

PRESENTED BY: MAURER, SOYARS, DEBEVEC
ENDRES, LYSENKO, WAGNER, MEGYES, AVANT & FREY

RESOLUTION NO. 23-2012
SPONSORED BY: MR. AVANT

TITLE: OPPOSE STATE TAKEOVER – MUNICIPAL INCOME TAX COLLECTIONS

A RESOLUTION OF THE COUNCIL OF THE CITY OF BARBERTON OPPOSING ANY EFFORT BY THE STATE OF OHIO TO TAKE OVER THE COLLECTION OF MUNICIPAL INCOME TAXES IN OHIO AND TO URGE OUR STATE LEGISLATORS TO REJECT AND OPPOSE ANY AMENDMENT TO PENDING BILLS, OR THE INTRODUCTION OF NEW LEGISLATION, THAT WOULD PROPOSE SUCH TRANSFER OR CONTROL OF MUNICIPAL TAXES TO THE STATE OF OHIO DEPARTMENT OF TAXATION, AND DECLARING AN EMERGENCY.

WHEREAS, during recent discussion regarding the State Biennial Bill (HB153), it was suggested that the State Department of Taxation take over the collection of municipal income taxes; and

WHEREAS, although the current pending legislation does not contain any provision for the State to take control of municipal income taxes, the legislation may be amended before final consideration in June; and

WHEREAS, income tax is the largest source of revenue for most municipalities and any disruption or interference with the current collection process will be harmful to financial operations; and

WHEREAS, the prospect of State control of municipal income tax collection presents numerous administrative difficulties including, but not limited to, how the State will administer local tax ordinances; how retention of, and access to, tax records will be handled; the timing and frequency of distribution of collected revenues to municipalities; the reporting of tax collections to municipalities; and the impact of planned budget and staffing cuts on the Ohio Department of Taxation's ability to undertake and properly perform such significant new responsibilities; and

WHEREAS, in the wake of sweeping reductions in the Local Government Fund, municipalities cannot afford another potential loss in revenue.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Barberton, State of Ohio:

SECTION 1. That the Council of the City of Barberton strongly opposes any effort by the State of Ohio to take over the collection of municipal income taxes in Ohio; and urges its state legislators to reject and oppose any amendment to pending bills or introduction of new legislation that proposes to transfer collection and/or control of municipal income taxes to the State of Ohio Department of Taxation.

SECTION 2. That the Clerk of Council is hereby authorized and directed to send a certified copy of this Resolution to Governor John Kasich, Treasurer Josh Mandel, and local Representatives of the Ohio Legislation.

SECTION 3. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken 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 action were meetings open to the public in compliance with the law.

SECTION 4. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, convenience and welfare of the City of Barberton and the inhabitants thereof, for the reason that it is necessary to go into effect immediately to oppose such takeover of municipal funds, and provided it receives the necessary votes required by the City Charter, shall be in full force and effect from and after its passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Passed _____ 2012

Clerk of Council

President of Council

Approved _____ 2012

Mayor