

ORDINANCE NO. 10-84 AC CMS

AN ORDINANCE AMENDING ORDINANCE NO. 98-93 AC CMS WHICH ESTABLISHED A "WASTE WATER TREATMENT TAX FUND FOR THE CITY OF OBERLIN" AND DECLARING AN EMERGENCY

WHEREAS, on November 3, 1998 the electorate of the City of Oberlin approved an additional Municipal Income Tax "providing for a one-fifth of one percent (1/5%) levy on income for the purpose of PROVIDING FUNDS FOR CITY OF OBERLIN WASTE WATER TREATMENT PLANT IMPROVEMENTS AND RETIREMENT OF CURRENT DEBT for ten (10) years"; and

WHEREAS, on November 16, 1998, Oberlin City Council approved Ordinance No. 98-93 AC CMS which "established a separate fund account for the City of Oberlin, Ohio, to be designated "Waste Water Treatment Fund""; and

WHEREAS, the purpose of said fund is for the appropriation and deposit "into said fund the collections from the Income Tax dedicated to Waste Water Treatment Plant improvements and Waste Water Treatment Plant debt retirement. Expenditures from the fund shall be limited to debt repayment"; and

WHEREAS, the income from said Municipal Income Tax exceeds the total debt service on said Waste Water Treatment Plant improvements resulting in a surplus of additional funding that must be used in accordance with the November 3, 1998 ballot language; and

WHEREAS, it is necessary to amend Ordinance No. 98-93 AC CMS to allow for the expenditure of said surplus funds for Waste Water Treatment Plant Improvements in accordance with said ballot language.

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 Ordinance No. 98-93 AC CMS, which established the Waste Water Treatment Tax Fund, is hereby amended to authorize additional capital improvement expenditures at the Waste Water Treatment Plant providing, however, that the balance necessary to fully repay the existing debt on OWDA Loan Number 3923 is retained in the fund at all times.

SECTION 2. 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 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the citizens of


the City of Oberlin, Ohio, or to provide for the usual daily operation of a municipal department,
to wit:

"to properly allocate funding in accordance with ballot language approved by the
electorate" and shall take effect immediately upon passage.

PASSED: 1st Reading - December 6, 2010 (S, E)
2nd Reading -
3rd Reading -

ATTEST:


BELINDA B. ANDERSON, CMC
CLERK OF COUNCIL


KENNETH SLOANE
PRESIDENT OF COUNCIL

POSTED: 12/07/2010

EFFECTIVE DATE: 12/06/2010