

CITY OF FRANKLIN, OHIO
RESOLUTION 2019-21

**DECLARING THE NECESSITY OF IMPROVING CITY STREETS AND PUBLIC WAYS
BY THE LIGHTING THEREOF FOR THE YEAR 2020**

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 of the City of Franklin and open to the inspection of all persons interested; and

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 of the City of Franklin and are open to the inspection of all persons interested; and

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

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Franklin, Ohio, three-fourths of the 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 2020. 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 cost of the improvement to be paid for by the City is 2% and the cost of the improvement to be paid by the special assessments is 98%. It is determined that all lots and lands lying within the corporate limits of the City of Franklin, Ohio are specially benefited by the improvement and, for this reason, are being assessed 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 the owner's option, pay the entire special assessment in cash within 30 days after the 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 does the City intend to issue securities in anticipation of the collection of the special assessments.

Section 6. The Finance Director shall immediately 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 of the City of Franklin. Such estimated special assessments shall be prepared in accordance with the method of assessment as set forth in this Resolution. The estimated special assessments shall be filed in the office of the Clerk of the City of Franklin and open to the inspection of all persons interested.

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 or Clerk's designee shall give notice to the owner of the property by certified mail or by personal service at the owner's last known address or to the address to which tax bills are sent, and otherwise in compliance with Ohio Revised Code Section 727.13.

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: April 15, 2019

ATTEST: Jane McGee
Jane McGee, Clerk of Council

APPROVED: Todd Hall
Todd Hall, 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 2019-21 passed by that body on April 15, 2019.

Jane McGee
Jane McGee, Clerk of Council