

## RECORD OF ORDINANCES

First Reading: December 1, 2021  
Second Reading: December 15, 2021Resolution No. 2021-65Passed December 29, 2021

SPONSOR: SAFETY COMMITTEE

A RESOLUTION DECLARING IT NECESSARY TO PLACE A TAX LEVY FOR THE FIRE DEPARTMENT AT THE TAX RATE OF 3.5 MIL AND REQUESTING THE PORTAGE COUNTY AUDITOR 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 a tax in excess of that limitation 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 Section 145.48 or 742.34 of the Revised Code, or other emergency medical services operated by a fire department or firefighting company, or for the payment of other related costs 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, in order to submit the question of a tax levy pursuant to Section 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 a new, 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, Portage and Summit Counties, Ohio, two-thirds of the members elected therefore concurring that:

SECTION 1: This Council declares that it is necessary to have a 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 purpose of paying 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 Section 145.48 or 742.34 of the Revised Code, or other emergency medical services operated by a fire department or firefighting company, or for the payment of other related costs Village of Mogadore under Section 5705.19(I) of the Ohio Revised Code, which the Village intends to submit the question of the levy to the electors at a Primary Election on May 3, 2022, as authorized by the Ohio Revised Code.

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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 Portage and Summit Counties, Ohio.

SECTION 3: The proposed levy would be placed on the tax list, i.e. be levied, beginning in 2022 for the first collection in 2023, 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.: 2022, 2023, 2024, 2025, and 2026. The levy shall be collected during 2023, 2024, 2025, 2026, and 2027.

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 Portage and Summit Counties, Ohio at a Primary Election to be held on May 3, 2022 as provided under the Ohio Revised Code. A majority shall be needed for passage.

SECTION 6: This Council requests that the Portage County Auditor certify to both (i) the total current tax valuation of the Village, 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 Portage County Auditor, no later than two (2) business days after passage, a certified copy of this Resolution and the form of the County Auditor'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.

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.

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 resident 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.

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Michael Padden 12-29-21

President of Council

Date

Shunt A. H. 12-29-21

Mayor

Date

Attest:

Scott R. V.  
Clerk-Treasurer