

RESOLUTION NO. R09- 06 CMS

A RESOLUTION SUBMITTING THE QUESTION OF AN ADDITIONAL 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 SECTIONS 5705.19 AND 5705.23 OF THE REVISED CODE AND DECLARING AN EMERGENCY

WHEREAS, the Board of Library Trustees of the Oberlin Public Library has determined that an additional tax levy of 1.5 mills is necessary for the proper operation of the Library; and

WHEREAS, on June 25, 2009 and July 16, 2009, 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 Sections 5705.19 and 5705.23 of the Revised Code, submit the question of an additional tax levy of 1.5 mills for each one dollar of valuation, which amounts to 15 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 November 3, 2009; and

WHEREAS, this Council is in receipt of a certificate of the Lorain County Auditor, dated July 6, 2009, 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 \$197,252,059 and that the amount of revenue that would be generated by the proposed 1.5-mill levy would be \$295,878 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 1.5 mills for five years.

Section 2. The question of an additional tax levy of 1.5 mills for the purpose of the current expenses of the Oberlin Public Library for five years, beginning with the tax list and duplicate for the year 2009, the proceeds of which levy first would be available to the Board of Library Trustees in calendar year 2010, shall be submitted under the provisions of Sections 5705.19 and 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 November 3, 2009, 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 ADDITIONAL TAX LEVY

A majority affirmative vote is necessary for passage.

An additional tax of 1.5 mills 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 1.5 mills for each one dollar of valuation, which amounts to 15 cents for each one hundred dollars in valuation, for five 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. In accordance with Resolution # R-09-7-1 of the Board of Library Trustees of the Oberlin Public Library, approved on July 16, 2009, said Board of Library Trustees determined and declared that it would pay or reimburse the City of Oberlin for the costs, as certified by the Board of Elections, of placing the 1.5 mill additional tax levy on the November 3, 2009 ballot. In accordance with said Resolution and the policies of the Lorain County Budget Commission, this Council directs that such election costs be deducted from moneys of the Oberlin Public Library instead of the City's general fund.

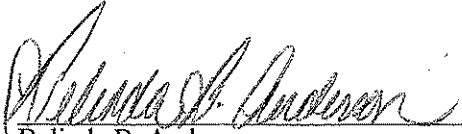
Section 6. The Clerk of Council be and is hereby directed to certify a copy of this Resolution, the two Resolutions of the Board of Library Trustees and the certification of the Lorain County Auditor referred to in the preambles hereto to the Board of Elections of Lorain County, Ohio, not later than August 20, 2009.

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.

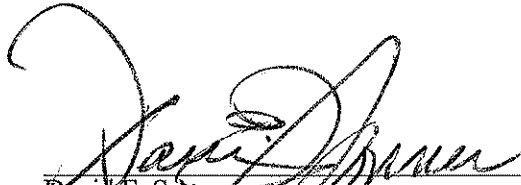
Section 8. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City of Oberlin, and for the further reason that its immediate effectiveness is necessary to meet the filing deadlines for the November 3, 2009 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.

ADOPTED: 1st Reading – August 17, 2009 (E)
-2nd Reading –
-3rd Reading –

ATTEST:



Belinda B. Anderson
CLERK OF COUNCIL



David E. Sommer
PRESIDENT OF COUNCIL

POSTED: 08/18/2009

EFFECTIVE DATE: 8/17/2009

I hereby certify that the foregoing is a true and correct copy of Res No. B09-06 CMS as passed by the Oberlin City Council.

Seal



Belinda B. Anderson
Clerk of Council, City of Oberlin, Ohio

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