

RESOLUTION 49-2020

Proposed: 05/04/2020

RESOLUTION NO. 49-2020 (F)

By Council Member

A Resolution declaring the necessity of assessing a portion of the expense of improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon; and declaring an emergency.

WHEREAS, the City Manager has recommended to this Council that a portion of the cost and expense of improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon be paid by special assessment; and

WHEREAS, it is necessary that the yearly rate of assessment established by Resolution No. 45-2018 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 improvement of streets and parkways including grading, draining, curbing, paving, repaving, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees 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 One Dollar and Eight Cents (\$1.08) 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 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 cost of said improvements whose costs are to be assessed 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:

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All the lots and lands on the following dedicated streets:

Allston Road	Chelsea Drive	Englewood Road
Alpine Road	Clarence Road	Erieview Road
Altamont Avenue	Clarendon Road	Essex Road
Andrews Road	Clarkson Road	Euclid Heights
Antisdale Avenue	Cleveland Heights	Boulevard
Ardleigh Drive	Boulevard	Exeter Road
Ardoon Street	Clifford Drive	Fairfax Road
Arlington Road	Colchester Road	Fairhill Road
Ashton Road	Coleridge Road	Fenley Road
Atherstone Road	Colonial Drive	Forest View Drive
Avondale Road	Compton Road	Glen Allen Drive
Bainbridge Road	Corydon Road	Glenwood Road
Bayreuth Road	Cottage Grove Drive	Goodnor Road
Beechwood Avenue	Crest Road	Grandview Avenue
Bellfield Avenue	Cumberland Road	Greyton Road
Belvoir Boulevard	Cummings Road	Guilford Road
Bendemeer Road	Dartmoor Road	Hampshire Lane
Berkeley Avenue	Delamere Drive	Hampshire Road
Berkeley Road	Delaware Drive	Hampstead Road
Berkshire Lane	Dellwood Road	Harcourt Drive
Berkshire Road	Delmore Road	Hartwood Road
Beverly Road	Demington Drive	Harvey Road
Birch Tree Path	Denton Drive	Haselton Road
Blackmore Road	Derbyshire Road	Helmsdale Road
Bolton Road	DeSota Avenue	Henderson Road
Boynton Road	Devonshire Drive	Hereford Road
Bradford Road	Dresden Road	Hillstone Road
Brandon Road	East Derbyshire Road	Hollister Road
Brentwood Road	East Fairfax Road	Hyde Park Avenue
Briarwood Road	East Monmouth Road	Idlewood Road
Brinkmore Road	East Overlook Road	Inglewood Road
Burbridge Road	Eastwick Road	Ivydale Road
Burlington Road	Edendale Street	Janette Avenue
Cadwell Avenue	Edgerly Road	Kenilworth Lane
Carver Road	Edgewood Road	Kenilworth Road
Castleton Road	Edison Drive	Kensington Road
Cecil Place	Edwards Road	Kent Road
Cedar Glen	Elandon Drive	Kerrwood Road
Chatfield Drive	Elbon Road	Kew Road

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

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 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

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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 and 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 improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon, 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: