

RESOLUTION NO. R-25-19

A RESOLUTION APPOINTING AN ASSESSMENT EQUALIZATION BOARD TO HEAR OBJECTIONS RELATIVE TO THE FOLLOWING IMPROVEMENTS: (1) FRENCH CREEK ROAD BY THE CONSTRUCTION OF APPROXIMATELY 2,400-FOOT SANITARY SEWER FROM 38151 FRENCH CREEK ROAD TO 37556 FRENCH CREEK ROAD, AND (2) CENTURY LANE BY THE CONSTRUCTION OF AN APPROXIMATELY 230-FOOT SANITARY SEWER, EACH TOGETHER WITH ALL NECESSARY APPURTENANCES AND RELATED IMPROVEMENTS THERETO; AND DECLARING AN EMERGENCY

WHEREAS, Council on April 8, 2019, adopted Resolution No. R-8-19 declaring therein the necessity of improving: (1) French Creek Road by construction of approximately 2,400-feet of sanitary sewer from 38151 French Creek Road to 37556 French Creek Road and (2) Century Lane by construction of approximately 230-feet of sanitary sewer, each together with all necessary appurtenances and related improvements thereto (the AResolution@); and

WHEREAS, pursuant to the Resolution the estimated assessments for said improvement were prepared and placed on file in the office of the Clerk of Council; and

WHEREAS, notice of the adoption of the Resolution and of the filing of said estimated assessments was been duly served upon all property owners to be assessed in the manner provided by law; and

WHEREAS, written objections to said estimated assessments have been filed by one or more such property owners;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVON, COUNTY OF LORAIN AND STATE OF OHIO:

Section 1 - That Clint Pelfrey, Thomas Mitchell and Patricia Jankowski, three disinterested freeholders within the City of Avon, be and they are hereby appointed to act as an assessment equalization board to hear and determine all timely written objections to the estimated assessments heretofore filed with the Clerk of Council pursuant to the Resolution. Said board is hereby authorized and directed to equalize such assessments as it deems proper to conform to the standards prescribed by the Resolution and by law.

Section 2 - Said assessment equalization board shall meet at a date, time and place to be determined by the Board for the purposes aforesaid, and upon completion of such hearing and any adjournments thereof, shall report its recommendations, including any changes which should be made in the estimated assessments, to this Council.

Section 3 - The Clerk of Council is hereby authorized and directed to notify, by certified mail, each person who has filed a timely written objection to said estimated assessment of the time and place of said hearing of said assessment equalization board.

Section 4 - This Council finds and determines that all formal actions of this Council of the City of Avon concerning and relating to the adoption of this Resolution were adopted in an open

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meeting of this Council and that all deliberations of this City Council and of any of its committees that resulted in those 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 5 - This Resolution shall be considered an emergency measure necessary for the immediate preservation of the public peace, property, health and safety of the citizens of Avon, the immediate emergency being the necessity to move forward with the assessments in order to finance the project urgently needed to protect the safety of the citizens of the City; therefore, this Resolution shall be in full force and effect from and immediately upon its passage by Council and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

BY: _____
Craig L. Witherspoon, President of Council

DATE SIGNED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara Brooks, Clerk of Council

Posted: _____
In Five Places as
Provided by Council

Prepared by:
John A. Gasior, Esq.
Law Director