

The Columbus Dispatch

City attorney concurs ticket-taxes referendum petitions legally insufficient

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The Columbus City Council will vote Monday on an ordinance stating that a referendum question on the city's 5% ticket taxes will not appear on the November ballot.

The Franklin County Board of Elections determined earlier this week that the anti-tax coalition Advocates for Responsible Taxation (ART) failed to gather enough valid signatures on petitions seeking to put a ticket taxes referendum before city voters. A Michigan firm hired by ART collected 22,095 signatures, but the elections board validated just 10,746 — short of 11,030 valid signatures that were needed.

City Attorney Zach Klein's office reviewed the election board's findings and concurred that the petitions were legally insufficient. Klein's office provided council with a memo with its opinion.

Mike Brown, chief of staff to the Columbus City Council, said that council will consider an ordinance confirming decision of the elections board and the city attorney's opinion. Monday is the last regular meeting before the council's August break.

According to the Ohio Secretary of State's office, local questions and issues for the Nov. 5 general election ballot must be certified to or filed with boards of election by 4 p.m. Aug. 7 to appear on the Nov. 5 ballot.

The two ticket taxes — which are both 5% — took effect July 1.

One applies to tickets for performances and sporting events at venues with more than 400 seats — such as Huntington Park where the Clippers play but not including Nationwide Arena, college or high school events — and tickets that cost more than \$10. That tax is expected to generate \$6 million a year for the Greater Columbus Arts Council to fund arts groups.

The other tax is for events at Nationwide Arena, including Blue Jackets games and concerts. That tax is expected to raise an estimated \$3 million a year, with \$2.4 million of that going toward arena improvements and the remaining \$600,000 going to arts facilities improvements.

Ben Frech, a spokesman for the responsible taxation group, had said they were disappointed the elections board did not verify the petitions. Frech said that they would try to remedy the situation with the Detroit-area firm, SMI Enterprises, which was hired to gather the signatures.

Tom Katzenmeyer, president and CEO of the Greater Columbus Arts Council, said previously in a statement that he was not surprised the anti-tax effort did not get enough signatures. He attributed that to his belief that “Columbus residents want and support a strong arts community” and that the 5% taxes are “a fair and reasonable way to sustain nonprofit arts organizations.”

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