



LEGISLATIVE COVER MEMO

Introduction: May 2, 2022

Public Hearing: May 16, 2022

Effective Date: June 15, 2022

Agenda Item: **Ordinance 2022-15**

DETERMINING TO PROCEED WITH THE IMPROVEMENT OF CITY STREETS AND PUBLIC WAYS BY THE LIGHTING THEREOF FOR THE YEAR 2023

Submitted by: Khristi Dunn, Clerk of Council

Scope/Description: This is the second of three steps Council must act upon to implement the annual street lighting assessments for 2023.

Budget Impact: \$170,000 is the total projected cost for lighting of the streets, lanes and public ways for 2023. The City funds 2% of the total (\$3,400) and assessed residents' shares total \$166,600.

Exhibits: None

Recommendation: Approval

CITY OF FRANKLIN, OHIO
ORDINANCE 2022-15

DETERMINING TO PROCEED WITH THE IMPROVEMENT OF CITY STREETS AND PUBLIC WAYS BY THE LIGHTING THEREOF FOR THE YEAR 2023

WHEREAS, Section 727.23 of the Ohio Revised Code requires the legislative authority of a municipal corporation that has adopted a Resolution of Necessity, pursuant to Section 727.12 of the Ohio Revised Code, to determine whether it will proceed with the proposed improvement;

WHEREAS, this Council adopted such Resolution of Necessity for the improvement of City streets and public ways by the lighting thereof for the year 2023, by Resolution 2022-33 dated April 18, 2022, and the passage of such Resolution has been advertised and noticed to residents as required by law;

WHEREAS, the Finance Director, in accordance with Resolution 2022-33, has filed with the Clerk of Council, on April 19, 2022, estimated assessments, showing the amount of the special assessment against each lot to be assessed;

WHEREAS, in accordance with Sections 727.15, 727.18 and 727.23 of the Ohio Revised Code, the time for filing claims for damages and objections has passed, and no claims for damages nor any objections were filed; and

WHEREAS, this Council finds it to be in the best interests of the health, safety and welfare of the City of Franklin, Ohio and its residents to proceed with the proposed improvement.

THE CITY OF FRANKLIN HEREBY ORDAINS, a majority of the members of Council present concurring, that:

Section 1. Council hereby determines to proceed with improving the streets and other public ways within the corporate limits of the City by the lighting thereof for the year 2023, said lighting to be provided by electrical lighting, in accordance with the provisions of Resolution 2022-33 passed by this body on April 18, 2022.

Section 2. The estimated special assessments, prepared and filed in accordance with Resolution 2022-33, are hereby adopted.

Section 3. Any claims for damages resulting from the improvement that have been filed in accordance with law shall be judicially inquired into before commencement of the improvement in accordance with Sections 727.23 and 727.18.

Section 4. It is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance 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 5. This Ordinance shall go into effect on June 15, 2022.

INTRODUCED: May 2, 2022

ADOPTED: May 16, 2022

ATTEST: _____
Khristi Dunn, Clerk of Council

APPROVED: _____
Brent W. 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 Ordinance 2022-15 passed by that body on May 16, 2022.

Khristi Dunn, Clerk of Council

Approved as to form: _____
Ben Yoder, Law Director