

Proposed: 9/06/2022

ORDINANCE NO. 127-2022 (F), *First Reading*

By Mayor Seren

An Ordinance determining to proceed with the assessment of a portion of the expense of improvement of streets and parkways, including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon within the City of Cleveland Heights; levying assessments for said purpose; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, this Council, by its adoption of Resolution No. 41-2022, did declare the necessity of assessing a portion of the expense of improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon within the City; and

WHEREAS, pursuant thereto, estimated assessments were duly prepared and filed with the Clerk of Council; and

WHEREAS, some objections were filed to said estimated assessments; and

WHEREAS, the Assessment Equalization Board appointed pursuant to this Council's adoption of Resolution No. 71-2022 has heard and determined all objections and has filed its report and recommendations with this Council; and

WHEREAS, this Council has adopted Resolution No. 126-2022 (F) approving and accepting said report, and has ordered the estimated assessments equalized in accordance with the recommendations of said Board and filed with the Clerk of Council; and

WHEREAS, this Council has determined to proceed with the levying of said equalized assessments in accordance with the list now on file with the Clerk of Council; and

WHEREAS, this Ordinance was adopted by the concurrence of not less than three-fourths of the seven members elected to this Council.

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

SECTION 1. It is the determination of this Council, in furtherance of the public health, convenience and general welfare, to proceed with the assessing of a portion of the cost and expense of improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon within 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 and 2024, inclusive, at the annual rate of up to One Dollar Eight Cents (\$1.08) per front foot, with the Corner Lot Reduction as specified in Resolution No. 41-2022, on the following properties:

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All the lots and lands on the following dedicated streets:

Allston Road	Clarence Road	Boulevard
Alpine Road	Clarendon Road	Exeter Road
Altamont Avenue	Clarkson Road	Fairfax Road
Andrews Road	Cleveland Heights	Fairhill Road
Antisdale Avenue	Boulevard	Fenley Road
Ardleigh Drive	Clifford Drive	Forest View Drive
Ardoon Street	Colchester Road	Glen Allen Drive
Arlington Road	Coleridge Road	Glenwood Road
Ashton Road	Colonial Drive	Goodnor Road
Atherstone Road	Compton Road	Grandview Avenue
Avondale Road	Corydon Road	Greyton Road
Bainbridge Road	Cottage Grove Drive	Guilford Road
Bayreuth Road	Crest Road	Hampshire Lane
Beechwood Avenue	Cumberland Road	Hampshire Road
Bellfield Avenue	Cummings Road	Hampstead Road
Belvoir Boulevard	Dartmoor Road	Harcourt Drive
Bendemeer Road	Delamere Drive	Hartwood Road
Berkeley Avenue	Delaware Drive	Harvey Road
Berkeley Road	Dellwood Road	Haselton Road
Berkshire Lane	Delmore Road	Helmsdale Road
Berkshire Road	Demington Drive	Henderson Road
Beverly Road	Denton Drive	Hereford Road
Birch Tree Path	Derbyshire Road	Hillstone Road
Blackmore Road	DeSota Avenue	Hollister Road
Bolton Road	Devonshire Drive	Hyde Park Avenue
Boynton Road	Dresden Road	Idlewood Road
Bradford Road	East Derbyshire Road	Inglewood Road
Brandon Road	East Fairfax Road	Ivydale Road
Brentwood Road	East Monmouth Road	Janette Avenue
Briarwood Road	East Overlook Road	Kenilworth Lane
Brinkmore Road	Eastwick Road	Kenilworth Road
Burbridge Road	Edendale Street	Kensington Road
Burlington Road	Edgerly Road	Kent Road
Cadwell Avenue	Edgewood Road	Kerrwood Road
Carver Road	Edison Drive	Kew Road
Castleton Road	Edwards Road	Keystone Drive
Cecil Place	Elandon Drive	Kildare Road
Cedar Glen	Elbon Road	Kingston Road
Chatfield Drive	Englewood Road	Kirkwood Road
Chelsea Drive	Erieview Road	Lamberton Road
	Essex Road	Lancashire Road
	Euclid Heights	Langton Road

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Lecona Drive	Radcliffe Road	Sycamore Road
Lennox Road	Radnor Road	Sylvanhurst Road
Lincoln Boulevard	Randolph Road	Sylvania Road
Lowell Road	Redwood Road	Taylor Road (South)
Lownesdale Road	Renfield Road	Thayne Road
Lynn Park Drive	Renrock Road	Thorne Road
Maple Road	Revere Road	Tower Road
Maplewood Road	Rexwood Road	Tremont Road
Marlboro Road	Ridgefield Road	Tudor Drive
Marlindale Road	Rinard Road	Vandermar Street
Medford Road	Rock Court	Vineshire Road
Middlefield Road	Rockwood Road	Walden Road
Middlehurst Road	Rosedale Road	Wellington Road
Middleton Road	Rosemond Road	Westminster Road
Minor Park Lane	Rossmoor Road	Westover Road
Monmouth Road	Roxboro Road	Whitby Road
Montevista Road	Rumson Road	Whitethorn Road
Montford Road	Runnymede Boulevard	Wilmar Court
Mornington Lane	Rushleigh Road	Wilmar Road
Mount Laurel Road	Rutherford Road	Wilton Road
Murray Hill Road	Rydalmount Road	Windsor Road
Navahoe Road	St. Albans Road	Winsford Road
Nobleshire Road	St. James Parkway (North)	Wood Road
Norfolk Road	St. James Parkway (West)	Woodmere Drive
Northampton Road	Scarborough Road	Woodridge Road
Nottinghill Lane	Seaton Road	Woodview Road
Oak Road	Selwyn Road	Woodward Avenue
Oakdale Road	Severance Circle Drive	Wynn Road
Oakridge Drive	Severn Road	Yellowstone Road
Orchard Road	Shaker Road	Yorkshire Road
Ormond Road	Shannon Road	
Overlook Lane	Somerton Road	
Oxford Road	South Compton Road	
Parkdale Road	South Noble Road	
Parkhill Road	South Overlook Road	
Parkway Drive	Spangler Road	
Pembrook Road	Staunton Road	
Pennfield Road	Stillman Road	
Pomona Road	Stoneleigh Road	
Powell Avenue	Stratford Road	
Preyer Avenue	Stuart Road	
Princeton Road	Summit Park Road	
Quarry Drive	Superior Park Drive	
Queenston Road	Surrey 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

Said assessment shall be in accordance with the estimated street improvement assessments filed with the Clerk of Council, pursuant to Resolution No. 41-2022, as equalized in accordance with the report and recommendations of the Assessment Equalization Board, pursuant to Resolution No. 126-2022(F).

SECTION 2. It is the determination of this Council that no claim for damages was filed with the Clerk of Council.

SECTION 3. The cost and expense of the aforesated improvement, in an amount not to exceed One Dollar and Eights Cents (\$1.08) a front foot, per year, on the above-described lots and lands, shall be assessed in proportion to the special benefits which will result from said improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning hereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon upon the above-described lots and lands. The remainder of the cost and expense of said improvements, and two percent of the entire cost, shall be paid by the City. Any cost of said improvement not specifically assessed shall be paid by the City.

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SECTION 4. The assessment of the cost and expense of said improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon, amounting to approximately Two Million One Hundred Ninety-Seven Thousand One Hundred Twenty-Eight Dollars and Ninety-Four Cents (\$2,197,128.94), as reported to the Council by the Clerk of Council, as equalized, is hereby adopted, and there shall be levied and assessed upon said lots and lands above-described the amounts on the shade tree and street improvement assessments now on file with the Director of Finance/Clerk of Council, which assessments are in proportion to the special benefits accruing to the property assessed and are not in excess of the actual benefits to said property.

SECTION 5. The total assessment against each lot and parcel of land shall be levied in two (2) equal 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 thirty (30) days from the date of the adoption of this Ordinance.

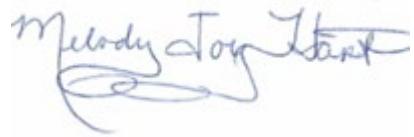
SECTION 6. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights. Said notice shall comply with all requirements of Ohio Revised Code Section 727.26.

SECTION 7. 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 Chapter 107 of the Codified Ordinances.

SECTION 8. Clerk of Council is hereby directed to cause notice of the levy of the assessments herein provided for to be filed with the Cuyahoga County Financial Officer.

SECTION 9. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being that the assessment must be filed with the Cuyahoga County Fiscal Officer on a timely basis as it is to be added to the 2022 tax duplicate. Wherefore, this Ordinance shall take effect and be in force immediately upon its passage.

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MELODY HART  
President of the Council



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ADDIE BALESTER  
Clerk of Council

PASSED: 09/06/2022

Presented to the Mayor: 09/07/2022

Approved: 09/09/2022



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KAHLIL SEREN  
Mayor