

RESOLUTION NO. 35-2019

INTRODUCED BY: Mayor James P. Graven and Council as a Whole

A RESOLUTION DECLARING IT NECESSARY TO RENEW AN EXISTING 1.0-MILL TAX LEVY FOR THE PURPOSE OF PROVIDING FOR PARKS MAINTENANCE AND PURCHASE OF PLAYGROUND EQUIPMENT FOR THE PARKS OF THE CITY AND REQUESTING THE CUYAHOGA COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE CITY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THAT RENEWAL LEVY, AND DECLARING AN EMERGENCY.

WHEREAS, this Council finds that the amount of taxes which may be raised within the ten-mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirements of the City and that it is necessary to levy a tax in excess of that limitation for the purpose of providing for park maintenance and purchase of playground equipment for the parks of the City; and

WHEREAS, on August 5, 2014, the electors of the City approved the renewal of the City's existing 1.0-mill levy for the purpose of providing for park maintenance and purchase of playground equipment for the parks of the City, for five years, which will have its last year of collection in 2019; and

WHEREAS, this Council finds that it is necessary to renew that levy in excess of the ten-mill limitation for the purpose of providing for park maintenance and purchase of playground equipment for the parks of the City, for an additional five years; and

WHEREAS, in accordance with Section 5705.03(B) of the Revised Code, in order to submit the question of a tax levy pursuant to Section 5705.19 of the Revised Code, this Council must request that the Cuyahoga County Auditor certify (i) the total current tax valuation of the City and (ii) the dollar amount of revenue that would be generated by the levy; and

WHEREAS, in accordance with Section 5705.03(B) of the Revised Code, upon receipt of a certified copy of a resolution of this Council declaring the necessity of the tax, stating its purpose, whether it is an additional levy or a renewal or a replacement of an existing tax, and the Section of the Revised Code authorizing its submission to the electors, and requesting such certification, the County Auditor is to certify the total current tax valuation of the City and the dollar amount of revenue that would be generated by the proposed levy. Now therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OLMSTED FALLS, CUYAHOGA COUNTY, STATE OF OHIO, THAT:

SECTION 1. Declaration of Necessity. This Council declares that it is necessary to renew, for five years, an existing 1.0-mill ad valorem property tax outside of the ten-mill limitation for the purpose of providing for park maintenance and purchase of playground equipment for the parks of the City, and that it intends to submit the question of the renewal of that levy to the electors at an election on November 5, 2019, as authorized by Section 5705.19 of the Revised Code. If approved, the 1.0-mill renewal tax would be first levied in tax year 2019, for first collection in calendar year 2020.

SECTION 2. Request for Certification. This Council requests the Cuyahoga County Auditor to certify to it both (i) the total current tax valuation of the City and (ii) the dollar amount of revenue that would be generated by the 1.0-mill renewal levy specified in Section 1.

SECTION 3. Certification and Delivery of Resolution to County Auditor. The Clerk of Council is directed to deliver or cause to be delivered a certified copy of this Resolution to the Cuyahoga County Auditor.

SECTION 4. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council or committees, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 5. Captions and Headings. The captions and headings in this Resolution are solely for convenience of reference and in no way define, limit or describe the scope of intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof.

SECTION 6. Declaration of Emergency; Effective Date. This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City and to meet a situation affecting health, property and the public peace, and for the further reason that this Resolution is required to be immediately effective so that it can be timely filed with the Cuyahoga County Auditor, in order that the question of the renewal of the 1.0-mill levy for the purpose stated in Section 1 may be submitted to the electors at an election on November 5, 2019; wherefore, this Resolution shall be in full force and effect immediately upon its adoption by not less than five affirmative votes of Council and approval by the Mayor.

ADOPTED: _____

Paul Stibich, President of Council

APPROVED BY: _____

James P. Graven

Date

APPROVED AS TO FORM: _____

Andrew D. Bemer, Law Director

ATTEST: _____

Angela Mancini, Clerk of Council

First Reading: _____

Second Reading: _____

Third Reading: _____