

ORDINANCE NO. 166-2024(F), *First Reading*

By Mayor Seren

An Ordinance determining to proceed with the assessment of a portion of the expense of street lighting 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. 84-2024, declared the necessity of assessing a portion of the expense of street lighting 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. 104-2024 has heard and determined all objections and has filed its report and recommendations with this Council; and

WHEREAS, this Council has adopted Resolution No. 165-2024(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 street lighting 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 street lighting 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 and 2026, inclusive, at the annual rate of up to Ninety-Two Cents (\$.92) per front foot, with the Corner Lot Reduction as specified in Resolution No. 84-2024, on the following properties:

All the lots and lands on the following dedicated streets:

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| | | |
|-------------------|----------------------|-------------------|
| 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 |
| Kirkwood Road | Lennox Road | Maple Road |
| Lamberton Road | Lincoln Boulevard | Maplewood Road |
| Lancashire Road | Lowell Road | Marlboro Road |
| Langton Road | Lownesdale Road | Marlindale Road |
| Lecona Drive | Lynn Park Drive | Medford Road |

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| | | |
|-------------------|------------------------------|---------------------|
| Middlefield Road | Renfield Road | Stratford Road |
| Middlehurst Road | Renrock Road | Stuart Road |
| Middleton Road | Revere Road | Summit Park Road |
| Minor Park Lane | Rexwood Road | Superior Park Drive |
| Monmouth Road | Ridgefield Road | Surrey Road |
| Montevista Road | Rinard Road | Sycamore Road |
| Montford Road | Rock Court | Sylvanhurst Road |
| Mornington Lane | Rockwood Road | Sylvania Road |
| Mount Laurel Road | Rosedale Road | Taylor Road (South) |
| Murray Hill Road | Rosemond Road | Thayne Road |
| Navahoe Road | Rossmoor Road | Thorne Road |
| Nobleshire Road | Roxboro Road | Tower Road |
| Norfolk Road | Rumson Road | Tremont Road |
| Northampton Road | Runnymede Boulevard | Tudor Drive |
| Nottinghill Lane | Rushleigh Road | Vandermar Street |
| Oak Road | Rutherford Road | Vineshire Road |
| Oakdale Road | Rydalmount Road | Walden Road |
| Oakridge Drive | St. Albans Road | Wellington Road |
| Orchard Road | St. James Parkway (North) | Westminster Road |
| Ormond Road | St. James Parkway (West) | Westover Road |
| Overlook Lane | Scarborough Road | Whitby Road |
| Oxford Road | Seaton Road | Whitethorn Road |
| Parkdale Road | Selwyn Road | Wilmar Court |
| Parkhill Road | Severance Circle Drive | Wilmar Road |
| Parkway Drive | Severn Road | Wilton Road |
| Pembrook Road | Shaker Road | Windsor Road |
| Pennifield Road | Shannon Road | Winsford Road |
| Pomona Road | Somerton Road | Wood Road |
| Powell Avenue | South Compton Road | Woodmere Drive |
| Preyer Avenue | South Noble Road | Woodridge Road |
| Princeton Road | South Overlook Road | Woodview Road |
| Quarry Drive | Spangler Road | Woodward Avenue |
| Queenston Road | Staunton Road | Wynn Road |
| Radcliffe Road | Stillman Road | Yellowstone Road |
| Radnor Road | Stoneleigh Road | Yorkshire 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 lighting assessments filed with the Clerk of Council, pursuant to Resolution No. 84-2024, as equalized in accordance with the report and recommendations of the Assessment Equalization Board, pursuant to Resolution No. 165-2024(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 Ninety-Two Cents (\$.92) 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 street lighting 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.

SECTION 4. The assessment of the cost and expense of said street lighting, amounting to approximately One Million Eight Hundred Seventy-One Thousand Six Hundred Twenty-Eight Dollars and Thirty-Four Cents (\$1,871,628.34), 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 street lighting assessments now on file with the 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.

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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 Finance Director 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 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. The 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 Fiscal 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.



TONY CUDA
President of Council



ADDIE BALESTER
Clerk of Council

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PASSED: September 3, 2024

Presented to Mayor: 09/05/2024

Approved: 09/13/2024

A handwritten signature in blue ink, appearing to read "Kahlil Seren".

KAHLIL SEREN
Mayor