

CITY OF FRANKLIN, OHIO
RESOLUTION 2017-27

**DECLARING THE NECESSITY OF IMPROVING CITY STREETS AND PUBLIC WAYS
BY THE LIGHTING THEREOF FOR THE YEAR 2018**

WHEREAS, Section 727.01 of the Ohio Revised Code grants the legislative authority of a municipal corporation the special power to levy and collect special assessments for the improvement of any street, alley, public road, place, boulevard, parkway, or park entrance by the lighting thereof;

WHEREAS, Section 727.12 of the Ohio Revised Code states that when it is deemed necessary by the legislative authority of a municipal corporation to levy and collect special assessments for improvements by street lighting that plans and an estimate of cost be prepared and filed in the office of the Clerk;

WHEREAS, in accordance with Section 727.12 of the Ohio Revised Code, a street lighting plan and estimate of cost are on file in the office of the Clerk of Council; and

WHEREAS, Section 727.12 of the Ohio Revised Code, states that upon such filing, this Council may declare the necessity for such improvement by the passage of a resolution,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Franklin, Ohio, five members elected thereto concurring, that:

Section 1. It is hereby declared necessary for the preservation of the public health, safety and welfare of the City of Franklin, Ohio, to improve the streets and other public ways within the corporate limits of the City by the lighting thereof, said lighting to be provided by electric lighting, for the year 2018. All lots and lands within the corporate limits of the City shall be specially assessed for said improvement.

Section 2. The plans and estimate of cost for the improvement, now on file in the office of the Clerk, are hereby approved.

Section 3. The entire cost of the improvement, less two percent (2%), which cost shall be borne by the City, shall be specially assessed on all lots and lands lying within the corporate limits of the City of Franklin, Ohio. These lots and lands are determined to be specially benefited by the improvement and shall be assessed ninety-eight percent (98%) of the cost of the improvement.

Section 4. The special assessments shall be levied by percentage of the tax value of the property assessed and shall be paid, when levied, in two semi-annual installments; provided, however, that the owner of any property assessed may, at his or her option, pay the entire special assessment in cash within thirty (30) days after passage of the ordinance levying the special assessments. The remainder of the cost of said improvement, if any after the application of the special assessments, shall be provided from other funds available and appropriated for such purpose.

Section 5. The City does not intend to issue securities in anticipation of the levy of the special assessments, nor to issue securities in anticipation of the collection of the special assessments.

Section 6. The Finance Director is directed to prepare estimated assessments, showing the amount of the special assessment against each lot to be assessed, based on the estimate of cost filed in the office of Clerk of the Council. Such estimated special assessments shall be prepared in accordance with the method of assessment set forth in this Resolution. The estimated special assessments shall be filed in the office of the Clerk and kept available for public inspection.

Section 7. Upon the filing of the estimated special assessments, the Clerk of Council is directed to give notice of the passage of this Resolution, and of the filing of the estimated assessments, by publication once a week for two (2) consecutive weeks in a newspaper of general circulation within the City, in accordance with Ohio Revised Code Section 727.14. If the estimated special assessment against any property will exceed \$250, the Clerk shall give notice to the owner of the property by certified mail or by personal service.

Section 8. It is found that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code, and the Rules of Council.

Section 9. This Resolution shall become effective immediately upon its passage.

ADOPTED: May 1, 2017

ATTEST: Jane McGee
Clerk of Council

APPROVED: Amy Orr
Mayor

CERTIFICATE

I, the undersigned Clerk of Council for the Franklin City Council, do hereby certify that the foregoing is a true and correct copy of Resolution 2017-27 passed by that body on May 1, 2017.

Jane McGee
Clerk of Council



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May 1, 2017

Jane McGee
City Clerk
Franklin, Ohio 45005

Dear Clerk:

In accordance with the requirements of the law that the tentative estimated project cost for the lighting of the streets, lanes and public ways for 2018 be filed with you for public inspection, I, Karen Ervin, do hereby estimate that the project cost shall be as follows:

Property owner's Share	\$ 151,900.00
City's 2% Share	<u>3,100.00</u>
Total Share	\$ 155,000.00

Sincerely,

Karen Ervin
Finance Director