

RESOLUTION NO. 149-13

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 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;

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 (l) 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.

Section 2. The question of the replacement tax levy shall be submitted to the electors of the City at the General Election to be held on November 5, 2013, at the usual voting places within the City as established by the Board of Elections of Cuyahoga County, Ohio, or otherwise according to law, and shall be conducted, canvassed and certified in the manner provided by law.

Pg. 2 of L-149-13 Res. 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, and payment of the firefighters employer's contribution required under Section 742.34 of the Ohio Revised Code, and declaring an emergency

Section 3. The form of ballot to be cast at such election on the question of such replacement tax shall be substantially as follows, with such changes and modifications as are approved or authorized by the City Law Director:

**PROPOSED TAX LEVY (REPLACEMENT)
CITY OF PARMA**

A Majority Affirmative Vote is Necessary for Passage

A replacement of 1.5 mills of an existing tax levy and an increase of 0.5 mills to constitute a tax for the benefit of the City of Parma 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 at a rate not exceeding 2.0 mills for each dollar of valuation, which amounts to 20 cents for each one hundred dollars of valuation, for five years, commencing in 2014, first due in calendar year 2015.

	FOR THE TAX LEVY
	AGAINST THE TAX LEVY

Section 4. The Clerk of this Council be and hereby is directed to certify a copy of this Resolution to the Board of Elections of Cuyahoga County, Ohio, immediately upon its adoption and approval by the Mayor, but not later than August 7, 2013, and notify said Board of Elections to cause notice of election on the question of levying said tax to be given as required by law.

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 certify this Resolution to the County Board of Elections in order to place the 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: _____

FILED WITH
THE MAYOR: _____ CLERK OF COUNCIL

MAYOR, CITY OF PARMA, OHIO