

## City of Oberlin, Ohio

### RESOLUTION No. R15-11 CMS

A RESOLUTION SUBMITTING THE QUESTION OF A RENEWAL TAX LEVY FOR THE PURPOSE OF CURRENT EXPENSES OF THE OBERLIN PUBLIC LIBRARY TO THE ELECTORS OF THE TERRITORY SERVED BY THE LIBRARY, PURSUANT TO 5705.23 OF THE REVISED CODE AND DECLARING AN EMERGENCY

WHEREAS, at the election held on May 3, 2011, the electors of the territory served by the Oberlin Public Library approved a replacement tax levy totaling 3.25 mills for the purpose of current expenses of the Oberlin Public Library for a period of five years, the last collection of which will occur in calendar year 2016; and

WHEREAS, the Board of Library Trustees of the Oberlin Public Library has determined that the renewal of said 3.25 mill tax levy upon its expiration is necessary for the proper operation of the Library; and

WHEREAS, on July 8, 2015, and September 9, 2015, the Board of Library Trustees of the Oberlin Public Library duly adopted Resolutions carrying out statutory procedures and declaring that the amount of taxes which may be raised within the ten-mill limitation by levies on the tax list and duplicate will be insufficient to provide an adequate amount for the necessary requirements of the Oberlin Public Library, a municipal public library serving the City of Oberlin and the territory of the Oberlin City School District not in the City and the residents thereof; and

WHEREAS, those Resolutions request this Council, as the taxing authority for the Oberlin Public Library and pursuant to Section 5705.23 of the Revised Code, submit the question of renewing the existing tax levy of 3.25 mills for each one dollar of valuation, which amounts to 32.5 cents for each one hundred dollars of valuation, to the electors of the territory served by the Library at an election to be held therein on March 15, 2016; and

WHEREAS, this Council is in receipt of a certificate of the Lorain County Auditor, dated July 24, 2015, provided at the request of the Oberlin Public Library in connection with these tax levy proceedings, which states that the total current tax valuation of the territory served by the Oberlin Public Library is \$186,131,770., and that the amount of revenue that would be generated by the proposed 3.25 mill levy would be \$604,928 annually during the life the levy, assuming that the total current tax valuation of the territory served by the Library remains the same throughout the life of the levy.

NOW, THEREFORE, BE IT RESOLVED 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. In accordance with the aforesaid Resolutions of the Board of Library Trustees of the Oberlin Public Library, a municipal public library, it is hereby found, determined and declared that the amount of taxes which may be raised within the ten-mill limitation by levies on the tax list and duplicate will be insufficient to provide an adequate amount for the necessary requirements of the Oberlin Public Library and it is therefore necessary to levy a tax in excess of such limitation for the purpose of the current expenses of the Oberlin Public Library in the total amount of 3.25 mills for five (5) years.

Section 2. The question of renewing an existing tax of 3.25 mills for the purpose of the current expenses of the Oberlin Public Library for five (5) years, beginning with the tax list and duplicate for the year 2016, the proceeds of which levy first would be available to the Board of Library Trustees in calendar year 2017, shall be submitted under the provisions of 5705.23 of the Revised Code to the electors residing within the boundaries of the territory served by the Oberlin Public Library, as defined by the State Library Board and set forth in the preambles hereto, at an election to be held therein on March 15, 2016, as authorized by law, and that the election shall be held within the territory served by the Library at the regular places of voting established by the Board of Elections of Lorain County, or otherwise, within the times provided by law and shall be conducted, canvassed and certified in the manner provided by law.

Section 3. The form of the ballot to be cast at the election on the question of this tax levy shall be substantially as follows:

OBERLIN PUBLIC LIBRARY  
PROPOSED TAX LEVY (RENEWAL)

A majority affirmative vote is necessary for passage.

A renewal of 3.25 mills of an existing levy, to constitute a tax for the benefit of the Oberlin Public Library for the purpose of the current expenses of the Oberlin Public Library at a rate not exceeding 3.25 mills for each one dollar of valuation, which amounts to 32.5 cents for each one hundred dollars in valuation, for five (5) years.

	FOR THE TAX LEVY
	AGAINST THE TAX LEVY

Section 4. The Clerk of this Council be and is hereby authorized and directed to give or cause to be given notice of said election as provided by law.

Section 5. The Board of Trustees of the Oberlin Public Library, at its meeting held on September 9, 2015, passed a Resolution confirming its intent to pay or reimburse the City for the costs (as certified by the Board of Elections) of placing the 3.25-mill renewal tax levy on the March 15, 2016 ballot, and that, upon adoption of such resolution, it would be certified to the Board of Elections and the Budget Commission. In accordance with the policies of the Budget Commission, upon receipt of such Resolution, this Council requests that such election costs be deducted from moneys of the Oberlin Public Library instead of the City's general fund.

Section 6. The Clerk of Council be and is hereby directed to certify a copy of this Resolution, the two Resolutions of the Board of Library Trustees and the certification of the Lorain County Auditor referred to in the preambles hereto to the Board of Elections of Lorain County, Ohio, not later than December 16, 2015.

Section 7. 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 the 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.

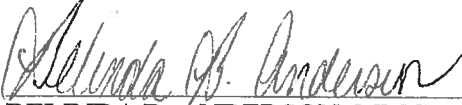
Section 8. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City of Oberlin, and for the further reason that its immediate effectiveness is necessary to meet the filing deadlines for the March 15, 2016 election; wherefore, and in accordance with Section 5705.23 of the Revised Code, this Resolution shall be in full force and effect immediately upon its adoption.

PASSED: 1<sup>st</sup> Reading: September 21, 2015 (E)

2<sup>nd</sup> Reading: \_\_\_\_\_

3<sup>rd</sup> Reading: \_\_\_\_\_

ATTEST:

  
\_\_\_\_\_  
BELINDA B. ANDERSON, MMC  
CLERK OF COUNCIL

  
\_\_\_\_\_  
H. SCOTT BROADWELL  
PRESIDENT OF COUNCIL

POSTED: 9/22/2015

EFFECTIVE DATE: 09/21/2015

**CERTIFICATE OF ESTIMATED PROPERTY TAX REVENUE**  
(Use this form when a taxing authority certifies a millage rate and requests  
the revenue produced by that rate.)

The County Auditor of **LORAIN** County, Ohio does hereby certify the following:

1. On **July 10, 2015**, the **Oberlin Public Library** on behalf of the City of Oberlin, Lorain County, Ohio certified a copy of its resolution adopted **July 8, 2015** requesting the County Auditor to certify the current tax valuation of the sub-division and the amount of revenue that would be produced by **3.25 mills**, to levy a tax outside the ten-mill limitation for **Public Library Current Expense** purposes pursuant to Revised Code **5705.192 and 5705.23**, to be placed on the ballot at the **March 15, 2016** election. The levy type is **Renewal**.
2. The estimated property tax revenue that will be produced by the stated millage, assuming the tax valuation of the sub-division remains constant throughout the life of the levy, is calculated to be **\$604,928**.
3. The total tax valuation of the sub-division used in calculating the estimated property tax revenue is **186,131,770**.

  
Auditor's Signature

7-24-15  
Date

**INSTRUCTIONS**

1. "Total tax valuation" includes the taxable value of all real property in the subdivision as indicated on the tax list most recently certified for collection and estimates of the taxable value of personal and public utility personal property for the first year the levy will be collected as set forth on the worksheets prescribed in conjunction with this form. If the sub-division is located in more than one county, the home county auditor (where the greatest taxable value of the sub-division is located) shall obtain the assistance of the other county auditors to establish the total tax valuation of the subdivision.
2. For purposes of this certification, "subdivision" includes any agency, board, commission, or other authority authorized to request a taxing authority to submit a tax levy on its behalf.
3. "Levy type" includes the following: (1) additional, (2) renewal, (3) renewal with an increase, (4) renewal with a decrease, (5) replacement, (6) replacement with an increase, and (7) replacement with a decrease levies.
4. Please file this certificate with the sub-division as soon as possible, so the taxing authority can pass a resolution to proceed not later than 90 days before the election.

**RENEWAL**

**WORKSHEET TO CALCULATE REVENUE FOR DTE FORM 140 R**

WHEN A TAXING AUTHORITY CERTIFIES A RATE AND REQUESTS THE REVENUE  
 PRODUCED BY THAT RATE FOR RENEWAL LEVIES.

**Oberlin City Library**

**2014/2015**

CALCULATION OF REVENUE

**CURRENT EXPENSE**

	<u>TAX VALUE</u>		<u>MILLAGE RATE</u>	<u>DIVIDED BY</u>		<u>REVENUE</u>
1. Class 1 Real - Res/Ag	133,117,080	X	3.250000	1,000	=	\$ 432,631
2. Class II Real - Other	43,056,450	X	3.250000	1,000	=	\$ 139,933
3. Public Utility Personal	9,958,240	X	3.25	1,000	=	\$ 32,364
4. Telephone Personal Property	0	X	3.25	1,000	=	\$ -
<b>TOTAL VALUATION</b>	<b>186,131,770</b>					
<b>5. Total Revenue</b>						<b>\$ 604,928</b>

(Place this amount on the line provided in Item 2 on DTE 140R.)

Source:

Lorain County Auditor  
 Tax Settlement Department

DATE: July 24, 2015