

**CITY OF CHEVIOT
STATE OF OHIO**

RESOLUTION NO. 23-12

TO AMEND RESOLUTION NO. 23-09 TO SUBMIT TO THE HAMILTON COUNTY BOARD OF ELECTIONS A PROPOSED NEW TAX LEVY TO BE VOTED UPON BY THE ELECTORS OF THE CITY OF CHEVIOT AT THE NOVEMBER 7, 2023 GENERAL ELECTION; AND TO DECLARE AN EMERGENCY.

WHEREAS, on June 6, 2023, this Council passed Resolution 23-09 to Submit to the Hamilton County Board of Elections a Proposed New Tax Levy to be Voted Upon by the Electors of the City of Cheviot at the November 7, 2023 General Election; and to Declare an Emergency; and

WHEREAS, Council seeks to amend and replace Resolution 23-09 with this Resolution to be submitted to the Board of Elections as described herein; and

WHEREAS, the Council of the City of Cheviot desires to place before the electors of the City of Cheviot a new 3.00 mill tax levy; and

WHEREAS, the purpose of the new levy is for “providing and maintaining fire apparatus, mechanical resuscitators, underwater rescue and recovery equipment, or other fire equipment and appliances, buildings and sites therefor, or sources of water supply and materials therefor, for the establishment and maintenance of lines of fire-alarm communications, for the payment of firefighting companies or permanent, part-time, or volunteer firefighting, emergency medical service, administrative, or communications personnel to operate the same, including the payment of any employer contributions required for such personnel under section 145.48 or 742.34 of the Revised Code, for the purchase of ambulance equipment, for the provision of ambulance, paramedic, or other emergency medical services operated by a fire department or firefighting company, or for the payment of other related costs” in the City of Cheviot in accordance with Section 5705.19(I) of the Ohio Revised Code; and

WHEREAS, the proposed tax levy is necessary for the operation of the City and is in excess of the ten-mill limitation; and

WHEREAS, pursuant to Section 5705.03 of the Ohio Revised Code, the City of Cheviot has submitted the proposed 3.00 mill tax levy to the Hamilton County Auditor for certification; and

WHEREAS, on May 8, 2023, the Hamilton County Auditor issued a Certificate of Estimated Property Tax Revenue, which is attached hereto and made a part hereof.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHEVIOT, STATE OF OHIO, TWO-THIRDS OF ALL MEMBERS THEREOF CONCURRING, THAT:

Section 1. Pursuant to Sections 5705.03, 5705.19, 5705.191, and 5705.25 of the Revised Code, this Council requests that the Hamilton County Board of Elections takes the steps necessary to place on the ballot at the November 7, 2023 general election the following proposed tax levy to be voted on and levied within the entire territory of the City of Cheviot:

- A. Type of Levy. The levy shall be a new tax levy authorized by Section 5705.19(I) of the Ohio Revised Code.

- B. Purpose of Levy. The purpose of the proposed 3.00 mill levy shall be for the purpose of meeting expenses for providing and maintaining fire apparatus, mechanical resuscitators, underwater rescue and recovery equipment, or other fire equipment and appliances, buildings and sites therefor, or sources of water supply and materials therefor, for the establishment and maintenance of lines of fire-alarm communications, for the payment of firefighting companies or permanent, part-time, or volunteer firefighting, emergency medical service, administrative, or communications personnel to operate the same, including the payment of any employer contributions required for such personnel under section 145.48 or 742.34 of the Revised Code, for the purchase of ambulance equipment, for the provision of ambulance, paramedic, or other emergency medical services operated by a fire department or firefighting company, or for the payment of other related costs in the City of Cheviot in accordance with Section 5705.19(I) of the Ohio Revised Code.
- C. Rate of Levy. The proposed tax levy shall be 3.00 mill for each \$1.00 of taxable value, which amounts to \$105.00 per \$100,000.00 of the County Auditor's appraised value.
- D. Calendar Year in Which Tax is Levied. The proposed 3.00 mill tax levy shall be levied in calendar year 2023.
- E. Calendar Year in Which Levy is Collected. The proposed 3.00 mill tax levy shall first become due and collected in calendar year 2024.
- F. Term of Levy. The term of the proposed 3.00 mill levy shall be five (5) years.
- G. The tax shall be levied upon the entire territory of the City of Cheviot.

Section 2. This Council has determined that the amount of taxes which will be raised within the ten-mill limitation will be insufficient to provide for the necessary requirements of the City of Cheviot, the proposed new 3.00 mill tax levy is outside of the ten-mill limitation, and it is necessary for providing and maintaining fire apparatus, mechanical resuscitators, underwater rescue and recovery equipment, or other fire equipment and appliances, buildings and sites therefor, or sources of water supply and materials therefor, for the establishment and maintenance of lines of fire-alarm communications, for the payment of firefighting companies or permanent, part-time, or volunteer firefighting, emergency medical service, administrative, or communications personnel to operate the same, including the payment of any employer contributions required for such personnel under section 145.48 or 742.34 of the Revised Code, for the purchase of ambulance equipment, for the provision of ambulance, paramedic, or other emergency medical services operated by a fire department or firefighting company, or for the payment of other related costs in the City of Cheviot in accordance with Section 5705.19(I) of the Ohio Revised Code.

Section 3. Upon passage of this resolution, the Clerk of Council shall immediately certify a copy of it to the Hamilton County Board of Elections, along with the Certificate of Estimated Property Tax Revenue, which has been provided by the Hamilton County Auditor.

Section 4. This resolution shall be an emergency measure for the health, safety, and welfare of the citizens of Cheviot and shall take effect immediately. The emergency is necessary in order to comply with the time requirements of Chapter 5705 of the Ohio Revised Code and in order to ensure that the proposed levy appears on the November 7, 2023 ballot.

Kerry Smyth
President of Council

Date passed

Samuel D. Keller
Mayor

Date approved

Attest:

Approved as to form:

Jenny M. Eilermann
Clerk of Council

Kimberlee Erdman Rohr
Law Director

CERTIFICATE OF PUBLICATION

I, Jenny M. Eilermann, Clerk of the Council of the City of Cheviot, Ohio, hereby certify that the foregoing resolution, or a succinct summary, was published in the *Cincinnati Court Index*, a newspaper of general circulation in the City of Cheviot, Ohio, in accordance with Section 731.21 of the Ohio Revised Code, on the following dates:

- 1) _____, 2023, and
- 2) _____, 2023.

Jenny M. Eilermann
Clerk of Council