

**RESOLUTION NO. R10-02 CMS**

A RESOLUTION DECLARING THAT THE AMOUNT OF TAXES THAT MAY BE RAISED WITHIN THE TEN-MILL LIMITATION BY LEVIES ON THE CURRENT TAX DUPLICATE TO BE INSUFFICIENT TO PROVIDE AN ADEQUATE AMOUNT FOR THE NECESSARY REQUIREMENTS OF THE CITY OF OBERLIN, AND DECLARING THE NECESSITY TO LEVY A TAX IN EXCESS OF SUCH RATE FOR THE PURPOSE OF PROVIDING FUNDS FOR THE PAYMENT OF FIRE PENSION FUND REQUIREMENTS, AND DECLARING AN EMERGENCY

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. That it is hereby declared that the amount of taxes that may be raised within the ten-mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirements of the City of Oberlin, and it is necessary to levy a tax in excess of such limitation for the purpose of providing funds for the payment of Fire Pension Fund requirements at a rate not exceeding six-tenths (.60) mills, for a period of five (5) years, commencing in 2010, and being first due in calendar year 2011.

SECTION 2. That said levy is a replacement of an existing levy of the same rate for the benefit of the City of Oberlin for the purpose of providing funds for the payment of Fire Pension Fund requirements, pursuant to Section 5705.19 (w) of the Ohio Revised Code.

SECTION 3. That said levy shall be placed upon the ballot at an election which shall be held on the first Tuesday after the first Monday in May of 2010, being May 4, 2010, and shall be placed upon the 2010 tax list for collection in the 2011 tax year, if a majority of the electors voting thereon vote in favor thereof.

SECTION 4. That the form of the ballot to be cast at the election on the question of the replacement levy shall be as follows:

A Majority Affirmative Vote Is Necessary For Passage

A Replacement of a tax for the benefit of the City of Oberlin for the purpose of providing funds for the payment of Fire Pension Fund requirements at a rate not exceeding six-tenths (0.60) mills for each one dollar of valuation, which amounts to six cents (\$0.06) for each one hundred dollars in valuation for five (5) years, commencing in 2010, first due in calendar year 2011.

	FOR THE TAX LEVY
	AGAINST THE TAX LEVY

SECTION 5. The Clerk of Council of the City of Oberlin is hereby directed to certify a copy of this Resolution to the Board of Elections of Lorain County, Ohio, at least seventy-five (75) days prior to May 4, 2010, and request that said Board of Elections cause Notice of Election on the question of levying said tax be given as required by law.

SECTION 6. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this Resolution 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 7. That this Resolution 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 ensure that this Resolution is adopted and certified to the Board of Elections of Lorain County, Ohio, within the time limitations provided by law”*,

and shall take effect immediately upon passage.

PASSED: 1<sup>st</sup> Reading – February 1, 2010(S, E)  
2<sup>nd</sup> Reading –  
3<sup>rd</sup> Reading

ATTEST:

  
BELINDA B. ANDERSON, CMC  
CLERK OF COUNCIL

  
KENNETH SLOANE  
PRESIDENT OF COUNCIL

POSTED: 02/02/2010

EFFECTIVE DATE: 02/01/2010