

RESOLUTION NO. R-18-16

A RESOLUTION SUBMITTING THE QUESTION OF THE REPLACEMENT OF AN EXISTING .50 MILLS LEVY FOR THE PURPOSE OF PROVIDING AND MAINTAINING FIRE APPARATUS, APPLIANCES, BUILDINGS, OR SITES THEREFOR AND FOR OTHER PURPOSES SET FORTH IN OHIO REVISED CODE SECTION 5705.19(I) AND DECLARING AN EMERGENCY

WHEREAS, Council deems it necessary and in the best interest of the Municipality to provide funds for the purpose of providing and maintaining fire apparatus, appliances, buildings, or sites therefor and for other purposes set forth in Ohio Revised Code §5705.19(I) to be used in the daily operation of the Avon Fire Department; and

WHEREAS, a replacement of the one-half (.5) mill levy, which is in excess of the Ten Mill limitation, for a period of five (5) years commencing in duplicate year 2017 with first collection year being 2018, is necessary to provide funding for said purposes; and

WHEREAS, the Auditor has certified that the tax will generate \$407,977 during the first year of collection, based on the current assessed value of the City of \$815,953.830; and

WHEREAS, the Ohio Revised Code authorizes the replacement of the existing levy.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVON, COUNTY OF LORAIN AND STATE OF OHIO:

Section 1 - That Council hereby deems it necessary and in the best interest of the Municipality to levy a replacement tax of one-half (.50) mills, which is excess of the Ten Mill limitation, for a period of five (5) years commencing in duplicate year 2017, with first collection year being 2018, to provide funds for the purpose of providing and maintaining fire apparatus, appliances, buildings, or sites therefor and for other purposes set forth in Ohio Revised Code §5705.19(I) to be used in the daily operation of the Avon Fire Department.

Section 2 – The question of such replacement tax levy shall be submitted to the electors of the City at the General Election to be held on November 8, 2016.

Section 3 - That the replacement levy shall be at the same rate of the existing levy, viz., 0.5 (5/10th) mills for each One Dollar (\$1.00) of valuation which amounts to Five Cents (\$.05) for each One Hundred Dollars (\$100.00) of valuation, for a period of five (5) years commencing in duplicate year 2017 with first collection year being 2018.

Section 4 – That the form of the ballot at the election on the question of the replacement levy shall be as follows:

A Majority Vote is Necessary for Passage

A replacement of a tax for the benefit of the City of Avon to provide funds for the purpose of providing and maintaining fire apparatus, appliances, buildings, or sites therefor and for other purposes set forth in Ohio Revised Code §5705.19(I) to be used in the daily operation of the Avon Fire Department at a rate not exceeding 0.5 (5/10th) mills for each One Dollar (\$1.00) of valuation, which amounts to Five Cents (\$.05) for each One Hundred Dollars (\$100.00) in valuation, for five (5) years, commencing in duplicate year 2017 with first collection year being 2018.

	FOR THE LEVY
	AGAINST THE LEVY

Section 5 - The Clerk of this Council is hereby instructed to file a certified copy of this Resolution and the proposed form of the ballot question with the Lorain County Board of Elections no later than August 10, 2016 which is Ninety (90) days prior to November 8, 2016 General Election. The replacement levy shall not take effect unless approved by a majority of the electors voting upon the proposed ballot question at the election held pursuant to this Resolution.

Section 6 - That it is found and determined that all formal actions of the Council of the City of Avon concerning and relating to the adoption of this Resolution were taken in an open meeting of the Council of the City of Avon and that all deliberations of this City's Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 7 - That this Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to propose a Fire Replacement Levy to provide funds for the purposes set forth in Ohio Revised Code §5705.19(I) which are used directly in the daily operation of the Avon Fire Department; therefore, this Resolution shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Craig Witherspoon, Council President

Resolution No. R-18-16

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara J. Brooks
Clerk of Council

Posted: _____
In Five Places as
Provided by Council

Prepared By:

John A. Gasior, Esq.
Law Director