

ORDINANCE NO. 18-782

**AN ORDINANCE CALLING A SPECIAL ELECTION ON THE
QUESTION OF AN ADDITIONAL SEVEN EIGHTS OF ONE PERCENT CITY SALES
AND USE TAX WITHIN THE CITY OF GENTRY, ARKANSAS; PRESCRIBING
OTHER MATTERS RELATED THERETO; AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Gentry has passed on the 6 day of August, 2018, Ordinance No. 18- 781, providing for the levy of an additional Seven-Eighths of one percent temporary sales and use tax within the City (the "Sales and Use Tax"); and

WHEREAS, the purpose of this Ordinance is to call a special election on the question of the levy of the Sales and Use Tax.

NOW, therefore, be it ordained by the City Council of the City of Gentry, Arkansas;

Section 1: That there be, and there is hereby called, a special election to be held on November 6, 2018, at which election there shall be submitted to the electors of the City of Gentry, Arkansas, the question of the levy of an additional 7/8 of One Percent (.0875%) Sales and Use Tax.

Section 2: That the question of levying the Sales and Use Tax shall be placed on the ballot for the election in substantially the following form:

[] AFOR adoption of the Ordinance 18- 781 Additional .0875% Sales Tax"

[] AAGAINST adoption of the Ordinance 18-781 Additional .0875% Sales Tax"

Section 3: That the election shall be held and conducted and the vote canvassed and the results declared under the law and in the manner now provided for municipal elections unless otherwise provided in Title 26, Chapter 75, Subchapter 2 of the Arkansas Code of 1987 Annotated and only qualified voters of the City shall have the right to vote at the election.

Section 4: That the results of the election shall be proclaimed by the Mayor, and his Proclamation shall be published one time in a newspaper having a general circulation in the City, which Proclamation shall advise that the results as proclaimed shall be conclusive unless attacked in the courts within 30 days after the date of publication.

Section 5: That a copy of this Ordinance shall be given to the Benton County Board of Election Commissioners so that the necessary election officials and supplies may be provided. A certified copy of this Ordinance shall also be provided to the Commissioner of Revenues of the State of Arkansas as soon as practical.

Section 6: That the Mayor and the City Clerk for and on behalf of the City, are authorized and directed to do any and all things necessary to call and hold the special election as herein provided and, if the levy of the Sales and Use Tax is approved by the electors, to cause the Sales and Use Tax to be collected in accordance with the Authorizing Legislation, and to perform all acts of whatever nature necessary in a timely fashion to carry out the authority conferred by this Ordinance.

Section 7: That all ordinances and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 8: Emergency Clause. The City Council expressly finds, as a matter of fact, that there is a great need to establish a stable source of revenue to finance vital municipal services in order to promote the public peace, health, safety and welfare, of the citizens of Gentry, as well as compliance with sales tax election statutes and timing, and for these factual reasons, an emergency exists and this Ordinance should be in full force and effect immediately upon its date of passage and posting.

PASSED AND APPROVED THIS 6 day of August, 2018.

ATTEST:

Kevin D. Johnston, Mayor

Jayne Kooistra, City Clerk