

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

RESOLUTION NO. 22-155

INTRODUCED BY: Krejci

A RESOLUTION DECLARING IT NECESSARY TO IMPROVE CERTAIN STREETS IN THE CITY BY CONSTRUCTING SANITARY SEWERS, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY

WHEREAS: This Council has previously requested that the plans, specifications, profiles and estimates of cost for the Improvement defined in Section 1 below be prepared, and such have been prepared and placed on file in the office of the Director of Legislative Services.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA, THAT:

Section 1. It is hereby declared necessary to improve in the City of North Royalton, Ohio, York Road from addresses 10725 York Road and 10634 York Road (south; east and west side of York Road) to addresses 10505 York Road and 10498 York Road (north; east and west side of York Road) in the City of North Royalton by constructing and installing sanitary sewers, together with all necessary appurtenances thereto (the "Improvement").

Section 2. The plans, specifications and profiles of the Improvement and the estimate of cost of the Improvement, prepared by the City Engineer and now on file in the office of the Director of Legislative Services, are approved. The Improvement shall be made in accordance with, and the grades of the Improvement shall be the grades as shown on, the plans, specifications and profiles for the Improvement.

Section 3. This Council finds and determines that the Improvement is conducive to the public health, convenience and welfare of this City and its inhabitants, and the lots and lands to be assessed as described in Section 4 are specially benefited by the Improvement.

Section 4. The total cost of the Improvement, less 2% plus the cost of intersections which shall be borne by the City (being referred to herein as the "City Portion"), shall be assessed in proportion to the benefits that may result from the Improvement (the "Property Owners' Portion") upon the lots and lands bounding and abutting York Road from addresses 10725 York Road and 10634 York Road (south; east and west side of York Road) to addresses 10505 York Road and 10498 York Road (north; east and west side of York Road) and identified in the land records of Cuyahoga County as PPN's 482-15-024, 481-24-024, 482-15-022, 482-15-008, 481-24-023, 481-24-022, 482-15-028, 482-15-029, 481-24-006, 482-15-006, and 481-24-005 in the City of North Royalton.

Section 5. The City Engineer is authorized and directed to prepare and file in the office of the Director of Legislative Services the estimated special assessments for the Property Owners' Portion of the Improvement described in this resolution. Those estimated special assessments shall be based upon the estimate of cost of the Improvement on file in the office of the Director of Legislative Services and shall be prepared pursuant to the provisions of this resolution. Upon such filing of the estimated special assessments, the Director of Legislative Services, in her capacity as Clerk of Council shall cause notice of the adoption of this resolution and the filing of the estimated special assessments to be served in the manner provided by law on the owners of all lots and lands to be assessed.

Section 6. The special assessments to be levied may be paid in cash within thirty days after passage of the assessing ordinance, or in twenty annual installments with interest at the rate of interest on the notes or bonds issued in anticipation of the collection of special assessments, or, if such notes or bonds are not issued, at the rate or rates of interest determined by this Council when it passes the assessing ordinance levying the special assessments. The assessments will be certified to the Cuyahoga County Fiscal Officer and collected in accordance with the Ohio Revised Code.

Section 7. Bonds of the City may be issued in anticipation of the collection of assessments to be collected in installments, in an amount equal to those assessments, and notes may be issued in anticipation of those bonds. The proceeds of the sale of such bonds and/or notes and the assessments collected shall be applied to the costs of the Improvement.

Section 8. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 the law.

Section 9. This Resolution is hereby 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 is required to be immediately effective so that the city can provide for the Improvement which is necessary to provide proper sewage disposal and thereby prevent pollution.

THEREFORE, provided this Resolution receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

/s/ Paul F. Marnecheck
PRESIDENT OF COUNCIL

APPROVED: /s/ Larry Antoskiewicz
MAYOR

DATE PASSED: September 20, 2022

DATE APPROVED: September 21, 2022

ATTEST: /s/ Dana A. Schroeder
DIRECTOR OF LEGISLATIVE SERVICES

First reading suspended
Second reading suspended
Third reading September 20, 2022

YEAS: Marnecheck, Nickell, Barath, Krejci,
Dietrich, Vos

NAYS: Carbone-McDonald