

**CITY OF CHEVIOT
STATE OF OHIO**

ORDINANCE NO. 21-11

AN ORDINANCE TO PROCEED WITH THE SUBMISSION OF THE QUESTION OF LEVYING A 3 MILL TAX IN EXCESS OF THE 10 MILL LIMITATION FOR THE PURPOSE OF CURRENT EXPENSES IN THE CITY OF CHEVIOT OHIO (O.R.C. 5705.03, 5705.05, 5705.19(A), 5705.191, 5705.192, AND 5705.25).

WHEREAS, the Cheviot City Council met in regular session on July 6, 2021, with the following members present:

David Voss
Rae Jean Hardig
James Sunderhaus
Kathleen Zech
Stefanie Hawk
Amy Richter

Councilman David Voss moved for adoption of this ordinance.

WHEREAS, on June 1, 2021, by Resolution No. 21-06, 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 \$125,655,250.
2. The dollar amount of revenue that would be generated by the specified 3 mills is \$144,354 per year. This rate of taxation amounts to \$25.74 in annual tax for each one hundred thousand dollars of market valuation and \$0.30 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 to 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 mills;
- b. This rate amounts to \$0.30 for each one hundred dollars of tax valuation;
- c. The levy, being a renewal levy, is the same rate as the existing tax levy.

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

- a. The purpose of the levy is to provide funding for the current expenses of 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 O.R.C. 5705.03, 5705.05, 5705.19(A), 5705.191, 5705.192, 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 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 2, 2021.
- 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 2021

The calendar year in which the tax will first be collected is 2022.

- 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 mill levy to the Hamilton County Auditor and the Hamilton County Board of Elections. Certification shall include copies of the following documents:

- a. Resolution of Necessity (Resolution 21-06, adopted on June 1, 2021);
- b. The Certification of the Hamilton County Auditor (dated June 4, 2021); and
- c. This Ordinance to Proceed.

Certification shall occur no later than 4:00 p.m. on August 4, 2021 (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 2, 2021</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 current expenses at a rate not exceeding 3 mills for each one dollar of valuation, which amounts to \$0.30 for each one hundred dollars of tax valuation, for five (5) years commencing in 2021, first due in calendar year 2022.</p>	
	FOR THE LEVY
	AGAINST THE LEVY

Section 6. All formal actions of this City Council concerning and relating to the passage of this resolution 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 action were conducted in meetings which were open to the public in compliance 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.

Kerry Smyth
President of Council

Date passed

Samuel D. Keller
Mayor

Date approved

Attest:

Approved as to form:

Jenny M. Eilermann

Kimberlee Erdman Rohr

Clerk of Council

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, Ordinance 21-11, is taken and copied from the original record of proceedings of the Council of the City of Cheviot, Hamilton County, that it has been compared by me with the ordinance of record, and that it is a true and accurate copy. I further certify that the adoption of Ordinance 21-11 occurred in an open meeting held in compliance with R.C. 121.22.

Jenny M. Eilermann
Clerk of Council

CERTIFICATE 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 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:

- 1) _____ 2021, and
- 2) _____ 2021.

Jenny M. Eilermann
Clerk of Council