

RESOLUTION NO. R-19-48

**A RESOLUTION DETERMINING TO PROCEED WITH PLACING
A ONE-HALF OF ONE PERCENT (0.50%) PERMANENT MUNICIPAL INCOME
TAX ON THE MARCH 17, 2020 BALLOT, CERTIFYING THE SAME
TO THE BOARD OF ELECTIONS, AND DECLARING AN EMERGENCY**

WHEREAS, Council for the City of Wilmington has determined that it is necessary to raise annually additional revenues for the purpose of: the extension of municipal services and facilities; capital improvements; maintenance; equipment; and general municipal operations of the City of Wilmington; and

WHEREAS, in order to finance the same, Council for the City of Wilmington has determined the necessary Permanent Income Tax rate, rounded to the nearest one-fourth of one percent as required by law, is one-half of one percent (0.50%) per annum; and

WHEREAS, this Permanent Income Tax shall not amend, modify, or repeal the current one percent Income Tax, established by Ordinance No. 2410; and

WHEREAS, this Permanent Income Tax shall not amend, modify, or repeal the current one-half of one percent Supplemental Income Tax established by Ordinance O-16-41; and

WHEREAS, because Council for the City of Wilmington needs to impose a Permanent Income Tax that will result in a total tax greater than one percent, it must adopt an ordinance authorizing the income tax and a resolution placing the question, of whether to impose the tax, on the ballot; and

WHEREAS, contemporaneous with this Resolution, Council for the City of Wilmington also is adopting an ordinance authorizing the Permanent Income Tax; and

WHEREAS, after complying with all statutorily required notice and hearings requirements, Council for the City of Wilmington has determined it necessary to place the City of Wilmington 0.50% Permanent Income Tax Ordinance on the March 17, 2020 Primary Election Ballot.

NOW, **THEREFORE, BE IT RESOLVED** by the Council of the City of Wilmington, County of Clinton, State of Ohio

SECTION 1: Council for the City of Wilmington hereby authorizes the submission to the electors of the City of Wilmington, Ohio, *at the Primary Election to be held on March 17, 2020*, the question approving the passage of the Ordinance, attached hereto as Exhibit A and incorporated herein by reference, to amend Section 172.03 of the City of Wilmington Codified Ordinances and thereby impose an additional 0.50% permanent income tax in excess of the current 1.0% income tax, beginning in tax year 2022.

SECTION 2: Council for the City of Wilmington directs the Clerk of Council to forward a certified copy of this Resolution, together with a certified copy of the Ordinance attached hereto, to the Clinton County Board of Election as soon as possible, but no later than December 18, 2019.

SECTION 3: The form of the ballot to be used at said election shall be substantially as follows:

AFFIRMATIVE VOTE IS NECESSARY FOR PASSAGE

Shall the Ordinance proposing an additional (permanent) one-half of one percent (0.50%) levy on income, to be effective on January 1, 2022 for the tax years 2022 and beyond, for the purpose of: the extension of municipal services and facilities; capital improvements; maintenance; equipment; and general municipal operations of the City of Wilmington, be passed?

FOR THE INCOME TAX

AGAINST THE INCOME TAX

SECTION 5: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision-making bodies of the City of Wilmington which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

SECTION 6: Council declares this to be an emergency measure immediately necessary for the preservation of the public peace, health, and safety of this municipality and the further reason that the deadline to submit this question to the Board of Elections in order to make the March 2020 ballot is December 18, 2019. Wherefore, provided this Resolution receives the required affirmative votes of Council, it shall take effect and be in full force immediately upon passage. That said, the actual income tax will not take effect (in 2022) unless a majority of the electors of the City voting on the question at the March 2020 primary election approve the additional one-half of one percent permanent municipal income tax

Passed this _____ day of _____, 2019.

President of Council

ATTEST:

Clerk of Council

Approved by me this _____ day of _____, 2019.

Mayor