

RESOLUTION NO. R-18-21

A RESOLUTION EXPRESSING OPPOSITION TO SUB. S.B. 111 INsofar AS IT SIGNIFICANTLY REDUCES THE AMOUNT OF FEDERAL AID PREVIOUSLY DEDICATED TO MUNICIPALITIES RESULTING IN A SUBSTANTIAL LOSS OF REVENUE THAT WILL IMPEDE THE ABILITY OF MUNICIPALITIES TO PROVIDE FOR THE HEALTH, SAFETY AND WELFARE OF THEIR RESIDENTS AND BUSINESSES AND DECLARING AN EMERGENCY

WHEREAS, the American Rescue Plan Act (ARPA) provides for funds to be distributed to non-entitlement units (NEUs) of local governments, i.e., cities and villages with populations under 50,000; and

WHEREAS, in May, the Ohio Legislature provided for the distribution of said funds to local municipalities and villages in S.B. 111; and

WHEREAS, now the Mayor and Council have been advised of legislative proposals instituted by certain members of the Ohio General Assembly to reallocate monies from the American Rescue Plan Act (ARPA) by amending S.B. 111; and

WHEREAS, with this amendment, the Ohio General Assembly has determined that townships qualify as an NEU and are now eligible to receive funding through the ARPA program where previously only cities and villages met the federal standards; and

WHEREAS, the Ohio House Finance Committee voted to amend S.B. 111 on June 22, 2021 and legislation will head to the House floor for a vote by the full Ohio House; and

WHEREAS, if this amendment passes in the House, townships will receive a distribution from the \$422 million in the first tranche of ARPA funding provided via Sub. S.B. 111; and

WHEREAS, it is unknown what the qualifications are for townships to receive the funding, how much townships will receive, or if all Ohio townships will be eligible to receive an ARPA distribution; and

WHEREAS, with townships now being included in the ARPA/NEU distributions, there will be an obvious reduction in the amount of federal aid previously dedicated to Ohio's smaller municipalities and villages thus impacting the health, safety, and welfare of their citizens; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the City of Avon to oppose the passage of Sub. S.B. 111 as it is critical that Ohio's smaller cities and villages receive the full amount of federal aid to ensure they can address budget shortfalls and continue to fund the first responders and other critical local services Ohioans and businesses depend upon.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVON, OHIO THAT:

Section 1 – That this Council hereby opposes the passage of Sub. S.B. 111 to the extent that it would severely impact and reduce the amount of federal aid previously dedicated to Avon and other Ohio municipalities and villages.

Section 2 – That the Clerk of Council is hereby authorized and directed to forward a copy of this Resolution to the Governor of Ohio and to the local legislators in the Ohio General Assembly, and such other persons as the Clerk may deem advisable.

Section 3 – It is found and determined that all formal actions of this Council concerning and relating to this Resolution were adopted 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 4 – That this Resolution is hereby declared an emergency measure immediately necessary for the public health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity for the City to oppose the passage of Sub. S.B. 111 as it relates to reducing the amount of federal aid previously dedicated to Ohio's smaller municipalities by including townships in the distribution; therefore, this Resolution shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

BY: _____
Brian Fischer Council President

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