

1 RESOLUTION NO. 2013-175

2
3 SPONSOR Mr. Pry and Council of the Whole

4
5 DATE April 29, 2013

COMMITTEE Committee of the Whole

6
7 **A Resolution declaring the necessity of levying a renewal property tax levy of eight-tenths**
8 **(0.8) mill for operating and capital expenses for the provision and maintenance of**
9 **zoological park services and facilities at the Akron Zoological Park, for the Executive and**
10 **Council, and declaring an emergency**

11
12 WHEREAS, the Akron Zoological Park has requested this Council to submit the question
13 of an eight-tenths (0.8) mill renewal property tax levy to the voters of Summit County, Ohio.

14
15 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
16 of Ohio, that:

17
18 SECTION 1

19
20 **Findings and Determinations.** This Council makes the following findings and
21 determinations:

- 22
23 (a) The Akron Zoological Park (the "Akron Zoo"), a nonprofit corporation, operates
24 and maintains a zoological park in the County.
- 25
26 (b) Section 307.76 of the Ohio Revised Code authorizes the County to contract with
27 or contribute to a nonprofit corporation to maintain and operate a zoological park
28 in the County and to provide for the acquisition, disposition, and care of the
29 animals to be exhibited at the zoological park, and the County has entered into an
30 agreement with the Akron Zoo dated as of February 22, 2000, as amended as of
31 January 15, 2001, for that purpose.
- 32
33 (c) Section 5705.19 of the Ohio Revised Code authorizes Council to submit to the
34 voters the question of levying a tax in excess of the ten-mill limitation for
35 operating and capital expenses for the provision and maintenance of zoological
36 park services and facilities authorized under Section 307.76 of the Ohio Revised
37 Code.
- 38
39 (d) The voters approved a tax levy (the "Expiring Tax Levy") for that purpose at the
40 November 7, 2006 election in the amount of eight-tenths (0.8) mill. The last
41 collection year of the Expiring Tax Levy is 2014.
- 42
43 (e) The amount of taxes that may be raised within the ten-mill limitation for the
44 County will be insufficient to provide financial support for the operation and
45 maintenance of the Akron Zoo. It is necessary to levy a tax in excess of the
46 ten-mill limitation (the "Renewal Tax Levy"), by renewing the Expiring Tax
47 Levy, for operating and capital expenses for the provision and maintenance of
48 zoological park services and facilities at the Akron Zoo.
- 49

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4 SECTION 2

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6 **Terms of the Renewal Tax Levy.** The Renewal Tax Levy will have the following terms:

- 7
8 (a) The Renewal Tax Levy will be levied under the authority of Section 5705.19 of
9 the Ohio Revised Code.
10
11 (b) The Renewal Tax Levy will be in the amount of eight-tenths (0.8) mill for each
12 one dollar of tax value, which amounts to eight cents (\$0.08) for each one
13 hundred dollars of tax value.
14
15 (c) The Renewal Tax Levy will be for a period of seven years, beginning on the tax
16 list and duplicate for the year 2014, the proceeds of which would be first
17 distributed to the County in 2015.
18

19 SECTION 3

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21 **Submission of Renewal Tax Levy to Voters.** The question of the Renewal Tax Levy
22 will be submitted to the voters of the County at the general election to be held in the County on
23 November 5, 2013. That election will be held at the regular places of voting in the County as
24 established by the Board of Elections of the County, within the times provided by law, and will
25 be conducted, canvassed, and certified in the manner provided by law.
26

27 SECTION 4

28
29 **Request of County Fiscal Officer.** In accordance with Section 5705.03, Revised Code,
30 this Council requests the County Fiscal Officer to certify to this Council the total current tax
31 valuation of the County and the dollar amount of revenue that would be generated by the
32 Renewal Tax Levy in the amount of eight-tenths (0.8) mill.
33

34 SECTION 5

35
36 **Ballot Form.** The form of the ballot will be substantially as follows:

37
38 Proposed Tax Levy
39 (Renewal)
40 Summit County
41

42 A majority affirmative vote is necessary for passage

43
44 A renewal of a tax for the benefit of the County of Summit, Ohio
45 for the purpose of operating and capital expenses for the provision
46 and maintenance of zoological park services and facilities at the
47 Akron Zoo at a rate not exceeding eight-tenths (0.8) mill for each
48 one dollar of valuation, which amounts to eight cents (\$0.08) for
49 each one hundred dollars of valuation, for a period of seven years.
50

1 RESOLUTION NO. 2013-175

2 PAGE THREE

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4 SECTION 6

5
6 **Statement of Emergency.** This Resolution is declared to be an emergency measure
7 necessary for the immediate preservation of the public peace, health, and safety of the County,
8 and for the further reason that this resolution is required to be immediately effective to enable the
9 County Fiscal Officer to calculate the amounts requested in Section 4 and to certify the question
10 to the Board of Elections in time for the November 5, 2013 election.

11
12 SECTION 7

13
14 **Effective Date.** Provided this Resolution receives the affirmative vote of eight members,
15 it will take effect immediately upon its adoption and approval by the County Executive;
16 otherwise, it will take effect and be in force at the earliest time provided by law.

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18 SECTION 8

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20 **Open Meetings.** It is found and determined that all formal actions of this Council
21 concerning and relating to the adoption of this Resolution were adopted in an open meeting of this
22 Council, and that all deliberations of this Council and any of its committees that resulted in such
23 formal action were in meetings open to the public, in compliance with legal requirements, including
24 Section 121.22 of the Ohio Revised Code.

25
26
27 INTRODUCED April 15, 2013

28
29 ADOPTED April 29, 2013

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32 
33 CLERK OF COUNCIL

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35 
36 PRESIDENT OF COUNCIL

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38 APPROVED April 30, 2013

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40 
41 EXECUTIVE

ENACTED EFFECTIVE April 30, 2013

Voice Vote: 11-0 YES: Komunale, Crawford, Feeman, Kostandaras
Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro