

**RESOLUTION 2023-11
AMENDING RESOLUTION 2023-03
BY
MAYOR RAYMOND ARRIOLA**

A RESOLUTION AMENDING RESOLUTION 2023-03 TO PROCEED TO SUBMIT TO THE ELECTORS OF THE MUNICIPALITY OF NEW LEBANON AT THE ELECTION OF NOVEMBER 7, 2023, THE RENEWAL OF THE 5.0 MILL, FIVE (5) YEAR LEVY FOR THE GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING, AND REPAIR OF STREETS, ROADS, AND BRIDGES WITHIN THE MUNICIPALITY OF NEW LEBANON, OHIO PER ORC § 5705.19 (G) AND FOR CONSTRUCTING, REHABILITATING, REPAIRING, OR MAINTAINING SIDEWALKS, WALKWAYS, TRAILS, BICYCLE PATHWAYS OR SIMILAR IMPROVEMENTS, OR ACQUIRING OWNERSHIP INTERESTS IN LAND NECESSARY FOR THE FOREGOING IMPROVEMENTS WITHIN THE MUNICIPALITY OF NEW LEBANON, OHIO PER ORC § 5705.19 (PP) AND DIRECTING THE MONTGOMERY COUNTY, OHIO BOARD OF ELECTIONS TO PLACE THE ISSUE ON THE BALLOT.

WHEREAS, The New Lebanon Municipal Council approved Resolution 2023-03 on July 15, 2023; and

WHEREAS, On March 29, 2023, the taxing authority of the Village of New Lebanon certified a copy of its resolution 2023-02 adopted on March 21, 2023 requesting the county auditor to certify the current tax valuation of the village and the amount of revenue that would be produced by five (5.00) mills for each one dollar (\$1.00) of valuation, which amounts to fifty cents (.50) for each one hundred dollars (\$100.00) of valuation, to levy a tax outside the ten-mill limitation for the purpose of general construction, reconstruction, resurfacing, and repair of streets, roads and bridges, and for constructing, rehabilitating, repairing or maintaining sidewalks, walkways, trails, bicycle pathways or similar improvements or acquiring ownership interest in land necessary for the foregoing improvements, pursuant to Revised Code §5705.19 (PP), to be placed on the ballot at the November 7, 2023 general election. The levy type is a 5.00 Mill Renewal for a period of five (5) years commencing in tax year 2024, first due (collectable) in calendar year 2025.

WHEREAS, the Montgomery County Auditor provided a Certificate of Estimated Property Tax Revenue certifying that the total current tax valuation of the Municipality of New Lebanon is \$52,835,030 and the dollar amount of the estimated property tax revenue to be generated by the 5.0 mill renewal is \$232,309. A copy of this Certificate of Estimated Property Tax Revenue is attached hereto as Exhibit A; and

WHEREAS, The New Lebanon Municipal Council desires to adopt this Resolution to place the question of the renewal tax levy to the voters of the Municipality of New Lebanon at the November 7, 2023 general election; and

WHEREAS, The New Lebanon Municipal Council now finds and determine it is necessary and advisable to amend Resolution 2023-03 as described below.

NOW, THEREFORE, Be it Resolved by the Council of the Municipality of New Lebanon, Ohio:

Section 1. Amendment. Section 1 and of the Prior Resolution is hereby amended to read as follows:

SECTION 1: The Montgomery County, Ohio Board of Elections is directed to proceed to place on the ballot, in the general election to be held on November 7, 2023, for submission to the electorate of the Municipality the question of Renewal of 5.0 mills for 5 years and that the Municipal Council hereby finds, determines, and declares that the amount of taxes raised within the ten-mill limitation will be insufficient so it is the desire of the Municipal Council to place a 5.0 mill, 5 year renewal levy for the purpose of funding general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges within the Municipality of New Lebanon, Ohio and for constructing, rehabilitating, repairing, or maintaining sidewalks, walkways, trails, bicycle pathways, or similar improvements, or acquiring ownership interests in land necessary for the foregoing improvements within the Municipality of New Lebanon, Ohio on the November 7, 2023 general election ballot for a period of five (5) years commencing in tax year 2024, first due (collectable) in calendar year 2025. The form of the ballot to be cast at such election as may be modified by the Board of Elections or Secretary of State's Office, shall read substantially as follows:

**PROPOSED TAX LEVY (RENEWAL)
MUNICIPALITY OF NEW LEBANON**

A majority affirmative vote is necessary for passage.

A renewal tax for the benefit of the Municipality of New Lebanon for the purpose of funding general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges within the Municipality of New Lebanon, Ohio and for constructing, rehabilitating, repairing, or maintaining sidewalks, walkways, trails, bicycle pathways, or similar improvements, or acquiring ownership interests in land necessary for the foregoing improvements within the Municipality of New Lebanon that the county auditor estimates will collect \$232,309 annually, at a rate not exceeding five (5.0) mills for each \$1 of taxable value, which amounts to \$134.24 for each \$100,000 of the county auditor's appraised value, for five (5) years, commencing in tax year 2024, first due in calendar year 2025.

_____ **FOR THE TAX LEVY**

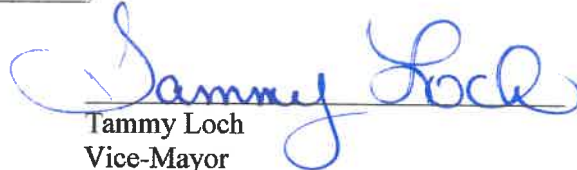
_____ **AGAINST THE TAX LEVY**

SECTION 2: Said election shall be held at the regular places of voting in the Municipality as established by the Board of Elections of Montgomery County, or otherwise, within the times provided by law and shall be conducted, canvassed and certified in the manner provided by law.

SECTION 3: The effective date of this Resolution shall be from and after the earliest period allowed by law.

Passed this 15th day of August, 2023.

Approved:


Tammy Loch
Vice-Mayor

Attest:


Philip E. Hinson
CFO/Clerk of Council

Effective Date: August 15, 2023

CERTIFICATION

I, Philip E. Hinson, Clerk of Council for the Municipality of New Lebanon, Ohio do hereby certify the foregoing is a true and correct copy of Resolution 2023-11 as passed by Council and approved by the Mayor and that the same has been published as required by Section 2.17 of the Charter of the Municipality of New Lebanon.



Philip E. Hinson
CFO/Clerk of Council