

RESOLUTION NO. 040-17

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 ONE AND THREE TENTHS PERCENT (1.3%) INCOME TAX; SAID 0.3% TEMPORARY INCOME TAX INCREASE TO COMMENCE ON JANUARY 1, 2018 AND END ON DECEMBER 31, 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 NOVEMBER 7, 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 general election to be held on November 7, 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 one and three tenths percent (1.3%) Income Tax; said 0.3% temporary income tax increase to commence on January 1, 2018 and end on December 31, 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 2018" submitted by City Council on or before August 9, 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 general election to be held on November 7, 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

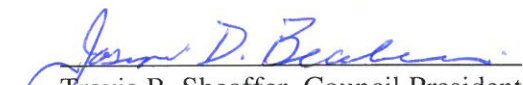
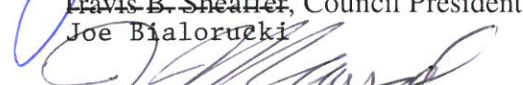
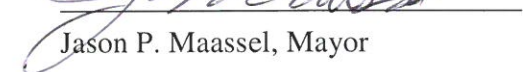
General Fund the sum of ten thousand dollars (\$10,000.00), or so much thereof as may be needed.

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, 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 meet timeframe guidelines; 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.

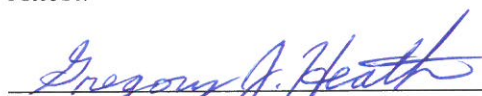
Passed: July 17, 2017


Travis B. Sheaffer, Council President Pro-Tem

Joe Bialorucki

Jason P. Maassel, Mayor

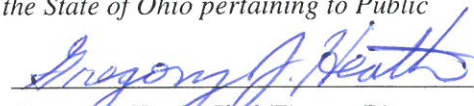
Approved: July 17, 2017

VOTE ON PASSAGE 5 Yea 0 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. 040-17 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 31st day of July, 2017; & 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

**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 , 2017, Napoleon City Council passed Ordinance No. 039-17 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 one and three tenths percent (1.3%) Income Tax; said 0.3% temporary Income Tax increase to commence on January 1, 2018 and end on December 31, 2022; and temporarily repealing Ordinance No. 103-08, and amending Section 193.02 of the Codified Ordinances:

(A FULL TEXT OF ORDINANCE NO. 039-17 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 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

STATE OF OHIO
COUNTY OF HENRY

Kimberly Imm, being first duly sworn, states that she is the Assistant Publisher of The Bryan Publishing Company, owner of The Northwest Signal, a daily newspaper, published and of general circulation in the county of Henry aforesaid, and that the annexed notice was published in one issue in said paper, on the 31st day of July 2017.

Kimberly Imm
Kimberly Imm

Subscribed and sworn to before me this 31st day of July, 2017

Beverly Griteman
Beverly Griteman
Notary Public,
State of Ohio
My Commission Expires
February 13, 2021

Printer's Fee: \$222.00
Notary Fee: \$1.50

Resolution 040-17

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In this legislation, the City of Napoleon authorized the question of amending the current Municipal Income Tax Code to provide a temporary 0.3% increase to be placed on the November 2, 2017 General Election ballot. A complete copy of the proposed question can be obtained from the City as stated in the above Notice.

All of the above summaries are approved as to form and correctness by Billy D. Harmon, City Law Director

LEGAL NOTICE

**Summary of Ordinance No.(s) 039-17 and
Resolution No.(s) 037-17, 040-17**

(PURSUANT TO ARTICLE II, SECTION 2.15 OF THE CITY CHARTER, CHAPTER 121 OF THE CODE OF ORDINANCES AND COUNCIL RULE 6.2.4.1, AS WELL AS APPLICABLE PROVISIONS OF ORC CHAPTER 731)

NOTICE

A copy of the complete text of the above named Ordinance(s) and Resolution(s) are on file in the office of the City Finance Director and may be viewed or obtained during business hours of 7:30 AM to 4:00 PM, Monday through Friday, at the office of the Finance Director, the location being 255 West Riverview Avenue, Napoleon, Ohio. A copy of all or part of the above named Ordinances and Resolutions, or any item mentioned in this notice, may be obtained from the City Finance Director upon the payment of a reasonable fee therefore.

Ordinance 039-17

AN ORDINANCE 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 JANUARY 1, 2018 AND END ON DECEMBER 31, 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 NOVEMBER 7, 2017 BALLOT

In this legislation, the City of Napoleon proposed to amend the current Municipal Income Tax Code to provide a temporary 0.3% increase, to be approved by the electors on the November 2, 2017 ballot.

Resolution 037-17

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY TO APPLY AND ACCEPT OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT PROGRAM (SCIP) AND LOCAL TRANSPORTATION IMPROVEMENT PROGRAM (LTIP) FUNDS FOR PROJECTS DEEMED NECESSARY BY THE CITY ENGINEER IN THE YEAR 2018

In this legislation, the City of Napoleon authorized the City Manager to execute all documents necessary for LTIP funds for projects deemed necessary by the City Engineer for the year 2018