

BEREA CITY COUNCIL

City of Berea, Ohio

ORDINANCE NO. 2022- __

By: _____ Sponsor: Mayor Cyril M. Kleem

A RESOLUTION

DECLARING IT NECESSARY TO IMPROVE THE STREETS AND OTHER PUBLIC PLACES IN THE CITY OF BEREA BY SUPPLYING THE SAME WITH ELECTRIC LIGHTING, INCLUDING TRAFFIC CONTROL LIGHTING, BY FIXING THE VALUE OF INTERSECTIONS NOT ASSESSED FOR TAXATION, AND AUTHORIZING THE DIRECTOR OF FINANCE TO MAKE AND FILE TENTATIVE ASSESSMENTS TO EFFECT THE SAME, AND DECLARING AN EMERGENCY.

BE IT RESOLVED by the Council of the City of Berea, State of Ohio:

SECTION 1. That it is necessary for the public convenience and welfare to improve all streets and public places situated in the City of Berea that are now being furnished lighting by continuing such lighting service.

SECTION 2. That the plans, specifications, estimates and profiles of the improvement contemplated by this Resolution which have been prepared and are now on file in the office of the Director of Public Service be, and the same hereby are, approved.

SECTION 3. That the entire cost of said improvement, less two percent (2%) thereof, and the cost of intersections, shall be assessed upon all of the lots and lands in the City of Berea, which said lots and lands are hereby determined to be specially benefited by the said improvements, a percentage of their tax valuation as shown on the 2022 tax duplicate and any and all other records, showing taxable and tax-exempt property, of the Cuyahoga County Fiscal Officer, State of Ohio, and the cost thereof shall include all expense of construction, of preliminary and other surveys, of printing, publishing and serving all notices, Resolutions and Ordinances as required, engineering services, and all other necessary costs.

SECTION 4. That the within authorized assessments be levied for the year 2023, payable with the General Taxes and collected against each of the parcels of land so assessed, provided that the owner of any property assessed may pay any of said assessments in cash within thirty (30) days from and after the passage of the assessing Ordinance.

SECTION 5. That the value of the intersections of the City of Berea is hereby fixed at \$675,000 for the purpose of making an assessment to improve certain streets in the City of Berea by supplying same with electric lighting.

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SECTION 6. That the Director of Finance of the City of Berea be, and hereby is, directed to make and file tentative assessments to improve the streets and public places of the City by supplying the same with electric lighting.

SECTION 7. That the remainder of the entire cost of said improvement shall be paid out of the Street Lighting Fund of the City of Berea, designated for accounting purposes as Fund No. 245.

SECTION 8. That the Clerk of Council is hereby directed to cause notice of the passage of this Resolution to be given by publication thereof in any newspaper printed in Ohio and of general circulation in the City of Berea, Ohio.

SECTION 9. That is found and determined that all formal actions of this Council concerning and relating to the approval of this Resolution were approved 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 actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 10. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare, or providing for the usual daily operation of a municipal department, and for the further reason that the City is in need of funds to provide for the adequate lighting of its streets and public places. 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 passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED:

President of Council

ATTEST: _____
Clerk of Council

APPROVED:

Mayor

Approved as to Form:

Director of Law