

RECORD OF ORDINANCES

Ordinance No. 2686-06

Passed Council 7-17-06

**AN ORDINANCE OF THE VILLAGE OF LODI, MEDINA COUNTY, OHIO
OPPOSING THE TAX AND EXPENDITURE LIMITATION CONSTITUTIONAL
AMENDMENT AND DECLARING AN EMERGENCY.**

WHEREAS, the Village of Lodi is a political subdivision of the State of Ohio that owns and operates a municipal electric system, which provides reliable and affordable electric service to residents and businesses; and

WHEREAS, in 2005, the so-called "Citizens for Tax Reform" submitted a petition to place a constitutional amendment on the November 2006 ballot which would, among other things, impose an expenditure limitation on state and local governments; and

WHEREAS, state, local government, school, library, social service and numerous other local officials, including business leaders, analyzed the TEL and concluded that the TEL was poorly conceived, sloppily drafted and would result in devastating impacts on political subdivisions across the state; and

WHEREAS, the TEL would require the approval of a majority of voters at the state level and, almost impossibly, a majority of all registered voters at the local level, to increase expenditures above the threshold identified in the TEL; and

WHEREAS, the TEL's expenditure limits would cap all expenditures, with no exceptions for capital expenditures, financings or refinancings, and non-tax supported activities such as municipal utilities that are user funded, and contains no exception for local emergencies; and

WHEREAS, the TEL would tie the hands of state and local leaders in times of crisis and other unpredictable circumstances, circumventing state and local governments' thoughtful consideration of policy decisions; and

WHEREAS, amending the Ohio Constitution is a virtually irrevocable action and should only be undertaken when legislative remedies have proven enduringly inadequate; and

WHEREAS, the TEL would bring great harm to local communities and degrade government's ability to provide the basic services residents and businesses expect and deserve; and

WHEREAS, the TEL would erode decision-making at the local level by overriding Ohio's long-established constitutional Home Rule provisions; and

WHEREAS, the Ohio General Assembly recently adopted legislation establishing a process by which certified constitutional amendments can be withdrawn from the ballot by the group that submits the proposal; and

WHEREAS, due to the devastating impacts the TEL would have on local governments, many of those which are noted in this resolution, the leadership of the Citizens for Tax Reform has indicated their intention to withdraw the TEL constitutional amendment from the November ballot.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE
VILLAGE OF LODI, MEDINA COUNTY, OHIO THAT:**

1. This Council expresses its gratitude to the lawmakers of the 126th Ohio General Assembly for putting in place a mechanism to address the current

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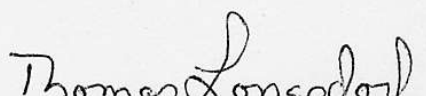
Passed Council 7-17-06, _____


TEL issue by adopting legislation to establish the process by which the TEL would be removed from the November ballot.

2. This Council expresses its opinion that the proposed TEL amendment and any future proposal that seeks to impose similar restrictions should be defeated as it would cripple Ohio's local governments and be devastating for the people and the economy of the State of Ohio.
3. That this Council opposes the proposed changes to the Ohio Constitution that would arbitrarily constrain state and local governments' ability to effectively realize and allocate the tax resources needed to meet the people's needs and supports efforts to defeat the proposed changes to the Ohio Constitution.
4. This Council directs the Clerk to present a copy of this Ordinance to both major party gubernatorial candidates, both major party candidates for state representative, both major party candidates for state senator.
5. This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety and welfare of the Village of Lodi and its inhabitants; the specific reason for the emergency being the immediate need to express Council's opposition to the Tax and Expenditure Limitation Constitutional Amendment as it would be financially detrimental to the Village, and therefore this Ordinance shall take effect immediately upon its passage.

ATTEST:


Annette Geissman, Clerk/Treasurer


Thomas Longsdorf, Mayor


Theodore J. Lesiak, Village Solicitor