

SPONSORED BY: Council
REFERRED TO: Committee Work Session
INTRODUCED BY: Scott Pelot-Personnel Chair

CITY OF NORTON ORDINANCE 36-2010

AN ORDINANCE APPOINTING AN ASSESSMENT EQUALIZATION BOARD TO HEAR OBJECTIONS RELATING TO THE CONSTRUCTION OF THE OAK STREET SANITARY SEWER IMPROVEMENT, AND RELATED IMPROVEMENTS AND ALL OTHER NECESSARY APPURTENANCES THERETO, COMPRISING THE OAK STREET SANITARY SEWER PROJECT, AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the City of Norton, Summit and Wayne Counties, Ohio, that:

- SECTION 1. Bob Adams, Jim Lada, Mike Wronkovich, three disinterested freeholders of this City, are appointed to act as an Assessment Equalization Board (the "Board") to hear and determine all timely written objections to the estimated special assessments for the cost of the sewer line improvements on Oak Street and Columbia Avenue, in the City, by constructing and installing approximately 1,250 feet of 8-inch sanitary sewer lines, including manholes and all other necessary appurtenances thereto, comprising the Oak Street Sanitary Sewer Project (the "Improvement"), and to equalize those special assessments as to them seems proper in accordance with law and with Resolution No. 118-2009 adopted by the Council of this City on December 14, 2009.
- SECTION 2. The Board shall first meet for that purpose in Council Chambers, Norton, Ohio on **March 17, 2010 at 6:00 p.m.**, and upon completing its hearings and equalization, shall report the equalized special assessments to this Council. The Clerk of this Council shall send a notice of the hearing by certified mail to all persons who timely filed written objections, at least five days prior to the first meeting of the Board.
- SECTION 3. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public, in compliance with the law.

SECTION 4. This ordinance is 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 that this ordinance must be immediately effective to provide for the Improvement which is necessary to provide a sanitary sewerage services to the properties specially benefited by the Improvement; wherefore, this resolution shall be in full force and effect immediately upon its passage and approval by the Mayor.

EMERGENCY VOTE: YEAS _____ NAYS _____

DATE PASSED: _____

Mike Zita, President of Council

Date submitted to the Mayor _____

ATTEST: _____
Karla Richards, CMC-Clerk of Council

David L. Koontz, Mayor

Date approved by the Mayor _____

I, Karla D. Richards, CMC-Clerk of Council for the City of Norton, Summit and Wayne Counties, do hereby certify the foregoing **Ordinance No. 36-2010** was duly and regularly passed by the Council of the City of Norton, Summit and Wayne Counties, Ohio, at a meeting held on _____, 2010.

That this legislation was posted according to law on _____, 2010 and will become effective on _____, 2010.

Karla Richards, CMC-Clerk of Council

Approved as to legal form by Peter M. Kostoff, Law Director, City of Norton, Ohio on February 22, 2010.