

RESOLUTION NO. R-24-22

A RESOLUTION SUBMITTING TO THE ELECTORS OF THE CITY OF AVON THE QUESTION OF THE RENEWAL OF AN EXISTING 1.90 MILLS TAX LEVY FOR THE PURPOSE OF STREET MAINTENANCE AND REPAIRS AND FOR OTHER PURPOSES SET FORTH IN OHIO REVISED CODE SECTION 5705.19(G) AND DECLARING AN EMERGENCY

WHEREAS, Council deems it necessary and in the best interest of the Municipality to provide funds for street maintenance and repairs and for such other for purposes set forth in Ohio Revised Code §5705.19(G); and

WHEREAS, pursuant to Resolution R-9-18, the question of a 1.90 mill renewal tax levy, which is in excess of the Ten Mill limitation, for the purpose of providing street maintenance and repairs, was submitted to the electors of the City of Avon at the May 8, 2018 primary election and approved; and

WHEREAS, this levy will expire in duplicate year 2022, the last year of collection being calendar year 2023; and

WHEREAS, Section 5705.19(G) of the Ohio Revised Code authorizes the renewal of the existing 1.90 mills levy; and

WHEREAS, on June 29, 2022, the Lorain County Auditor certified that the total current tax valuation of the City is \$1,104,220,850.00 and the dollar amount of revenue that would be generated by a 1.90 mills renewal levy would be \$1,538,881.00 annually during the life of the levy, assuming the current tax valuation remains constant throughout the life of the levy; and

WHEREAS, this renewal of the 1.90 mills levy, would be for a period of five (5) years commencing in duplicate year 2023 with the first collection year being 2024; and

WHEREAS, Council deems it to be in the best interest of the health, safety and welfare of the residents of the City of Avon to place this 1.90 mills renewal levy on the ballot at the November 8, 2022 general election.

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

Section 1 — That it is necessary to levy a tax in excess of the ten-mill limitation upon the entire territory of the City of Avon for the benefit of the City of Avon for the purpose of street maintenance and repair at the rate of 1.90 mills for each One Dollar (\$1.00) of valuation, which amounts to Nineteen Cents (\$.19) for each One Hundred Dollars (\$100.00) of valuation for a period of five (5) years and would generate approximately One Million, Five Hundred, Thirty-Eight Thousand, Eight Hundred, Eighty-One Dollars (\$1,538,881.00) commencing in duplicate year 2023, with first collection year being 2024.

Section 2 — That the question of the renewal of the existing 1.90 mills levy upon the 2023 tax duplicate shall be submitted to all of the electors of said City of Avon at the General Election to be held at the usual voting places on November 8, 2022.

Section 3 — That the form of the ballot to be cast at the General Election on November 8, 2022 on the question of such tax levy shall be substantially as follows:

"A Majority Affirmative Vote is Necessary for Passage

A renewal of an existing 1.90 mills levy to constitute a tax for the benefit of the City of Avon for STREET MAINTENANCE AND REPAIRS and for other purposes set forth in Ohio Revised Code §5705.19(G) at a rate not exceeding 1.90 mills for each One Dollar (\$1.00) of valuation, which amounts to Nineteen Cents (\$.19) for each One Hundred Dollars (\$100.00) in valuation, for five (5) years commencing in duplicate year 2023 with first collection year being 2024."

	FOR THE TAX LEVY
	AGAINST THE TAX LEVY

Section 4 — That this Resolution shall be effective upon its adoption and shall be certified by the Clerk of Council within Five (5) days thereafter to the Board of Elections of Lorain County, but no later than August 10, 2022. The renewal 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 5 — 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 6 — 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 Street Renewal Levy upon the entire territory of the City of Avon to provide funds for the purposes set forth in Ohio Revised Code §5705.19(G) which are used directly in the daily operation of the Avon Streets Department; 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 Brooks, Clerk of Council

Posted: _____
In Five Places as
Provided by Council

Prepared By:
John A. Gasior, Esq.
Law Director