

RESOLUTION NO. 28-2017

INTRODUCED BY: Mayor Ann Marie Donegan

A RESOLUTION APPOINTING AN ASSESSMENT EQUALIZATION BOARD TO HEAR OBJECTIONS RELATIVE TO THE IMPROVEMENT OF COLUMBIA ROAD, COOK ROAD, CRANAGE ROAD, ELM STREET, MAIN STREET, MAPLEWAY DRIVE, NOBOTTOM ROAD, RIVER ROAD AND WATER STREET BETWEEN CERTAIN TERMINI, AND THE ENTIRE LENGTH OF CLARK STREET, INLAND DRIVE AND MYRTLE AVENUE, BY CONSTRUCTING SANITARY SEWERS AND CONNECTIONS WHERE THEY DO NOT NOW EXIST, REPLACING EXISTING WATER MAINS AND CONNECTIONS, CONSTRUCTING TWO NEW PUMP STATIONS, ABANDONMENT OF THE EXISTING MAIN STREET WASTEWATER TREATMENT PLANT, AND RELATED RESURFACING AND PAVING, AND DECLARING AN EMERGENCY.

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

SECTION 1. Appointment of Assessment Equalization Board. Terry Klimchak, Daila Shimek and Tom Sprague, three disinterested freeholders of the City, are appointed to act as an Assessment Equalization Board to hear and determine all timely written objections to the estimated special assessments for the cost of improving (i) Columbia Road from its intersection with Water Street northerly to its intersection with Nobottom Road, (ii) Cook Road from its intersection with Columbia Road westerly to the City's corporate limit, (iii) Cranage Road from its intersection with Mapleway Drive westerly to the City's corporate limit, (iv) Elm Street from its intersection with Brookside Drive easterly to its intersection with Columbia Road, (v) Main Street from its intersection with Water Street southerly to the southerly line of lots and lands identified in the records of the Cuyahoga County Fiscal Officer as Permanent Parcel No. 281-06-015, (vi) Mapleway Drive from a point approximately 151 feet north of its intersection with Elm Street north to its intersection with Cook Road, (vii) Nobottom Road from its intersection with Columbia Road easterly to the eastern line of the lots and lands identified in the records of the Cuyahoga County Fiscal Officer as Permanent Parcel No. 262-19-007, (viii) River Road from its intersection with Water Street northeasterly to its intersection with Nobottom Road, (ix) Water Street from a point approximately 620 feet westerly of Brookside Drive easterly approximately to its intersection with River Road and (x) the entire length of Clark Street, Inland Drive and Myrtle Avenue by constructing sanitary sewers and connections where they do not now exist, replacing existing water mains and connections, constructing two new pump stations, abandonment of the existing Main Street Wastewater Treatment Plant, and related resurfacing and paving, together with all necessary appurtenances thereto and real estate or interests therein required therefor, and to equalize those special assessments as to them seems proper in accordance with law and with Resolution No. 56-2016, adopted on October 24, 2016.

SECTION 2. Fixing of Time and Place of Hearing of Objections. The Board shall first meet for that purpose in the Council Chambers at Olmsted Falls City Hall, 26100 Bagley Road, Olmsted Falls, Ohio, on May 31, 2017, at 6:30 p.m., and upon the completion of its hearings and equalization shall report the equalized special assessments to Council. The Clerk of Council shall, at least five days prior to the first meeting, send a notice of the hearing by certified mail to all persons who filed timely written objections, and any actions previously taken by City officials or agents of the City in the sending of such notices are hereby approved, ratified and confirmed.

SECTION 3. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the adoption of this Resolution were taken in open meetings of this Council or committees, 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, all in compliance with the law.

SECTION 4. Captions and Headings. The captions and headings in this Resolution are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Resolution unless otherwise indicated.

SECTION 5. Declaration of Emergency; Effective Date. This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City and to meet a situation affecting health, property and the public peace, and for the further reason that this Resolution is required to be immediately effective to provide for the construction of the improvement, which is needed to eliminate existing and potential hazards to the health and property of the owners of the properties to be assessed by providing sanitary sewage collection service; wherefore, this Resolution shall be in full force and effect immediately upon its adoption by not less than five affirmative votes and approval by the Mayor.

ADOPTED: _____
Linda Garrity, President of Council

APPROVED BY: _____
Ann Marie Donegan, Mayor _____
Date

APPROVED AS TO FORM: _____
Gregory M. Sponseller, Law Director

ATTEST: _____
Angela Mancini, Clerk of Council

First Reading: _____

Second Reading: _____

Third Reading: _____

	Yea	Nay
Garrity	_____	_____
Haviland	_____	_____
Sculac	_____	_____
Gorski	_____	_____
Stibich	_____	_____
Duncan	_____	_____
Miller	_____	_____