

**RESOLUTION NO. 2019-50**

Introduced By: Mayor Michael Dylan Brennan

**A RESOLUTION LEVYING TAX YEAR 2019 SPECIAL ASSESSMENTS FOR THE COST OF PLANTING, MAINTAINING, TRIMMING, AND REMOVING SHADE TREES, AND DECLARING AN EMERGENCY**

**WHEREAS**, the City of University Heights provides for the planting, maintaining, trimming, and removing of shade trees along the streets of the City; and

**WHEREAS**, the City Council of the City of University Heights has adopted, pursuant to Ohio Revised Code Section 727.12, a Resolution of Necessity (Resolution 2019-38) for shade trees special assessments to fund the costs of providing ongoing improvements in the form of planting, maintaining, trimming, and removing shade trees along the streets of the City; and

**WHEREAS**, the Assessment Equalization Board appointed, pursuant to Ohio Revised Code Section 727.16, by the City Council of the City of University Heights held hearings on Tuesday August 27, 2019 to hear objections filed in response the Resolution of Necessity (Resolution 2019-38) for street lighting specials assessments; and

**WHEREAS**, pursuant to Ohio Revised Code Section 727.17, the City Council of the City of University Heights has accepted the recommendations of the Assessment Equalization Board resulting from the hearings on Tuesday August 27, 2019; and

**WHEREAS**, the City Council of the City of University Heights has adopted, pursuant to Ohio Revised Code Section 727.23, an Ordinance to Proceed (Ordinance 2019-47) for shade trees special assessments to fund the costs of providing ongoing improvements in the form of planting, maintaining, trimming, and removing shade trees along the streets of the City.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF UNIVERSITY HEIGHTS, OHIO THAT:

Section 1. The Council levies a special assessment, for the cost and expense necessary to provide ongoing improvements in the form of planting, maintaining, trimming, and removing shade trees along the streets of the City, upon the foot frontage of all property abutting any of the streets of the City at a rate of seventy cents (\$0.70) per frontage foot for tax year 2019. The Council determines the foot frontage in the parcel listings provided by County Fiscal Officer of Cuyahoga County, Ohio, shall be used in the calculation of said special assessment. The Council determines said special assessment shall be levied in two installments for tax year 2019.

Section 2. The Finance Director shall prepare an assessment for tax year 2019 in accordance with the special assessment methodology described above. Said assessment shall identify the amount of the special assessment against each assessed parcel. The Finance Director shall file a copy of said assessment with the Clerk of Council.

Section 3. The Council determines the method of collection of said special assessment shall be via certification by the Finance Director of said special assessments to the County Fiscal Officer of Cuyahoga County, Ohio, for collection in the same manner as City property taxes upon the property tax duplicates for collection in the subsequent year. The Finance Director shall perform the certification of said special assessment for tax year 2019 for collections in 2020 in the manner prescribed by the County Fiscal Officer of Cuyahoga County, Ohio.

Section 4. The Council finds and determined that all formal actions of this Council relating to the adoption of this Resolution have been taken at open meetings of this Council, and that deliberations of this Council and of its committees, resulting in such formal action, took place

in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.


Section 5. This Resolution is declared to be an emergency measure necessary for the preservation of the public peace, safety, health and welfare of the citizens of the City of University Heights, the emergency being the need to certify special assessments to the County Fiscal Office by the September deadline. It shall therefore become effective upon its passage by the affirmative vote of not less than five (5) members of Council and approval of the Mayor; otherwise, it shall become effective at the earliest time allowed by law.


City of University Heights, Ohio



Michael Dylan Brennan, Mayor

Passed: 09/04/2019

Attest:   
Kelly M. Thomas, Clerk of Council

Approved as to Form:   
Luke F. McConville, Law Director