

RESOLUTION NO. 45-2021

INTRODUCED BY: Mayor Graven and Council as a Whole

A RESOLUTION DECLARING THE NECESSITY FOR PROVIDING FOR THE PAYMENT OF STREET LIGHTING IN THE CITY OF OLMSTED FALLS, OHIO, THE COST OF WHICH WILL BE PAID BY SPECIAL ASSESSMENTS UPON ALL PROPERTIES BENEFITED AND DECLARING AN EMERGENCY

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OLMSTED FALLS, CUYAHOGA COUNTY, OHIO, THAT:

SECTION 1. It is hereby deemed to be necessary to provide for the payment of electric power for street lighting by special assessments on all parcels benefited, which is hereby determined to be all parcels of land within the municipality, except parcels owned by the State of Ohio and other tax exempt parcels.

SECTION 2. No expenditure shall be made nor any portion of this special assessment used to improve or install additional lighting facilities except to the extent that funds are available after provision for or payment of all costs of electric power.

SECTION 3. The cost of said improvement, namely the lighting of streets within the municipality, less two percent (2%) for the cost of intersections shall be assessed upon all of the lots and lands within this City which said lots and lands are hereby determined to be specifically benefited by said street lighting. Said assessment shall be levied at the rate of 0.54 mills annually. The cost of said improvement shall include the expense of the preliminary and other surveys and printing and publishing of notices, resolutions and ordinances required, and the serving of said notices, and the cost of construction, if any. No bond shall be issued in anticipation of the collection of said special assessments. The amount of said special assessments shall be certified by the Clerk of Council to the County Auditor, as provided by law, to be placed by the County Auditor upon the tax duplicate and collected as other taxes as part of the 2021 and 2022 tax collections to be levied and collected in the calendar years 2022 and 2023.

SECTION 4. The Director of Finance is hereby authorized and directed to prepare an estimated assessment of the cost of electric power to provide street lighting and file said estimated costs with the office of the Clerk of Council, showing thereon the amount of the assessment against each lot or parcel of land to be assessed. Said estimated assessment shall be filed in the office of said Clerk and shall be available for public inspection.

SECTION 5. Upon the filing of the said estimated assessment for street lighting as hereinbefore provided, the Clerk of Council is authorized and directed to cause notice of the passage of this Resolution and of the filing of said estimated assessments to be published in a newspaper of general circulation in the municipality for two (2) consecutive weeks. If the assessment for any lot or parcel of land to be assessed is in the amount of Two Hundred Fifty Dollars (\$250.00) or more, then the owner of said lot or parcel shall be served notice of the

passage of this Resolution by United States Certified Mail, postage prepaid, return receipt requested.

SECTION 6. That the Council finds and determines that all formal actions of this Council relating to the adoption of this Resolution have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 7. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the residents of Olmsted Falls for the reason that the action taken herein is necessary for the safety of the residents of the City to provide street lighting as soon as possible. It shall therefore take effect immediately upon passage by the affirmative vote of not less than five (5) members elected to Council and approval by the Mayor or otherwise at the earliest time allowed by law.

Paul Stibich, Council President

PASSED: _____

APPROVED: _____
James P. Graven, Mayor

Date

APPROVED AS TO FORM: _____
Andrew D. Bemer, Director of Law

ATTEST: _____
Angela Mancini, Clerk of Council

First Reading: _____

Second Reading: _____

Third Reading: _____

	Yea	Nay
Stibich	_____	_____
Jones	_____	_____
Jansen	_____	_____
McFadden	_____	_____
Munteanu	_____	_____
Buchholz	_____	_____
Chitester	_____	_____