

RECORD OF PROCEEDINGS

Minutes of Concord Township Board of Trustees Meeting

Held on August 22, 2018

The Concord Township Board of Trustees met for a Public Hearing August 22, 2018, at 7:00 p.m., in Town Hall, located at 7229 Ravenna Road. Chairman Christopher A. Galloway opened the Public Hearing. Trustees present were Paul R. Malchesky, Caroline N. Luhta and Christopher A. Galloway.

It was established that legal notice had been made.

The purpose of the hearing was to discuss Resolution 2018-20, to enact a Township permissive motor vehicle license tax pursuant to R.C. 4504.18.

Mr. Galloway opened the hearing for comments from the audience and the board.

Since there were no comments from the audience or board the public hearing was closed at 7:01 p.m.

The Concord Township Board of Trustees met for the second (2) Public Hearing August 22, 2018, at 7:15 p.m., in Town Hall, located at 7229 Ravenna Road. Chairman Christopher A. Galloway opened the Public Hearing. Trustees present were Paul R. Malchesky, Caroline N. Luhta and Christopher A. Galloway.

It was established that legal notice had been made.

The purpose of the hearing was to discuss Resolution 2018-24, to adopt a Limited Home Rule Government pursuant to R.C. 504.01. Mr. Rose gave a presentation. See transcripts for details.

The audience had no comments. Mr. Galloway added dialog to Mr. Rose's presentation. See transcripts for more detail.

The Public Hearing closed at 7:23 p.m.

The Concord Township Board of Trustees met for a Special Meeting August 22, 2018, at 7:30 p.m., in Town Hall, located at 7229 Ravenna Road. Chairman Christopher A. Galloway called the meeting to order and Paul R. Malchesky led in the Pledge of Allegiance. Trustees present were Caroline N. Luhta, Paul R. Malchesky and Christopher A. Galloway.

AUDIENCE

- None

- A. DECISION ON RESOLUTION 2018-20, TO ENACT A TOWNSHIP PERMISSIVE MOTOR VEHICLE LICENSE TAX PURSUANT TO R.C. 4504.18. Mr. Malchesky moved to adopt the following resolution:

RESOLUTION NO. 2018-20

A RESOLUTION TO ENACT A TOWNSHIP PERMISSIVE MOTOR VEHICLE LICENSE TAX PURSUANT TO R.C. 4504.18.

WHEREAS, the Board of Trustees recognizes the importance of maintaining township roads and the funds available for road maintenance remain stagnant while the costs of road maintenance continue to increase; and

WHEREAS, the Board of Trustees has determined that there is a need for additional revenue to meet and pay costs and expenses associated with the projects, purchases and purposes listed in R.C. 4504.18 and because such statute and list may, from time to time be amended, supplemented, and/or changed; and

WHEREAS, R.C. 4504.18 authorizes a board of township trustees to levy an annual license tax, in addition to the tax levied by R.C. 4503.02, 4503.07, and 4503.18, upon the operation of motor vehicles on public roads and highways in the unincorporated territory of the township; and

WHEREAS, such tax shall be levied at the rate of five dollars and zero cents (\$5.00) per motor vehicle on all motor vehicles the owners of which reside in the unincorporated area of the township and shall be in addition to the taxes at the rates specified in R.C. 4503.04 and 4503.16, subject to reductions in a manner provided in R.C. 4503.11 and the exemptions provided in R.C. 4503.16, 4503.17, 4503.71, 4503.41, and 4503.43; and

WHEREAS, in order to satisfy the above-specified need for additional revenue, the Board of Trustees desires to levy the annual license taxes authorized by R.C. 4504.18 at the rate of five dollars and zero cents (\$5.00), per motor vehicle on all motor vehicles the owners of which reside in the registration district known as the unincorporated area of Concord Township, Lake County, Ohio; and

WHEREAS, prior to the adoption of this Resolution imposing such tax and in accordance with R.C. 4504.18, the Board of Trustees conducted two (2) public hearings on this Resolution and the annual license tax to be levied by this Resolution, the hearings being held on August 15, 2018, and August 22, 2018, the second hearing being

RECORD OF PROCEEDINGS

Minutes of Concord Township Board of Trustees Meeting

Held on August 22, 2018

not less than three (3) nor more than ten (10) days after the first. Notice of the date, time and place of such hearings was published in the *Lake County News Herald*, a newspaper of general circulation in the Township, once a week on the same day of the week for two (2) consecutive weeks, the second publication being not less than ten (10) nor more than thirty (30) days prior to the first hearing.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees, Concord Township, Lake County, State of Ohio as follows:

Section 1. That pursuant to R.C. 4504.18, an annual license tax is levied upon the operation of motor vehicles on the public roads and highways at the rate of five dollars and zero cents (\$5.00) per motor vehicle on all motor vehicles, the owners of which reside in the registration district known as the unincorporated area of Concord Township, Lake County, Ohio.

Section 2. That the intent of this Resolution is to levy the full tax permissible to a Township to annually levy under R.C. 4504.18, and that all revenue realized from the tax levied pursuant to this Resolution shall only be used to meet and pay costs and expenses associated with the projects, purchases and purposes listed in R.C. 4504.18, and as such statute and list included therein may, from time-to-time, be amended, supplemented, and/or changed.

Section 3. That all appropriate state, county and local officials are authorized and shall enforce this Resolution with the annual license tax enacted herein to be effective commencing thirty (30) days after the adoption of this Resolution as the earliest date allowed by law.

Section 4. That the Concord Township Fiscal Officer is authorized pursuant to R.C. 4504.08 to certify and deliver a copy of this Resolution by hand or via certified U.S. Mail to the Registrar of Motor Vehicles at the Ohio Bureau of Motor Vehicles on or before July 1, 2019, at the following address: Ms. Leora Knight, Chief

Tax Distribution
Ohio Bureau of Motor Vehicles
1970 West Broad Street, 5th Floor
Columbus, OH 43223.

Section 5. All formal actions of this Board of Trustees concerning the passage of this Resolution were adopted in an open meeting, and that all deliberations of this Board of Trustees 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 Chapter 107 of the Codified Ordinances and Section 121.22 of the Ohio Revised Code.

NOW, THEREFORE, this Resolution shall be in full force and effect upon its passage and approval by the Board of Trustees and as further provided under Ohio law.

Mrs. Luhta seconded. A discussion followed, see transcripts for details. Mr. Galloway asked for a Roll Call Vote: Mr. Malchesky – Yes; Mrs. Luhta – Yes; Mr. Galloway – Yes.

- B. DECISION ON RESOLUTION 2018-24, TO ADOPT A LIMITED HOME RULE GOVERNMENT PURSUANT TO R.C. 504.01. Mr. Malchesky moved to adopt the following resolution:

RESOLUTION NO. 2018-24

A RESOLUTION BY THE BOARD OF TRUSTEES OF CONCORD TOWNSHIP ESTABLISHING A LIMITED HOME RULE GOVERNMENT FOR CONCORD TOWNSHIP, OHIO, IN ACCORDANCE WITH AND PURSUANT TO CHAPTER 504 OF THE OHIO REVISED CODE.

WHEREAS, the Ohio General Assembly has established Chapter 504 of the Ohio Revised Code to provide Ohio Townships with an optional limited home rule government under which the a township exercises limited powers of self-government and limited police powers as authorized by Chapter 504; and

WHEREAS, Concord Township has a population in excess of fifteen thousand in its unincorporated territory, and would be called an "urban township" upon the adoption of the limited home rule form of government pursuant to Section 504.01 (B) of the Ohio Revised Code; and

WHEREAS, the Concord Township Board of Trustees, pursuant to Section 504.01(A) (3) of the Ohio Revised Code, conducted a public hearing on August 22, 2018, to consider adoption of the limited home rule form government; and

RECORD OF PROCEEDINGS

Minutes of Concord Township Board of Trustees Meeting

Held on August 22, 2018

WHEREAS, the Trustees have determined that the establishment of a limited home rule government will benefit the residents of the Concord Township community and the administration and organization of the Concord Township government; and

NOW, THEREFORE, BE IT RESOLVED, by the Concord Township Board of Trustees, Lake County, Ohio, as follows:

Section 1. That the Board of Trustees, pursuant to Section 504.01 (A) (3) (a) of the Ohio Revised Code, hereby establishes a limited home rule government and to be called an urban township, under which the Township exercises limited powers of local self-government and limited police powers as authorized by Chapter 504 of the Ohio Revised Code.

Section 2. This Resolution shall become effective thirty (30) days after the date of its adoption unless within that thirty (30) day period a petition is presented to the Board of Trustees that complies with Section 504.01 (A) (3) (a) of the Ohio Revised Code.

Section 3. It is found and determined that all formal actions of the Board of Trustees of Concord Township concerning and relating to the adoption of this Resolution were taken in an open meeting of the Board of Trustees of Concord Township and that all deliberations of this Board that resulted in those formal actions were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

NOW, THEREFORE, this Resolution shall be in full force and effect upon its passage and approval by the Board of Trustees and as further provided under Ohio law.

Mrs. Luhta seconded. A discussion followed, see transcripts for details. Mr. Galloway asked for a Roll Call Vote: Mrs. Luhta – Yes; Mr. Malchesky – Yes; Mr. Galloway – Yes.

C. GENERAL TOWNSHIP BUSINESS. The following information was discussed:

- Chipotle is targeted to open Labor Day weekend
- Grocery store update
- Community Shred Day, August 25, 2018, 10-12:00, Town Hall Campus

Upon proper motion, the meeting was adjourned at 7:53 p.m.


Christopher A. Galloway, Chairman
Amy L. Dawson, Fiscal Officer