

RESOLUTION NO. 084-2024(F): *First Reading*

By Mayor Seren

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

WHEREAS, the Mayor 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. 40-2022 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 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 2024 Tax Duplicate for collection in the years 2025 through 2026, 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  
Bayreuth Road  
Beechwood Avenue

Bellfield Avenue  
Belvoir Boulevard  
Bendemeer Road  
Berkeley Avenue  
Berkeley Road  
Berkshire Lane  
Berkshire Road

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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
Compton Road	Exeter Road	Montford Road
Corydon Road	Fairfax Road	Mornington Lane
Cottage Grove Drive	Fairhill Road	Mount Laurel Road
Kirkwood Road	Fenley Road	Murray Hill Road
Lamberton Road	Forest View Drive	Navahoe Road
Lancashire Road	Glen Allen Drive	Nobleshire Road
Langton Road	Glenwood Road	Norfolk Road
Lecona Drive	Goodnor Road	Northampton Road
Lennox Road	Grandview Avenue	Nottingham Lane
Lincoln Boulevard	Greyton Road	Oak Road
Lowell Road	Guilford Road	Oakdale Road
Lownesdale Road	Hampshire Lane	Oakridge Drive
Lynn Park Drive	Hampshire Road	Orchard Road
Maple Road	Hampstead Road	Ormond Road
Maplewood Road	Harcourt Drive	Overlook Lane
Crest Road	Hartwood Road	Oxford Road
Cumberland Road	Harvey Road	Parkdale Road
Cummings Road	Haselton Road	Parkhill Road

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

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

Ardmore Road	Cleviden Road	Grosvenor Road
Belmar Road	Coventry Road	Hanover Drive
Blanche Avenue	East Antisdale Avenue	Hillcrest Road
Bluestone Road	East Scarborough Road	Lee Boulevard
Brewster Road	Eddington Road	Lee Road
Brunswick Road	Edgehill Road	Mayfield Road
Caledonia Avenue	Elmwood Road	Meadowbrook
Cambridge Road	Eloise Drive	Boulevard
Canterbury Road	Fairmount Boulevard	Monticello Boulevard
Cedar Road	Forest Hills Boulevard	Mount Vernon
Cedarbrook Road	Glenmont Road	Boulevard
Chestnut Hills Drive	Glynn Road	Nela View Road

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Newbury Drive	Oakhill Road	Silsby Road
Noble Road	Overlook Road	Superior Road
Nordway Road	Quilliams Road	Taylor Road (North)
Northcliffe Road	Ravine Drive	Tullamore Road
North Park Boulevard	Reyburn Road	Warrensville Center
Northvale Boulevard	Roanoke Road	Road
North Woodland Road	Shelburne 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 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.

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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