

RECORD OF ORDINANCES

Ordinance No. 2020-59Passed September 2, 2020

SPONSOR: STREETS COMMITTEE

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR PROSPECT STREET PROJECT;
AND DECLARING AN EMERGENCY

WHEREAS: The cost of Improvement described in Section 1 has been completed and the final cost of the Improvement has been determined.

NOW, THEREFORE, be it ordained, by the Council of the Village of Mogadore, Counties of Summit and Portage, State of Ohio that:

SECTION 1: The special assessments for the cost and expense of improving certain property in the Village, commencing located generally along Prospect Street fronting residential properties, as more fully depicted and described on the plans and specifications on file in the office of the Clerk-Treasurer (collectively, the "Improvement"), pursuant to Resolution No. 2020-37 on May 6, 2020 (the "Resolution of Necessity") and which are in file in the office of the Clerk-Treasurer are adopted and confirmed. Those special assessments are levied and assessed upon the lots and lands provided for in the Resolution of Necessity, in the respective amounts set forth in the schedule of special assessments on file, which assessments are in proportion to the special benefits and are not in excess of any statutory limitation.

SECTION 2: This Council finds and determines that the special assessments are in the same proportion to the estimated special assessments as the actual cost of the Improvement is to the estimated cost of the Improvement as originally filed.

7 SECTION 3: The special assessment against each lot or parcel shall be payable in cash within ~~30~~ days after passage of this ordinance, or such later date agreed to by the Clerk-Treasurer (the cash payment period), or at the option of the owner, in 30 annual installments with interest at the same rate as borne by the loan borrowed in anticipation of the collection of the special assessments. All cash payments shall be made to the Clerk-Treasurer of the Village. All special assessments remaining unpaid at the expiration of the cash payment period shall be certified by the Clerk-Treasurer to the County Fiscal Officer as provided by law to be placed on the tax duplicate and collected as taxes are collected.

SECTION 4: The Clerk-Treasurer of this Council shall cause a notice of passage of this ordinance to be published once in a newspaper of general circulation in this Village and shall mail by first class mail a copy of such notice to the owner of each property to assessed for the Improvement, and the Clerk-Treasurer shall keep on file in his office the special assessments.

SECTION 5: The Clerk-Treasurer of this Council shall deliver a certified copy of this ordinance to the County Fiscal Officer within 20 days after its passage.

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SECTION 6: That it is found and determined that all formal actions of the Council relating to the adoption of this Resolution were taken in a duly noticed virtual, open meeting of this Council and that all deliberations which resulted in formal action were taken in meetings open to the public, in full compliance with all applicable legal requirements, including Section 121.22 of the Ohio Revised Code and HB 197 during the state-declared COVID-19 emergency.

SECTION 7: This Resolution is declared to be an emergency measure necessary for the preservation of the public peace, health, safety, convenience, and welfare of the Village of Mogadore and the inhabitants thereof, and for the further reason that this Resolution must be immediately effective in order to provide for the immediate safety services provided for herein, which are necessary to preserve and protect the residents and interests of the Village. This Resolution shall be in full force and effect immediately upon its passage and approval by the Mayor.

Michael Raddish 9-2-20
President of Council Date

[Signature] 9-3-20
Mayor Date

Attest:

[Signature]
Clerk-Treasurer