

REQUESTED BY COUNCIL
APPROVED BY COMMITTEE OF THE WHOLE
INTRODUCED BY RASOR

ORDINANCE NO. 2017-129

AN ORDINANCE PROVIDING FOR A SEPARATE AMENDMENT TO THE CHARTER OF THE CITY OF STOW, OHIO, UNDER AUTHORITY OF SECTION 19.01, CHARTER, AS ORIGINALLY ADOPTED BY THE ELECTORATE ON NOVEMBER 4, 1958, AS AMENDED, TO BE SUBMITTED TO THE ELECTORATE AT THE PRIMARY ELECTION ON MAY 8, 2018, TO CREATE SECTION 15.03, ENTITLED "STOW TAXPAYER BILL OF RIGHTS", TO PROHIBIT THE CITY FROM INCREASING THE INCOME TAX RATE, OR DECREASING ANY CREDIT UPON SUCH RATE, WITHOUT AN AFFIRMATIVE VOTE OF THE ELECTORS IN A NOVEMBER GENERAL ELECTION AND REQUIRING THE LEGISLATION PROPOSING THE SAME BE ADOPTED BY THE AFFIRMATIVE VOTE OF FIVE OR MORE OF THE COUNCIL MEMBERS.

WHEREAS, the Council of the City of Stow is desirous of placing the following amendment to the Charter of the City of Stow on the ballot;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STOW, COUNTY OF SUMMIT AND STATE OF OHIO, WITH AT LEAST FIVE OF SAID MEMBERS ELECTED OR APPOINTED THERETO CONCURRING:

SECTION 1. That the question of a proposed separate amendment to the Charter of the City of Stow, as originally adopted by the electorate on November 4, 1958 and as amended from time to time be, and the same is, hereby directed to be submitted to a vote of the qualified electors of the City of Stow, Ohio, at a primary election to be held on the 8th day of May 2018 at the regular places of polling in said City between the hours of 6:30 a.m. and 7:30 p.m.; that said issue shall be submitted as a separate and distinct Charter Amendment; and that said Charter Amendment shall not be dependent upon any other proposed amendment to the Charter.

SECTION 2. That the ballot shall, at the top thereof, be entitled "CITY OF STOW CHARTER AMENDMENT ISSUE" and the question to be separately submitted on said ballot shall be substantially in the words and form as follows:

Charter Issue -- Shall Section 15.03, entitled "Stow Taxpayer Bill of Rights", of Article XV, entitled "Finances", of the City of Stow's Charter be created to prohibit the City of Stow from increasing the income tax rate, or decreasing any credit upon such rate, without an affirmative vote of the electors in a November general election and requiring the legislation proposing the same be adopted by the affirmative vote of five or more of the Council Members?

To the left of said wording, in boxes with appropriate places of markings shall appear the words "YES" and "NO" and each voter shall indicate his vote by marking a cross mark "X" in the place so provided.

SECTION 3. That in the event said separate amendment to the City Charter is approved by a majority of the electors voting thereon, it shall become part of the Charter of the City of Stow and the present existing section or subsections of said Charter shall thereby be then repealed or amended as are affected thereby.

SECTION 4. That the Clerk be, and she is, hereby directed to give Public Notice of the time and place of holding such election by publication of such notice at least ten (10) days prior to the date of such election, in a newspaper of general circulation in said City.

SECTION 5. That the Clerk be, and she hereby is, directed to publish the full text of the proposed Charter Amendment Issue in accordance with Section 731.211, O.R.C.

SECTION 6. That the Clerk be, and she hereby is, directed to certify a copy of this ordinance to the Board of Elections of Summit County. That this ordinance be, and hereby is, determined sufficient authority upon filing with the Summit County Board of Elections to cause that government body to proceed to place the herein prescribed Charter Issue upon the Stow City ballot at the May 8, 2018 primary election, and that such authority be deemed granted to the Board upon receipt of a certified copy hereof.

SECTION 7. That to pay the costs of printing and mailing said copies of said proposed Charter Amendment Issue and publishing notice thereof be, and hereby is, appropriated from the general fund the appropriate sums of monies so needed and the Director of Finance shall cause payment to be made therefor from such funds as are heretofore or hereinafter lawfully appropriated by Council for such purpose.

SECTION 8. This Council finds and determines 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 or subcommittees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 9. This Ordinance was adopted pursuant to Section 4.11, Charter, and shall take effect thirty (30) days after its adoption by Council and approval by the Mayor, otherwise at the earliest period allowed by law.

ADOPTED BY COUNCIL _____

ATTEST _____
Bonnie J. Emahiser
CLERK OF COUNCIL

Mike Rasor
PRESIDENT OF COUNCIL

FILED WITH MAYOR _____

APPROVED _____
Sara Kline
MAYOR

FILED WITH CLERK _____

APPROVED AS TO FORM

EFFECTIVE DATE _____

Amber K. Zibritosky
LAW DIRECTOR