

**RESOLUTION NO. 83-2020**

**TITLE: ADDITIONAL TAX LEVY  
RESOLUTION OF NECESSITY**

**A RESOLUTION OF NECESSITY TO LEVY AN ADDITIONAL 3 MILLS OF TAX TO ENSURE SUFFICIENT FUNDS FOR CURRENT OPERATING EXPENSES OF THE CITY, AND REQUESTING THAT THE COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE CITY AND AMOUNT OF ANNUAL REVENUE THAT WOULD BE GENERATED BY THE PROPOSED 3 MILL INCREASE, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Council of City of Barberton, State of Ohio (“Council”) has determined that the current tax revenue will be insufficient to provide for the necessary requirements of the City of Barberton, State of Ohio’s (the “City”) current operating expenses;

**WHEREAS**, Council has therefore determined that it is necessary to levy an additional 3 mills of tax millage (the “Tax”);

**WHEREAS**, said Tax would be for the purposes of ensuring sufficient funds for the City’s current operating expenses, said purposes being expressly authorized by R.C. 5705.19 and R.C. 5705.191; and

**WHEREAS**, a Resolution declaring the necessity of such a Tax must be approved and certified to the Auditor of Summit County, Ohio (the “Auditor”) in order to permit Council to consider the levy of such a Tax, and must request that the Auditor certify to the Council the total current tax valuation of the City, and the amount of annual revenue that would be generated by the proposed 3 mill increase.

**NOW, THEREFORE, BE IT RESOLVED**, by at least two-thirds (2/3) of the Council of the City of Barberton, Summit County, Ohio, concurring as follows:

**SECTION 1.** That the amount of annual taxes raised by the City’s current inside millage will be insufficient to provide for the necessary requirements and current operating expenses of the City.

**SECTION 2.** That it is necessary for the City to levy the additional Tax, which may be in excess of the ten-mill limitation.

**SECTION 3.** That pursuant to R.C. 5705.03(B)(1), Council hereby makes the following representations:

- a. The purpose of the Tax is to ensure sufficient funds for the City’s current operating expenses, said purposes being expressly authorized by R.C. 5705.19 and R.C. 5705.191;
- b. The Tax is an additional levy;
- c. The sections of the Revised Code authorizing the submission of the Tax question, if in excess of the ten-mill limitation, are R.C. 5705.03, 5705.19, 5705.191, 5705.192, and 5705.25;
- d. The term of the Tax shall be three (3) years;
- e. The Tax shall be levied upon the entire territory of the City;
- f. In the event that the required millage is in excess of the ten-mill limitation, the question of the Tax shall appear as a ballot measure of the November 3, 2020 election;

- g. In the event that the required millage is in excess of the ten-mill limitation, the ballot measure shall be submitted to the electors of the entire territory of the City;
- h. The Tax shall be first levied in the tax year of 2020, and first collected in the calendar year of 2021; and
- i. The City has territory located exclusively in Summit County, Ohio.

**SECTION 4.** That pursuant to R.C. 5703.03(B)(1), the taxing authority of the City is hereby directed to certify a copy of this Resolution to the Auditor. Upon such certification, Council hereby requests that the Auditor promptly return and certify the following information:

- a. The total current tax valuation of the City;
- b. The amount of annual revenue that would be generated by the proposed 3 mill increase over the proposed 3 year term;

**SECTION 5.** That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were meetings open to the public in compliance with the law.

**SECTION 6.** That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, convenience, and welfare of the City of Barberton and the inhabitants thereof, for the reason that the City desires to file this Resolution with the County, and provided it receives the necessary votes required, shall be in full force and effect from and after its passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Passed \_\_\_\_\_ 2020

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
President of Council

Approved \_\_\_\_\_ 2020

\_\_\_\_\_  
Mayor