

Proposed: 05/04/2020

RESOLUTION NO. 48-2020 (F)

By Council Member

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

WHEREAS, the City Manager has recommended to this Council that a portion of the cost and expense of lighting the streets and public places in the City 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. 44-2018 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 lighting the streets and public places in the City upon the lands hereinafter described for a period of two (2) consecutive years, beginning with the 2020 Tax Duplicate for collection in the years 2021 through 2022, inclusive, at the annual rate of Ninety-Two Cents (\$0.92) 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 street lighting, plus the cost of lighting street intersections, 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
Andrews Road

Antisdale Avenue
Ardleigh Drive
Ardoon Street
Arlington Road

Ashton Road
Atherstone Road
Avondale Road
Bainbridge Road

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

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

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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

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 Acting 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. The Acting Clerk of Council shall also serve notice of passage

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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 Acting 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 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 2020 if it is to be added to the 2020 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.

JASON STEIN, Mayor
President of the Council

SUSANNA NIERMANN O'NEIL
Acting Clerk of Council

PASSED: