## CITY OF OBERLIN, OHO

#### **RESOLUTION No. R13-08 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 SECTIONS 5705.19 (D) 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 a renewal tax levy of 1.5 mills is necessary for the proper operation of the Library; and

WHEREAS, on February 12, 2013 and March 12, 2013, 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 (D) and 5705.23 of the Revised Code, submit the question of a renewal 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 5, 2013; and

WHEREAS, this Council is in receipt of a certificate of the Lorain County Auditor, dated March 6, 2013, 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 \$179,897,730 and that the amount of revenue that would be generated by the proposed 1.5-mill renewal levy would be \$269,748 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 renewal 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 a renewal 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 2014, the proceeds of which levy first would be available to the Board of Library Trustees in calendar year 2015, shall be submitted under the provisions of Sections 5705.19 (D) 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 5, 2013, 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 RENEWAL TAX LEVY

A majority affirmative vote is necessary for passage.

A Renewal 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	
-To im	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-13-3-5 of the Board of Library Trustees of the Oberlin Public Library, approved on March 12, 2013, 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 renewal tax levy on the November 5, 2013 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 7, 2013.

**Section 7**. 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 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 5, 2013 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: June 3, 2013(E) 2<sup>nd</sup> Reading: 3<sup>rd</sup> Reading:

BELINDA B. ANDERSON, CMC

CLERK OF COUNCIL

POSTED: 06/04/2013

**EFFECTIVE DATE: 06/03/2013** 

I hereby certify that the foregoing is a true and correct copy of Res No. 13-12 CMS as passed by the Oberlin City Council.

Seal

Belinda B. Anderson, CMC

Clerk of Council, City of Oberlin, Ohio

Office of the Board of Elections, Advance. County, Ohio, Guste 5, 2013  Received of Late State 1460-775-743/C  DESCRIPTION - PURPOSE, RATE, DATE OF ELECTION, ETC.  DESCRIPTION - PURPOSE, RATE, DATE OF ELECTION, ETC.  BOND ISSUE - 1.52 recells 5 yes County, Ohio, Guster Facilities of the County o	County, Ohio.
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Form No. 19 Prescribed by the Secretary of State 2-93

#### **OBERLIN PUBLIC LIBRARY**

## NOTICE OF ELECTION ON TAX LEVY IN EXCESS OF THE TEN MILL LIMITATION

Notice is hereby given that in pursuance of Resolution No. R13-08 CMS adopted by the Council of the City of Oberlin, Ohio on June 3, 2013, there will be submitted to the electors residing within the boundaries of the territory served by the Oberlin Public Library, as defined by the State Library Board (being all of the territory of the City of Oberlin and all of the territory of the Oberlin City School District not in the City), at an election to be held in that territory at the regular places of voting therein, on Tuesday, November 5, 2013, the question of levying a tax in excess of the ten-mill limitation for the benefit of the Oberlin Public Library for the purpose of current expenses of the Oberlin Public Library at a rate not exceeding1.5 mills for each one dollar of valuation, which amounts to 15 cents for each one hundred dollars of valuation, for five years. Said tax constitutes the renewal of all of an existing 1.5 mill levy. If a majority of the voters voting thereon vote in favor thereof, said levy will be placed on the tax list and duplicate in December 2014 for first collection in calendar year 2015.

The polls for said election will be open at 6:30 a.m., and will remain open until 7:30 p.m., of said day. By order of the Board of Elections of Lorain County, Ohio

Director of Elections County of Lorain, Ohio

Dated: 4/5 . 2013

INSTRUCTIONS TO PRINTER:

Publish in a newspaper or newspapers of general circulation in Lorain County and in the territory served by the Oberlin Public Library, once a week for four consecutive weeks on the same day of each week, the first insertion being on or before October 8, 2013. Such newspaper or newspapers must be of general circulation within the meaning of Section 7.12 of the Revised Code.

#### DIRECTOR OF ELECTION'S RECEIPT

The undersigned, Director of Elections of the County of Lorain, Ohio, does hereby acknowledge receipt on this day of the Oberlin Public Library on February 12, 2013 and March 12, 2013, a related certification of the Lorain County Auditor dated March 6, 2013, a certified copy of Resolution No. R13-08 CMS, adopted by the Council of the City of Oberlin on June 3, 2013, submitting the question of the renewal of an existing tax levy in the amount of 1.5 mills for five years at an election to be held on November 5, 2013, for the purpose of the current expenses of the Oberlin Public Library, and a related form of notice of election. Those Resolutions request that the question be submitted to all of the electors residing within the boundaries of the territory served by the Oberlin Public Library, as determined by the State Library Board, being all of the territory of the City of Oberlin and all of the territory of the Oberlin City School District not in the City.

Director of Elections County of Lorain, Ohio

Dated: 4/5 .2013

## CERTIFICATE OF FILING FOR TAX LEVY

State of Ohio)	
	) ss
Lorain County	)

I, J. Craig Snodgrass, the duly elected, qualified and acting Auditor in and for the County and State aforesaid, do hereby certify that Belinda Anderson, the duly elected/appointed, qualified or acting Clerk of Council for said City of Oberlin of Lorain County, Ohio has this day officially filed in the office of the Auditor of Lorain County a certified copy of a Resolution adopted on June 3, 2013.

To proceed to submit to the electors residing within the boundaries of the territory served by the Oberlin Public Library, as defined by the State Library Board, at an election to be held on November 5, 2013 the question of an existing tax levy in excess of the ten-mill limitation.

Levy – Renewal
Rate – 1.50 mills
Number of years – 5 years
For the purpose of current expenses for the Oberlin Public Library. See attached resolution.

WITNESS my hand and Official Seal at Elyria, Ohio this 5<sup>th</sup> day of June 2013.

(Seal)

County Auditor in and for Lorain County, Ohio



# CERTIFICATE OF THE CLERK OF COUNCIL OF THE CITY OF OBERLIN, OHIO

The undersigned, Clerk of Council of the City of Oberlin, Ohio, does hereby acknowledge receipt on March 18, 2013, of certified copies of Resolutions adopted on February 12, 2013 and March 12, 2013 by the Board of Library Trustees of the Oberlin Public Library, and the certification of the Lorain County Auditor relating hereto and dated March 6, 2013.

Those Resolutions request the Council of the City of Oberlin place the question of a renewal tax levy before the electors residing within the boundaries of the territory served by the Oberlin Public Library, as defined by the State Library Board, at the election to be held therein on November 5, 2013. Such request will be placed on the agenda of a meeting of the Council of the City of Oberlin which occurs before August 22, 2013.

Clerk of Council City of Oberlin, Ohio

Dated: May 7, 2013

# Oberlin Public Library Board of Trustees Resolutions

The Board of Library Trustees of the Oberlin Public Library, a municipal public library of the City of Oberlin, met in Regular session on March 12, 2013, commencing at 5:00 p.m., in the Owen Room at the Oberlin Public Library, 65 South Main Street, Oberlin, Ohio, with the following members present:

Mary Kirtz, Meredith Gadsby, Mary Picken Audrey Kolb, Julia Binder, Jeff Baumann

Kirtz moved the adoption of the following resolution:

A RESOLUTION DETERMINING TO PROCEED WITH A REQUEST TO THE CITY OF OBERLIN TO SUBMIT TO THE ELECTORS OF THE DISTRICT SERVED BY THE OBERLIN PUBLIC LIBRARY THE QUESTION OF A RENEWAL TAX LEVY FOR THE PURPOSE OF THE CURRENT EXPENSES OF THE OBERLIN PUBLIC LIBRARY, PURSUANT TO SECTION 5705.23 OF THE REVISED CODE.

WHEREAS, by a Resolution adopted on February 12, 2013, and in accordance with Division (B) of Section 5705.03 of the Revised Code, this Board requested that the Lorain County Auditor certify (i) the total current tax valuation of the territory served by the Oberlin Public Library and (ii) the dollar amount of revenue that would be generated by a 1.50 mill renewal levy; and

WHEREAS, the County Auditor certified that the total current tax valuation of the territory served by the Oberlin Public Library is \$179,897,730 and the amount of revenue that would be generated by that 1.50 mill renewal levy would be \$269,748 annually during the life of 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 Board of Library Trustees of the Oberlin Public Library, County of Lorain, State of Ohio, two-thirds of all of its members concurring, that:

Section 1. It is hereby determined and recited that the Oberlin Public Library is a free municipal public library created to serve the residents of its territory as defined by the State Library Board by an Ordinance passed by the Council of the City of Oberlin for such purpose; accordingly, this Board is charged with the title, custody, control and maintenance of a public library and is entitled to proceed under Section 5705.23 of the Revised Code to initiate and deliver proceedings to the City of Oberlin for the submission of the question of a renewal 1.50 mill levy for the purpose of the current expenses of the Oberlin Public Library to the electors residing within the boundaries of the territory served by the Oberlin Public Library, as defined by the State Library Board pursuant to Section 3375.01 of the Revised Code, being all of the territory of the City of Oberlin and the territory of the Oberlin City School District not in the City.

Section 2. This Board hereby finds, determines and declares that the amount of taxes which may be raised within the ten-mill limitation by levies on the current tax list and duplicate will be insufficient to provide an adequate amount for the necessary requirements of the Oberlin Public Library and that it is therefore necessary to levy a renewal 1.50 mill tax levy in excess of such limitation on all property within the boundaries of the territory

served by the Oberlin Public Library, as defined by the State Library Board pursuant to Section 3375.01 of the Revised Code, for the purpose of the current expenses of the Oberlin Public Library for 5 years.

Section 3. Pursuant to said Section 5705.23 of the Revised Code and having received and reviewed the aforesaid certification of the Lorain County Auditor, this Board hereby requests the City of Oberlin to submit to the electors residing within the boundaries of the territory served by the Oberlin Public Library, as defined by the State Library Board (being all of the territory of the City of Oberlin and all of the territory of the Oberlin City School District not in the City), at the election to be held on November 5, 2013, the question of a renewal 1.50 mill levy outside of the ten-mill limitation for 5 years, beginning with the tax list and duplicate for the year 2014, the proceeds of which levy would first be available to this Board of Library Trustees in calendar year 2015.

Section 4. This Board hereby finds, determines and declares that the levy of such tax, if approved by the electors, is necessary for the proper furnishing and rendering of free public library services by the Oberlin Public Library for the persons residing within the boundaries of the territory served by the Oberlin Public Library, as defined by the State Library Board.

Section 5. The Fiscal Officer of this Board is hereby authorized and directed to forward a certified copy of this resolution, the resolution adopted by the Board on February 12, 2013, and the certificate of the County Auditor referred to in the preambles hereto to the Clerk of Council of the City of Oberlin.

Section 6. This Library Board of Trustees hereby determines and declares that it will pay or reimburse the City for the costs, as certified by the Board of Elections, of placing a 1.50 mill renewal tax levy on the November 5, 2013 ballot, and, in accordance with the aforesaid policy of the Lorain County Budget Commission, the County will deduct those costs from moneys of the Library instead of the City's general fund.

Section 7. It is hereby found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in those formal actions, were in meetings open to the public, in compliance with the law.

Section 8. This resolution shall be in full force and effect from and immediately upon its adoption.

Gadsby seconded the motion.
Upon roll call on the adoption of the above resolution, the vote was as follows:

Kirtz-Aye Gadsby-Aye Picken-Aye Kolb-Aye Binder-Aye Baumann-Aye MOTION PASSED

## FISCAL OFFICER'S CERTIFICATION

The undersigned, Fiscal Officer of the Board of Library Trustees of the Oberlin Public Library, does hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Board of Library Trustees March 12, 2013, and appearing upon the official records of said Board.

Written notice of the time and place of the special meeting of the Board of Library Trustees held on March 12, 2013, was at least twenty-four (24) hours in advance of the time of such meeting, given to and received by all news media that had heretofore requested notification of such meetings pursuant to Section 121.22 of the Revised Code and the procedures established by the Board for that purpose.

Dated: 111.11000 3

Fiscal Officer, Board of Library Trustees

Oberlin Public Library, Ohio

The Board of Library Trustees of the Oberlin Public Library, a municipal public library of the Cit Oberlin, met in regular session on March 12, 2013, commencing at 5:00 p.m., in the Owen Room at the Oberlin Public Library, 65 South Main Street, Oberlin, Ohio, with the following members present:

## Mary Kirtz, Meredith Gadsby, Mary Picken

## Audrey Kolb, Julia Binder, Jeff Baumann

Kirtz moved the adoption of the following resolution:

A RESOLUTION CONFIRMING THE LIBRARY'S INTENTION TO PAY OR REIMBURSE THE CITY OF OBERLIN FOR THE COSTS, AS CERTIFIED BY THE BOARD OF ELECTIONS OF LORAIN COUNTY, OF PLACING A 1.50-MILL RENEWAL TAX LEVY ON THE NOVEMBER 5, 2013 BALLOT.

WHEREAS, in order to comply with a (April 21, 2005) policy of the Lorain County Budget Commission, the Fiscal Officer of Oberlin Public Library has reported to the City of Oberlin (the City) (i) the Library's intention to pay or reimburse the City for the costs, as certified by the Board of Elections, of placing a 1.50-mill renewal tax levy on the November 5, 2013 ballot, (ii) that this Board would consider a resolution to that effect at this Board meeting and (iii) that the resolution would be certified to the City, the Board of Elections and the Budget Commission of Lorain County; and

WHEREAS, this Board wishes to confirm its intention to pay or reimburse the City for the costs of the levy and, in accordance with the policies of the Budget Commission, to have those costs deducted from moneys of the Library instead of the City's general fund;

NOW, THEREFORE, BE IT RESOLVED by the Board of Library Trustees of the Oberlin Public Library, County of Lorain, State of Ohio, that:

Section 1. In accordance with information reported to the City by the Fiscal Officer of the Library, this Board hereby determines and declares that it will pay or reimburse the City for the costs, as certified by the Board of Elections, of placing a 1.50-mill renewal tax levy on the November 5, 2013 ballot, and, in accordance with the aforesaid policy of the Lorain County Budget Commission, the County will deduct those costs from moneys of the Library instead of the City's general fund.

Section 2. The Fiscal Officer of the Library is hereby authorized and directed to forward a copy of this resolution to the City and to the Board of Elections and the Budget Commission of Lorain County.

Section 3. It is hereby found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in those formal actions, were in meetings open to the public, in compliance with the law.

Section 4. This resolution shall be in full force and effect from and immediately upon its adoption. Gadsby seconded the motion.

Upon roll call on the adoption of the above resolution, the vote was as follows:

Kirtz-Aye Gadsby-Aye Picken-Aye

Kolb-Aye Binder-Aye Baumann-Aye

## FISCAL OFFICERS CERTIFICATION

The undersigned, Fiscal Officer of the Board of Library Trustees of the Oberlin Public Library, does hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Board of Library Trustees on March 12, 2013, and appearing upon the official records of said Board.

Dated: 1 MAN 18, 80,3

Fiscal Officer, Board of Library Trustees

Oberlin Public Library, Ohio

#### LORAIN COUNTY

## Board of Trustees, Oberlin Public Library, Oberlin, OHIO

RESOLUTION NUMBER: R-13-2-3

DATE: February 12, 2013

A Resolution requesting that the County Auditor, pursuant to Ohio Revised Code Section 5705.03, certify to the Board of Trustees of the Oberlin Public Library the Total Current Tax Valuation of the territory served by the Oberlin Public Library, as defined by the State Library Board as the School District of the City of Oberlin and the Dollar amount of Revenue that would be generated by 1.5 mills for the purpose of current expenses, under Sections 5705.192 and 5705.23 of the Ohio Revised Code. Such levy will be a renewal, and be placed on the Ballot at the November 5, 2013 Election.

MOAFD:	Mary Kirtz				
SECONDED:	Jeff Baumann				
VOTE:	Julia Binder				
	Mary Picken				
	Audrey Kolb				
	Meredith Gadsby				
	Mary Kirtz				
	Jeff Baumann				

## FISCAL OFFICERS CERTIFICATION

The undersigned, Fiscal Officer of the Board of Library Trustees of the Oberlin Public Library, does hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Board of Library Trustees on February 12, 2013, and appearing upon the official records of said Board.

Dated: March 18,2013

Fiscal Officer, Board of Library Trustees Oberlin Public Library, Ohio

DTE 140R Rev. 05/11 R.C. 5705.03(B)

#### 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 February 20, 2013, the Oberlin Public Library on behalf of the City of Oberlin, Lorain County, Ohio certified a copy of its resolution adopted February 12, 2013 requesting the County Auditor to certify the current tax valuation of the sub-division and the amount of revenue that would be produced by 1.50 mills, to levy a tax outside the ten-mill limitation for Public Library Current Expense purposes pursuant to Revised Code 5705.23, to be placed on the ballot at the November 5, 2013 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 \$269,748.
- 3. The total tax valuation of the sub-division used in calculating the estimated property tax revenue is 179,897,730.

Anditor's Signature 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.

DTE FORM 140R-W2

## 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 Public Library

#### 2012/2013

## CALCULATION OF REVENUE

## **CURRENT EXPENSE**

	TANA 1 1 1 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2						
	TAX VALUE		MILLAGE RATE	DIVIDED BY		B	EVENUE
1. Class 1 Real - Res/Ag	132,411,260	X	1.500000	1,000	677- 6754	\$	198,617
2. Class II Real - Other	42,953,210	X	1.497697	1,000	=	\$	64,331
3. Public Utility Personal	4,533,260	Х	1.50	1,000	<b>5</b> 7	\$	6,800
4. Telephone Personal Property	o	X	1.50	1,000	ade-of-	\$	
TOTAL VALUATION	179,897,730						
5. Total Revenue						\$	269,748

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

Source:

Lorain County Auditor

Tax Settlement Department

DATE:

March 6, 2013