

RECORD OF ORDINANCES

Ordinance No. 2020-22

Passed July 27 2020

FILED
JUL 28 2020

James A. Shanley, Jr.

County Auditor, Fairfield County, Ohio

VILLAGE OF BALTIMORE, OHIO

ORDINANCE NO. 2020-22

AN ORDINANCE DECLARING THE NECESSITY OF ISSUING BONDS, SUBMITTING THE QUESTION TO THE ELECTORS OF THE VILLAGE, AND THE DECLARATION OF AN EMERGENCY.

WHEREAS, this Village Council proposes to submit to the electors of this Village at the election to be held on November 3, 2020, the question of issuing bonds of this Village in the amount of \$17,000,000 for the purpose of replacement and upgrade of the water distribution system throughout the Village (the "Project"), and the question of levying an annual direct tax on all of the taxable property in this Village outside of the ten-mill limitation to pay the interest on and to retire said bonds, under authority of Chapter 133 of the Ohio Revised Code (the "Act"), particularly Section 133.18 of the Act; and

WHEREAS, the Village Fiscal Officer of this Village has heretofore estimated that the life of such improvements is at least five (5) years, and has certified that the maximum maturity of the bonds issued therefor is forty (40) years; and

WHEREAS, this Village Council desires to pass an ordinance declaring the necessity of said bond issue, said direct tax and said election;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF
THE VILLAGE OF BALTIMORE, FAIRFIELD COUNTY, OHIO,
A MAJORITY OF ITS MEMBERS CONCURRING:

SECTION 1. That it is necessary to issue bonds of this Village in the principal amount of \$17,000,000 for the purpose of described in the Preambles hereof. Said bonds shall be dated approximately December 1, 2020, shall bear interest at the rate now estimated at three percent (3%) per annum, and shall mature in substantially equal annual or semiannual installments, or in installments such that the principal and interest payable on such bonds in each year in which principal is payable is substantially equal with that payable in the other such years, over a period not exceeding thirty (30) years after their issuance.

SECTION 2. That it is necessary that there shall be annually levied on all of the taxable property in the entire territory of this Village, an additional direct tax outside the limitation imposed by Section 2 of Article XII of the Constitution of the State of Ohio to pay the interest on and to retire said bonds and any anticipatory securities. Said tax is expected to be first levied in 2020 and first collected in calendar year 2021.

SECTION 3. That the question of issuing said bonds and of levying said direct tax shall be submitted to the electors of the entire territory of the Village at the election to be held on November 3, 2020, pursuant to Section 133.18 of the Ohio Revised Code. The Village has territory in Fairfield County, Ohio.

SECTION 4. That the Village Fiscal Officer of the Village be and is hereby directed to certify a copy of this ordinance to the county auditor for the calculation of the average annual levy that will be required to pay the interest on and retire said bonds. The county auditor is hereby requested to certify to this village council the total current tax valuation of the Village and the number of mills required to generate an amount of revenue sufficient to pay the interest on and to retire said bonds.


SECTION 5. That it is found and determined that all formal actions of this village council concerning and relating to the passage of this ordinance were passed in an open meeting of this village council; and that all deliberations of this village council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code.

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SECTION 6. That this ordinance is hereby declared to be an emergency measure for the reason that the public peace, health, safety and welfare of the inhabitants of the Village require the submission of the question of issuing the bonds referred to herein at the November 3, 2020 election so that the citizens of the Village may enjoy the benefits of the Project at the earliest possible time, and therefore, this ordinance shall take effect immediately upon its passage.


Brad Nicodemus, Mayor

DATE OF PASSAGE: 7-27-2020

EFFECTIVE DATE: 7-27-2020


ATTEST: 
Brian Bibler, Fiscal Officer

SPONSOR: KELLER

APPROVED AS TO FORM: 
Jeffrey Feyko, Village Solicitor

CERTIFICATE

The undersigned hereby certifies that the foregoing is a true and correct copy of Ordinance No. 2020-¹²² passed at a meeting held on July 27, 2020.


Brian Bibler, Fiscal Officer

RECEIPT

The undersigned hereby acknowledges receipt this day of a certified copy of the foregoing ordinance.

County Auditor
Fairfield County, Ohio

Dated: July _____, 2020

16654959

EXTRACT FROM MINUTES OF MEETING

The Council of the Village of Baltimore, Ohio, met in regular session at 7:30 p.m. on July 27, 2020, at an on-line meeting coordinated in Baltimore, Ohio, with the following members present:

<u>Keller</u>	<u>Foreman</u>	<u>Mohler</u>
<u>Cosgray</u>	<u>Hamilton</u>	<u>Hankison</u>
_____	_____	_____

Absent: _____

There was presented and read to Council Ordinance No. 2020-22, entitled:

ORDINANCE DECLARING THE NECESSITY OF ISSUING BONDS, SUBMITTING THE QUESTION TO THE ELECTORS OF THE VILLAGE, AND THE DECLARATION OF AN EMERGENCY.

Keller moved the rule requiring an ordinance or resolution of a general or permanent nature to be read on three separate days be suspended as to Ordinance No. 2020-22. Cosgray seconded the motion, and the following was the result of a vote thereon (at least three-fourths of the members elected thereto concurring):

YEAS: <u>Keller</u>	<u>Foreman</u>	<u>Mohler</u>
<u>Cosgray</u>	<u>Hamilton</u>	<u>Hankison</u>
_____	_____	_____

NAYS: _____

Keller then moved that Ordinance No. 2020-22 be passed as read. Cosgray seconded the motion and, the roll being called upon the question, the vote resulted as follows (at least two-thirds of the members elected thereto concurring):

YEAS: <u>Keller</u>	<u>Foreman</u>	<u>Mohler</u>
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Cosgray

Hamilton

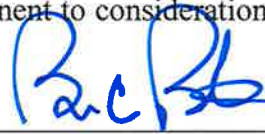
Hankison

NAYS: _____

The ordinance was declared passed July 27, 2020.

CERTIFICATE

The undersigned, Village Fiscal Officer of the Village of Baltimore, Ohio hereby certifies that the foregoing is a true and correct extract from the minutes of a meeting of the Council of said Village, held on July 27, 2020 to the extent pertinent to consideration and passage of the above-entitled legislation.



Village Fiscal Officer

DGS/16654959

RECEIVED

JUL 31 2020

DTE 130
Rev. 8/10
O.R.C. 133.18(C), 5705.03(B)

VILLAGE OF BALTIMORE

Certificate of Estimated Average Annual Property Tax Levy for Bonds of Subdivisions of the State

The county auditor of Fairfield County, Ohio, does hereby certify the following:

- On July 28, 2020, the taxing authority of the Village of Baltimore (political subdivision name) certified a copy of its resolution adopted July 27, 2020, declaring the necessity of issuing bonds in the aggregate principal amount of \$ 17,000,000, and levying a tax outside the 10-mill limitation for the purposes set forth in the resolution to be placed on the ballot at the November 3, 2020, Primary election.
- The estimated average annual property tax levy required throughout the stated maximum maturity of the bonds to pay the interest on the bonds and retire the principal over 30 years is calculated to be thirteen and nine tenths (13 . 90) mills for each one dollar of tax valuation, which is 1 dollar & 39 cents (\$ 1 . 39) for each \$100 of tax valuation.
- The total tax valuation of the subdivision used in calculating the average annual property tax levy is \$ 59,712,440.


Jon A. Slater, Jr., Fairfield County Auditor

July 29, 2020
Date

Non-Qualified
\$486.50 / \$100,000 OOH
2020 / 2021
30 Years

Instructions

1. "Total tax valuation" should include the taxable value of all real property and certain public utility personal property in the subdivision. Because of the rapid phase-out of the tangible personal property tax, including certain public utility personal property, and the long term of a bond issue, the taxable value of such property should not be included in "total tax valuation." See Bulletin 8 for a more detailed explanation of the exclusions from tax valuation and how to obtain them. 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. 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. In calculating the estimated average annual property tax levy, the auditor shall assume that the bonds are issued in one series bearing interest and maturing in equal principal amounts in each year over the maximum maturity of the bonds, and that the subdivision's tax valuation for the **current year** remains the same throughout that period. If the tax valuation for the current year (the year in which you are making this certification) is not yet determined, the auditor shall estimate that valuation. In other words, the total tax valuation used for this purpose may differ from the tax valuations on the tax lists that were most recently certified for collection.
4. For purposes of this certification, we suggest that you round the millage to the nearest tenth (0.1) of a mill. This ensures that whole cents will be presented here and on the ballot.
5. Please file this certificate with the subdivision as soon as possible so that the taxing authority can pass a resolution to proceed not later than 98 days before the election for school districts, or 90 days before the election for all other subdivisions.