

(Mayor Potter)

CITY OF KIRTLAND

ORDINANCE NUMBER 20-O-77

**AN ORDINANCE LEVYING LIENS FOR DELINQUENT
SANITARY SEWER CHARGES, AND DECLARING AN
EMERGENCY.**

WHEREAS, Codified Ordinance Sections 238.02 and 1042 et seq. create a Sewage Treatment Division and provide for the administration of said Division and further establish procedures for rates to be charged for said services; and

WHEREAS, benefiting property owners served by a sanitary sewer system within the jurisdiction of the Sewage Treatment Division have been notified and required to pay for said benefits; and

WHEREAS, certain property owners, though duly notified, have neglected or refused to pay said charges; and

WHEREAS, the amount set forth opposite the name of the owners represents costs incurred by the City of Kirtland resulting from the operation of the Sewage Treatment Division and is determined to be delinquent; and

WHEREAS, Kirtland Codified Ordinance 220.25 requires the posting of copies of enacted legislation for fifteen consecutive days in three places within the City, those being City Hall, the Kirtland Public Library, and the Kirtland Community Center; and

WHEREAS, due to the current state of emergency in Ohio stemming from the COVID-19 pandemic, at some point City Hall, the Kirtland Public Library, and the Kirtland Community Center have been closed in order to protect both the community and the staff from potential infection; and

WHEREAS, Kirtland Codified Ordinance 220.25 grants City Council the authority to modify the posting requirement.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kirtland, County of Lake and State of Ohio, that:

SECTION I: This Council does hereby certify that the amount set forth opposite the owners is the true and correct amount of the cost necessarily incurred by the City of Kirtland resulting from providing sewage treatment services, to wit:

<u>PROPERTY OWNER</u>	<u>PROPERTY ADDRESS AND PARCEL NO.</u>	<u>AMOUNT OWED</u>	<u>5% LATE PAYMENT PENALTY</u>	<u>TOTAL AMOUNT ASSESSED</u>
Tony Elnahas Assaad	8103 Charlesderry Road Kirtland, Ohio 44094 20-A-014-A-00-018-0	\$400.00	\$ 20.00	\$420.00
Robert Braud	8057 Charlesderry Road Kirtland, Ohio 44094 20-A-014-A-00-005-0	\$200.00	\$ 10.00	\$210.00
Elizabeth Campbell	8952 Eagle Road Kirtland, Ohio 44094 20-A-015-0-00-004-0	\$250.00	\$ 12.50	\$262.50
Arthur & Teresa Corbin	7270 Ledgewood Drive Kirtland, Ohio 44094 20-A-025-B-00-036-0	\$500.00	\$ 25.00	\$525.00
Robert & Lauri Davidson	8785 Eagle Road Kirtland, Ohio 44094 20-A-016-C-00-021-0	\$375.00	\$ 18.75	\$393.75
Josep Delis	10600 Hickory Hill Ct. Kirtland, Ohio 44094 20-A-025-A-00-024-0	\$500.00	\$ 25.00	\$525.00
Anne Fails	9449 Chillicothe Road Kirtland, Ohio 44094 20-A-014-A-00-077-0	\$500.00	\$ 25.00	\$525.00
Timothy Gmitra	8073 Glen Park Road Kirtland, Ohio 44094 20-A-014-A-00-047-0	\$400.00	\$ 20.00	\$420.00
Donald & Leslie Gross	8808 Eagle Road Kirtland, Ohio 44094 20-A-015-0-00-013-0	\$250.00	\$ 12.50	\$262.50
Michael Hansen	9711 Deerfield Place Kirtland, Ohio 44094 20-A-016-C-00-015-0	\$500.00	\$ 25.00	\$525.00

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William Jackson	9340 North Star Road Kirtland, Ohio 44094 20-A-006-J-00-005-0	\$400.00	\$ 20.00	\$420.00
Joseph & Gloria Latona	8110 Charlesderry Road Kirtland, Ohio 44094 20-A-014-A-00-029-0	\$400.00	\$ 20.00	\$420.00
Judith Ann McCabe & Carl Fallow	9385 North Star Road Kirtland, Ohio 44094 20-A-006-J-00-018-0	\$400.00	\$ 20.00	\$420.00
Garry & Pamela McClung	8110 Glen Park Road Kirtland, Ohio 44094 20-A-014-A-00-060-0	\$400.00	\$ 20.00	\$420.00
Mark O'Brien	10595 Rockwood Drive Kirtland, Ohio 44094 20-A-025-A-00-002-0	\$500.00	\$ 25.00	\$525.00
Arlene Sawyer & Tracy Picard	10635 Hickory Hill Ct. Kirtland, Ohio 44094 20-A-025-A-00-016-0	\$500.00	\$ 25.00	\$525.00
Kristaq & Edmira Shipcka	8860 Eagle Road Kirtland, Ohio 44094 20-A-015-0-00-015-0	\$375.00	\$ 18.75	\$393.75
Kenneth & Sheila Strauss	10625 Hickory Hill Court Kirtland, Ohio 44094 20-A-025-A-00-015-0	\$500.00	\$ 25.00	\$525.00
Nancy Traxler	10970 Chillicothe Road Kirtland, Ohio 44094 20-A-028-0-00-032-0	\$500.00	\$ 25.00	\$525.00
Chad & Amanda Wacha	8077 Charlesderry Road Kirtland, Ohio 44094 20-A-014-A-00-009-0	\$200.00	\$ 10.00	\$210.00

<u>PROPERTY OWNER</u>	<u>PROPERTY ADDRESS AND PARCEL NO.</u>	<u>AMOUNT OWED</u>	<u>5% LATE PAYMENT PENALTY</u>	<u>TOTAL AMOUNT ASSESSED</u>
Linda Walker	8060 Glen Park Road Kirtland, Ohio 44094 20-A-014-A-00-070-0	\$400.00	\$ 20.00	\$420.00
Sara Wank & James Puglia	8829 Eagle Road Kirtland, Ohio 44094 20-A-016-C-00-012-0	\$500.00	\$ 25.00	\$525.00
Anthony & Melonie Welchans	9000 Kirtland-Chardon Rd. Kirtland, Ohio 44094 20-A-016-C-00-028-0	\$500.00	\$ 25.00	\$525.00

SECTION II: The amounts hereinbefore set forth, with respect to the owners, be entered upon the tax duplicate by the Auditor of Lake County, Ohio, upon the parcels of land described and set forth opposite the name of the owners, to be collected as special assessments and returned to the General Fund of the City of Kirtland out of which said sums have been paid.

SECTION III: The Clerk of Council is hereby authorized and directed to send a certified copy of this Ordinance to the Auditor of Lake County, Ohio.

SECTION IV: The City Council, pursuant to its authority in Kirtland Codified Ordinance, Section 220.25 and due to the COVID-19 pandemic, hereby modifies the requirement to post this enacted legislation in three places and instead requires the following:

1. If City Hall, the Kirtland Public Library, and/or the Kirtland Community Center are open on the effective date of this enacted legislation, then the Clerk of Council is hereby directed to post the enacted legislation for fifteen (15) consecutive days after its effective date in each facility; and
2. Should any of the facilities listed above be closed on the effective date of the enacted legislation, then the Clerk of Council is not required to post the enacted legislation in that facility; and
3. The Clerk of Council is hereby directed to post the enacted legislation on the City of Kirtland's website for fifteen (15) consecutive days after the effective date of this legislation.

SECTION V:

(a) It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were passed in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

(b) This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason to expedite the placement of liens on tax duplicates for the above property owners; wherefor, this Ordinance shall be in full force and effect immediately upon its passage by the affirmative vote of five (5) members of Council and approval by the Mayor, otherwise this Ordinance shall be in effect from and after its adoption at the earliest period allowed by law.

First Reading: _____

Second Reading: _____

Third Reading: _____

DATE PASSED: _____

President of Council

Submitted to the Mayor for his
Approval on this _____ day of
_____, 2020.

ATTEST:

Approved by the Mayor, this _____ day
of _____, 2020.

Clerk of Council

Delinquent sewer assessments 2020

Mayor Kevin F. Potter