

RESOLUTION NO. R-2013-6

A RESOLUTION DECLARING IT NECESSARY TO PLACE A .5% GENERAL INCOME TAX INCREASE ON THE BALLOT FOR THE MAY 7, 2013 PRIMARY ELECTION, SAID INCREASE TO BE EFFECTIVE JANUARY 1, 2014, AND NOTIFYING THE PORTAGE COUNTY BOARD OF ELECTIONS TO CAUSE NOTICE OF THE ELECTION, REPEALING ALL PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Windham is in a financially critical position and does not have the funds available to maintain current levels of service; and

WHEREAS, the amount of income taxes which are anticipated to be raised by the existing 1.5% income tax rate are insufficient to maintain the current level of Village of Windham day to day police safety, street maintenance and other similar services.

WHEREAS, in light of the increase in violence occurring in schools across the country the Windham Exempted Village School District has made an overture to the Village of Windham about placing a full time School Resource Officer in the buildings of the Windham Exempted Village School District; and

WHEREAS, the Village Council agrees that a full time School Resource Officer will advance the safety of the Windham Exempted Village School District and will improve the general welfare of the whole of the Village of Windham; and

WHEREAS, the Council has determined that the current Village Income Tax of 1.5% will be insufficient to provide for a School Resource Officer and is also an inadequate amount to maintain the present level of services to citizens, and so for the purpose of maintaining the current level of municipal services, it is necessary to levy a tax increase of .5% effective January 1, 2014.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Windham, two thirds or more of the members elected thereto concurring that:

Section One: This Council declares it necessary to raise the Village Income Tax by .5%, to a total of 2% effective January 1, 2014.

Section Two: It is necessary to increase the Village Income Tax by .5% for the benefit of the Village of Windham, Portage County, Ohio for the purpose of paying for general services provided by the Village, as provided in Ohio Revised Code, Section 718.01.

Section Three: That the Council has decided to submit the requested Income Tax increase to the electors of the Village at the primary election on May 7, 2013, also in conformity with Section 718.01 of the Ohio Revised Code.

Section Four: If a majority of the electors voting in the May 7, 2013 primary election vote in favor of the income tax increase, said increase shall be effective beginning January 1, 2014.

Section Four: The form of the ballot to be cast at such election on the question of such tax shall be substantially as follows:

A majority of affirmative votes is necessary for passage.

Shall the Ordinance providing for an additional .5% levy on income tax for the purpose of providing police, street maintenance and other general services provided by the Village, which increase shall be effective January 1, 2014, be passed?

FOR THE INCOME TAX INCREASE

AGAINST THE INCOME TAX INCREASE

Section Five: That the Village Fiscal Officer shall deliver a certified copy of this Resolution and Ordinance O-2013-5 to the Board of Elections, Portage County, Ohio promptly following adoption thereof and in all events prior to the close of business on February 6, 2013 so as to cause notice of election on the question of increasing said tax to be given as required by law.

Section Six: This Resolution is hereby declared to be an emergency measure, becoming effective immediately on passage by Council and approval by the Mayor, necessary to protect the health, safety, morals and general welfare of the community, and for the further reason that the Council of the Village of Windham desires to place the issue of the income tax rate increase before the voters or the Village in the May 7, 2013 primary election and the deadline to place this issue on that ballot with the Portage County Board of Elections is February 6, 2013.

Section Seven: It is hereby found and determined that all formal actions of this Council 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 of its committees that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

Passed in Council on First Reading as an emergency February 4, 2013.

Vote of Council: Ayes: Mrs. Barrett, Ms. Blewitt, Mr. Garrett, Mrs. Prem, Mr. Snyder
 Nays: Mrs. Miranda

ATTEST:

APPROVED:

Fiscal Officer, Lloyd Billman

Robert Donham, Mayor

APPROVED AS TO FORM:

Village Solicitor, Thomas Reitz