

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 15-12

INTRODUCED BY: Antoskiewicz, Marnecheck

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR 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 Improvement described in Section 1 has been completed and the final cost of that Improvement has been determined.

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 assessments for the cost and expense of improving in the City of North Royalton, Ohio, Edgerton Road, 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"), pursuant to Resolution No. 12-180 (the "Resolution of Necessity"), which were filed and are on file with the Director of Legislative Services, in her capacity as Clerk of Council, are adopted and confirmed. Those special assessments are levied and assessed upon the lots and lands provided for in the Resolution of Necessity in the respective amounts set forth in the schedule of special assessments on file, which special assessments are in proportion to the special benefits and are not in excess of any statutory limitation.

Section 2. This Council finds and determines that the special assessments are in the same proportion to the estimated special assessments as the actual cost of the Improvement is to the estimated cost of the Improvement as originally filed and upon which the estimated assessments were based.

Section 3. The special assessment against each lot or parcel of land shall be payable in cash within 30 days after the passage of this ordinance, or at the option of the owner, in 20 annual installments with interest at the same rate as borne by the bonds to be issued in anticipation of the collection of the special assessments. All cash payments shall be made to the Director of Finance of the City. All special assessments remaining unpaid at the expiration of those 30 days shall be certified by the Director of Legislative Services, in her capacity as Clerk of Council, to the County Fiscal Officer as provided by law to be placed on the tax duplicate and collected as taxes are collected.

Section 4. The Director of Legislative Services, in her capacity as Clerk of Council, shall cause a notice of the passage of this ordinance to be published once in a newspaper of general circulation in this City and shall keep on file in her office the special assessments.

Section 5. The Director of Legislative Services, in her capacity as Clerk of Council, shall deliver a certified copy of this ordinance to the County Fiscal Officer within 20 days after its passage.

Section 6. This Council finds and determines that all formal actions of this Council 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 of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 7. 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 resolution must be immediately effective to provide for the levy of the special assessments so that the notes issued in anticipation of the levy may be refunded by bonds to be issued in anticipation of the collection of the special assessments and thereby preserve the credit of the City; wherefore, this ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

/s/ Larry Antoskiewicz
PRESIDENT OF COUNCIL

APPROVED: /s/ Larry Antoskiewicz
ACTING MAYOR

DATE PASSED: February 3, 2015

DATE APPROVED: February 3, 2015

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

First reading suspended
Second reading suspended
Third reading February 3, 2015
Amended February 3, 2015

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

NAYS: none