

RESOLUTION NO. 148-13

BY: **BRIAN DAY**
(By Request – Mayor)

A RESOLUTION DECLARING IT NECESSARY TO REPLACE AN EXISTING TAX LEVY AND INCREASE THE RATE OF THE EXISTING TAX LEVY IN EXCESS OF THE TEN MILL LIMITATION FOR THE PURPOSE OF PROVIDING AND MAINTAINING FIRE APPARATUS, APPLIANCES AND BUILDINGS, PAYMENT OF PERMANENT FIREFIGHTING PERSONNEL TO OPERATE THE SAME, AND PAYMENT OF THE FIREFIGHTERS EMPLOYER'S CONTRIBUTION REQUIRED UNDER SECTION 742.34 OF THE OHIO REVISED CODE, AND REQUESTING THE CUYAHOGA COUNTY FISCAL OFFICER TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE CITY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THAT REPLACEMENT LEVY, AND DECLARING AN EMERGENCY

WHEREAS, an election was held on November 8, 1994, on the question of levying a tax in excess of the ten mill limitation, at a rate not exceeding one and one-half mills for each one dollar of valuation, for five years, beginning with a levy on the duplicate for the year 1994, for the purpose of maintaining and adding fire apparatus, appliances and buildings, payment of the firefighters employer's contribution required under Section 742.34 of the Ohio Revised Code, and payment of salaries of permanent firefighters, at which election a majority of the qualified electors voting on such proposition voted in favor thereof; and,

WHEREAS, renewals of the tax levy were passed by the electors on November 3, 1998, May 6, 2003, and May 5, 2009; and,

WHEREAS, a replacement of 1.5 mills of the existing tax levy and increase of 0.5 mills is necessary to maintain appropriate staffing levels of firefighters and provide and maintain fire apparatus, appliances and buildings; and,

WHEREAS, in accordance with division (B) of Section 5705.03 of the Ohio Revised Code, in submitting the question of a replacement tax levy pursuant to Sections 5705.19(I), 5705.192 and 5705.25 of the Revised Code, the City is also requesting that the Cuyahoga County Fiscal Officer certify (i) the total current tax valuation of the City and (ii) the dollar amount of revenue that would be generated by the levy; and,

WHEREAS, in accordance with division (B) of Section 5705.03 of the Ohio Revised Code, upon receipt of a certified copy of this Resolution requesting such certification by the County Fiscal Officer, such certification shall be forthcoming;

NOW, THEREFORE; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARMA, STATE OF OHIO:

Section 1. It is hereby declared that the amount of taxes which may be raised by the City within the ten-mill limitation will be insufficient to provide for the necessary requirements of the City, and it is necessary to levy a tax in excess of the ten-mill limitation for the benefit of the City for the purpose of providing and maintaining fire apparatus, appliances and buildings, payment of permanent firefighting personnel to operate the same, and payment of the firefighters employer's contribution required under Section 742.34 of the Ohio Revised Code, pursuant to division (I) of Section 5705.19 of the Ohio Revised Code, at a rate not exceeding two mills for each one dollar of valuation, for five years, commencing with a levy on the tax list and duplicate for the year 2014 to be first distributed to the City in the year 2015, said tax of two mills being a replacement of an existing tax of one and one-half mills and an increase of one-half mills.

Res. declaring it necessary to replace an existing levy and increase the rate of the existing tax levy in excess of the ten mill limitation for the purpose of providing and maintaining and adding fire apparatus, appliances and buildings, payment of permanent firefighting personnel, and payment of the firefighters employer's contribution required under Section 742.34 of the Ohio Revised Code, and requesting the Cuyahoga County Fiscal Officer to certify the total current tax valuation of the City and the dollar amount of revenue that would be generated by that replacement levy, and declaring an emergency

Section 2. This Council requests the Cuyahoga County Fiscal Officer to certify both (i) the total current tax valuation of the City and (ii) the dollar amount of revenue that would be generated by the 2.0 mill replacement levy specified in Section 1 above.

Section 3. The Clerk of this Council be and hereby is directed to certify a copy of this Resolution to the County Fiscal Officer promptly following adoption thereof.

Section 4. That upon receipt of the County Fiscal Officer's certification, it shall be forwarded immediately to the Board of Elections to supplement Resolution No. 149-13 timely filed with the Board of Elections.

Section 5. 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 any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 6. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare of the City of Parma, and for the further reason that this measure is necessary in order to comply with State law to place the replacement levy issue on the ballot at the November 5, 2013 General Election, and this Resolution shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: _____ PRESIDENT OF COUNCIL

ATTEST: _____ APPROVED: _____

CLERK OF COUNCIL

FILED WITH
THE MAYOR: _____ MAYOR, CITY OF PARMA, OHIO