

INTRODUCED BY: Trustees Fortune, Graves, Whitmore, Eisenhauer, and Stoeckl

**AN ORDINANCE AMENDING ORDINANCE NO. 498 CALLING FOR AN ELECTION IN THE VILLAGE OF TWIN OAKS ON BECOMING A CITY OF THE FOURTH CLASS AND RELATED MATTERS**

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**WHEREAS**, on August 17, 2016, the Village of Twin Oaks enacted Ordinance No. 498, An Ordinance Calling for an Election in the Village of Twin Oaks on Becoming a City of the Fourth Class and Related Matters;

**WHEREAS**, Ordinance No. 498 called and ordered to be held an election within the Village of Twin Oaks on the same date as the General Election, Tuesday, November 8, 2016, to be conducted by the Board of Election Commissioners of St. Louis County (the "Election Board"), at which there shall be submitted to the qualified voters of said Village certain propositions; and

**WHEREAS**, due to limited space on the November 8, 2016 ballot and at the request of the Election Board, the Board of Trustees desires to amend the ballot language of certain propositions and provide for notice by the Election Board of certain information to the voters of the Village of Twin Oaks;

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**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF TWIN OAKS, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:**

**Section 1.** Section 1 of Ordinance No. 498 is hereby amended to read as follows:

That an election is hereby called and ordered to be held within the Village of Twin Oaks on the same date as the General Election, Tuesday, November 8, 2016, to be conducted by the Board of Election Commissioners of St. Louis County, at which there shall be submitted to the qualified voters of said Village the following propositions:

*"Shall the Village of Twin Oaks become a city of the fourth class?"*

*"If the Village of Twin Oaks becomes a city of the fourth class, shall the board of aldermen provide by ordinance for the appointment of a Chief of Police as provided by law?"*

*"If the Village of Twin Oaks becomes a city of the fourth class, shall the board of aldermen provide by ordinance for the appointment of a Collector as provided by law?"*

*"If the Village of Twin Oaks becomes a city of the fourth class, shall the maximum rate of the general property tax be increased to \$1.00 per \$100.00 of assessed valuation?"*

*"If the Village of Twin Oaks becomes a city of the fourth class, shall the Village of Twin Oaks have the authority to levy a license tax on all businesses, avocations, pursuits and*

*callings provided for in Section 94.270 RSMo. at a rate up to 6 percent of the gross receipts of such businesses, avocations, pursuits and callings?”*

**Section 2.** Section 2 of Ordinance No. 498 is hereby amended to read as follows:

The above propositions shall be submitted to the qualified electors by ballot, which shall be in substantially the following form:

PROPOSITION 1

Shall the Village of Twin Oaks become a city of the fourth class?

YES

NO

PROPOSITION 2

If the Village of Twin Oaks becomes a city of the fourth class, shall the board of aldermen provide by ordinance for the appointment of a Chief of Police as provided by law?

YES

NO

PROPOSITION 3

If the Village of Twin Oaks becomes a city of the fourth class, shall the board of aldermen provide by ordinance for the appointment of a Collector as provided by law?

YES

NO

PROPOSITION 4

If the Village of Twin Oaks becomes a city of the fourth class, shall the maximum rate of the general property tax be increased to \$1.00 per \$100.00 of assessed valuation?

YES

NO

PROPOSITION 5

If the Village of Twin Oaks becomes a city of the fourth class, shall the Village of Twin Oaks have the authority to levy a license tax on all businesses, avocations, pursuits and

callings provided for in Section 94.270 RSMo. at a rate up to 6 percent of the gross receipts of such businesses, avocations, pursuits and callings?

YES

NO

In addition to placing the above Propositions on the November 8, 2016 ballot, the Board of Election Commissioners of St. Louis County shall print inserts for absentee ballots and post in voting booths for Twin Oaks' precinct, the following information for the voters of the Village of Twin Oaks regarding Proposition 2, 3 and 4:

Proposition 2:

The Village of Twin Oaks currently contracts for the services of Chief of Police with St. Louis County. State law, section 79.050 RSMo., provides that the Chief of Police of a city of the fourth class shall be elected unless the board of aldermen provides by ordinance for the appointment of a Chief of Police after the approval of a majority of the voters therein. If passed, this proposition would allow the board of aldermen, in the event the Village of Twin Oaks becomes a city of the fourth class, to provide for the appointment, rather than election, of the Chief of Police. This proposition would allow the Village of Twin Oaks to continue its current practice of contracting for the services of the Chief of Police.

Proposition 3:

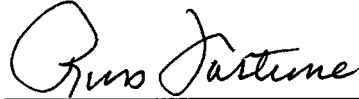
The Village of Twin Oaks currently contracts for the services of Collector with St. Louis County. State law, section 79.050 RSMo., provides that the Collector of a city of the fourth class shall be elected unless the board of aldermen provides by ordinance for the appointment of a Collector after the approval of a majority of the voters therein. If passed, this proposition would allow the board of aldermen, in the event the Village of Twin Oaks becomes a city of the fourth class, to provide for the appointment, rather than election, of the Collector. This proposition would allow the Village of Twin Oaks to continue its current practice of contracting for the services of the Collector.

Proposition 4:

State law, section 80.460 RSMo. authorizes villages to levy and impose a tax "for municipal purposes upon all subjects and objects of taxation," which may not exceed "fifty cents on the one hundred dollars assessed valuation." Section 94.250.1 RSMo. authorizes cities of the fourth class to levy and impose a tax "for municipal purposes upon all subjects and objects of taxation," which may not exceed "one dollar on the one hundred dollars assessed valuation." If passed, this proposition would allow the Village of Twin Oaks, in the event it becomes a city of the fourth class, to increase the general property tax rate to the amount permissible for cities of the fourth class.

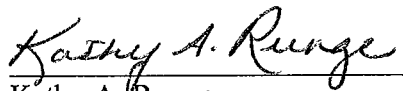
**Section 3.** This ordinance having been read by title or in full two times prior to passage, shall be in full force and effect from and after its passage and after being duly signed by the Chairman of the Board of Trustees and attested by the Village Clerk.

PASSED and APPROVED this 7<sup>th</sup> day of September, 2016.



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Russ Fortune, Chairman  
Board of Trustees

ATTEST:



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Kathy A. Runge  
Village Administrator/Clerk

First Reading: 9-7-16

Second Reading: 9-7-16