

VILLAGE OF WINDHAM
RESOLUTION NO. R-2009-26

A RESOLUTION DECLARING IT NECESSARY TO SUBMIT AN ADDITIONAL TAX LEVY FOR FIRE DEPARTMENT AND EMERGENCY MEDICAL SERVICES PURPOSES AND REQUESTING THE PORTAGE COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE VILLAGE AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THAT ADDITIONAL LEVY AND DECLARING AN EMERGENCY.

WHEREAS, this Council finds that as the result of the anticipated action of Windham Township Trustees to no longer contract with the Village of Windham for fire and emergency medical services in Windham Township the amount of taxes which will be raised both within and outside of the ten-mill limitation by levies on the current tax duplicate may be insufficient to provide an adequate amount for the necessary requirements of the Village of Windham Fire Department and that it is necessary to levy an additional tax in excess of that limitation for fire fighting, rescue and emergency medical services purposes; 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 Section 5705.19(I) of the Revised Code, this Council must request that the Portage County Auditor certify (i) the total current tax valuation of the Village and (ii) that dollar amount of revenue that would be generated by the levy; and

WHEREAS, in 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 the tax, stating its purpose, as an additional tax, and citing the Section of the Revised Code authorizing its submission to the electors, and requesting such certification, the County Auditor is to certify the total current tax valuation of the Village and the dollar amount of revenue that would be generated by the proposed levy.

NOW THEREFORE BE IT RESOLVED by the Council of the Village of Windham, Portage County, Ohio, two-thirds or more of the members elected thereto concurring;

SECTION 1: This Council declares that it is necessary to establish for a period of five years, commencing in 2010, first due in calendar year 2011, a additional 2.0 mill ad valorem property tax outside of the ten-mill limitation, and that it intends to submit to the electors at an election on November 3, 2009 the question of the establishment of the levy as authorized by Section 5705.19(I) of the Revised Code.

SECTION 2: This Council requests the Portage County Auditor to certify to it the dollar amount of revenue that would be generated by the 2.0 mill renewal levy specified in Section 1.

SECTION 3: That the Fiscal Officer shall deliver a certified copy of this resolution to the County Auditor promptly following adoption thereof.

SECTION 4: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage 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, including Section 121.22 of the Ohio Revised Code.

SECTION 5: This Resolution is declared to be an emergency measure, effective immediately upon its passage by Council and approved by the Mayor, to advance the health, safety and general welfare of the citizens of the Village of Windham, for the further reason it is necessary to obtain the valuation from the County Auditor in a timely fashion, so as to submit the question of establishing a tax levy for Fire Department for fire fighting, rescue and emergency medical services purposes to the Portage County Board of Elections by August 20, 2009, the deadline within which to do so.

First Reading: July 28, 2009

Second Reading: August 6, 2009

Passed as an Emergency: August 6, 2009

Vote of Council: Ayes: Mr. Snyder, Mr. Garrett, Mrs. Barrett, Mr. Slusher

Nays: Mrs. Meszaros, Mrs. Rininger.

Mayor Robert Donham, II

ATTEST:

Lloyd Billman, Fiscal Officer

Approved as to form:

Solicitor Thomas Reitz

I, Lloyd Billman, Fiscal Officer of the Village of Windham, Portage County, Ohio, do hereby certify that the foregoing is taken and copied from the original Resolution R-2009-26 now on file, that the foregoing has been compared by me with the original documents, and that the same is a true and correct copy thereof.

Signed this 29th day of July, 2009.

Lloyd Billman