

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     | Arlington Road   | Bellfield Avenue  |
| Alpine Road      | Ashton Road      | Belvoir Boulevard |
| Altamont Avenue  | Atherstone Road  | Bendemeer Road    |
| Andrews Road     | Avondale Road    | Berkeley Avenue   |
| Antisdale Avenue | Bainbridge Road  | Berkeley Road     |
| Ardleigh Drive   | Bayreuth Road    | Berkshire Lane    |
| Ardoon Street    | Beechwood Avenue | 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      | Erieview 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     | Nottinghill 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         |
| Pennfield Road      | St. James Parkway<br>(North) | Thorne Road         |
| Pomona Road         | St. James Parkway<br>(West)  | Tower Road          |
| Powell Avenue       | Scarborough Road             | Tremont Road        |
| Preyer Avenue       | Seaton Road                  | Tudor Drive         |
| Princeton Road      | Selwyn Road                  | Vandermar Street    |
| Quarry Drive        | Severance Circle Drive       | Vineshire Road      |
| Queenston Road      | Severn Road                  | Walden Road         |
| Radcliffe Road      | Shaker Road                  | Wellington Road     |
| Radnor Road         | Shannon Road                 | Westminster Road    |
| Randolph Road       | Somerton Road                | Westover Road       |
| Redwood Road        | South Compton Road           | Whitby Road         |
| Renfield Road       | South Noble Road             | Whitethorn Road     |
| Renrock Road        | South Overlook Road          | Wilmar Court        |
| Revere Road         | Spangler Road                | Wilmar Road         |
| Rexwood Road        | Staunton Road                | Wilton Road         |
| Ridgefield Road     | Stillman Road                | Windsor Road        |
| Rinard Road         | Stoneleigh Road              | Winsford Road       |
| Rock Court          | Stratford Road               | Wood Road           |
| Rockwood Road       | Stuart Road                  | Woodmere Drive      |
| Rosedale Road       | Summit Park Road             | Woodridge Road      |
| Rosemond Road       | Superior Park Drive          | Woodview Road       |
| Rossmoor Road       | Surrey Road                  | Woodward Avenue     |
| Roxboro Road        | Sycamore Road                | Wynn Road           |
| Rumson Road         | Sylvanhurst Road             | Yellowstone Road    |
| Runnymede Boulevard | Sylvania Road                | Yorkshire Road      |
| Rushleigh Road      |                              |                     |
| Rutherford 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