

**RESOLUTION NO.:** 2011-R10  
**SPONSOR:** MAYOR NORTON  
**INTRODUCED:** February 22, 2011

**ASSIGNED TO:** INTERGOV. & UTIL.

**A RESOLUTION ESTABLISHING A STREET LIGHTING DISTRICT FOR GLEN EAGLES BOULEVARD, AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Green received a petition, pursuant to Ohio Revised Code Section 727.06, for the creation of a street lighting district on Glen Eagles Boulevard executed by six of the seven abutting property owners; and

WHEREAS, the City of Green has received plans and an estimate for the costs of the proposed improvement from Ohio Edison; and

WHEREAS, City Council, pursuant to Ohio Revised Code Section 727.17, deems it necessary to create the street lighting district and assess its costs against the owners of the property who will benefit from the improvement.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT, AND STATE OF OHIO THAT:**

**SECTION ONE:**

City Council establishes a street lighting district for Glen Eagles Boulevard consisting of seven abutting property owners, to wit: Ohio Prestwick Country Club, Elliot Investment Corporation dba Green Tennis Club, Fairways I at Prestwick Condominiums, Fairways II at Prestwick Condominiums, Country Club Townhouses-North Condominiums, Glen Eagles Apartments and Prestwick Condominiums, who shall be assessed for the installation/construction costs, as well as for the operation and maintenance purposes. The lighting district is comprised of 16 pole mounted lights.

**SECTION TWO:**

The plans, specifications and estimated costs submitted by Ohio Edison for the lighting district are accepted and approved by the City of Green. A copy of the plans and costs shall remain on file with the Clerk of Council and be open to inspection by the public, pursuant to law.

**SECTION THREE:**

The entire cost of providing the lighting district shall be paid by assessment against the abutting property owners pursuant to the cost percentages agreed upon by the abutting property owners which is:

<b>GLEN EAGLES BOULEVARD</b>	
Country Club Village	25.66%
Greens at Prestwick	18.28%
Prestwick Country Club	18.00%
Glen Eagles Apartments	18.00%
Fairways I	1.85%
Fairways II	14.21%
Tennis Club	4.00%
	<b>100%</b>

The cost of establishing the lighting district shall be assessed over a five-year period.

**SECTION FOUR:**

The City of Green does not intend to issue securities in connection with the establishment of the lighting district.

**SECTION FIVE:**

The City of Green Finance Director shall prepare an estimated assessment when all of the costs of the lighting district are available. The estimated assessment shall be prepared in accordance with the method of assessment set forth in Section Three and shall be filed with the Clerk of Council. After the estimated assessment is filed with the Clerk of Council, the Clerk shall provide notice of this Resolution and the estimated assessment to affected property owners in accordance with Revised Code Section 727.13.

**SECTION SIX:**

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

**SECTION SEVEN:**

Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of Green. Provided that this legislation receives the affirmative vote of three-fourths of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: April 26, 2011

Molly Stevens  
Molly Stevens, Clerk

Joel Reed  
Joel Reed, Council President

APPROVED: April 26, 2011

Richard G. Norton  
Richard G. Norton, Mayor

ENACTED EFFECTIVE: April 26, 2011

Resolution 2011-R10

ON ROLL CALL: Colopy -*yes* DeVitis -*yes* France -*abstain* Manwaring -*yes*  
Reed -*yes* Summerville -*yes* Smole -*yes* Adopted 6-0-1

Suburbanite publication on May 1 and May 8, 2011

Molly Stevens  
Molly Stevens, Clerk

2/22/2011 Approved as to form and content by Stephen J. Pruneski, Law Director SP 2/15/11

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