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RESOLUTION NO. 21-02
ADOPTED: February 22 2021

A RESOLUTION DECLARING THE NECESSITY TO LEVY A TAX OUTSIDE THE TEN-MILL LIMITATION, REQUESTING THE PERRY COUNTY AUDITOR CERTIFY TO THE VILLAGE OF THORNVILLE THE TOTAL CURRENT VALUATION OF THE VILLAGE OF THORNVILLE AND THE DOLLAR AMOUNT OF REVENUE THAT WILL BE GENERATED BY A REPLACEMENT TAX LEVIED OF FIVE (5.0) MILL 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 a 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, 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, pursuant to R.C. 5705.03 (B), in order to permit Village Council to consider the levy of such tax, a Resolution declaring the necessity of levying a tax outside the ten-mill limitation must be passed and certified to the County Auditor of Perry County and must request the County Auditor Certify to the Council the total current tax valuation of the Village and the dollar amount of revenue that would be generated by a replacement five (5.0) mill tax 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 of Thornville hereby declares the amount of taxes that may be raised within the ten-mill limitation will be insufficient to provide for the necessary requirements of police protection for the Village, and therefore, it is necessary to levy a tax in excess of that limitation for the purposes set forth in R.C. 5705.19(J).

SECTION 2: The purpose of the replacement five (5.0) mill tax will be 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.

SECTION 3: The tax is the replacement of an existing continuous tax.

SECTION 4: The tax is authorized by R.C. 5705.19(J).

SECTION 5: The term of years of the tax is for a continuing period of time.

SECTION 6: The tax will be levied upon the entire territory of the Village of Thornville.

SECTION 7: The question of the tax shall appear on the November 2, 2021 ballot.

SECTION 8: The ballot measure of the replacement 5.0 mill tax shall be submitted to the entire territory of the Village of Thornville.

SECTION 9: The replacement tax will first be levied in tax year 2021 (starting on January 1, 2021) and will be first collected in the 2022 calendar year.

SECTION 10: The Village of Thornville has territory only in Perry County.

SECTION 11: Pursuant to R.C. 5705.03(B), the Perry County Auditor is hereby requested to certify to the Village of Thornville the total current tax valuation of the Village of Thornville and the dollar amount of revenue that will be generated by a replacement tax levied in the amount of five (5.0) mill.

SECTION 12: The Clerk is hereby directed to certify this Resolution to the Perry County Auditor.

SECTION 13: The forgoing certification shall be issued by the Perry County Auditor to the Village of Thornville within ten (10) days after the Auditor's receipt of this Resolution in accordance with R.C. 5705.03(B)(1)(h)(i).

SECTION 14: 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 Council and that all deliberations of the Council and any of the decision-making bodies of the Village of Thornville which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

SECTION 15: 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 16: Council declares this to be an emergency measure immediately necessary for the preservation of the public peace, health, and safety of the Village and the further reason that the Village needs to start the process of putting this important and necessary replacement tax levy on the November 2021 ballot as soon as possible. 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 22nd day of February, 2021.


Dan Harmon, Mayor

ATTEST:


Stephanie Reyer
Clerk of Council

APPROVED:

Approved as to form this 22nd day of February 2021:



Brian M. Zets, Esq.
Village Solicitor

I, Stephanie Reiter 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. 21-02 passed by Village Council in an open meeting on the
22nd of February 2021.


Clerk of Council