

# BEREA CITY COUNCIL

*City of Berea, Ohio*

ORDINANCE NO. 2022- \_\_

By: \_\_\_\_\_

Sponsor: Mayor Cyril M. Kleem

## **A RESOLUTION**

### **REQUESTING THAT THE CUYAHOGA COUNTY FISCAL OFFICER CERTIFY CERTAIN INFORMATION TO THE CITY OF BEREAL RELATIVE TO A 1.4 MILL TAX RENEWAL LEVY, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Ohio Revised Code Section 5705.03 provides that when a taxing authority determines that it is necessary to levy a tax outside of the ten-mill limitation for any purpose authorized by the Revised Code, prior to the certification to the proper County Board of Elections of its Resolution to submit the question of levying a tax outside of the ten-mill limitation to the electors of the subdivision, the taxing authority shall certify a Resolution to the County Fiscal Officer requesting that the County Fiscal Officer certify to the taxing authority the total current tax valuation of the subdivision and the dollar amount of revenue that would be generated by a specified number of mills.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Berea, State of Ohio:

**SECTION 1.** That the amount of taxes which may be raised within the ten (10) mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirements of the City of Berea.

**SECTION 2.** That it is necessary to continue to levy a tax in excess of said ten (10) mill limitation of one (1) mil for each dollar of valuation which amounts to ten (10) cents for each One Hundred Dollars (\$100) of valuation upon the taxable property of said City for the tax levy Years 2022 to 2026, both inclusive, to be collected in Years 2023 to 2027, both inclusive, to supplement the Water Capital Improvement Fund of the City of Berea for the purpose of making improvements to the City's Water Plant and the construction and acquisition of other permanent improvements relating to the City's water system, said renewal tax levy being authorized pursuant to Ohio Revised Code Sections 749.01 and 5705.191.

**SECTION 3.** That upon passage of the Renewal Levy Ordinance or Resolution by this Council, the question of such renewal tax levy shall be submitted to the electors of said City at the General Election to be held on Tuesday, November 8, 2022.

**SECTION 4.** That this Council hereby request that the County Fiscal Officer certify to the City of Berea the total current tax valuation of the City of Berea and the dollar amount of revenue that will be generated by the one and four-tenths (1.4) mill renewal tax levy.

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**SECTION 5.** That the Clerk of this Council be and is hereby authorized and directed to certify this Resolution to the County Fiscal Officer of Cuyahoga County, Ohio, requesting that the County Fiscal Officer certify to the City of Berea the total current tax valuation of the City of Berea and the dollar amount of revenue that will be generated by the one and four-tenths (1.4) mill renewal tax levy.

**SECTION 6.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of 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 7.** That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare, or providing for the usual daily operation of a municipal department, and for the further reason that a certified copy of this Resolution must be submitted to the Cuyahoga County, Ohio, Fiscal Officer and the information requested from said Fiscal Officer must be received prior to submission of the ballot language to the Cuyahoga County Board of Elections, which is due within five (5) days of passage of a resolution requesting that the levy be placed on the ballot. Therefore, provided this Resolution receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED:

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President of Council

ATTEST: \_\_\_\_\_

APPROVED:

Clerk of Council

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Mayor

Approved as to Form:

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Director of Law