

Proposed: 9/06/2022

ORDINANCE NO. 129-2022 (F)

By Mayor Seren

An Ordinance determining to proceed with the implementation through assessment of the cost of a public services plan for the Cedar Fairmount Special Improvement District; 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. 111-2022, did declare the necessity of implementing, through assessment, a public services plan for the Cedar Fairmount SID; and

WHEREAS, pursuant thereto, estimated assessments were duly prepared and filed with the Director of Finance/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. 115-2022 has heard and determined all objections and has filed its report and recommendations with this Council; and

WHEREAS, this Council has adopted Resolution No. 128-2022(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 Resolution No. 111-2022.

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 to proceed with the levying of an assessment on the following parcels in the Cedar Fairmount Special Improvement District ("Cedar Fairmount SID") in accordance with the provisions of the Resolution of Necessity (Resolution 111-2022

SECTION 2. One hundred percent (100%) of the cost and expense of the public services plan, in the amount of One Hundred Twenty Thousand Dollars (\$120,000.00) per year for years one (1), (2) and (3), for a total of Three Hundred Sixty Thousand Dollars (\$360,000.00), shall be and

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hereby is assessed of the aforementioned lots and lands in proportion to their current tax value as of the date of this Ordinance. The assessments shall remain the same during the three-year term.

SECTION 3. Each annual installation of the assessment against each of the aforementioned parcels of land shall be certified to the County Auditor and placed on the tax duplicate according to law, and shall be collected as other taxes; provided however that each property owner shall have the option of paying the first annual installation of the assessment in cash to the City within thirty (30) days of the adoption of this Ordinance, and each of the subsequent two assessments by August 15th of each year.

SECTION 4. All assessments levied pursuant to this Ordinance shall be filed with the Clerk of Council.

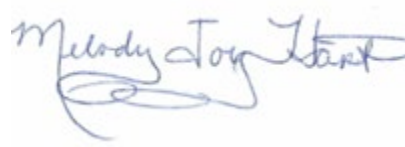
SECTION 5. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with Chapter 107 of the Codified Ordinances.

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 7. The 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 Auditor.

SECTION 8. 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 the need to meet statutory deadlines. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise it shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force immediately upon its passage.

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MELODY J. HART
President of the Council



ADDIE BALESTER
Clerk of Council

PASSED: 09/06/2022

Presented to the Mayor: 09/07/2022

Approved: 09/09/2022



KAHLIL SEREN
Mayor