

RESOLUTION NO. 085-2024(F): *First Reading*

By Mayor Seren

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

WHEREAS, the Mayor has recommended to this Council that a portion of the cost and expense of improving 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 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. 41-2022 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 improving 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, upon the lands hereinafter described for a period of two (2) consecutive years, beginning with the 2024 Tax Duplicate for collection in the years 2025 through 2026, inclusive, at the annual rate of One Dollar and Eight Cents (\$1.08) 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 improvements whose costs are assessed 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

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

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

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

Ardmore Road	Cambridge Road	East Antisdale Avenue
Belmar Road	Canterbury Road	East Scarborough Road
Blanche Avenue	Cedar Road	Eddington Road
Bluestone Road	Cedarbrook Road	Edgehill Road
Brewster Road	Chestnut Hills Drive	Elmwood Road
Brunswick Road	Cleviden Road	Eloise Drive
Caledonia Avenue	Coventry Road	Fairmount Boulevard

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Forest Hills Boulevard	Mount Vernon	Quilliams Road
Glenmont Road	Boulevard	Ravine Drive
Glynn Road	Nela View Road	Reyburn Road
Grosvenor Road	Newbury Drive	Roanoke Road
Hanover Drive	Noble Road	Shelburne Road
Hillcrest Road	Nordway Road	Silsby Road
Lee Boulevard	Northcliffe Road	Superior Road
Lee Road	North Park Boulevard	Taylor Road (North)
Mayfield Road	Northvale Boulevard	Tullamore Road
Meadowbrook	North Woodland Road	Warrensville Center
Boulevard	Oakhill Road	Road
Monticello Boulevard	Overlook 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 or by publishing such notice on the City's website, as provided by Ohio Revised Code Section 727.13, or as otherwise provided by law. 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 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

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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 2024 if it is to be added to the 2024 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.



TONY CUDA
President of Council



ADDIE BALESTER
Clerk of Council

PASSED: May 20, 2024

Presented to Mayor: 05/22/2024 Approved: 05/28/2024



KAHLIL SEREN
Mayor