

CITY OF FRANKLIN, OHIO  
RESOLUTION 2022-33

**DECLARING THE NECESSITY OF IMPROVING CITY STREETS AND PUBLIC WAYS  
BY THE LIGHTING THEREOF FOR THE YEAR 2023**

WHEREAS, Ohio Revised Code Chapter 727 empowers the legislative authority of a municipal corporation 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, the City of Franklin City Council has deemed it necessary to levy special assessments, as set forth in this Resolution, against certain real property within the City's corporate boundaries in order to pay for public street lighting improvements benefitting such property;

WHEREAS, in accordance with R.C. 727.12, a street lighting plan and estimate of cost for lighting improvements for 2023 are on file in the office of the City of Franklin Clerk of Council, and are open to inspection by all persons interested therein; and

WHEREAS, R.C. 727.12 states, after a street lighting plan and estimate of improvement cost are filed with the Clerk of Council, City Council may declare the necessity for the street lighting improvements by the passage of a resolution of necessity.

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 City of Franklin, Ohio residents to improve the streets and other public ways within the City's corporate boundaries by the lighting thereof for the year 2023; said lighting to be provided by electric lighting and paid for by special assessments levied on all lots and lands bounding and abutting upon such improvements between and including the termini of the improvements (each a "Benefitted Property" and, collectively, the "Benefitted Properties").

Section 2. The plans and estimate of cost for the improvements, now on file in the office of the Clerk of Council and open to inspection by interested persons, are hereby approved.

Section 3. The total cost of the lighting improvements shall be paid as follows: (i) two percent (2%) of the total cost to be paid by the City; and (ii) ninety-eight percent (98%) of the total cost to be paid through special assessments levied on the Benefitted Properties.

Section 4. The method of levying special assessments for the lighting improvements shall be by percentage of the tax value of each Benefitted Property.

Section 5. The special assessment levied against each Benefitted Property shall be payable in two semi-annual installments; provided, however, the owner of any Benefitted Property may, at the owner's option, pay the entire special assessment in cash within thirty (30) days after the passage of a subsequent ordinance of Council levying the special assessments provided for herein.

Section 6. Should there be any outstanding balance with respect to the total cost of the lighting improvements after the levy and collection of special assessments therefor, the balance shall be paid by the City from other public funds available and appropriated for such purpose.

Section 7. The City does not intend to issue securities in anticipation of the levy or collection of the special assessments.

Section 8. The Finance Director shall immediately prepare estimated assessments, in accordance with the method of assessment set forth in this Resolution, showing the amount of the special assessment to be levied against each Benefitted Property. Such estimated assessments shall be filed in the office of the Clerk of Council and open to the inspection by interested persons.

Section 9. The Clerk of Council is hereby directed to give notice to the public of the passage of this Resolution, and that the estimated assessments provided for herein are on file with the Clerk of Council and open for public inspection, in accordance with R.C. 727.13 and 727.14.

Section 10. 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 11. This Resolution shall become effective immediately upon its passage.

ADOPTED: April 18, 2022

ATTEST: Khristi Dunn APPROVED: Todd Hill  
Khristi Dunn, Clerk of Council Brent Centers, 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 the resolution passed by that body on April 18, 2022.

Khristi Dunn  
Khristi Dunn, Clerk of Council