

ORDINANCE NO. 2025-17

**AN ORDINANCE
PROVIDING FOR THE SUBMISSION TO THE ELECTORS
OF THE VILLAGE OF KIRTLAND HILLS A PROPOSED
AMENDMENT TO THE CHARTER OF THE VILLAGE TO
AUTHORIZE A LEVY OF FIVE (5) MILL FOR THE
PURPOSE OF FUNDING ROADS AND INFRASTRUCTURE
IMPROVEMENTS, AND DECLARING AN EMERGENCY.**

WHEREAS, pursuant to Article XVIII, Section 9, of the Constitution of the State of Ohio and Article XIV, Section 1 of the Charter of the Village of Kirtland Hills, this Council, by a vote of two-thirds of its members, has the authority to submit proposed amendments to the Charter of the Village of Kirtland Hills; and

WHEREAS, the Mayor and Council of Kirtland Hills have reviewed the Village's financial condition and have determined that additional funding for roads and infrastructure is necessary; and

WHEREAS, this Council finds and determines that the Village Charter should be amended to include a five (5) mill levy; and

WHEREAS, this Council chooses the date of November 4, for a special election on the Charter amendment proposal hereinafter set forth, which election is not less than sixty (60) days nor more than one hundred twenty (120) days from the date of passage of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF KIRTLAND HILLS, LAKE COUNTY, STATE OF OHIO, AT LEAST TWO-THIRDS (2/3) OF THE MEMBERS OF COUNCIL CONCURRING:

SECTION 1. That this Council hereby authorizes and directs the submission to the electors of the Village of Kirtland Hills, at an election to be held at the usual places of voting in said Village, on Tuesday, November 4, 2025, of the following proposal to amend the Charter of the Village.

That existing Article X, Fiscal Matters-Taxation, be amended to include a new Section 10.5, Road and Infrastructure Levy, which shall read as follows:

SECTION 10.5 – Road and Infrastructure Levy

In addition to the power of Council to levy taxes pursuant to the Constitution of the State of Ohio and Chapter 5705 of the Ohio Revised Code, and notwithstanding the provisions of Section 2 of Article X, the Council may also levy annually, commencing with the tax year 2025, without an additional vote of the people, and in addition to all taxes within the constitutional and statutory ten-mill limitation, a tax in an amount not to exceed in any one year five (5) mills per dollar of assessed valuation upon all real and personal property listed and assessed for taxation upon the tax lists and duplicates of the Municipality for the purpose of (i) paying the costs of improving Roads and other Permanent Improvements, as

defined in Section 133.01(CC) of the Ohio Revised Code, including any of the costs of Permanent Improvements described in Section 133.15(B) of the Ohio Revised Code, or (ii) paying the Debt Charges, as defined in Section 133.01(J) of the Ohio Revised Code, on Securities, as defined in Section 133.01 (KK) of the Ohio Revised Code, issued by the Village, the proceeds of which are used to pay such costs of such Road and other Permanent Improvements.

SECTION 2. That the form of ballot to be cast at the election for the proposed charter amendment contained in Section 1 shall read and provide as follows:

"PROPOSED CHARTER AMENDMENT TO ENACT THE
ROAD AND INFRASTRUCTURE LEVY
A majority affirmative vote is necessary for passage

Shall the Charter of the Village of Kirtland Hills be amended to provide that the Village may, commencing with the tax year 2025, levy a tax of up to five (5) mills, provided that the use of such taxes is limited to paying: (i) the costs of improving roads and other permanent improvements; and (ii) all charges for debt which has been issued to pay the costs of improving roads and other permanent improvements?"

SECTION 3. That if such amendment is approved by a majority of the electors voting thereon at such election, such amendment shall become effective from and after the date that the Lake County Board of Elections certifies the results of the election on this issue.

SECTION 4. That the Clerk-Treasurer is hereby authorized and directed to cause copies of said proposed charter amendments to be mailed at least thirty (30) days prior to said election, to each elector in this Village whose name appears upon the registration book of the last regular or general elections held in the Village; provided, however, that in lieu of such mailing and to the extent provided by law, the Clerk-Treasurer is hereby authorized to cause a copy of the proposed charter amendments to be published in such manner as may be authorized by law.

SECTION 5. That the Clerk-Treasurer be, and hereby is, authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Lake County.

SECTION 6. That the Board of Elections of Lake County is hereby requested to cause appropriate notice of such special election to be duly given, and to conduct such special election within the Village, in accordance with law.

SECTION 7. That there is hereby appropriated from the General Fund of the Village, an amount sufficient to pay the cost of carrying out the directions of this Ordinance, including the cost of printing or otherwise preparing and mailing or publishing said copies of said proposed charter amendments and of publishing notice of such election.

SECTION 8. That this Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village of Kirtland Hills and, further, for the reason that this Ordinance must be immediately effective in order to permit necessary arrangements to be made in sufficient time for the general election to be held in November of 2025; wherefore, this Ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

PASSED: 7-21-25

V. Zy
CLERK/TREASURER

J. C. T...
MAYOR