

**TENTATIVE AGENDA
MEETING OF THE CITY COUNCIL
CITY OF LADUE, MISSOURI
COUNCIL CHAMBERS
9345 CLAYTON ROAD
LADUE, MISSOURI 63124
TUESDAY, JANUARY 16, 2018
4:00 P.M.**

The Hon. Nancy Spewak, Mayor, to preside and call the meeting to order.

Adoption and Approval of the Agenda.

Approval of the Minutes: Minutes of the Regular and Closed Meetings of December 18, 2017.

Public Forum: The Mayor will recognize any visitors who wish to address the Mayor and Council on City matters. **(Speakers will be limited to 3 minutes)**

Public Hearings: None

Zoning and Planning Matters: None

Old Business: None

New Business:

Proposed Legislation:

Bill No. 2174 – 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 general municipal election called and to be held in the City on Tuesday, April 3, 2018.

Bill No. 2175 - An ordinance of the City of Ladue, Missouri, imposing a use tax for general revenue purposes at the rate of 2.25 percent (2.25%) for the privilege of storing, using or consuming within the City any article of tangible personal property pursuant to the authority granted by and subject to the provisions of Sections 144.600 through 144.761 RSMO.; providing for the use tax to be repealed, reduced or raised in the same amount as any city sales tax is repealed, reduced or raised; and providing for submission of the proposal to the qualified voters of the City for their approval at the general municipal election called and to be held in the City on Tuesday, April 3, 2018.

Resolution No. 2018-01 – A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri a contract with Larimore Associates, Inc. for software support and maintenance services.

Financial Matters:

F-1 Report of the Finance Director regarding significant items in the financial reports.

F-2 The Mayor and Council to review and approve the Vouchers for Payment for the month of December 2017.

F-3 The Mayor and Council to review the combined Treasurer's and Collector's Report for December 2017.

F-4 The Mayor and Council to review the Financial Report for December 2017. **(No report, year-end closing)**

F-5 The Mayor and Council to review the Cash Flow Summary for December 2017.

F-6 The Mayor and Council to review the Land Lots and Delinquent Tax List.

Department Reports:

- D-1 Fire Department:** Mayor and Council to review the Fire Department Activity Report for the month of December 2017.
 - a. Request for approval for the Fire Chief to purchase one 2018 Chevrolet Tahoe from Don Brown Chevrolet under the MoDot Contract at a net cost of \$36,116.00 after trade-in.
 - b. Request for approval for the Fire Chief to purchase and install emergency lights and sirens for the 2018 Chevrolet Tahoe from Sentinel Emergency Solutions at a cost of \$7,125.68.

- D-2 Police Department:** Mayor and Council to review the Police Activity Report for the period of January 1 – December 31, 2017.
 - a. Request for approval for the Police Chief to purchase two 2017 Ford Explorers under the Missouri State Contract from Bommarito Ford at a total net cost of \$38,014.00 after trade-in.
 - b. Request for approval for the Police Chief to purchase twenty-five XP26 Tasers from Axon Tasers at a cost of \$33,613.58.

- D-3 Public Works:** Mayor and Council to review the report of the Director of the Public Works Department.
 - a. Building Office report for the period through December 2017.

- D-4 Municipal Court:** Mayor and Council to review the report of the Municipal Court for December 2017.

- D-5 Administration/City Clerk:**
 - a. Report from the City Attorney.

- D-6 Committee Appointments:**
 - a. Request for approval of reappointment of members to various City committees and boards.

Adjournment: Next meeting dates: Tuesday, February 20, 2018 and Monday, March 19, 2018.

Note: Pursuant to Section 610.022 RSMO., the City Council could vote to close the public meeting and move to executive session to discuss matters relating to litigation, legal actions and/or communications from the City Attorney as provided under section 610.021 (1) RSMO. and/or personnel matters under section 610.021 (13) RSMO. and/or employee matters under section 610.021 (3) RSMO. and/or real estate matters under section 610.021 (2).

Posted Date: 1/11/18

Time: 3:00 pm

By: J. Rider

BILL NO. 2174

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 GENERAL MUNICIPAL ELECTION CALLED AND TO BE HELD IN THE CITY ON TUESDAY, APRIL 3, 2018.

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 2018; and

WHEREAS, this bill has been made available for public inspection prior to its consideration by the City Council and read by title two times in open meeting prior to passage.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LADUE, MISSOURI, AS FOLLOWS:

Section 1. Pursuant to the provisions of Sections 32.087 RSMo, the City Council has determined that it would be appropriate to submit the determination of the issue of whether to discontinue 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 RSMo. 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 City of Ladue, 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 Tuesday, the 3rd day of April, 2018. The ballot of submission shall contain substantially the following language:

Shall the City of Ladue, 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 City of Ladue 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 Ladue, 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.

PASSED THIS ____ DAY OF _____, 2018.

President, City Council

ADOPTED AND APPROVED THIS ____ DAY OF _____, 2018.

Nancy Spewak, Mayor

ATTEST:

Laura Rider, City Clerk

BILL NO. 2175

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LADUE, MISSOURI, IMPOSING A USE TAX FOR GENERAL REVENUE PURPOSES AT THE RATE OF 2.25 PERCENT (2.25%) FOR THE PRIVILEGE OF STORING, USING OR CONSUMING WITHIN THE CITY ANY ARTICLE OF TANGIBLE PERSONAL PROPERTY PURSUANT TO THE AUTHORITY GRANTED BY AND SUBJECT TO THE PROVISIONS OF SECTIONS 144.600 THROUGH 144.761 RSMO.; PROVIDING FOR THE USE TAX TO BE REPEALED, REDUCED OR RAISED IN THE SAME AMOUNT AS ANY CITY SALES TAX IS REPEALED, REDUCED OR RAISED; AND PROVIDING FOR SUBMISSION OF THE PROPOSAL TO THE QUALIFIED VOTERS OF THE CITY FOR THEIR APPROVAL AT THE GENERAL MUNICIPAL ELECTION CALLED AND TO BE HELD IN THE CITY ON TUESDAY, APRIL 3, 2018.

WHEREAS, the City has imposed local sales taxes, as defined in Section 32.085 RSMo., at the rate of 2.25%; and

WHEREAS, the City is authorized, under Section 144.757 RSMo., to impose a local use tax at a rate equal to the rate of the local sales taxes in effect in the City; and

WHEREAS, the proposed City use tax cannot become effective until approved by the voters at a municipal, county or state general, primary or special election; and

WHEREAS, this bill has been made available for public inspection prior to its consideration by the City Council and read by title two times in open meeting prior to passage.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LADUE, MISSOURI, AS FOLLOWS:

SECTION 1. Pursuant to the authority granted by, and subject to, the provisions of Sections 144.600 through 144.761 RSMo., a use tax for general revenue purposes is imposed for the privilege of storing, using or consuming within the City any article of tangible personal property. This tax does not apply with respect to the storage, use or consumption of any article of tangible personal property purchased, produced or manufactured outside this state until the transportation of the article has finally come to rest within this City or until the article has become commingled with the general mass of property of this City.

SECTION 2. The rate of the tax shall be 2.25 percent (2.25%). If any City sales tax is repealed or the rate thereof is reduced or raised by voter approval, the City use tax rate shall also be deemed to be repealed, reduced or raised by the same action repealing, reducing or raising the City sales tax.

SECTION 3. Pursuant to Section 144.757, the use tax revenue shall be distributed pursuant to subsection 4 of section 94.890 RSMo. [The municipality shall select one of the distribution options permitted in subsection 4 of Section 94.890, RSMo., for distribution of all municipal use taxes.]

SECTION 4. This tax shall be submitted to the qualified voters of Ladue, Missouri, for their approval, as required by the provisions of Section 144.757 RSMo., at the General Municipal election hereby called and to be held in the City on Tuesday, the 3rd day of April, 2018. The ballot of submission shall contain substantially the following language:

Explanatory Statement:

Use tax is collected instead of sales tax when an out-of-state vendor does not have a sufficient legal presence in Missouri to be subject to state sales tax. Currently, the City receives no use tax revenue. If the voters approve a local use tax, the City will begin receiving use tax revenue on sales in the City by out-of-state vendors. Please note that the State of Missouri already collects a state use tax; however, the City of Ladue receives no portion of the state use tax, even for sales within the City.

Shall the municipality be authorized to impose a local use tax at the same rate as the local sales tax by a vote of the governing body, provided that if any local sales tax is repealed, reduced or raised by voter approval, the respective local use tax shall also be repealed, reduced or raised by the same action? A use tax return shall not be required to be filed by persons whose purchases from out-of-state vendors do not in total exceed two thousand dollars in any calendar year.

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 5. If the ballots are submitted on August 6, 1996, and if the majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance and any amendment thereto shall be in effect October 1, 1996, provided the director of revenue receives notice of adoption of the city use tax on or before August 16. If the ballots are submitted after December 31, 1996 and if a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance and any amendments thereto shall be in effect on the first day of the calendar quarter which begins at least forty-five days after the director of revenue receives notice of adoption of the city use tax.

SECTION 6. Within ten (10) days after the approval of this ordinance by the qualified voters of Ladue, 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 7. This Ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED THIS ____ DAY OF _____, 2018.

President, City Council

ADOPTED AND APPROVED THIS ____ DAY OF _____, 2018.

Nancy Spewak, Mayor

ATTEST:

Laura Rider, City Clerk

RESOLUTION NO. 2018-01

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY OF LADUE, MISSOURI A CONTRACT WITH LARIMORE ASSOCIATES, INC. FOR SOFTWARE SUPPORT AND MAINTENANCE SERVICES.

WHEREAS, the City of Ladue has entered into a License Agreement dated July 2, 1998 with Larimore Associates, Inc. with respect to certain computer software products produced, developed and distributed by Larimore Associates, Inc.; and

WHEREAS, the City of Ladue wishes to obtain ongoing support and maintenance for the Software; and

WHEREAS, the City Council now desires and finds it in the best interest of the City to enter into a contract with Larimore Associates, Inc. for software support and maintenance services.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF LADUE, MISSOURI, AS FOLLOWS:

Section 1. The City Council hereby authorizes the Mayor to execute on behalf of the City a contract with Larimore Associates, Inc. for software support and maintenance services for the Software in substantially the form of Exhibit A incorporated herein by reference (the "Contract"), including all documents specified in the Contract as being part of the Contract.

Section 2. This Resolution shall take effect and be in force from and after its passage and approval by the Mayor.

Adopted by the City Council and approved by the Mayor on this 16th day of January, 2018.

Nancy Spewak, Mayor

ATTEST:

Laura Rider, City Clerk