

2024 MAY 21 AM 9:54

ORDINANCE NO.: 2024-52

FIRST READING May 13, 2024

INTRODUCED BY: Dennis Galicki

SECOND READING Waived

THIRD READING Waived

**ORDINANCE DECLARING IT NECESSARY TO LEVY A TAX IN EXCESS OF THE TEN MILL LIMITATION AND DECLARING AN EMERGENCY.**

The Council of the Village of South Russell, Geauga County, Ohio, met in regular session on the 13 day of May, 2024 at the Village Hall with the following council members present:

Mark Porter, Gerald Canton (Absent), Dennis Galicki, Chris Berger, Ruth Cavanagh, and Chris Bell

Council member Galicki moved for the adoption of the following Ordinance:

**WHEREAS**, Council for the Village of South Russell has received the certification from the County Auditor pursuant to 5705.03(B)(2) of the Ohio Revised Code, and the amount of taxes which may be raised within the ten-mill limitation will be insufficient to provide an adequate amount for the necessary requirements of the Village of South Russell, Geauga County, Ohio.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF SOUTH RUSSELL, GEAUGA COUNTY, OHIO, two-thirds of all members elected thereto concurring that:**

**Section 1.** It is hereby determined the amount of taxes which may be raised within the ten-mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirements of the Village of South Russell and it is necessary to levy a tax in excess of such limitation 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 Section 742.33 of the Ohio Revised Code, or for the payment of other related costs, pursuant to Section 5705.19(J) of the Ohio Revised Code.

**Section 2.** The levy is at a rate not exceeding 2.75 mills for each \$1.00 of taxable value, which amounts to \$51.00 for each \$100,000.00 of the County Auditor's appraised value, for a five (5) year period of time and is a renewal of an existing levy of 2.75 mills first voted on in 2005.

**Section 3.** The ballot measure shall be submitted to the electors of said Village of South Russell and the tax shall be levied on tax shall be levied on the entire territory of the Village of South Russell and within Geauga County.

**Section 4.** The levy is to be placed on the ballot at the election held on November 5, 2024 and shall be first levied in tax year 2025 and begin collection in year 2026.

**Section 5.** The Fiscal Officer of the Village of South Russell be, and she is hereby directed to certify a copy of this Ordinance, along with Ordinance No. 2024-38 and the certification from the County Auditor received pursuant to Section 5705.03(B)(2) of the Ohio Revised Code to the Board of Elections, Geauga County, Ohio on or before August 7, 2024 by 4:00 p.m. local time and notify said Board of Elections to cause notice of election on the question of levying said tax to be given as required by law.

**Section 6.** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees on or after December 2, 1975, that resulted in formal actions, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**Section 7.** That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health and safety of the inhabitants of the Village and for the further reason to ensure the timely certification of such levy to the Geauga County Board of Elections; wherefore, provided it receives the affirmative vote of at least two-thirds (2/3) of all members elected to Council, this Ordinance shall be in full force and effect from and immediately upon its passage by this Council and approval by the Mayor.

Council member Berger seconded the motion and toll being called upon its adoption the vote resulted as follows:

<u>COUNCIL MEMBER</u>	<u>YEA or NAY</u>
Mark Porter	<u>Yea</u>
Gerald Canton	<u>Absent</u>
Dennis Galicki	<u>Yea</u>
Chris Berger	<u>Yea</u>
Ruth Cavanagh	<u>Yea</u>
Chris Bell	<u>Yea</u>

  
 \_\_\_\_\_  
 Mayor - President of Council

Adopted the 13 day of May, 2024.

The State of Ohio, Geauga County, ss.

I, Danielle Romanowski, Fiscal Officer of the Village of South Russell do hereby certify that the foregoing is taken and copied from the Record of the Proceedings of said Village of South Russell; that the same has been compared by me with the Ordinance on said Record; and that it is a true and correct copy thereof.

Witness my signature, this 19<sup>th</sup> day of May, 2024.

  
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 Fiscal Officer

Approved as to Form:

  
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 Bridey Mathoney, Solicitor for the Village of South Russell

ORDINANCE NO.	<u>2024- 38</u>	FIRST READING	<u>April 22, 2024</u>
		SECOND READING	<u>Waived</u>
INTRODUCED BY:	<u>Chris Berger</u>	THIRD READING	<u>Waived</u>

**ORDINANCE REQUESTING THE COUNTY AUDITOR TO CERTIFY TO THE TAXING AUTHORITY THE TOTAL TAX VALUATION OF THE SUBDIVISION AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY A SPECIFIED NUMBER OF MILLS AND DECLARING AN EMERGENCY**

WHEREAS, the Council for the Village of South Russell has determined the amount of taxes which may be raised within the ten-mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirement of the Village of South Russell and it is necessary to levy a tax outside of the ten-mill limitation 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 Section 742.33 of the Ohio Revised Code, or for the payment of other related costs in the Village of South Russell as provided and authorized in Section 5705.19(J) of the Ohio Revised Code;

WHEREAS, the levy is at a rate of 2.75 mills for each one dollar of taxable value, for a 5-year period of time and is a renewal of an existing 2.75 mills levy first voted on in 2005; and

WHEREAS, the ballot measure shall be submitted to the entire Village of South Russell and the tax shall be levied on the Village of South Russell and within Geauga County; and

WHEREAS, the levy is to be placed on the ballot at the election held on November 5, 2024 ballot and shall be first levied in tax year 2025 and begin collection in 2026; and


NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of South Russell, Geauga County, Ohio that:

SECTION 1. Council for the Village of South Russell after meeting in a regular Council meeting on this 22<sup>nd</sup> day of April 2024 at the Village Hall, pursuant to Section 5705.03(B) of the Ohio Revised Code hereby certifies this Ordinance to the Geauga County Auditor, and requests that the County Auditor certify back to the Council for the Village of South Russell the amounts described in Section 5705.03(B)(2) of the Ohio Revised Code that would be generated by the levy proposed herein.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees on or after December 2, 1975, that resulted in formal actions, were in meetings open to the public in compliance with all legal requirements, including Section 121.22, Ohio Revised Code.

SECTION 3. This Ordinance is hereby declared to be an emergency measure for the immediate preservation of the public peace, health, and safety of the Village of South Russell and for the further reason that such certification is necessary as soon as possible to ensure submission of the issue to the Board of Elections in a timely manner. Wherefore, provided it receives two-thirds (2/3) of the votes of all members elected to Council, this Ordinance shall be in full and effect from and immediately upon its passage by this Council and approval by the Mayor; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Passed this 22nd day of April 2024.

  
Mayor – President of Council


Attest:

  
Fiscal Officer

I certify that Ordinance No. 2024-~~38~~ was duly enacted on the 22<sup>nd</sup> day of April 2024 by the Council of the Village of South Russell and published in accordance with the Codified Ordinances of the Village.

  
Fiscal Officer

Approved as to form:

  
Bradley Mathenev  
Village of South Russell Solicitor

## Certificate of Estimated Property Tax Revenue

(Use this form when a taxing authority certifies a millage rate  
and request the revenue produced by that rate.)

The County Auditor of Geauga County, Ohio, does hereby certify the following:

1. On April 25, 2024 the taxing authority of the South Russell Village certified a copy of its resolution or ordinance adopted April 22, 2024 requesting the County Auditor to certify the current tax valuation of the subdivision and the amount of revenue that would be produced by a (2.75) mill, to levy a tax outside the 10-mill limitation for Police purposes pursuant to the Ohio Revised Code §5705.19(J), to be placed on the ballot at the November 5, 2024 election. The levy type is a "Renewal".
2. The estimated property tax revenue that will be produced by the stated millage, assuming the tax valuation of the subdivision remains constant throughout the life of the levy, is calculated to be \$425,000, rounded to the nearest thousand dollars, per year at 100% collection.
3. The total tax valuation of the subdivision used in calculating the estimated property tax revenue is \$247,990,590.
4. The millage for the requested levy is (2.75) mills per \$1 of taxable value, which amounts to \$51.00, rounded to the nearest dollar, for each \$100,000 of the county auditor's appraised value.

  
Auditor's Signature

5/3/2024  
Date

Ordinance No. 2024-38  
Proposed 2.75 Mill "Renewal" Levy for Tax Year 2025 (2026 Collection Year)  
Term 5 Years  
Qualifying Y  
1 yr early Y