

**AN EMERGENCY RESOLUTION DECLARING THE NECESSITY FOR AND
AUTHORIZING THE TRANSFER OF FUNDS BY THE VILLAGE OF MAYFIELD
FROM THE CIVIC CENTER FUND TO THE GENERAL FUND, PURSUANT TO
OHIO REVISED CODE SECTIONS 5705.15 AND 5705.16**

WHEREAS, the Civic Center Fund was established in 2005 for the purpose of paying the costs of operating and maintaining the Civic Center;

WHEREAS, in 2018 a major renovation to the Civic Center was considered and additional funds in the amount of \$1,650,000 in 2018 and \$2,000,000 in 2019 were transferred from the General Fund to the Civic Center Fund in order to prepare for the renovation;

WHEREAS, in 2020 the Civic Center renovation project was put on hold and subsequently scaled back due to the impact of the COVID-19 Pandemic on municipal income tax collections;

WHEREAS, as a result of the now limited scope of the Civic Center renovation, funds in the amount of \$2,650,000 in the Civic Center Fund are no longer needed for the Civic Center and the Village desires to transfer these excess funds back to the General Fund in order to offset the significant reduction in municipal income tax collections;

WHEREAS, the transfer of the excess funds in the amount of \$2,650,000 from the Civic Center Fund to the General Fund will not adversely affect the financial stability of the Village nor have any other negative impact as the excess funds are no longer needed for the Civic Center renovation;

WHEREAS, pursuant to Ohio Revised Code Sections 5705.15 and 5705.16, this Council, as the taxing authority of the Village, may adopt, by a majority vote, a resolution declaring the necessity of transferring the excess funds in the Civic Center Fund to the General Fund;

WHEREAS, pursuant to Ohio Revised Code Sections 5705.15 and 5705.16, upon the adoption of this Resolution, the Village must petition the Ohio Tax Commissioner for review and approval of such transfer from the Civic Center Fund to the General Fund; and

WHEREAS, this Council finds it to be in the best interests of the health, safety and welfare of the Village of Mayfield to declare the necessity of transferring the excess funds in the amount of \$2,650,000 from the Civic Center Fund to the General Fund and to petition the Ohio Tax Commissioner for the approval of said transfer.

BE IT RESOLVED BY THE COUNCIL OF MAYFIELD VILLAGE, OHIO, five sevenths (5/7ths) of all members elected thereto concurring, that:

SECTION 1. This Council finds, determines, and declares that it is necessary to transfer the excess funds in the amount of \$2,650,000 from the Civic Center Fund to the General Fund. Further, this Council finds that such necessity exists due to the fact that the excess funds in the amount of \$2,650,000 in the Civic Center Fund are no longer needed for the Civic Center and the Village desires to transfer these excess funds back to the General Fund in order to offset the significant reduction in municipal income tax collections.

SECTION 2. The Finance Director is hereby authorized and directed to submit a Petition/Funds Transfer Request Form, as required by Section 5705.16 of the Ohio Revised Code, to the Tax Commissioner of Ohio requesting review and approval of the transfer of the excess funds in the amount of \$2,650,000 from the Civic Center Fund to the General Fund, together with a certified copy of this Resolution and a full statement of proceedings of Mayfield Village Council related to passage of this Resolution.

SECTION 3. Upon approval of said transfer by the Tax Commissioner of Ohio, the Finance Director is hereby authorized the transfer \$2,650,000 from the Civic Center Fund to the General Fund, and is further authorized and directed to take any and all actions as may be necessary to carry out the purposes of this Resolution to effectuate the transfer of funds.

SECTION 4. The Council finds and determines that all formal actions of this Council relating to the adoption of this Resolution have been taken at open meeting of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including requirements of Section 121.22 of the Ohio Revised Code.

SECTION 5. This resolution is hereby declared to be an emergency measure immediately necessary for the preservation of health, safety and welfare of the residents of Mayfield Village, Ohio, for the reason that it will expedite the process for approval of the transfer of funds necessary

to offset the reduction in municipal income tax revenue. It shall, therefore, take effect immediately upon the passage by the affirmative vote of not less than five (5) members elected to Council and approved by the Mayor or otherwise at the earliest time allowed by law.


STEPHEN SCHUTT
Council President


First Reading: December 20, 2021

Second Reading: Suspended, 2021

Third Reading: Suspended, 2021

PASSED: December 20, 2021


BRENDA T. BODNAR, Mayor

APPROVED AS TO FORM:

ANTHONY J. COYNE, ESQ.,
Director of Law

ATTEST: 
MARY E. BETSA, MMC
Clerk of Council