Special Village Council Meeting
Thursday, July 28, 2022 at 8:00AM
Bratenahl Community Center
10300 Brighton Road

AGENDA

PLEASE SILENCE ALL ELECTRONIC DEVICES

1. Ordinance #4154 Issuance of Village Facilities Construction Bonds
2. Adjournment

And any other business as may properly come before this Municipal Body may be considered and acted upon. Council reserves the right to enter Executive Session, for reasons as allowed by law.

Posted: July 26, 2022

Diana L. Cooks, Clerk of Council
AN ORDINANCE DETERMINEING TO PROCEED WITH SUBMITTING THE QUESTION OF THE ISSUANCE OF VILLAGE FACILITIES CONSTRUCTION BONDS, IN THE AGGREGATE PRINCIPAL AMOUNT OF $9,500,000, TO THE ELECTORS OF THE VILLAGE PURSUANT TO SECTION 133.18 OF THE REVISED CODE, AND DECLARING AN EMERGENCY.

WHEREAS, on July 18, 2022, this Council passed Ordinance No. 4152 declaring the necessity of submitting to the electors of the Village the question of the issuance of bonds in the aggregate principal amount of $9,500,000 for the purpose set forth in Section 1 and the levying of a tax to provide for the payment of the debt charges on those bonds and any anticipatory securities at an election to be held in the Village on November 8, 2022, a copy of which Ordinance was certified to the Cuyahoga County Fiscal Officer; and

WHEREAS, on July 20, 2022, the Cuyahoga County Fiscal Officer certified that the current total tax valuation of the Village is $110,026,570 and the estimated average annual property tax levy throughout the stated maturity of those bonds that would be required to pay debt charges on them, calculated in the manner provided in Section 133.18(C) of the Revised Code, is 4.7 mills for each one dollar of tax valuation, which amounts to 47 cents for each one hundred dollars of tax valuation;

NOW, THEREFORE, BE IT ORDAINED, by Council of the Village, ¾ of all members elected thereto concurring, that:

SECTION 1: Determination to Proceed. This Council determines to proceed with submitting to the electors pursuant to Section 133.18 of the Revised Code, at an election to be held on November 8, 2022, the question of issuing bonds in the amount of $9,500,000 for the purpose of constructing and improving Village facilities including (i) constructing and otherwise improving a new Village Hall for police services and Village government and clearing and improving the site thereof; and (ii) paying the principal of existing debt of the Village which was issued for the purpose of constructing, reconstructing and rehabilitating the Village Service Garage and Salt Storage Shed and related facilities (the Bonds), and levying a tax to pay the debt charges on the Bonds and on any notes issued in anticipation of the Bonds. The average annual property tax levy required throughout the stated maturity of the Bonds (30 years) to pay the debt charges on the Bonds has been estimated by the Cuyahoga County Fiscal Officer to be 4.7 mills for each one dollar of tax valuation, which
amounts to 47 cents for each one hundred dollars of tax valuation. This Council estimates that the tax for debt charges will first be levied in 2022 and first be collected in calendar year 2023.

SECTION 2: Certification and Delivery of Materials to Board of Elections. The Village Fiscal Officer is authorized and directed to deliver or cause to be delivered to the Cuyahoga County Board of Elections before the close of business on Wednesday, August 10, 2022: (i) a copy of Ordinance No. 4152, passed by this Council on July 18, 2022, declaring the necessity of the Bond issue and providing for the principal of the Bonds to be paid over a maximum of 30 years, which number of years is hereby certified to the Board of Elections, (ii) the certification by the Cuyahoga County Fiscal Officer as to the current total tax valuation of the Village and the estimated average annual property tax levy necessary to pay the debt charges on the Bonds and (iii) a copy of this Ordinance. This Council requests that the Board of Elections give notice of that election and prepare the necessary ballots and supplies for the election in accordance with law.

SECTION 3: Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the passage of this Ordinance were taken in open meetings of this Council or committees, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

SECTION 4: Captions and Headings. The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

SECTION 5: Declaration of Emergency; Effective Date. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the Village, and for the further reason that this Ordinance is required to be immediately effective so that it, together with other necessary materials, can be timely filed with the Cuyahoga County Board of Elections in order that the question of the Bond issue may be submitted to the electors at an election to be held on November 8, 2022; wherefore, this Ordinance shall be in full force and effect immediately upon its adoption and approval by the Mayor.

PASSED: JULY 28, 2022

John M. Licastro, Mayor

Attest:

Diana L. Cooks, Village Fiscal Officer
RECEIPT OF DIRECTOR OF ELECTIONS

The undersigned, Director of Elections of the County of Cuyahoga, Ohio, acknowledges receipt on this date of the following documents from the Village of Bratenahl, Ohio:

1. A certified copy of Ordinance No. 4152, passed by the Village Council on July 18, 2022, determining the necessity of issuing bonds in the amount of $9,500,000 for the purpose of constructing and improving Village facilities including (i) constructing and otherwise improving a new Village Hall for police services and Village government and clearing and improving the site thereof, and (ii) paying the principal of existing debt of the Village which was issued for the purpose of constructing, reconstructing and rehabilitating the Village Service Garage and Salt Storage Shed and related facilities, and submitting the question of that bond issue to the electors of the Village pursuant to Section 133.18 of the Revised Code at an election to be held on November 8, 2022.

2. The certificate of the Cuyahoga County Fiscal Officer dated July 20, 2022, as to the current total tax valuation of the Village and the estimated average annual property tax levy required throughout the stated maturity of the bond issue to pay the debt charges on those bonds.

3. A certified copy of Ordinance No. _____, passed by the Village Council on July 28, 2022, determining to proceed with the election on the issue of bonds.

4. Suggested forms of notice of election and ballot for the election.

Dated: ____________, 2022

Director of Elections
County of Cuyahoga, Ohio
NOTICE OF ELECTION ON ISSUE OF BONDS FOR
THE VILLAGE OF BRATENAHL

Notice is given that pursuant to Ordinance Nos. 4152 and 4154, passed by the Council of the Village of Bratenahl, Ohio, on July 18, 2022, and July 28, 2022, respectively, there will be submitted to a vote of the electors of that Village at an election to be held therein on November 8, 2022, at the regular places of voting therein, the question of issuing bonds of that Village in the amount of Nine Million, Five Hundred Thousand Dollars ($9,500,000) for the purpose of constructing and improving Village facilities including (i) constructing and otherwise improving a new Village Hall for police services and Village administration and clearing and improving the site thereof, and (ii) paying the principal of existing debt of the Village which was issued for the purpose of constructing, reconstructing and rehabilitating the Village Service Garage and Salt Storage Shed and related facilities.

The maximum number of years over which the principal of the bonds may be paid is 30 years.

The estimated additional average annual property tax levy outside of the ten-mill limitation to pay debt charges on the bonds and any anticipatory securities, as estimated and certified by the Cuyahoga County Fiscal Officer, is 4.7 mills for each one dollar of valuation, which amounts to 47 cents for each one hundred dollars of valuation. If a majority of the voters voting on the bond issue vote in favor thereof, the tax is expected to be first due in calendar year 2023.

The polls for that election will be open at 6:30 a.m., and will remain open until 7:30 p.m., of that day.

Dated: ____________, 2022

By order of the Board of Elections of the County of Cuyahoga, Ohio

INSTRUCTIONS TO PRINTER:

Publish in a newspaper of general circulation in the Village of Bratenahl at least once no later than October 29, 2022, which date is 10 days prior to the election. Such newspaper must be of general circulation within the meaning of Section 7.12 of the Revised Code.
VILLAGE OF BRATENAHl

PROPOSED BOND ISSUE

(A Majority Affirmative Vote is Necessary for Passage)

Shall bonds be issued by the Village of Bratenahl for the purpose of constructing and improving Village facilities including (i) constructing and otherwise improving a new Village Hall for police services and Village government and clearing and improving the site thereof, and (ii) paying the principal of existing debt of the Village which was issued for the purpose of constructing, reconstructing and rehabiliting the Village Service Garage and Salt Storage Shed and related facilities in the principal amount of $9,500,000, to be repaid annually over a maximum period of 30 years, and an annual levy of property taxes be made outside the ten-mill limitation, estimated by the county Fiscal Officer to average over the repayment period of the bond issue 4.7 mills for each one dollar of tax valuation, which amounts to 47 cents for each one hundred dollars of tax valuation, commencing in 2022, first due in calendar year 2023, to pay the annual debt charges on the bonds, and to pay debt charges on any notes issued in anticipation of those bonds?

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<th>FOR THE BOND ISSUE</th>
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<td>AGAINST THE BOND ISSUE</td>
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NOTE REGARDING FORM OF BALLOT:

Section 133.18(F)(1) of the Revised Code specifies the ballot language to be used. This form has been prepared based upon those requirements.

NOTICE TO PRINTER:

Section 133.18(F)(2) of the Revised Code requires that the purpose of the issue must be printed in bold face type. Capital letters alone are not sufficient to comply with this legal requirement. Please be sure that the requirement is met.