

PROPOSED: 9/06/2022

RESOLUTION NO. 128-2022 (F)

By Mayor Seren

A Resolution approving the report of the Assessment Equalization Board appointed to hear objections to the estimated assessments for the public services plan for the Cedar Fairmount Special Improvement District and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, this Council, by its adoption of Resolution No. 115-2022, did appoint an Assessment Equalization Board to hear objections to the public services plan for the Cedar Fairmount Special Improvement District; and

WHEREAS, said Board did meet on August 30, 2022, and did hear and determine all objections before it; and

WHEREAS, said Board has submitted its report and recommendations to this Council, which is attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The report of the Assessment Equalization Board appointed by Resolution No. 115-2022, attached hereto as Exhibit A, is hereby accepted and approved.

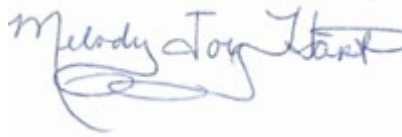
SECTION 2. The estimated assessments, as equalized by said Board, and the recommendations to this Council with respect thereto, are hereby directed to be placed on file with the Clerk of Council.

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted 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 4. Notice of the passage of this Resolution shall be given by publishing the title and abstract of contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

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SECTION 5. This Resolution 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 that the assessment must be filed with the Cuyahoga County Fiscal Officer by September 12, 2022, if it is to be added to the 2022 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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MELODY HART  
President of the Council



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ADDIE BALESTER  
Clerk of Council

PASSED: 09/06/2022

Presented to the Mayor: 09/07/2022

Approved: 09/09/2022



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KAHLIL SEREN

Mayor

Exhibit A

**EXHIBIT A**



September 1, 2022

To the Council of Cleveland Heights, Ohio

Council Members:

This is to report that a meeting of the Assessment Equalization Board, appointed pursuant to Resolution No. 115-2022, was held on Tuesday, August 30, 2022 at 5:30 p.m. The meeting was held at City Hall in the Executive Conference room. The meeting was held to consider the objections to the proposed assessments as detailed in Resolution No. 111-2022 entitled in relevant part: "A Resolution declaring the necessity of implementing a public services plan for the Cedar Fairmount Special Improvement District, Inc." and on file with the Clerk of Council.

Present in person were Board Members Reggie Evans, Julian Rogers, and Linda Striefsky, Assistant Director of Law/Acting Secretary Laure A. Wagner, and Councilman Tony Cuda. In attendance remotely were appellants Tom Sockel and Martin Horowitz; Cedar Fairmount SID Executive Director Myra Orenstein, Board President Sal Russo and SID Counsel Brad Bryan; and City Director of Business Development Brian Anderson and Council Member Gail Larson.

The Clerk of Council received objections from six property owners:

- Cicerchi Development Company, LLC, 12471 Cedar Road
- Jill O'Reilly, 2116 Surrey Road, #2
- Martin Horowitz, 2130 Surrey Road
- Tom Sockel, 2106 Surrey Road
- Jonathan and Danielle Siegel, 2116 Surrey Road, #3
- Gordon P. and Gail Z. Brooks, 2116 Surrey Road, #1

All property owners were invited to be heard at the meeting. Two property owners, Tom Sockel and Martin Horowitz, attended the meeting remotely and stated their objections. The Board had previously received and reviewed the written objections of all of the appellants. The SID representatives and Mr. Anderson provided further testimony.

After extensive testimony and discussion, the Board made findings that the Public Services Plan was properly adopted according to law and the assessments correctly calculated, and moved that the assessment list therefore shall be filed with no adjustments and so certified to the County Auditor. The motion was unanimously approved.

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Respectively submitted,

A handwritten signature in blue ink, appearing to read "Laure A. Wagner", with a long horizontal flourish extending to the right.

Laure A. Wagner, Acting Secretary