

## **RESOLUTION NO. R06-01 CMS**

**A RESOLUTION REQUESTING THAT THE COUNTY AUDITOR, PURSUANT TO OHIO REVISED CODE SECTION 5705.03, CERTIFY TO THE CITY OF OBERLIN THE TOTAL CURRENT TAX VALUATION OF THE CITY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THE RENEWAL OR REPLACEMENT OF VARIOUS LEVIES AND DECLARING AN EMERGENCY**

**WHEREAS, three levies, one for police pensions, one for expenses of Collection and Disposal of Garbage or Refuse, and one for current expenses of the City, pursuant to Ohio Revised Code Sections 5705.19 (W), 5705.19 (V), 5705.19 (A), and 5705.25, were approved by Oberlin voters on May 8, 2001, and expired December 31, 2005, with the last collection year being calendar year 2006; and**

**WHEREAS, in order to continue to pay for those necessary municipal expenses, renewals or replacements of those levies that may need to be placed on the May 2, 2006, ballot.**

**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. Pursuant to Ohio Revised Code Section 5705.03, the City of Oberlin hereby requests that the Lorain County Auditor certify to the City of Oberlin the total current tax valuation of the City and the dollar amount of revenue that would be generated by:**

- (1) a renewal of the 1.6 mill levy for Police Pensions, pursuant to Ohio Revised Code Section 5705.19 (W);**
- (2) a renewal of the 3.0 mill levy for Collection and Disposal of Garbage or Refuse, pursuant to Ohio Revised Code Section 5705.19 (V);**
- (3) a renewal of the 1.2 mill levy for Current Expenses of the City, pursuant to Ohio Revised Code Section 5705.19 (A);**
- (4) the amount of revenue that would be generated if these same levies were replaced instead of renewed; and,**

- (5) the amount of revenue that would be generated if the 3.0 mill levy for Collection and Disposal of Garbage or Refuse was replaced and increased to 3.2 mills or 3.5 mills.

**SECTION 2.** The Clerk of Council is hereby directed to certify a copy of this Resolution to the Auditor of Lorain County.

**SECTION 3.** 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 4.** That this Resolution be and hereby is 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 the County Auditor certifies the total current tax valuation of the City and the dollar amount of revenue that would be generated in order to pass legislation for the replacement or renewals of the various levies detailed in Section 1 before the deadline for placing the levies on the May 2006 ballot," and shall take effect immediately upon passage.

**PASSED:** 1<sup>st</sup> Reading – January 17, 2006 (Amendment) (E)  
 2<sup>nd</sup> Reading -  
 3<sup>rd</sup> Reading -

**ATTEST:**

  
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**CLERK OF COUNCIL**

  
 \_\_\_\_\_  
**PRESIDENT OF COUNCIL**

**POSTED:** 1/18/2006

**EFFECTIVE DATE:** 1/18/2006

# City of *Oberlin*

69 South Main Street, Oberlin, Ohio 44074

To: Honorable President, Council, and Council Appointees  
From: Sal Talarico, Finance Director *ST*  
Subject: Resolution 06-01 CMS – Requesting Amount of Tax Revenues  
Date: January 13, 2006

This resolution is a result of the January 9<sup>th</sup> Council worksession. Council requested that the administration move forward with the potential for both charter and/or levy millage for the expiring levies.

In order to proceed with legislation to place the police pension, refuse and general fund levies on the May ballot, should Council decide to do so, we are required to formally, by resolution, ask the County Auditor to provide a certificate indicating the tax values and estimated amounts of collection. That is the purpose for resolution 06-01 CMS. This resolution will not place the issue on the ballot, it merely confirms the anticipated revenue from a potential levy. Once we confirm the anticipated revenue we will proceed with the ballot resolutions, or charter amendments, based on Council's recommendation, for the February 6<sup>th</sup> and/or 21<sup>st</sup> meetings (see attached timeline for charter and levy millage).

c. File

Council 1-13-06 Resolution requesting tax revenue for levies & timeline

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*"Ohio's Best College Town"*

—OHIO Magazine

For your convenience I have included a tentative schedule and flowchart for the May 2006 Primary election. \*

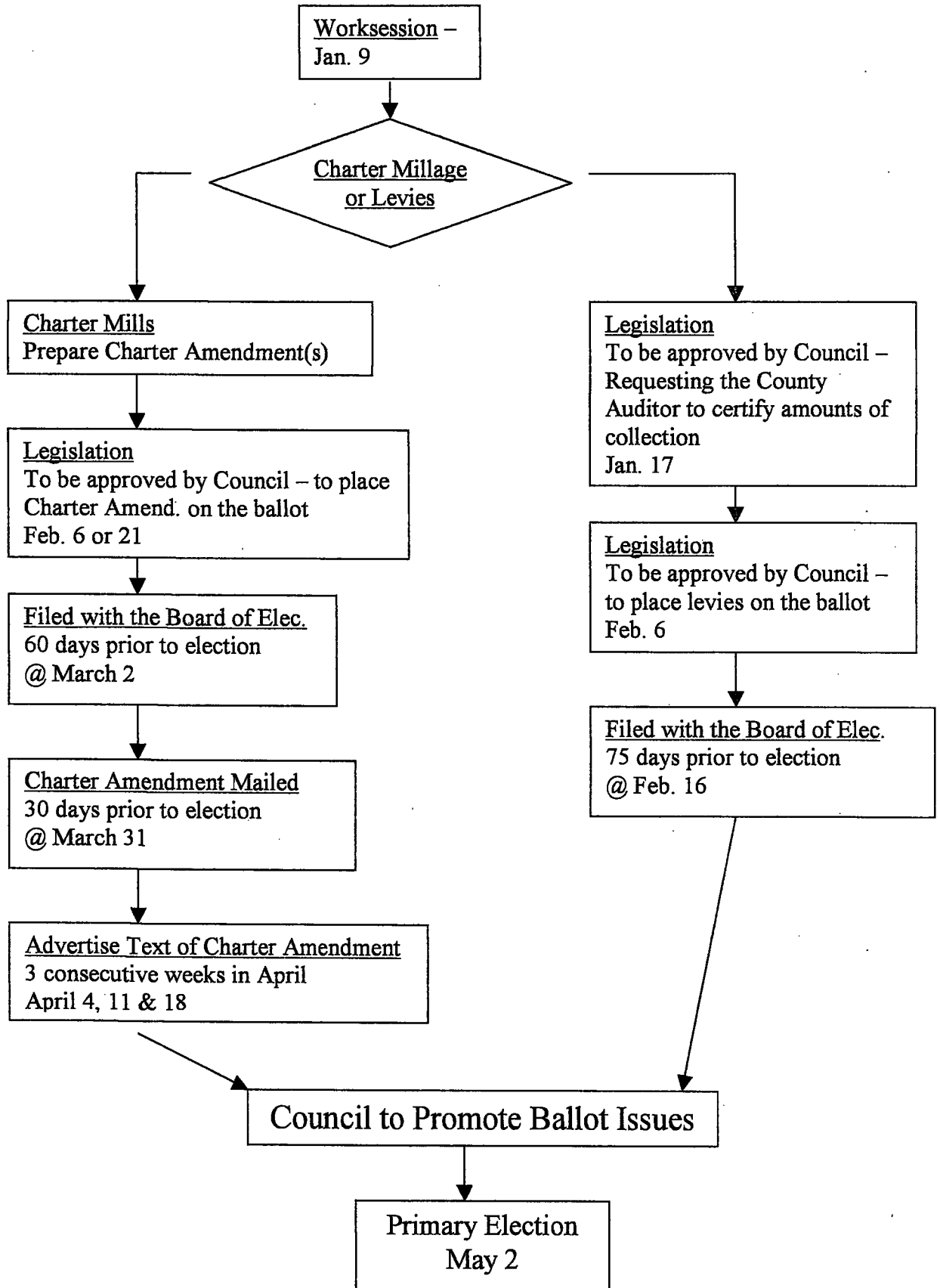
January 9, 2006	Worksession on levy options (refresher of the May 2005 worksession)
January 2006	Charter amendment would need to be drafted (for charter millage only)
January 17, 2006	Resolution requesting the County Auditor to certify the amount of collections from proposed levy renewal/replacement(s) (should Council select this option)
Feb. 6, 2006	Legislation for the renewal/replacement levies would need to be approved by City Council
Feb. 21, 2006	Legislation for the charter amendment would need to be approved by City Council
February 16, 2006 (4:00)	Primary Election – filing deadline – LEVIES
March 2, 2006	Primary Election – filing deadline – CHARTER AMENDMENT
March 31, 2006	Proposed charter amendment mailed to each registered voter at least 30 days prior to election (see charter amendment provision below)
April 4, 11, & 18, 2006	Advertise in newspaper, the full text of any charter amendment, at least once per week for 3 consecutive weeks (see charter amendment provision below)
May 2, 2006	General Election – Charter amendment (or Renewal and/or Replacement levies)

#### **SECTION XXI. AMENDMENT OF CHARTER.**

*This Charter may be amended by the following procedure: Council by a vote of at least five (5) of its members may submit to the electors of the Municipality amendments to this Charter, and Council shall, upon petition being presented to it at a regular meeting of Council, setting forth a proposed amendment, signed by not less than 10 percent of the resident qualified electors, submit such a proposed amendment to the voters for adoption or rejection at any municipal or general election occurring at least 60 days after the action by Council or the filing of the petition. The full text of any proposed amendment shall be published in a newspaper of general circulation in the Municipality at least once per week for three (3) consecutive weeks in the month prior to the date of election at which said amendment shall be voted upon and a copy of said amendment shall be mailed to each registered voter of the Municipality at least 30 days prior to said election.*

\*Filing dates and charter amendment dates need to be confirmed by Law Director.

# May 2006 Primary Election Tentative Flowchart of Events



City of  
*Oberlin*

69 South Main Street, Oberlin, Ohio 44074

To: Honorable President, Members of Council and Council Appointees  
From: Sal Talarico, Finance Director  
Subject: Police Pension, Refuse, and General Fund Levy Replacements  
Date: February 3, 2006

As you recall at the Council meeting of January 17, 2006 Council members requested the administration have various forms of legislation prepared to address the expiring levies for Police Pensions, Refuse and General Fund. The options Council requested were replacement levies for all 3, a charter amendment for all 3 and a charter amendment for Police and Fire Pensions only. The Law Director, and Squire, Sanders & Dempsey, have researched the charter amendment option and will explain why the charter amendments are not on the agenda.

Since the last meeting we received the Certificates of Estimated Property Taxes from the County Auditor (attached).

Emergency passage is required so a Certified copy of the Resolutions (and the County Auditor's certificate of filing and certificate of estimated revenue) can be filed with the Board of Elections before the filing deadline (Feb. 16<sup>th</sup>).

If you have any comments/questions please give me a call.

c. File

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*"Ohio's Best College Town"*

**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 **January 19, 2006**, the taxing authority of the **City of Oberlin** certified a copy of its resolution or ordinance adopted **January 17, 2006** requesting the County Auditor to certify the tax valuation of the sub-division and the amount of revenue that would be produced by **1.60 mills**, to levy a tax outside the ten-mill limitation for **Police Pension** purposes pursuant to Revised Code **5705.19 (W)**, to be placed on the ballot at the **May 2, 2006** 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 **\$158,423**.  
**\$ 5,543. – P.P. State Reimbursement – 2007**  
**\$163,966. – Total**
3. The total tax valuation of the sub-division used in calculating the estimated property tax revenue is **110,482,366**.

  
\_\_\_\_\_  
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 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 75 days before the election.

**CERTIFICATE OF ESTIMATED PROPERTY TAX REVENUE**  
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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  
**\$158,423.**  
**\$ 5,543. – P.P. State Reimbursement – 2007**  
**\$163,966. – Total**
3. The total tax valuation of the sub-division used in calculating the estimated property tax revenue is  
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Auditor's Signature

  
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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  
**\$176,772.**  
**\$ 5,543. – P.P. State Reimbursement – 2007**  
**\$182,315. – Total**
3. The total tax valuation of the sub-division used in calculating the estimated property tax revenue is  
**110,482,366.**

  
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Auditor's Signature

  
\_\_\_\_\_  
Date

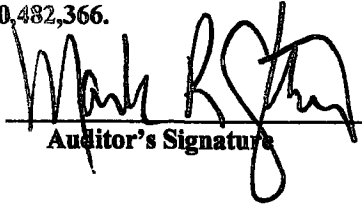
**INSTRUCTIONS**

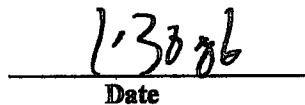
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The County Auditor of **LORAIN** County, Ohio does hereby certify the following:

1. On January 19, 2006, the taxing authority of the City of Oberlin certified a copy of its resolution or ordinance adopted January 17, 2006 requesting the County Auditor to certify the tax valuation of the sub-division and the amount of revenue that would be produced by 1.20 mills, to levy a tax outside the ten-mill limitation for Current Expenses purposes pursuant to Revised Code 5705.19 (A), to be placed on the ballot at May 2, 2006 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 \$118,817.  
\$ 4,157. - P.P. State Reimbursement - 2007  
\$122,974. - Total
3. The total tax valuation of the sub-division used in calculating the estimated property tax revenue is 110,482,366.

  
Auditor's Signature

  
Date

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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 \$132,579.  
\$ 4,157. - P.P. State Reimbursement - 2007  
\$136,736. - Total
3. The total tax valuation of the sub-division used in calculating the estimated property tax revenue is 110,482,366.

  
\_\_\_\_\_  
Auditor's Signature

1-30-06  
\_\_\_\_\_  
Date

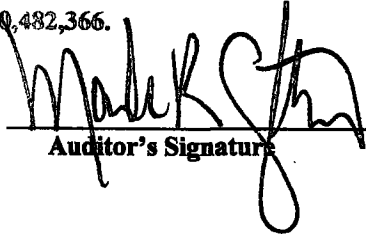
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2. The estimated property tax revenue that will be produced by the stated millage, assuming the valuation of the sub-division remains constant throughout the life of the levy, is calculated to be  
\$297,044.  
\$ 10,393 - P.P. State Reimbursement - 2007  
\$307,437 - Total
3. The total tax valuation of the sub-division used in calculating the estimated property tax revenue is  
110,482,366.

  
Auditor's Signature

1-30-06  
Date

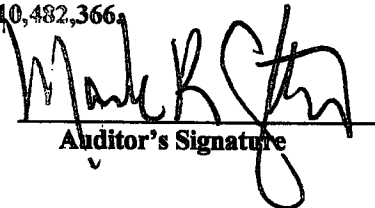
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2. The estimated property tax revenue that will be produced by the stated millage, assuming the valuation of the sub-division remains constant throughout the life of the levy, is calculated to be  
\$331,447.  
\$ 10,393. – P.P. State Reimbursement – 2007  
\$341,840 – Total
3. The total tax valuation of the sub-division used in calculating the estimated property tax revenue is  
110,482,366.

  
Auditor's Signature

1-30-06  
Date

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2. The estimated property tax revenue that will be produced by the stated millage, assuming the valuation of the sub-division remains constant throughout the life of the levy, is calculated to be  
\$353,544.  
\$ 10,393. – P.P. State Reimbursement – 2007  
\$363,937 – Total
3. The total tax valuation of the sub-division used in calculating the estimated property tax revenue is 110,482,366.

  
\_\_\_\_\_  
Auditor's Signature

  
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Date


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2. The estimated property tax revenue that will be produced by the stated millage, assuming the valuation of the sub-division remains constant throughout the life of the levy, is calculated to be  
**\$386,688.**  
**\$ 10,393. – P.P. State Reimbursement – 2007**  
**\$397,081 – Total**
3. The total tax valuation of the sub-division used in calculating the estimated property tax revenue is **110,482,366.**

  
\_\_\_\_\_  
Auditor's Signature

  
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