

RESOLUTION NO. R-26-23

**A RESOLUTION SUBMITTING TO THE ELECTORS OF THE CITY OF AVON
THE QUESTION OF THE RENEWAL OF AN EXISTING .45 MILL TAX
LEVY FOR THE PURPOSE OF PROVIDING FOR THE
MAINTENANCE, MANAGEMENT AND OPERATION OF
PUBLIC PARKS AND RECREATIONAL ACTIVITIES PURSUANT
TO THE OHIO REVISED CODE, SECTION 5705.19(H)
AND DECLARING AN EMERGENCY**

WHEREAS, Council deems it necessary and in the best interest of the health, safety and welfare of the citizens of Avon to provide funds for the maintenance, management and operation of public parks and recreational activities in the Municipality; and

WHEREAS, pursuant to Resolution R-10-18, the question of a .45 mill renewal tax levy, which is in excess of the Ten Mill limit, for the purpose of providing for the maintenance, management and operation of public parks and recreational activities was submitted to the electors at the May 8, 2018 primary election and approved; and

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

WHEREAS, Section 5705.19(H) of the Ohio Revised Code authorizes the renewal of the existing levy to continue with the maintenance, management and operation of public parks and recreational activities, therefore a renewal levy is needed to be placed on the November 7, 2023 general ballot; and

WHEREAS, on June 15, 2023, the Lorain County Auditor certified that the total current tax valuation of the City is \$1,119,405,070 and the dollar amount of revenue that would be generated by a .45 mill renewal levy would be \$369,148 annually during the life of the levy, assuming the total current tax valuation remains constant throughout the life of the levy; and

WHEREAS, this renewal of the .45 mill levy would be for a period of five (5) years commencing in duplicate year 2023 with first collection year being 2024; and

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, to provide for the maintenance, management and operation of public parks and recreational activities that the County Auditor estimates will collect \$369,148 annually at the rate not exceeding .45 mills for each \$1 of taxable value, which amounts to \$10 for each \$100,000 of the County Auditor's appraised value, for a period of Five (5) years commencing in duplicate year 2023, with first collection year being 2024.

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Section 2 - That the question of a renewal of the current .45 mills levy, upon the 2023 tax duplicate, shall be submitted to all the electors of said Avon City at the General Election to be held at the usual voting places on November 7, 2023.

Section 3 - That the form of ballot to be cast at the General Election on November 7, 2023 on the question of such tax levy shall be substantially as follows:

A majority affirmative vote is necessary for passage.

A renewal of a tax for the benefit of the City of Avon, for the purpose of maintenance, management and operation of public parks and recreational activities that the County Auditor estimates will collect \$369,148 annually at the rate not exceeding .45 mills for each \$1 of taxable value, which amounts to \$10 for each \$100,000 of the County Auditor's appraised value, for a period of 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, which shall place such question upon the ballot at the general election to be held on November 7, 2023 and shall request the Board to provide for a notice of the election as required by law.

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 Parks Renewal Levy upon the entire territory of the City of Avon to provide funds for the maintenance, management and operation of public parks and recreational activities for and within the City; therefore, this Resolution shall be in full force and effect immediately upon its passage and approval by the Mayor.

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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: _____
Electronically and at City Hall as
Provided by Council

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