

RESOLUTION NO. 00- 12 CMS

**A RESOLUTION SUBMITTING THE QUESTION OF THE REPLACEMENT OF ALL OF AN EXISTING TAX FOR THE PURPOSE OF CURRENT EXPENSES OF THE OBERLIN PUBLIC LIBRARY TO THE ELECTORS OF THE TERRITORY SERVED BY THE LIBRARY, PURSUANT TO SECTIONS 5705.192 AND 5705.23 OF THE REVISED CODE.**

WHEREAS, at the election held on November 7, 1995 the electors of the territory served by the Oberlin Public Library approved the levy of a tax 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 2001; and

WHEREAS, the Board of Library Trustees of the Oberlin Public Library has determined that the replacement of all of that tax upon its expiration is necessary for the proper operation of the Library; and

WHEREAS, on May 8, 2000 and June 19, 2000, the Board of Library Trustees of the Oberlin Public Library duly adopted Resolutions 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 5705.192 and 5705.23 of the Revised Code, submit the question of the replacement of all of an existing tax at the rate of 3.0 mills for each one dollar of valuation, which amounts to 30 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 7, 2000;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Oberlin, County of Lorain, State of Ohio, that:

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 amount of 3.0 mills for five years.

Section 2. The question of the replacement of all of an existing tax of 3.0 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 2001, the proceeds of which levy first would be available to the Board of Library Trustees in calendar year 2002, shall be submitted under the provisions of Sections 5705.192 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 7, 2000, as authorized by law, and that 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 (REPLACEMENT)

A majority affirmative vote is necessary for passage.

A replacement of an existing 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 3.0 mills for each one dollar of valuation, which amounts to 30 cents for each one hundred dollars of valuation, for five years, commencing in 2001, first due in calendar year 2002.

	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 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 24, 2000.

Section 6. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 7. This Resolution is 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 7, 2000 election; wherefore, this Resolution shall be in full force and effect immediately upon its adoption.

Adopted: 7/17, 2000

James M. Bauman  
Chair of Council

Attest: Eugene F. Simon  
Clerk of Council

Posted: 7/18, 2000

The Board of Library Trustees of the Oberlin Public Library, a municipal public library of the City of Oberlin, met in special session on June 19, 2000, commencing at 5:00 o'clock, p.m., in the Arts and Craft Room at the Oberlin Public Library, 65 South Main Street, Oberlin, Ohio, with the following members present:

\_\_\_\_\_ Jeanne Boy  
\_\_\_\_\_ Anderson Cooper  
\_\_\_\_\_ David Hunt  
Kathy Zuffee

Zuffee 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 THE REPLACEMENT OF AN EXISTING TAX LEVY FOR THE PURPOSE OF THE CURRENT EXPENSES OF THE OBERLIN PUBLIC LIBRARY, PURSUANT TO SECTIONS 5705.192 AND 5705.23 OF THE REVISED CODE.**

WHEREAS, by a Resolution adopted on May 8, 2000, this Board determined pursuant to Section 5705.03 of the Revised Code that it is necessary to replace all of the existing 3.0 mill tax levy for five years and requesting the Lorain County Auditor to certify the total current tax valuation of the territory served by the Oberlin Public Library and the dollar amount of revenue that would be generated by that replacement levy; and

WHEREAS, the County Auditor certified that the total current tax valuation of the territory served by the Oberlin Public Library is \$143,917,300 and the amount of revenue that would be generated by that 3.0 mill replacement levy would be \$431,752 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 con-curring, 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 Sections 5705.192 and 5705.23 of the Revised Code to initiate and deliver proceedings to the City of Oberlin for the submission of the question of the replacement of all of an existing tax 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.

**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 June 20, 2000, of certified copies of Resolutions adopted on May 8, 2000 and June 19, 2000, by the Board of Library Trustees of the Oberlin Public Library, and the certification of the Lorain County Auditor relating thereto and dated May 11, 2000.

Those Resolutions request the Council of the City of Oberlin place the question of the replacement of all of an existing 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 7, 2000. Such request will be placed on the agenda of a meeting of the Council of the City of Oberlin which occurs before August 24, 2000.

  
\_\_\_\_\_  
Clerk of Council  
City of Oberlin, Ohio

Dated: June 20, 2000

The Board of Library Trustees of the Oberlin Public Library, a free public library of the City of Oberlin, Ohio, met in regular session on May 8, 2000, commencing at 5:00 p.m. at the Oberlin Public Library, 65 South Main Street, Oberlin, Ohio, with the following members present:

Glenn Boy      Andrew Casper  
Brenda Hunt Miller  
Mary Kistz      Gerry Finkler

Casper moved the adoption of the following resolution:

**A RESOLUTION REQUESTING THE COUNTY AUDITOR TO CERTIFY CERTAIN INFORMATION REGARDING THE REPLACEMENT OF ALL 3.0 MILLS OF AN EXISTING TAX LEVY FOR THE PURPOSE OF THE CURRENT EXPENSES OF THE OBERLIN PUBLIC LIBRARY, PURSUANT TO SECTIONS 5705.03, 5705.192 AND 5705.23 OF THE REVISED CODE.**

WHEREAS, on November 7, 1995, the electors of the Oberlin Public Library approved the renewal of a 3.0 mill tax for the purpose of current expenses of the Oberlin Public Library; and

WHEREAS, that levy is scheduled for last collection in calendar year 2001; and

WHEREAS, this Board of Library Trustees has determined that the continuation of the current 3.0 mill tax upon its expiration will be insufficient to provide an adequate amount for the necessary requirements of the Library in the future; and

WHEREAS, it is therefore necessary to replace all of that tax for the purpose of current expenses; and

WHEREAS, in accordance with Division (B) of Section 5705.03 of the Revised Code, in order to submit the question of a tax levy pursuant to Sections 5705.192 and 5705.23 of the Revised Code, this Board must request that the Lorain County Auditor certify (i) the total current tax valuation of the Library (being all of the territory in the City of Oberlin and the territory in the Oberlin City School District not in the City) and (ii) the dollar amount of revenue that would be generated by the requested replacement tax levy; and

WHEREAS, in accordance with Division (B) of Section 5705.03 of the Revised Code, upon receipt of a certified copy of a resolution of this Board declaring the necessity of the tax, stating its purpose, whether it is an additional levy or a replacement of an existing tax, and the Section of the Revised Code authorizing its submission to the electors, and requesting such certification, the County Auditor is to certify the total current tax valuation of the Oberlin Public Library and the dollar amount of revenue that would be generated by the proposed levy;

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

Section 1. It is hereby determined and recited that the Oberlin Public Library was established as a free public library by 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 Sections 5705.192 and 5705.23 of the Revised Code to initiate proceedings for the submission of the question of the replacement of an existing tax levy for the purpose of the current expenses of the Oberlin Public Library to the electors of that City and the territory of the Oberlin City School District not in the City (being all of the territory served by the Oberlin Public Library).

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 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 replace all of an existing 3.0 mill tax levy outside of the ten-mill limitation for the purpose of the current expenses of the Oberlin Public Library at a rate not exceeding 3.0 mills for each one dollar of valuation, which amounts to 30 cents for each one hundred dollars of valuation, for five years.

Section 3. This Board requests the Lorain County Auditor to certify to it both (i) the total current tax valuation of the City of Oberlin and the territory of the Oberlin City School District not in the City (being all of the territory served by the Oberlin Public Library) and (ii) the dollar amount of revenue that would be generated by the proposed 3.0 mill replacement tax levy described in Section 2 hereof.

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 said Oberlin Public Library.

Section 5. The Secretary of this Board is hereby authorized and directed to forward a certified copy of this resolution to the County Auditor of the County of Lorain.

Section 6. 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 7. This resolution shall be in full force and effect from and immediately upon its adoption.

Kurtz seconded the motion.

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

<u>Funder</u>	<u>yes</u>	<u>Shade</u>	<u>yes</u>
<u>Jaune Bay</u>	<u>yes</u>	<u>Frederick Miller</u>	<u>yes</u>
<u>May Kirtz</u>	<u>yes</u>	_____	_____

The undersigned, Secretary 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 May 8, 2000, and appearing upon the official records of said Board.

  
Secretary, Board of Library Trustees  
Oberlin Public Library, Ohio

**COUNTY AUDITOR'S CERTIFICATE**

**TO THE BOARD OF LIBRARY TRUSTEES OF THE  
OBERLIN PUBLIC LIBRARY, OHIO;**

I certify that:

1. On May \_\_\_, 2000, there was filed with me a certified copy of your Resolution adopted on May 8, 2000, determining the necessity of levying, for five years, a replacement of all of an existing 3.0 mill tax outside of the ten-mill limitation for the purpose of current expenses and requesting that I certify the total current tax valuation of the Library and the dollar amount of revenue that would be generated by that replacement levy; and

2. The total current tax valuation of the Library (being all of the territory in the City of Oberlin and the territory of the Oberlin City School District not in the City) is \$ \_\_\_\_\_; and

3. The dollar amount of revenue that would be generated by the 3.0 mill replacement levy specified in the Resolution is \$ \_\_\_\_\_ annually during the life of the levy, assuming that the total current tax valuation remains the same throughout the life of the levy.

\_\_\_\_\_  
County Auditor  
County of Lorain, Ohio

Dated: May \_\_\_, 2000

I acknowledge receipt, on behalf of the Board of Library Trustees of the Oberlin Public Library of the completed and signed above certificate on May \_\_\_, 2000.

\_\_\_\_\_  
Secretary, Board of Library Trustees  
Oberlin Public Library, Ohio

Dated: May \_\_\_, 2000



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 its 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 tax 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 in the amount of 3.0 mills for five years.

Section 3. Pursuant to said Sections 5705.192 and 5705.23 of the Revised Code and having received 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 7, 2000, the question of the replacement of all of an existing tax at the rate of 3.0 mills for five years, beginning with the tax list and duplicate for the year 2001, the proceeds of which levy would first be available to this Board of Library Trustees in calendar year 2002.

Section 4. 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 (REPLACEMENT)**

A majority affirmative vote is necessary for passage.

A replacement of 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 3.0 mills for each one dollar of valuation, which amounts to 30 cents for each one hundred dollars of valuation, for five years, commencing in 2001, first due in calendar year 2002.

	FOR THE TAX LEVY
	AGAINST THE TAX LEVY

Section 5. 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 6. The Secretary of this Board is hereby authorized and directed to forward a certified copy of this resolution, the resolution adopted by the Board on May 8, 2000 and the certificate of the County Auditor referred to in the preambles hereto to the Clerk of Council of the City of Oberlin.

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

**COUNTY AUDITOR'S CERTIFICATE**

**TO THE BOARD OF LIBRARY TRUSTEES OF THE  
OBERLIN PUBLIC LIBRARY, OHIO;**

I certify that:

1. On May \_\_\_\_, 2000, there was filed with me a certified copy of your Resolution adopted on May 8, 2000, determining the necessity of levying, for five years, a replacement of all of an existing 3.0 mill tax outside of the ten-mill limitation for the purpose of current expenses and requesting that I certify the total current tax valuation of the Library and the dollar amount of revenue that would be generated by that replacement levy; and

2. The total current tax valuation of the Library (being all of the territory in the City of Oberlin and the territory of the Oberlin City School District not in the City) is \$ \_\_\_\_\_ and

3. The dollar amount of revenue that would be generated by the 3.0 mill replacement levy specified in the Resolution is \$ \_\_\_\_\_ annually during the life of the levy, assuming that the total current tax valuation remains the same throughout the life of the levy.

\_\_\_\_\_  
County Auditor  
County of Lorain, Ohio

Dated: May \_\_\_\_, 2000

I acknowledge receipt, on behalf of the Board of Library Trustees of the Oberlin Public Library of the completed and signed above certificate on May \_\_\_\_, 2000.

\_\_\_\_\_  
Secretary, Board of Library Trustees  
Oberlin Public Library, Ohio

Dated: May \_\_\_\_, 2000

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.

Finckham seconded the motion.

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

<u>Jeanne Bay</u>	<u>yes</u>	<u>Shelley Capps</u>	<u>yes</u>
<u>Kathy Giffey</u>	<u>yes</u>	_____	_____
<u>David Finckham</u>	<u>yes</u>	_____	_____

**SECRETARY'S CERTIFICATION**

The undersigned, Secretary 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 June 19, 2000, and appearing upon the official records of said Board.

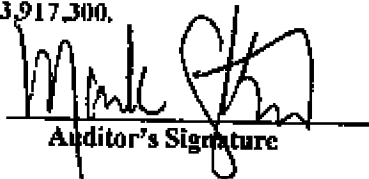
Written notice of the time and place of the special meeting of the Board of Library Trustees held on June 19, 2000, was at least twenty-four (24) hours in advance of the time of such meeting, given to and received by all news media that had heretofore requested notification of such special meetings pursuant to Section 121.22 of the Revised Code and the procedures established by the Board for that purpose.

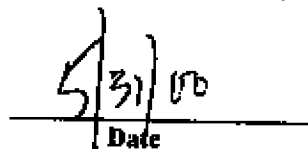
David Finckham  
Secretary, Board of Library Trustees  
Oberlin Public Library, Ohio

**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 May 11, 2000, the taxing authority of the Oberlin Public Library (political sub-division name) certified a copy of its resolution or ordinance adopted May 8, 2000 requesting the County Auditor to certify the tax valuation of the sub-division and the amount of revenue that would be produced by 3.0 mills, to levy a tax outside the ten-mill limitation for Current Expense purposes pursuant to Revised Code 5705.19, to be placed on the ballot at the November 7, 2000 election. The levy type is Replacement.
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 \$431,752.
3. The total tax valuation of the sub-division used in calculating the estimated property tax revenue is 143,917,300.

  
Auditor's Signature

  
Date

**INSTRUCTIONS**

1. "Total tax valuation" includes the taxable value of all real, personal, and public utility property in the sub-division, which are on the tax lists that were most recently certified for collection. 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 levy.
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 75 days before the election.