

CITY OF BEXLEY, OHIO
RESOLUTION NO. 2 -05

By: **Helen MacMurray**

**RESOLUTION DECLARING INTENT TO PROCEED WITH ELECTION ON
 THE QUESTION OF REPLACEMENT OF A TAX IN EXCESS OF THE TEN
 MILL LIMITATION**

(R.C. Section 5705.192)
 Replacement Operating Levy

WHEREAS, on December 28, 2004, the City Council (the "Council") passed a Resolution declaring the necessity, for the purpose of current operating expenses of the City of Bexley (the "City"), to replace all of a tax in excess of the ten-mill limitation in the amount of three and four tenths (3.4) mills for each one dollar of valuation, which amounts to thirty-four cents (\$0.34) for each one hundred dollars of valuation, for five years; and;

WHEREAS, on January 4, 2005, the Franklin County Auditor certified to the Council that the dollar amount of revenue that would be generated by the replacement tax levy during the first year of collection is \$1,329,963.43, based on the current assessed valuation of the City of \$391,165,716;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bexley, Franklin County, Ohio, two-thirds of all of the members elected thereto concurring, that:

Section 1. The Council desires to proceed with the submission of the question of the replacement tax levy to the electors of the City.

Section 2. The question of such Replacement tax levy shall be submitted to the electors of the City at an election to be held therein on May 3, 2005 (the "Election Day").

Section 3. The form of the ballot to be used at said election shall be substantially as follows:

"A replacement of a tax for the benefit of the City of Bexley, Franklin County, Ohio for the purpose of **current expenses** of the City at a rate not exceeding three and four tenths (3.4) mills for each one dollar of valuation, which amounts to thirty-four cents (\$0.34) for each one hundred dollars of valuation, for the following period of time: five years, commencing in 2005, first due in calendar year 2006."

	FOR THE TAX LEVY
	AGAINST THE TAX LEVY

Section 4. The Clerk of Council of the Council is hereby directed and shall certify, not later than February 17, 2005 (which is not less than 75 days prior to the Election Date), to the Franklin County Board of Elections a copy of the Resolution of December 21, 2004 and a copy of this Resolution together with the dollar amount of revenue that would be generated by the replacement tax levy during the first year of collection, based on the current assessed valuation of the City, as estimated by the Franklin County Auditor.

Section 5. The Clerk of Council is hereby directed and shall simultaneously certify to the Franklin County Board of Elections, that the replacement tax levy will be for the following period of time: five years and that such levy will include a levy on the current year's tax list (commencing in 2005, first due in calendar year 2006) if approved by a majority of the electors voting thereon.

M____ seconded the motion and, after discussion, a roll call vote was taken and the results were:

Ayes: _____

Nays: _____

Passed: _____, 2005

President of Council

Attest: _____
Clerk of Council

Approved: _____, 2005

1-11-05 First Reading
01-25-05 Second Reading
02-8-05 Withdrawn

David H. Madison, Mayor

CERTIFICATE
RESOLUTION -05

The undersigned Clerk of Council of the City of Bexley, Franklin County, Ohio, hereby certifies that the foregoing is a true copy of a Resolution duly passed by the City Council of said City on February ____, 2005, and that a true copy thereof was certified to the County Auditor of Franklin County, on February _____, 2005.

Clerk of Council
City of Bexley,
Franklin County, Ohio

CERTIFICATE OF BOARD OF ELECTIONS

**(R.C. Section 5705.192)
Replacement Operating Levy**

The undersigned, being the director of Elections of Franklin County, Ohio, does hereby acknowledge receipt on February _____, 2005, of the following documents from the City of Bexley, Franklin County, Ohio (the "City"):

1. A certified copy of a Resolution passed by the City Council of the City on December 28, 2004 determining the necessity of a replacement tax levy for the current operating expenses of the city at a rate not exceeding three and four tenths (3.4) mills for each one dollar of valuation, which amounts to thirty four cents (\$0.34) for each one hundred dollars of valuation, for the following period of time: five years, and to submit the same to the electors.
2. A certificate of the County Auditor of Franklin County, Ohio, dated January 4, 2005 certifying the dollar amount of revenue that would be generated by the tax levy during the first year of collection, based on the current assessed valuation of the City.
3. A certified copy of a Resolution passed by such City Council on February ____, 2005 determining to proceed with the election on the question of the replacement tax levy.

WITNESS my hand at Columbus, Ohio this _____, 2005.

Director of Elections
Franklin County, 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 Franklin County, Ohio, does hereby certify the following:

1. On January 3, 2005, the taxing authority of the city of Bexley certified a copy of its Resolution adopted December 28, 2004 requesting the county auditor to certify the current tax valuation of the subdivision and the amount of revenue that would be produced by three and four tenths (3.40) mills, to levy a tax outside the ten-mill limitation for the purpose of providing current operating revenues pursuant to Revised Code §5705.192, to be placed on the ballot at the May 3, 2005 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 subdivision remains constant throughout the life of the levy, is calculated to be \$1,329,963.43.
3. The total tax valuation of the subdivision used in calculating the estimated property tax revenue is \$391,165,716.

Franklin County Auditor

Date

INSTRUCTIONS

1. "Total tax valuation" includes the taxable value of all real, personal and public utility property in the subdivision, which are on the tax lists that were most recently certified for collection. If the subdivision is located in more than one county, the home county auditor (where the greatest taxable value of the subdivision is located) shall obtain the assistance of the other county auditors to establish the total tax valuation of the subdivision.
2. "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.
3. Please file this certification with the subdivision as soon as possible, so the taxing authority can pass a Resolution to proceed not later than 75 days before the election.