

ORDINANCE NO. 2024-07

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF MELROSE DRIVE BETWEEN CERTAIN TERMINI BY GRADING, DRAINING, WIDENING, PAVING, RESURFACING, CONSTRUCTING CURBS, GUTTERS, A MULTI-USE PATH, SIDEWALKS AND DRIVEWAY APPROACHES, INSTALLING STORM SEWERS, CATCH BASINS, MANHOLES, WATER MAINS, FIRE HYDRANTS, AND TRAFFIC CONTROL SIGNS AND DEVICES, AND ACQUIRING ANY REAL ESTATE AND INTERESTS, ALL TOGETHER WITH THE NECESSARY APPURTENANCES, AND ALLOWING FOR IMMEDIATE ENACTMENT

WHEREAS, this Council adopted Resolution No. 2021-68, declaring the necessity of making the improvement described in Section 1 (the Resolution of Necessity) which improvement has been completed and the final cost determined;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WOOSTER, WAYNE COUNTY, OHIO, that:

SECTION 1. The special assessments for the cost and expense of improving Melrose Drive, by grading, draining, widening, paving, resurfacing, constructing curbs, gutters, a multi-use path, sidewalks and driveway approaches, installing storm sewers, catch basins, manholes, water mains, fire hydrants, and traffic control signs and devices, and acquiring any real estate and required interests, all together with the necessary appurtenances, all as provided for and described in, and pursuant to, the Resolution of Necessity, amounting in the aggregate to \$534,664.20, which were filed and are on file with the Clerk of Council, 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 final schedule of special assessments on file, which special assessments are not in excess of any statutory limitation.

SECTION 2. This Council finds and determines that the special assessments do not exceed the actual cost of the improvement and are in the same proportion to the estimated assessments as the actual costs of the improvement are to the estimated costs of the improvement.

SECTION 3. The special assessment against each lot or parcel of land shall be payable, in whole or in part, in cash or by check within 30 days after the passage of this ordinance, or at the option of the owner in fifteen annual installments with interest at the rate of 6.0 % per year, which interest rate is determined by this Council to be substantially equivalent to the fair market rate that would have been borne by securities issued in anticipation of the

collection of the special assessments if those securities had been issued by this City. All cash payments shall be made to the Director of Finance of this City. All special assessments remaining unpaid at the expiration of those 30 days shall be certified by the Clerk of Council to the County Auditor as provided by law to be placed on the tax duplicate and collected as taxes are collected.

SECTION 4. The Clerk of Council shall cause a notice of the passage of this ordinance to be published once in a newspaper of general circulation in this City and shall keep on file in the office of the Clerk of Council the special assessments.

SECTION 5. The Clerk of Council shall deliver a certified copy of this ordinance to the County Auditor within 20 days after its passage.

SECTION 6. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 7. This ordinance is declared to be necessary for the immediate preservation of the public peace, health, welfare and safety of the City, and for the further reason that the levy of the special assessments may be immediately effective so that advances made by this City in anticipation of that levy may be repaid from the collection of such assessments which assessments must be certified to the County Auditor by the date established by law and thereby preserve the credit of the City; wherefore, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor, provided it receives the affirmative vote of at least three-fourths of the members of the Council, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

1st reading 3/17/24 2nd reading 4/1/24 3rd reading 4/1/24

Passed: April 1, 2024

Vote: 7-0

Attest: Amy Hamilton
Clerk of Council

[Signature]
President of Council

Approved: 4/9, 2024

[Signature]
Mayor

Introduced by: Jennifer Warden