

ORDINANCE NO. 2023-0-14

**AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF A PROPOSED AMENDMENT TO THE CHARTER OF THE CITY OF MENTOR ON THE LAKE AUTHORIZING THE AMENDMENT OF ARTICLE XII, SECTION 12.06 IN ORDER TO CONTINUE THE EXISTING 1.2-MILL TAX LEVY FOR THE PURPOSE OF PROVIDING FOR ROAD CONSTRUCTION AND REPAIR PURPOSES OF THE CITY FOR FIVE MORE YEARS THROUGH TAX YEAR 2028**

WHEREAS, the voters of the City of Mentor on the Lake on November 4, 2014 enacted Charter Amendment 12.06 that provided for a levy of 1.2 mills for the purpose of providing operating funds for road construction and repair for the City for a period of five years beginning with tax year 2014 and ending with tax year 2018; and

WHEREAS, the voters of the City of Mentor on the Lake on November 6, 2018 enacted Charter Amendment 12.06 that provided for a renewal of the levy of 1.2 mills for the purpose of providing operating funds for road construction and repair for the City Department for a period of five years beginning with tax year 2019 and ending with tax year 2023;

WHEREAS, the City Council is requesting that this Charter Amendment be amended so that this Charter levy is renewed for an additional five years through tax year 2028.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MENTOR-ON-THE-LAKE, COUNTY OF LAKE, AND STATE OF OHIO, that the Council of Mentor-on-the-Lake hereby submits to the Lake County Board of Elections and to the voters of the City of Mentor-on-the-Lake the following proposed Charter Amendment as follows:

Section 1. This Council hereby authorizes and directs that the following proposal to amend Article XII, Section 12.06 Road Construction and Repair Levy of the Charter of the City of Mentor on the Lake, Ohio, be submitted to the electors of the City on Tuesday, November 7, 2023:

That Article XII, Section 12.06 Road Construction and Repair 1.2 mill Levy is amended as follows:

In addition to the levies provided for in this Article XII, commencing with the tax list and duplicate for the year 2014, the Council is hereby granted the authority, without a vote of the people, to levy taxes for an initial period of

five years beginning with the tax list and duplicate for 2014 and ending with the tax list and duplicate for the year 2018 and then to continue that levy for another five years beginning with the tax list and duplicate for 2019 and ending with the tax list and duplicate for the year 2023 upon the tax lists or duplicates of property assessed and listed for taxation according to value, and then to continue that levy for another five years beginning with the tax list and duplicate for 2024 and ending with the tax list and duplicate for the year 2028 upon the tax lists or duplicates of property assessed and listed for taxation according to value an amount not in excess of 1.2 mills per dollar of assessed valuation, for the purpose of providing funds for the construction and repair of the roads of Mentor-on-the-Lake. The amount of taxes in each year so levied pursuant to this section shall not be subject to the limitations on the rate of taxation provided in this Charter and shall be in addition to any taxes levied by Council pursuant to any provision of this Charter or the general laws of the State of Ohio. There is hereby established a special revenue fund of the Municipality, to be known as the "Road Construction and Repair Fund," into which the proceeds of the tax levied pursuant to this section shall be deposited. Moneys credited to that revenue fund shall be used only for the purposes of constructing and repairing the roads of the City of Mentor-on-the-Lake.

Section 2. That if such Charter Amendment is approved by a majority of the electors voting thereon at such election, said Amendment shall become effective from and after the time of its approval by the electors.

Section 3. That the Clerk of Council be and she hereby is directed to mail no less than thirty days prior to the election a copy of the above proposed Charter amendments, additions or revisions to each elector whose name appears upon the poll or registration books of the last regular or general election held in the City, or cause to be published the full text of the proposed Charter amendments, additions or revisions as set forth above, once a week for not less than two consecutive weeks in a newspaper of general circulation within the City, with the first publication being at least fifteen (15) days prior to the election hereinbefore provided, all, in accordance with Section 9 of Article XVIII of the Ohio Constitution, Section 731.211 of the Ohio Revised Code, and the Charter of the City of Mentor-on-the-Lake.

SECTION 4. That the Clerk of Council is hereby authorized

and directed to forward a certified copy of this Ordinance to the Board of Elections of Lake County, 105 Main Street, P.O. Box 490, Painesville, OH 44077.

SECTION 5. That the Board of Elections of Lake County is hereby requested to cause appropriate notice of such election to be duly given in accordance with law.

SECTION 6. That the form of ballots to be cast at the election shall be as follows:

#### **PROPOSED CHARTER AMENDMENT**

**(A majority affirmative vote is necessary for passage)**

Shall Article XII, Taxation Section 12.06 Road Construction and Repair Levy of the Charter of Mentor on the Lake be amended to authorize the renewal of the Charter Amendment levy for a period of five years so that Council has the right to continue the levy of the 1.2 mill tax for an additional period of five years beginning with the tax duplicate for 2024 and ending with the tax list and duplicate for the year 2028 for the purpose of providing funds for road construction and repair for the City of Mentor on the Lake so that Article XII, Section 12.06 of the Charter as amended would now read as follows:


In addition to the levies provided for in this Article XII, commencing with the tax list and duplicate for the year 2014, the Council is hereby granted the authority, without a vote of the people, to levy taxes for an initial period of five years beginning with the tax list and duplicate for 2014 and ending with the tax list and duplicate for the year 2018 and then to continue that levy for another five years beginning with the tax list and duplicate for 2019 and ending with the tax list and duplicate for the year 2023 upon the tax lists or duplicates of property assessed and listed for taxation according to value, an amount not in excess of 1.2 mills per dollar of assessed valuation, and then to continue that levy for another five years beginning with the tax list and duplicate for 2024 and ending with the tax list and duplicate for the year 2028 upon the tax lists or duplicates of property assessed and listed for taxation according to value for the purpose of providing funds for the construction and repair of the roads of Mentor-on-the-Lake. The amount of taxes in each year so levied pursuant to this section shall not be subject to the limitations on the rate of taxation provided in this Charter and shall be in addition to any taxes

levied by Council pursuant to any provision of this Charter or the general laws of the State of Ohio. There is hereby established a special revenue fund of the Municipality, to be known as the "Roads Construction and Repair Fund," into which the proceeds of the tax levied pursuant to this section shall be deposited. Moneys credited to that revenue fund shall be used only for the purposes of constructing and repairing the roads of the City of Mentor-on-the-Lake.

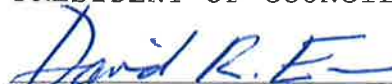
Section 7. That the proposed Charter amendment is being submitted pursuant to the submission of said amendments, additions and revisions by the City Council of the City of Mentor-on-the-Lake, as provided in Section 11.04 of the Charter.

Section 8. That all formal actions of this Council concerning the passage of this Ordinance were adopted in an open meeting, and that all deliberations of this Council, or any of its Committees, which 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.

**WHEREFORE,** this Ordinance shall be in full force and effect as provided by law upon its passage by the affirmative vote of five (5) or more members of Council and approval by the Mayor.



ROBERT JOHNSON  
PRESIDENT OF COUNCIL



DAVID R. EVA  
MAYOR

ADOPTED: July 25, 2023

ATTEST: Joyce M. Payne  
Clerk of Council