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VICTORIA ANN SAVAGE, CMC

# City of Willoughby Hills

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NANCY E. FELLOWS  
DAVID M. FIEBIG  
FRANK A. GERMANO  
RAYMOND C. SOMICH

## RESOLUTION NO. 2009 – 10

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**A RESOLUTION APPOINTING AN ASSESSMENT EQUALIZATION BOARD TO HEAR OBJECTIONS RELATIVE TO THE IMPROVEMENT OF CERTAIN STREETS AND MUNICIPAL EASEMENTS BY CONSTRUCTING AN 8-INCH SEWER, PUMP STATIONS AND FORCE MAINS, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO (ECTW AREA “C”), AND DECLARING AN EMERGENCY.**

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**WHEREAS**, this Council did, on the 11<sup>th</sup> day of May, 2009, duly adopt Resolution No. 2009-7 declaring therein the necessity of improving certain streets and municipal easements by constructing an 8-inch sewer, pump stations and force mains, together with all necessary appurtenances thereto (the “Resolution”); and

**WHEREAS**, pursuant to said Resolution the estimated assessments for said improvement (ECTW Area “C”) were prepared and placed on file in the office of the Clerk of Council; and

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

**WHEREAS**, written objections to said estimated assessments are expected to be filed by one or more such property owners.

***NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO THAT:***

**SECTION 1.** Ron Caporossi, Wilhelmina Kamis, and Joe Zawatski, three disinterested freeholders of the City of Willoughby Hills, 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 (ECTW Area “C”). Said Board is hereby authorized and directed to equalize such assessments as it deems proper to conform to the standards prescribed by said Resolution and by law.

**SECTION 2.** Said Assessment Equalization Board shall first meet at **7:30 p.m. on the 7th day of July, 2009, at City Hall, 35405 Chardon Road, Willoughby Hills, Ohio**, for 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 files a timely written objection to said estimated assessment of the time and place of said hearing of said Assessment Equalization Board.

**SECTION 4.** The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

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**SECTION 5.** This Resolution constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willoughby Hills insofar as it provides for the usual daily operation of a municipal department and for the further reason that it is urgent to move forward with the project in order to protect the health of the citizens of the City; wherefore, provided this resolution receives the affirmative vote of at least two-thirds (2/3) of the members of Council elected thereto, this Resolution shall be in full force and effect from and immediately upon its adoption by Council; otherwise, it shall take effect and be in force after the earliest period allowed by law.

**PASSED:** May 28, 2009

**Submitted to the Mayor for his approval**

**on this** 28 **day of** May, 2009

**ATTEST:**

Victoria Ann Savage  
**Victoria Ann Savage, CMC**  
**Clerk of Council**

Kevin D. Malecek  
**Kevin D. Malecek**  
**President of Council**

**Approved by the Mayor**

Robert M. Weger  
**Robert M. Weger**  
**Mayor**

**RESOLUTION NO. 2009-10**

I, Victoria Ann Savage, Clerk of Council for the City of Willoughby Hills, Lake County, Ohio do hereby certify that the foregoing **Resolution No. 2009-10** was duly and regularly passed by the Council of the City of Willoughby Hills, Lake County, Ohio at a meeting held on **May 28, 2009**.

That this legislation was posted according to law and duly advertised pursuant to Ordinance No.2003-19 in the **Lake County News-Herald** on **June 3, 2009**. Effective date of Legislation: **May 28, 2009**.

Victoria Ann Savage  
**Victoria Ann Savage, CMC**  
**Clerk of Council**