

ORDINANCE NO. 10- 38 AC CMS

AN ORDINANCE PROPOSING TO AMEND THE CHARTER OF THE CITY OF OBERLIN TO ADD SECTION XX. "TAXATION – LIMITATION ON RATE OF TAXATION," AND DECLARING AN EMERGENCY

WHEREAS, The Council of the City of Oberlin, pursuant to Section XXI of the Charter of the City of Oberlin, has determined to submit a charter amendment to the electorate; and,

WHEREAS, it is City Council's desire to include Charter millage in the Oberlin City Charter for Police and Fire pension expenses.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1. That the amendment to the Charter of the City of Oberlin, Ohio, to add Section XX thereto, as is set forth in the attachment hereto marked "**Exhibit A**" and incorporated herein by reference, is, subject to approval by the electors of the City of Oberlin, hereby approved and adopted.

SECTION 2. That said proposed amendment to add Section XX to the Charter of the City of Oberlin, Ohio, shall be submitted to the electors of the City of Oberlin for acceptance or rejection at an election to be held on the first Tuesday after the first Monday in November, 2010, to wit: November 2, 2010; and if approved by majority vote shall become effective January 1, 2011, for tax year 2011, being first collected in tax year 2012.

SECTION 3. That the ballot language for said proposed new Section XX of the Charter of the City of Oberlin, Ohio, shall read as follows, or as required to be modified by the Ohio Secretary of State:

PROPOSED CHARTER AMENDMENT

A majority affirmative vote is necessary for passage.

Shall Section XX of the Charter of the City of Oberlin be added, as proposed by Ordinance No. 10- 38 AC CMS, such amendment adding Charter property tax millage for the purposes of paying for Police pension requirements in an amount not to exceed 1.80 mills annually, and Fire pension requirements in an amount not to exceed 0.80 mills annually?

SHALL THE PROPOSED AMENDMENT ADDING SECTION XX
TO THE CHARTER OF THE CITY OF OBERLIN, OHIO, BE ADOPTED?

YES _____
NO _____

SECTION 4. The Clerk of Council of the City of Oberlin shall cause this ordinance to be certified to the Board of Elections of Lorain County, Ohio, immediately upon passage, and shall further cause the full text of said proposed Charter Amendment to be published in a newspaper of general circulation in the City of Oberlin, Ohio, at least once a week for three (3) consecutive weeks during the month of October, 2010, and mail a full copy of said amendment with this ordinance attached thereto to each registered voter of the municipality at least thirty (30) days prior to said election.

SECTION 5. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that 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.

SECTION 6. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, safety and welfare of the citizens of the City of Oberlin, Ohio, or to provide for the usual daily operation of a municipal department, to wit:

"to comply with all applicable time limits in placing a charter amendment on the ballot," and shall take effect immediately upon passage.

PASSED: 1st Reading – June 7, 2010
2nd Reading – June 21, 2010
3rd Reading – July 6, 2010 (E)

ATTEST:

BELINDA B. ANDERSON, CMC
CLERK OF COUNCIL

SHARON F. SOUCY
VICE PRESIDENT OF COUNCIL

POSTED: 7/07/2010

EFFECTIVE DATE: 7/06/2010