

REQUESTED BY:  
COLBERT-RUCKER- NOVAK

LAW DEPARTMENT  
DRAFT NO. 3606A

LARSON- MACH

TITLE

A RESOLUTION FOR THE PURPOSE OF REQUESTING AND DIRECTING THE TRUMBULL COUNTY BOARD OF ELECTIONS TO PLACE BEFORE THE ELECTORS, AT AND DURING THE GENERAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2016, THE QUESTION OF WHETHER OR NOT AN ORDINANCE FOR AN ADDITIONAL INCOME TAX TO BE LEVIED ON AND AFTER JANUARY 1, 2017, THROUGH DECEMBER 31, 2021, AT THE RATE OF ONE-HALF OF ONE PERCENT (1/2%) PER ANNUM SHOULD BE APPROVED AND PASSED, AND DECLARING AN EMERGENCY.

RESOLUTION NO. 4603/16

WHEREAS, on June 27, 2007 this Council passed, and the Mayor signed, Resolution No. 4364/07; and

WHEREAS, Resolution No. 4364/07 was a resolution for the purpose of requesting and directing the Trumbull County Board of Elections to place before the electors, at and during a special election of November 6, 2007, the question of whether or not an Ordinance for an additional income tax to be levied at the rate of one-half of one percent (1/2%) per annum should be approved and passed; and

WHEREAS, at a General election on November 6, 2007, the voters approved the additional income tax addressed within Resolution No. 4364/07; and

WHEREAS, as a result of said approval of the voters, on November 6, 2007, this Council passed, and the Mayor signed, Ordinance No. 12081/07; and

WHEREAS, Ordinance No. 12081/07 enacted new provisions to subsection (a) of Section 171.03 ("IMPOSITION OF TAX.") of Chapter 171 ("Income Tax") of the Codified Ordinances of the City for the purpose of enacting the additional income tax rate of one-half of one percent (1/2%) per annum for the purpose of providing additional funds for the General Fund of the City of Warren for the staffing and operation of the Police and Fire Departments and Road Maintenance Program of the City of Warren; and

WHEREAS, said additional income tax rate of one-half of one percent (1/2%) per annum supplies valuable, crucial and needed funds for the City's General Fund for purposes of staffing and operating the City's Police and Fire Departments and Road Maintenance Program; and

WHEREAS, this Council deems it necessary that an additional income tax rate of one-half of one percent (1/2%) per annum be enacted; and

WHEREAS, a proposed Ordinance, a certified copy of which is attached hereto as "EXHIBIT A", would levy and impose an additional income tax by the City of Warren on and after January 1, 2017, through December 31, 2021, on income earned on and after January 1, 2017, at the rate of one-half of one percent (1/2%) per annum (resulting in a total annual income tax rate of the City of Warren on and after January 1, 2017 of two and one half (2.5%) percent); and

WHEREAS, it is necessary per Section 718.01 of the Ohio Revised Code to have the question of said additional rate of tax approved in advance by a majority of the electors of the City of Warren voting upon said question at a general, primary or special election; and

WHEREAS, a general election will be held on Tuesday, November 8, 2016; and

WHEREAS, this Council desires that said question come before the electors of the City of Warren for their consideration thereof, and vote thereon, at the general election to be held on Tuesday, November 8, 2016; and

WHEREAS, the passage and enactment of the attached Ordinance will provide needed, additional funds for the General Fund of the City of Warren; NOW THEREFORE

BE IT RESOLVED by the Council of the City of Warren, State of Ohio:

Section 1: That, at the general election to be held on Tuesday, November 8, 2016, the question of approving an additional income tax to be levied and imposed by the City of Warren on and after January 1, 2017, through December 31, 2021, on income earned on and after January 1, 2017, at the rate of one-half of one percent (1/2%) per annum (per the Ordinance therefor attached hereto as "EXHIBIT A"), be presented to the electorate of the City of Warren. Said "EXHIBIT A" is hereby incorporated herein, for all purposes, as if fully rewritten herein. Said "EXHIBIT A" provides, among other things, that the revenues to be generated by said additional annual rate of tax shall be used for the staffing and operation of the Police and Fire Departments and Road Maintenance Program of the City of Warren.

Section 2: That the Board of Elections of Trumbull County, Ohio, be, and hereby is, respectfully requested and directed to place said question before the electors at and during the general election on Tuesday, November 8, 2016. The ballot for same shall be as follows:

"Shall the Ordinance providing for an additional one-half of one percent (1/2%) levy on income for the purpose of the staffing and operation of the Police and Fire Departments and Road Maintenance Program of the City of Warren, to be effective on and after January 1, 2017, through December 31, 2021, be passed?"

FOR THE INCOME TAX

AGAINST THE INCOME TAX

Section 3: That the Clerk of Council is hereby authorized and directed to file a certified copy of this resolution with the Trumbull County Board of Elections forthwith, together with a certified copy of the proposed Ordinance attached hereto as "EXHIBIT A".

Section 4: This this Resolution and attached Ordinance in No Way Invalidates the existing 2% (two percent) existing Income Tax.

Section 5: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, welfare and safety, and for the further reason that this resolution may properly and timely come before the electors of the City at the general election on November 8, 2016, and for the further reason that additional funds are needed by the City for the effective staffing and operation of the Police and Fire Departments and Road Maintenance Program of the City of Warren. WHEREFORE, this Resolution shall take effect and be in force after the date of its passage by a vote of two-thirds of all members elected to Council and approval by the Mayor.

Passed in Council this 8TH day of AUGUST,

2016.

SIGNED:  ATTEST:   
PRESIDENT OF COUNCIL CLERK

FILED WITH THE MAYOR: 8-8-16

DATE APPROVED: 8-8-16

  
MAYOR, CITY OF WARREN

EXHIBIT "A" TO DRAFT NO. 3606A

REQUESTED BY:

LAW DEPARTMENT  
Draft No.

TITLE

AN ORDINANCE FOR THE PURPOSE OF, ENACTING A SUBSECTION (9) TO SUBSECTION (a) OF SECTION 171.03 ("IMPOSITION OF TAX.") OF CHAPTER 171 ("Income Tax") OF THE CODIFIED ORDINANCES OF THE CITY OF WARREN, OHIO, HAVING BEEN APPROVED BY THE REQUISITE NUMBER OF VOTERS, TO PROVIDE (EFFECTIVE JANUARY 1, 2017) FOR AN ADDITIONAL ONE-HALF OF ONE PERCENT (1/2%) PER ANNUM RATE OF INCOME TAXATION ON INCOME EARNED ON AND AFTER JANUARY 1, 2017, THROUGH DECEMBER 31, 2021, FOR THE PURPOSE OF PROVIDING ADDITIONAL FUNDS FOR THE GENERAL FUND OF THE CITY OF WARREN FOR THE STAFFING AND OPERATION OF THE POLICE AND FIRE DEPARTMENTS AND ROAD MAINTENANCE PROGRAM OF THE CITY OF WARREN, OHIO, AND DECLARING AN EMERGENCY.

ORDINANCE NO. \_\_\_\_\_

WHEREAS, the City of Warren, Ohio is in need of additional funds to provide for the necessary activities and services of the City of Warren, Ohio; and

WHEREAS, said additional funds are needed within the General Fund for the purpose of staffing and operation of the Police and Fire Departments and Road Maintenance Program of the City of Warren, Ohio; and

WHEREAS, it will be necessary to have funds provided therefore by an additional one half of one percent (1/2%) (effective January 1, 2017 through December 31, 2021) income tax rate, said additional tax having been approved by the requisite number of electors of the City of Warren in accordance with the Ohio Revised Code Section 718.01; NOW THEREFORE

BE IT ORDAINED by the Council of the City of Warren, State of Ohio:

Section 1: That, having first been approved by the requisite number of electors of the City of Warren in accordance with Section 718.01 of the Ohio Revised Code, a subsection (9) be, and the same hereby is, enacted to and within subsection (a) of Section 171.03 ("IMPOSITION OF TAX.") of the Codified Ordinances of the City of Warren, Ohio (and its successor Sections and Ordinances) be, as follows:

"(9) Subject to the provisions of Section 171.16 of this Chapter, and in conformity with and in addition to all of the provisions and amendments of this Chapter and any other Ordinance enacted by Council under authority of the Ohio Revised Code, Chapter 718, for the imposition of a City Income Tax, and additional Income Tax shall be levied and imposed on and after January 1, 2017 on income earned on and after January 1, 2017, through December 31, 2021, at the rate of one-half of one percent (1/2%) per annum. Such tax

shall be imposed and collected on an annual basis in accordance with these Codified Ordinances and rules and regulations now or hereafter adopted. Notwithstanding language within the preceding subsection (8) of this Section 171.03 to the contrary, the total annual income tax rate of the City of Warren, Ohio on and after January 1, 2017, through December 31, 2021, will be two and one half percent (2 1/2%)."

Section 2: That the purpose of the revenues generated by said additional one-half of one percent annual rate of tax shall be for the purpose of providing funds to and within the General Fund of the City of Warren for the staffing and operation of the Police and Fire Departments and Road Maintenance Program of the City of Warren, and for no other purpose.

Section 3: That this Ordinance in No Way Invalidates the existing 2% (two percent) existing Income Tax.

Section 4: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, welfare and safety, and for the further reason that additional funds are needed by the City for the effective staffing and operation of the Police and Fire Departments and Road Maintenance Program of the City of Warren. WHEREFORE, this Ordinance shall go into immediate effect.

Passed in Council this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

SIGNED: \_\_\_\_\_ ATTEST: \_\_\_\_\_  
PRESIDENT OF COUNCIL CLERK

FILED WITH THE MAYOR: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

\_\_\_\_\_  
MAYOR, CITY OF WARREN, OHIO

I, Brenda Smith, Clerk of Council of the City of Warren, Ohio, County of Trumbull, State of Ohio, do hereby certify that the foregoing is a true and correct copy of a proposed Ordinance of the City of Warren, and now on record in the files of my office.

  
BRENDA SMITH, Clerk of Council

DATE: August 8, 2016