

CITY OF CLAYTON, OHIO

RESOLUTION NO. R – 08-15- 54

A RESOLUTION AUTHORIZING THE CITY MANAGER TO TERMINATE AGREEMENT WITH THE CITY OF VANDALIA, OHIO TO ADMINISTER AND ENFORCE CLAYTON'S INCOME TAX ORDINANCE AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE CITY OF CLEVELAND, OHIO TO ADMINISTER AND ENFORCE CLAYTON'S INCOME TAX ORDINANCE

WHEREAS, Charter Section 8.02 provides that the City Manager shall be the contracting officer of the City and shall award and execute all contracts on behalf of the City; and

WHEREAS, on May 6, 2003, a majority of the electors of the City of Clayton voted in favor of Ordinance No. O-02-03-02, levying a one and one half percent (1.5%) Municipal Income Tax for the City of Clayton; and

WHEREAS, Ordinance No. O-02-03-02 provides that the City Manager may designate and contract with an "Administrator" to administer and enforce the provisions of the municipal income tax; and

WHEREAS, via passage of Resolution No. R-05-12-23 Council authorized the City Manager to enter into a contract with the City of Vandalia, Ohio in order for the City of Vandalia, Ohio to administer and enforce the provisions of Clayton's Income Tax Ordinance No. O-02-03-02, and via passage of Resolution No. R-12-03-59, Council adopted income tax rules and regulations; and

WHEREAS, City staff has recommended the above referenced contract with the City of Vandalia, Ohio be terminated effective December 31, 2015 and further recommends that the City of Clayton engage the City of Cleveland, Ohio to administer and enforce Clayton's Income Tax Ordinance No. O-02-03-02 beginning January 1, 2016 and any Income Tax Ordinance enacted by the City as required by the General Assembly's enactment of H.B. 5 in December, 2014 and any amendments thereto; and

WHEREAS, via passage of Resolution No. R-05-12-23, Council agreed that, in the event that the City of Vandalia, Ohio was not able to resolve an outstanding income tax balance with a taxpayer or the taxpayer defaults on an agreed payment plan, the City of Clayton may accept the account for collection by the City of Clayton's Law Department; and

WHEREAS, in the event the City of Cleveland, Ohio is unable to resolve an outstanding income tax balance with a taxpayer or the taxpayer defaults on an agreed payment plan, the City of Clayton may accept the account for collection by the City of Clayton's Law Department.

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

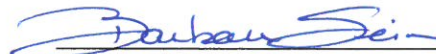
1. That the City Manager is authorized to terminate, by giving at least 120 days written notice to the City of Vandalia, Ohio, the prior agreement with the City of Vandalia, Ohio which authorized the City of Vandalia, Ohio to administer and enforce the City of Clayton's Income Tax Ordinance No. O-02-03-02, said termination to be effective December 31, 2015.
2. That the City Manager is authorized to enter into an agreement with the City of Cleveland, Ohio authorizing the City of Cleveland, Ohio to administer and enforce the City of Clayton's Income Tax Ordinance No. O-02-03-02 and any Income Tax Ordinance enacted by the City as required by the General Assembly's enactment of H.B. 5 in December, 2014 and any amendments thereto, beginning January 1, 2016.
3. That in the event the City of Cleveland, Ohio is unable to resolve an outstanding income tax balance with a taxpayer or the taxpayer defaults on an agreed payment plan, the City of Clayton may accept the account for collection by the City of Clayton's Law Department.

ADOPTED BY COUNCIL ON AUGUST 6, 2015.

AUTHENTICATION:




Mayor (Presiding Officer of Council)



Clerk of Council

APPROVED AS TO FORM:




Law Director

CERTIFICATION OF PUBLICATION

This shall certify that that the text of the above referenced enactment or a summary thereof was published once in the following newspaper and a summary posted in three places of public access as designated by Council.

Name of newspaper Date of publication
Englewood Independent August 13, 2015



CLERK

Ref: Clayton Charter Section 8.02; Ordinance No. O-02-03-02.