



Special Council Meeting

Tuesday, September 5, 2023 at 7:00 pm

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Legislation
 - a. **Ordinance 2023-4** An ordinance authorizing and directing the Fiscal Officer to certify delinquent property maintenance charges, trash collection assessments and culvert repair assessment to the County Auditor for collection, and declaring an emergency.

Attachments:

- **Ordinance 2023-4** (Ordinance_2023-4_Property_Assessments.docx)

5. **Motion to Enter into Executive Session to discuss pending litigation, compensation study and potential increases for employees**
6. **Motion to Reconvene from Executive Session**
7. **Adjournment**

VILLAGE OF WALTON HILLS, OHIO

ORDINANCE NO. 2023-4

INTRODUCED BY COUNCILPERSON

AN ORDINANCE AUTHORIZING AND DIRECTING THE FISCAL OFFICER TO CERTIFY DELINQUENT PROPERTY MAINTENANCE CHARGES, TRASH COLLECTION ASSESSMENTS AND CULVERT REPAIR ASSESSMENT TO THE COUNTY AUDITOR FOR COLLECTION AND DECLARING AN EMERGENCY

WHEREAS, pursuant to pursuant to Ohio revised code chapters 701, 727 and 731 and Section 1490.09 of the Codified Ordinances of the Village of Walton Hills, Ohio, the Village has heretofore established charges to be paid by all owners of property who have incurred property maintenance charges thereunder; and

WHEREAS, although proper notice has been given, certain of those charges have not been paid and are currently delinquent and it is therefore necessary to take appropriate action to enforce the collection of the amounts due and owing to the Village. A copy of the charges referred to is attached hereto as Exhibit "A" and made a part hereof as if fully rewritten herein.

WHEREAS, Village Council passed legislation to assess all residential property owners for trash collection, due to budgetary restraints. A copy of the charges referred to is attached hereto as Exhibit "A" and made a part hereof as if fully rewritten herein.;

WHEREAS, Resolution 2017-9, the residents have agreed to a 20-year assessment to pay for 30% of the total project cost for the culvert repair. A copy of the charges referred to is attached hereto as Exhibit "A" and made a part hereof as if fully rewritten herein.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF WALTON HILLS, STATE OF OHIO, THAT:

SECTION 1. The Fiscal Officer is hereby authorized and directed to certify to the County Auditor of Cuyahoga County the list of delinquent property maintenance charges through September 1, 2023, now on file with the Fiscal Officer and attached hereto as Exhibit "A," together with a certified copy of this Ordinance and Ordinance No. 2009-25. Those charges, including applicable penalties, shall be certified, levied and extended upon the tax duplicate and collected by the same officer, in the same manner and at the same time that taxes for general purposes are collected for the current year. Until the same shall have been paid in full, those charges shall constitute a lien upon the property bearing such maintenance charges.

SECTION 2. The Fiscal Officer is hereby authorized and directed to certify to the County Auditor of Cuyahoga County the list of trash collection assessments for 2023, now on file with the Fiscal Officer and attached hereto as Exhibit "A," together with a certified copy of this Ordinance and Ordinance No. 2018-5. Those charges, including applicable penalties, shall be certified, levied and extended upon the tax duplicate and collected by the same officer, in the same manner and at the same time that taxes for general purposes are collected for the current year. Until the same shall have been paid in full, those charges shall constitute a lien upon the property bearing such maintenance charges.

SECTION 3. All money received from the collection of the charges as provided herein shall be paid, as appropriate, into the General Fund and be used for the purpose for which the fund is established.

SECTION 4. That the Mayor is hereby authorized to take such action and to execute such other documents and amendments thereto as may be and as are approved by the Law Director.

SECTION 5. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption 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 6. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare for the reason stated in the preamble hereof, and provided it receives the affirmative vote of two-thirds (2/3) of the Village Council and signature of the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

DON KOLOGRAF, MAYOR

PASSED: _____, 2023

ATTEST: _____
NICKOL SELL, FISCAL OFFICER