

RESOLUTION 2015-132 ORIGINAL

**A RESOLUTION OF THE DELAWARE COUNTY COUNCIL IN SUPPORT
OF THE ACTIONS OF THE MUNCIE COMMON COUNCIL RELATING
TO LOCAL OPTION INCOME TAXES**

WHEREAS, units of local government in Delaware County, Indiana, including among others the Delaware County civil unit and the City of Muncie, have experienced severe fiscal challenges because of reduced revenues following the imposition of Indiana's circuit breaker property tax caps and other economic factors that have drastically reduced revenues needed to provide basic services to their citizens; and

WHEREAS, the Muncie Common Council, on September 14, 2015, passed resolutions in the forms attached hereto voting in favor of County Income Tax Council ordinances (the "Ordinances") to impose an additional County Option Income Tax rate for public safety and an increase of the rate of the County Economic Development Income Tax; and

WHEREAS, the City of Muncie holds a majority of votes on the County Income Tax Council and therefore any action by the Delaware County Council (the "County Council") either in favor of or in opposition to the Ordinances will not affect the adoption of the Ordinances; and

WHEREAS, the County Council nevertheless desires to express its support of the Ordinances;

**NOW THEREFORE, BE IT RESOLVED BY THE DELAWARE COUNTY COUNCIL AS
FOLLOWS:**

1. The County Council hereby finds that the actions proposed by the Muncie Common Council to impose an additional County Option Income Tax rate for public safety and an increase of the rate of the County Economic Development Income Tax are necessary measures to counteract the loss of local revenues following the imposition of Indiana's circuit breaker property tax caps and other economic factors that have drastically reduced revenues needed by local governmental units in Delaware County to provide basic services to their citizens.
2. The Council Council hereby confirms its support of the Ordinances.
3. This Resolution shall be in full force and effect from and after its passage.

Adopted this 22 day of September, 2015.

DELAWARE COUNTY COUNCIL

Scott A. N/O
Kevin Nemy

ORIGINAL

ME Jones

May Chambers

James Lassiter

Q Nett

AS Geff
County Auditor

FI: --
AUG 31 2015
PHYLIS REAGON
MUNCIE CITY CLERK

RESOLUTION NO. 18-15

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MUNCIE, INDIANA, PROPOSING AN ORDINANCE TO THE DELAWARE COUNTY INCOME TAX COUNCIL TO INCREASE THE RATE OF THE COUNTY ECONOMIC DEVELOPMENT INCOME TAX, AND CASTING ALL OF THE COMMON COUNCIL'S VOTES IN FAVOR OF THE ORDINANCE

WHEREAS, the Delaware County Income Tax Council has previously imposed the County Economic Development Income Tax in Delaware County, Indiana (the "County"); and

WHEREAS, Indiana Code 6-3.5-7-6 permits the County Income Tax Council to increase the County Economic Development Income Tax rate in the County; and

WHEREAS, the Muncie Common Council is a member of the Delaware County Income Tax Council and desires to propose an ordinance to the Delaware County Income Tax Council to increase the County Economic Development Income Tax rate; and

WHEREAS, before a member of the County Income Tax Council may propose an ordinance or vote on a proposed ordinance, the member must hold a public hearing on the proposed ordinance and provide the public with notice of the time and place where the public hearing will be held in accordance with Indiana Code 5-3-1; and

WHEREAS, the Common Council has caused such notice to be published in accordance with Indiana Code 5-3-1 and has conducted a public hearing which members of the public were invited to attend for purposes of expressing their views on the proposed ordinance;

NOW THEREFORE BE IT RESOLVED by the Muncie Common Council as follows:

SECTION I: The Common Council of the City of Muncie casts its 59.56 votes for the proposed ordinance of the Delaware County Income Tax Council, which reads as follows:

AN ORDINANCE OF THE DELAWARE COUNTY INCOME TAX COUNCIL INCREASING THE COUNTY ECONOMIC DEVELOPMENT INCOME TAX RATE

BE IT ORDAINED BY THE DELAWARE COUNTY INCOME TAX COUNCIL:

1. Pursuant to Indiana Code 6-3.5-7-6, the Delaware County Income Tax Council hereby increases the County Economic Development Income Tax rate imposed upon the county taxpayers of Delaware County from two-tenths of one percent (.2%) to four-tenths of one percent (.4%).
2. This ordinance shall be effective from and after passage.
3. The Delaware County Auditor shall record all votes taken on this ordinance and immediately send a certified copy of this ordinance to the Commissioner of the Indiana

Department of Revenue, the Director of the Indiana Budget Agency, and the Commissioner of the Indiana Department of Local Government Finance in an electronic format approved by the Director of the Budget Agency.

4. Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which by operation of law shall be inapplicable, shall be deemed omitted, but the rest and remainder of this ordinance, to the extent feasible, shall remain in full force and effect.

SECTION II. The Common Council hereby proposes the ordinance set forth above to the Delaware County Income Tax Council. The Clerk of the City is hereby directed to distribute a copy of the proposed ordinance to the Delaware County Auditor for delivery to all members of the County Income Tax Council in accordance with law.

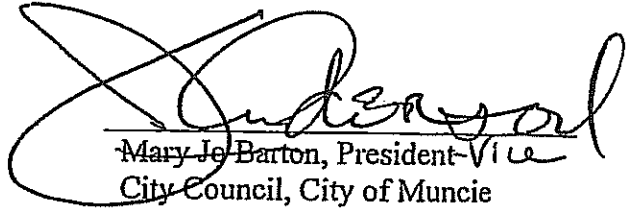
SECTION III. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

SECTION IV. Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which by operation of law shall be inapplicable, shall be deemed omitted, but the rest and remainder of this resolution, to the extent feasible, shall remain in full force and effect.

SECTION V. This resolution shall become effective immediately upon passage by the Common Council and approval by the Mayor of the City as required by law.

DULY PASSED on this 14th day of September, 2015, by the Common Council of the City of Muncie, Indiana.

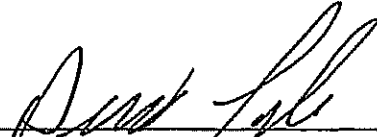
	Yeas	Nays	Abstained	Absent
Doug Marshall	<u>✓</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
Mark Conaster	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>✓</u>
Mary Jo Barton	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>✓</u>
Brad Polk	<u>_____</u>	<u>✓</u>	<u>_____</u>	<u>_____</u>
Jerry Dishman	<u>✓</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
Julius Anderson	<u>✓</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
Nora Evans Powell	<u>✓</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
Linda Gregory	<u>_____</u>	<u>✓</u>	<u>_____</u>	<u>_____</u>
Alison Quirk	<u>✓</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>


Mary Jo Barton, President-Vice
City Council, City of Muncie

Presented by me to the Mayor for his approval, this 14th day of September, 2015.


Phyllis Reagon, City Clerk

The approval Ordinance is approved/vetoed by me this 14th day of September 2015.



Dennis Tyler, Mayor
Of the City of Muncie

ATTEST:

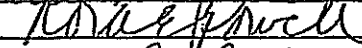


Phyllis Reagon, Muncie City Clerk
Of the Muncie Common Council

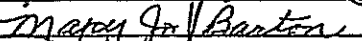
This Ordinance is proposed by Council Member



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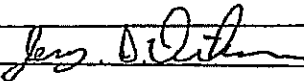


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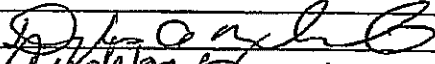
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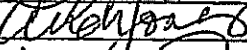


This Ordinance is proposed by Council Member

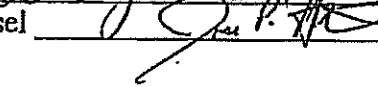
This Ordinance is proposed by Council Member



This Ordinance is approved in form by Controller



This Ordinance is approved in form by Legal Counsel



FILED
AUG 31 2015
PHYLLIS REAGON
MUNCIE CITY CLERK

RESOLUTION NO. 19-15

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MUNCIE, INDIANA, PROPOSING AN ORDINANCE TO THE DELAWARE COUNTY INCOME TAX COUNCIL TO IMPOSE AN ADDITIONAL COUNTY OPTION INCOME TAX RATE TO PROVIDE FUNDING FOR PUBLIC SAFETY, AND CASTING ALL OF THE COMMON COUNCIL'S VOTES IN FAVOR OF THE ORDINANCE

WHEREAS, the Delaware County Income Tax Council has previously imposed the County Option Income Tax in Delaware County, Indiana (the "County"); and

WHEREAS, Indiana Code 6-3.5-6-31 permits a County Income Tax Council to impose an additional county option income tax rate to provide funding for public safety; and

WHEREAS, the Muncie Common Council is a member of the Delaware County Income Tax Council and desires to propose an ordinance to the Delaware County Income Tax Council to impose an additional county option income tax rate to provide funding for public safety; and

WHEREAS, pursuant to Indiana Code 6-3.5-6-7, before a member of the County Income Tax Council may propose an ordinance or vote on a proposed ordinance, the member must hold a public hearing on the proposed ordinance and provide the public with notice of the time and place where the public hearing will be held in accordance with Indiana Code 5-3-1; and

WHEREAS, the Common Council has caused such notice to be published in accordance with Indiana Code 5-3-1 and Indiana Code 6-3.5-6-7 and has conducted a public hearing which members of the public were invited to attend for purposes of expressing their views on the proposed ordinance;

NOW THEREFORE BE IT RESOLVED by the Muncie Common Council as follows:

SECTION I: The Common Council of the City of Muncie casts its 59.56 votes for the proposed ordinance of the Delaware County Income Tax Council, which reads as follows:

**AN ORDINANCE OF THE DELAWARE COUNTY INCOME TAX COUNCIL
IMPOSING AN ADDITIONAL COUNTY OPTION INCOME TAX RATE
TO PROVIDE FUNDING FOR PUBLIC SAFETY**

BE IT ORDAINED BY THE DELAWARE COUNTY INCOME TAX COUNCIL:

1. Pursuant to Indiana Code 6-3.5-6-31, the Delaware County Income Tax Council hereby imposes an additional County Option Income Tax rate to provide funding for public safety on the county taxpayers of Delaware County. The additional County Option Income Tax rate is imposed at a rate of twenty-five hundredths of one percent (0.25%).

2. This ordinance shall be effective from and after passage.

3. The Delaware County Auditor shall record all votes taken on this ordinance and immediately send a certified copy of this ordinance to the Commissioner of the Indiana Department of Revenue, the Director of the Indiana Budget Agency, and the Commissioner of the Indiana Department of Local Government Finance in an electronic format approved by the Director of the Budget Agency.

4. Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which by operation of law shall be inapplicable, shall be deemed omitted, but the rest and remainder of this ordinance, to the extent feasible, shall remain in full force and effect.

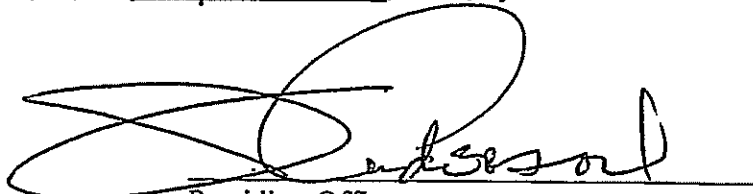
SECTION II. The Common Council hereby proposes the ordinance set forth above to the Delaware County Income Tax Council. The Clerk of the City is hereby directed to distribute a copy of the proposed ordinance to the Delaware County Auditor for delivery to all members of the County Income Tax Council in accordance with law.

SECTION III. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

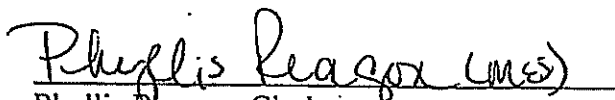
SECTION IV. Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which by operation of law shall be inapplicable, shall be deemed omitted, but the rest and remainder of this resolution, to the extent feasible, shall remain in full force and effect.

SECTION V. This resolution shall become effective immediately upon passage by the Common Council and approval by the Mayor of the City as required by law.

DULY PASSED on this 14th day of September, 2015, by the Common Council of the City of Muncie, Indiana.


Presiding Officer

ATTEST:


Phyllis Reagon, Clerk

This resolution presented by me, the Clerk of the City of Muncie, Indiana, to the Mayor for his approval this 14th day of SEPTEMBER, 2015.

Phyllis Reagon (ms)
Phyllis Reagon, Clerk

This resolution signed and approved by me, the Mayor of the City of Muncie, Indiana, this 14th day of SEPTEMBER 2015.

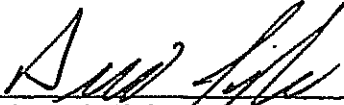
Dennis Tyler
Dennis Tyler, Mayor

Passed by the Common Council of the City of Muncie, Indiana, this 14th day of SEPTEMBER 2015.

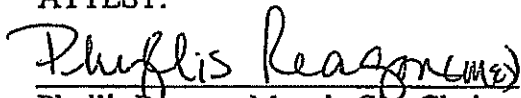
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Doug Marshall	<u>✓</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
Mark Conaster	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>✓</u>
Mary Jo Barton	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>✓</u>
Brad Polk	<u>✓</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
Jerry Dishman	<u>✓</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
Julius Anderson	<u>✓</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
Nora Evans Powell	<u>✓</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
Linda Gregory	<u>✓</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
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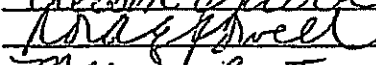

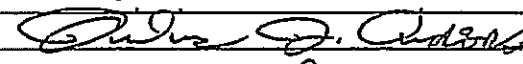
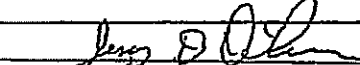
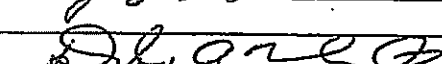
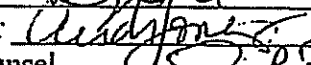
Mary Jo Barton
Mary Jo Barton, President - Vice
City Council, City of Muncie

Presented by me to the Mayor for his approval, this 14th day of SEPTEMBER, 2015.


Dennis Tyler, Mayor
Of the City of Muncie

ATTEST:


Phyllis Reagon, Muncie City Clerk
Of the Muncie Common Council

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