



Legislation Details (With Text)

**File #:** RES-0001-2019      **Version:** 1      **Name:** Amend 161.012 & 161.013

**Type:** Resolution      **Status:** Passed

**File created:** 2/1/2019      **In control:** City Council

**On agenda:** 2/4/2019      **Final action:** 2/4/2019

**Title:** TO PROVIDE FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF GAHANNA AT THE PRIMARY ELECTION TO BE HELD MAY 7, 2019, AN ORDINANCE TO AMEND ORDINANCE 75-76, PASSED AUGUST, 1976, SO AS TO INCREASE THE GAHANNA INCOME TAX FROM A RATE OF ONE AND ONE-HALF (1.5%) PERCENT TO A RATE OF TWO AND ONE-HALF (2.5%) PERCENT and to increase the credit for taxes paid to another municipality from Eighty-Three and one-third percent (83.33%) to one hundred percent (100%).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD-0017-2019, 2. Proposed Ordinance - Exhibit A - ORD-0017-2019, 3. ORD-0017-2019 - Exhibit A - RED LINE, 4. RES-0001-2019 Signed

Date	Ver.	Action By	Action	Result
2/4/2019	1	City Council	Adopted as Amended	Pass

TO PROVIDE FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF GAHANNA AT THE PRIMARY ELECTION TO BE HELD MAY 7, 2019, AN ORDINANCE TO AMEND ORDINANCE 75-76, PASSED AUGUST, 1976, SO AS TO INCREASE THE GAHANNA INCOME TAX FROM A RATE OF ONE AND ONE-HALF (1.5%) PERCENT TO A RATE OF TWO AND ONE-HALF (2.5%) PERCENT AND TO INCREASE THE CREDIT FOR TAXES PAID TO ANOTHER MUNICIPALITY FROM EIGHTY-THREE AND ONE-THIRD PERCENT (83.33%) TO ONE HUNDRED PERCENT (100%).

WHEREAS, Section 4.06 of the Charter of the City of Gahanna provides that "the power of Council to levy taxes shall be subject to the limitations provided by the Constitution and the laws of Ohio, and nothing contained in this Charter shall be construed to authorize the levy of any taxes in excess of said limitations without a vote of the people"; and

WHEREAS, Section 718.04 of the Ohio Revised Code provides that "No municipal corporation shall levy a tax on income at a rate in excess of one percent without having obtained the approval of the excess by a majority of the electors of the municipality voting on the questions at a general, primary or special election"; and

WHEREAS, in order to maintain Gahanna as a community where people want to live and businesses want to locate and remain a safe community and with nine years of economic growth, the City has reduced services and Parks and Recreation programming to maintain core infrastructure for 2019; and

WHEREAS, safety in our community must continue to be a priority and police protection and keeping a police presence in our schools is and will continue to be critical for Gahanna; and

WHEREAS, in order to maintain our community as a place where people want to live and businesses want to locate, we must fix our aging streets, potholes and crumbling curbs, we must address traffic congestion, fix the condition of our streets to maintain property values and preserve the community expected quality of life services and programming.

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

Section 1. Pursuant to Section 4.06 of the Gahanna City Charter and Section 718.04 of the Ohio Revised Code, the City of Gahanna hereby requests and directs that the Franklin County Board of Elections place before the voters of the City of Gahanna on the May 7, 2019 primary election ballot, ORD-0017-2019, which proposes to increase the municipal income tax rate from its current one and one-half percent (1.5%) to two and one-half percent (2.5%) and to increase the credit for taxes paid to another municipality from eighty-three and one-third percent (83.33%) to one hundred percent (100%), said Ordinance attached hereto as EXHIBIT A.

Section 2. That the amendment to Section 161.012, 161.013, and 161.081 of the Codified Ordinances shall be effective July 1, 2019.

Section 3. That this amendment be digested on the voting machine with the following language subject to approval by the Franklin County Board of Elections:

"Shall ORD-0017-2019, providing for an additional one percent (1%) levy on income earned on and after July 1, 2019, such that the total rate levied on income earned per annum shall equal two and one-half percent (2.5%), and providing that seventy-five percent (75%) of the revenue resulting from the increase be dedicated for the purposes of capital improvements and equipment for infrastructure, public safety, municipal facilities or parks and recreation, including, without limitation, streets, buildings, park facilities, trails and playground elements, maintenance and repair of the same, and paying debt service for such purposes, and twenty-five percent (25%) of the revenue resulting from the increase be dedicated for the purposes of funding operations for public safety, public service, or parks and recreation, including, without limitation, police protection, 911 emergency services, snow removal, streetlight and traffic signal maintenance and parks and recreation programming; and to increase the credit for taxes paid to another municipality from eighty-three and one-third percent (83.33%) to one hundred percent (100%), be passed?"

For the Income Tax \_\_\_\_\_

Against the Income Tax \_\_\_\_\_

Section 4. The Clerk of Council is hereby authorized and directed to timely submit this Ordinance to the Franklin County Board of Elections, before 4:00 PM on February 6, 2019, for placement on the May 7, 2019 Primary Election Ballot for consideration by the City electorate.

Section 5. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the adoption of this ordinance were adopted in an open

meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with all applicable laws.

Section 6. That, pursuant to Section 4.14 of the Gahanna City Charter, this Resolution shall be in full force and effect immediately upon passage by this Council and on date of signature approval by the Mayor.