

**RESOLUTION NO. R22-38**

**A RESOLUTION BY THE TROTWOOD CITY COUNCIL TO PROCEED WITH PLACING AN ADDITIONAL TEMPORARY INCOME TAX OF ONE-HALF OF ONE PERCENT (0.5%) FOR A PERIOD OF FIVE (5) YEARS ON THE BALLOT FOR THE NOVEMBER 8, 2022 ELECTION AND TO CERTIFY THE SAME TO THE MONTGOMERY COUNTY BOARD OF ELECTIONS.**

**WHEREAS**, the Trotwood City Council has determined that it is necessary to increase annual revenues in the City for the purpose of providing additional funding for the installation and/or improvements of street paving and roadways, curbs and gutters, pavement milling and striping, crosswalks, all traffic signals, Americans with Disabilities Act (ADA)-compliant ramps, street signage, water management resources, grading, safety equipment and safety-compliant materials, and/or the labor and materials for the same in the City of Trotwood, Ohio; and

**WHEREAS**, to provide sufficient funding for the purposes described above, the Trotwood City Council has determined it necessary to impose an additional temporary income tax of one-half of one percent (0.5%) for a period of five (5) years in the City of Trotwood, Ohio, which five (5) year period shall be effective January 1, 2023 through December 31, 2027; and

**WHEREAS**, the current local income tax rate in the City of Trotwood is 2.25%; and

**WHEREAS**, in accordance with Section 718.04 of the Ohio Revised Code, the approval of this additional temporary income tax must be submitted to the electors of the City of Trotwood, Ohio, for consideration; and

**WHEREAS**, with the addition of the temporary income tax described herein, the local income tax rate, if approved by the voters, will be 2.75% for five (5) years; and

**WHEREAS**, the Trotwood City Council believes that the imposition of an additional temporary income tax, subject to all restrictions in the City's current code, and as prescribed by Chapter 718 of the Ohio Revised Code is in the best interest of the citizens of the City of Trotwood as the revenue generated by this tax will help protect and promote the health, safety and general welfare of the citizens of Trotwood and others who frequent the City; and

**WHEREAS**, in order to impose an additional temporary income tax of one-half of one percent (0.5%) for a period of five (5) years, the Trotwood City Council has adopted Ordinance No. OR21-22 to repeal Section 184.01 of the Trotwood Codes of Ordinances "Authority to Levy Tax; Purposes of Tax; Rate," which includes Subsection

184.011 “Authority to Levy Tax,” Subsection 184.012 “Purpose of Tax; Rate,” Subsection 184.013 “Allocation of Funds,” and Subsection 184.014 “Statement of Procedural History; State Mandated Changes to Municipal Income Tax” and enact a new Section 184.01 “Authority to Levy Tax; Purposes of Tax; Rate,” which includes Subsection 184.011 “Authority to Levy Tax,” Subsection 184.012 “Purpose of Tax; Rate,” Subsection 184.013 “Allocation of Funds,” and Subsection 184.014 “Statement of Procedural History; State Mandated Changes to Municipal Income Tax”; and

**WHEREAS**, after complying with all of the statutorily required notice and hearing requirements, the City of Trotwood has determined it necessary to place the City of Trotwood’s Ordinance imposing an additional temporary income tax of one-half of one percent (0.5%) for a period of five (5) years on the ballot for the November 8, 2022 election; and

**WHEREAS**, pursuant to Section 718.04(C)(2) of the Ohio Revised Code, the Trotwood City Council intends to hereby direct the Montgomery County Board of Elections to conduct the election and place the City of Trotwood’s Ordinance imposing an additional temporary income tax of one-half of one percent (0.5%) for a period of five (5) years on the ballot for the November 8, 2022 election.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROTWOOD, STATE OF OHIO:**

**SECTION I:**

City Council hereby authorizes the submission to the electors of the City of Trotwood, Ohio, at the election to be held on November 8, 2022, during the times and places established by state law or the Board of Elections of Montgomery County, Ohio, the question of approving the passage of an Ordinance, a copy of which is attached hereto as Exhibit “A”, to impose an additional temporary income tax of one-half percent (0.5%) for a period of five (5) years effective January 1, 2023 and continuing through December 31, 2027, for the purpose of providing additional funding for the installation and/or improvements of street paving and roadways, curbs and gutters, pavement milling and striping, crosswalks, all traffic signals, Americans with Disabilities Act (ADA)-compliant ramps, street signage, water management resources, grading, safety equipment and safety-compliant materials, and/or the labor and materials for the same in the City of Trotwood, Ohio. The Montgomery County Board of Elections is hereby directed, in accordance with Section 718.04(C)(2) of the Ohio Revised Code, to conduct the election.

**SECTION II:**

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

**PROPOSED ADDITIONAL TEMPORARY INCOME TAX OF ONE-HALF  
OF ONE PERCENT (0.5%) FOR A PERIOD OF FIVE (5) YEARS**

**CITY OF TROTWOOD**

**A majority affirmative vote is necessary for passage**

Shall the Ordinance providing for the imposition of an additional temporary income tax of one-half of one percent (0.5%) for a period of five (5) years in the City of Trotwood, Ohio, beginning January 1, 2023 and continuing through December 31, 2027, to be levied on income as defined by Ordinance of the City of Trotwood Ohio, for the purpose of providing additional funding for the installation and/or improvements of street paving and roadways, curbs and gutters, pavement milling and striping, crosswalks, all traffic signals, Americans with Disabilities Act (ADA)-compliant ramps, street signage, water management resources, grading, safety equipment and safety-compliant materials, and/or the labor and materials for the same in the City of Trotwood, Ohio, be passed?

	FOR THE INCOME TAX
	AGAINST THE INCOME TAX

**SECTION III:**

The Clerk of Council is hereby authorized and directed to forward a certified copy of this Resolution, together with a certified copy of the Ordinance attached hereto, to the Board of Elections of Montgomery County, Ohio, as soon as possible but not later than 4:00 p.m. on August 10, 2022.

**SECTION IV:**

It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

**SECTION V:**

This Resolution shall take effect and be in full force from and after its passage.

TROTWOOD, OHIO 45426

3035 OLIVE ROAD

CITY OF TROTWOOD

Passed on this 5th day of August, 2022.

ATTEST:

APPROVED:

\_\_\_\_\_  
KARA B. LANDIS  
CLERK OF COUNCIL

\_\_\_\_\_  
MARY A. MCDONALD  
MAYOR

\_\_\_\_\_  
YVETTE F. PAGE  
VICE-MAYOR

### **CERTIFICATE OF RECORDING OFFICER**

I, the undersigned, hereby certify that the foregoing is a true and correct copy of Resolution No. R22-38 adopted by the Trotwood City Council at a special meeting held on the 5th day of August, 2022, and that I am duly authorized to execute this certificate.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
KARA B. LANDIS  
CLERK OF COUNCIL