

President of Council
KEVIN D. MALECEK

Vice President of Council
DAVID A. REICHEL

Council Clerk
VICTORIA ANN SAVAGE, CMC

City of Willoughby Hills

RESOLUTION NO. 2009 – 12

Council
CHRISTOPHER L. BIRO
NANCY E. FELLOWS
DAVID M. FIEBIG
FRANK A. GERMANO
RAYMOND C. SOMICH

A RESOLUTION PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF WILLOUGHBY HILLS A REPLACEMENT OF AN EXISTING LEVY IN EXCESS OF THE TEN (10) MILL LIMITATION AT THE GENERAL ELECTION TO BE HELD NOVEMBER 3, 2009 FOR THE GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING, REPAIR OF STREETS, ROADS, BRIDGES, THE REPLACEMENT AND REPAIR OF NECESSARY ROAD EQUIPMENT AND MACHINERY INCLUDING BUT NOT LIMITED TO MATERIALS, LABOR AND FACILITIES IN THE CITY; AND REQUESTING THE LAKE COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE CITY; AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THE REPLACEMENT LEVY.

WHEREAS, the Council of the City of Willoughby Hills finds that the amount of taxes which may be raised within the ten mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount of funds for the necessary requirements of the City and is essential to continue levying a tax in excess of that limitation for the purpose of providing funding for the general construction, reconstruction, resurfacing, repair of streets, roads, bridges, the replacement and repair of the necessary road equipment and machinery including but not limited to materials, labor and facilities in the City; and

WHEREAS, in accordance with Division (B) of Section 5705.03 of the Ohio Revised Code, in order to submit the question of a tax levy pursuant to Sections 5705.19 and 5705.191 of the Ohio Revised Code, this Council is required to request that the Lake County Auditor certify (i) the total current tax valuation of the City and (ii) the dollar amount of revenue that would be generated by said levy; and

WHEREAS, in accordance with Division (B) of Section 5705.03 of the Ohio Revised Code, upon receipt of a certified copy of a resolution of Council declaring the necessity of the tax, stating its purpose, whether it is an additional levy or a renewal or a replacement of an existing tax, and the Section of the Ohio Revised Code authorizing its submission to the electors, and requesting such certification, the Lake 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 RESOLVED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO THAT:

SECTION 1. Pursuant to Section 7.2 of the Charter of the City of Willoughby Hills, the Council of the City of Willoughby Hills has determined the need to authorize and direct the submission to the electors of the City at the General Election of November 3, 2009 a replacement levy for the general construction, reconstruction, resurfacing, repair of streets, roads, bridges, the replacement and repair of the necessary road equipment and machinery including but not limited to materials, labor and facilities in the City at a rate not exceeding two and five-tenths (2.5) mills for each one dollar (\$1.00) of valuation which amounts to twenty-five cents (\$0.25) for each one hundred dollars (\$100.00) of valuation, for a period of five (5) years to be collected commencing with the tax year of 2010.

SECTION 2. This Council requests the Lake 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 2.5 mill levy specified in Section 1.

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

SECTION 4. The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

SECTION 5. This Resolution shall be in full force and effect at the earliest time permitted by law.

PASSED: _____, 2009

Kevin D. Malecek
President of Council

Submitted to the Mayor for his approval

on this _____ day of _____, 2009

Approved by the Mayor

ATTEST:

_____, 2009

Victoria Ann Savage, CMC
Clerk of Council

Robert M. Weger
Mayor