

AN ORDINANCE

BY: VICE MAYOR BYINGTON

NO. 4981

PROVIDING FOR AN ELECTION ON THE QUESTION OF A RENEWAL TAX LEVY IN EXCESS OF THE TEN-MILL LIMITATION FOR CURRENT EXPENSES AND THE GENERAL OPERATION OF THE CITY.

WHEREAS, Council of the city of Oakwood has previously declared the necessity of a renewal tax levy in excess of the ten-mill limitation for the purpose of meeting current expenses for the general operation of the city's governmental services, and has requested that the county auditor certify the total current tax valuation of the subdivision, and the dollar amount of revenue that would be generated by a specified number of mills; and

WHEREAS, having received the county auditor's certification, Council desires to proceed with placing the matter on the ballot for the next general election;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAKWOOD, MONTGOMERY COUNTY, OHIO:

SECTION I.

That pursuant to the provisions of Section 5705.03 of the Revised Code, Council hereby determines to proceed with submitting the question of a renewal tax levy to the electors of the city of Oakwood as set forth herein.

SECTION II.

The question of a renewal levy of 3.75 mills for the purpose of meeting current expenses for the general operation of the city's governmental services for a period of five (5) years beginning with the tax list and duplicate for tax year 2023, the proceeds of which first would be available to the city in calendar year 2024, shall be submitted under the provisions of Section 5705.19(A) of the Revised Code to the electors of the city at the election to be held on the 7th day of November, 2023, as authorized by law. Said election shall be held at the regular places of voting in said District as established by the Montgomery County Board of Elections, or otherwise, within the times provided by law, and shall be conducted, canvassed and certified in the manner provided by law. If a majority of the voters voting thereon vote in favor thereof, said levy will be first placed on the tax list and duplicate for the tax year 2023 for collection in calendar year 2024.

SECTION III.

The form of the ballot to be cast at the election on the question of this tax levy shall be substantially as follows:

PROPOSED TAX LEVY
CITY OF OAKWOOD

A majority affirmative vote is necessary for passage.

A renewal tax for the benefit of the city of Oakwood for the purpose of meeting current expenses at a rate not exceeding 3.75 mills for each one dollar of valuation, which amounts to 37.5 cents for each one hundred dollars of valuation, for a period of five years.

	FOR THE TAX LEVY
	AGAINST THE TAX LEVY

SECTION IV.

The Clerk of this Council is hereby authorized and directed to certify a copy of this ordinance, along with the county auditor's certification of valuation and a copy of Resolution No. 1908, to the Montgomery County Board of Elections not later than August 7, 2023, and to provide any other notice of said election as provided by law.

SECTION V.

It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance 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 VI.

This ordinance shall take effect and be in full force immediately upon its passage, as provided by Section 3.04 of the City Charter.

PASSED BY COUNCIL this 17th day of July, 2023.



MAYOR WILLIAM D. DUNCAN

ATTEST:



CLERK OF COUNCIL

TO THE CLERK:

Please certify a copy of this ordinance, together with the Montgomery County Auditor's certification of valuation and a copy of Resolution No. 1908, to the Montgomery County Board of Elections.

Please also publish in the following summary form:

LEGAL NOTICE

On July 17, 2023, the Council of the City of Oakwood, Montgomery County, Ohio adopted Ordinance No. 4981 entitled "AN ORDINANCE PROVIDING FOR AN ELECTION ON THE QUESTION OF A RENEWAL TAX LEVY IN EXCESS OF THE TEN-MILL LIMITATION FOR CURRENT EXPENSES AND THE GENERAL OPERATION OF THE CITY."

Lori Stacel,
Clerk of Council



CITY ATTORNEY ROBERT F. JACQUES

CERTIFICATION OF PUBLICATION

I, Lori Stacel, Clerk of Council of the City of Oakwood, State of Ohio, do hereby certify that the foregoing summary form was duly published in the Oakwood Register, a newspaper of general circulation in the said City of Oakwood, and that said publication occurred on the following date:

Lori Stacel, Clerk of Council

AN ORDINANCE

BY: VICE MAYOR BYINGTON NO. 4982

AMENDING ORDINANCE NO. 4907 TO ESTABLISH A PROCESS FOR APPOINTING MEMBERS TO THE BOARD OF THE DAYTON REGIONAL ENERGY SPECIAL IMPROVEMENT DISTRICT.

WHEREAS, in 2020 Council authorized the city's participation in the Dayton Regional Energy Special Improvement District ("Dayton ESID"), a special improvement district created pursuant to Chapter 1710 of the Ohio Revised Code, which allows certain energy-related improvement projects to be funded through an assessment process; and

WHEREAS, Section 1710.04(A) of the Ohio Revised Code requires Council to appoint a person to serve on the Board of Directors for the Dayton ESID; and

WHEREAS, Ordinance No. 4907, adopted on March 2, 2020, appointed the city's Director of Personnel and Properties to serve on the Board of Directors, but did not include a process to amend that appointment from time to time; and

WHEREAS, Council wishes to amend Ordinance No. 4907 such that subsequent appointments to the Dayton ESID Board of Directors may be made by resolution, avoiding the need for repetitive amending ordinances;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAKWOOD, STATE OF OHIO, THAT:

SECTION I.

Section III of Ordinance No. 4907 shall be and is hereby amended to read as follows, with new text appearing in **bold** font and deleted text appearing in ~~strike-thru~~ font for illustrative purposes:

"That this Council hereby appoints the Personnel and Properties Director to serve as the city's initial representative on the Board of Directors of the District as provided in Ohio Revised Code Section 1710.04(A). Subsequent appointments may be made by resolution of Council from time to time, as needed."

SECTION II.

Except as amended herein, Ordinance No. 4907 shall remain in full force and effect unless and until further amended or repealed by Council.

SECTION III.

It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, if required, in compliance with all legal requirements including Ohio R.C. 121.22.

SECTION IV.

This ordinance shall take effect as of the earliest date permitted by law.

PASSED BY COUNCIL OF THE CITY OF OAKWOOD, this 17th day of July, 2023.



Mayor William D. Duncan

ATTEST:



Clerk of Council

TO THE CLERK:

Please publish in summary form set forth below.



City Attorney Robert F. Jacques

LEGAL NOTICE

On July 17, 2023, Council of the City of Oakwood passed Ordinance No. 4982 entitled "AN ORDINANCE AMENDING ORDINANCE NO. 4907 TO ESTABLISH A PROCESS FOR APPOINTING MEMBERS TO THE BOARD OF THE DAYTON REGIONAL ENERGY SPECIAL IMPROVEMENT DISTRICT."

Lori Stacel
Clerk of Council
City of Oakwood

CERTIFICATION OF PUBLICATION

I, Lori Stacel, Clerk of Council of the City of Oakwood, State of Ohio, do hereby certify that the foregoing summary of the foregoing Ordinance was duly published in the Oakwood Register, a newspaper of general circulation in said City of Oakwood, that said publication occurred on the following date:

Lori Stacel, Clerk of Council

A RESOLUTION

BY: MR. STEPHENS

NO. 1910

A RESOLUTION TO AUTHORIZE AND DIRECT THE DIRECTOR OF FINANCE TO CERTIFY CERTAIN DELINQUENT CHARGES FOR CUTTING NOXIOUS WEEDS TO THE COUNTY AUDITOR FOR COLLECTION.

WHEREAS, after notice, as required by law, the owners of the property hereinafter described failed to cut the noxious weeds growing upon such property, and this Council heretofore caused such noxious weeds to be cut and destroyed; and

WHEREAS, such owners have heretofore been notified of the costs incurred in connection therewith with a request for payment and have refused or failed to pay such costs; and

WHEREAS, Section 731.54 of the Ohio Revised Code and Section 551.05 of the Codified Ordinances of the city of Oakwood authorize the City to make written return to the County Auditor of a statement of charges for its services in cutting such noxious weeds and provides further that such amount shall be collected as other taxes and returned to the municipal corporation with the general fund; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAKWOOD, MONTGOMERY COUNTY, OHIO:

SECTION I:

That the charges for cutting noxious weeds, an aggregate amount of \$1,925.07, as specified in Exhibit A, are hereby found and determined to have not been paid and are hereby returned to the County Auditor in accordance with Section 731.54 of the Revised Code and Section 551.05 of the Codified Ordinances of the city of Oakwood.

SECTION II:

That the Director of Finance is hereby authorized and directed to certify such delinquent charges, together with a certified copy of this resolution, to the Auditor of Montgomery County who shall enter the same on the tax duplicate to be collected as other taxes are collected.

SECTION III:

That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage 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.

PASSED BY THE COUNCIL OF THE CITY OF OAKWOOD this 17th day of July, 2023.



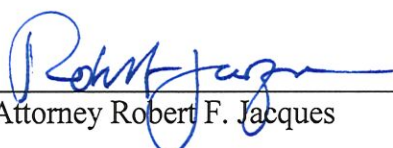
Mayor William D. Duncan

ATTEST:



Clerk of Council

TO THE CLERK:
Publication is not required.



City Attorney Robert F. Jacques

EXHIBIT A
CITY OF OAKWOOD
2023 NOXIOUS WEEDS CERTIFICATION

ACCOUNT	PARCEL ID	LOCATION	CERTIFIED AMOUNT
04082-002 (THOMAS, SCHANTZ G.)	Q71 00708 0002	825 FAR HILLS	636.07
00356-002 (PINARD, JOSHUA)	Q71 01208 0016	441 EAST DR	387.86
05149-002 (POLETE, SEAN)	Q71 00603 0004	410 RUBICON RD	376.58
02802-002 (HAWK, BARBARA SPENCER)	Q71 01403 0016	339 FORRER BLVD	186.83
07825-002 (CEO CHAPIN LLC)	Q71 01502 0001	1006 ACORN DR	179.31
08053-002 (CHATTERTON, STEPHEN & KRISTINE)	Q71 00104 0028	665 FAR HILLS AVE	158.42
			<u>\$ 1,925.07</u>