

## RECORD OF ORDINANCES

Resolution  
Ordinance No. 2020-31Failed May 1, 2020  
Passed \_\_\_\_\_, 20\_\_\_\_

SPONSOR: SAFETY COMMITTEE

A RESOLUTION DECLARING IT NECESSARY TO LEVY AN ADDITIONAL TAX AT THE RATE OF 3.5 MILL AND REQUESTING THE SUMMIT COUNTY FISCAL OFFICER TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE VILLAGE AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THIS 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 Village and that it is necessary to levy an additional tax in excess of that limitation for the express purpose of providing and maintaining the capital needs and operations of the Mogadore Fire Department, to wit: for providing and maintaining fire apparatus, mechanical resuscitators, underwater rescue and recovery equipment, or other fire equipment and appliances, buildings and sites therefor, or sources of water supply and materials therefor, for the establishment and maintenance of lines of fire-alarm communications, for the payment of firefighting companies or permanent, part-time, or volunteer firefighting, emergency medical service, administrative, or communications personnel to operate the same, including the payment of any employer contributions required for such personnel under Sections 145.48 or 742.34 of the Revised Code, for the purchase of ambulance equipment, for the provision of ambulance, paramedic, or other emergency medical services operated by a fire department or firefighting company, or for the payment of other related costs for the Village of Mogadore under Section 5705.19(I) of the Ohio Revised Code; and,

WHEREAS, in accordance with Section 5705.03(B) of the Ohio Revised Code and in order to submit the question of an additional tax levy pursuant to Sections 5705.03(B), 5705.19(I) and 5705.25 of the Ohio Revised Code, this Council must request that the Summit County Fiscal Officer certify (i) the total current valuation of the Village, 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 Ohio Revised Code, upon receipt of a certified copy of the resolution of this Council declaring the necessity of the tax, stating its purpose, stating whether it is an additional levy, a renewal or a replacement of an existing tax, noting the section of the Ohio Revised Code pursuant to which its submission to the electors is authorized, this Council desires to request the County Fiscal Officer to certify the total current tax valuation of the Village, and the dollar amount of revenue that would be generated by the proposed levy.

NOW THEREFORE, BE IT RESOLVED by the Council of the Village of Mogadore, Counties of Portage and Summit, State of Ohio that:

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SECTION 1: This Council declares that, pursuant to Sections 5705.03 and 5705.10 of the Ohio Revised Code, it is necessary to have an additional tax levied, for a period of five (5) years, of 3.5 mill ad valorem property tax outside of the ten mill limitation for the express purpose of providing and maintaining the capital needs and operations of the fire department in the Village of Mogadore under Section 5705.19(I) of the Ohio Revised Code, specifically, for providing and maintaining fire apparatus, mechanical resuscitators, underwater rescue and recovery equipment, or other fire equipment and appliances, buildings and sites therefor, or sources of water supply and materials therefor, for the establishment and maintenance of lines of fire-alarm communications, for the payment of firefighting companies or permanent, part-time, or volunteer firefighting, emergency medical service, administrative, or communications personnel to operate the same, including the payment of any employer contributions required for such personnel under sections 145.48 or 742.34 of the Revised Code, for the purchase of ambulance equipment, for the provision of ambulance, paramedic, or other emergency medical services operated by a fire department or firefighting company, or for the payment of other related costs.

SECTION 2: The proposed tax is to be levied on the entire territory of the village, meaning within corporate limits of the Village of Mogadore, which is situated in both Portage and Summit Counties, Ohio.

SECTION 3: The proposed levy would be placed on the tax list, i.e. be levied, beginning in 2020 for the first collection in 2021, if the electors voting on it approve the levy as provided by law.

SECTION 4: The proposed levy would be levied and remain in effect for five (5) years, i.e.: 2020, 2021, 2022, 2023 and 2024. The levy shall be collected during 2021, 2022, 2023, 2024 and 2025.

SECTION 5: The proposed levy shall be submitted to be voted upon by the electors within the entire territory of the Village of Mogadore, which is situated in both Portage and Summit Counties, Ohio at a Special Election to be held on August 4, 2020 as provided under the Ohio Revised Code. A majority shall be needed for passage.

SECTION 6: This Council requests that the Summit County Fiscal Officer certify to both (i) the total current tax valuation of the Village (in both counties), and (ii) the dollar amount of revenue that would be generated by the 3.5 mill levy specified in Section 1.

SECTION 7: The Village Clerk-Treasurer is authorized and directed to deliver to the Summit County Fiscal Officer, no later than one (1) business day after passage, a certified copy of this Resolution and the form of the County Fiscal Officer's Certificate in connection therewith that is currently on file with the Clerk of Council.

SECTION 8. That the aforesaid recitals are rendered to be the findings of this Council and are hereby incorporated into this Resolution.

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**SECTION 9:** That it is found and determined that all formal actions of the Council relating to the adoption of this Resolution were taken in a duly noticed virtual, open meeting of this Council and that all deliberations which resulted in formal action were taken in meetings open to the public, in full compliance with all applicable legal requirements, including Section 121.22 of the Ohio Revised Code and HB 197 during the state-declared COVID-19 emergency.

**SECTION 10:** This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, health, safety and welfare of the Village’s residents and to comply with the timing requirements of the Ohio Revised Code regarding the levying of taxes outside the 10 mill limitations and shall take effect and be in force from and immediately after its passage.

\_\_\_\_\_  
 President of Council                                  Date

\_\_\_\_\_  
 Mayor                                                          Date

Attest:

\_\_\_\_\_  
 Clerk – Treasurer