

By JESSICA CRAWFORD • Daily Leader

A petition dated March 23 was filed by hotel owner Jay Bhakta with the City of Liberal in protest of charter ordinance No. 33 which raises the transient tax from 4 percent to 6 percent. According to a letter dated March 26 from Seward County Clerk Crystal Clemens addressed to the City of Liberal only 40 percent of the total signatures collected were valid.

“The city received a response from the Seward County Clerk’s office regarding Mr. Bhakta’s petition,” City Manager Mark Hall said.

“According to the response, only 95 of the 237 signatures were determined to be valid, unduplicated and City of Liberal registered voters.”

According to the Constitution of the State of Kansas, 10 percent of the number of voters in the last preceding regular city election are needed to validate such a petition, Clemens noted. The number of valid signatures that were needed by Bhakta in order to repeal the transient tax was 179, as there were 1,793 ballots cast in the 2007 City/School General Election. Only 53 percent of the required 179 signatures on the petition were found to be valid.

According to Clemens, 142 of the signatures contained in the petition (with a total of 237 signatures) were invalid due to the following

reasons:

- o One signature rejected due to duplicate signatures.

o 11 signatures rejected due to signer's residence not in the election district covered by the petition.

o Three signatures rejected because the handwriting was not clear or marked out.

o Six signatures rejected due to the name or signature not matching registration records.

o 16 signatures rejected due to residence not matching registration records.

o 105 signatures rejected because the signer was unregistered.

Some signatures in the petition filed by Bhakta, owner of the Quality Inn, contained signatures of guests of another hotel. Those providing signatures listed an address that corresponds with the particular hotel and provided a room number next to the address.

Now that the petition has been rejected, the City of Liberal still feels that hotel owners that feel this strongly about the issue should be given a chance to address it at the next city commission meeting.

"Although the petition failed, the issue will be placed on the next agenda for discussion," City Manager Mark Hall said. "I am confident in saying that the city commission believes in discussion of the issue represented by the petition."

Bhakta will be meeting with fellow hotel owners in the very near future to discuss how they will continue their quest to repeal the transient tax.

“I need to have a meeting with the hotel owners now,” Bhakta said.

“We will hopefully be doing that tomorrow or the next day, if not then – very soon.”

Bhakta stated in a recent interview with the Leader that his room rates range from \$69 to \$129. Currently, those staying in Liberal hotels are paying 4 percent over the current sales tax of 7.95 percent along with the room rate. The total 11.95 percent of a \$129 room equals \$15.42. When the tax is raised 2 percent in July, 13.95 percent of a \$129 room equals \$18 – a difference of \$2.58.

These extra funds will be going to the tourism department to further advertise and bring more activities into Liberal – to fill hotel rooms. Bhakta does not believe the city intends to use these extra funds to promote Liberal. However, the city continues to maintain that the funds will only be used to promote the City of Liberal.

“I continue to support the increase of the guest tax voted on and approved by the city commission to be used for any event or project that promotes our community,” commissioner Dave Harrison said.