ORDINANCE NO. 213-14

AN ORDINANCE REPEALING ORDINANCE NO. 142-14, PASSED SEPTEMBER 8, 2014 AND REPLACING SECTION 161.13 OF THE CODIFIED ORDINANCES OF THE CITY OF MEDINA, OHIO, BY THE ADDITION OF A NEW SECTION 161.13, RELATIVE TO THE ALLOCATION OF INCOME TAX FUNDS.

WHEREAS: Section 161.13 of the codified ordinances of the City of Medina, Ohio, presently reads as follows:

161.13 ALLOCATION OF FUNDS.

The funds collected under the provisions of this chapter shall be distributed as follows:

a) Such part thereof which is necessary to defray all costs of collecting the taxes and the cost of administering and enforcing the provisions thereof shall be paid into the General Fund.

b) Twenty percent (20%) of the balance shall be paid into the newly created Special Revenue Fund (2004) to be used for street, storm water, and utility construction, maintenance, repair and improvements.

c) After the costs of collecting the taxes and administering and enforcing the provisions thereof and the required street, storm water, and utility construction, maintenance, repair and improvements are provided for as set forth in subsections (a) and (b) above, the remaining funds shall be distributed as follows:

A. Forty-five percent (45%) of the net available income tax receipts received annually shall be used to defray operating and capital expenses of the Police Department of the City.

B. Seven percent (7%) of the net available income tax receipts received annually shall be used to defray operating and annual capital expenses of the Fire Department of the City.

C. ~~One percent (1%)~~ of the net available income tax receipts received annually shall be set aside in a growth fund to be used to defray major capital expenses of the Fire Department of the City.

D. Ten percent (10%) of the net available income tax receipts received annually shall be used to defray operating expenses for the Parks and Recreation Department of the City.

E. Zero percent (0%) of the net available income tax receipts received annually shall be used to defray capital expenses for the Parks and Recreation Department of the City.

F. Zero percent (0%) of the net available income tax receipts received annually shall be used to defray Recreation Center debt for the Parks and Recreation Department of the City.

G. ~~Seventeen percent (17%)~~ of the net available income tax receipts received annually shall be used to defray operating and capital expenses of the General Fund of the City.

H. ~~Seven and one half percent (7.5%)~~ of the net available income tax receipts received annually shall be used to defray general purpose capital expenses.

I. One and one half percent (1.5%) of the net available income tax receipts received annually shall be used to defray Electronic Technology capital replacement expenses.

J. Zero percent (0%) of the net available income tax receipts received annually shall be used to defray expenses related to unanticipated capital necessities.

K. ~~Eight percent (8%)~~ of the net available income tax receipts received annually shall be used to defray operating and annual capital expenses of the Recreation Center of the City.

L. Three percent (3%) of the net available income tax receipts received annually shall be used to defray operating and capital expenses of the Street M&R Fund of the City.

d) Exception for Receipts from the Medina-Montville Joint Economic Development District.

A) After the costs of collecting the taxes and administering and enforcing the provisions thereof and the required street, storm water, and utility construction, maintenance, repair and improvements are provided for as set forth in subsections (a) and (b) above, the remaining funds shall be distributed as follows:

1) Seventy-five percent (75%) of the net available income tax receipts received annually shall be used to defray Economic Development expenses.

2) Twenty-five percent (25%) of the net available income tax receipts received annually shall be distributed in accordance with the distribution laid out in subsection (c) above.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:

SEC. 1: That Section 161 of the codified ordinances of the City of Medina, Ohio, shall be amended by the addition of a new Section 161.13 which reads as follows:

161.13 ALLOCATION OF FUNDS.

The funds collected under the provisions of this chapter shall be distributed as follows **beginning January 1, 2015:**

a) Such part thereof which is necessary to defray all costs of collecting the taxes and the cost of administering and enforcing the provisions thereof shall be paid into the General Fund.

b) Twenty percent (20%) of the balance shall be paid into the newly created Special Revenue Fund (2004) to be used for street, storm water, and utility construction, maintenance, repair and improvements.

c) After the costs of collecting the taxes and administering and enforcing the provisions thereof and the required street, storm water, and utility construction, maintenance, repair and improvements are provided for as set forth in subsections (a) and (b) above, the remaining funds shall be distributed as follows:

A. Forty-five percent (45%) of the net available income tax receipts received annually shall be used to defray operating and capital expenses of the Police Department of the City.

B. Seven percent (7%) of the net available income tax receipts received annually shall be used to defray operating and annual capital expenses of the Fire Department of the City.

C. **One and one-half percent (1-1/2%)** of the net available income tax receipts received annually shall be set aside in a growth fund to be used to defray major capital expenses of the Fire Department of the City.

D. Ten percent (10%) of the net available income tax receipts received annually shall be used to defray operating expenses for the Parks and Recreation Department of the City.

E. Zero percent (0%) of the net available income tax receipts received annually shall be used to defray capital expenses for the Parks and Recreation Department of the City.

F. Zero percent (0%) of the net available income tax receipts received annually shall be used to defray Recreation Center debt for the Parks and Recreation Department of the City.

G. **Nineteen and one-half percent (19.5%)** of the net available income tax receipts received annually shall be used to defray operating and capital expenses of the General Fund of the City.

H. **Five percent (5%)** of the net available income tax receipts received annually shall be used to defray general purpose capital expenses.

I. One and one half percent (1.5%) of the net available income tax receipts received annually shall be used to defray Electronic Technology capital replacement expenses.

J. Zero percent (0%) of the net available income tax receipts received annually shall be used to defray expenses related to unanticipated capital necessities.

K. **Seven and one-half percent (7.5%)** of the net available income tax receipts received annually shall be used to defray operating and annual capital expenses of the Recreation Center of the City.

L. Three percent (3%) of the net available income tax receipts received annually shall be used to defray operating and capital expenses of the Street M&R Fund of the City.

d) Exception for Receipts from the Medina-Montville Joint Economic Development District.

A. After the costs of collecting the taxes and administering and enforcing the provisions thereof and the required street, storm water, and utility construction, maintenance, repair and improvements are provided for as set forth in subsections (a) and (b) above, the remaining funds shall be distributed as follows:

1) Seventy-five percent (75%) of the net available income tax receipts received annually shall be used to defray Economic Development expenses.

2) Twenty-five percent (25%) of the net available income tax receipts received annually shall be distributed in accordance with the distribution laid out in subsection (c) above.

SEC. 2: **That Ordinance 142-14, passed September 8, 2014 is hereby repealed.**

SEC. 3: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that 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 the law.

SEC. 4: That this Ordinance shall be in full force and effect at the earliest period allowed by law.

PASSED: December 8, 2014

SIGNED: John M. Coyne, III
President of Council

ATTEST: Kathy Patton
Clerk of Council

APPROVED: December 9, 2014

SIGNED: Dennis Hanwell
Mayor