

COUNCIL CHAMBER

City of Berea, Ohio

RESOLUTION No. 2016-69

By Jim Maxwell Sponsored By Mayor Cyril M. Kleem

A RESOLUTION

REQUESTING THAT THE CUYAHOGA COUNTY FISCAL OFFICER CERTIFY CERTAIN INFORMATION TO THE CITY OF BEREA RELATIVE TO A 4.1 MILL TAX RENEWAL LEVY, AND DECLARING AN EMERGENCY.

WHEREAS, Item XI-3 of the Charter of the City of Berea provides that the Council may at any time prior to September 15th in any year declare by resolution, adopted by a vote of not less than two-thirds (2/3) of the members elected to Council, that the amount of taxes which may be raised within the limitation of this Charter will be insufficient to provide an adequate amount for the necessary requirements of the Municipality for current operating expenses and other expenses payable from the general fund of the Municipality and such permanent improvements and equipment as shall have an estimated useful life of five (5) years or more, and that it is necessary to levy taxes in excess of such limitation in addition to the levies authorized and limited by this Charter for the municipal purpose or purposes specified in such resolution; and

WHEREAS, the Ohio Revised Code Section 5705.03 provides that when a taxing authority determines that it is necessary to levy a tax outside of the ten-mill limitation for any purpose authorized by the Revised Code, prior to the certification to the proper County Board of Elections of its Resolution to submit the question of levying a tax outside of the ten-mill limitation to the electors of the subdivision, the taxing authority shall certify a Resolution to the County Fiscal Officer requesting that the County Fiscal Officer certify to the taxing authority the total current tax valuation of the subdivision and the dollar amount of revenue that would be generated by a specified number of mills.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Berea, State of Ohio:

SECTION 1. That the amount of taxes which may be raised within the ten (10) mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirements of the City of Berea.

SECTION 2. That it is necessary to continue to levy a tax in excess of said ten (10) mill limitation of one (1) mill for each dollar of valuation which amounts to ten (10) cents for each One Hundred Dollars (\$100) of valuation upon the taxable property of said City for the tax levy Years 2016 to 2020, both inclusive, to be collected in Years 2017 to 2021, both inclusive, to supplement the General Fund of the City of Berea for the purpose of making appropriations for providing for the current expenses of the City, said renewal tax levy being authorized pursuant to applicable law.

SECTION 3. That upon passage of the Renewal Levy Ordinance or Resolution by this Council, the question of such renewal tax levy shall be submitted to the electors of said city at the General Election to be held on Tuesday, November 8, 2016.

SECTION 4. That this Council hereby requests that the County Fiscal Officer certify to the City of Berea the total current tax valuation of the City of Berea and the dollar amount of revenue that will be generated by the four and one-tenth (4.1) mill renewal tax levy.

SECTION 5. That the Clerk of this Council be and is hereby authorized and directed to certify this Resolution to the County Fiscal Officer of Cuyahoga County, Ohio, requesting that the County Fiscal Officer certify to the City of Berea the total current tax valuation of the City of Berea and the dollar amount of revenue that will be generated by the four and one-tenth (4.1) mill renewal tax levy.

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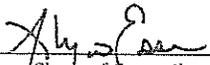
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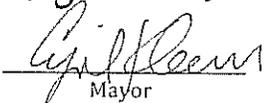
SECTION 6. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in accordance with the Charter of the City of Berea and in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such 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 necessary for the immediate preservation of the public peace, property, health, safety and welfare, or providing for the usual daily operation of a municipal department, and for the further reason that a certified copy of this Resolution must be submitted to the Cuyahoga County, Ohio, Fiscal Officer and the information requested from said Fiscal Officer must be received prior to submission of the ballot language to the Cuyahoga County Board of Elections, which is due within five (5) days of passage of a resolution requesting that the levy be placed on the ballot. Therefore provided this Resolution receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

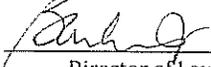
PASSED: August 25, 2016


President of Council

ATTEST: 
Clerk of Council

APPROVED: August 25, 2016

Mayor

APPROVED AS TO FORM:


Director of Law