

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

RESOLUTION NO 085-2024(CRR)

|                   |                      |                   |
|-------------------|----------------------|-------------------|
| 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    | Erieview Road        | Middleton Road    |
| Colchester Road   | Essex Road           | Minor Park Lane   |
| Coleridge Road    | Euclid Heights       | Monmouth Road     |
| Colonial Drive    | Boulevard            | Montevista Road   |

RESOLUTION NO 085-2024(CRR)

|                   |                              |                     |
|-------------------|------------------------------|---------------------|
| 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         |
| Nottinghill 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<br>(North) | Walden Road         |
| Oxford Road       | St. James Parkway<br>(West)  | Wellington Road     |
| Parkdale Road     | Scarborough Road             | Westminster Road    |
| Parkhill Road     | Seaton Road                  | Westover Road       |
| Parkway Drive     | Selwyn Road                  | Whitby Road         |
| Pembrook Road     | Severance Circle Drive       | Whitethorn Road     |
| Pennifield Road   | Severn Road                  | Wilmar Court        |
| Pomona Road       | Shaker Road                  | Wilmar Road         |
| Powell Avenue     | Shannon Road                 | Wilton Road         |
| Preyer Avenue     | Somerton Road                | Windsor Road        |
| Princeton Road    | South Compton Road           | Winsford Road       |
| Quarry Drive      | South Noble Road             | Wood Road           |
| Queenston Road    | South Overlook Road          | Woodmere Drive      |
| Radcliffe Road    | Spangler Road                | Woodridge Road      |
| Radnor Road       | Staunton Road                | Woodview Road       |
| Randolph Road     | Stillman Road                | Woodward Avenue     |
| Redwood Road      | Stoneleigh Road              | Wynn Road           |
| Renfield Road     | Stratford Road               | Yellowstone Road    |
| Renrock Road      | Stuart Road                  | Yorkshire 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   |

RESOLUTION NO 085-2024(CRR)

|                        |                      |                      |
|------------------------|----------------------|----------------------|
| 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

RESOLUTION NO 085-2024(CRR)

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.



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TONY CUDA  
President of Council



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ADDIE BALESTER  
Clerk of Council

PASSED: May 20, 2024

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



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KAHLIL SEREN  
Mayor