



City of Gahanna

200 South Hamilton
Road
Gahanna, Ohio 43230

Signature

Resolution: RES-0029-2025

File Number: RES-0029-2025

A RESOLUTION AUTHORIZING THE GAHANNA CITY ATTORNEY TO JOIN AN AMICUS BRIEF IN SUPPORT OF THE CITY OF CINCINNATI IN A CASE PENDING BEFORE THE OHIO SUPREME COURT CONCERNING TAXPAYER STANDING

WHEREAS, the Ohio Supreme Court has accepted for review City of Cincinnati, ex rel. Mark Miller v. City of Cincinnati et al., a case from the First District Court of Appeals involving the standing necessary to bring forward a taxpayer litigation action pursuant to R.C. 733.59; and

WHEREAS, the City Solicitor declined to bring suit, opining that the action was legislative in nature, and the Plaintiff thereafter filed suit individually on behalf of the city; and

WHEREAS, the Ohio Supreme Court's decision in this case may impact municipalities statewide by potentially expanding taxpayer standing to include any taxpayer who disagrees with a policy decision, even in the absence of a personal injury or specific public right affected; and

WHEREAS, a coalition of Ohio municipalities, and organizations such as the Ohio Municipal Attorneys Association (OMAA), have expressed concern and are supporting the City of Columbus's effort to file an amicus curiae brief in support of the City of Cincinnati; and

WHEREAS, the City of Gahanna maintains that the existing legal standards for taxpayer litigation would not impair or diminish citizens' rights to challenge ordinances enacted by Council pursuant to R.C. 733.59 or by referendum;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GAHANNA, COUNTY OF FRANKLIN, STATE OF OHIO, THAT:

Section 1. Council hereby authorizes the City Attorney to join and sign onto an amicus curiae brief in support of the City of Cincinnati in the taxpayer standing case pending before the Ohio Supreme Court.

Section 2. Council affirms its commitment to sound legal standards for standing in taxpayer litigation and supports the position that generalized disagreement with legislative action, without specific injury or impact on a public right, should not be sufficient to establish standing under Ohio law.

Section 3. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

At a regular meeting of the City Council on June 16, 2025, a motion was made by Weaver, seconded by Schnetzer, that the Resolution be Adopted. The vote was as follows:

Ms. Bowers, Yes; Ms. Jones, Yes; Ms. McGregor, Absent; Ms. Padova, Yes;
Mr. Renner, Absent; Mr. Schnetzer, Yes; Mr. Weaver, Yes.

President Merisa Bowers
Merisa K. Bowers

Date 6/16/2025

Attest by Jeremy A. Van Meter
Jeremy A. VanMeter
Clerk of Council

Date 6/16/2025

Approved by the Mayor Laurie A. Jadwin
Laurie A. Jadwin

Date 6.16.2025

Approved as to Form PDT
Priya D. Tamilarasan
City Attorney

Date 6/16/25