

ORDINANCE NO. 104-14

BY: **BRIAN BROCHETTI**
(By Request – City Engineer)

AN ORDINANCE TO APPOINT AN ASSESSMENT EQUALIZATION BOARD TO HEAR AND DETERMINE OBJECTIONS FILED WITH RESPECT TO THE BAGLEY ROAD, PLEASANT VALLEY ROAD, A PORTION OF WEST 130TH STREET, AND A PORTION OF NORTH LINDEN LANE SEWER ASSESSMENTS, AND DECLARING AN EMERGENCY

WHEREAS, this Council adopted Resolution No. 27-14 on April 21, 2014, declaring the necessity of improving Bagley Road, Pleasant Valley Road, a portion of West 130th Street, and a portion of North Linden Lane in the City of Parma, and directing that copies of the estimated assessments be served on affected residents;

WHEREAS, objections have been received by the City relative to the estimated assessments having been issued in this project; and,

WHEREAS, the City intends to continue to recognize these objections unless withdrawn prior to hearings of the Assessment Equalization Board; and,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARMA, STATE OF OHIO:

Section 1. That _____, _____ and _____, three disinterested freeholders of the City of Parma, are appointed as an Assessment Equalization Board to hear and determine all written objections filed in accordance with law to the estimated assessments filed with the Clerk of this Council pursuant to Resolution No. 27-14, adopted April 21, 2014, by this Council. The Board is directed to equalize such assessments as it deems proper to conform to the standards prescribed by Resolution No. 27-14 and by law.

Section 2. The Assessment Equalization Board shall meet at a time and place as may hereafter be declared by City Council for the purposes aforesaid, and on completion of the hearing and any adjournments, shall report its recommendations, including any changes which should be made in the estimated assessment to this Council.

Section 3. That each member of the Assessment Equalization Board shall be compensated at a rate of \$125.00 per day, not to exceed \$500.00 total per person without further amendments to this Ordinance.

Section 4. That the Clerk of Council is directed to notify, by certified mail, each person who has filed timely, written objections to the estimated assessment of the time and place of the hearing and the Assessment Equalization Board.

Section 5. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Pg. 2 of L-104-14 Ord. to appoint an Assessment Equalization Board to hear and determine objections filed with respect to the Bagley Road, Pleasant Valley Road, a portion of West 130th Street, and a portion of North Linden Lane Sewer Assessment, and declaring an emergency

Section 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare of the City of Parma, and for the further reason that this measure is necessary so that the proceedings for the assessment of the costs of the sewers in this area can be implemented to provide the revenue, and to permit the project to proceed on schedule, and to assure safe and sanitary conditions for the residents in this area, and this Ordinance shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: _____ PRESIDENT OF COUNCIL

ATTEST: _____ APPROVED: _____
CLERK OF COUNCIL

FILED WITH
THE MAYOR: _____ MAYOR, CITY OF PARMA, OHIO