



LEGISLATIVE COVER MEMO

Introduction: June 6, 2022

Public Hearing: June 20, 2022

Effective Date: July 20, 2022

Agenda Item: **Ordinance 2022-18**

LEVYING ASSESSMENTS FOR 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 last step Council must act upon to implement the annual street lighting assessments for 2023.

Vote Required for Passage: Per Section 4.03 of the City's Charter, the passage of this Ordinance requires the affirmative vote of a majority of members of Council present.

Budgetary Impact: \$170,000 is the total project cost for 2023. The City funds 2% of the total, or \$3,400.

Recommendation: Approval

CITY OF FRANKLIN, OHIO
ORDINANCE 2022-18

**LEVYING ASSESSMENTS FOR THE IMPROVEMENT OF CITY STREETS AND PUBLIC WAYS BY THE LIGHTING THEREOF
FOR THE YEAR 2023**

WHEREAS, the City of Franklin City Council, on April 18, 2022, duly adopted Resolution 2022-33, declaring the necessity of improving City streets and public ways within the corporate limits of the City by the lighting thereof, said lighting to be provided by electrical lighting, for the year 2023;

WHEREAS, this Council, by Ordinance 2022-15 adopted on May 2, 2022, determined to proceed with said improvement;

WHEREAS, the actual cost of the improvement has been ascertained, and the amount of the special assessments have been increased or decreased in the same proportion to the estimated assessments as the actual cost of the improvements bears to the estimated cost of the improvement upon which the estimated assessments were based; and

WHEREAS, Ohio Revised Code 727.25 requires this Council, after the actual cost of improvement has been ascertained, to assess by Ordinance, upon the lots and lands enumerated in the estimated assessment, that portion of the total costs of the improvements to be paid for by special assessments.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FRANKLIN, WARREN COUNTY, OHIO THAT:

Section 1. The adjusted assessment of the cost of improving City streets and public ways by the lighting thereof, said lighting to be provided by electrical lighting, in the City of Franklin, Ohio for the year 2023, as reported to this Council and filed in the office of the Clerk of Council, and aggregating One Hundred Seventy Thousand Dollars and No Cents (\$170,000.00), is adopted and affirmed. The City shall pay two percent (2%) of the cost of the improvement.

Section 2. There are hereby levied and assessed upon all lots and lands lying within the corporate limits of the City of Franklin, Ohio the several amounts reported in the adjusted assessments, which assessments are in proportion to the tax value of said lots and lands. The assessments do not exceed any statutory limitations.

Section 3. The portion of the cost of the improvement to be assessed against benefited property, in the amount of One Hundred Sixty-Six Thousand Six Hundred Dollars and No Cents (\$166,600.00), shall be assessed in the amount, manner and number of installments provided in Resolution 2022-33, adopted on April 18, 2022, which declared the necessity of the improvements.

Section 4. The adjusted assessments are in the same proportion to the estimated assessments as the actual cost of the improvement bears to the estimated cost upon which such estimated assessments were based.

Section 5. The total assessment against each lot and parcel of land shall be payable, in cash, to the Finance Director of the City of Franklin within thirty (30) days after passage of this Ordinance or, at the option of the property owner assessed, in two (2) semi-annual installments. All assessments which have not been paid at the expiration of the thirty (30) day period shall be certified by the Finance Director to the County Auditor, to be placed on the tax duplicate and collected in the same as other taxes are collected, as provided by law.

Section 6. The Clerk of Council is directed to cause notice of the passage of this Ordinance to be published once in a newspaper of general circulation in the City, as required by law.

Section 7. The Finance Director is authorized and directed to keep the adjusted assessments on file in her office for as long as any portion of the assessments remain unpaid.

Section 8. The Finance Director is directed to cause notice of the levy of the assessments herein to be filed with the County Auditor within thirty (30) days after the passage of this Ordinance.

Section 9. 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 10. This Ordinance shall go into effect July 20, 2022.

INTRODUCED: June 6, 2022

ADOPTED: June 20, 2022

ATTEST: _____
Khristi Dunn, Clerk of Council

APPROVED: _____
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 Ordinance 2022-18 passed by that body on June 20, 2022.

Khristi Dunn, Clerk of Council

Approved as to form: _____
Ben Yoder, Law Director