

ORDINANCE NO. 164-2024(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. 85-2024, declared 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. 105-2024 has heard and determined all objections and has filed its report and recommendations with this Council; and

WHEREAS, this Council has adopted Resolution No. 163-2024(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 2024 tax duplicate for collection in the years 2025

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and 2026, 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. 85-2024, on the following properties:

All the lots and lands on the following dedicated streets:

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

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Kirkwood Road	Quarry Drive	Sycamore Road
Lamberton Road	Queenston Road	Sylvanhurst Road
Lancashire Road	Radcliffe Road	Sylvania Road
Langton Road	Radnor Road	Taylor Road (South)
Lecona Drive	Randolph Road	Thayne Road
Lennox Road	Redwood Road	Thorne Road
Lincoln Boulevard	Renfield Road	Tower Road
Lowell Road	Renrock Road	Tremont Road
Lownesdale Road	Revere Road	Tudor Drive
Lynn Park Drive	Rexwood Road	Vandermar Street
Maple Road	Ridgefield Road	Vineshire Road
Maplewood Road	Rinard Road	Walden Road
Marlboro Road	Rock Court	Wellington Road
Marlindale Road	Rockwood Road	Westminster Road
Medford Road	Rosedale Road	Westover Road
Middlefield Road	Rosemond Road	Whitby Road
Middlehurst Road	Rossmoor Road	Whitethorn Road
Middleton Road	Roxboro Road	Wilmar Court
Minor Park Lane	Rumson Road	Wilmar Road
Monmouth Road	Runnymede Boulevard	Wilton Road
Montevista Road	Rushleigh Road	Windsor Road
Montford Road	Rutherford Road	Winsford Road
Mornington Lane	Rydalmount Road	Wood Road
Mount Laurel Road	St. Albans Road	Woodmere Drive
Murray Hill Road	St. James Parkway (North)	Woodridge Road
Navahoe Road	St. James Parkway (West)	Woodview Road
Nobleshire Road	Scarborough Road	Woodward Avenue
Norfolk Road	Seaton Road	Wynn Road
Northampton Road	Selwyn Road	Yellowstone Road
Nottinghill Lane	Severance Circle Drive	Yorkshire Road
Oak Road	Severn Road	
Oakdale Road	Shaker Road	
Oakridge Drive	Shannon Road	
Orchard Road	Somerton Road	
Ormond Road	South Compton Road	
Overlook Lane	South Noble Road	
Oxford Road	South Overlook Road	
Parkdale Road	Spangler Road	
Parkhill Road	Staunton Road	
Parkway Drive	Stillman Road	
Pembrook Road	Stoneleigh Road	
Pennfield Road	Stratford Road	
Pomona Road	Stuart Road	
Powell Avenue	Summit Park Road	
Preyer Avenue	Superior Park Drive	
Princeton 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. 105-2024 as equalized in accordance with the report and recommendations of the Assessment Equalization Board, pursuant to Resolution No. 163-2024(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 aforestated 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. It is necessary that this Ordinance become immediately effective as an emergency measure 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 2024 tax duplicate. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

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TONY CUDA
President of Council



ADDIE BALESTER
Clerk of Council

PASSED: September 3, 2024

Presented to Mayor: 09/05/2024

Approved: 09/13/2024



KAHLIL SEREN
Mayor