

RESOLUTION NO. 21-06

ADOPTED: May 24 2021

A RESOLUTION TO PROCEED WITH PLACING THE ISSUE ON THE BALLOT FOR A FIVE (5.0) MILL CONTINUOUS REPLACEMENT LEVY, FOR PROVIDING AND MAINTAINING MOTOR VEHICLES, COMMUNICATIONS, OTHER EQUIPMENT, BUILDINGS, AND SITES FOR SUCH BUILDINGS USED DIRECTLY IN THE OPERATION OF A POLICE DEPARTMENT, FOR THE PAYMENT OF SALARIES OF PERMANENT OR PART-TIME POLICE, COMMUNICATIONS, OR ADMINISTRATIVE PERSONNEL TO OPERATE THE SAME, INCLUDING THE PAYMENT OF ANY EMPLOYER CONTRIBUTIONS REQUIRED FOR SUCH PERSONNEL UNDER R.C. 145.48 OR R.C. 742.33, AND DECLARING AN EMERGENCY

WHEREAS, R.C. 5709.192 governs replacement levies and allows for the replacement of an existing, fixed rate levy for the same purpose as the existing levy, at the same rate or with an increase or decrease; and

WHEREAS, in November 1997, the electorate or the Village of Thornville adopted a continuing 5 mill levy for “the purpose of police protection” under R.C. 5705.19(J); and

WHEREAS, Council for the Village of Thornville would like to replace the 1997 Police Levy at the same rate; and

WHEREAS, the failure of the electorate to approve the replacement of the 1997 continuing Police Levy will not terminate the existing continuing levy; and

WHEREAS, with Resolution 21-02, adopted on February 22, 2021, Council of the Village of Thornville, which is the taxing authority of the Village of Thornville, finds the amount of taxes that may be raised within the ten-mill limitation will be insufficient to provide for the necessary requirements to provide police protection for the Village of Thornville, Perry County, Ohio and that it is necessary to levy a replacement tax of five (5.0) mill as a continuing tax, in excess of that limitation, for police protection purposes, pursuant to R.C.5705.19(J); and

WHEREAS, with Resolution 21-02, adopted February 22, 2021, Council for the Village of Thornville, Ohio requested, from the Perry County Auditor, a Certificate of Estimated Property Tax Revenue indicating how much revenue will be provided by the five (5.0) mill replacement tax levy; and

WHEREAS, on March 4, 2021, the Perry County Auditor certified that the dollar amount of revenue that would be generated by the five (5.0) mill continuous replacement tax levy is \$127,316.00 annually during the life of the levy, assuming the total current tax valuation (\$25,463,110.00) remains the same throughout the life of the levy.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Village of Thornville, County of Perry, State of Ohio:

SECTION 1: Council for the Village Thornville hereby declares that it will proceed with placing the issue on the ballot for a five (5.0) mill replacement of a continuing tax for the purpose of providing and maintaining motor vehicles, communications, other equipment, buildings, and sites for such buildings used directly in the operation of a police department, for the payment of salaries of permanent or part-time police, communications, or administrative personnel to operate the same, including the payment of any employer contributions required for such personnel under R.C. 145.48 or R.C. 742.33, commencing January 1, 2021.

SECTION 2: Consistent with R.C. 5705.192(C), the form of the ballot at the election on the question of this additional tax levy shall be substantially as follows:

A replacement of the tax for the benefit of the Village of Thornville for the purpose of providing and maintaining motor vehicles, communications, other equipment, buildings, and sites for such buildings used directly in the operation of a police department, for the payment of salaries of permanent or part-time police, communications, or administrative

personnel to operate the same, including the payment of any employer contributions required for such personnel under R.C. 145.48 or R.C. 742.33 at a rate not exceeding five (5.0) mill for each one dollar of valuation, which amounts to \$0.50 for each one hundred dollars in valuation, for a continuous period of time, commencing on January 1, 2021, first due/collected in calendar year 2022.

FOR THE TAX LEVY

AGAINST THE TAX LEVY

SECTION 3: The question approving the replacement continuous tax levy as set forth in Section 2 shall be submitted to the electors of the Village of Thornville, Ohio at the election on November 2, 2021.

SECTION 4: The Fiscal Officer of the Village of Thornville is hereby authorized and directed to certify a copy of this Resolution, immediately after its passage, to the Board of Elections of Perry County. The Resolution certified to the Board of Elections shall be accompanied by a copy of the Perry County Auditor's certification and shall include with this certification the rate of the tax levy, expressed in mills for each one dollar in tax valuation as estimated by the Perry County Auditor. The Board of Elections will cause notice of the election on the question of levying the tax to be given as required by law.

SECTION 5: If the majority of electors, voting on the additional tax levy, vote in favor thereof, the first calendar year in which the levy will be collected is 2022. The tax levy shall first take effect and apply to the tax duplicate for the tax year 2021 (beginning on January 1, 2021). The replacement tax will be for a continuous period of time. The failure of the electorate to approve the replacement of the 1997 continuing Police Levy will not terminate the existing (1997) continuing levy.

SECTION 6: All prior legislation, or any parts thereof, which is/are inconsistent with this Resolution is/are hereby repealed as to the inconsistent parts thereof.

SECTION 7: It is hereby 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 any and 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 of the laws of the State of Ohio.

SECTION 8: Pursuant to R.C. Chapter 5705, this Resolution shall take effect immediately. In the alternative, Council declares this to be an emergency measure immediately necessary for the preservation of the public peace, health, and safety of this municipality and the further reason that the Village needs this Resolution certified to the County Board of Election and placed on the November 2, 2021 ballot. Wherefore, provided this Resolution receives the required affirmative votes of Council, this Resolution shall take effect and be in force immediately upon passage by Council.

Passed in Council this 24<sup>th</sup> day of May, 2021.



Dan Harmon, Mayor

ATTEST:



Clerk of Council

APPROVED:

Approved as to form this 17<sup>th</sup> day of March 2021:



Brian M. Zets  
Village Solicitor

I, Stephanie Rydner Clerk of Council of the Village of Thornville, Ohio, do hereby  
certify that the forgoing Resolution/ Ordinance is a true and exact copy of Resolution/ Ordinance  
No. 21-06 passed by Village Council in an open meeting on the  
24th of May, 2021

  
Clerk of Council