

**CITY OF CHEVIOT
STATE OF OHIO**

ORDINANCE NO. 20 - 16

AN ORDINANCE TO PROCEED WITH SUBMISSION OF THE QUESTION OF LEVYING A 3.00 MILL TAX IN EXCESS OF THE TEN MILL LIMITATION FOR THE PURPOSE OF ROAD IMPROVEMENT IN THE CITY OF CHEVIOT, OHIO. (R.C. 5705.03, 5705.19(G), 5705.191, 5705.192, and 5705.25).

WHEREAS, the Cheviot City Council met in regular session on June 16, 2020, with the following members present:

David Voss
Rae Jean Hardig
James Sunderhaus
Kathleen Zech
Gail Griffin
Amy Richter

Councilman David Voss moved for the adoption of this ordinance.

WHEREAS, on June 2, 2020, by Resolution No. 20-08, this Council declared the necessity to levy a tax in excess of the ten mill limitation; and

WHEREAS, in response to the resolution, the Hamilton County Auditor ("Auditor") has certified the following information to the City of Cheviot:

- 1) The total amount of tax valuation of the City of Cheviot is \$110,026,710.
- 2) The dollar amount that would be generated by the specified 3.00 mills is \$323,442.00. This rate of taxation amounts to \$102.17 in annual tax for each one hundred thousand dollars of market valuation and \$0.300 in tax for each one hundred dollars of tax valuation.

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

Section 1. This Council and the Hamilton County Board of Elections shall proceed with the submission of the question of the tax to the electors of the City of Cheviot.

Section 2. The rate of the tax levy, expressed in mills for each one dollar of tax valuation, as estimated by the Auditor, is as follows:

- a) 3.00 mills;
- b) This rate amounts to \$0.300 for each one hundred dollars of tax valuation;
- c) The levy, being a renewal levy, is the same rate as the existing levy.

Section 3. Pursuant to Section 5705.03(B)(1) of the Ohio Revised Code:

- a) The purpose of the levy is to pay for the general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges in the City of Cheviot.
- b) The levy is a renewal levy. (There is no increase or decrease to the amount sought to be collected.)
- c) The sections of the Ohio Revised Code authorizing submission of the question of the tax are R.C. §§ 5705.03, 5705.19(G), 5705.191, and 5705.25.
- d) The term of the tax shall be five (5) years.
- e) The territory where the tax is to be levied shall be the entire territory of the City of Cheviot, Ohio.
- f) The question of the tax shall appear on the ballot of the general election on November 3, 2020.
- g) The ballot measure is to be submitted upon the entire territory of the City of Cheviot, Ohio.
- h) The tax will be first levied and collected as follows:
 - The tax year in which the tax will first be levied is 2020.
 - The calendar year in which the tax will first be collected is 2021.
- i) The entirety of the City of Cheviot lies within the boundaries of Hamilton County, Ohio.

Section 4. The Auditor of the City of Cheviot is hereby directed to certify the 3.00 mill levy to the Hamilton County Auditor and to the Hamilton County Board of Elections. Certification shall include copies of all of the following documents:

- a) Resolution of Necessity (Resolution No. 20-08, adopted on June 2, 2020);
- b) The Certification of the Hamilton County Auditor (dated June 4, 2020); and
- c) This Ordinance to Proceed.

Certification shall occur by no later than 4:00 p.m. on August 5, 2020 (90 days prior to the general election).

The city auditor shall also notify the Board of Elections to cause notice of the election on the question of levying the tax to be given as required by law.

Section 5. The Board of Elections is hereby directed to submit substantially the following question to the electors at the election:

<p>OFFICIAL QUESTIONS AND ISSUES BALLOT GENERAL ELECTION NOVEMBER 3, 2020</p> <p>PROPOSED TAX LEVY CITY OF CHEVIOT HAMILTON COUNTY, OHIO</p> <p>A majority affirmative vote is necessary for passage.</p>	
<p>A renewal tax for the benefit of the City of Cheviot, Hamilton County, Ohio, for the purpose of the general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges in the City of Cheviot at a rate not exceeding 3.00 mills for each one dollar of valuation, which amounts to \$0.300 for each one hundred dollars of tax valuation, for five (5) years, commencing in 2020, first due in calendar year 2021.</p>	
	FOR THE LEVY
	AGAINST THE LEVY

Section 6. All formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of the Council, and all deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public in accordance with all legal requirements, including R.C. 121.22.

Section 7. This ordinance 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.

Mark G. Waters
President of Council

June 16, 2020

Date passed

Samuel D. Keller
Mayor

June 16, 2020

Date approved

Attest:

Approved as to form:

Jenny M. Eilermann
Clerk of Council

Kimberlee Erdman Rohr
Law Director

CERTIFICATE OF TRUE AND ACCURATE COPY

I, Jenny M. Eilermann, Clerk of the Council of the City of Cheviot, Ohio, hereby certify that the foregoing Ordinance No. 20 - 16 is taken and copied from the record of proceedings of the Cheviot City Council, Hamilton County, Ohio, and that it has been compared by me with the original ordinance on the record and in my possession, and it is a true and accurate copy. Further, I certify that the adoption of Ordinance No. 20 - 16 occurred in an open meeting held in compliance with R.C. 121.22.

Jenny M. Eilermann
Clerk of Council, City of Cheviot, Ohio

CERTIFICATION OF PUBLICATION

I, Jenny M. Eilermann, Clerk of the Council of the City of Cheviot, Ohio, hereby certify that the foregoing Ordinance, or a succinct summary, was or will be published in the *Western Hills Press*, 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:

_____, 2020, and _____, 2020.

Jenny M. Eilermann
Clerk of Council, City of Cheviot, Ohio