

RESOLUTION NO. 003-17

A RESOLUTION PROVIDING FOR AN ELECTION ON THE QUESTION OF THE PROVISION OF THE INCOME TAX CODE OF THE CITY OF NAPOLEON, OHIO TO PROVIDE FOR A TEMPORARY INCREASE OF THREE TENTHS PERCENT (0.3%) TO THE PERMANENT 1.3% INCOME TAX; SAID 0.3% TEMPORARY INCOME TAX INCREASE TO COMMENCE ON JULY 1, 2017 AND END ON JUNE 30, 2022; AND TEMPORARILY REPEALING ORDINANCE NO. 103-08, AND AMENDING SECTION 193.02 OF THE CODIFIED ORDINANCES, ALL SUBJECT TO APPROVAL BY THE ELECTORS OF THE CITY OF NAPOLEON, OHIO ON THE MAY 2, 2017 BALLOT; AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPOLEON, OHIO WITH TWO THIRDS (2/3) OR MORE OF ITS CURRENT MEMBERS CONCURRING THERETO:

Section 1. That, the question of the provision of the Income Tax Code of the City of Napoleon, Ohio (hereinafter called "the City") shall be submitted to a vote of the qualified electors of the City at a special election to be held on May 2, 2017 at the regular places of voting in the city. The Income Tax provision, to wit: to provide for a temporary increase of three tenths percent (0.3%) to the permanent 1.3% Income Tax; said 0.3% temporary income tax increase to commence on July 1, 2017 and end on June 30, 2022; and temporarily repealing Ordinance No. 103-08, and amending Section 193.02 of the Codified Ordinances, shall read as set forth in the attached Exhibit A: "City of Napoleon, Ohio City Council's Recommendation of Proposed Income Tax Code Provisions Beginning in the Year 2017" submitted by City Council on or before February 1, 2017, a true and complete copy of which is on file in the office of the City Finance Director.

Section 2. That, the Board of Elections of Henry County, Ohio is directed to conduct such election at a special election to be held on May 2, 2017.

Section 3. That, the City Finance Director shall file a true and complete copy of this Resolution with the Board of Elections of Henry County, Ohio at least ninety (90) days before the date of said election.

Section 4. That, the City Finance Director is directed to publish the full text of the proposed Income Tax provisions once per week for not less than two (2) consecutive weeks in the Northwest Signal, with the first publication being at least fifteen (15) days prior to the election, in accordance with Section 9 of Article XVIII of the Ohio Constitution and Section 731.211 of the Ohio Revised Code.

Section 5. That, the City Finance Director is directed to make the necessary arrangements with the appropriate election authorities for giving notice, conducting the election and placing the question on the ballot, including the preparation of proper ballot language, to include all amendments as found in Section 1 of this Resolution.

Section 6. That, to pay the cost of any printing, mailing copies of the proposed provisions and of any publishing notice cost, there is appropriated from the

General Fund the sum of ten thousand dollars (\$10,000.00), or so much thereof as may be needed.


Section 7. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon, Ohio.

Section 8. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, then the provision of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

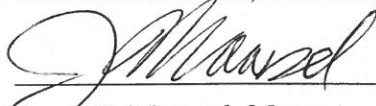
Section 9. That, upon passage, this Resolution shall take effect at the earliest time permitted by law.

Section 10. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow for effective legal services to be rendered to the City, including those legal services related to public peace, health or safety; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Passed: January 3, 2017

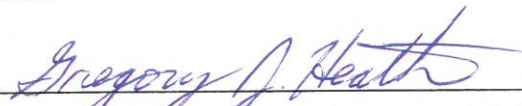

Travis B. Sheaffer, Council President

Approved: January 3, 2017


Jason P. Maassel, Mayor

VOTE ON PASSAGE 5 Yea 2 Nay 0 Abstain

Attest:

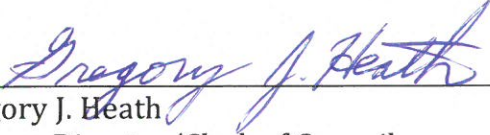

Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Ordinance No. 003-17 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Gregory J. Heath, Clerk/Finance Director

CERTIFICATION

I, Gregory J. Heath, Finance Director/Clerk of Council for the City of Napoleon, Ohio, do hereby certify that this document is a true and correct copy of Resolution No. 003-17, passed January 3, 2017.



Gregory J. Heath
Finance Director/Clerk of Council

01/04/2017
Date

**Proposed Amendment to the Provision of the Income Tax Code of the City of Napoleon, Ohio
Local Issue 1**

A majority affirmative vote is necessary for passage.

On December 5, 2016, Napoleon City Council passed Ordinance No. 041-16 that approved amending the provision of the Income Tax Code of the City of Napoleon, Ohio to provide for a temporary increase of three tenths percent (0.3%) to the permanent 1.3% Income Tax; said 0.3% temporary Income Tax increase to commence on July 1, 2017 and end on June 30, 2022; and temporarily repealing Ordinance No. 103-08, and amending Section 193.02 of the Codified Ordinances:

(A FULL TEXT OF ORDINANCE NO. 041-16 AND THE INCOME TAX CODE OF THE CITY OF
NAPOLEON, OHIO IS POSTED AT THE POLLING PLACE)

**Shall the Ordinance providing for a three tenths percent (0.3%) levy on income to
provide adequate funds in future years for the purpose of design, engineering, and
construction for capital maintenance of City streets and roads be passed?**

FOR THE INCOME TAX

AGAINST THE INCOME TAX
