

RESOLUTION NO.: 2019-R66 (AMENDED AUGUST 27, 2019)  
SPONSOR: MAYOR NEUGEBAUER  
INTRODUCED: JUNE 25, 2019 ASSIGNED TO: \_\_\_\_\_

**A RESOLUTION SUBMITTING TO THE ELECTORS OF THE CITY OF GREEN A PROPOSAL TO AMEND SECTION 8.3 OF THE CHARTER OF THE CITY OF GREEN TO INCLUDE A CREDIT FOR INCOME TAX PAID TO MULTIPLE MUNICIPALITIES AND/OR TO A JOINT ECONOMIC DEVELOPMENT DISTRICTS, AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Green's Charter requires a review of the Charter's provisions every seven (7) years; and

WHEREAS, Mayor Neugebauer, pursuant to the terms of the Charter, appointed a Charter Review Commission to review the Charter and recommend amendments; and

WHEREAS, the Charter requires Green City Council to submit the proposed amendments to the electors of the City of Green at the next regular municipal or Ohio General Election unless the proposed amendment is rejected by three-fourths ( $\frac{3}{4}$ ) vote of the members of Council; and

WHEREAS, Green City Council determines that the amendments should be submitted to the electors of the City of Green on November 5, 2019; and

WHEREAS, the Charter Review Commission unanimously recommended that Green City Council **submit to the City electorate a proposal to** amend Section 8.3 of the Charter of the City of Green, which provides for a credit for income tax paid to another municipality, to include a credit for income tax paid to multiple municipalities and/or to a joint economic development district or districts.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT AND STATE OF OHIO, THAT:**

**SECTION ONE:**

**The Charter Review Commission has recommended that the electors of the City of Green consider a proposal that** Section 8.3 of the Charter of the City of Green ~~shall~~ be amended to read as follows:

### 8.3 LIMITATION ON TOTAL MUNICIPAL INCOME TAX

Where a resident of the City is subject to a ~~municipal~~ income tax in another municipality, ~~or joint economic development district,~~ such resident shall not pay ~~total municipal City income tax on such that exceeds the tax imposed at the higher of the two (2) tax rates.~~ ~~total municipal~~ income tax on that same such income that is greater than ~~exceeds~~ the tax imposed at the higher rate **rate of the two tax rates.**

#### SECTION TWO:

The proposed amendments to Section 8.3 of the Charter of the City of Green shall be placed before the qualified electors of the City of Green for their approval on the ballot of the November 5, 2019 election.

#### SECTION THREE:

Green City Council requests the following ballot language:

***“Shall Section 8.3 of the Charter of the City of Green be amended to provide for a credit that a resident who is subject to income tax paid to taxes in another municipality, be amended to include a credit for income tax paid to multiple municipalities and/or to a or joint economic development district or districts shall not pay City income tax on such `income that exceeds the tax imposed at the higher of the two tax rates?”***

\_\_\_\_\_ FOR THE AMENDMENT

\_\_\_\_\_ AGAINST THE AMENDMENT

#### SECTION FOUR:

The Clerk of Council of the City of Green shall certify a copy of this Resolution to the Board of Elections of Summit County, along with a copy of the proposed ballot language no later than September 6, 2019, as required by law.

#### SECTION FIVE:

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meeting of this Council and any deliberations of this City and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

#### SECTION SIX:

Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of Green. Provided that this legislation receives the affirmative vote of three-fourths of the members elected or appointed to Council, it shall take

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effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: \_\_\_\_\_

\_\_\_\_\_  
Molly Kapeluck, Clerk

\_\_\_\_\_  
Bob Young, Council President

APPROVED: \_\_\_\_\_, 2019

\_\_\_\_\_  
Gerard M. Neugebauer, Mayor

ENACTED EFFECTIVE: \_\_\_\_\_, 2019

ON ROLL CALL:   Babbitt           Dyer                   Humphrey           Shaughnessy  
                      Speight        Yeargin               Young

*Suburbanite* publication on \_\_\_\_\_ and \_\_\_\_\_

\_\_\_\_\_  
Molly Kapeluck, Clerk

**08/22/2019** ~~06/20/2019~~ Approved as to form and content by William G. Chris, Director of Law, Interim \_\_\_\_\_