SESSION  
7:00 P.M.**

Mayor Michael McDonough called the April 19, 2016 Board of Aldermen meeting to order at 7:03 p.m. Rex Block from Bahi provided the invocation and led the pledge of allegiance.

**Roll Call**

The roll call was called by Teresa Henry, City Clerk and the attendance was as follows:

Present: Alderman Mark Moore, Alderman Eric Teeman, Alderman Jim Aziere, Alderman Steve Mock, Alderman Josh Greene, Alderman Bill Van Buskirk, Alderman Karen Black, Alderman Steve Meyers, Alderman Jason Greene, Alderman Janet Emerson

Absent: None

**Public Comments**

Joe Creamer spoke regarding a complaint to the Attorney General's Office.

**Communication from the Mayor**

Mayor Michael McDonough announced that REAP held its 20,000 Items in One Day fundraiser on April 23, 2016. Local Boy Scout Troops and Rotary volunteers participated in the event.

**Communication from the City Administrator**

Mahesh Sharma, City Administrator, announced that Jim Melvin, Interim Public Works Director was leaving the City. Mr. Sharma thanked Jim for his hard work while serving in the position.

Mr. Sharma provided updates on the seven goals that the Board of Aldermen had set during last year's goal setting meeting.

**Committee Reports**

Alderman Steve Mock attended the Bark in the Park event on April 23, 2016 at Kenagy Park. Over 300 people showed up to the event. Next year's event is scheduled for May 20, 2017 at 9:00 a.m.

Alderman Mock announced that the Raytown Senior Expo was scheduled for May 5, 2016 at 9:00 a.m. to Noon in the City Hall Council Chambers.

Alderman Mock reported the Municipal Committee met April 19, 2016.

Alderman Mock announced that the Raytown Arts & Music Festival was scheduled for August 27, 2016 at Kenagy Park.

Alderman Emerson reported that the Human Relations Commission will hold their meeting on April 23, 2016 to educate citizens about what to expect if they are pulled over by Raytown Police.

Alderman Emerson announced that seats for the Chamber luncheon scheduled for April 28, 2016 were quickly filling up and those interested in attending needed to contact the Chamber for availability.

Alderman Emerson reminded residents that Raytown Night at the Royals was scheduled for May 13, 2016; residents needed to contact the Chamber about purchasing tickets for the event.

Alderman Emerson reported that the Chamber Legislative Forum was scheduled for April 29, 2016 at the Raytown School Wellness Center.

Alderman Emerson announced that the Raytown Chamber Golf Tournament was scheduled for May 19, 2016 at the Hillcrest Golf Course. Participants needed to contact the Chamber soon with names of their team members.

Alderman Teeman reported that the Park Board met April 18, 2016 and discussed several upcoming events. The Arbor Day Celebration was scheduled for April 30, 2016 at 2:00 p.m. at the Rice Tremonti home. The 50+ Soft Ball Season started and kickball leagues were scheduled to start in June. Alderman Teeman reminded residents that the Adult Tennis League was scheduled to start the first week in May and that the first Movie in the Park was scheduled for May 16, 2016.

Alderman Jason Greene reported that the Raytown Fire District received an A+ rating from the annual audit.

Alderman Josh Greene announced that the Marketing Committee had its first meeting on April 13, 2016; the next meeting was scheduled for April 27, 2016.

Alderman Josh Greene reported that the Finance Committee met April 12, 2016 to discuss the following items: the audit report, employee benefits and alternative funding for future City projects.

Alderman Meyers reported that the Mid - America Regional Council's First Suburbs Committee held its quarterly meeting at City Hall on April 15, 2016. The event was successful and a lot of great information was shared regarding community development.

### **CLOSED SESSION**

**Notice is hereby given that the Mayor and Board of Aldermen may conduct a closed session, pursuant to the following statutory provisions:**

610.021(1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys;

Alderman Mock, seconded by Alderman Teeman, made a motion to go into Closed Session. The motion was approved by a vote of 10-0.

Ayes: Alderman Mock, Teeman, Jason Greene, Van Buskirk, Josh Greene, Meyers, Aziere, Black, Moore, Emerson

Nays: None

Mayor Michael McDonough resumed the regular session at 7:50 p.m.

### **STUDY SESSION**

(2 Items)

2014-2015 Audit Presentation  
Cochran Head Vick & Co., P.C.  
Mark Loughry, Finance Director

**LEGISLATIVE SESSION**

**1. CONSENT AGENDA**

All matters listed under the Consent Agenda are considered to be routine by the Board of Aldermen and will be enacted by one motion without separate discussion or debate. The Mayor or a member of the Board of Aldermen may request that any item be removed from the consent agenda. If there is no objection by the remaining members of the board, such item will be removed from the consent agenda and considered separately. If there is an objection, the item may only be removed by a motion and vote of the board.

Approval of the Regular April 5, 2016 Board of Aldermen meeting minutes.

Alderman Teeman, seconded by Alderman Black, made a motion to approve the consent agenda. The motion was approved by a vote of 10-0.

Ayes: Aldermen Teeman, Black, Mock, Van Buskirk, Meyers, Moore, Emerson, Jason Greene, Aziere, Josh Greene

Nays: None

**REGULAR AGENDA**

2. Public Hearing: A public hearing to approve a Conditional Use Permit to allow an indoor shooting range on property located at 6326 Raytown Road.

2a. **FIRST READING: Bill No. 6407-16, Section XIII. AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT SUBJECT TO CERTAIN CONDITIONS TO ALLOW AN INDOOR SHOOTING RANGE ON PROPERTY LOCATED AT 6326 RAYTOWN ROAD.** Point of Contact: John Benson, Development & Public Affairs Director.

The bill was read by title only by Teresa Henry, City Clerk.

Mayor McDonough opened the public hearing and called for any ex parte' discussion(s); Aldermen Mock, Teeman and Meyers had communication regarding the issue but would weigh all facts before making a decision.

John Benson, Development & Public Affairs Director and applicant Steve Brackeen provided the Staff Report and remained available for discussion.

Mayor McDonough opened the floor for public comment; there were none.

Without further comments; Mayor McDonough closed the floor for public comment.

Discussion included why the applicant was changing locations, noise control, what portion of the new building required the Conditional Use Permit, how the business would be a great asset to the downtown area and if gun safety courses would be offered.

Alderman Mock, seconded by Alderman Aziere made a motion to suspend the rules. Motion was approved by a vote of 7-3.

Ayes: Aldermen Mock, Aziere, Moore, Van Buskirk, Teeman, Black, Emerson

Nays: Aldermen Josh Greene, Jason Greene, Meyers

Alderman Black, seconded by Alderman Emerson made a motion to continue to a date certain of May 3, 2016. The motion was rescinded.

City Clerk, Teresa Henry performed the Second Reading on **Bill No. 6407-16, Section XIII. AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT SUBJECT TO CERTAIN CONDITIONS TO ALLOW AN INDOOR SHOOTING RANGE ON PROPERTY LOCATED AT 6326 RAYTOWN ROAD.** Point of Contact: John Benson, Development & Public Affairs Director.

Discussion included why there should not be a suspension of rules, how the new shooting range would be a great improvement compared to what is currently offered and timeline for the proposed improvements to the building.

Alderman Aziere, seconded by Alderman Teeman made a motion to adopt. The motion was approved by a vote of 10-0.

Ayes: Aldermen Aziere, Teeman, Josh Greene, Jason Greene, Moore, Van Buskirk, Black, Emerson, Meyers, Mock

Nays: None

3. Public Hearing: A public hearing to grant a waiver to the approved exterior building materials specified on property located at 8320 Westridge Road.

3a. **FIRST READING: Bill No. 6408-16, Section XIII. AN ORDINANCE GRANTING A WAIVER TO THE APPROVED EXTERIOR BUILDING MATERIALS SPECIFIED IN THE CITY OF RAYTOWN HIGHWAY 350 CORRIDOR DESIGN STANDARDS PROVIDED IN SECTION 50-421(H) OF THE CITY OF RAYTOWN CODE OF ORDINANCES AND APPROVING THE USE OF COMPOSITE SIDING MATERIAL ON PROPERTY LOCATED AT 8320 WESTRIDGE ROAD.** Point of Contact: John Benson, Development & Public Affairs Director.

The bill was read by title only by Teresa Henry, City Clerk.

Mayor McDonough opened the public hearing and called for any ex parte' discussion(s); Alderman Mock and Van Buskirk had communication regarding the issue but would weigh all facts before making a decision.

Scott Peterson, Development & Public Affairs Permit Technician and applicant, Steve Whalen provided the Staff Report and remained available for discussion.

Mayor McDonough opened the floor for public comment; there were none.

Without further comments; Mayor McDonough closed the floor for public comment.

Discussion included if recycled products were used in the composite material, how the material would be a nice improvement to the building, if the material had already been ordered, why the rules should not be suspended, potential consequences to the applicant for using material that was not approved by the City and how the City would be setting a bad example by letting owners use non - approved materials without any consequences.

Alderman Mock, seconded by Alderman Moore made a motion to Suspend the Rules. The motion failed by a vote of 5-5.

Ayes: Aldermen Mock, Moore, Meyers, Black, Teeman

Nays: Aldermen Aziere, Jason Greene, Emerson, Josh Greene, Van Buskirk

Alderman Teeman, seconded by Alderman Moore made a motion to continue to a date certain of May 3, 2016. The motion was approved by a vote of 10-0.

Ayes: Aldermen Teeman, Moore, Aziere, Mock, Jason Greene, Meyers, Emerson, Black, Josh Greene, Van Buskirk

Nays: None

4. **R-2861-16: A RESOLUTION** APPOINTING A MEMBER OF THE BOARD OF ALDERMEN TO THE POSITION OF ACTING PRESIDENT FOR A TERM OF ONE YEAR OR UNTIL A SUCCESSOR IS APPOINTED. Point of Contact: Teresa Henry, City Clerk.

The resolution was read by title only by Teresa Henry, City Clerk.

Teresa Henry, City Clerk, provided the Staff Report and remained available for discussion.

Discussion included an explanation of the process that would be used to elect a Mayor Pro Tem

Vote 1           Alderman Jason Greene – 5  
                  Alderman Moore – 1  
                  Alderman Emerson – 4

Nomination failed due to lack of majority vote.

Vote 2           Alderman Jason Greene – 5  
                  Alderman Emerson – 5

Due to the tie vote, Mayor Pro Tem Steve Mock made a nomination of Janet Emerson for the position of Mayor Pro Tem that went to the Board for a vote. Vote was seconded by Alderman Van Buskirk. The motion was approved by a vote of 10-0.

Ayes: Aldermen Mock, Van Buskirk, Teeman, Aziere, Josh Greene, Black, Meyers, Jason Greene, Emerson  
Nays: None

### **Proclamations and Presentations**

Mayor Michael McDonough presented a Proclamation of Appreciation to Aldermen Steve Mock for his service as Acting President of the Board of Aldermen during 2015-2016.

5. **R-2862-16: A RESOLUTION** ESTABLISHING THE RATES FOR MEDICAL AND DENTAL INSURANCE FOR THE INSURANCE PLAN YEAR FROM JULY 1, 2016 TO JUNE 30, 2017. Point of Contact: Debbie Duncan, Human Resource Manager.

The resolution was read by title only by Teresa Henry, City Clerk.

Debbie Duncan, Human Resources Manager and Bridgette McDaniel, MPR Representative, provided the Staff Report and remained available for discussion.

Discussion included thanking staff for reaching out to the Board and Finance committee regarding the plan options, whether or not High Deductible Plan premiums for the employee had a decrease compared to previous benefit year.

Alderman Van Buskirk, seconded by Alderman Black made a motion to adopt Option 1. The motion was approved by a vote of 10-0.

Ayes: Aldermen Van Buskirk, Black, Emerson, Moore, Meyers, Jason Greene, Josh Greene, Aziere, Teeman, Mock  
Nays: None

6. **R-2863-16: A RESOLUTION** AUTHORIZING AND APPROVING GROUP TERM LIFE INSURANCE AND ACCIDENTAL DEATH AND DISABILITY INSURANCE. Point of Contact: Debbie Duncan, Human Resource Manager.

The resolution was read by title only by Teresa Henry, City Clerk.

Debbie Duncan, Human Resources Manager provided the Staff Report and remained available for discussion.

Discussion included thanking staff for reaching out to the Board, explanation of the administrative costs to the City and if premiums or benefit would be taxed.

Alderman Josh Greene, seconded by Alderman Meyers made a motion to adopt. The motion was approved by a vote of 10-0.

Ayes: Aldermen Josh Greene, Meyers, Jason Greene, Van Buskirk, Emerson, Moore, Aziere, Mock, Black, Teeman

Nays: None

7. **R-2864-16: A RESOLUTION** AUTHORIZING AND APPROVING THE CONTINUATION OF AN AGREEMENT WITH INFINITY BUILDING SERVICES FOR MOWING SERVICES IN AN AMOUNT NOT TO EXCEED \$52,000.00 BUT WITHIN BUDGETED AMOUNTS FOR FISCAL YEAR 2015-2016. Point of Contact: Kati Horner Gonzalez, Assistant Director Public Works.

The resolution was read by title only by Teresa Henry, City Clerk.

Kati Horner Gonzalez, Assistant Director Public Works, provided the Staff Report and remained available for discussion.

Discussion included if Infinity was the same company used for Development & Public Affairs Nuisance Abatement projects, prior problems with the company and how often Public Works used the moving company,

Alderman Josh Greene, seconded by Alderman Aziere made a motion to adopt. The motion was approved by a vote of 9-0-1.

Ayes: Aldermen Josh Greene, Aziere, Mock, Teeman, Moore, Jason Greene, Van Buskirk, Black, Meyers

Nays: None

Abstain: Alderman Emerson

8. **R-2865-16: A RESOLUTION** AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH BURNS & MCDONNELL ENGINEERING COMPANY, INC. FOR THE 2016 SANITARY SEWER EVALUATION AND BILLING STUDY IN AN AMOUNT NOT TO EXCEED \$70,000.00 FOR FISCAL YEAR 2015-2016 BUDGET. Point of Contact: Kati Horner Gonzalez, Assistant Director Public Works.

The resolution was read by title only by Teresa Henry, City Clerk.

Kati Horner Gonzalez, Assistant Director Public Works, provided the Staff Report and remained available for discussion.

Alderman Mock, seconded by Alderman Moore made a motion to adopt. The motion was approved by a vote of 10-0.

Ayes: Aldermen Mock, Moore, Teeman, Aziere, Josh Greene, Van Buskirk, Black, Meyers, Jason Greene, Emerson

Nays: None

## **ADJOURNMENT**

Alderman Josh Greene, seconded by Alderman Mock made a motion to adjourn. The motion was approved by a majority of those present.

The meeting adjourned at 10:18 p.m.

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Teresa M. Henry, MRCC  
City Clerk

**CITY OF RAYTOWN**  
**Request for Board Action**

**Date:** April 27, 2016

**Bill No.** 6408-16

**To:** Mayor and Board of Aldermen

**Section No.:** XIII

**From:** John Benson, Director of Development & Public Affairs

**Department Head Approval:** \_\_\_\_\_

**Finance Director Approval:** \_\_\_\_\_ (only if funding requested)

**City Administrator Approval:** \_\_\_\_\_

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**Action Requested:** Approval of composite siding material and granting of a waiver to the approved exterior building materials specified in the City of Raytown Highway 350 Corridor Design Standards provided in Section 50-421(h) of the City of Raytown Code of Ordinances.

**Recommendation:** The Planning & Zoning Commission by a vote of 6 in favor and 0 against recommends approval of the proposed composite siding material and granting of a waiver to the Raytown Highway 350 Corridor Design Standards provided in Section 50-421(h) of the City of Raytown Code of Ordinances.

**Analysis:** Brian and Kenda Bamesberger own and operate Star Drywall, which is located on the property at 8320 Westridge Road. They are remodeling the existing building on the property and want to change the exterior building material on the front of the building to a composite siding material. A sample of the proposed material has been provided to staff and will be provided at the meeting. The composite siding material proposed, however, does not comply with the Highway 350 Corridor Design Standards. As such, they are seeking approval of their request for a waiver to the allowable type of exterior building materials specified in the Highway 350 Corridor Design Standards as provided in Section 50-421(h) of the City of Raytown Code of Ordinances.

**Alternatives:** Alternatives to the recommendation of the Planning & Zoning Commission would be to either deny the final plat application or refer the application back to the Planning & Zoning Commission for revisions and/or further review.

**Budgetary Impact:** This application does not require the City to provide any funding.

- Not Applicable
- Budgeted item with available funds
- Non-Budgeted item with available funds through prioritization
- Non-Budgeted item with additional funds requested

**Additional Reports Attached:**

- Staff Report on this application for the April 7, 2016 Planning & Zoning Commission meeting.

# STAFF REPORT

**To:** THE CITY OF RAYTOWN PLANNING AND ZONING COMMISSION

**From:** THE COMMUNITY DEVELOPMENT DEPARTMENT

**Date:** April 7, 2016

**Subject:** Agenda Item No. 5.A: Waiver to the approved exterior building materials specified in the City of Raytown Highway 350 Corridor Design Standards provided in Section 50-421(h) of the City of Raytown Code of Ordinances.

## **Background Information:**

Brian and Kenda Bamesberger, own and operate Star Drywall, which located on the property, at 8320 Westridge Road. They are remodeling a portion of the building on the property and want to change the exterior building material on the front of the building to a composite siding material. A sample of the proposed material has been provided to staff and will be provided at the meeting. The composite siding material proposed, however, does not comply with the Highway 350 Corridor Design Standards. As such, they are seeking approval of their request for a waiver to the allowable type of exterior building materials specified in the Highway 350 Corridor Design Standards as provided in Section 50-421(h) of the City of Raytown Code of Ordinances.



### **Factors to be Considered:**

There are three sections of the Highway 350 Corridor Design Standards that relate to this waiver request.

Section 50-418(2)(6) of the Highway 350 Design Standards allow for waivers to the standards to be requested by a property owner. When seeking a waiver, the owner of the property shall:

- a. Submit all reasons why, considering only the physical characteristics of the property, compliance is impossible.
- b. Bear the burden of establishing, by clear and convincing evidence, that it is physically impossible to comply with one or more of the regulations of this division.

Section 50-418(2)(6) also states that economic hardship shall not be considered as a reason for noncompliance.

The applicant has submitted an elevation drawing of what the proposed material would look like on the exterior of the building on the property. A copy of the elevation drawing is attached. The applicant has also submitted a sample of the proposed composite siding material to staff, which will be provided at the Planning & Zoning Commission meeting.

Section 421(h) of the Highway 350 Design Standards states that the intent of the standards regulating exterior building materials is:

- a. To encourage creative expression through diversity of architectural style that enlivens the street.
- b. To ensure a standard of quality that will be easily maintained and cared for over time.

The composite material is durable. In addition, the applicant has submitted an elevation drawing, which is attached, that depicts what the proposed material would look like on the building. Staff feels that the quality of the material as well as the appearance depiction of proposed exterior will meet the intent of Section 421(h) of the Highway 350 Design Standards.

Section 50-421(h) of the Highway 350 Corridor Design Standards also states: "Facades shall be constructed of durable and maintainable materials" and that "materials that have texture, pattern and lend themselves to quality."

The following are the exterior materials allowed by the Highway 350 Corridor Design Standards:

1. Brick: no larger than four-inch by four-inch by eight-inch. The board of aldermen may approve an alternative to this design standard.

2. Stucco: surface texture of Sandpebble or Quartzputz in colors as identified in the "Color" standards.
3. Stone: polished surfaces in natural color and texture of native stone in colors as identified in the "Color" standards.
4. Ceramic: tiles that are a minimum size of 12-inch by 12-inch in colors as identified in the "Color" standards.
5. Glass: insulated glass panels in clear colors as identified in the "Color" standards without reflection or mirror appearance.
6. Architectural metal.
7. Cast concrete and wood may be used as secondary facade materials, as long as the secondary materials do not comprise more than 30 percent of the facade.
8. Split face block may be used on the rear and sides of buildings that are not addressing a street frontage.

While the composite material is not an approved exterior material, after reviewing the proposed material, staff feels that it would result in the building facade being constructed of a durable and maintainable material and will provide texture, pattern and be a quality material.

**Staff Recommendation:**

It is the recommendation of staff that the proposed composite siding material be approved as a waiver to Section 421(h) of the Highway 350 Corridor Design Standards be approved.

**CITY OF RAYTOWN**  
**PLANNING AND ZONING COMMISSION MEETING**

**MINUTES**

**April 7, 2016**

**7:00 pm**

**Raytown City Hall**

**Board of Aldermen Chambers**

**10000 East 59<sup>th</sup> Street**

**Raytown, Missouri 64133**

**1. Welcome by Chairperson-** Mr. Tommy Bettis, Vice-chairman, served as Chairman for the meeting in Mr. Kevin Wilson's absence.

**2. Call meeting to order and Roll Call**

Wilson: Absent

Jimenez: Present

Stock: Present

Bettis: Present

Robinson: Present

Lightfoot: Present

Hartwell: Absent

Dwight: Present

Meyers: Absent

Also Present: John Benson, Director of Development and Public Affairs, George Kapke, City Attorney, and Scott Peterson, Permit Technician.

**3. Approval of Minutes of February 29, 2016 Meeting Minutes**

A. Revisions- None

B. Motion- Ms. Stock motioned to approve the minutes as submitted.

C. Second- Ms. Dwight

D. Additional Board Discussion- None

E. Vote- Motion passed unanimously 6-0.

**4. Old Business. – None**

**5. New Business**

**A. Application: Waiver to the approved exterior building materials specified in the City of Raytown Highway 350 Corridor Design Standards provided in Section 50-421(h) of the City of Raytown Code of Ordinances.**

**Case No.: PZ-2016-004**

**Applicant: Mike Leardi on behalf of Brian and Kenda Bamesberger**

1. Introduce Application- Mr. Bettis introduced PZ-2016-004 to the board.

2. Open Public Hearing- Mr. Bettis opened the public hearing.

3. Explain Procedure for a Public Hearing and swear-in speakers:  
Mr. Kapke swore in those wishing to speak on behalf of the application.
4. Enter Relevant City Exhibits into the Record:
  - a. Application for Waiver submitted by applicant
  - b. Publication of Notice of Public Hearing in Daily Record Newspaper
  - c. Public Hearing Notices sent to property owners within 185-feet of subject property
  - d. City of Raytown Zoning Ordinance, as amended
  - e. City of Raytown Comprehensive Plan
  - f. Staff Report on application for April 7, 2016 Planning & Zoning Commission meeting
  - g. Material sample for proposed exterior siding
5. Explanation of any exparte' communication from Commission members regarding the application.
6. Introduction of Application by Staff-  
Mr. Benson introduced the application to the board. He added exhibit "g", a material sample, into the public record.
7. Presentation of Application By Applicant-  
Mr. Wolfgang Trost, 5300 W 94<sup>th</sup> Ter., Prairie Village, KS, architect on behalf of the applicant, presented the application to the board. The applicant wished to use a Trex decking composite material as an exterior finish on the wall of his client's building, located in the Highway 350 Corridor.  
  
There was some discussion regarding the lifespan of the proposed exterior material, as well as its ability to withstand wind and precipitation.
8. Request for Public Comment- None
9. Additional Comment from Applicant, necessary- None
10. Additional Staff Comments and Recommendation-  
Mr. Benson clarified that the proposed material had not been included in the 350 Design Standards because it was an unknown material and had not been considered for approval. There is no specific restriction on this material.
11. Board Discussion-  
Several board members expressed their support for the unique use of the material as an exterior finish.
12. Close Public Hearing-  
Mr. Bettis closed the public hearing.
13. Board Decision to Approve, Conditionally Approve or Deny the Application.

- a. Motion- Mr. Jimenez made a motion to approve the application.
- b. Second- Ms. Stock seconded the motion made by Mr. Jimenez.
- c. Additional Board Discussion- None
- d. Vote- Motion passed unanimously 6-0.

**B. Application: Conditional Use Permit Application that seeks to allow an indoor shooting range in the Highway Corridor Commercial (HC) District at 6326 Raytown Road, Raytown, MO 64133.**

**Case No.: PZ-2016-005**

**Applicant: Steve Brackeen on behalf of Gary Knabe, Cary Properties, LLC**

1. Introduce Application-

Mr. Bettis introduced PZ-2016-005 to the board.

2. Open Public Hearing-

Mr. Bettis opened the public hearing.

3. Explain Procedure for a Public Hearing and swear-in speakers-

Mr. Kapke swore in those wishing to speak on behalf of the application.

4. Enter Relevant City Exhibits into the Record:

- a. Conditional Use Permit Application submitted by applicant
- c. Publication of Notice of Public Hearing in Daily Record Newspaper ad.
- d. Public Hearing Notices sent to property owners within 185-feet of subject property
- e. City of Raytown Zoning Ordinance, as amended
- f. City of Raytown Comprehensive Plan
- g. Staff Report on application for April 7, 2016 Planning & Zoning Commission meeting

5. Explanation of any exparte' communication from Commission members regarding the application- None

6. Introduction of Application by Staff- None

7. Presentation of Application by Applicant-

Mr. Steve Brackeen, 12116 E 78<sup>th</sup> Ter., Kansas City, MO, presented the application to the board. Mr. Brackeen sought to build an indoor shooting range in the basement of his business. Mr. Brackeen described the safety components of the range, as well as the ventilation system designed to ensure user safety.

8. Request for Public Comment- None

9. Additional Comment from Applicant, if necessary- None

10. Additional Staff Comments and Recommendation-

Mr. Benson noted that there was sufficient parking at the location, and that a waiver to the Traffic Impact Analysis was granted by the Public Works

Department. Mr. Benson recommended approval of the application subject to the condition that the applicant comply with all applicable Raytown City Ordinances, and the laws of the State of Missouri and the United States.

11. Board Discussion- None

12. Close Public Hearing-

Mr. Bettis closed the public hearing.

13. Board Decision to Approve, Conditionally Approve or Deny the Application.

a. Motion- Ms. Stock made a motion to approve the application subject to the staff recommendation.

b. Second- Mr. Jimenez seconded the motion made by Ms. Stock.

c. Additional Board Discussion- Mr. Robinson asked about the legality of carrying firearms on city streets. Mr. Brackeen stated that it is legal to carry firearms into the store according to state law.

d. Vote- Motion passed unanimously 6-0.

**C. Application: Final Site Development Plan and a request for a waiver to the minimum driveway width requirements in the Commercial Site Design Standards of the City of Raytown Central Business District Design Standards as provided in Section 50-396 of the City of Raytown Code of Ordinances.**

**Case No.: PZ-2016-006**

**Applicant: Robert Chapman on behalf of Tru-Path Counseling**

1. Introduce Application-

Mr. Benson stated that the applicant had withdrawn their application on behalf of finding due to a resolution with Staff regarding the driveway regulations that no longer required Board approval. The applicant will move forward with the project with the new agreement.

6. Other Business – None

7. Planning Project Reports:

Mr. Benson updated the board on the status of the Comprehensive Plan Review, and discussed future meeting dates to continue the review process.

8. Set Future Meeting Date - Thursday, April 28, 2016 at 7:00 PM

9. Adjourn

**ORDINANCE GRANTING A WAIVER TO THE APPROVED EXTERIOR BUILDING MATERIALS SPECIFIED IN THE CITY OF RAYTOWN HIGHWAY 350 CORRIDOR DESIGN STANDARDS PROVIDED IN SECTION 50-421(H) OF THE CITY OF RAYTOWN CODE OF ORDINANCES AND APPROVING THE USE OF COMPOSITE SIDING MATERIAL ON PROPERTY LOCATED AT 8320 WESTRIDGE ROAD**

**WHEREAS**, Brian and Kenda Bamesberger own property located at 8320 Westridge Road in Raytown, Missouri that contains an existing building on which they wish to install a composite siding material; and

**WHEREAS**, the proposed composite siding material is not an approved exterior building materials as specified in the City of Raytown Highway 350 Corridor Design Standards provided in Section 50-421(h) of the City of Raytown Code of Ordinances; and

**WHEREAS**, Brian and Kenda Bamesberger submitted application PZ-2016-004 that seeks a waiver to the approved exterior building materials specified in the City of Raytown Highway 350 Corridor Design Standards provided in Section 50-421(h) of the City of Raytown Code of Ordinances so as to allow the use of a composite siding material; and

**WHEREAS**, pursuant to City Code Chapter 50, Article V of the City of Raytown Code of Ordinances, application no. PZ-2016-004, was referred to the Planning & Zoning Commission to hold a public hearing; and

**WHEREAS**, after due public notice in the manner prescribed by law, the Planning & Zoning Commission held a public hearings on said application on April 7, 2016; and

**WHEREAS**, the Planning & Zoning determined that the proposed composite siding material meets the intent of the standards regulating exterior building materials specified in 50-421(h) of the City of Raytown Code of Ordinances as it is a durable and maintainable material and will provide texture, pattern and lend itself to quality; and

**WHEREAS**, at the conclusion of said public hearing on April 7, 2016 the Planning Commission by a vote of six (6) in favor and zero (0) against rendered a report to the Board of Aldermen recommending approval of the composite siding material and the granting of a waiver to the approved exterior building materials specified in the City of Raytown Highway 350 Corridor Design Standards provided in Section 50-421(h) of the City of Raytown Code of Ordinances; and

**WHEREAS**, after due public notice in the manner prescribed by law, the Board of Aldermen held public hearings on said application on April 19, 2016 and on May 3, 2016; and

**WHEREAS**, based on all of the information presented the Board of Aldermen finds it is in the best interest of the citizens of the City of Raytown to approve said waiver subject to certain conditions specified herein.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:**

**SECTION 1 – GRANT OF WAIVER.** That the composite siding material, as identified in Exhibit “B” is hereby approved and a waiver is hereby granted to the approved exterior building materials specified in the City of Raytown Highway 350 Corridor Design Standards provided in Section 50-421(h) of the City of Raytown Code of Ordinances and allowing the use of composite siding material is hereby approved for property located at 8320 Westridge Road in Raytown, Missouri, as legally described in Exhibit “A”.

**SECTION 2 – FAILURE TO COMPLY.** That failure to comply with any of the conditions or provisions contained in this ordinance shall constitute violations of both this ordinance and the City’s Comprehensive Zoning Code and shall be cause for revocation of the Conditional Use Permit granted herein in addition to other penalties contained in the City Code.

**SECTION 3 – REPEAL OF ORDINANCES IN CONFLICT.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**SECTION 4 – SEVERABILITY CLAUSE.** The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

**SECTION 5 – EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after the date of its passage and approval.

**BE IT REMEMBERED** that the above was read two times by heading only, **PASSED AND ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this 3<sup>rd</sup> day of May, 2016.

\_\_\_\_\_  
Michael McDonough, Mayor

ATTEST:

\_\_\_\_\_  
Teresa M. Henry, City Clerk

Approved as to Form:

\_\_\_\_\_  
Joe Willerth, City Attorney

**Exhibit "A"**

## ■ CrossTimbers Decking Application Instructions

### ■ Tools and Safety...

Elk CrossTimbers can be cut, routed, drilled or fastened with normal woodworking tools. Carbide-tip saw blades with approximately 2 teeth per inch are recommended for best results. It is the responsibility of the user to follow safe practices when using all tools during the installation process.

Compliance with all applicable local, state and federal laws and building codes remains the responsibility of the user.

### ■ Substructure...

Elk CrossTimbers should not be used as components of a substructure. When constructing the substructure care must be taken to ensure that the joists are level, straight and square, as the CrossTimbers deck boards will conform to the level and orientation of the joists. CrossTimbers should not be attached to any solid surface or watertight flooring system, such as sheathing, waterproof membranes, roof decks, concrete or patios. The required clearance needed for adequate airflow and drainage between CrossTimbers and the surface beneath is 12". Joist spans greater than 8' must be blocked. A good rule of thumb is to block all joist spans greater than 8' at their mid point (a 12' joist would be blocked at 6').

### ■ Color...

The natural wood fibers used to make CrossTimbers have a tendency to cause slight color variations between boards. It is important to lay out the deck design first to ensure proper color mix. Allow 8-12 weeks of exposure for fading to occur.

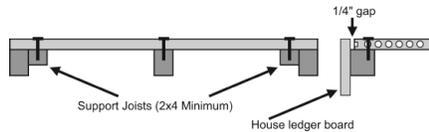
### ■ Orientation...

The wood grain of Crosstimbers deck boards will reflect light differently depending on the orientation of the boards. To ensure the same look across the deck it is necessary to orient all deck boards in the same direction. Each CrossTimbers deck board will have orientation arrows found on the side of the board indicating the direction of the grain. When laying out the deck design orient the boards so the arrows are facing the same direction.

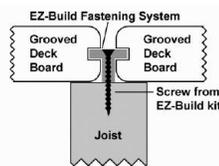
### ■ Fastening...

It is recommended to use composite lumber screws or standard decking screws when installing CrossTimbers decking or railing. CrossTimbers decking can be installed using one of the two following methods (nailing is not recommended):

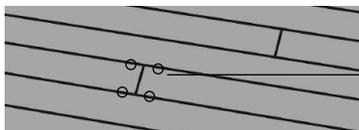
**\*Face Fastening.** Pre-drilling is recommended when face fastening CrossTimbers boards. For 5/4x6 boards a minimum screw length of 2 1/4" is needed; for CrossTimbers 2x6 decking a minimum screw length of 3" is needed. Two fasteners are required at every joist 3/4" from the side and a minimum of 1" from the end of the board. To accommodate the attachment of the fasteners at board ends and at butt joints a supporting joist or cleat (minimum 2"x4") needs to be attached to the stringer, ledger board or rim joist. Minimum spacing between boards is 3/16".



**\*EZ-Build™ Fastening Clips:** As with Face Fastening, EZ-Build fasteners should be attached at each joist regardless of joist spacing. When using the EZ-Build fastening system the perimeter of the deck needs to be fastened using the Face Fastening directions.



**\*Special Note:** Elk recommends avoiding deck designs with butt joints. When butt joints are used, a cleat or block (minimum of 2"x4") is needed at the butt joint to support the desired fastening method. Face fastening at butt joints is recommended to minimize the effects of expansion and contraction. When using the EZ-Build system at butt joints both boards at the butt joint need to be clipped individually.



Indicates to place two clips per board at butt joints.

### ■ Gapping...

Elk CrossTimbers expands and contracts due to changes in temperature; therefore, it is critical to follow the gapping charts below for proper performance.

| Temperature      | End Joints | Adjacent to Structure |
|------------------|------------|-----------------------|
| Below 60 degrees | 3/16"      | 3/8"                  |
| Above 60 degrees | 1/8"       | 1/4"                  |

### ■ Stair Tread...

Solid CrossTimbers deck boards must be used and face fastened on a joist span no greater than 12". Over hang for stair treads must not exceed 4".

### ■ Fascia...

For 6" fascia use two screws every 12", at least 1" from the edge of the fascia. For 12" fascia use three screws every 12". The outside screws should be at least 1" from the edge of the fascia and the third screw should be placed in the center of the upper and lower screws. Fascia must be gapped at least 1/8" between adjoining boards. Butt joints may be miter cut or back cut to minimize appearance of gapping. Do not miter cut the edges at corners.

### ■ L-Trim...

L-trim may be applied to cover the sides and ends of boards. This product should be applied with a thin layer of construction adhesive and one 1" long 18 gauge brad or #6 trim head finishing screw in the center of every deck board. Fasteners should be driven through deck boards into the center of the void.

#### Lumber Sizes and Dimensions:

| Nominal Size     | (Length)         | Actual Size    |
|------------------|------------------|----------------|
| 5/4" x 6" Solid  | (12', 16' & 20') | 1.00" x 5.55"  |
| 5/4" x 6" Voided | (12', 16' & 20') | 1.00" x 5.50"  |
| 2" x 6"          | (12', 16')       | 1.45" x 5.60"  |
| 2" x 4" Solid    | (12')            | 1.50" x 3.55"  |
| 2" x 4" Slotted  | (12')            | 3.50" x 1.75"  |
| 2" x 2" Baluster | (12')            | 1.50" x 1.50"  |
| 4" x 4" Post     | (4.5')           | 3.50" x 3.50"  |
| L-Trim 1" x 1"   | (12')            | 1.06" x 1.00"  |
| 1/2" x 6"        | (12')            | 0.50" x 5.55"  |
| 1/2" x 12"       | (12')            | 0.50" x 11.50" |

### ■ Decking Span Chart...

Maximum recommended center-to-center spans with a minimum of three joists are shown below. CrossTimbers must not be applied to a solid surface.

#### Center to Center Span

| Board Size       | Residential Light Duty | High Traffic Boardwalks/Marinas |
|------------------|------------------------|---------------------------------|
| 5/4" x 6" Voided | 24"                    | 16"                             |
| 5/4" x 6" Solid  | 24"                    | 20"                             |
| 2" x 6"          | 24"                    | 24"                             |

Note: When diagonal installation is used; do not exceed 45° and joist span can not exceed 16".

### ■ Warranty...

Elk Composite Building Products, Inc. provides a 20-year limited warranty for CrossTimbers products. For a copy of the limited warranty see your CrossTimbers dealer or visit [www.elkcorp.com](http://www.elkcorp.com).

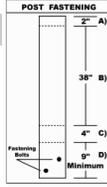
### ■ Code Evaluation...

ICC Evaluation Service Report (ESR-1590)

## ■ CrossTimbers Railing Application Instructions

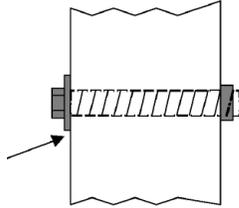
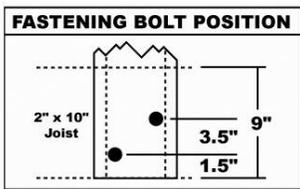
### ■ Post Fastening...

- A) Optional: Post above rail.
- B) Rail assembly position.
- C) Maximum space between deck and bottom rail.
- D) Area for fastening post to deck joists (9" Minimum)



### ■ Fastening Bolt Position...

Use 1/2" diameter stainless or double galvanized steel bolts long enough to go through the post and joist with 1 1/2" minimum heavy duty washers on both ends plus 1/2" for attaching nut.  
Do not put bolts in the center area of the post. Position bolts just so they miss the inside edges of the post wall.  
Bolts may be tightened by hand with a wrench or socket wrench no longer than 10".



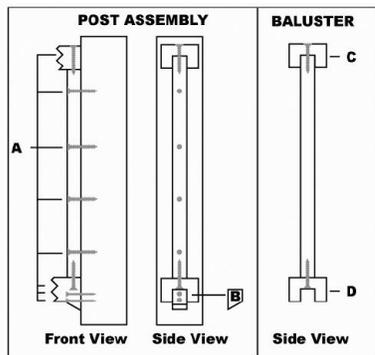
Ensure that there is no localized compression of the washer into the post; crushing of the post surface around the washer may compromise the ability of the post to carry necessary load.

### ■ Residential Post and Baluster Assembly...

(International Building Code [Section 1607.1, exception 1] and International Residential Code areas)

- A) Pre-drill all post, baluster and rail assembly holes.
- B) Balusters should be spaced on maximum 5" centers, keeping the space between balusters less than 4".
- C) The distance between the bottom hand rail and the deck should be no more than 4".
- D) Posts **MUST BE** fastened to the inside of the rim joist.
- E) **POSTS MUST NOT BE NOTCHED.**
- F) Maximum guard rail span is 72", center to center between posts.
- G) Foot blocks are required if span is greater than 4', centered between the posts.

#### Residential Post Assembly and Baluster Fastening



- A) 2 1/2" stainless steel or ceramic coated screws. The top screw used to attach the baluster to the post should be spaced no more than 2" from the bottom of the hand rail.
- B) Baluster block (side view) – attach block with two screws.
- C) Top rail – install screws through the top of the hand rail into the baluster.
- D) Bottom rail – install screws through the bottom of the hand rail into the baluster.

### ■ Baluster Assembly...

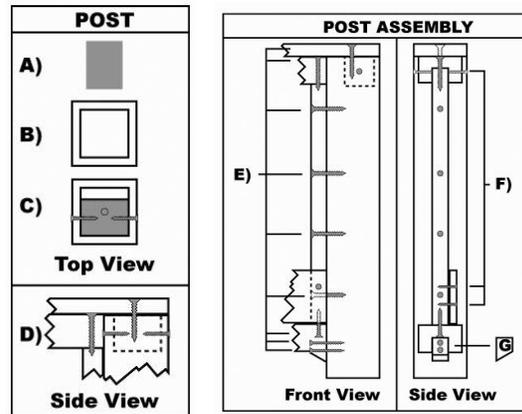
Attach each baluster with two 2 1/2" 8d stainless steel or ceramic coated deck screws; one through the top of the baluster and one through the bottom.

Attach fascia to each baluster and the posts with two 1 1/2" 8d stainless steel or ceramic coated deck screws.



### ■ Commercial Post Assembly & Baluster Fastening...

- A) Baluster plug; measure inside dimension of post and cut to length.
- B) Top view of post.
- C) Insert 2 1/2" piece of baluster into post and secure with (2) 1 1/2", 8d stainless steel or ceramic coated deck screws.
- D) Post side view.
- E) 2 1/2" stainless steel or ceramic deck screws.
- F) Fasten 1/2" x 6" fascia to balusters with 1 1/2" 8d stainless steel or ceramic coated deck screws.
- G) Baluster block attached with one 2 1/2" 8d stainless steel or ceramic coated deck screws.



**CITY OF RAYTOWN  
Request for Board Action**

**Date:** April 27, 2016  
**To:** Mayor and Board of Aldermen  
**From:** Jason Hanson, City Engineer

**Resolution No.:** R-2866-16

**Department Head Approval:** \_\_\_\_\_

**Finance Director Approval:** \_\_\_\_\_ (only if funding is requested)

**City Administrator Approval:** \_\_\_\_\_



**Action Requested:** Board of Aldermen approval of the 2015 Concrete Repair Project low bid of TLC and Warman Concrete & Construction.

**Recommendation:** Staff recommends approval as submitted.

**Analysis:** The Public Works Department received four sealed bids that were opened on April 19, 2016. The bids ranged from \$108,046.55 to \$178,099.50. TLC and Warman Concrete & Construction is the lowest, responsive, responsible bidder at \$108,046.55 and is recommended for approval.

The 2015-16 street maintenance program budget is \$775,000 (this amount includes the concrete project, asphalt overlay, light weight aggregate seal, street striping, 83<sup>rd</sup> Street Bridge, crack sealing, and grant match for Blue Ridge Blvd bike lanes). The concrete repair project was budgeted at \$150,000 of the \$775,000 total. This project will be for 40 working days, and is planned to be completed by late July.

We are requesting an \$11,953.45 increase in the approved amount for possible change order overruns in this concrete removal/replacement project. This will make an approved amount to spend of \$120,000.00.

**Alternatives:** Do not repair failing concrete infrastructure.

**Budgetary Impact:**

- Not Applicable
- Budgeted item with available funds
- Non-Budgeted item with available funds through prioritization
- Non-Budgeted item with additional funds requested

Amount to Spend: \$120,000.00  
Department: Public Works  
Fund: Transportation Sales Tax Fund

**Additional Reports Attached:** Locations map, list of locations, bid results and bid tabulation

**A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH TLC AND WARMAN CONCRETE & CONSTRUCTION FOR THE 2016 CONCRETE REPAIR PROJECT IN A TOTAL AMOUNT NOT TO EXCEED \$120,000.00**

**WHEREAS**, the City of Raytown (the "City") issued an invitation to bid on the 2016 Concrete Repair Project for repair of concrete areas within the City; and

**WHEREAS**, the Public Works Department received four (4) bids in response to the invitation and has determined that the bid submitted by TLC and Warman Concrete & Construction in the amount of \$108,046.55 was the most advantageous bid received; and

**WHEREAS**, the City finds TLC and Warman Concrete & Construction meet all of the qualifications as the lowest and best bidder for the project; and

**WHEREAS**, the City desires to enter into an agreement with TLC and Warman Concrete & Construction for the 2016 Concrete Repair Project within the City in an amount of \$108,046.55 for such purposes; and

**WHEREAS**, the Board of Aldermen find it is in the best interest of the City to authorize and approve an additional \$11,953.45 to fund any changes in the final unit measurements for a total amount not to exceed \$120,000.00.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:**

**THAT** the Board of Aldermen find it is in the best interest of the City to enter into an agreement with TLC and Warman Concrete & Construction in the amount of \$108,046.55 for the 2016 Concrete Repair Project within the City, attached hereto as Exhibit "A" and incorporated herein, is hereby authorized and approved; and

**FURTHER THAT**, the Board of Aldermen finds it is in the best interest of the City to authorize and approve an additional \$11,953.45 to fund any changes in the final unit measurements for a total amount not to exceed \$120,000.00; and

**FURTHER THAT** the City Administrator, or designee, is hereby authorized to execute any and all documents and to take any and all actions necessary to effectuate the terms of the Agreement and exercise the authority granted herein on behalf of the City.

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Missouri, the 3<sup>rd</sup> day of May, 2016.

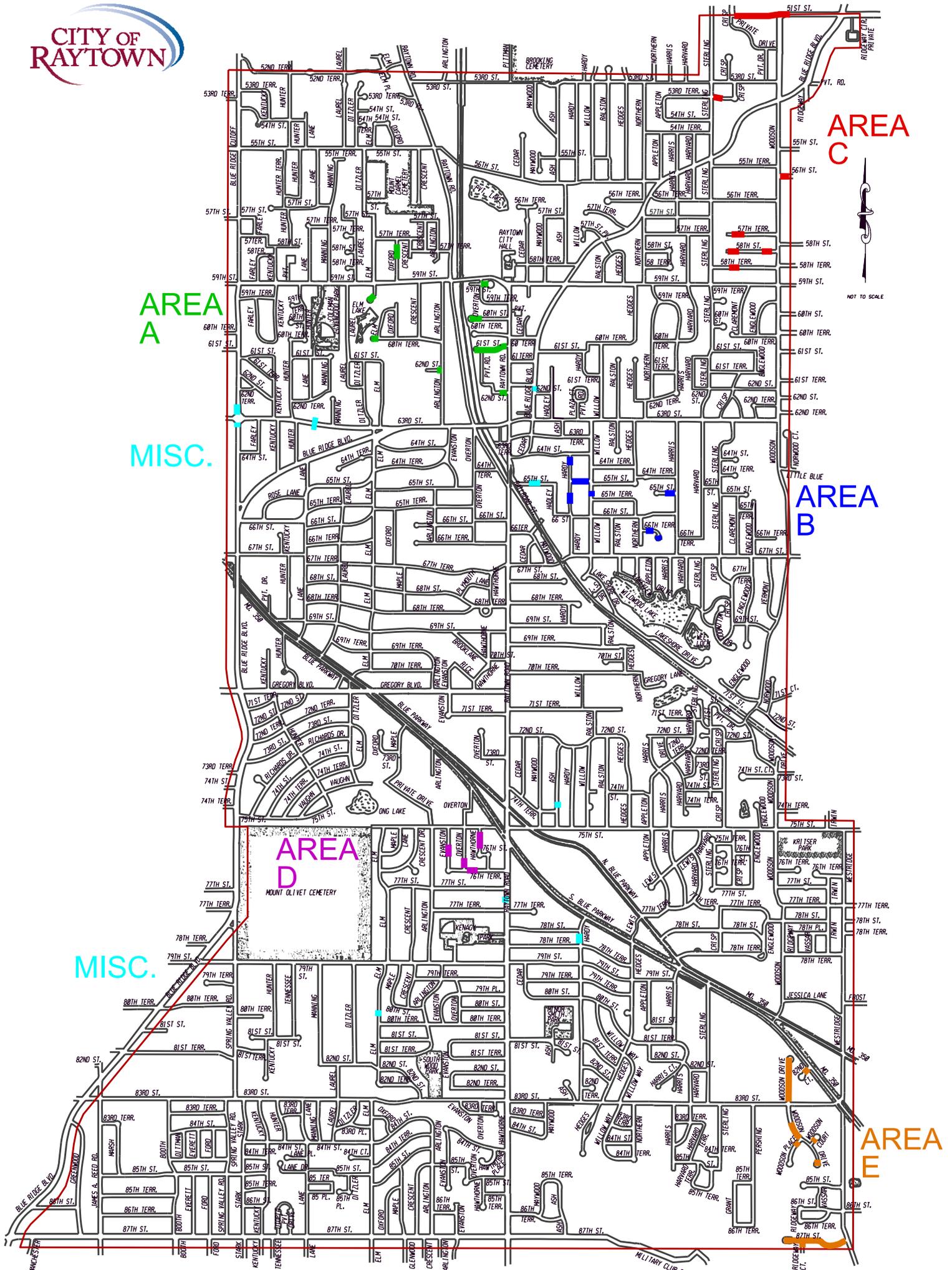
\_\_\_\_\_  
Michael McDonough, Mayor

ATTEST:

Approved as to Form:

\_\_\_\_\_  
Teresa M. Henry, City Clerk

\_\_\_\_\_  
Joe Willerth, City Attorney





## BID RESULTS

### 2016 Concrete Repair Project

2:00pm, Tuesday, April 19, 2016

|    | <b>CONTRACTOR</b>                             | <b>Bid</b>   |
|----|---|--------------|
| 1. | <b>TLC/Warman Concrete &amp; Construction</b> | \$108,046.55 |
| 2. | <b>A&amp;A Concrete Company</b>               | \$139,276.85 |
| 3. | <b>Lan-Tel Communications Services</b>        | \$143,402.50 |
| 4. | <b>Terry Snelling Construction, Inc.</b>      | \$178,046.00 |

|  |                     |              |
|--|---------------------|--------------|
|  | Engineer's Estimate | \$142,099.50 |
|--|---------------------|--------------|

**Bid Tabulation**  
**2:00pm, April 19, 2016**

**2016 Concrete Repair Project**

|   |           |      | 1.                  |                     | 2.                 |                     | 3.              |                     | 4.                   |                     |
|---|-----------|------|---------------------|---------------------|--------------------|---------------------|-----------------|---------------------|----------------------|---------------------|
|   |           |      | TLC/Warman Concrete |                     | A & A Concrete Co. |                     | Lan-Tel Commun. |                     | Terry Snelling Conc. |                     |
| Description                               | Est. Qty. | Unit | Bid Unit Price      | Bid Price           | Bid Unit Price     | Bid Price           | Bid Unit Price  | Bid Price           | Bid Unit Price       | Bid Price           |
| 1. Curb & Gutter (cg-1 & cg-3)(rem./rep.) | 2,543     | LF   | \$ 29.00            | \$ 73,747.00        | \$ 35.20           | \$ 89,513.60        | \$ 34.50        | \$ 87,733.50        | \$ 38.50             | \$ 97,905.50        |
| 2. Sidewalk, 4" (rem./rep.)               | 2,435     | SF   | \$ 6.25             | \$ 15,218.75        | \$ 6.95            | \$ 16,923.25        | \$ 7.00         | \$ 17,045.00        | \$ 9.50              | \$ 23,132.50        |
| 3. ADA Ramps (rem./rep.)                  | 8         | EA   | \$ 1,000.00         | \$ 8,000.00         | \$ 1,675.00        | \$ 13,400.00        | \$ 1,750.00     | \$ 14,000.00        | \$ 1,500.00          | \$ 12,000.00        |
| 4. Concrete Street Patch, 10"             | 1,296     | SF   | \$ 8.55             | \$ 11,080.80        | \$ 15.00           | \$ 19,440.00        | \$ 19.00        | \$ 24,624.00        | \$ 35.00             | \$ 45,360.00        |
| <b>TOTAL BID =</b>                        |           |      |                     | <b>\$108,046.55</b> |                    | <b>\$139,276.85</b> |                 | <b>\$143,402.50</b> |                      | <b>\$178,398.00</b> |
|   |           |      | TLC/Warman Concrete |                     | A & A Concrete Co. |                     | Lan-Tel Commun. |                     | Terry Snelling Conc. |                     |

|  | Location                    | Description                     | Notes   | Est.Qty | Units   |
|--|-----------------------------|---------------------------------|---------|---------|---------|
| <b>AREA A --- between 55th St. &amp; 63rd St. and between Elm &amp; Raytown Road</b> |                             |                                 |         |         |         |
| Curb   | 5732 Oxford                 |                                 |         | 10      | LF      |
| Curb   | 5733 Oxford                 |                                 |         | 10      | LF      |
| Curb   | 5906 Elm                    |                                 |         | 10      | LF      |
| Curb   | 9256 E. 60th Terrace        | from curb inlet to the driveway |         | 40      | LF      |
| Curb   | 6128 Arlington              | curbing on Arlington by inlet   |         | 10      | LF      |
| Curb   | 9801 E. 59th Street         | across the street at corner     |         | 20      | LF      |
| Curb   | 9801 E. 59th Street         | curb inlet throat               |         | 10      | LF      |
| Curb   | 9810 E. 60th Street         |                                 |         | 10      | LF      |
| Curb   | 9800 E. 61st Street         |                                 |         | 30      | LF      |
| Curb   | 9800 E. 61st Street         |                                 |         | 15      | LF      |
| ADA Ramp   | 9816 E. 61st Street         |                                 |         | 1       | EA.     |
| Sidewalk   | 9816 to 9828 E. 61st Street |                                 | 180 x 4 | 720     | Sq. Ft. |
| Curb   | 9828 E. 61st Street         |                                 |         | 5       | LF      |
| Sidewalk   | 9922 E. 61st Street         |                                 | 30 x 4  | 120     | Sq. Ft. |
| Sidewalk   | 9926 E. 61st Street         |                                 | 12 x 4  | 48      | Sq. Ft. |
| Sidewalk   | 9950 E. 61st Street         |                                 | 5 x 4   | 20      | Sq. Ft. |
| Curb   | 6210 Raytown Road           |                                 |         | 20      | LF      |

| <b>between 63rd St. &amp; 67th St. and between Hardy &amp; Harris</b> |                             |  |       |         |       |
|---|-----------------------------|--|-------|---------|-------|
| AREA B  | Location                    | Description                            | Notes | Est.Qty | Units |
| Curb  | 6401 Hardy                  |  |       | 8       | LF    |
| Curb  | 10400 E. 65th Street        |  |       | 12      | LF    |
| Curb  | 10408 E. 65th Street        |  |       | 10      | LF    |
| Curb  | 10408 E. 65th Street        |  |       | 10      | LF    |
| Curb  | 6505 Hardy                  |  |       | 10      | LF    |
| Curb  | 6505 Hardy                  |  |       | 6       | LF    |
| Curb  | 6513 Hardy                  |  |       | 30      | LF    |
| Curb  | 6509 Willow                 | transition from end of curb to a flume |       | 15      | LF    |
| Curb  | 10805 E. 66th Terrace       |  |       | 10      | LF    |
| Curb  | 10809-10813 E. 66th Terrace |  |       | 20      | LF    |
| Curb  | 10901 E. 65th Street        |  |       | 20      | LF    |
| Curb  | 10905 E. 65th Street        |  |       | 10      | LF    |
| Curb  | 10905 E. 65th Street        |  |       | 10      | LF    |

| <b>between 51st St. &amp; 58th Terr. and between Crisp &amp; Ridgeway</b> |                       |                           |        |         |         |
|---|-----------------------|---------------------------|--------|---------|---------|
| AREA C  | Location              | Description               | Notes  | Est.Qty | Units   |
| ADA Ramp  | 11214 E. 51st Street  | NE corner of intersection |        | 1       | EA.     |
| Sidewalk  | 11214 E. 51st Street  | at above ada ramp         | 10 x 4 | 40      | Sq. Ft. |
| Sidewalk  | 11214 E. 51st Street  |                           | 12 x 4 | 48      | Sq. Ft. |
| Sidewalk  | 11214 E. 51st Street  |                           | 15 x 4 | 60      | Sq. Ft. |
| Sidewalk  | 11216 E. 51st Street  |                           | 5 x 4  | 20      | Sq. Ft. |
| Sidewalk  | 11218 E. 51st Street  |                           | 5 x 4  | 20      | Sq. Ft. |
| Sidewalk  | 11400 E. 51st Street  |                           | 30 x 4 | 120     | Sq. Ft. |
| Sidewalk  | 11400 E. 51st Street  |                           | 18 x 4 | 72      | Sq. Ft. |
| Sidewalk  | 11404 E. 51st Street  |                           | 12 x 4 | 48      | Sq. Ft. |
| Sidewalk  | 11506 E. 51st Street  |                           | 60 x 4 | 240     | Sq. Ft. |
| Sidewalk  | 11508 E. 51st Street  |                           | 25 x 4 | 100     | Sq. Ft. |
| Sidewalk  | 11508 E. 51st Street  |                           | 12 x 4 | 48      | Sq. Ft. |
| Sidewalk  | 11510 E. 51st Street  |                           | 10 x 4 | 40      | Sq. Ft. |
| Sidewalk  | 11510 E. 51st Street  |                           | 10 x 4 | 40      | Sq. Ft. |
| Sidewalk  | 11512 E. 51st Street  |                           | 6 x 4  | 24      | Sq. Ft. |
| Curb  | 5307 Sterling         | on 53rd Terrace           |        | 10      | LF      |
| Curb  | 11210 E. 53rd Terrace |                           |        | 10      | LF      |
| Curb  | 11205 E. 53rd Terrace |                           |        | 10      | LF      |
| Curb  | 11209 E. 53rd Terrace |                           |        | 10      | LF      |
| Curb  | 11604 E. 56th Street  |                           |        | 10      | LF      |
| ADA Ramp  | 5601 Woodson          | SE corner of intersection |        | 1       | EA.     |
| Curb  | 5601 Woodson          | on 56th Street            |        | 10      | LF      |
| Curb  | 11316 E. 57th Terrace |                           |        | 25      | LF      |
| Curb  | 11320 E. 57th Terrace |                           |        | 10      | LF      |
| Curb  | 11304 E. 58th Street  |                           |        | 10      | LF      |
| Curb  | 11401 E. 58th Street  |                           |        | 100     | LF      |
| Curb  | 11501 E. 58th Street  |                           |        | 10      | LF      |
| Curb  | 11301 E. 58th Terrace |                           |        | 20      | LF      |

| <b>between 75th St. &amp; 77th Terr. and between Evanston &amp; Hawthorne</b> |                      |             |       |         |       |
|---|----------------------|-------------|-------|---------|-------|
| AREA D  | Location             | Description | Notes | Est.Qty | Units |
| Curb  | 7508 Evanston        |             |       | 30      | LF    |
| Curb  | 7513 Evanston        |             |       | 30      | LF    |
| Curb  | 7516 Evanston        |             |       | 30      | LF    |
| Curb  | 7600 Overton         |             |       | 20      | LF    |
| Curb  | 7601 Overton         |             |       | 5       | LF    |
| Curb  | 9717 E. 76th Terrace |             |       | 30      | LF    |
| Curb  | 9717 E. 76th Terrace |             |       | 10      | LF    |
| Curb  | 9800 E. 76th Terrace |             |       | 10      | LF    |
| Curb  | 7502 Hawthorne       |             |       | 10      | LF    |
| Curb  | 7514 Hawthorne       |             |       | 20      | LF    |

| between 82nd Ct & 87th St. and between Grant & Westridge |  |                          |            |         |         |  |
|--|--|--------------------------|------------|---------|---------|--|
| AREA E   | Location                                     | Description              | Notes      | Est.Qty | Units   |  |
| Curb   | 8107 Woodson Dr.                             |                          |            | 10      | LF      |  |
| Curb   | 8111 Woodson Dr.                             |                          |            | 12      | LF      |  |
| Curb   | 8113 Woodson Dr.                             |                          |            | 10      | LF      |  |
| Curb   | 8205 Woodson Dr.                             |                          |            | 5       | LF      |  |
| Curb   | 8209 Woodson Dr.                             |                          |            | 10      | LF      |  |
| Curb   | 8213 Woodson Dr.                             |                          |            | 20      | LF      |  |
| Curb   | 8214 Woodson Dr.                             |                          |            | 10      | LF      |  |
| Curb   | 8217 Woodson Dr.                             |                          |            | 6       | LF      |  |
| Curb   | 8218 Woodson Dr.                             |                          |            | 30      | LF      |  |
| Curb   | 8221 Woodson Dr.                             |                          |            | 50      | LF      |  |
| Curb   | 8222 Woodson Dr.                             |                          |            | 40      | LF      |  |
| Curb   | 8224 Woodson Dr.                             |                          |            | 20      | LF      |  |
| Curb   | 8225 Woodson Dr.                             |                          |            | 6       | LF      |  |
| Curb   | 8227 Woodson Dr.                             |                          |            | 8       | LF      |  |
| Curb   | 11701 E. US 350 Hwy                          | on 82nd Court cul-de-sac |            | 10      | LF      |  |
| Curb   | 11705 E. US 350 Hwy                          | on 82nd Court cul-de-sac |            | 35      | LF      |  |
| Curb   | 11705 E. US 350 Hwy                          | on 82nd Court cul-de-sac |            | 6       | LF      |  |
| Curb   | 8312 Woodson Dr.                             |                          |            | 40      | LF      |  |
| Curb   | 8316 Woodson Dr.                             |                          |            | 10      | LF      |  |
| Curb   | 8321 Woodson Dr.                             |                          |            | 30      | LF      |  |
| Curb   | 8324 Woodson Dr.                             |                          |            | 30      | LF      |  |
| Curb   | 8402 Woodson Place                           | on Woodson Drive         |            | 5       | LF      |  |
| Curb   | 8402 Woodson Place                           | on the corner            |            | 10      | LF      |  |
| Curb   | 8402 Woodson Place                           |                          |            | 5       | LF      |  |
| Curb   | 8408 Woodson Court                           |                          |            | 10      | LF      |  |
| Curb   | 8427 Woodson Dr.                             |                          |            | 8       | LF      |  |
| ADA Ramp   | 87th Street & Westridge                      | SW corner                |            | 1       | EA.     |  |
| Sidewalk   | 87th Street & Westridge                      | at above ada ramp        | 12 x 6     | 72      | Sq. Ft. |  |
| Curb   | 87th Street, just west of Westridge          |                          | south side | 5       | LF      |  |
| Curb   | 87th Street, just west of Westridge          |                          | south side | 5       | LF      |  |
| Sidewalk   | 87th Street, just west of Westridge          | south side               | 4 x 6      | 24      | Sq. Ft. |  |
| Curb   | 87th Street, just west of Westridge          |                          | north side | 126     | LF      |  |
| Curb   | 87th Street, just west of Westridge          |                          | north side | 30      | LF      |  |
| Curb   | 87th Street, just west of Westridge          |                          | north side | 20      | LF      |  |
| Curb   | 11808 E. 87th Street                         |                          |            | 36      | LF      |  |
| Curb   | 11808 E. 87th Street                         |                          |            | 12      | LF      |  |
| Curb   | 11808 E. 87th Street                         |                          |            | 5       | LF      |  |
| Curb   | 11804 E. 87th Street                         |                          |            | 46      | LF      |  |
| Curb   | 11800 E. 87th Street                         |                          |            | 5       | LF      |  |
| Curb   | 11720 E. 87th Street                         |                          |            | 14      | LF      |  |
| Curb   | 11716-11720 E. 87th Street                   |                          |            | 109     | LF      |  |
| Curb   | 11716 E. 87th Street                         |                          |            | 5       | LF      |  |
| Curb   | 11712 E. 87th Street                         |                          |            | 35      | LF      |  |
| Curb   | 11705-11701-11704-11708-11712 E. 87th Street |                          |            | 232     | LF      |  |
| Curb   | 87th Street cul-de-sac island                |                          |            | 34      | LF      |  |
| Curb   | 87th Street cul-de-sac island                |                          |            | 8       | LF      |  |
| Curb   | 87th Street cul-de-sac island                |                          |            | 5       | LF      |  |
| Curb   | 87th Street cul-de-sac island                |                          |            | 28      | LF      |  |
| ADA Ramp   | 11709 E. 87th Street                         |                          |            | 1       | EA.     |  |
| Sidewalk   | 11709 E. 87th Street                         | at above ada ramp        | 10 x 4     | 40      | Sq. Ft. |  |
| Curb   | 11709 E. 87th Street                         |                          |            | 7       | LF      |  |
| Sidewalk   | 11713 E. 87th Street                         |                          | 4 x 4      | 16      | Sq. Ft. |  |
| Curb   | 11713 E. 87th Street                         |                          |            | 30      | LF      |  |
| Curb   | 11713-11717 E. 87th Street                   |                          |            | 50      | LF      |  |
| Curb   | 11717 E. 87th Street                         |                          |            | 5       | LF      |  |
| Curb   | 11717 E. 87th Street                         |                          |            | 5       | LF      |  |
| Curb   | 11717 E. 87th Street                         |                          |            | 36      | LF      |  |
| ADA Ramp   | 11717 E. 87th Street                         |                          |            | 1       | EA.     |  |
| Sidewalk   | 11717 E. 87th Street                         | at above ada ramp        | 10 x 4     | 40      | Sq. Ft. |  |
| Curb   | 11717 E. 87th Street                         | on Ridgeway Ct.          |            | 40      | LF      |  |
| ADA Ramp   | 11801 E. 87th Street                         |                          |            | 1       | EA.     |  |
| Sidewalk   | 11801 E. 87th Street                         |                          | 5 x 4      | 20      | Sq. Ft. |  |
| Sidewalk   | 11801 E. 87th Street                         |                          | 5 x 4      | 20      | Sq. Ft. |  |
| Curb   | 11801 E. 87th Street                         |                          |            | 8       | LF      |  |

| Other Miscellaneous Areas   |   |          |                        |                |         |         |
|---|---|----------|------------------------|----------------|---------|---------|
| AREA  | Misc  | Location | Description            | Notes          | Est.Qty | Units   |
| ADA Ramp  | 6123 Blue Ridge Blvd.                               |          | E side of intersection |                | 1       | EA.     |
| Sidewalk  | 6123 Blue Ridge Blvd.                               |          | at above ada ramp      | 20 x 5, 25 x 5 | 225     | Sq. Ft. |
| Curb  | 9010 E. 63rd Street, and across the street          |          |                        |                | 15      | LF      |
| Curb  | 9010 E. 63rd Street, and across the street          |          |                        |                | 15      | LF      |
| Curb  | 10100 E. 65th Street, across from Shamrock Cabinets |          |                        |                | 120     | LF      |
| <b>63rd Street and Blue Ridge Cutoff Intersection - Include Traffic Control</b> |   |          |                        |                |         |         |
| Street  | 8730 E. 63rd Street                                 |          | on S bound BR Cutoff   | 36 x 4         | 144     | Sq. Ft. |
| Street  | 8730 E. 63rd Street                                 |          | on S bound BR Cutoff   | 24 x 3         | 72      | Sq. Ft. |
| Street  | 8730 E. 63rd Street                                 |          | on S bound BR Cutoff   | 18 x 3         | 54      | Sq. Ft. |
| Street  | 8730 E. 63rd Street                                 |          | on S bound BR Cutoff   | 12 x 6         | 72      | Sq. Ft. |
| Street  | 8730 E. 63rd Street                                 |          | on S bound BR Cutoff   | 3 x 3          | 9       | Sq. Ft. |
| Street  | 8730 E. 63rd Street                                 |          | on S bound BR Cutoff   | 18 x 9         | 162     | Sq. Ft. |
| Street  | 8730 E. 63rd Street                                 |          | on S bound BR Cutoff   | 3 x 3          | 9       | Sq. Ft. |
| Street  | 8730 E. 63rd Street                                 |          | on S bound BR Cutoff   | 9 x 6          | 54      | Sq. Ft. |
| Street  | 8730 E. 63rd Street                                 |          | on S bound BR Cutoff   | 12 x 18        | 216     | Sq. Ft. |
| Street  | 8730 E. 63rd Street                                 |          | on S bound BR Cutoff   | 24 x 3         | 72      | Sq. Ft. |
| Street  | 8730 E. 63rd Street                                 |          | on S bound BR Cutoff   | 6 x 6          | 36      | Sq. Ft. |
| Street  | 8730 E. 63rd Street                                 |          | on S bound BR Cutoff   | 6 x 6          | 36      | Sq. Ft. |
| Street  | 8730 E. 63rd Street                                 |          | on S bound BR Cutoff   | 6 x 3          | 18      | Sq. Ft. |
| Street  | 8730 E. 63rd Street                                 |          | on S bound BR Cutoff   | 3 x 3          | 9       | Sq. Ft. |
| Street  | 8730 E. 63rd Street                                 |          | on S bound BR Cutoff   | 3 x 3          | 9       | Sq. Ft. |
| Street  | 8733 E. 63rd Street                                 |          | on S bound BR Cutoff   | 6 x 6          | 36      | Sq. Ft. |
| Street  | 8733 E. 63rd Street                                 |          | on S bound BR Cutoff   | 12 x 3         | 36      | Sq. Ft. |
| Street  | 8733 E. 63rd Street                                 |          | on S bound BR Cutoff   | 27 x 6         | 162     | Sq. Ft. |
| Street  | 8733 E. 63rd Street                                 |          | on S bound BR Cutoff   | 15 x 4         | 60      | Sq. Ft. |
| Street  | 8733 E. 63rd Street                                 |          | on S bound BR Cutoff   | 6 x 5          | 30      | Sq. Ft. |
| Curb  | 7411 Ash  |          | rem cg3 and rep w cg1  |                | 30      | LF      |
| Sidewalk  | Raytown Road W. side, between 77 St & 77 Terr       |          |                        | 15 x 5         | 75      | Sq. Ft. |
| Sidewalk  | Raytown Road W. side, between 77 St & 77 Terr       |          |                        | 15 x 5         | 75      | Sq. Ft. |
| Curb  | 7924 Elm  |          | rem cg3 and rep w cg1  |                | 30      | LF      |
| Curb  | 10130 E. 78 Terr - On Hardy Ave.                    |          | rem cg3 and rep w cg1  |                | 165     | LF      |

**CITY OF RAYTOWN**  
**Request for Board Action**

**Date:** April 27, 2016

**Resolution No.:** R-2867-16

**To:** Mayor and Board of Aldermen

**From:** Kati Horner Gonzalez, Assistant Director of Public Works

**Department Head Approval:** \_\_\_\_\_

**Finance Director Approval:** \_\_\_\_\_ (only if funding is requested)

**City Administrator Approval:** \_\_\_\_\_

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**Action Requested:** Board of Aldermen approval to hire Wiedenmann, Inc. to install storm sewer pipe and replace sidewalk along the south side of 55<sup>th</sup> Street West of Crescent to the cemetery and amend the fiscal year 2015-2016 budget.

**Recommendation:** Staff recommends approval as submitted.

**Analysis:** City staff tore out some sidewalk that was undermined by stormwater flows in the area west of Crescent on 55<sup>th</sup> Street. Staff intended to perform the repairs with staff assets, but the project proved to be too large for the manpower available. Staff then requested a quote from Wiedmann, Inc. (Wiedmann was the successful bidder on the Lee's Summit annual pipe repair project, a cooperative contract).

A quotation was received from Wiedenmann, Inc. dated March 3, 2016, in the amount of \$39,381.15. The amount is a budgetary estimate, and the work will be completed per the Lee's Summit contract. Normally the actual cost of the work is less than Wiedenmann's estimate, unless the unforeseen is encountered.

The project was not originally included in the 2015-16 budget. However, with the significantly reduced fuel expenses this fiscal year, funds are available for transfer from Vehicle Expenses to Capital Expenditures to fund this project.

Approval is requested for the project amount of \$39,381.15 to replace the sidewalk and install storm sewer.

**Alternatives:** Have staff continue to work on the project, with the sidewalk and ditches closed until city staff can finish the work. There is no estimate of how long it would take to complete the project with staff.

**Budgetary Impact:**

- Not Applicable
- Budgeted item with available funds
- Non-Budgeted item with available funds through prioritization
- Non-Budgeted item with additional funds requested

Amount to Transfer: \$39,381.15  
From: General Fund – Vehicle Expenses  
To: General Fund – Capital Expenditures

**Additional Reports Attached:** Quotation from Wiedenmann, Inc.

**A RESOLUTION AUTHORIZING AND APPROVING THE PROFESSIONAL SERVICES OF STORM WATER INFRASTRUCTURE REPAIR IN THE CITY OF RAYTOWN, MISSOURI FROM WIEDENMANN, INC. UTILIZING THE CITY OF LEE'S SUMMIT, MISSOURI COOPERATIVE PURCHASE CONTRACT AND APPROVING PROJECT EXPENSES FOR 55<sup>th</sup> STREET WEST OF CRESCENT IN AN AMOUNT NOT TO EXCEED \$39,381.15 AND AMEND THE FISCAL YEAR 2015-2016 BUDGET**

**WHEREAS**, the City of Raytown periodically identifies storm water infrastructure that needs repair beyond staff capacity;

**WHEREAS**, the City of Raytown in the adoption of its purchasing policy has approved the practice of purchasing equipment and supplies from competitive bids awarded by other governmental entities through a competitive bidding process; and

**WHEREAS**, the City of Lee's Summit, Missouri has competitively bid the repair services of water, wastewater and storm water and has determined Wiedenmann, Inc. to be the most competitive bid; and

**WHEREAS**, the City of Raytown has a storm water repair project located at 55<sup>th</sup> Street West of Crescent and would like to utilize the services of Wiedenmann, Inc.; and

**WHEREAS**, in order to complete the project it is necessary to amend the Fiscal Year 2015-2016 budget; and

**WHEREAS**, the Board of Aldermen finds it is in the best interest of the citizens of the City of Raytown to authorize and approve the professional services of storm water infrastructure repair from Wiedenmann, Inc. utilizing the City of Lee's Summit, Missouri cooperative purchase contract and approve project expenses for 55<sup>th</sup> Street west of Crescent in a total amount not to exceed \$39,381.15;

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:**

**THAT** the professional services of storm water infrastructure repair from Wiedenmann, Inc. utilizing the City of Lee's Summit, Missouri cooperative purchase contract and approving project expenses for 55<sup>th</sup> Street west of Crescent in a total amount not to exceed \$39,381.15, is hereby authorized and approved; and

**FURTHER THAT**, the Fiscal Year 2015-2016 Budget approved by Resolution R-2808-15 is hereby amended as follows:

|             | <b>Transfer To:</b>          | <b>Transfer From:</b>             |
|-------------|------------------------------|-----------------------------------|
| Amount:     | \$39,381.15                  | \$39,381.15                       |
| Department: | General Fund Vehicle Expense | General Fund Capital Expenditures |

**RESOLUTION NO.: R-2867-16**

**FURTHER THAT** the City Administrator and/or his designee is authorized to execute all documents necessary to these transactions and the City Clerk is authorized to attest thereto.

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Missouri, the 3<sup>rd</sup> day of May, 2016.

\_\_\_\_\_  
Michael McDonough, Mayor

ATTEST:

Approved as to Form:

\_\_\_\_\_  
Teresa M. Henry, City Clerk

\_\_\_\_\_  
Joe Willerth, City Attorney

# WIEDENMANN, INC.

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950 N. Scott / PO BOX 245  
Belton, MO 64012  
816-322-1125 / Fax 816-322-1126  
[general@wiedenmanninc.com](mailto:general@wiedenmanninc.com)

March 3, 2016

Engineering Department  
10000 East 59<sup>th</sup> Street  
Raytown, Missouri 64133

Attn: Kati Horner Gonzalez, PE

RE: 55 Street & Crescent

Dear Kati,

Pursuant to your request, we here by submit the following budget price to install 150 LF (+-) 18" HDPE with shallow a junction box and 110 LF (+-) 15" HDPE. This price includes connecting with concrete collars at driveway crossing, excavation and haul off, rip rap at outfall, 18" pipe crossing and restoration of Crescent Street, 120 LF (+-) 4' wide sidewalk, one ADA ramp, and reseeding the areas we disturb.

The total budget value of this work is:

THIRTY NINE THOUSAND THREE HUNDRED EIGHTY ONE DOLLARS & 15/100  
\$39,381.15

We understand that this is a budget price for the scope of work outlined, and that the actual work will be completed per the established Maintenance Contract.

We appreciate the opportunity to price and perform work for the City of Raytown.  
Please call with questions.

Sincerely,  
Wiedenmann Inc.  
Jerry Wiedenmann

**CITY OF RAYTOWN**  
**Request for Board Action**

**Date:** April 27, 2016  
**To:** Mayor and Board of Aldermen  
**From:** Teresa Henry, City Clerk

**Bill No.:** 6409-16  
**Section No.:** III-A-9

**Department Head Approval:** \_\_\_\_\_

**Finance Director Approval:** \_\_\_\_\_ (only needed if fiscal impact)

**City Administrator Approval:** \_\_\_\_\_



**Action Requested:** Request approval of ordinance to authorize a question regarding a Local Use Tax to be placed on the August 2, 2016 ballot.

**Recommendation:** Approve the Ordinance.

**Analysis:** Municipalities have until November of 2016 to receive voter approval to continue to impose the local use tax on vehicles purchased by their residents from out-of-state vendors. Political subdivisions that had a use tax in place prior to July 6, 2013, need not get voter approval to continue to receive this revenue stream. All other municipalities must seek voter approval to continue to impose the local use tax on purchases of vehicles, trailers, and out-board motors from out-of-state or person-to-person sales.

**Alternatives:** Failure to adopt this ordinance would leave the city without the funds

**Budgetary Impact:**

Not Applicable

**Additional Reports Attached:**

**AN ORDINANCE PROVIDING FOR SUBMISSION OF A PROPOSAL TO DISCONTINUE APPLICATION AND COLLECTION OF THE LOCAL SALES TAX ON THE TITLING OF MOTOR VEHICLES, TRAILERS, BOATS, AND OUTBOARD MOTORS THAT WERE PURCHASED FROM A SOURCE OTHER THAN A LICENSED MISSOURI DEALER TO THE QUALIFIED VOTERS OF THE CITY FOR THEIR APPROVAL AT THE PRIMARY ELECTION CALLED AND TO BE HELD IN THE CITY ON AUGUST 2, 2016**

**WHEREAS**, the City has not previously approved and imposed a local use tax under Section 144.757 RSMo; and

**WHEREAS**, the City is required under the provisions of Section 32.087 RSMo to submit to the qualified voters of the City the question of repealing the application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer; and

**WHEREAS**, the City is required to submit the question to its voters no later than the general election in November 2016;

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:**

**SECTION 1.** Pursuant to the provisions of Sections 32.087 RSMo, the Board of Aldermen has determined that it would be appropriate to submit the determination of the issue of whether to repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors that are subject to state sales tax under section 144.020 and purchased from a source other than a licensed Missouri dealer to the voters.

**SECTION 2.** This proposition shall be submitted to the qualified voters of the City of Raytown, Missouri, for their approval, as required by the provisions of Section 32.087 RSMo, at the Primary election hereby called and to be held in the City on August 2, 2016. The ballot of submission shall contain substantially the following language:

Shall the City of Raytown, Missouri discontinue applying and collecting the local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer?

Approval of this measure will result in a reduction of local revenue to provide for vital services for the City of Raytown, Missouri and it will place Missouri dealers of motor vehicles, outboard motors, boats, and trailers at a competitive disadvantage to non-Missouri dealers of motor vehicles, outboard motors, boats, and trailers.

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 3.** If the ballot question set forth in Section (2) of this ordinance receives a Majority of the votes cast in favor of the proposal, the local sales tax shall cease to apply to the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer. The effective date of the cessation shall be the first day of the second calendar quarter after the election. If a majority of the votes cast are opposed to the ballot question then the local sales tax shall continue to apply to the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer.

**SECTION 4.** Within ten (10) days after the approval or disapproval of the proposition by the qualified voters of City of Raytown, Missouri, the City Clerk shall forward to the Director of Revenue of the State of Missouri by United States registered mail or certified mail, a certified copy of this ordinance together with certifications of the election returns and accompanied by a map of the City clearly showing the boundaries thereof.

**SECTION 5.** This Ordinance shall be in full force and effect from and after the date of its passage and approval.

**BE IT REMEMBERED** that the above was read two times by heading only, **PASSED AND ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this \_\_\_\_ day of May, 2016.

\_\_\_\_\_  
Michael McDonough, Mayor

ATTEST:

\_\_\_\_\_  
Teresa M. Henry, City Clerk

Approved as to Form:

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**MEMORANDUM**

**Date:** 03/28/2016

**To:** Finance Committee

**From:** Mark Loughry, Finance Director

**Re:** Use Tax on motor vehicle sales

Committee,

The City of Raytown and all entities that collect sales tax in the State of Missouri will be required to have a Use Tax in place by November of 2016, if they want to continue to collect sales tax on out of state vehicle purchases. The MML has put together some educational material and a model ordinance required to hold the necessary election necessary for implementing the tax. I am including those documents with the agenda.

This is a subject that has been on our radar for some time and the deadline to address it is getting closer. There has been discussion that a majority of Eastern Jackson County Communities will take this matter up simultaneously. This will allow for a joint media campaign that will overlap and put forward a consistent message. The communities would like to proceed with the necessary election in August of this year so staff would like to begin discussion on the topic in April with possible action by the BOA in May.

Sincerely

Mark Loughry, CPM  
Finance Director

# Motor Vehicle Sales Tax

## Campaign Tool Kit



January 2016

## MISSOURI MUNICIPAL LEAGUE LOCAL USE TAX CAMPAIGN ROADMAP & TOOL KIT

**OBJECTIVE:** To provide a plan and the tools to Missouri cities that they can use to help gain passage of the local motor vehicle sales tax.

**BACKGROUND:** In January of 2012 the Missouri Supreme court issued the “Street Decision” creating a loophole in the Missouri sales tax laws allowing vehicles purchased out of state or from an individual to be exempted from the local sales tax. For a short period, Missouri cities that did not have a local use tax in place lost the tax revenues they once had from vehicle sales. In 2013, the Missouri Legislature provided municipalities with temporary relief from the tax loophole. The legislature re-imposed the local sales tax on out-of-state vehicle purchases along with person-to-person sales, but required that cities must receive voter approval to keep the loophole closed by November of 2016.

### HISTORY OF THE MOTOR VEHICLE SALES AND USE TAX ISSUE:

- The sales tax was implemented in the 1930s as a temporary tax, prior to local sales tax or use tax. The highway use tax was implemented before the statewide use tax as a complement to the sales tax. The “highway use tax” was historically imposed on motor vehicles, boats, trailers and outboard motors. This tax was first levied in the late 1930s based on the reasoning that everyone who uses the roads should pay for upkeep. Those purchasing vehicles that would use the roads would finance improvements to the roads with this tax. The highway use tax applies to purchases from private individuals and purchases from dealers outside Missouri. From the late 1990s through 2012, local sales tax was also applied to the highway use tax transactions.
- In the “Street” decision, the Missouri Supreme Court ruled that the imposition of the local sales taxes on highway use tax transactions was not authorized by law. The Supreme Court ruling said that local use tax should apply to highway use tax transactions; even though statutes say the local use tax does not apply to highway use tax. Legal experts believe the MO Supreme Court decision controls and local use taxes that have been properly adopted by voters do apply to highway use tax transactions. This means that a local use tax adopted prior to July 6, 2013 applies to purchases of vehicles, trailers, boats and outboard motors from anyone except a Missouri auto or boat dealer.

**HOW MANY DOLLARS ARE WE TALKING ABOUT?** The Missouri Department of Revenue has projected lost revenue for each city in Missouri. If you do not already have this information, you may obtain it from the MML (this data is from 2013 and DOR has not updated it; it is available on the MML web page for the motor vehicle sales tax). You will want and need it to educate your council and the voters.

**KEY POINTS:** These are the key points to make in any communications to help someone understand the issue. They are attached as a separate document and are included here as well.

### Background

- <City Name> residents used to pay city sales tax and on vehicles bought out of state when we licensed them. All tax was paid in Missouri, not in the state where the vehicle was purchased.
- A 2012 change in the interpretation of the law changed everything. Now unless the voters approve continuing the motor vehicle sale tax when a <City Name> resident licenses a car purchased out of state or from an individual, they will no longer pay city sales tax. (They don't pay sales tax in the state where they made the purchase, either.)

- But if a <City Name> resident purchases a vehicle from a Missouri car dealer, they must still pay local sales tax. This means that with tax, the same car sold at the same price will cost more if purchased locally than if it is purchased from out-of-state dealers. This puts local dealers at a disadvantage, encouraging <City Name> residents to do business outside of Missouri.
- <City Name> needs these tax dollars for basic services like street and sewer maintenance and police and fire protection.

**The Ballot measure (MAKE SURE YOU DISTINGUISH WHETHER YOUR BALLOT LANGUAGE IS TO CONTINUE OR DISCONTINUE):**

- <City Name>'s Motor Vehicle Sales Tax will be on the <Date> ballot.
- Attention should be paid to whether the city is using the ballot language in the statute the calls for discontinuing the sales tax on motor vehicle sales or if the city has decided to modify this language and use the "continue language. In the first instance the supports will be seeking a no vote. While in the second supports would seek the traditional yes vote.
- Examples of both types of ordinances are available on the League web site.

**Why is the Sales Tax on Motor Vehicles important to <City Name>?**

- <City Name> has depended on this important revenue source in the past to fund ongoing city projects. The <\$ amount> in projected annual lost revenue could fund (# pothole replacements, # police officers, # firemen, etc).
- <City Name> auto dealers will be at a competitive disadvantage to out-of-state businesses, who don't charge sales tax on our vehicle purchases. These out-of state businesses don't create local jobs or reinvest in our community. It's not fair or wise that tax breaks encourage <City Name> residents to leave Missouri to make large purchases. It's time to close this harmful loophole.
- 

**Does the Motor Vehicle Sales Tax apply to private vehicle sales?**

If the voters do not approve continuing the sales tax on motor vehicle sales private vehicle sales will no longer be subject to the local sales taxes. The state sales tax will still apply.

**Benefits from the Local Motor Vehicle Tax**

**Why is the Motor Vehicle Sales Tax necessary?**

It provides an important source of local funding and levels the playing field for local businesses, which would otherwise be at an unfair competitive disadvantage to out-of-state business when local taxes are avoided.

**How much annual revenue does <City Name> expect to generate from the Motor Vehicle Sales Tax?**

<Fill in the blank>

### **What local services will the local Motor Vehicle Sales Tax fund?**

The Motor Vehicle Sales Tax will go into <City Name>'s general revenue fund, providing funding resources for city services from street repair to police and fire protection. [insert appropriate info. i.e., "The expected revenues would be enough to repair 10,000 pot holes in our streets, fund the salaries of two additional policemen, or purchase a new fire truck."]

### **Will the local Motor Vehicle Sales Tax have other local benefits?**

In addition to providing an important source of revenue for city services, the local Use Tax is an important tool in leveling the playing field for local businesses. With no local use tax in place, local residents have an incentive to cross state lines to buy instead of buying locally. This costs us local jobs and sends [tens of thousands of] dollars out of our local economy.

### **Election information**

#### **What is the date of the election when the Local Motor Vehicle Sales Tax will be on the ballot?**

The <City Name> Use Tax measure has been placed on the [date] ballot.

#### **Can I vote absentee?**

Yes. Absentee votes will be accepted until <\_\_\_\_\_>. Contact <\_\_\_\_\_ at \_\_\_\_\_> to obtain an absentee ballot.

## **CITY GOVERNMENT – GETTING STARTED**

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There are a variety of fundamental things a city needs to do to put a campaign into motion.

- Get unanimous approval from your City Council to proceed.
- Get the issue on the ballot at a regular or special election.
- Initiate the formation of a citizens committee to run the campaign.
- Give the committee the tools it needs to be successful.
- Support the committee's efforts with a public information campaign.

**GET UNANIMOUS APPROVAL FROM YOUR COUNCIL:** In many cases, getting a tax issue of any kind passed is tough. If you don't have unanimous support from your Council, you may not generate the level of community support you need to win. Educate your Council. Get your Mayor on board. Let them know what the potential is and what your projected losses are. You'll want and need them behind the issue to get it passed.

**GET THE ISSUE ON THE BALLOT:** Assuming you have City Council approval to proceed, you must get the issue on the ballot by working with the campaign officials in your city/council. An issue must be certified

for an election 10 weeks prior to election day. Keep in mind that you will probably be expected to pay for the election if it is not a regular election, but there may be certain advantages to having a special election that you will want to consider. One critical consideration is the affect that another issue may have on this one. For example, two taxes on one ballot are probably negative for both.

**INITIATE THE FORMATION OF A CITIZENS COMMITTEE:** A City cannot spend out of its budget to influence voters and most campaigns need some level of persuasion to be successful. Therefore, encourage a small group of community leaders/volunteers to get together and form a Citizens Committee. Encourage them to come up with a positive “catchy” name for their committee that voters will perceive favorably, such as “Yes <Our City> Committee”.

**GIVE THE COMMITTEE THE TOOLS IT NEEDS:** A Citizens Committee will be challenged with many things: fundraising; volunteer leadership and time; learning about the issue; developing campaign materials; planning expertise; the voting public. This Tool Kit has been developed to provide nearly everything that a committee will need to execute a successful campaign.

**SUPPORT THE COMMITTEE’S EFFORTS WITH A PUBLIC INFORMATION CAMPAIGN:** Although a city cannot spend city funds to influence a vote, it can spend public dollars to inform voters and to encourage them to vote. Here are a couple of suggestions and there are tools in the tool kit to do this.

- Meet with the local media and let them know what you are trying to accomplish.
- Provide them with the key points of the campaign and press releases.
- Put newsletter articles about the issue/election in your city newsletter. Make sure you keep your article neutral.
- Twitter
  - Many cities have a Twitter following and use Twitter to get information out quickly and at no real cost.
  - Tweet frequently throughout the campaign with short messages that keep the issue in front of interested persons.
  - Sample tweets are included in the Tool Kit. Remember to keep them purely informational, not persuasive in nature.

**ETHICS FOR CITY EMPLOYEES:** Missouri Revised Statutes: Chapter 115. Election Authorities and Conduct of Elections. Section 115.646.

- Public funds expenditure by political subdivision officer or employee, prohibited—personal appearances permitted.
  - 115.646. No contribution of expenditure of public funds shall be made directly by any officer, employee or agent of any political subdivision to advocate, support, or oppose any ballot measure or candidate for public office. This section shall not be construed to prohibit any public official of a political subdivision from making public appearances or from issuing press releases concerning any such ballot measure.

## **CITIZENS COMMITTEE – GETTING STARTED**

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**OPEN A COMMITTEE BANK ACCOUNT:** In order to fund a citizens campaign, the committee must set up a bank account in the committee’s name. This will give it a place to deposit contributions and a record of all expenditures made. The committee should require two signatures on each check. Although it will most likely not write many checks, the account can serve as a useful tool to keep track of transactions. Be sure to print/say your committee’s name on anything you buy, print or communicate in the media.

**RESEARCH:** In order to gauge public awareness, understanding and support and to identify key issues to be addressed in a campaign, phone research was conducted in December 2012 with registered voters living in Missouri cities with a population greater than 2,000, excluding Kansas City, St. Louis and any city who already has a Local Use Tax in place. Here is an overview of the research findings. A complete copy is available as part of the Tool Kit. PLEASE KEEP IN MIND THAT THIS RESEARCH WAS DONE PRIOR TO THE PASSAGE OF HB 184 IN 2013. AT THAT TIME THE THOUGH WAS PASSAGE OF A USE TAX WOULD PLUG THE VEHICLE SALES LOOPHOLE.

**RESEARCH SUMMARY:** There is a high percentage of those surveyed who are already aware of this issue (45%), say they understand it and will likely support it if it is put to a local vote. (Note that many people will tell you that they understand, even when they don’t.) The primary reasons why someone would likely support it are fairness to local businesses, interest in supporting local jobs, and the financial impact on a community. There is an obvious need for education so those who are unaware or undecided about the issue can become informed. It is believed that an informed voter is a more supportive voter.

Other than those who do not support taxes or government in general, the key barriers to overcome with your campaign communications are:

- A misunderstanding about double taxation
- A general lack of information and understanding about the issue
- Waste in government spending or lack of knowledge about where dollars go
- A copy of the complete research report is available from the MML.

### **CITIZENS CAMPAIGN OBJECTIVES:**

- Educate voters on the issue through press coverage, advertising, community presentations and small group discussions.
- Develop grassroots support through volunteer recruitment and empowerment.
- Raise enough dollars through fundraising to fund a media campaign.
- Analyze past issue campaigns and estimate how many yes votes will be needed to pass the issue.
- Communicate how many dollars would be raised through this tax and how the dollars could potentially be used.
- Run an active public relations and media program.
- Identify yes voters and capture their contact information (electronic and mail).
- Encourage yes voters to vote absentee if necessary.
- Get yes voters registered and to the polls to vote.

## KEYS FOR SUCCESS:

- Ask well-respected community leaders to head up your campaign. Have one co-chair lead the committees and the other co-chair serve as the Treasurer of your committee and be the key fundraiser. Their names will be communicated frequently during the campaign and you want people who are well-thought of and liked associated with your issue.
- Find qualified people to head up individual committees and communicate clearly their roles and responsibilities. Make the entire committee aware of everyone's individual roles.
- Get the business community behind you. Go to the Chamber of Commerce and ask for their public support.
- Plan as far ahead as possible. It takes time to do everything necessary to run an effective campaign. Start early and work the plan.
- Have a plan. Use the tools in this tool kit.
- Keep the issue simple. Try to make it as easy as possible to understand and support it.
- Make sure you have a large enough budget to fund your campaign.
- Focus on identifying and getting YES voters to the polls. There will always be NO voters so you need to run the numbers and know how many YES voters you need to win.
- Keep in mind that you can change an UNDECIDED voter into a YES vote through education. This is a very important audience to concentrate on. You will probably not however change a NO vote into a YES, so recognize they are out there, but use as little of your budget on them as possible.
- Use all the tools available to you. Have your council come out in support and talk it up. Meet with your media and ask for their help in getting the message out.
- Meet with your committee regularly. Set up regular meeting times where you can come together, share ideas, discuss challenges, get status updates and keep everything on track.
- Remember, a city cannot use public funds to persuade voters but they can inform voters. This is an issue that needs education. Use public funds to inform voters and let the citizens committee use its resources to persuade the voter.

## SAMPLE ORGANIZATION CHART (ATTACHED) – RESPONSIBILITIES

- Co-Chair/Leadership: Responsible for recruiting and directing volunteer leaders, planning and running meetings, delegating tasks and overall follow-through.
- Co-Chair/Treasurer: Responsible for recruiting fundraisers, fundraising, securing support from the business community, maintaining records and filing necessary paperwork.
- Administrative Support: Responsible for helping co-chairmen with any administrative tasks.
- Website: Responsible for securing ISP to host website, getting the website posted and getting any necessary changes made to the website template provided by MML.
- Events: Responsible for planning and executing any events, like rallies, community-event tie-ins, parades, etc.
- Volunteers: Responsible for recruiting and coordinating any volunteers needed.
- Public Relations: Responsible for planning the details of the promotional campaign/budget, customizing any MML-provided tools (print ads, radio spots, billboards, community presentation), buying media, providing information to the media and distributing email and direct mail to supporters.



Growing Our Communities Together

- Voter Registration: Responsible for getting voters registered.
- Speaker's Bureau: Responsible for recruiting, training and coordinating community speakers and lining up speaking opportunities.
- Neighborhood Coffees: Responsible for securing coffee hosts, providing them with information and helping them coordinate coffee events.
- Phone Bank: Responsible for recruiting people to make calls to supporters encouraging them to get out and vote.
- Supporters: Responsible for soliciting email and mail addresses and managing mail lists.

## **VOLUNTEER RECRUITMENT & EMPOWERMENT**

- Choose the best people you can find and ask them to help. Busy people get things done. You need workers. Don't be afraid to ask.
- Ask people to refer others.
- Go for a cross-section of the community, so you get broad feedback, input and coverage.
- Recruit church leaders (clergy and lay members) to help. They carry a lot of weight in their congregations.
- Clearly communicate individual responsibilities to both the person and the team.
- Meet regularly and encourage people to attend. This will increase the level of communications and accountability.
- Put a campaign scheduler on your team to help keep things on track.
- Praise in public. Discuss any individual concerns in private.
- Have one person responsible for talking with the media. Make sure they're informed and prepared.
- Keep meetings to no more than one hour.
- Get people their jobs to do and get out of their way. Different people have different ways of getting things done.
- Support each other in any way you can. Be flexible and help out where it's needed.

## **FUNDRAISING STRATEGIES:**

- Find someone to run your fundraising committee who is well-respected and doesn't have any reservations about asking others for funds.
- Encourage your chairman to recruit others like him to help.
- Establish a budget and a goal. Know how much you need to raise.
- Go to the business community. They are the ones (besides the city) who will be most affected by this issue. Car dealers, retailers of large ticket items and realtors will be some of your best prospects.
- Put together a call list of those most likely to contribute. Send them a letter and follow it up with a phone call (preferably from someone they know). If necessary, make a personal visit. It is harder to say no to someone in person and even harder to say no to a friend. Make arrangements to pick up checks, if necessary.
- Go for some large contributions, perhaps from a bank or large business/industry in town.

## **MEDIA STRATEGIES:**

- **Public Relations**
  - It is in the best interest of your local media to support or stay neutral on this issue.
  - Provide the media in your community with information, such as talking points, a brochure, news releases and anything else you think will be helpful.
  - Distribute news releases regularly throughout the campaign. Templates are included.
  - Have your committee leaders and PR representatives meet with the editorial media, discuss the issue and what you're trying to do.
  - Ask for coverage of the issue and the releases you distribute.
  - Give the media a contact person and information for quotes. This should most likely be your co-chair/leader.
  - Ask for an editorial endorsement. If you get it, great. If not, maybe it will cause them to not come out against it.
  - Keep in mind that most media keep advertising and editorial separate, so don't expect to get coverage just because you're buying media.
  - Get people of all walks of life to write letters to the editor in support of your issue. Use key messaging.
- **Newspaper Ads**
  - Meet with your local newspaper and let them help you put your budget together.
  - Try to negotiate the rate. Many times, they offer a civic rate which is lower and will allow you to leverage/expand your buy.
  - Use frequency as a guide for your communications. It is typically better to run more, smaller ads than fewer big ones.
  - Nearly 50% of the registered voters who were surveyed indicated that they receive local news from their local newspaper. Make newspaper advertising the core of your budget.
- **Online Advertising**
  - Many times, local newspapers have online editions. More and more people are getting their news over the Internet. Make this a part of your budget. Plan to spend approximately 20% of the amount you spent in print, online.
  - Have a link in your ad to the website where people can go to find more information.
- **Radio Advertising**
  - (2) 30:second radio spots have been included in the Tool Kit. Customize these with your campaign details.
  - Meet with your local station(s) and let them help you put together your budget. Plan to spend 20% of the amount you spend in the newspaper, on radio spots.
  - Buy every station you can afford to buy. This should help you reach a broad audience and will encourage the station to give you air time for radio shows.
  - Use a well-known, popular person to record your radio spots. This will usually attract more attention to your spots and can sometimes carry some weight with local voters.
  - Your local radio station should be happy to record your announcer. Set up an appointment with the station and plan to spend 15-30 minutes there.

- Be sure to ask for a copy of your radio spots when you're finished.
  - Ask to be on their talk shows or do interviews for news or community information programming.
- Website
  - Consider creating a web site.
- Brochure/Direct Mail
  - A brochure is a core piece of any public information campaign. The one included in the Tool Kit has been designed to provide information and encourage yes votes, so it must be paid for by the committee.
  - Artwork for the brochure can be customized with the information specific to your campaign. You can change out copy and photos to meet your need and provide the digital files to your local printer to print. Buy enough to put one in the hands of as many voters as possible.
  - Direct mail is an effective, but expensive tool to put your message in the hands of your voters.
  - Build your direct mail list (database in Excel) throughout your campaign so you can use it when you are ready.
  - The brochure has been designed as a self-mailer so you can seal it, put a stamp on it, address it and drop it in the mail. It can also be used as a handout, leave behind or be enclosed with a letter in an envelope.
  - If you have the budget, mail the brochure to as many identified yes voters as you can. More importantly, send it to those people who you believe are undecided.
  - Using the provided theme artwork, develop, print and mail a postcard to your entire list of yes voters right before the election, reminding them how important it is to vote on this issue. Without their support and vote, it may not pass.
- Email
  - Email is a fast, inexpensive way to put information into the hands of your supporters or others who are interested in receiving more information.
  - Email can be used individually, which can take a lot of time, or similar to direct mail in that you build an email list (database in Excel) and a tool like MailChimp or Constant Contact and send emails to the people on your list.
  - Use emails to send information throughout the campaign and as a reminder to get out and vote.
- Facebook
  - Facebook has become a part of daily life. Many go to bed and wake up to Facebook. Use that to your advantage.
  - Consider using Facebook as a PRIVATE tool to help build a grassroots organization, generate support, keep fans up to date and communicate with each other. It would be very risky to the campaign to set up a public Facebook presence that gives negative voters a forum to sway others, that otherwise they would not have.
  - Details for how to proceed are included in the tool kit.
- Billboards

- Billboards can be a very lowcost way to reach lots of people in a short amount of time.
- Work with your local billboard companies to identify the best possible location that delivers the highest traffic count in areas where you think your supporters and undecided persons live, work and play.
- Artwork is provided. You may customize it and provide it to the billboard company(s) you are working with to produce the billboard art.
- Plan to post your billboard(s) as soon as you can get them up. In working on a 10-week campaign cycle, it will probably only be up 2 months at the most. However, this will make thousands of impressions with your audience.
- Door Hangers
  - If you plan to canvas neighborhoods and go door to door to get your message out, you can use the Door Hanger artwork provided in the tool kit.
  - Customize the door hanger with the information specific to your campaign and give the digital files to your local printer to produce.
  - Buy enough to put one on every door in the neighborhoods you plan to visit.
  - Door to door canvassing should be scheduled late in the campaign and used as a rallying event. The best time is right before the election.
- General Promotional Recommendations
  - Use frequency as a guide for your communications. Try to tell the same story to the same targeted people as many times as you can afford.
  - Keep all your communications vehicles consistent in look, design and copy. Use the templates provided in the tool kit or customize your own, but make sure everything looks like everything else. This will reinforce the message to your audience any time they see something.

**COMMUNITY PRESENTATIONS:** Community presentations can be a very effective way to get your message out to groups of all sizes, when a presenter is prepared and engaging. A PowerPoint presentation has been provided as part of the tool kit.

- Set up a speakers bureau consisting of experienced presenters who are available throughout the campaign to deliver the presentation.
- Customize the PowerPoint presentation to your specific campaign.
- Contact civic organizations and request the opportunity to present.
- Make sure you have equipment available (laptop computer and projector with extension cords) that you can provide to the presenters. Make sure they are scheduled to arrive a few minutes early, who their contact person is, and how long they have available to them.
- Provide brochures to the speaker so they can pass them out at the conclusion of the presentation.
- Prepare your presenter with the talking points and answers to questions that may arise.
- Consider hosting a town hall meeting. Although these are not typically well attended, you should get media coverage if you invite them and it will give citizens the opportunity to voice their opinion. Be sure to have refreshments.

**SAMPLE TIMELINE -- ATTACHED:** A sample campaign of 10 weeks is attached.

**CAMPAIGN THEME:** It is important to your overall campaign to have a theme that your citizens committee can rally around, that you can communicate frequently to the community and voters can easily remember when they go to the polls. A proposed theme has been developed to aid in your campaign planning, although you can of course develop a theme of your own. The theme, “Vote Yes for <Our City>”, is simple, direct, easy to recall and plays to a citizens’ civic pride. It also calls them to take positive action by voting yes. This theme has been developed with a graphic, which is included and incorporated into the tool kit materials.

**TOOL KIT ITEMS (Each provided separately from this document):**

**The tool kit has been prepared with files that can be customized with your campaign information, such as election date, campaign contact name and phone number and website. The theme, “YES for Our City,” may be customized to your city name if you choose. Supporting fonts and graphics are included for all materials when necessary.**

- Research report of registered Missouri voters
- Sample Organization chart for campaign committee
- Sample Campaign timeline
- Committee checklist of action steps
- Key talking points
- Website files
- PowerPoint community presentation
- Campaign brochure
- Billboard artwork
- Radio scripts
- Newspaper and online ads
- Facebook strategy, ads and posts
- Twitter posts
- Door hanger artwork
- News release template and ideas
- Newsletter article and ideas

## FREQUENTLY ASKED QUESTIONS ON THE USE TAX AND THE SALES TAX ON VEHICLES

By League Staff

*Each day your Missouri Municipal League staff answers dozens of questions on municipal issues. This edition focuses on the use tax and the administrative fee on vehicle sales. Some of the information in the column comes from the information available on the Missouri Department of Revenue's website. As with all legal matters, municipal officials are urged to consult their city attorney for guidance in the specific problems faced by their municipality. Answers provided in this column should serve only as a general reference.*

### **WHAT IS THE USE TAX?**

Use tax is imposed on the storage, use or consumption of tangible personal property in this state on products purchased from out-of-state. The use tax is applied to the same type of products that are subject to sales tax. Products that are exempt from the sales tax would be exempt from the use tax. The state use tax rate is 4.225%. Cities and counties may impose an additional local use tax. The amount of use tax due on a transaction depends on the combined (local and state) use tax rate in effect at the Missouri location where the tangible personal property is stored, used or consumed. In general terms, while the sales tax rate is based on the point of sale, the use tax rate is determined based on the point of delivery. Local use taxes are distributed in the same manner as sales taxes.

### **WHAT IS THE RATE OF THE USE TAX?**

The state of Missouri imposes a use tax at 4.225% the same as the retail sales tax. Local jurisdictions that have the power to impose a sales tax may also impose a use tax. The local use tax rate is imposed at the same rate as the total of the jurisdictions local option sales taxes.

### **HOW DOES THE USE TAX DIFFER FROM THE TRADITIONAL SALES TAX?**

In most circumstances the purchases made from brick and mortar retail stores are subject to the imposition of a sales tax based on the tax rate of jurisdiction in which the retailer is physically located. On the other hand, the use tax is imposed on purchases made from out-of-state vendors and the rate of the tax depends on the use tax rate in the jurisdiction that the purchaser is having the item shipped to.

### **WHAT IF I BUY SOMETHING FROM A MISSOURI RETAILER USING THE INTERNET, WILL THE USE TAX APPLY?**

No. The use tax does not apply if the purchase is from a Missouri retailer. Typically in such a situation the sales tax based on the vendor's location would apply to the purchase.

### **WILL THE USE TAX APPLY TO EVERY PURCHASE MADE FROM OUT-OF-STATE VENDORS?**

Out-of-state vendors that have contracts with the state of Missouri or vendors with a physical nexus in Missouri are required to collect the use tax. Consumers who make purchases from vendors that do not collect the use tax are required to report those purchases on their income tax when their annual purchases from non-collecting vendors exceed \$2,000. Purchases made from vendors who do not collect the use tax of less than \$2,000 are still subject to the use tax however there is no mechanism that guarantees collection.

### **WON'T PASSAGE OF THE FEDERAL MARKETPLACE FAIRNESS AKA INTERNET TAX MAKE PASSAGE OF A LOCAL USE TAX A MOOT POINT?**

The Marketplace Fairness Act is a federal legislation that would require vendors across the nation to collect the use tax on behalf of their consumer's state of residence. Only cities that have passed the use tax would benefit from such Federal legislation. Further, state level action may still be needed to enter into any National level compact on tax collection. Issues such as product exemption and sales tax holidays will likely need to be sorted out. For instance, in some states exempt clothing from sales tax but consider mittens to sports gear that is subject to taxation. Other states exempt food but not consider candy bars to be food.

### **WHAT ABOUT VEHICLE PURCHASES? ARE THEY TREATED DIFFERENTLY THAN OTHER PURCHASES?**

Yes, the purchase of vehicles, trailers, boats and outboard motors are treated differently than other retail purchases. Currently, the local sales tax is not paid at the time of purchase for these products. For instance when Missouri residents purchase a car at an auto dealership no sales tax is paid on the purchase. Instead, when those products are registered with the Missouri Department of Revenue, the local sales tax will be imposed based on the address of the registrant (which may be a different jurisdiction from the location of the auto dealer who sold the car).

### **WHAT WAS THE STREET DECISION?**

In January 31, 2012, the Missouri Supreme Court ruled that only cities with a use tax could collect local sales tax on purchases from out-of-state (as well as person to person sales). Purchases from Missouri auto dealers were still subject to the tax. The Missouri Department of Revenue estimated that approximately 20 percent of vehicle (and trailers, boats and outboard motors) sales occur from out-of-state vendors or person to person sales and that this would result in a loss in revenue to local jurisdiction of approximately \$20.5 million.

### **WHAT WAS THE RESPONSE TO THE STREET DECISION?**

In response to this momentous court decision the Missouri Municipal League sought relief from the Missouri Legislature. In 2013, the Legislature passed SB 182. This legislation re-imposed the local sales tax on vehicle sales (and person-to-person sales) in the form of an administrative fee. The legislation requires that cities that did not have a use tax in place prior to August of 2013 must receive voter approval to continue this administrative fee by November of 2016. Cities that don't gain voter approval

to continue the tax by November of 2016 will lose the revenue stream after that date. Further, the law does not

**DON'T WE NEED TO PASS A USE TAX TO ENSURE THAT THE CITY CONTINUES TO RECEIVE SALES TAX ON OUT-OF-STATE VEHICLE PURCHASES?**

No. While it is true that cities that had a use tax in place prior to the enactment of SB 182 (August, 2013) will continue to receive revenue from out-of-state vehicle purchases without seeking voter approval for the administrative fee. For cities that don't currently have a use tax, passage of a new use tax may not prevent the loss of revenue after November of 2016. Language in SB 182 found in section 32.087 refers to municipalities "in which voters have previously approved a local use tax". This language calls into question whether a new use tax passed after August 28, 2013 will to capture the administrative fee on vehicle sales. Therefore, the prudent course for cities that did not have the use tax in place prior to August of 2013 is to seek voter approval for the continuance of the administrative fee on vehicle purchases.

**WHAT HAS THE MISSOURI MUNICIPAL LEAGUE DONE TO ADDRESS THE STREET DECISION LOOPHOLE?**

The Missouri Municipal League was instrumental in the passage of SB 182. League staff, together with the auto dealers association and municipal officials across the state worked tirelessly to see this bill passed. This legislation has prevented the loss of approximately \$40 million in much needed revenue to Missouri cities.

**WHERE CAN WE GET BALLOT LANGUAGE OR SAMPLE ORDINANCES FOR THE ADMINISTRATIVE FEE OR USE TAX?**

The Missouri Municipal League has prepared model ordinances for both the use tax and the administrative fee on vehicles sales. These ordinances are available on the League "1-Stop-Shop" under "taxes". Or simply contact League Headquarters and request a copy.

| City          | Total Local Sales Tax Remitted on Vehicle and Marine Sales in 2011 | 21% of Total Sales Tax Remitted (ESTIMATED Taxes on Out-of-State and Individual Sales) |
|---------------|--|--|
| ADRIAN        | \$55,992.47  | \$11,758.42  |
| ADVANCE       | \$30,027.89  | \$6,305.86   |
| AIRPORT DRIVE | \$14,555.93  | \$3,056.75   |
| ALBA          | \$8,200.35   | \$1,722.07   |
| ALBANY        | \$44,429.96  | \$9,330.29   |
| ALEXANDRIA    | \$1,486.12   | \$312.08   |
| ALLENDALE     | \$226.76   | \$47.62  |
| ALTON         | \$8,870.10   | \$1,862.72   |
| AMSTERDAM     | \$1,643.94   | \$345.23   |
| ANDERSON      | \$25,694.56  | \$5,395.86   |
| ANNAPOLIS     | \$8,721.74   | \$1,831.57   |
| APPLETON CITY | \$24,941.14  | \$5,237.64   |
| ARBYRD        | \$4,926.74   | \$1,034.62   |
| ARCADIA       | \$6,280.05   | \$1,318.81   |
| ARCHIE        | \$14,655.45  | \$3,077.64   |
| ARGYLE        | \$2,036.90   | \$427.75   |
| ARNOLD        | \$297,354.51   | \$62,444.45  |
| ARROW ROCK    | \$1,445.08   | \$303.47   |
| ASBURY        | \$1,967.78   | \$413.23   |
| ASH GROVE     | \$12,541.38  | \$2,633.69   |
| ASHLAND       | \$70,287.73  | \$14,760.42  |
| ATLANTA       | \$2,595.28   | \$545.01   |
| AUGUSTA       | \$2,076.54   | \$436.07   |
| AURORA        | \$135,919.68   | \$28,543.13  |
| AUXVASSE      | \$19,426.71  | \$4,079.61   |
| AVA           | \$30,750.66  | \$6,457.64   |
| AVONDALE      | \$3,912.85   | \$821.70   |
| BAGNELL       | \$1,464.80   | \$307.61   |
| BAKERSFIELD   | \$249.02   | \$52.30  |
| BALLWIN       | \$555,529.31   | \$116,661.16   |
| BALLWIN (T1)  | \$3,887.52   | \$816.38   |
| BALLWIN (X1)  | \$109,862.41   | \$23,071.11  |
| BALLWIN (X2)  | \$1,854.58   | \$389.46   |
| BALLWIN (X3)  | \$1,613.91   | \$338.92   |
| BALLWIN (X4)  | \$19,441.24  | \$4,082.66   |
| BALLWIN (X5)  | \$42,952.86  | \$9,020.10   |
| BALLWIN (X6)  | \$2,521.90   | \$529.60   |
| BALLWIN (X7)  | \$2,505.28   | \$526.11   |
| BALLWIN (X8)  | \$62,035.46  | \$13,027.45  |
| BATES CITY    | \$7,188.47   | \$1,509.58   |
| BATTLEFIELD   | \$61,150.09  | \$12,841.52  |
| BELL CITY     | \$5,685.75   | \$1,194.01   |
| BELLA VILLA   | \$2,208.25   | \$463.73   |

|                         |                |              |
|-------------------------|----------------|--------------|
| BELLA VILLA (X1)        | \$190.62       | \$40.03      |
| BELLE                   | \$25,335.75    | \$5,320.51   |
| BELLEFONTAINE NEIGHBORS | \$48,603.21    | \$10,206.67  |
| BELLERIVE               | \$2,668.97     | \$560.48     |
| BELLFLOWER              | \$4,090.55     | \$859.02     |
| BEL-NOR                 | \$8,638.76     | \$1,814.14   |
| BEL-RIDGE               | \$15,273.30    | \$3,207.39   |
| BEL-RIDGE (T1)          | \$1,706.75     | \$358.42     |
| BEL-RIDGE (T2)          | \$3,331.45     | \$699.60     |
| BELTON                  | \$679,735.49   | \$142,744.45 |
| BENTON                  | \$15,176.00    | \$3,186.96   |
| BERGER                  | \$1,063.54     | \$223.34     |
| BERKELEY                | \$229,577.59   | \$48,211.29  |
| BERKELEY (T1)           | \$2,523.51     | \$529.94     |
| BERKELEY (T2)           | \$71.06        | \$14.92      |
| BERNIE                  | \$40,799.59    | \$8,567.91   |
| BERTRAND                | \$9,027.34     | \$1,895.74   |
| BETHANY                 | \$43,442.14    | \$9,122.85   |
| BETHEL                  | \$2,426.87     | \$509.64     |
| BEVERLY HILLS           | \$7,581.48     | \$1,592.11   |
| BEVIER                  | \$6,592.48     | \$1,384.42   |
| BILLINGS                | \$7,642.73     | \$1,604.97   |
| BIRCH TREE              | \$6,646.10     | \$1,395.68   |
| BIRMINGHAM              | \$2,093.36     | \$439.61     |
| BISMARCK                | \$17,950.18    | \$3,769.54   |
| BLACK JACK              | \$42,777.63    | \$8,983.30   |
| BLACKBURN               | \$2,069.25     | \$434.54     |
| BLACKWATER              | \$2,686.89     | \$564.25     |
| BLAIRSTOWN              | \$528.66       | \$111.02     |
| BLAND                   | \$7,112.38     | \$1,493.60   |
| BLOOMFIELD              | \$26,472.28    | \$5,559.18   |
| BLOOMSDALE              | \$7,946.23     | \$1,668.71   |
| BLUE EYE                | \$1,350.96     | \$283.70     |
| BLUE SPRINGS            | \$1,211,515.97 | \$254,418.35 |
| BOLIVAR                 | \$194,021.84   | \$40,744.59  |
| BONNE TERRE             | \$87,443.96    | \$18,363.23  |
| BOONVILLE               | \$105,317.78   | \$22,116.73  |
| BOURBON                 | \$16,972.73    | \$3,564.27   |
| BOWLING GREEN           | \$62,098.73    | \$13,040.73  |
| BRANSON                 | \$204,954.09   | \$43,040.36  |
| BRANSON WEST            | \$7,908.75     | \$1,660.84   |
| BRASHEAR                | \$1,608.97     | \$337.88     |
| BRAYMER                 | \$6,665.79     | \$1,399.82   |
| BRECKENRIDGE            | \$3,234.34     | \$679.21     |
| BRECKENRIDGE HILLS      | \$63,112.35    | \$13,253.59  |
| BRENTWOOD               | \$317,484.74   | \$66,671.80  |
| BRENTWOOD (T5)          | \$2,262.42     | \$475.11     |
| BRENTWOOD (T6)          | \$1,050.96     | \$220.70     |
| BRENTWOOD (T7)          | \$484.87       | \$101.82     |
| BRENTWOOD (T9)          | \$4,880.56     | \$1,024.92   |
| BRIDGETON               | \$455,556.88   | \$95,666.94  |
| BRIDGETON (T2)          | \$2,674.25     | \$561.59     |

|                     |                |              |
|---------------------|----------------|--------------|
| BRIDGETON (T3)      | \$1.98         | \$0.42       |
| BRIDGETON (T4)      | \$4.49         | \$0.94       |
| BRIDGETON (X1)      | \$103.88       | \$21.81      |
| BRIDGETON (X2)      | \$1,244.69     | \$261.38     |
| BROOKFIELD          | \$73,667.75    | \$15,470.23  |
| BROWNING            | \$2,502.45     | \$525.52     |
| BRUMLEY             | \$526.30       | \$110.52     |
| BRUNSWICK           | \$14,995.42    | \$3,149.04   |
| BUCKLIN             | \$5,427.79     | \$1,139.84   |
| BUCKNER             | \$64,309.10    | \$13,504.91  |
| BUFFALO             | \$32,339.07    | \$6,791.21   |
| BULL CREEK VILLAGE  | \$550.20       | \$115.54     |
| BUNCETON            | \$3,453.99     | \$725.34     |
| BUNKER              | \$4,661.95     | \$979.01     |
| BUTLER              | \$97,001.22    | \$20,370.26  |
| BUTTERFIELD         | \$1,484.53     | \$311.75     |
| BYRNES MILL         | \$28,382.26    | \$5,960.27   |
| CABOOL              | \$34,090.25    | \$7,158.95   |
| CALEDONIA           | \$889.85       | \$186.87     |
| CALHOUN             | \$7,227.79     | \$1,517.84   |
| CALIFORNIA          | \$85,454.33    | \$17,945.41  |
| CALLAO              | \$2,551.10     | \$535.73     |
| CALVERTON PARK      | \$5,057.91     | \$1,062.16   |
| CAMDENTON           | \$65,948.38    | \$13,849.16  |
| CAMERON             | \$117,438.20   | \$24,662.02  |
| CAMPBELL            | \$23,890.13    | \$5,016.93   |
| CANTON              | \$36,019.07    | \$7,564.00   |
| CAPE GIRARDEAU      | \$1,324,034.04 | \$278,047.15 |
| CAPE GIRARDEAU CNTY | \$1,185,868.99 | \$249,032.49 |
| CARDWELL            | \$5,416.51     | \$1,137.47   |
| CARL JUNCTION       | \$224,959.33   | \$47,241.46  |
| CARROLLTON          | \$64,777.55    | \$13,603.29  |
| CARTERVILLE         | \$38,179.90    | \$8,017.78   |
| CARTHAGE            | \$299,736.49   | \$62,944.66  |
| CARUTHERSVILLE      | \$102,128.35   | \$21,446.95  |
| CASSVILLE           | \$48,708.56    | \$10,228.80  |
| CENTER              | \$8,913.55     | \$1,871.85   |
| CENTERTOWN          | \$3,279.25     | \$688.64     |
| CENTERVILLE         | \$1,740.18     | \$365.44     |
| CENTRALIA           | \$89,090.68    | \$18,709.04  |
| CHAFFEE             | \$48,613.31    | \$10,208.79  |
| CHAMOIS             | \$5,045.97     | \$1,059.65   |
| CHARLACK            | \$8,102.01     | \$1,701.42   |
| CHARLESTON          | \$78,168.04    | \$16,415.29  |
| CHESTERFIELD        | \$811,069.83   | \$170,324.66 |
| CHESTERFIELD (X1)   | \$45,805.53    | \$9,619.16   |
| CHILHOWEE           | \$2,055.47     | \$431.65     |
| CHILLICOTHE         | \$254,698.78   | \$53,486.74  |
| CLARENCE            | \$16,794.30    | \$3,526.80   |
| CLARK               | \$4,657.15     | \$978.00     |
| CLARKSBURG          | \$3,797.80     | \$797.54     |
| CLARKSVILLE         | \$5,527.53     | \$1,160.78   |

|                      |                |              |
|----------------------|----------------|--------------|
| CLARKTON             | \$16,256.53    | \$3,413.87   |
| CLAYCOMO             | \$23,698.33    | \$4,976.65   |
| CLAYTON              | \$537,710.85   | \$112,919.28 |
| CLEVELAND            | \$18,945.63    | \$3,978.58   |
| CLEVER               | \$30,056.13    | \$6,311.79   |
| CLIMAX SPRINGS       | \$973.37       | \$204.41     |
| CLINTON              | \$250,337.68   | \$52,570.91  |
| COLE CAMP            | \$20,911.85    | \$4,391.49   |
| COLLINS              | \$746.41       | \$156.75     |
| COLUMBIA             | \$2,704,685.57 | \$567,983.97 |
| CONCORDIA            | \$60,765.09    | \$12,760.67  |
| CONWAY               | \$9,136.18     | \$1,918.60   |
| COOL VALLEY          | \$20,658.54    | \$4,338.29   |
| CORDER               | \$5,587.22     | \$1,173.32   |
| COTTLEVILLE          | \$81,823.83    | \$17,183.00  |
| COUNTRY CLUB HILLS   | \$11,696.55    | \$2,456.28   |
| COUNTRY CLUB HLS(T1) | \$799.85       | \$167.97     |
| COUNTRY CLUB VILLAGE | \$10,791.24    | \$2,266.16   |
| CRAIG                | \$3,029.60     | \$636.22     |
| CRANE                | \$17,004.83    | \$3,571.02   |
| CREIGHTON            | \$2,823.39     | \$592.91     |
| CRESTWOOD            | \$322,336.50   | \$67,690.66  |
| CRESTWOOD (T2)       | \$2,532.15     | \$531.75     |
| CRESTWOOD (X1)       | \$21,111.89    | \$4,433.50   |
| CREVE COEUR          | \$790,580.91   | \$166,021.99 |
| CREVE COEUR (T1)     | \$2,841.97     | \$596.81     |
| CREVE COEUR (X1)     | \$4,581.57     | \$962.13     |
| CREVE COEUR (X2)     | \$1,720.83     | \$361.37     |
| CREVE COEUR (X3)     | \$48,131.57    | \$10,107.63  |
| CREVE COEUR (X4)     | \$2,335.64     | \$490.48     |
| CROCKER              | \$22,638.44    | \$4,754.07   |
| CRYSTAL CITY         | \$93,645.71    | \$19,665.60  |
| CRYSTAL LAKE PARK    | \$2,570.52     | \$539.81     |
| CRYSTAL LAKES        | \$3,751.25     | \$787.76     |
| CUBA                 | \$64,086.62    | \$13,458.19  |
| CURRYVILLE           | \$1,272.75     | \$267.28     |
| DARDENNE PRAIRIE     | \$303,936.47   | \$63,826.66  |
| DE SOTO              | \$92,222.63    | \$19,366.75  |
| DEARBORN             | \$9,741.89     | \$2,045.80   |
| DEEPWATER            | \$9,319.63     | \$1,957.12   |
| DELLWOOD             | \$37,322.70    | \$7,837.77   |
| DELLWOOD (T1)        | \$452.95       | \$95.12      |
| DELTA                | \$3,978.91     | \$835.57     |
| DES PERES            | \$297,424.22   | \$62,459.09  |
| DES PERES (T1)       | \$12,706.56    | \$2,668.38   |
| DES PERES (X1)       | \$22,766.10    | \$4,780.88   |
| DES PERES (X2)       | \$6,466.90     | \$1,358.05   |
| DES PERES (X3)       | \$3,850.30     | \$808.56     |
| DES PERES (X4)       | \$543.31       | \$114.10     |
| DES PERES (X5)       | \$349.66       | \$73.43      |
| DES PERES (X6)       | \$3,991.14     | \$838.14     |
| DESLOGE              | \$118,743.54   | \$24,936.14  |

|                   |              |              |
|-------------------|--------------|--------------|
| DEXTER            | \$213,739.26 | \$44,885.24  |
| DIAMOND           | \$26,858.15  | \$5,640.21   |
| DIGGINS           | \$1,517.93   | \$318.76     |
| DIXON             | \$24,927.90  | \$5,234.86   |
| DONIPHAN          | \$23,892.90  | \$5,017.51   |
| DOOLITTLE         | \$9,838.43   | \$2,066.07   |
| DREXEL            | \$19,734.13  | \$4,144.17   |
| DUDLEY            | \$2,777.86   | \$583.35     |
| DUENWEG           | \$27,871.48  | \$5,853.01   |
| DUQUESNE          | \$48,851.88  | \$10,258.89  |
| DUTCHTOWN         | \$455.77     | \$95.71      |
| EAGLEVILLE        | \$3,824.10   | \$803.06     |
| EAST LYNNE        | \$4,732.75   | \$993.88     |
| EAST PRAIRIE      | \$87,332.29  | \$18,339.78  |
| EASTON            | \$1,253.14   | \$263.16     |
| EDGAR SPRINGS     | \$1,491.40   | \$313.19     |
| EDGERTON          | \$4,892.01   | \$1,027.32   |
| EDINA             | \$12,390.82  | \$2,602.07   |
| EDMUNDSON         | \$25,617.92  | \$5,379.76   |
| EL DORADO SPRINGS | \$58,763.23  | \$12,340.28  |
| ELDON             | \$94,985.54  | \$19,946.96  |
| ELLINGTON         | \$17,977.54  | \$3,775.28   |
| ELLISVILLE        | \$551,013.37 | \$115,712.81 |
| ELLISVILLE (X1)   | \$72.80      | \$15.29      |
| ELLISVILLE (X10)  | \$136.24     | \$28.61      |
| ELLISVILLE (X11)  | \$2,888.52   | \$606.59     |
| ELLISVILLE (X2)   | \$3.71       | \$0.78       |
| ELLISVILLE (X3)   | \$8,049.21   | \$1,690.34   |
| ELLISVILLE (X4)   | \$1,182.40   | \$248.30     |
| ELLISVILLE (X5)   | \$4,168.23   | \$875.33     |
| ELLISVILLE (X7)   | \$3,252.49   | \$683.02     |
| ELLISVILLE (X8)   | \$1,915.46   | \$402.25     |
| ELLISVILLE (X9)   | \$2,996.66   | \$629.30     |
| ELLSINORE         | \$3,571.24   | \$749.96     |
| ELSBERRY          | \$23,581.97  | \$4,952.21   |
| EMINENCE          | \$10,666.03  | \$2,239.87   |
| EMMA              | \$2,117.73   | \$444.72     |
| EOLIA             | \$6,030.36   | \$1,266.38   |
| ESSEX             | \$6,998.95   | \$1,469.78   |
| EUREKA            | \$279,166.84 | \$58,625.04  |
| EUREKA (T3)       | \$4,464.02   | \$937.44     |
| EUREKA (X1)       | \$1,784.57   | \$374.76     |
| EUREKA (X2)       | \$4,187.72   | \$879.42     |
| EUREKA (X3)       | \$440.30     | \$92.46      |
| EUREKA (X4)       | \$498.45     | \$104.67     |
| EVERTON           | \$3,677.43   | \$772.26     |
| EWING             | \$5,682.32   | \$1,193.29   |
| EXCELSIOR SPRINGS | \$294,699.65 | \$61,886.93  |
| EXETER            | \$4,690.13   | \$984.93     |
| FAIR GROVE        | \$28,977.98  | \$6,085.38   |
| FAIR PLAY         | \$6,280.88   | \$1,318.98   |
| FAIRFAX           | \$8,561.48   | \$1,797.91   |

|                  |              |             |
|------------------|--------------|-------------|
| FAIRVIEW         | \$3,560.42   | \$747.69    |
| FARBER           | \$3,704.64   | \$777.97    |
| FARMINGTON       | \$306,258.55 | \$64,314.30 |
| FAYETTE          | \$27,578.28  | \$5,791.44  |
| FENTON           | \$212,634.95 | \$44,653.34 |
| FENTON (T1X2)    | \$3,510.78   | \$737.26    |
| FENTON (T2)      | \$247.21     | \$51.91     |
| FENTON (T3X1)    | \$628.58     | \$132.00    |
| FENTON (X1)      | \$176.35     | \$37.03     |
| FENTON (X2)      | \$158.70     | \$33.33     |
| FENTON (X3)      | \$1,944.33   | \$408.31    |
| FERGUSON         | \$378,683.11 | \$79,523.45 |
| FERGUSON (T1)    | \$2,876.62   | \$604.09    |
| FERGUSON (T2)    | \$3,222.77   | \$676.78    |
| FERGUSON (T3)    | \$41.58      | \$8.73      |
| FERRELVIEW       | \$2,965.10   | \$622.67    |
| FESTUS           | \$283,530.64 | \$59,541.44 |
| FISK             | \$4,355.91   | \$914.74    |
| FLINT HILL       | \$12,576.32  | \$2,641.03  |
| FLORDELL HILLS   | \$2,307.93   | \$484.66    |
| FLORISSANT       | \$461,849.13 | \$96,988.32 |
| FLORISSANT (T1)  | \$3,903.15   | \$819.66    |
| FLORISSANT (T2)  | \$603.67     | \$126.77    |
| FLORISSANT (X1)  | \$273.81     | \$57.50     |
| FLORISSANT (X10) | \$4,832.47   | \$1,014.82  |
| FLORISSANT (X11) | \$2,230.67   | \$468.44    |
| FLORISSANT (X2)  | \$359.08     | \$75.41     |
| FLORISSANT (X3)  | \$284.12     | \$59.67     |
| FLORISSANT (X4)  | \$12,435.09  | \$2,611.37  |
| FLORISSANT (X5)  | \$3,762.56   | \$790.14    |
| FLORISSANT (X6)  | \$3,406.15   | \$715.29    |
| FLORISSANT (X7)  | \$7,756.31   | \$1,628.83  |
| FLORISSANT (X8)  | \$8,925.44   | \$1,874.34  |
| FLORISSANT (X9)  | \$344.62     | \$72.37     |
| FOLEY            | \$2,026.55   | \$425.58    |
| FORDLAND         | \$8,751.31   | \$1,837.78  |
| FOREST CITY      | \$2,866.57   | \$601.98    |
| FORISTELL        | \$14,595.84  | \$3,065.13  |
| FORSYTH          | \$35,839.91  | \$7,526.38  |
| FRANKFORD        | \$4,570.98   | \$959.91    |
| FRANKLIN         | \$800.45     | \$168.10    |
| FREDERICKTOWN    | \$54,122.37  | \$11,365.70 |
| FREEBURG         | \$4,858.37   | \$1,020.26  |
| FREEMAN          | \$5,952.52   | \$1,250.03  |
| FREMONT HILLS    | \$14,800.01  | \$3,108.00  |
| FRONTENAC        | \$242,835.24 | \$50,995.40 |
| FULTON           | \$199,701.15 | \$41,937.24 |
| GAINESVILLE      | \$3,792.89   | \$796.51    |
| GALENA           | \$2,549.78   | \$535.45    |
| GALLATIN         | \$28,864.98  | \$6,061.65  |
| GARDEN CITY      | \$31,988.30  | \$6,717.54  |
| GASCONADE        | \$1,468.90   | \$308.47    |

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|----------------|--------------|--------------|
| GERALD         | \$24,840.44  | \$5,216.49   |
| GIDEON         | \$11,078.74  | \$2,326.54   |
| GILLIAM        | \$2,779.55   | \$583.71     |
| GILMAN CITY    | \$6,515.24   | \$1,368.20   |
| GLADSTONE      | \$839,276.53 | \$176,248.07 |
| GLASGOW        | \$23,113.56  | \$4,853.85   |
| GLENDALE       | \$110,372.27 | \$23,178.18  |
| GOLDEN CITY    | \$14,764.81  | \$3,100.61   |
| GOODMAN        | \$10,914.70  | \$2,292.09   |
| GOWER          | \$21,574.31  | \$4,530.60   |
| GRAIN VALLEY   | \$433,993.50 | \$91,138.63  |
| GRANBY         | \$46,784.13  | \$9,824.67   |
| GRANDIN        | \$1,833.65   | \$385.07     |
| GRANDVIEW      | \$646,678.39 | \$135,802.46 |
| GRANT CITY     | \$17,473.29  | \$3,669.39   |
| GRANTWOOD      | \$11,580.19  | \$2,431.84   |
| GRAVOIS MILLS  | \$5,310.34   | \$1,115.17   |
| GREEN CASTLE   | \$547.59     | \$114.99     |
| GREEN CITY     | \$7,492.38   | \$1,573.40   |
| GREEN PARK     | \$19,652.78  | \$4,127.08   |
| GREEN RIDGE    | \$10,102.24  | \$2,121.47   |
| GREENDALE      | \$7,087.87   | \$1,488.45   |
| GREENFIELD     | \$9,273.37   | \$1,947.41   |
| GREENTOP       | \$4,730.65   | \$993.44     |
| GREENVILLE     | \$7,624.88   | \$1,601.23   |
| GREENWOOD      | \$142,984.35 | \$30,026.71  |
| HALE           | \$7,755.30   | \$1,628.61   |
| HALF WAY       | \$393.37     | \$82.61      |
| HALLSVILLE     | \$19,678.42  | \$4,132.47   |
| HAMILTON       | \$24,605.70  | \$5,167.20   |
| HANLEY HILLS   | \$8,068.75   | \$1,694.44   |
| HANNIBAL       | \$415,565.27 | \$87,268.71  |
| HARDIN         | \$5,354.41   | \$1,124.43   |
| HARRISBURG     | \$4,033.31   | \$846.99     |
| HARRISONVILLE  | \$195,288.87 | \$41,010.66  |
| HARTSBURG      | \$934.99     | \$196.35     |
| HARTVILLE      | \$7,549.43   | \$1,585.38   |
| HAWK POINT     | \$5,454.52   | \$1,145.45   |
| HAYTI          | \$71,217.52  | \$14,955.68  |
| HAYTI HEIGHTS  | \$4,006.39   | \$841.34     |
| HAZELWOOD      | \$645,332.74 | \$135,519.87 |
| HAZELWOOD (T1) | \$11,051.15  | \$2,320.74   |
| HAZELWOOD (T2) | \$2,962.19   | \$622.06     |
| HAZELWOOD (T3) | \$268.69     | \$56.42      |
| HAZELWOOD (X1) | \$17,981.11  | \$3,776.03   |
| HAZELWOOD (X2) | \$156,581.74 | \$32,882.16  |
| HENRIETTA      | \$5,905.49   | \$1,240.15   |
| HERCULANEUM    | \$122,979.66 | \$25,825.73  |
| HERMANN        | \$49,971.73  | \$10,494.06  |
| HERMITAGE      | \$5,156.78   | \$1,082.92   |
| HIGBEE         | \$8,109.71   | \$1,703.04   |
| HIGGINSVILLE   | \$123,765.76 | \$25,990.81  |

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|---------------------------|-----------------|----------------|
| HIGH HILL                 | \$2,246.53      | \$471.77       |
| HIGHLANDVILLE             | \$8,897.67      | \$1,868.51     |
| HILLSBORO                 | \$37,345.43     | \$7,842.54     |
| HILLSDALE                 | \$5,890.21      | \$1,236.94     |
| HOLCOMB                   | \$9,005.32      | \$1,891.12     |
| HOLDEN                    | \$32,662.04     | \$6,859.03     |
| HOLLISTER                 | \$67,006.97     | \$14,071.46    |
| HOLT                      | \$16,934.10     | \$3,556.16     |
| HOLTS SUMMIT              | \$119,252.86    | \$25,043.10    |
| HOMESTOWN                 | \$735.41        | \$154.44       |
| HOPKINS                   | \$8,758.57      | \$1,839.30     |
| HORNERSVILLE              | \$7,160.56      | \$1,503.72     |
| HOUSTON                   | \$28,759.03     | \$6,039.40     |
| HOWARDVILLE               | \$1,555.05      | \$326.56       |
| HUMANSVILLE               | \$8,248.09      | \$1,732.10     |
| HUME                      | \$2,845.52      | \$597.56       |
| HUNNEWELL                 | \$1,261.27      | \$264.87       |
| HUNTSVILLE                | \$24,958.63     | \$5,241.31     |
| HURLEY                    | \$1,501.42      | \$315.30       |
| IBERIA                    | \$10,378.12     | \$2,179.41     |
| INDEPENDENCE              | \$2,833,327.90  | \$594,998.86   |
| INDIAN POINT (VILLAGE OF) | \$2,738.84      | \$575.16       |
| INNSBROOK (VILLAGE OF)    | \$10,060.47     | \$2,112.70     |
| IRON MOUNTAIN LAKE        | \$82.52         | \$17.33        |
| IRONDALE                  | \$3,015.62      | \$633.28       |
| IRONTON                   | \$22,154.07     | \$4,652.36     |
| JACKSON                   | \$366,938.15    | \$77,057.01    |
| JAMESPORT                 | \$7,436.59      | \$1,561.68     |
| JANE                      | \$507.76        | \$106.63       |
| JASPER                    | \$30,553.97     | \$6,416.33     |
| JEFFERSON CITY            | \$1,138,911.89  | \$239,171.50   |
| JENNINGS                  | \$130,349.91    | \$27,373.48    |
| JENNINGS (T1)             | \$6,046.84      | \$1,269.84     |
| JENNINGS (T2)             | \$600.91        | \$126.19       |
| JENNINGS (T3)             | \$88.37         | \$18.56        |
| JENNINGS (T4)             | \$782.87        | \$164.40       |
| JENNINGS (T7)             | \$324.32        | \$68.11        |
| JENNINGS (X1)             | \$723.04        | \$151.84       |
| JONESBURG                 | \$18,344.78     | \$3,852.40     |
| JOPLIN                    | \$2,055,241.04  | \$431,600.62   |
| JOSEPHVILLE               | \$3,743.09      | \$786.05       |
| KAHOKA                    | \$26,209.18     | \$5,503.93     |
| KANSAS CITY               | \$13,051,372.78 | \$2,740,788.28 |
| KEARNEY                   | \$280,934.47    | \$58,996.24    |
| KELSO                     | \$9,755.29      | \$2,048.61     |
| KENNETT                   | \$177,354.31    | \$37,244.41    |
| KEYTESVILLE               | \$974.32        | \$204.61       |
| KIDDER                    | \$2,118.60      | \$444.91       |
| KIMBERLING CITY           | \$66,644.31     | \$13,995.30    |
| KIMMSWICK                 | \$1,509.01      | \$316.89       |
| KING CITY                 | \$18,323.21     | \$3,847.87     |
| KINGDOM CITY              | \$1,258.64      | \$264.31       |

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|----------------|----------------|--------------|
| KINLOCH        | \$2,291.84     | \$481.29     |
| KIRBYVILLE     | \$1,227.70     | \$257.82     |
| KIRKSVILLE     | \$276,067.56   | \$57,974.19  |
| KIRKWOOD       | \$828,105.62   | \$173,902.18 |
| KIRKWOOD (T2)  | \$43,136.04    | \$9,058.57   |
| KIRKWOOD (X1)  | \$35,190.56    | \$7,390.02   |
| KNOB NOSTER    | \$63,599.21    | \$13,355.83  |
| KOSHKONONG     | \$3,843.94     | \$807.23     |
| LA BELLE       | \$5,484.42     | \$1,151.73   |
| LA GRANGE      | \$9,505.98     | \$1,996.26   |
| LA MONTE       | \$20,198.69    | \$4,241.73   |
| LA PLATA       | \$17,656.48    | \$3,707.86   |
| LACLEDE        | \$2,971.18     | \$623.95     |
| LADDONIA       | \$5,958.00     | \$1,251.18   |
| LADUE          | \$682,591.02   | \$143,344.11 |
| LAKE LOTAWANA  | \$49,077.89    | \$10,306.36  |
| LAKE OZARK     | \$86,294.44    | \$18,121.83  |
| LAKE ST LOUIS  | \$494,370.63   | \$103,817.83 |
| LAKE WINNEBAGO | \$12,411.76    | \$2,606.47   |
| LAKESHIRE      | \$6,164.16     | \$1,294.47   |
| LAMAR          | \$96,909.09    | \$20,350.91  |
| LANAGAN        | \$5,295.60     | \$1,112.08   |
| LANCASTER      | \$6,236.64     | \$1,309.70   |
| LATHROP        | \$37,690.83    | \$7,915.08   |
| LAURIE         | \$15,157.54    | \$3,183.08   |
| LAWSON         | \$52,252.24    | \$10,972.97  |
| LEADINGTON     | \$7,403.41     | \$1,554.72   |
| LEADWOOD       | \$10,149.16    | \$2,131.32   |
| LEBANON        | \$328,662.82   | \$69,019.19  |
| LEE'S SUMMIT   | \$3,076,711.22 | \$646,109.36 |
| LEETON         | \$8,179.14     | \$1,717.62   |
| LEVASY         | \$1,771.52     | \$372.02     |
| LEWISTOWN      | \$7,063.37     | \$1,483.31   |
| LEXINGTON      | \$122,311.50   | \$25,685.42  |
| LIBERAL        | \$6,462.53     | \$1,357.13   |
| LIBERTY        | \$1,016,501.34 | \$213,465.28 |
| LICKING        | \$30,384.58    | \$6,380.76   |
| LILBOURN       | \$13,836.33    | \$2,905.63   |
| LINCOLN        | \$18,290.40    | \$3,840.98   |
| LINN           | \$16,392.88    | \$3,442.50   |
| LINN CREEK     | \$5,773.80     | \$1,212.50   |
| LOCKWOOD       | \$9,950.33     | \$2,089.57   |
| LOMA LINDA     | \$14,923.61    | \$3,133.96   |
| LONE JACK      | \$33,443.73    | \$7,023.18   |
| LOUISIANA      | \$63,292.83    | \$13,291.49  |
| LOWRY CITY     | \$13,618.29    | \$2,859.84   |
| MACKS CREEK    | \$1,428.72     | \$300.03     |
| MACON          | \$83,909.26    | \$17,620.94  |
| MADISON        | \$6,937.71     | \$1,456.92   |
| MAITLAND       | \$4,719.94     | \$991.19     |
| MALDEN         | \$65,464.97    | \$13,747.64  |
| MALTA BEND     | \$1,627.67     | \$341.81     |

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|----------------------|--------------|-------------|
| MANCHESTER           | \$190,134.10 | \$39,928.16 |
| MANCHESTER (T1)      | \$15,950.99  | \$3,349.71  |
| MANCHESTER (X1)      | \$4,203.23   | \$882.68    |
| MANCHESTER (X2)      | \$4,794.82   | \$1,006.91  |
| MANCHESTER (X3)      | \$52,571.83  | \$11,040.08 |
| MANCHESTER (X4)      | \$127,708.45 | \$26,818.77 |
| MANSFIELD            | \$12,398.48  | \$2,603.68  |
| MAPLEWOOD            | \$251,441.31 | \$52,802.67 |
| MAPLEWOOD (T1)       | \$2,366.71   | \$497.01    |
| MAPLEWOOD (T2)       | \$911.75     | \$191.47    |
| MARBLE HILL          | \$17,815.15  | \$3,741.18  |
| MARCELINE            | \$36,551.41  | \$7,675.80  |
| MARIONVILLE          | \$38,272.12  | \$8,037.15  |
| MARLBOROUGH          | \$42,506.06  | \$8,926.27  |
| MARQUAND             | \$2,407.69   | \$505.61    |
| MARSHALL             | \$202,777.49 | \$42,583.27 |
| MARSHFIELD           | \$155,393.45 | \$32,632.62 |
| MARSTON              | \$14,529.95  | \$3,051.29  |
| MARTHASVILLE         | \$23,823.90  | \$5,003.02  |
| MARTINSBURG          | \$8,310.24   | \$1,745.15  |
| MARYLAND HEIGHTS     | \$177,016.58 | \$37,173.48 |
| MARYLAND HEIGHTS(T1) | \$47,860.10  | \$10,050.62 |
| MARYLAND HEIGHTS(T2) | \$1,120.26   | \$235.26    |
| MARYLAND HEIGHTS(T3) | \$324.00     | \$68.04     |
| MARYLAND HEIGHTS(X1) | \$8,194.24   | \$1,720.79  |
| MARYLAND HEIGHTS(X2) | \$13,192.53  | \$2,770.43  |
| MARYLAND HEIGHTS(X3) | \$7,368.13   | \$1,547.31  |
| MARYVILLE            | \$216,179.42 | \$45,397.68 |
| MATTHEWS             | \$22,545.93  | \$4,734.65  |
| MAYSVILLE            | \$18,773.42  | \$3,942.42  |
| MEMPHIS              | \$23,328.67  | \$4,899.02  |
| MERRIAM WOODS        | \$20,325.52  | \$4,268.36  |
| META                 | \$3,214.51   | \$675.05    |
| MEXICO               | \$191,285.01 | \$40,169.85 |
| MIDDLETOWN           | \$1,343.27   | \$282.09    |
| MILAN                | \$18,527.52  | \$3,890.78  |
| MILL SPRING          | \$185.98     | \$39.06     |
| MILLER               | \$12,340.06  | \$2,591.41  |
| MINER                | \$34,405.94  | \$7,225.25  |
| MOBERLY              | \$338,567.40 | \$71,099.15 |
| MOKANE               | \$2,674.17   | \$561.58    |
| MOLINE ACRES         | \$9,256.44   | \$1,943.85  |
| MOLINE ACRES (T1)    | \$620.30     | \$130.26    |
| MONETT               | \$148,027.89 | \$31,085.86 |
| MONROE CITY          | \$48,070.02  | \$10,094.71 |
| MONTGOMERY CITY      | \$39,750.06  | \$8,347.51  |
| MONTROSE             | \$6,443.90   | \$1,353.22  |
| MOREHOUSE            | \$10,014.23  | \$2,102.99  |
| MORLEY               | \$8,150.42   | \$1,711.59  |
| MORRISON             | \$1,691.80   | \$355.28    |
| MORRISVILLE          | \$2,657.99   | \$558.18    |
| MOSBY                | \$2,085.34   | \$437.92    |

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|---------------------|----------------|--------------|
| MOSCOW MILLS        | \$41,596.62    | \$8,735.29   |
| MOUND CITY          | \$22,798.62    | \$4,787.71   |
| MOUNT VERNON        | \$88,660.52    | \$18,618.71  |
| MOUNTAIN GROVE      | \$71,339.02    | \$14,981.19  |
| MOUNTAIN VIEW       | \$40,977.04    | \$8,605.18   |
| NAYLOR              | \$7,644.45     | \$1,605.34   |
| NEELYVILLE          | \$1,684.31     | \$353.70     |
| NEOSHO              | \$330,984.75   | \$69,506.80  |
| NEVADA              | \$187,776.20   | \$39,433.00  |
| NEW BLOOMFIELD      | \$9,992.40     | \$2,098.40   |
| NEW CAMBRIA         | \$2,322.34     | \$487.69     |
| NEW FLORENCE        | \$8,578.55     | \$1,801.50   |
| NEW FRANKLIN        | \$20,254.51    | \$4,253.45   |
| NEW HAVEN           | \$47,825.96    | \$10,043.45  |
| NEW LONDON          | \$26,114.04    | \$5,483.95   |
| NEW MADRID          | \$76,401.53    | \$16,044.32  |
| NEW MELLE           | \$13,408.93    | \$2,815.87   |
| NEWBURG             | \$3,206.22     | \$673.31     |
| NIANGUA             | \$4,972.24     | \$1,044.17   |
| NIXA                | \$319,519.81   | \$67,099.16  |
| NOEL                | \$20,664.66    | \$4,339.58   |
| NORBORNE            | \$8,507.52     | \$1,786.58   |
| NORMANDY            | \$45,584.08    | \$9,572.66   |
| NORMANDY (T1)       | \$1,418.07     | \$297.79     |
| NORTH KANSAS CITY   | \$131,239.37   | \$27,560.27  |
| NORTHMOOR           | \$7,349.07     | \$1,543.30   |
| NORTHWOODS          | \$38,598.54    | \$8,105.69   |
| NORWOOD             | \$10,197.43    | \$2,141.46   |
| OAK GROVE           | \$164,048.11   | \$34,450.10  |
| OAK GROVE (VILLAGE) | \$4,350.19     | \$913.54     |
| OAKLAND             | \$14,456.27    | \$3,035.82   |
| OAKS (VILLAGE)      | \$1,759.72     | \$369.54     |
| OAKVIEW             | \$9,095.88     | \$1,910.14   |
| ODESSA              | \$162,100.04   | \$34,041.01  |
| O'FALLON            | \$2,502,678.99 | \$525,562.59 |
| OLD MONROE          | \$7,413.94     | \$1,556.93   |
| OLIVETTE            | \$287,049.16   | \$60,280.32  |
| OLIVETTE (T1)       | \$1,144.59     | \$240.36     |
| ORAN                | \$24,387.71    | \$5,121.42   |
| ORONOGO             | \$50,946.89    | \$10,698.85  |
| ORRICK              | \$16,520.42    | \$3,469.29   |
| OSAGE BEACH         | \$161,001.86   | \$33,810.39  |
| OSCEOLA             | \$9,869.77     | \$2,072.65   |
| OTTERVILLE          | \$4,594.54     | \$964.85     |
| OVERLAND            | \$258,226.23   | \$54,227.51  |
| OWENSVILLE          | \$43,709.90    | \$9,179.08   |
| OZARK               | \$383,829.31   | \$80,604.15  |
| PACIFIC             | \$104,710.85   | \$21,989.28  |
| PAGEDALE            | \$50,359.46    | \$10,575.49  |
| PAGEDALE (T1)       | \$577.39       | \$121.25     |
| PALMYRA             | \$76,770.50    | \$16,121.81  |
| PARIS               | \$22,541.28    | \$4,733.67   |

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| PARK HILLS           | \$193,932.45 | \$40,725.81  |
| PARKVILLE            | \$185,133.37 | \$38,878.01  |
| PARKWAY              | \$7,972.22   | \$1,674.17   |
| PARMA                | \$16,671.81  | \$3,501.08   |
| PASADENA HILLS       | \$5,660.76   | \$1,188.76   |
| PASADENA PARK        | \$3,177.96   | \$667.37     |
| PATTONSBURG          | \$1,266.81   | \$266.03     |
| PECULIAR             | \$151,204.69 | \$31,752.98  |
| PEERLESS PARK        | \$12,709.17  | \$2,668.93   |
| PERRY                | \$26,031.60  | \$5,466.64   |
| PERRYVILLE           | \$188,082.41 | \$39,497.31  |
| PEVELY               | \$95,408.18  | \$20,035.72  |
| PHILLIPSBURG         | \$387.13     | \$81.30      |
| PIEDMONT             | \$47,828.51  | \$10,043.99  |
| PIERCE CITY          | \$26,722.72  | \$5,611.77   |
| PILOT GROVE          | \$15,123.02  | \$3,175.83   |
| PILOT KNOB           | \$11,838.47  | \$2,486.08   |
| PINE LAWN            | \$12,745.30  | \$2,676.51   |
| PINEVILLE            | \$13,672.43  | \$2,871.21   |
| PLATO                | \$498.85     | \$104.76     |
| PLATTE CITY          | \$157,867.92 | \$33,152.26  |
| PLATTE WOODS         | \$10,113.27  | \$2,123.79   |
| PLATTSBURG           | \$51,691.68  | \$10,855.25  |
| PLEASANT HILL        | \$278,288.74 | \$58,440.64  |
| PLEASANT HOPE        | \$9,843.74   | \$2,067.19   |
| PLEASANT VALLEY      | \$120,201.32 | \$25,242.28  |
| POLO                 | \$7,091.08   | \$1,489.13   |
| POPLAR BLUFF         | \$332,297.91 | \$69,782.56  |
| PORTAGE DES SIOUX    | \$3,655.20   | \$767.59     |
| PORTAGEVILLE         | \$71,423.66  | \$14,998.97  |
| POTOSI               | \$24,308.38  | \$5,104.76   |
| PRESTON              | \$1,809.06   | \$379.90     |
| PRINCETON            | \$10,886.67  | \$2,286.20   |
| PURCELL              | \$480.50     | \$100.90     |
| PURDY                | \$14,353.56  | \$3,014.25   |
| PUXICO               | \$8,792.60   | \$1,846.45   |
| QUEEN CITY           | \$9,961.42   | \$2,091.90   |
| QULIN                | \$5,393.85   | \$1,132.71   |
| RANDOLPH             | \$750.12     | \$157.53     |
| RAYMORE              | \$672,130.13 | \$141,147.33 |
| RAYTOWN              | \$789,155.19 | \$165,722.59 |
| REDINGS MILL         | \$1,860.02   | \$390.60     |
| REEDS SPRING         | \$16,117.48  | \$3,384.67   |
| REPUBLIC             | \$333,255.24 | \$69,983.60  |
| RICH HILL            | \$22,320.98  | \$4,687.40   |
| RICHLAND             | \$36,023.09  | \$7,564.85   |
| RICHMOND             | \$135,680.97 | \$28,493.00  |
| RICHMOND HEIGHTS     | \$280,691.87 | \$58,945.29  |
| RICHMOND HEIGHTS(T2) | \$4,147.76   | \$871.03     |
| RICHMOND HEIGHTS(T3) | \$70.55      | \$14.81      |
| RIDGEWAY             | \$9,878.74   | \$2,074.54   |
| RISCO                | \$4,197.30   | \$881.43     |

|                 |                |              |
|-----------------|----------------|--------------|
| RIVER BEND      | \$24.75        | \$5.20       |
| RIVERSIDE       | \$48,513.85    | \$10,187.91  |
| RIVERVIEW       | \$7,747.19     | \$1,626.91   |
| ROCHEPORT       | \$4,533.75     | \$952.09     |
| ROCK HILL       | \$141,168.97   | \$29,645.48  |
| ROCK HILL (T1)  | \$483.52       | \$101.54     |
| ROCK HILL (T3)  | \$870.40       | \$182.78     |
| ROCK HILL (T4)  | \$84.55        | \$17.75      |
| ROCK PORT       | \$34,154.41    | \$7,172.43   |
| ROCKAWAY BEACH  | \$11,979.00    | \$2,515.59   |
| ROCKVILLE       | \$1,207.55     | \$253.59     |
| ROGERSVILLE     | \$62,778.78    | \$13,183.54  |
| ROLLA           | \$440,907.31   | \$92,590.54  |
| ROSEBUD         | \$6,544.75     | \$1,374.40   |
| RUSSELLVILLE    | \$9,847.36     | \$2,067.95   |
| RUTLEDGE        | \$112.11       | \$23.54      |
| SADDLEBROOKE    | \$1,037.67     | \$217.91     |
| SAGINAW         | \$3,958.47     | \$831.28     |
| SALEM           | \$76,073.55    | \$15,975.45  |
| SALISBURY       | \$23,785.08    | \$4,994.87   |
| SARCOXIE        | \$23,977.93    | \$5,035.37   |
| SAVANNAH        | \$140,362.44   | \$29,476.11  |
| SCOTSDALE       | \$712.71       | \$149.67     |
| SCOTT CITY      | \$105,065.50   | \$22,063.76  |
| SEDALIA         | \$503,470.46   | \$105,728.80 |
| SELIGMAN        | \$8,511.13     | \$1,787.34   |
| SENATH          | \$21,637.47    | \$4,543.87   |
| SENECA          | \$62,471.37    | \$13,118.99  |
| SEYMOUR         | \$20,690.53    | \$4,345.01   |
| SHELBINA        | \$32,678.33    | \$6,862.45   |
| SHELBYVILLE     | \$9,031.82     | \$1,896.68   |
| SHELDON         | \$10,623.24    | \$2,230.88   |
| SHREWSBURY      | \$192,786.69   | \$40,485.20  |
| SIKESTON        | \$660,706.66   | \$138,748.40 |
| SILEX           | \$1,364.49     | \$286.54     |
| SILVER CREEK    | \$9,032.70     | \$1,896.87   |
| SKIDMORE        | \$3,453.07     | \$725.14     |
| SLATER          | \$47,567.16    | \$9,989.10   |
| SMITHTON        | \$5,296.12     | \$1,112.19   |
| SMITHVILLE      | \$201,559.44   | \$42,327.48  |
| SOUTH WEST CITY | \$10,053.88    | \$2,111.31   |
| SPARTA          | \$23,119.33    | \$4,855.06   |
| SPICKARD        | \$2,035.99     | \$427.56     |
| SPRINGFIELD     | \$3,522,955.97 | \$739,820.75 |
| ST ANN          | \$289,121.56   | \$60,715.53  |
| ST ANN (T1)     | \$3,563.21     | \$748.27     |
| ST CHARLES      | \$1,237,092.68 | \$259,789.46 |
| ST CLAIR        | \$70,551.85    | \$14,815.89  |
| ST ELIZABETH    | \$4,749.14     | \$997.32     |
| ST GEORGE       | \$4,764.32     | \$1,000.51   |
| ST JAMES        | \$80,688.04    | \$16,944.49  |
| ST JOHN         | \$52,663.32    | \$11,059.30  |

|                      |                 |                |
|----------------------|-----------------|----------------|
| ST JOHN (T7)         | \$1,192.76      | \$250.48       |
| ST JOHN (T8)         | \$445.36        | \$93.53        |
| ST JOSEPH            | \$2,067,133.29  | \$434,097.99   |
| ST LOUIS             | \$11,407,379.33 | \$2,395,549.66 |
| ST MARTINS           | \$14,405.48     | \$3,025.15     |
| ST MARY              | \$4,884.66      | \$1,025.78     |
| ST PETERS            | \$1,144,378.77  | \$240,319.54   |
| ST ROBERT            | \$144,825.78    | \$30,413.41    |
| ST THOMAS            | \$2,682.94      | \$563.42       |
| STANBERRY            | \$17,135.14     | \$3,598.38     |
| STE GENEVIEVE        | \$115,462.02    | \$24,247.02    |
| STEELE               | \$52,232.68     | \$10,968.86    |
| STEELVILLE           | \$17,753.59     | \$3,728.25     |
| STELLA               | \$453.57        | \$95.25        |
| STEWARTSVILLE        | \$33,705.52     | \$7,078.16     |
| STOCKTON             | \$39,056.39     | \$8,201.84     |
| STOUTLAND            | \$615.63        | \$129.28       |
| STOVER               | \$17,621.05     | \$3,700.42     |
| STRAFFORD            | \$34,236.11     | \$7,189.58     |
| STRASBURG            | \$193.55        | \$40.64        |
| STURGEON             | \$18,157.93     | \$3,813.16     |
| SUGAR CREEK          | \$47,247.51     | \$9,921.98     |
| SULLIVAN             | \$119,739.96    | \$25,145.39    |
| SUMMERSVILLE         | \$5,805.02      | \$1,219.05     |
| SUNRISE BEACH        | \$19,548.55     | \$4,105.20     |
| SUNSET HILLS         | \$290,441.64    | \$60,992.74    |
| SUNSET HILLS (X1)    | \$2,032.03      | \$426.73       |
| SUNSET HILLS (X2)    | \$2,896.17      | \$608.19       |
| SUNSET HILLS (X3)    | \$8,749.07      | \$1,837.30     |
| SUNSET HILLS (X4)    | \$11,155.50     | \$2,342.65     |
| SUNSET HILLS (X5)    | \$5,584.56      | \$1,172.76     |
| SUNSET HILLS (X6)    | \$208.84        | \$43.86        |
| SWEET SPRINGS        | \$34,979.76     | \$7,345.75     |
| TANEYVILLE           | \$2,402.70      | \$504.57       |
| TAOS                 | \$14,084.96     | \$2,957.84     |
| TARKIO               | \$56,544.73     | \$11,874.39    |
| THAYER               | \$29,680.43     | \$6,232.89     |
| THEODOSIA            | \$341.52        | \$71.72        |
| TIPTON               | \$25,092.26     | \$5,269.38     |
| TOWN AND COUNTRY     | \$396,957.52    | \$83,361.08    |
| TOWN AND COUNTRY(X1) | \$73,859.59     | \$15,510.51    |
| TOWN AND COUNTRY(X2) | \$2,692.89      | \$565.51       |
| TRACY                | \$3,156.73      | \$662.91       |
| TRENTON              | \$142,536.80    | \$29,932.73    |
| TRIMBLE              | \$13,744.50     | \$2,886.34     |
| TROY                 | \$194,042.21    | \$40,748.86    |
| TRUESDALE            | \$6,351.50      | \$1,333.82     |
| TUSCUMBIA            | \$1,608.43      | \$337.77       |
| TWIN OAKS            | \$11,057.97     | \$2,322.17     |
| TWIN OAKS (X1)       | \$1,243.73      | \$261.18       |
| UNION                | \$242,872.49    | \$51,003.22    |
| UNIONVILLE           | \$14,665.76     | \$3,079.81     |

|                         |                |              |
|-------------------------|----------------|--------------|
| UNITY VILLAGE           | \$407.77       | \$85.63      |
| UNIVERSITY CITY         | \$559,989.96   | \$117,597.89 |
| UNIVERSITY CITY (T1)    | \$5.47         | \$1.15       |
| UPLANDS PARK            | \$2,475.61     | \$519.88     |
| URBANA                  | \$3,446.65     | \$723.80     |
| URICH                   | \$8,089.53     | \$1,698.80   |
| VALLEY PARK             | \$82,751.10    | \$17,377.73  |
| VALLEY PARK (T1)        | \$24,167.80    | \$5,075.24   |
| VALLEY PARK (T2X6)      | \$1,368.96     | \$287.48     |
| VALLEY PARK (T3)        | \$163.50       | \$34.33      |
| VALLEY PARK (X1)        | \$5,248.08     | \$1,102.10   |
| VALLEY PARK (X2)        | \$15,327.26    | \$3,218.72   |
| VALLEY PARK (X3)        | \$688.29       | \$144.54     |
| VALLEY PARK (X4)        | \$344.02       | \$72.24      |
| VALLEY PARK (X5)        | \$977.59       | \$205.29     |
| VALLEY PARK (X6)        | \$4,012.19     | \$842.56     |
| VAN BUREN               | \$8,536.91     | \$1,792.75   |
| VANDALIA                | \$41,160.12    | \$8,643.63   |
| VANDIVER                | \$938.65       | \$197.12     |
| VELDA                   | \$4,067.92     | \$854.26     |
| VELDA VILLAGE HILLS     | \$3,565.82     | \$748.82     |
| VERONA                  | \$11,025.00    | \$2,315.25   |
| VERSAILLES              | \$48,358.25    | \$10,155.23  |
| VIBURNUM                | \$11,287.83    | \$2,370.44   |
| VIENNA                  | \$5,225.68     | \$1,097.39   |
| VILLAGE OF FOUR SEASONS | \$55,451.02    | \$11,644.71  |
| VINITA PARK             | \$8,811.84     | \$1,850.49   |
| VINITA TERRACE          | \$1,058.64     | \$222.31     |
| WALNUT GROVE            | \$7,296.68     | \$1,532.30   |
| WARDELL                 | \$7,501.52     | \$1,575.32   |
| WARDSVILLE              | \$23,317.58    | \$4,896.69   |
| WARRENSBURG             | \$318,840.34   | \$66,956.47  |
| WARRENTON               | \$115,217.02   | \$24,195.57  |
| WARSAW                  | \$47,233.68    | \$9,919.07   |
| WARSON WOODS            | \$60,252.04    | \$12,652.93  |
| WASHBURN                | \$2,984.03     | \$626.65     |
| WASHINGTON              | \$342,774.70   | \$71,982.69  |
| WAVERLY                 | \$28,322.24    | \$5,947.67   |
| WAYLAND                 | \$3,910.73     | \$821.25     |
| WAYNESVILLE             | \$174,340.29   | \$36,611.46  |
| WEAUBLEAU               | \$4,271.44     | \$897.00     |
| WEBB CITY               | \$354,928.83   | \$74,535.05  |
| WEBSTER GROVES          | \$437,355.89   | \$91,844.74  |
| WEBSTER GROVES (T1)     | \$9,474.79     | \$1,989.70   |
| WELDON SPRING           | \$74,655.53    | \$15,677.66  |
| WELLSTON                | \$7,519.65     | \$1,579.13   |
| WELLSVILLE              | \$19,449.10    | \$4,084.31   |
| WENTZVILLE              | \$1,164,467.21 | \$244,538.11 |
| WEST PLAINS             | \$210,323.81   | \$44,168.00  |
| WEST SULLIVAN           | \$690.49       | \$145.00     |
| WESTON                  | \$46,228.66    | \$9,708.02   |
| WESTPHALIA              | \$5,594.73     | \$1,174.89   |

|                 |              |             |
|-----------------|--------------|-------------|
| WHEATLAND       | \$6,098.98   | \$1,280.79  |
| WHEATON         | \$3,299.34   | \$692.86    |
| WILBUR PARK     | \$2,131.82   | \$447.68    |
| WILDWOOD        | \$324,015.75 | \$68,043.31 |
| WILDWOOD (X1)   | \$3,336.60   | \$700.69    |
| WILLARD         | \$92,668.51  | \$19,460.39 |
| WILLIAMSVILLE   | \$2,011.21   | \$422.36    |
| WILLOW SPRINGS  | \$33,261.77  | \$6,984.97  |
| WINCHESTER      | \$6,579.24   | \$1,381.64  |
| WINDSOR         | \$46,901.94  | \$9,849.41  |
| WINDSOR PLACE   | \$3,646.62   | \$765.79    |
| WINFIELD        | \$21,114.37  | \$4,434.02  |
| WINONA          | \$18,443.48  | \$3,873.13  |
| WOODS HEIGHTS   | \$6,644.60   | \$1,395.37  |
| WOODSON TERRACE | \$91,520.58  | \$19,219.32 |
| WRIGHT CITY     | \$61,045.43  | \$12,819.54 |
| WYACONDA        | \$2,119.28   | \$445.05    |
| WYATT           | \$3,397.46   | \$713.47    |

## **Model Ordinance after the Street v. Director of Revenue Decision and SS for HB 184 Local Use Tax and Options on Out of State Vehicle Purchases**

The Missouri Municipal League has previously published a model ordinance for adopting a local use tax. The legal underpinning of that tax has changed due to the Missouri Supreme Court's decision in *Street v. Director of Revenue* 361 S.W.3d 355 (Mo. banc 2012) and the subsequent enactment of Senate Substitute for House Bill 184 (HB184). The Street case arose when Craig Street sought judicial relief after he was required to pay local sales taxes to license a boat, outboard motor, and trailer he purchased from a dealer in Maryland. In January of 2012 The Supreme Court of Missouri delivered an opinion in which it determined that the purchase was not subject to local sales tax because such taxes may only be imposed to the same extent as the state sales tax, which only applies to in-state purchases. Further, although a local use tax could potentially be imposed on the purchase, the county in which Street resided had not adopted a local use tax. The decision also implicated the state imposition of taxes on out of state sales of motor vehicles, trailers, boats, and outboard motors. The Missouri Legislature in 2013 reacted to the decision by passing HB184 effective August 29, 2013.

HB184 prohibited state and local use taxes on the sale of motor vehicles, trailers, boats, or outboard motors. The taxing of these items was placed on the sale of these items at the time of titling in Missouri, regardless of whether the item was purchased in this state. The residence of the purchaser was continued for the purpose of determining what local tax rate should apply. The rate of tax for motor vehicles, trailers, boats, or outboard motors sold at retail must be the sum of the state sales tax and the local sales tax. Additionally HB184 required all local taxing jurisdictions that have not previously approved a local use tax must put to a vote of the people whether to discontinue collecting sales tax on the sale of motor vehicles, trailers, boats, or outboard motors purchased out-of-state when titling in Missouri. If a taxing jurisdiction does not hold the vote before November 2016, the taxing jurisdiction must cease collecting the sales tax. A final requirement within HB184 creates a referendum action to repeal the tax at any time. Language repealing the tax must be put to a vote of the people any time 15% of the registered voters in a taxing jurisdiction sign a petition requesting it.

To assist municipalities in complying with the provisions of the statutes after passage of HB184 the following model ordinance with use and cautionary notes has been prepared.

MODEL ORDINANCE UNDER RSMo 32.087 (HB184)

This sample ordinance is to be considered only as a guide for local adoption.

See Notes on Use at the end of this sample.

Always have ordinances of this type reviewed by legal counsel.

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE PROVIDING FOR SUBMISSION OF A PROPOSAL TO DISCONTINUE APPLICATION AND COLLECTION OF THE LOCAL SALES TAX ON THE TITLING OF MOTOR VEHICLES, TRAILERS, BOATS, AND OUTBOARD MOTORS THAT WERE PURCHASED FROM A SOURCE OTHER THAN A LICENSED MISSOURI DEALER TO THE QUALIFIED VOTERS OF THE CITY FOR THEIR APPROVAL AT THE (SPECIAL) (GENERAL) (PRIMARY) ELECTION CALLED AND TO BE HELD IN THE CITY ON (DAY)\_\_\_\_, (DATE)\_\_\_\_, 20\_\_\_\_.

WHEREAS, the City has not previously approved and imposed a local use tax under Section 144.757 RSMo; and

WHEREAS, the City is required under the provisions of Section 32.087 RSMo to submit to the qualified voters of the City the question of repealing the application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer; and

WHEREAS, the City is required to submit the question to its voters no later than the general election in November 2016;

NOW, THEREFORE, BE IT ORDAINED BY THE (CITY COUNCIL) (BOARD OF ALDERMEN) (BOARD OF TRUSTEES) OF \_\_\_\_ (CITY) \_\_\_\_, AS FOLLOWS:

Section 1. Pursuant to the provisions of Sections 32.087 RSMo, the (City Council) (Board of Aldermen) (Board of Trustees) has determined that it would be appropriate to submit the determination of the issue of whether to repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors that are subject to state sales tax under section 144.020 and purchased from a source other than a licensed Missouri dealer to the voters.

Section 2. This proposition shall be submitted to the qualified voters of \_\_\_\_ (Municipality's Name) \_\_\_\_, Missouri, for their approval, as required by the provisions of Section 32.087 RSMo, at the election hereby called and to be held in the City on \_\_\_\_ (Day of Week) \_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. The ballot of submission shall contain substantially the following language:

Shall the  (Municipality's Name)  discontinue applying and collecting the local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer?

Approval of this measure will result in a reduction of local revenue to provide for vital services for  (Municipality's Name)  and it will place Missouri dealers of motor vehicles, outboard motors, boats, and trailers at a competitive disadvantage to non-Missouri dealers of motor vehicles, outboard motors, boats, and trailers.

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 3. If the ballot question set forth in Section (2) of this ordinance receives a majority of the votes cast in favor of the proposal, the local sales tax shall cease to apply to the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer. The effective date of the cessation shall be the first day of the second calendar quarter after the election. If a majority of the votes cast are opposed to the ballot question then the local sales tax shall continue to apply to the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer.

Section 4. Within ten (10) days after the approval or disapproval of the proposition by the qualified voters of  (Municipality) , Missouri, the City Clerk shall forward to the Director of Revenue of the State of Missouri by United States registered mail or certified mail, a certified copy of this ordinance together with certifications of the election returns and accompanied by a map of the City clearly showing the boundaries thereof.

Section 5. This Ordinance shall be in full force and effect from and after the date of its passage and approval.

[Insert normal signature blocks]

## NOTES ON USE

Ordinances of this nature which have significant fiscal impact should be reviewed by an attorney on behalf of the municipality.

The model above is for use by municipalities which have not previously adopted a use tax. But can be modified by jurisdictions with a use tax who choose to submit the question or in municipalities receiving a referendum petition under the statute.

While RSMo 144.757 provides different language for municipalities not within St. Louis County, municipalities within St. Louis County and the City of St. Louis, RSMo 32.087 does not contain separate categories or wording.

The provisions of HB184 require cities which have not adopted a use tax prior to August 29, 2013 to either submit the question of repeal as provided in the ordinance to the voters, which may lead to repeal of the sales tax on the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer, or if the question is not submitted to the voters by November 2016, the local sales tax on those items ceases on March 1, 2017.

Any municipality with a previously adopted use tax may choose to submit the repeal of the local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer at any time, including after November 2016.

A referendum requirement is included in 32.087 RSMo which requires the question of repeal to be submitted to the voters after receipt of a petition signed by fifteen percent (15%) of the registered voters of the municipality voting in the last gubernatorial election.

Additional "Whereas" clauses may be added to give context to the ordinance such as the following:

WHEREAS, a fair and sound tax policy would require the same tax rate be charged on purchases made from businesses located outside Missouri as are charged by businesses in (Municipality Name) eliminating a competitive advantage of out-of-state businesses;

WHEREAS, maintaining a local sales tax will continue the policy of eliminating an advantage out-of-state dealerships currently enjoy over local dealerships;

WHEREAS, a petition to place the question of repeal has been received reflecting signatures of at least fifteen percent (15%) of the registered voters of the municipality voting in the last gubernatorial election;

Due to the somewhat unique method chosen by the legislature to address the issue of out of state purchases of motor vehicles, trailers, boats, and outboard motors, some uncertainty may exist as to the impact of a vote to repeal as contemplated in RSMo 32.087. The timing of the vote may

add to the uncertainty of liability under the Hancock Amendment. For those municipalities within St. Louis county an analysis of the impact on the special pool tax arrangement should be considered.

Any deviations from the statutory language in the ballot question may put the validity of the tax at risk. Reliance on the word “substantially” to alter language should be done only after consulting with an attorney. The Supreme Court has construed The term ‘substantially’ in the context of use in a taxation statute has been construed as synonymous with the following words: ‘practically,’ ‘nearly,’ ‘almost,’ ‘essentially’ and ‘virtually.’ Statements appearing elsewhere in the ordinance carry less risk.

The classification of a municipality may have an impact on the flexibility it has to alter statutorily designated language.

Issues common to tax issue ballot questions include the following:

Statutory class cities are creatures of the General Assembly, possessing only those powers expressly granted to them by statute, those powers necessarily or fairly implied in or incidental to their express powers, and those powers essential to the declared objects of the municipality. Reasonable doubt as to whether a power has been delegated to a municipality is resolved in favor of non-delegation.

The Missouri Supreme Court has stated that where statutes provide that ballots be in a certain form without prescribing what results would follow if they were not used as required, the statutes would be considered directory rather than mandatory. The test as set out is “whether or not the voters were afforded an opportunity to express and that they did fairly express their will.” State ex rel. City of Memphis v. Hackman, 202 S.W. 7, 14 (Mo Banc 1918); Ginger v. Halferty, 193 S.W.2d 503, 505 (Mo. 1946); City of Raytown v. Kemp, 349 S.W.2d 363, 369 (Mo. banc 1961).