

CITY OF BEXLEY, OHIO

RESOLUTION NO. 20-05

By: Helen MacMurray

RESOLUTION DECLARING IT NECESSARY TO LEVY A
REPLACEMENT TAX IN EXCESS OF THE TEN MILL
LIMITATION

(R.C. Section 5705.192)
Replacement Operating Levy

WHEREAS, the amount of taxes which may be raised within the ten mill limitation will be insufficient to provide an adequate amount for the necessary requirements of the City of Bexley, Ohio (the "City");

WHEREAS, the City is currently levying a three and four tenths (3.4) mills five-year operating levy approved by the voters of the City on March 7, 2000, and first placed on the tax list and duplicate in 2000 (the "Original Levy") for collection years 2001, 2002, 2003, 2004, and 2005; and

WHEREAS, a Resolution declaring the necessity of levying a tax outside the ten-mill limitation must be passed and certified to the County Auditor of Franklin County in order to permit the City Council (the "Council") to consider the levy of such a tax and must request that the County Auditor certify to the Council the total current tax valuation of the City and the dollar amount of revenue that would be generated by the replacement tax;

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. It is necessary to replace all of the five year, three and four tenths (3.4) mill (the "Original Levy") for current expenses approved by voters of the City on March 7, 2000, and first placed on the tax list and duplicate in 2000.

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 November 8, 2005.

Section 3. Such replacement tax levy shall be 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, such replacement levy to replace all of the Original Levy, which was first placed on the tax list and duplicate in 2005.

Section 4. Such replacement levy shall be placed upon the tax list and duplicate for the current tax year (commencing in 2005, first due in calendar year 2006), if a majority of the electors voting thereon vote in favor thereof.

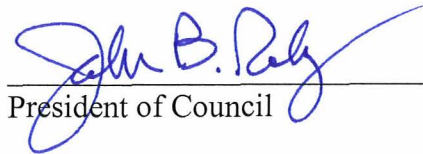
Section 5. The Clerk of Council of this Council is hereby authorized and directed to certify a copy of this Resolution to the County Auditor of Franklin County. This Council hereby requests that the County Auditor certify to this Council the total current tax valuation of the City and the dollar amount of revenue that would be generated by the replacement levy if approved by the voters of the City.

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

Ayes: Mr. Lampke, Ms. MacMurray, Mr. Masser, Mr. McClelland, Mr. Morison, Mr. Weber and Mr. Rohyans.

Nays: None.

Passed: July 12, 2005



President of Council

Attest: 

Clerk of Council

Approved: July 12, 2005



David H. Madison, Mayor

7/12/05 First Reading. Three Reading
Rule Suspended. Passed.

Vorys, Sater, Seymour and Pease LLP

52 East Gay Street • Post Office Box 1008 • Columbus, Ohio 43216-1008 • Telephone (614) 464-6400 • Facsimile (614) 464-6350 • Cable vorysatt

ARTHUR A. VORYS
1876 P.333
LOVAY L. SATER
1807 P.315
ARGENTIUS L. SEYMOUR
1873 P.26
EDWARD L. PEASE
1873 P.24

WASHINGTON
1828 E. STATE ST.
Fifth Floor
Washington, D.C. 20037-4000
TEL 202 462-8800
FAX 202 462-8900

CLEVELAND
900 One Cleveland Center
1125 East Ninth St.
Cleveland, OH 44114-1125
TEL 216 429-6000
FAX 216 429-6000

CINCINNATI
Suite 2000 Atlantic Plaza
301 E. Fourth St.
Cincinnati, OH
Cincinnati, OH 45202-3200
TEL 513 763-6000
FAX 513 763-4000

ALEXANDRIA
711 South Washington St.
Suite 210
Alexandria, VA 22304
TEL 703 836-6000
FAX 703 836-6100

AKRON
100 South Main Street
Suite 1100
Akron, OH 44308
TEL 330 268-0000
FAX 330 268-0001

James H. Gross
Direct Dial (614) 464-6231
Facsimile (614) 719-4740
E-Mail: jhgross@vssp.com

RECEIVED

JUL 21 2005

JOSEPH W. TESTA
FRANKLIN COUNTY AUDITOR

July 21, 2005

VIA COURIER

Ms. Judy Williamson
Office of the Auditor of
Franklin County, Ohio
373 South High Street
Columbus, Ohio 43215


Re: City of Bexley, Ohio

Dear Judy:

Enclosed are copies of Resolution No. 18-05, Resolution No. 19-05 and Resolution No. 20-05 adopted by Bexley City Council on July 12, 2005, and certified by the Clerk of Council with respect to Council's consideration of alternatives for a possible replacement levy. We are requesting certification of the total tax valuation and the estimated property tax revenue that would be produced by the stated millage in each resolution as required by Ohio law.

Please call me at the telephone number above when the certification is ready, and I will have it picked up by messenger. Council would like to be able to act on this matter at a special meeting on August 1, 2005. Thank you for your prompt attention to this request.

Very truly yours,


James H. Gross
Bexley City Attorney

JHG/mlk
Enclosures

cc: Gary W. Qualmann
Sara Chinnock ✓

CITY OF BEXLEY, OHIO

RESOLUTION NO. 20-05

RECEIVED
JUL 21 2005
JOSEPH W. TESTA
FRANKLIN COUNTY AUDITOR

By: Helen MacMurray

RESOLUTION DECLARING IT NECESSARY TO LEVY A
REPLACEMENT TAX IN EXCESS OF THE TEN MILL
LIMITATION

(R.C. Section 5705.192)
Replacement Operating Levy

WHEREAS, the amount of taxes which may be raised within the ten mill limitation will be insufficient to provide an adequate amount for the necessary requirements of the City of Bexley, Ohio (the "City");

WHEREAS, the City is currently levying a three and four tenths (3.4) mills five-year operating levy approved by the voters of the City on March 7, 2000, and first placed on the tax list and duplicate in 2000 (the "Original Levy") for collection years 2001, 2002, 2003, 2004, and 2005; and

WHEREAS, a Resolution declaring the necessity of levying a tax outside the ten-mill limitation must be passed and certified to the County Auditor of Franklin County in order to permit the City Council (the "Council") to consider the levy of such a tax and must request that the County Auditor certify to the Council the total current tax valuation of the City and the dollar amount of revenue that would be generated by the replacement tax;

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. It is necessary to replace all of the five year, three and four tenths (3.4) mill (the "Original Levy") for current expenses approved by voters of the City on March 7, 2000, and first placed on the tax list and duplicate in 2000.

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 November 8, 2005.

Section 3. Such replacement tax levy shall be 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, such replacement levy to replace all of the Original Levy, which was first placed on the tax list and duplicate in 2005.

Section 4. Such replacement levy shall be placed upon the tax list and duplicate for the current tax year (commencing in 2005, first due in calendar year 2006), if a majority of the electors voting thereon vote in favor thereof.

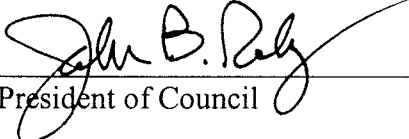
Section 5. The Clerk of Council of this Council is hereby authorized and directed to certify a copy of this Resolution to the County Auditor of Franklin County. This Council hereby requests that the County Auditor certify to this Council the total current tax valuation of the City and the dollar amount of revenue that would be generated by the replacement levy if approved by the voters of the City.

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

Ayes: Mr. Lampke, Ms. MacMurray, Mr. Masser, Mr. McClelland, Mr. Morison, Mr. Weber and Mr. Rohyans.

Nays: None.

Passed: July 12, 2005

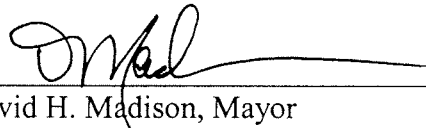


President of Council

Attest 

Clerk of Council

Approved: July 12, 2005

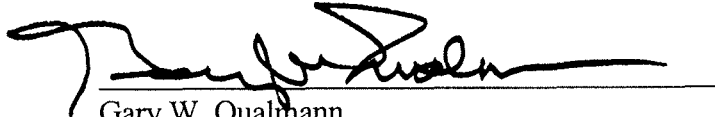


David H. Madison, Mayor

7/12/05 First Reading. Three Reading
Rule Suspended. Passed.

CERTIFICATE

The undersigned Clerk of Council of the City of Bexley, Franklin County, Ohio hereby certifies that the foregoing is a true copy of Resolution No. 20-05 duly passed by the City Council of said City on July 12, 2005, and that a true copy thereof was certified to the County Auditor of Franklin County, Ohio, on JULY 18TH, 2005.

A handwritten signature in black ink, appearing to read "Gary W. Qualmann", written over a horizontal line.

Gary W. Qualmann
Clerk of Council
City of Bexley
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 July 21, 2005, the taxing authority of the City of Bexley, certified a copy of its resolution adopted July 12, 2005, 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 the current expenses pursuant to Revised Code 5705.192 to be placed on the ballot at the November 8, 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

July 27, 2005
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 certificate 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.