

FILED

OCT 17 2019

JANET ESPOSITO
PORTAGE COUNTY AUDITOR

RESOLUTION NO. 2019-115

A RESOLUTION DECLARING IT NECESSARY TO RENEW THE CITY'S EXISTING 1.16-MILL TAX LEVY FOR THE PURPOSE OF CURRENT EXPENSES; REQUESTING THE COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE CITY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THAT RENEWAL LEVY, PURSUANT TO SECTIONS 5705.03, 5705.19(A) AND 5705.191 OF THE REVISED CODE, AND DECLARING AN EMERGENCY.

WHEREAS, at an election on November 4, 2014, voters of the City of Kent approved a 1.16-mill tax levy outside of the ten-mill limitation for the purpose of current expenses, for a period of five years; and

WHEREAS, the authority to levy that 1.16-mill tax will expire with the levy on the 2019 duplicate for collection in calendar year 2020; and

WHEREAS, this Council finds that the amount of taxes that may be raised within the ten-mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirements of the City, and that it is necessary to renew that existing 1.16-mill tax levy in excess of the ten-mill limitation in order to continue receiving revenue for the purpose of current expenses; and

WHEREAS, in accordance with Division (B) of Section 5705.03 of the Revised Code, in order to submit the question of a tax levy pursuant to Sections 5705.19(A) and 5705.191 of the Revised Code, this Council must first request that the Portage County Auditor 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 further accordance with Division (B) of Section 5705.03 of the Revised Code, upon receipt of a certified copy of a resolution of this Council declaring the necessity of a tax, stating its purpose, whether it is an additional levy, a renewal or a replacement of an existing tax, or the renewal or replacement of an existing tax with an increase or a decrease, the Section or Sections of the Revised Code authorizing the submission of the question of the tax, the term of years of the tax (or that it is for a continuing period of time), that the tax is to be levied upon the entire territory of the City, the date of the election at which the question of the tax shall appear on the ballot, that the ballot measure shall be submitted to the entire territory of the City, the tax year in which the tax will first be levied and the calendar year in which it will be first collected and each county in which the City has territory, and requesting such certification, the County Auditor is to certify the total current tax valuation of the City and the dollar amount of revenue that would be generated by the proposed levy;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto concurring:

SECTION 1. That this Council declares that (i) it is necessary to renew the City's existing 1.16-mill ad valorem property tax outside of the ten-mill limitation for the purpose of current expenses, (ii) as authorized by Sections 5705.19(A) and 5705.191 of the Revised Code, it intends to submit the question of a 1.16-mill renewal tax levy for that purpose to the electors of the entire territory of the City at an election on March 17, 2020, and (iii) the City has territory only in Portage County. If approved, that tax will be levied upon the entire territory of the City for a period of five years, commencing in tax year 2020, for first collection in calendar year 2021.

SECTION 2. That this Council requests the Portage County Auditor to certify to it both (i) the total current tax valuation of the City and (ii) the dollar amount of revenue that would be generated by the 1.16-mill renewal levy specified in Section 1.

SECTION 3. That the Clerk of Council is authorized and directed to deliver promptly to the Portage County Auditor a certified copy of this Resolution.

SECTION 4. 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 action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 5. That this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City and for the further reason that it is necessary that this Resolution be effective immediately so that it can be timely filed with the County Auditor and additional proceedings taken in order to submit the question of the levy to the electors at an election on March 17, 2020; for which reason and other reasons manifest to this Council this Resolution shall take effect and be in force immediately upon its adoption.

ADOPTED: 10/16/19
Date

Fiala
Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: 10/16/19
Date

ATTEST: Amy Wilkens
Amy Wilkens
Clerk of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF RESOLUTION No. 2019-115, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON OCTOBER 16, 2019.

(SEAL)

Amy Wilkens
AMY WILKENS
CLERK OF COUNCIL