

RESOLUTION NO. 40-2022 (F), *First Reading*

By Mayor Seren

A Resolution declaring the necessity of assessing a portion of the expense of street lighting; and declaring an emergency.

WHEREAS, the Mayor has recommended to this Council that a portion of the cost and expense of lighting the streets and public places in the City for a period of two (2) years be paid by special assessment; and

WHEREAS, it is necessary that the yearly rate of assessment established by Resolution No. 48-2020 be renewed.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. It is the determination of this Council that it is necessary for the public health, convenience and welfare of the City to assess a portion of the cost and expense of lighting the streets and public places in the City upon the lands hereinafter described for a period of two (2) consecutive years, beginning with the 2022 Tax Duplicate for collection in the years 2023 through 2024, inclusive, at the annual rate of Ninety-Two Cents (\$0.92) per front foot, subject to a Corner Lot Reduction as set forth in Section (2) herein below, if applicable.

SECTION 2. Total footage is determined by the records of the Cuyahoga County Fiscal Officer, and for corner lots shall consist of the front footage (the front of the lot being determined by the property address), the radius or curve, and the side footage. If the actual side footage is less than one hundred (100) feet, the assessment shall be based solely upon the main front footage. If the actual side footage equals or exceeds one hundred (100) feet, then the footage for the purposes of this assessment shall be determined by adding the front footage, the radius/curve and the side footage, and subtracting one hundred (100) feet from this number ("Corner Lot Reduction").

SECTION 3. Two percent (2%) of the entire cost of said street lighting, plus the cost of lighting street intersections, shall be paid by the City; the remainder of said cost and expense shall be assessed upon all the lots and lands bounding upon the following dedicated streets, or parts of such streets, or public places in the City, to-wit:

All the lots and lands on the following dedicated streets:

Allston Road
Alpine Road
Altamont Avenue
Andrews Road
Antisdale Avenue
Ardleigh Drive

Ardoon Street
Arlington Road
Ashton Road
Atherstone Road
Avondale Road
Bainbridge Road

Bayreuth Road
Beechwood Avenue
Bellfield Avenue
Belvoir Boulevard
Bendemeer Road
Berkeley Avenue

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Berkeley Road	Crest Road	Fenley Road
Berkshire Lane	Cumberland Road	Forest View Drive
Berkshire Road	Cummings Road	Glen Allen Drive
Beverly Road	Dartmoor Road	Glenwood Road
Birch Tree Path	Delamere Drive	Goodnor Road
Blackmore Road	Delaware Drive	Grandview Avenue
Bolton Road	Dellwood Road	Greyton Road
Boynton Road	Delmore Road	Guilford Road
Bradford Road	Demington Drive	Hampshire Lane
Brandon Road	Denton Drive	Hampshire Road
Brentwood Road	Derbyshire Road	Hampstead Road
Briarwood Road	DeSota Avenue	Harcourt Drive
Brinkmore Road	Devonshire Drive	Hartwood Road
Burbridge Road	Dresden Road	Harvey Road
Burlington Road	East Derbyshire Road	Haselton Road
Cadwell Avenue	East Fairfax Road	Helmsdale Road
Carver Road	East Monmouth Road	Henderson Road
Castleton Road	East Overlook Road	Hereford Road
Cecil Place	Eastwick Road	Hillstone Road
Cedar Glen	Edendale Street	Hollister Road
Chatfield Drive	Edgerly Road	Hyde Park Avenue
Chelsea Drive	Edgewood Road	Idlewood Road
Clarence Road	Edison Drive	Inglewood Road
Clarendon Road	Edwards Road	Ivydale Road
Clarkson Road	Elandon Drive	Janette Avenue
Cleveland Heights	Elbon Road	Kenilworth Lane
Boulevard	Englewood Road	Kenilworth Road
Clifford Drive	Erievue Road	Kensington Road
Colchester Road	Essex Road	Kent Road
Coleridge Road	Euclid Heights	Kerrwood Road
Colonial Drive	Boulevard	Kew Road
Compton Road	Exeter Road	Keystone Drive
Corydon Road	Fairfax Road	Kildare Road
Cottage Grove Drive	Fairhill Road	Kingston Road
Kirkwood Road	Marlboro Road	Murray Hill Road
Lamberton Road	Marlindale Road	Navahoe Road
Lancashire Road	Medford Road	Nobleshire Road
Langton Road	Middlefield Road	Norfolk Road
Lecona Drive	Middlehurst Road	Northampton Road
Lennox Road	Middleton Road	Nottingham Lane
Lincoln Boulevard	Minor Park Lane	Oak Road
Lowell Road	Monmouth Road	Oakdale Road
Lownesdale Road	Montevista Road	Oakridge Drive
Lynn Park Drive	Montford Road	Orchard Road
Maple Road	Mornington Lane	Ormond Road
Maplewood Road	Mount Laurel Road	Overlook Lane

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Oxford Road	South Overlook Road
Parkdale Road	Spangler Road
Parkhill Road	Staunton Road
Parkway Drive	Stillman Road
Pembrook Road	Stoneleigh Road
Pennifield Road	Stratford Road
Pomona Road	Stuart Road
Powell Avenue	Summit Park Road
Preyer Avenue	Superior Park Drive
Princeton Road	Surrey Road
Quarry Drive	Sycamore Road
Queenston Road	Sylvanhurst Road
Radcliffe Road	Sylvania Road
Radnor Road	Taylor Road (South)
Randolph Road	Thayne Road
Redwood Road	Thorne Road
Renfield Road	Tower Road
Renrock Road	Tremont Road
Revere Road	Tudor Drive
Rexwood Road	Vandermar Street
Ridgefield Road	Vineshire Road
Rinard Road	Walden Road
Rock Court	Wellington Road
Rockwood Road	Westminster Road
Rosedale Road	Westover Road
Rosemond Road	Whitby Road
Rossmoor Road	Whitethorn Road
Roxboro Road	Wilmar Court
Rumson Road	Wilmar Road
Runnymede Boulevard	Wilton Road
Rushleigh Road	Windsor Road
Rutherford Road	Winsford Road
Rydalmount Road	Wood Road
St. Albans Road	Woodmere Drive
St. James Parkway (North)	Woodridge Road
St. James Parkway (West)	Woodview Road
Scarborough Road	Woodward Avenue
Seaton Road	Wynn Road
Selwyn Road	Yellowstone Road
Severance Circle Drive	Yorkshire Road
Severn Road	
Shaker Road	
Shannon Road	
Somerton Road	
South Compton Road	
South Noble Road	

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Also all the lots and lands lying within the City of Cleveland Heights on the following streets:

Ardmore Road	Elmwood Road	Nordway Road
Belmar Road	Eloise Drive	Northcliffe Road
Blanche Avenue	Fairmount Boulevard	North Park Boulevard
Bluestone Road	Forest Hills Boulevard	Northvale Boulevard
Brewster Road	Glenmont Road	North Woodland Road
Brunswick Road	Glynn Road	Oakhill Road
Caledonia Avenue	Grosvenor Road	Overlook Road
Cambridge Road	Hanover Drive	Quilliams Road
Canterbury Road	Hillcrest Road	Ravine Drive
Cedar Road	Lee Boulevard	Reyburn Road
Cedarbrook Road	Lee Road	Roanoke Road
Chestnut Hills Drive	Mayfield Road	Shelburne Road
Cleviden Road	Meadowbrook Boulevard	Silsby Road
Coventry Road	Monticello Boulevard	Superior Road
East Antisdale Avenue	Mount Vernon Boulevard	Taylor Road (North)
East Scarborough Road	Nela View Road	Tullamore Road
Eddington Road	Newbury Drive	Warrensville Center Road
Edgehill Road	Noble Road	Washington Boulevard

No such assessment shall be placed upon any lot or land which does not bound upon a dedicated street, or part of such street, or public place in the City.

SECTION 4. The plans and estimates of costs of the proposed improvements on file with the Director of Finance and Clerk of Council are hereby approved.

SECTION 5. Said assessment shall be paid in two (2) equal annual installments, shall be certified to the County Fiscal Officer and placed upon the Tax Duplicate according to law, and shall be collected as other taxes; provided, however, that a property owner shall have the option of paying the assessment in cash within one hundred fifty (150) days from the passage of the levy ordinance.

SECTION 6. No notes shall be issued in anticipation of the collection of said special assessment.

SECTION 7. Notice of the passage of this Resolution shall be given by publishing the entire Resolution once each week for two consecutive weeks in one newspaper of general circulation in the City of Cleveland Heights. The Clerk of Council shall also serve notice of passage of this Resolution in the manner provided in Ohio Revised Code Section 727.13 on all persons required by the provisions of Ohio Revised Code Section 727.14 to receive such notice. Before the date of the

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first publication, the Director of Finance and/or Clerk of Council shall prepare and have on file in her office her “assessment list” showing in detail the amount of said assessments which are proposed to be levied upon lots and parcels of land affected by this proceeding. Any complaints or objections against said assessments must be filed with the Assessment Equalization Board or the Clerk of Council within two (2) weeks after the completion of the notice of assessment pursuant to Ohio Revised Code Section 727.13 or 727.14. An owner who fails to so file an objection will be deemed to have waived any objection to the assessment.

SECTION 8. It is 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 such deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including the City’s Charter, its Codified Ordinances, and Section 121.22 of the Ohio Revised Code.

SECTION 9. This Resolution is a preliminary step in the program of assessing a portion of the cost and expense of lighting the streets and public places in the City, which program is essential for the preservation of the public health, safety, and general welfare. Because there are other required procedures and time limitations which are part of the assessment process, and because the final assessment must be filed with the Cuyahoga County Fiscal Officer in September 2022 if it is to be added to the 2022 Tax Duplicate, it is therefore necessary for the public peace, health and safety of the inhabitants of Cleveland Heights that this Resolution be passed as an emergency measure. Wherefore, this Resolution, having received the affirmative vote of not less than five (5) members of this Council is hereby adopted and shall take effect and be in force immediately upon its passage.

MELODY JOY HART
President of the Council

AMY HIMMELEIN
Clerk of Council

PASSED:

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Presented to Mayor:

Approved:

KAHLIL SEREN
Mayor