

**AN ORDINANCE OF THE VILLAGE OF TWIN OAKS, MISSOURI  
CERTIFYING THE RESULTS OF THE NOVEMBER 8, 2016  
ELECTION AND ELECTING TO BECOME A CITY OF THE  
FOURTH CLASS**

**Whereas**, at a general election held on November 8, 2016 (the "Election") pursuant to Section 72.040 and Section 72.050 of the Revised Statutes of Missouri, as amended, other statutes pertaining to the Election and the ordinances of Twin Oaks, Missouri ("Twin Oaks"), and for which notice was duly given, the question of whether the Village of Twin Oaks shall become a city of the fourth class ("Proposition 1"); and

**Whereas**, also at the Election, the voters were asked to decide whether, if the voters approved Twin Oaks becoming a city of the fourth class, the Board shall provide by ordinance for the appointment of a police chief ("Proposition 2") and collector ("Proposition 3"), whether the voters would authorize an increase in the maximum rate of the general property tax to \$1.00 ("Proposition 4"), and whether voters would authorize the levy of a license tax on all businesses, avocations, pursuits and callings provided for in Section 94.270 RSMo., at a rate up to six percent of the gross receipts of such business, avocations, pursuits and callings ("Proposition 5"); and

**Whereas**, the Board of Election Commissioners of St. Louis County has conducted the Election, has canvassed and tabulated the votes cast on Propositions 1-5, and has transmitted the Certification of Election Results by County Clerk, (the "Election Results") attached as Exhibit A to and incorporated by reference in this Ordinance, to the Board of Trustees of the Village (the "Board") in accordance with Missouri law and the Board has determined that it is necessary and desirable and in the interests of the City and its residents to declare, certify and accept the Election Results and to become a city of the fourth class;

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

**Section 1.** It is hereby found and determined by a canvass of the votes cast by qualified voters at the Election as follows:

On the following question submitted to the qualified voters of Twin Oaks:

**PROPOSITION 1**

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

YES

NO

The results of the Election being 227 total votes cast by qualified voters of the Village on Proposition 1, 134 (59.03%) votes in favor, and 93 (40.97%) votes opposed, as set forth in the Election Results, the Board does hereby certify, accept and approve the foregoing Election Results and declares, finds and certifies that Proposition 1, having received the percentage of qualified voters of the Village voting on Proposition 1 required by law for approval, is hereby certified and

**declared to be approved**, and the Administrator/Clerk is hereby directed to cause a copy of this Ordinance and the Election Results to be spread upon the records of Twin Oaks and the County.

**Section 2.** It is hereby found and determined by a canvass of the votes cast by qualified voters at the Election as follows:

On the following question submitted to the qualified voters of Twin Oaks:

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

The results of the Election being 226 total votes cast by qualified voters of the Village on Proposition 2, 136 (60.18%) votes in favor, and 90 (39.82%) votes opposed, as set forth in the Election Results, the Board does hereby certify, accept and approve the foregoing Election Results and declares, finds and certifies that Proposition 2, having received the percentage of qualified voters of the Village voting on Proposition 2 required by law for approval, is hereby certified and **declared to be approved**, and the Administrator/Clerk is hereby directed to cause a copy of this Ordinance and the Election Results to be spread upon the records of Twin Oaks and the County.

**Section 3.** It is hereby found and determined by a canvass of the votes cast by qualified voters at the Election as follows:

On the following question submitted to the qualified voters of Twin Oaks:

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

The results of the Election being 225 total votes cast by qualified voters of the Village on Proposition 3, 132 (58.67%) votes in favor, and 93 (41.33%) votes opposed, as set forth in the Election Results, the Board does hereby certify, accept and approve the foregoing Election Results and declares, finds and certifies that Proposition 3, having received the percentage of qualified voters of the Village voting on Proposition 3 required by law for approval, is hereby certified and **declared to be approved**, and the Administrator/Clerk is hereby directed to cause a copy of this Ordinance and the Election Results to be spread upon the records of Twin Oaks and the County.

**Section 4.** It is hereby found and determined by a canvass of the votes cast by qualified voters at the Election as follows:

On the following question submitted to the qualified voters of Twin Oaks:

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

The results of the Election being 226 total votes cast by qualified voters of the Village on Proposition 4, 98 (43.36%) votes in favor, and 128 (56.64%) votes opposed, as set forth in the Election Results, the Board does hereby certify, accept and approve the foregoing Election Results and declares, finds and certifies that Proposition 4, NOT having received the percentage of qualified voters of the Village voting on Proposition 4 required by law for approval, is hereby certified and **declared NOT to be approved**, and the Administrator/Clerk is hereby directed to cause a copy of this Ordinance and the Election Results to be spread upon the records of Twin Oaks and the County.

**Section 5.** It is hereby found and determined by a canvass of the votes cast by qualified voters at the Election as follows:

On the following question submitted to the qualified voters of Twin Oaks:

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% of the gross receipts of such businesses, avocations, pursuits and callings?

YES

NO

The results of the Election being 228 total votes cast by qualified voters of the Village on Proposition 5, 122 (53.51%) votes in favor, and 106 (46.49%) votes opposed, as set forth in the Election Results, the Board does hereby certify, accept and approve the foregoing Election Results and declares, finds and certifies that Proposition 5, having received the percentage of qualified voters of the Village voting on Proposition 5 required by law for approval, is hereby certified and **declared to be approved**, and the Administrator/Clerk is hereby directed to cause a copy of this Ordinance and the Election Results to be spread upon the records of Twin Oaks and the County.

**Section 6.** The Board does hereby accept the Official Certification of the November 8, 2016 Election Results and Affidavits of Publication, attached as **Exhibit A** hereto and incorporated herein by reference, which shall be filed and kept with the official records of Twin Oaks.

**Section 7.** It is further found, declared, and determined that notice of the Election was duly given and published in the manner provided by law and that the Election was held and conducted

in all respects in conformity with the Constitution and laws of the State of Missouri governing elections and subject to the provisions affecting villages and cities of the fourth class.

**Section 8.** The Board of Trustees of the Village of Twin Oaks, being a village incorporated prior to August 13, 1982 and having more than two hundred inhabitants, elects to become a city of the fourth class, based upon the ratification by a majority of the qualified voters voting on the issue at the Election as set forth in Section 1 above and Exhibit A. The Chairman is hereby authorized to make a Proclamation on behalf of the Board of Trustees pursuant to §72.070, RSMo., declaring the results of the Election.

**Section 9.** The portions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this Ordinance are valid, unless the court finds that the valid portions of this Ordinance are so essential and inseparably connected with and dependent upon the void portion that it cannot be presumed that the Board would have enacted the valid portions without the invalid ones, or unless the court finds that the valid portions standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

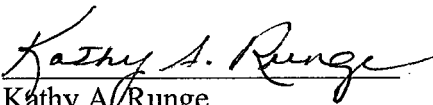
**Section 10.** This ordinance having been read by title or in full two times prior to passage, shall be in full force and effect from and after its passage and after being duly signed by the Chairman of the Board of Trustees and attested by the Village Clerk.

PASSED and APPROVED this 7th day of December, 2016



\_\_\_\_\_  
Russ Fortune, Chairman  
Board of Trustees

ATTEST:



Kathy A. Runge  
Village Administrator/Clerk

First Reading: 12-7-16

Second Reading: 12-7-16

EXHIBIT A

OFFICIAL CERTIFICATION OF ELECTION RESULTS  
AND AFFIDAVITS OF PUBLICATION

General Election  
November 8, 2016

RICHARD H. KELLETT  
Chairman

TRUDI MCCOLLUM FOUSHEE  
Commissioner

ERIC FEY  
Director of Elections

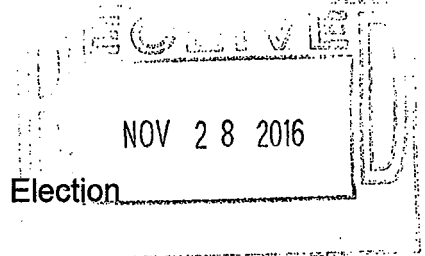
Saint Louis  
**COUNTY**  
**ELECTION BOARD**

JOHN W. MAUPIN  
Secretary

JOHN P. KING  
Commissioner

CHRISTIAN TOLBERT  
Interim Director of Elections

MEMORANDUM



TO: Entities Involved in the November 8, 2016 General Election

FROM: Eric Fey *EF*  
Christian Tolbert *CT*  
Directors of Elections

DATE: November 22, 2016

RE: Official Certification

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Enclosed you will find a copy of the official certification of the election results and affidavits of publication for your election as submitted to the voters of your district on November 8. If you had a tax issue on the ballot, there is also a ballot page for you to submit to the Department of Revenue.

If we can be of further assistance, please feel free to contact us.

Enclosures

BOARD OF ELECTION COMMISSIONERS

12 Sunnen Drive • Saint Louis, MO 63143 • PH 314/615-1800 • FAX 314/615-1999  
RelayMO 711 or 800-735-2966 • web <http://www.stlouisco.com/elections>

OFFICIAL FINAL RESULTS

GENERAL ELECTION  
ST. LOUIS COUNTY, MISSOURI  
TUESDAY, NOVEMBER 8, 2016

VILLAGE OF TWIN OAKS

RUN DATE: 11/22/16 10:47 AM

WITH 1 OF 1 PRECINCTS REPORTING

TOTAL PERCENT  
79.61

03 = VOTER TURNOUT - TOTAL ST. LOUIS COUNTY

TOTAL PERCENT

01 = REGISTERED VOTERS - TOTAL ST. LOUIS CO 304  
02 = BALLOTS CAST - TOTAL ST. LOUIS COUNTY 242

01 02 03  
304 . 242 79.61

2332 QUE32

WITH 1 OF 1 REPORTING

VOTES PERCENT

TWIN OAKS - PROPOSITION 1  
\*\*FOURTH CLASS CITY\*\*

(Vote for ) 1

01 = YES 134 59.03

02 = NO 93 40.97

01 02

2332 QUE32

WITH 1 OF 1 REPORTING

VOTES PERCENT

TWIN OAKS - PROPOSITION 2  
\*\*APPOINTED POLICE CHIEF\*\*

(Vote for ) 1

01 = YES 136 60.18

02 = NO 90 39.82

01 02

2332 QUE32

WITH 1 OF 1 REPORTING

VOTES PERCENT

TWIN OAKS - PROPOSITION 3  
\*\*APPOINTED COLLECTOR\*\*

(Vote for ) 1

01 = YES 132 58.67

02 = NO 93 41.33

01 02

2332 QUE32

WITH 1 OF 1 REPORTING

VOTES PERCENT

TWIN OAKS - PROPOSITION 4  
\*\*TAX LEVY - GENERAL\*\*

(Vote for ) 1

01 = YES 98 43.36

02 = NO 128 56.64

01 02

2332 QUE32

98 128

WITH 1 OF 1 REPORTING

TWIN OAKS - PROPOSITION 5  
 \*\*UTILITY GROSS RECEIPTS TAX\*\*  
 (Vote for ) 1  
 01 = YES  
 02 = NO

VOTES PERCENT

122 53.51  
 106 46.49

01 02

122 106

2332 QUE32

WE, THE BOARD OF ELECTION COMMISSIONERS OF ST. LOUIS COUNTY, MISSOURI, ACTING AS THE VERIFICATION BOARD PURSUANT TO SECTION 115.507, RSMo, HEREBY CERTIFY THE FOREGOING TO BE A TRUE AND CORRECT ABSTRACT OF VOTES CAST FOR THE CANDIDATES AND ISSUES AT THE PRIMARY ELECTION HELD IN ST. LOUIS COUNTY, MISSOURI, ON NOVEMBER 8, 2016. IN TESTIMONY WHEREOF, WE HAVE HEREUNTO SET OUR HAND AT OUR OFFICE IN MAPLEWOOD, ST. LOUIS COUNTY, MISSOURI, ON NOVEMBER 22, 2016.

*Richard H. Kellett*  
 RICHARD H. KELLETT, CHAIRMAN

*John W. Maupin*  
 JOHN W. MAUPIN, SECRETARY

*Trudi McCollum Foushee*  
 TRUDI MCCOLLUM FOUSHEE, COMMISSIONER

*John P. King*  
 JOHN P. KING, COMMISSIONER





# AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI  
COUNTY OF ST. LOUIS

} S.S.

Page 1 of 2

Before the undersigned Notary Public personally appeared **Lisa Fowler** on behalf of **THE COUNTIAN, ST. LOUIS COUNTY** who, being duly sworn, attests that said newspaper is qualified under the provisions of Missouri law governing public notices to publish, and did so publish, the notice annexed hereto, starting with the **October 26, 2016** edition and ending with the **October 26, 2016** edition, for a total of 1 publications:

10/26/2016

5141 - M76

## NOTICE OF GENERAL ELECTION VILLAGE OF TWIN OAKS, MISSOURI

Notice is hereby given that a General Election will be held in the Village Of Twin Oaks, on Tuesday, November 08, 2016 between the hours of 6:00 a.m. and 7:00 p.m., CST, for the purpose of presenting the following ballot to the duly qualified electors of said village.

### 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 WITNESS WHEREOF, the undersigned composing the Board of

Lisa Fowler

Subscribed & sworn before me this 26 day of Oct, 2016

(SEAL)

Notary Public

KIMBERLY KAEMMERER  
Notary Public - Notary Seal  
State of Missouri, St Louis City  
Commission #14967146  
My Commission Expires Apr 27, 2018

# AFFIDAVIT OF PUBLICATION

Page 2 of 2

Election Commissioners of St. Louis  
County, Missouri have caused this  
notice to be signed at the office of said  
Board in the City of Maplewood, St.  
Louis County, Missouri, on Tuesday,  
August 30, 2016.

RICHARD H. KELLETT, Chairman

JOHN W. MAUPIN, Secretary

TRUDI McCOLLUM FOUSHEE,

Commissioner

JOHN P. KING, Commissioner

Attest: JOHN W. MAUPIN, Secretary

BOARD OF ELECTION COMMISSIONERS

11194264 County Oct. 26, 2016

AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI  
COUNTY OF ST. LOUIS

} S.S.

Before the undersigned Notary Public personally appeared Karie Clark on behalf of THE COUNTIAN, ST. LOUIS COUNTY who, being duly sworn, attests that said newspaper is qualified under the provisions of Missouri law governing public notices to publish, and did so publish, the notice annexed hereto, starting with the November 02, 2016 edition and ending with the November 02, 2016 edition, for a total of 1 publications:

11/02/2016

*Karie Clark*

Karie Clark

Subscribed & sworn before me this 2 day of Nov, 2016  
(SEAL)

*[Signature]*  
Notary Public

KIMBERLY KAEMMERER  
Notary Public - Notary Seal  
State of Missouri, St Louis City  
Commission #14967146  
My Commission Expires Apr 27, 2018

5141 - M76

**NOTICE OF GENERAL ELECTION  
VILLAGE OF TWIN OAKS, MISSOURI**  
Notice is hereby given that a General Election will be held in the Village Of Twin Oaks, on Tuesday, November 08, 2016 between the hours of 6:00 a.m. and 7:00 p.m., CST, for the purpose of presenting the following ballot to the duly qualified electors of said village.

**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

**SAID ELECTION WILL BE HELD IN  
THE FOLLOWING POLLING PLACE**

# AFFIDAVIT OF PUBLICATION

Page 2 of 2

**LOCATIONS:**

TWIN OAKS PRESBY CHURCH

1230 BIG BEND RD

QUE032

IN WITNESS WHEREOF, the undersigned composing the Board of Election Commissioners of St. Louis County, Missouri have caused this notice to be signed at the office of said Board in the City of Maplewood, St. Louis County, Missouri, on Tuesday, August 30, 2016.

RICHARD H. KELLETT, Chairman

JOHN W. MAUPIN, Secretary

TRUDI McCOLLUM FOSHEE,

Commissioner

JOHN P. KING, Commissioner

Attest: JOHN W. MAUPIN, Secretary

BOARD OF ELECTION COMMISSIONERS

11200922 County Nov 2, 2016