

TEMPORARY RESOLUTION NO. 21-23

PERMANENT RESOLUTION NO. 17-23

A RESOLUTION OF NECESSITY TO REQUEST CERTIFICATION FROM THE FAIRFIELD COUNTY AUDITOR FOR THE TOTAL CURRENT TAX VALUATION OF THE CITY OF LANCASTER AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY A REPLACEMENT LEVY OF 3 MILLS FOR EACH ONE DOLLAR OF TAXABLE VALUE FOR THE PURPOSE OF THE GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING, AND REPAIR OF STREETS, ROADS, AND BRIDGES IN THE CITY, AND DECLARING AN EMERGENCY

WHEREAS, Lancaster City Council determined in 2013 and determines now that the amount of tax revenue which may be raised within the 10-mill limitation by levies on the current tax duplicate is insufficient to provide adequate funds for the construction, reconstruction, resurfacing, and repair of streets, roads, and bridges in the City; and

WHEREAS, the current 3-mill levy that is collected for the general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges pursuant to Ohio Revised Code 5705.19(G) in the City is set to expire on December 31, 2023; and

WHEREAS, a replacement tax is necessary to continue to fund the aforementioned improvements and the City needs to obtain the current total tax valuation from the Fairfield County Auditor in order to determine the revenue generated by such a replacement tax; now, therefore,

BE IT RESOLVED by the Council of the City of Lancaster, Ohio, two-thirds of all members elected thereto concurring, that:

SECTION 1. This Council determines that the amount of funds which may be raised within the 10-mill limitation by levies on the current tax duplicate is insufficient to provide adequate revenue for the purpose of general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges in the City and this Council further determines it is necessary to levy a replacement tax in excess of such 10-mill limitation for such purposes.

SECTION 2. This Council will submit to all electors of the City of Lancaster at the primary election to be held in the City of Lancaster, Fairfield County, Ohio, on May 2, 2023, the question of levying a replacement tax of 3 mills for each \$1.00 in taxable value for ten (10) years for the purpose of the general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges in the City.

SECTION 3. This Council, as taxing authority for the City pursuant to Ohio Revised Code 5705.01(C), proposes a tax to be levied not to exceed 3 mills for each \$1.00 of taxable value and \$105.00 for each \$100,000.00 of the County Auditor's appraised value, which is the same as the rate of the existing levy.

SECTION 4. The proposed tax will first be levied in tax year 2023 and first collected in calendar year 2024 on every parcel inside the municipal corporation limits of the City of Lancaster which lay exclusively in Fairfield County.

SECTION 5. This Council, as the taxing authority for the City and pursuant to Ohio Revised Code Section 5705.03(B), requests that the Fairfield County Auditor certify to this Council the current total tax valuation of the City of Lancaster and the dollar amount that would

be generated by a replacement tax not to exceed 3 mills for each \$1.00 of taxable value for the purposes stated above pursuant to Ohio Revised Code Section 5705.19(G).

SECTION 6. The Clerk of this Council is directed to certify a copy of this resolution to the Fairfield County Auditor pursuant to the provisions of Ohio Revised Code Section 5705.03(B), and the Clerk is authorized to perform all actions necessary to accomplish the purpose of this resolution.

SECTION 7. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were taken in meetings open to the public in compliance with the law.

SECTION 8. This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the City and for the further reason that this resolution must be delivered to the Fairfield County Auditor in order to obtain the Fairfield County Auditor's certification of the facts requested prior to determining whether to submit the question of the additional tax to the electors on May 2, 2023; wherefore, this resolution shall take effect and be in force immediately upon its adoption and approval by the Mayor.

Passed: 1/23/2023 after 1 reading. Vote: Yeas 8 Nays 0

Approved: 1/23/23 I need a call

Attest: Teresa Lee Sandy President of Council
David L. Sheffer Mayor

The foregoing is a true and correct copy of Resolution 17-2023 as adopted by the Council of the City of Lancaster, Ohio at its meeting on 1/23, 2023.

Offered by: Cory Shaonam

Second by: Mary R. Tener

Requested by Law Committee

I, Teresa Lee Sandy, Clerk of Council do hereby certify that on _____, 2023 and _____, 2023 the Lancaster Eagle Gazette published the summary of this resolution in accordance with Ohio Revised Code 731.24.

Clerk of Council