

ORDINANCE NO. 101-2018 (F)

By Council Member Dunbar

An Ordinance levying an assessment for a public services plan for the Cedar Lee Special Improvement District; and declaring an emergency.

WHEREAS, by Resolution No. 95-2018, this Council declared the necessity of implementing through assessment a public services plan for the Cedar Lee Special Improvement District (“Cedar Lee SID”); and

WHEREAS, notice of the aforesaid Resolution of Necessity (Resolution No. 95-2018) and filing of the estimated assessments has been previously served upon the owners of the lots or parcels of land to be assessed for the proposed plan; and

WHEREAS, by Ordinance No. 100-2018, this Council determined to proceed with the implementation through assessment of the public services plan for the Cedar Lee SID.

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 to assess the following parcels of property for a public services plan for the Cedar Lee Special Improvement District (“Cedar Lee SID”) in accordance with Resolution No. 95-2018 passed by this Council on July 30, 2018:

684-17-018	684-17-026	684-17-027
684-17-028	684-22-019	684-22-020
684-22-021	684-22-022	684-22-023
684-22-024	684-23-022	684-23-023
684-23-024	684-23-025	684-23-027
684-25-028	684-25-029	684-25-030
684-25-031	686-13-018	686-13-019
686-13-020	686-13-049	686-14-011
686-14-012	686-14-013	686-14-014
686-14-015	686-14-016	686-14-017
686-14-018	686-14-019	686-14-021
686-14-023	686-14-025	687-01-024
687-01-026	687-01-029	687-01-033
687-02-029	687-02-033	687-02-034
687-02-036	687-06-001	687-06-002
687-06-003	687-06-004	687-06-005
687-06-006	687-06-007	687-06-008

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687-06-011	687-06-012	687-06-014
687-08-008	687-08-007	687-08-009
687-08-010	687-08-011	687-08-012
687-08-013	687-08-014	687-08-015
687-08-081	687-08-016	687-08-017
687-08-080	687-08-005	687-08-006
687-08-001	687-08-004	

SECTION 2. One Hundred percent (100%) of the cost and expense of the public services plan, in the sum of One Hundred Fifty-Five Thousand Eight Hundred Eighty-Eight Dollars (\$155,888) for Year One through Year Five, for a total of Seven Hundred Seventy-Nine Thousand Four Hundred Forty Dollars (\$779,440), shall be and hereby is assessed upon the aforementioned lots and lands. The costs of the Public Services Plan for the Cedar Lee SID shall be and are hereby assessed upon such lots and lands in proportion to their tax values. The assessments shall be levied annually, and shall be recalculated on an annual basis each year for the five (5) year period to accommodate fluctuating property values.

SECTION 3. The first year's charge of One Hundred Forty Thousand Six Hundred Eighty-Eight Dollars (\$140,688) shall be and hereby is assessed upon the aforementioned lots and lands in proportion to their tax values as of July 17, 2018. Each of the subsequent year's assessments shall be calculated in the same manner, in proportion to the tax value of each property on the 17th day of July of each such year.

SECTION 4. Each annual installment of the assessment against each of the aforementioned parcels of land shall be certified to the County Auditor 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 first annual installment of the assessment in cash within thirty (30) days from the adoption of this Ordinance, and each of the subsequent four (4) annual installments by the 16th day of August of each year.

SECTION 5. All assessments levied pursuant to this Ordinance shall be filed with the Clerk of Council.

SECTION 6. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of 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 7. 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 of Ohio Revised Code Section 727.26.

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SECTION 8. The Director of Finance/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 Auditor.

SECTION 9. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to meet statutory deadlines. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Ordinance 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.

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CAROL ANN ROE, Mayor  
President of the Council

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LAURIE SABIN  
Clerk of Council

PASSED: September 4, 2018