

COUNCIL PRESIDENT-JOHN S. DIETRICH
COUNCIL AT LARGE-DAVID JANIK
COUNCIL AT LARGE-JOSEPH MILLER
COUNCIL AT LARGE- PHIL VAN TREUREN

COUNCIL WARD ONE-STEVE BUKOVAC
COUNCIL WARD TWO- DAVE GOODELL
COUNCIL WARD THREE-CHUCK WINIARSKI
COUNCIL WARD FOUR-JENNIFER WASILK



CITY OF AMHERST, OHIO

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A G E N D A

January 9, 2017
REGULAR MEETING
7:00 P. M.

0-17-01
R-17-01
A-17-02

1. Roll call: Mr. Van Treuren, Mrs. Wasilk, Mr. Winiarski, Mr. Miller, Mr. Janik, Mr. Bukovac, Mr. Goodell
2. Prayer: Chaplin Wasilk
3. Pledge to the Flag: Sergeant at Arms Bukovac
4. Consent Agenda: Minutes of the Regular Council Meeting held December 12, 2016
Minutes of the Executive Session held December 12, 2016
Minutes of the Annexation Committee Meeting held January 2, 2017
Minutes of the Police and Fire Committee Meeting held January 2, 2017
5. Acknowledgement of the public pertaining to items on the agenda
6. **ORDINANCES AND RESOLUTIONS FIRST READING:**
 - (a) A resolution pursuant to Ohio Revised Code Section 5705.19, submitting to the electors of the City of Amherst the question of a renewal levy for a period of five (5) years for the purpose of providing and maintaining fire apparatus, appliances, buildings or sites therefor for the Fire Department of the City of Amherst, Ohio; and declaring an emergency (A-17-01 formally A-16-69)
7. **ORDINANCES AND RESOLUTIONS SECOND READING:**
 - (a) A resolution of necessity for the construction and repair of sidewalks for the year 2017. (A-16-67)
8. **ORDINANCES AND RESOLUTIONS THIRD READING: NONE**
9. Miscellaneous and acknowledgement of the public
10. Agenda requests and committee meeting schedules
11. Reports of the Administration
12. Adjournment

R-17-_____

A RESOLUTION PURSUANT TO OHIO REVISED CODE SECTION 5705.19, SUBMITTING TO THE ELECTORS OF THE CITY OF AMHERST THE QUESTION OF A RENEWAL LEVY FOR A PERIOD OF FIVE (5) YEARS FOR THE PURPOSE OF PROVIDING AND MAINTAINING FIRE APPARTUS, APPLIANCES, BUILDINGS, OR SITES THEREFOR FOR THE FIRE DEPARTMENT OF THE CITY OF AMHERST, OHIO; AND DECLARING AN EMERGENCY.

WHEREAS, Council of the City of Amherst adopted Resolution R-16-64 resolving to levy a tax in excess of the ten-mill limitation for the purpose of providing and maintaining fire apparatus. appliances. buildings or sites therefor for the Fire Department of the City of Amherst, Ohio in the amount of 1 mill for a period of five (5) years to be a renewal levy; and

WHEREAS, pursuant to O.R.C. §5705.03 (B), Resolution R-16-64 was certified to the Lorain County Auditor: and

WHEREAS, the Lorain County Auditor certified to the City of Amherst the total current tax valuation of the City of Amherst and the estimated property tax revenue that will be produced by a 1 mill levy to be \$282,638 on a total tax valuation for the City of \$302,559,460; and

WHEREAS, the Finance Committee, at its regular meeting of January 2, 2017 recommended that Council adopt a Resolution to proceed with the submission of the question of the tax to the electors of the City of Amherst.

NOW, THEREFORE, be it ordained by the Council of the City of Amherst, County of Lorain, and State of Ohio:

SECTION 1. That it is hereby found, determined and declared that the amount of taxes which may be raised by the City of Amherst within the ten-mill limitation by levies on the current tax duplicate will be insufficient to provide for necessary requirements of this City, and that it is necessary to levy a tax in excess of such limitation for the purpose of providing and maintaining fire apparatus, appliances, buildings or sites therefor for the Fire Department of the City of Amherst, Ohio in the amount of 1 mill for a period of five (5) years, to be a renewal levy.

SECTION 2. That the question of a renewal levy of 1 mill for the purpose of providing fire apparatus, appliance, buildings or sites therefor for the Fire Department of the City of Amherst, Ohio for a period of five (5) years beginning with a levy on the tax list and duplicate for the year 2017, the proceeds of which levy first would be available to the City in the calendar year 2018, shall be submitted under the provisions of Ohio Revised Code Section 5705.19 (I), to the electors of the City of Amherst at an election to be held therein on the 2nd day of May, 2017, as authorized by law, and said election shall be held at the regular places of voting in said City as established by the Board of Elections of Lorain County, or otherwise, within the times provided by law and shall be conducted, canvassed and certified in the manner provided by law.

SECTION 3. That the form of the ballot to be cast at the election on the question of this tax levy shall be as follows:

PROPOSED TAX LEVY (RENEWAL)
CITY OF AMHERST

A majority affirmative vote is necessary for passage.

A renewal tax for the benefit of the City of Amherst for the purpose of providing and maintaining fire apparatus, appliances, building or sites therefor for the Fire Department of the City of Amherst, Ohio at a rate not exceeding 1 mill for each one dollar of valuation, which amounts to 10 cents for each one hundred dollars of valuation, for a period of five (5) years, commencing with a levy on the 2017 tax list and duplicate.

FOR THE LEVY
AGAINST THE LEVY

SECTION 4. That the Clerk of Council is hereby authorized and directed to request that notice of said election be given as provided by law.

SECTION 5. That said Clerk of Council be and hereby is, directed to certify a copy of this Resolution to the Board of Elections of Lorain County no later than 4:00 P.M. ninety (90) days before the 2nd day of May, 2017 which certified copy shall be accompanied by the Lorain County Auditor's Certificate of Estimated Property Tax Revenue and Worksheet also attached to this Resolution.

SECTION 6. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted 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 in meetings open to the Public and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 7. That this Resolution is hereby declared to be an emergency measure necessary for the preservation of public peace, health, safety and welfare of the citizens of Amherst, Ohio. The emergency the immediate necessity of providing sufficient revenue to provide and maintain fire apparatus, appliances, building and sites therefor for the Fire Department of the City of Amherst, Ohio; and provided it receives the majority vote of two-thirds or more of those elected to City Council, it shall go into full force and effect from and immediately after its passage and its approval by the Mayor; otherwise it shall take effect at the earliest period allowed by law.

1st reading _____

John S. Dietrich, Council President

2nd reading _____

3rd reading _____

APPROVED

PASSED _____

Mark Costilow, Mayor

ATTEST _____

Approved as to form by:

Anthony Pecora, Director of Law

Filed with the Mayor: _____