

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 13-50

INTRODUCED BY: Mayor Stefanik, Kasaris

AN ORDINANCE PROVIDING FOR THE DEFERRAL OF THE COLLECTION OF SPECIAL ASSESSMENTS WITH RESPECT TO A CERTAIN PARCEL OF PROPERTY CURRENTLY USED FOR PUBLIC PARK PURPOSES AND PROVIDING FOR A TAP-IN CHARGE IN CONNECTION WITH THE PROCEEDINGS RELATED TO THE IMPROVEMENT OF EDGERTON ROAD IN THE CITY OF NORTH ROYALTON BETWEEN CERTAIN TERMINI BY CONSTRUCTING AND INSTALLING A WATERMAIN, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY

WHEREAS, the Council of this City adopted Resolution No. 12-180 on November 20, 2012 declaring the necessity of making the Improvement described in Section 1 (the Resolution of Necessity); and

WHEREAS, the Council of this City has determined it to be in the best interests of the City and its citizens that the special assessment to be levied against that parcel of property currently used for public park purposes by the Cleveland Metroparks identified in Section 1 hereof be deferred until such time as that property is no longer owned by Cleveland Metroparks and used for public park purposes;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. The special assessment to be levied against that property identified in the Cuyahoga County land records as Permanent Parcel No. 485-01-012 and owned by the Board of Park Commissioners of the Cleveland Metropark District (the "Deferred Property") for the improvement of Edgerton Road in the City, by constructing, installing and extending an existing 12-inch watermain a distance of approximately 1,760 linear feet beginning at an existing watermain valve located on the North side of Edgerton Road in front of Permanent Parcel No. 485-03-001 (10140 Edgerton Road) westerly to a terminus located on the North side of Edgerton Road located just west of the eastern property line of Permanent Parcel No. 484-03-001 (10600 Edgerton Road), including hydrants, valves, lateral service connections, aprons, culverts, related site improvements and all other necessary appurtenances thereto (the "Improvement") is hereby deferred until such time as the Deferred Property is no longer owned by the Board of Park Commissioners of the Cleveland Metropark District ("Cleveland Metroparks") and used for public park purposes. At such time as title to the Deferred Property is transferred from the Cleveland Metroparks and used for other than public park purposes, a tap-in charge in the amount of the deferred assessment shall be levied and collected upon the Deferred Parcel. It is hereby further determined that the owners of such property shall be required to pay such tap-in charge in full to the Director of Finance of the City prior to connecting such parcel to and receiving water service from the Improvement.

Section 2. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 3. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the city, and for the further reason that this Ordinance must be immediately effective to complete the proceedings related to the levy of the special assessments and tap-in charges for the Improvement which is urgently necessary to provide potable water supply and fire protection; wherefore, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

/s/ Larry Antoskiewicz
PRESIDENT OF COUNCIL

APPROVED: /s/ Robert A. Stefanik
MAYOR

DATE PASSED: March 19, 2013

DATE APPROVED: March 20, 2013

ATTEST: /s/ Laura J. Haller
DIRECTOR OF LEGISLATIVE SERVICES

First reading suspended
Second reading suspended
Third reading March 19, 2013

YEAS: Antoskiewicz, Nickell, Petrusky
Marnecheck, Muller, Kasaris

NAYS: none