

5/1/23

(Substitute)

RESOLUTION NO. 71-23

BY: **DEBORAH LIME**
(By Request – Safety Director)

A RESOLUTION DECLARING IT NECESSARY TO RENEW AN 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 RENEWAL 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 1.5 mills for each \$1 of valuation, for five years, beginning with a levy on the duplicate for the year 1994, for the purpose of providing and 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, 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, May 5, 2009; a replacement levy of 1.5 mills of the existing tax levy and increase of 0.5 mills was necessary to maintain appropriate staffing levels of firefighters and provide and maintain fire apparatus, appliances and buildings and was passed by the electors on November 5, 2013; and a renewal of that 2013 levy was passed by the electors on November 6, 2018 (the "Existing Levy"); and

WHEREAS, a renewal of the 2.0 mill existing tax levy is necessary to maintain appropriate staffing levels of firefighters and provide and maintain fire apparatus, appliances, and buildings for the City of Parma, Ohio (the "City"); and

WHEREAS, a resolution declaring the necessity of levying a renewal tax (the "Renewal Levy") outside the ten-mill limitation must be passed and certified to the Cuyahoga County Fiscal Officer (the "County Fiscal Officer") in order to permit City Council to consider the levy of such a tax, and must request that the County Fiscal Officer certify to the City Council the current total taxable value of the County, the estimated property tax revenue that will be produced by such renewal tax based on such total taxable value, and the amount of the renewal tax expressed in dollars for each \$100,000 of the county auditor's appraised value; and

WHEREAS, in accordance with division (B) of Section 5705.03 of the Ohio Revised Code, in submitting the question of a renewal tax levy pursuant to Sections 5705.19(I) 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, the estimated property tax revenue that will be produced by such renewal tax based on such total taxable value, and the amount of the renewal tax expressed in dollars for each \$100,000 of county fiscal officer's appraised value, the 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 2.0 mills for each \$1 of taxable value, upon the entire territory of the City, for five years, commencing with a levy on the tax list and duplicate for the year 2024 to be first collected and first distributed to the City in the year 2025, said tax of 2.0 mills being a renewal of an existing tax of 2.0 mills. All of the territory of the City is within Cuyahoga County.

Section 2. This Council requests the Cuyahoga County Fiscal Officer to certify (i) the total current tax valuation of the City, (ii) the estimated dollar amount of revenue that would be generated by the 2.0 mill renewal levy specified in Section 1 above and (iii) the amount of the Renewal Levy expressed in dollars for each \$100,000 of the county fiscal officer's appraised value.

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. 72-23 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, including Ohio Revised Code Section 121.22.

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 renewal levy issue on the ballot at the November 7, 2023 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: _____

CLERK OF COUNCIL

APPROVED: _____

FILED WITH
THE MAYOR: _____

MAYOR, CITY OF PARMA, OHIO