

**COUNCIL CHAMBER**

**VILLAGE OF KELLEYS ISLAND, OHIO**

**RESOLUTION NO. 2024 – R - 10**

**INTRODUCED BY: MAYOR RONALD E. EHRBAR**

**A RESOLUTION DECLARING IT NECESSARY TO REPLACE THE EXISTING 3.0 MILL FOR GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING AND REPAIR OF STREETS, ROADS AND BRIDGES WITH A LEVY OF THE SAME 3.0 MILL RATE TO CONTINUE TO PROVIDE FUNDS FOR GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING AND REPAIR OF STREETS, ROADS AND BRIDGES AND SUBMITTING THE QUESTION OF SUCH REPLACEMENT LEVY FOR GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING AND REPAIR OF STREETS, ROADS AND BRIDGES TO THE ELECTORS OF THE VILLAGE OF KELLEYS ISLAND, OHIO,**

**WHEREAS**, the Village of Kelleys Island has levied a tax in excess of the 10-mill limitation pursuant to Section 5705.19 of the Revised Code for the purpose of providing funds for General construction, reconstruction, resurfacing and repair of streets, roads and bridges for five (5) years and such levy expires in tax year 2024, with collections ending in 2025; and

**WHEREAS**, the Council has determined that pursuant to Section 5705.192, it is necessary to replace said tax levy with a levy of the same 3.0 mill rate to continue to provide funds for General construction, reconstruction, resurfacing and repair of streets, roads and bridges; and

**WHEREAS**, the Erie County Auditor has certified the total current tax valuation of the Village and the dollar amount of revenue that would be generated by the 3.0 replacement levy for General construction, reconstruction, resurfacing and repair of streets, roads and bridges levy, a copy of the County Auditors certification is attached hereto as Exhibit "A"; and

**WHEREAS**, having received said certification from the County Auditor, the Council is hereby desirous of submitting the question of the replacement levy to the electors of Kelleys Island for approval.

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF KELLEYS ISLAND, COUNTY OF ERIE, AND STATE OF OHIO:**

**SECTION 1:** This Council finds, determines and declares that the amount of taxes which may be raised by the Village of Kelleys Island by levies on the current tax duplicate within the 10-mill limitation will be insufficient to provide an adequate amount for the necessary requirements of the Village.

**SECTION 2:** This Council further finds, determines and declares it is necessary pursuant to Ohio Revised Code Section 5705.19 and 5705.192 to replace the existing 3.0 mill levy in excess of 10 mill limitation to provide for General construction, reconstruction, resurfacing and repairs of streets, roads and bridges of the Village, with such replacement levy to be at the same rate of 3.0 mills for each One Dollar (\$1) of valuation, which amounts to \$ 105.00 for each \$100,000.00 of the County Auditors appraised value, and the County Auditor estimates that it will collect \$306,000.00 annually for a period of five (5) years commencing with the 2025 tax list and duplicate, first to be distributed to the Village in year 2026.

**SECTION 3:** The question of the replacement of the existing 3.0 mill General construction, reconstruction, resurfacing and repair of streets, roads and bridges levy with a levy of the same 3.0 mill rate for General construction, reconstruction, resurfacing and repair of streets, roads and bridges of the Village for a period of five (5) years beginning with the 2025 tax list and duplicate ( the tax list and duplicate for the current year) the proceeds of which first

would be distributed to the Village in calendar year 2026, shall be submitted under the provisions of the Ohio Revised Code 5705.19, 5705.192 and 5705.25 to the electors of the entire territory of the Village of Kelleys Island, at the General Election to be held therein on November 5, 2024 in the following form:

**PROPOSED TAX LEVY REPLACEMENT FOR GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING AND REPAIR OF STREETS, ROADS AND BRIDGES IN VILLAGE OF KELLEYS ISLAND, OHIO**

A majority affirmative vote is necessary for approval.

A replacement of a tax for the benefit of the Village of Kelleys Island for the purpose of providing funds for General construction, reconstruction, resurfacing and repair of streets, roads and bridges of the Village, that the County Auditor estimates will collect \$ 306,000 annually, at a rate not exceeding 3.0 mills for each \$ 1 of taxable value, which amounts to \$ 105.00 for each \$100,000 of the County Auditors appraised value for five years.

	<b>For the Levy</b>
	<b>Against the Levy</b>

**SECTION 4:** The Clerk/Treasurer of the Village of Kelleys Island hereby directed to certify a copy of this Resolution, along with a copy of the County Auditors certification as required under Ohio Revised Code 5705.03 (B), a copy which is attached here as Exhibit "A" to the Board of Elections for Erie County, Ohio, not later than August 7, 2024 at 4:00 P.M. to notify the Board of Elections to cause notice of the election on the question of replacement of said current General construction, reconstruction, resurfacing and repair of streets, roads and bridges tax levy to be given as required by law and to take all other actions required by law relative to the submission of said issue to the electors.

**SECTION 5:** That it is found and determined that all formal actions of the adoption of this Resolution were adopted in an open meeting of such body, and that all deliberations of the Council of the Village and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

**SECTION 6:** That this Resolution shall take effect and be in force immediately from and after its passage.

**DATED THIS 21<sup>st</sup> DAY OF June, 2024.**

  
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**MAYOR RONALD E. EHRBAR**

**ATTEST:**  
  
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**LISA M. KLONARIS, Clerk-Treasurer**