

TEMPORARY RESOLUTION NO. 142-22\*\*

PERMANENT RESOLUTION NO. 24-23

A RESOLUTION TO SUBMIT TO THE ELECTORS OF THE CITY OF LANCASTER THE QUESTION OF A REPLACEMENT LEVY AT A RATE NOT TO EXCEED 3 MILLS FOR EACH ONE DOLLAR OF TAXABLE VALUE FOR THE PURPOSE OF THE GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING, AND REPAIR OF STREETS, ROADS, AND BRIDGES IN THE CITY, AND DECLARING AN EMERGENCY

WHEREAS, this Council determined previously and again in 2023 that the amount of taxes which may be raised within the 10-mill limitation by levies on the current tax duplicate is insufficient to provide adequate revenue for the purpose of the general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges in the City; and

WHEREAS, the residents of the City previously approved a 3-mill levy for the same purpose in 2013 that will expire on December 31, 2023; and

WHEREAS, a replacement levy would need to be approved in order to continue adequately funding the general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges in the City; and

WHEREAS, the Fairfield County Auditor has certified, pursuant to Ohio Revised Code 5705.03(B), to this Council that the total current tax valuation of the City is \$1,051,418,450.00 and the dollar amount generated by a tax not to exceed 3 mills for each \$1.00 of taxable value levied pursuant to Ohio Revised Code Section 5705.19(G) would be \$3,135,000.00; now, therefore,

BE IT RESOLVED by the Council of the City of Lancaster, State of Ohio, two-thirds of all members elected thereto concurring, that:

SECTION 1. This Council determines that the amount of taxes which may be raised within the 10-mill limitation by levies on the current tax duplicate is insufficient to provide adequate funds for the purpose of the general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges in the City.

SECTION 2. This Council determines that the question of whether a replacement tax in accordance with Ohio Revised Code Section 5705.19(G) for the purpose of the general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges in the City at a rate not to exceed 3 mills for each \$1.00 of taxable value for a period of ten (10) years to be placed on the current tax duplicate for the City shall be submitted to all the electors of the City at the primary election to be held on May 2, 2023.

SECTION 3. The form of the ballot to be used at the election on the question shall be as follows:

PROPOSED TAX LEVY (REPLACEMENT)  
CITY OF LANCASTER, OHIO  
A majority affirmative vote is necessary for passage

A replacement of a tax for the benefit of the City of Lancaster, Ohio for the purpose of the general construction, reconstruction, resurfacing, and repair of streets, roads,

and bridges, that the County Auditor estimates will collect \$3,135,000.00 annually, at a rate not exceeding 3 mills for each \$1.00 of taxable value, which amounts to \$105.00 for each \$100,000.00 of the County Auditor's appraised value, for 10 years, commencing in 2023, first due in calendar year 2024.

	FOR THE TAX LEVY
	AGAINST THE TAX LEVY

SECTION 4. The Clerk of this Council is directed to certify a copy of this Resolution and the Fairfield County Auditor's certification to the Board of Elections of Fairfield County, Ohio on or before 4:00 pm on February 1, 2023.

SECTION 5. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were taken in meetings open to the public in compliance with the law.

SECTION 6. This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the City and for the further reason that this resolution must be delivered to the Fairfield County Board of Elections on or before February 1, 2023 at 4:00 pm for inclusion on the May 2, 2023 primary ballot; wherefore, this resolution shall take effect and be in force immediately upon its adoption and approval by the Mayor.

Passed: 1/23/23 after 3<sup>rd</sup> reading. Vote: Yeas 8 Nays 0

Approved: 1/23/23

Attest: Teresa Lee Sandy  
President of Council  
David L. Sheple  
Mayor

The foregoing is a true and correct copy of Resolution 24-2023 as adopted by the Council of the City of Lancaster, Ohio at its meeting on 1/23, 2023.

Offered by: Mary R. Tener

Second by: [Signature]

Requested by Law Committee

I, Teresa Lee Sandy, Clerk of Council do hereby certify that on \_\_\_\_\_, 2023 and \_\_\_\_\_, 2023 the Lancaster Eagle Gazette published the summary of this resolution in accordance with Ohio Revised Code 731.24.

\_\_\_\_\_  
Clerk of Council