

RESOLUTION NO. 2468-18

A RESOLUTION DECLARING THE NECESSITY OF AN ELECTION ON THE QUESTION OF APPROVING THE PASSAGE OF AN ORDINANCE TO AMEND SECTION 198.013 OF THE CODIFIED ORDINANCES IN ORDER TO PROVIDE FOR AN ADDITIONAL ONE-EIGHTH OF ONE PERCENT (1/8%) INCOME TAX FOR THE PAYMENT OF COSTS FOR THE CONTINUED EMPLOYMENT OF THE ADDITIONAL PERSONNEL HIRED BY THE POLICE DEPARTMENT OF THE CITY PURSUANT TO ORDINANCE NO. 5218 ADOPTED BY THE VOTERS OF THE CITY ON MAY 8, 2007, AND DECLARING AN EMERGENCY

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILLARD, OHIO:

Section 1. This Council hereby authorizes and directs the submission to the electors of the City of Willard, Ohio, at an election to be held at the usual places of voting in said City on Tuesday, November 6, 2018, between the hours of 6:30 a.m. and 7:30 p.m. of said day, of the question of approving the passage of an ordinance to amend Section 198.013 of the Codified Ordinances in order to provide for an additional one-eighth of one percent (1/8%) income tax, which ordinance is set forth in full in Section 2 hereof.

Section 2. That the proposed ordinance to be submitted to the electors of the City for their approval hereunder shall be as follows:

ORDINANCE NO. _____

AN ORDINANCE TO AMEND SECTION 198.013 OF THE CODIFIED ORDINANCES IN ORDER TO PROVIDE FOR AN ADDITIONAL ONE-EIGHTH OF ONE PERCENT (1/8%) INCOME TAX FOR THE PAYMENT OF COSTS FOR THE CONTINUED EMPLOYMENT OF THE ADDITIONAL PERSONNEL HIRED BY THE POLICE DEPARTMENT OF THE CITY PURSUANT TO ORDINANCE NO. 5218 ADOPTED BY THE VOTERS OF THE CITY ON MAY 8, 2007, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLARD, HURON COUNTY, OHIO THAT:

Section 1. Section 198.013 of the Codified Ordinances is hereby amended to read as follows:

198.013 RATE OF TAX; ALLOCATION.

(a) Subject to the provisions of Section 198.98, in order to provide funds for the purpose of general municipal operations, maintenance, new equipment, extension and enlargement of municipal services and facilities of the City there shall be imposed on and after January 1, 1979 an annual tax at the rate of 1-1/4% per annum (hereinafter referred to as the "Base Tax"); and, in order to provide funds for the payment of debt service on bonds, notes, loans and other obligations issued or incurred by the City before January 1, 2004, to provide for the payment and costs of capital improvements to the water system of the City and for the payment of debt service on bonds, notes, loans or other obligations issued or incurred by the City at any time in order to refund any of those bonds, notes, loans or other obligations, there shall also be imposed from and after July 1, 2003 through June 30, 2007 an annual tax in addition to the Base

Tax at the rate of 1/4% per annum (hereinafter referred to as the "Additional Tax"); and, in order to provide funds for the hiring of additional personnel in the Police Department of the City, there shall be imposed on and after October 1, 2007 through September 30, 2012, and also on and after January 1, 2014 through December 31, 2018, AND ALSO ON AND AFTER JANUARY 1, 2019 THROUGH DECEMBER 31, 2023, an annual tax in addition to the Base Tax and the Additional Tax, at the rate of 1/8% per annum (hereinafter referred to as the "Second Additional Tax").

(b) ALL OF THE NET AVAILABLE INCOME TAX RECEIPTS RECEIVED ANNUALLY WHICH ARE ATTRIBUTABLE TO THE SECOND ADDITIONAL TAX, AS DEFINED IN THIS SECTION 198.013, SHALL BE USED SOLELY FOR THE CONTINUED EMPLOYMENT OF THE ADDITIONAL PERSONNEL HIRED BY THE POLICE DEPARTMENT PURSUANT TO ORDINANCE NO. 5218 ADOPTED BY THE VOTERS ON MAY 8, 2007.

Section 2. Effective January 1, 2019, Section 198.013 of the Codified Ordinances, as it has heretofore existed, is hereby repealed; provided, however, that no provision of this ordinance, including the repeal of Section 198.013 of the Codified Ordinances, as it has heretofore existed shall in any way effect any rights or obligations of the City, any taxpayer, or any other person, official or entity, with respect to the Base Tax or any Additional Tax, as defined in Section 198.013, and as authorized by Sections 198.012 and 198.013 of the Codified Ordinances.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

Section 4. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City and for the further reason that the immediate effectiveness of this ordinance is necessary to provide funds in order to provide for the continued employment of the additional personnel hired by the police department pursuant to Ordinance No. 5218, adopted by the voters of the City on May 8, 2007. Wherefore, this ordinance shall be in full force and effect from and immediately after its passage.

Passed: _____, 2018.

President of Council

Clerk of Council

Section 3. It is the desire of this Council that the ballots presented to the electors of the City shall be substantially in the following form:

A majority affirmative vote is necessary for passage.

Shall Ordinance No. _____ providing for an additional one-eighth of one percent (1/8%) levy on income from January 1, 2019 through December 31, 2023, to be used for the continued employment of the additional personnel hired by the police department, be passed?

FOR THE INCOME TAX

AGAINST THE INCOME TAX

Section 4. The Clerk of this Council be and is hereby directed to file a copy of this resolution with the Board of Elections of Huron County no later than August 8, 2018 at 4:00 p.m.

Section 5. If the electors should fail to approve the passage of Ordinance No. _____ at the election on November 6, 2018, such failure shall not in any way affect any rights or obligations of the City, any taxpayer, or any other person, official or entity, with respect to the Base Tax, Additional Tax and Second Additional Tax, as defined in Section 198.013, which are already existing and authorized by Chapter 198. of the Codified Ordinances of this City.

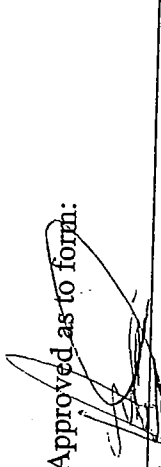
Section 6. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

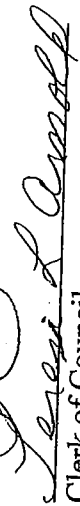
Section 7. This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City and for the further reason that this resolution must be effective at once in order to allow it to be filed with the Board of Elections by August 8, 2018 in order to place this issue on the ballot at the November 6, 2018 election. Wherefore, this resolution shall be in full force and effect from and immediately after its adoption.

Adopted: July 2, 2018


President of Council

Approved as to form:


Law Director


Clerk of Council

Certificate of Result of Election on Question or Issue

R.C. 3501.11

State of Ohio }
County of Huron }

The Board of Elections of Huron County hereby certifies that at the election held in the City of Willard;

(Name of Subdivision)

on the 6 day of November, 2018, the vote cast on the following issue was as follows:

Issue Shall the Ordinance providing for an additional 1/8% levy on income from January 1, 2019 through December 31, 2023, to be used for the continued employment of the additional personnel hired by the police department, be passed?

(Tax levy, bond issue, miscellaneous question, etc.-describe fully)

Votes For the Income Tax <small>(For, yes, etc.-as on ballot)</small>	749 <small>(Number)</small>
Votes Against the Income Tax <small>(No, against, etc.-as on ballot)</small>	699 <small>(Number)</small>
Total vote cast on issue:	1,448 <small>(Number)</small>

IN WITNESS WHEREOF, we have hereunto subscribed our names officially at Norwalk, Ohio, this 26 day of November, 2018

Thomas E. Derwitz
(Chair)

Thomas M. Dwyer

Robert G. ...

Board of Elections
Huron County, Ohio.

Attest:
James Locke
Director

¹ Appropriate subdivision. A copy must be sent to the Ohio Department of Taxation, Tax Equalization Division (tax levy or bond issue); Ohio Department of Taxation, Tax Analysis and Local Government Division (income tax); county auditor (levy or bond issue); and Secretary of State. To be submitted only by the most populous county board of election if multi-county issue.