

except Kozelka

A RESOLUTION APPROVING THE REPORT OF THE ASSESSMENT EQUALIZATION BOARD ON OBJECTIONS CONCERNING THE ESTIMATED SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF CERTAIN PROPERTIES IN THE VILLAGE OF RICHFIELD BY CONSTRUCTING SANITARY SEWERS, TOGETHER WITH SERVICE CONNECTIONS, AND SANITARY SEWAGE PUMPING STATIONS, TOGETHER WITH THE NECESSARY APPURTENANCES THERETO IN CERTAIN DESIGNATED LOCATIONS, AND DECLARING AN EMERGENCY

WHEREAS, the Assessment Equalization Board appointed by Resolution No. 7-1992 adopted Feb. 18-1992, to hear and determine all objections to the estimated special assessments for the improvement of certain properties in the Village of Richfield by constructing sanitary sewers, together with service connections, and sanitary sewage pumping stations, together with the necessary appurtenances thereto, in certain designated locations in accordance with Resolution No. 2-1992 adopted on Jan. 7, 1992, has filed its report with this Council as to its determination of the objections; and

WHEREAS, Council has reviewed that report and deems it proper in all respects.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Richfield, Summit County, Ohio, that:

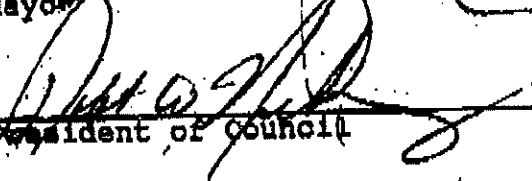
- SECTION 1: The report of the Assessment Equalization Board referred to in the preambles to this resolution is approved. The estimated special assessments as reported by the Board shall be filed in the office of the Clerk of Council.
- SECTION 2: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.
- SECTION 3: This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of this Village and for the further reason that this Resolution is required to be immediately effective to provide for the construction of the improvement described above, which is needed to eliminate existing hazards to the health and property of the residents of the Village; wherefore, this resolution shall be in

full force and effect immediately upon its adoption and approval by the Mayor.

Approved:




Mayor



President of Council

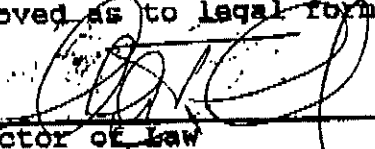
Adopted: 4-7-92

I, the undersigned Clerk of Council of the Village of Richfield, Summit County, Ohio, do hereby certify that the foregoing Resolution No. 14, 1992 was duly and regularly adopted by the Council of the Village of Richfield, Summit County, Ohio, at a regular meeting of Council on April 7, 1992, 1992.



Clerk of Council
Village of Richfield, Ohio

Approved as to legal form:



Director of Law

Posted: 4-8-92

REPORT OF ASSESSMENT EQUALIZATION BOARD

March 11, 1992

To the Council of the Village of Richfield, Ohio:

We, the Assessment Equalization Board appointed and acting pursuant to Resolution No. 14-1992 adopted 4-7-92 report that at the time and place fixed by that resolution for its first meeting we took the oath of office and thereafter heard and determined all the objections of the property owners who filed objections to the estimated special assessments for the improvement of certain properties in the Village of Richfield by constructing sanitary sewers, together with service connections, and sanitary sewage pumping stations, together with the necessary appurtenances thereto, in certain designated locations, in accordance with Resolution No. 14-1992 adopted 4-7-92 declaring the necessity of that improvement.

This Board has considered each of the objections to the estimated special assessments, or the amount and apportionment of those special assessments, and finds those objections are not well taken and therefore overrules and denies each objection*. The Board also finds that the estimated special assessments for this improvement on file with the Clerk of Council are in accordance with the provisions of Resolution No. 14-1992, are limited as to each lot and parcel of land to the special benefits conferred thereon, and are therefore approved.

This Board finds and determines that all formal actions of this Board concerning and relating to the rendering of this report were adopted in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meetings open to the public in compliance with the law.

*except as modified in the minutes attached hereto.

ASSESSMENT EQUALIZATION BOARD

Gordon B Tibbs

Frank R. Hacke

Regina N. Gendrey

* * * * *

I certify that: (i) the foregoing is a true and correct copy of the report of the Assessment Equalization Board, (ii) the report was filed with me as Clerk of Council on March 11, 1992, (iii) the aggregate amount of the estimated special assessments as

reported by the Board was \$ 1,600,000., and (iv) the Board has not recommended increasing the estimated special assessment against any lot or land or assessing any lot or land not included in the estimated special assessments, the owner of which has not filed an objection with respect to that lot or land.

Dated: 4-8-92,


Peggy Malone
Clerk of Council
Village of Richfield, Ohio

Village of Richfield

4410 W. STREETSBORO ROAD
P.O. BOX 387
RICHFIELD, OHIO 44286-0387
216-659-9201

RALPH R. WASZAK, SR., Mayor
ROBERT W. NEHRENZ, Council President

ELEANOR LUKOVICS, Finance Director
LARRY WILSON, Service Director

ASSESSMENT EQUALIZATION BOARD MEETING - UPDATE WEDNESDAY, MARCH 11, 1992 - 7:30 P.M.

Chairman Frank Hacka called the Assessment Equalization Board to order at 7:30 p.m.

PRESENT: Frank Hacka, Regina Jandrey, Gordon Tibbs

OTHERS PRESENT: Larry Wilson, Fred Whatley, Bob Nehrenz, Nick Kostandaras

Chairman Hacka turned the meeting over to Gordon Tibbs to present the Board's findings.

Ms. Marjorie McNair, Everett Road, Parcel 50-01824 and 50-00845

Mrs. McNair questioned the assessed value as too high for her property. She stated the land value at \$13,930, Richfield stated \$26,620 + 6,813.

Mr. Tibbs stated the value of \$13,930 represents the value after the land split and is representative of the true updated value, therefore the Board's recommendation to Council is that this objection is valid and worthy of consideration for **lowering** the Assessment from \$14,926 to \$11,678.00.

Mr. Darrell K. Floyd, 3753 Everett Road, Parcel No. 50-00426

Mrs. Floyd stated the septic system serves a small twinplex with a total of only 4 people with only 2 bathrooms and therefore should be 1 point rather than 2 points.

Mr. Tibbs stated the Board felt the twinplex's have been established as 2 points in the previous two Sewer Districts, therefore this formula is in compliance.

Mr. Thomas George - 3783 Everett Rd., Parcel 50-00183

Mr. George stated Richfield shows their frontage at 100 feet when the mortgage land survey states 85 feet.

Mr. Tibbs stated the difference is in the wording because it did not take into consideration the curve at the end of the property, therefore it is truly 100 feet and the assessment stands as stated.

Mr. Charles Dial, 3863 Everett Road, Parcel 50-00367

Mr. Dial had stated a new septic system was installed within the last 3 years. It was stated by Mr. Riehl, that proof of this installation should be presented to the Committee, at which time a recommendation will be made to extend the hook-up time only. The Assessment still stands.

Mr. Henry Wagner, Jr., 3793 Harold Drive, Parcel No. 50-00908

Mrs. Wagner stated her property was 199'5" rather than 225' as noted by the Assessment.

Mr. Tibbs stated Larry Wilson had checked this out and found the request to be justified, therefore the Board's recommendation to Council will be to readjust the Assessment.

Mrs. Diane Coffinbarger, 3685 Richlawn Dr., Parcel No. 50-0046

Mrs. Coffinbarger's complaint was the Assessment was just too much money. She was not present at the previous meeting.

Mr. Tibbs stated the Assessment would stand as reported.

Mr. Paul Preiska, 3823 Richlawn, Parcel No. 50-01033

Mr. Preiska had stated he owns a twinplex and asked for consideration of his new septic system installation of \$3,200 plus \$1,000 for landscaping for a total relief of \$4,300.

Mr. Tibbs stated the Board does not have the authority to take this into consideration. The Board will recommend to Council the time element for hook-up be delayed.

Mrs. Gwen Miller, 3843 Richlawn Dr., Parcel No. 50-969

Mrs. Miller was not present at the previous meeting due to a car accident, but by phone stated the Assessment was too high.

Mr. Tibbs stated the Board's finding was the Assessment was fair and there is no justification to recommend a change. The Assessment stands.

Mr. Robert Zelinski, 4084 Wheatley Road, Parcel No. 50-00429

Mr. Zelinski felt the Assessment was too high based upon its present usage.

Mr. Tibbs stated the Board must rule that the Assessment stands and the Board has no authority over requests for Zoning changes.

Mr. John Guran, 4122 Wheatley Road, Parcel No. 50-00830

Mr. John Guran was represented by his brother & partner Bill Guran who stated 8 points were assessed to this property when he thought it should be 2 points. Mr. Guran also stated 25 years ago a Aireator System of 1300 gallons was put in. This far exceeds their usage.

Mr. Tibbs stated Larry Wilson advised the Assessment based on the present point system is just and therefore the Assessment should stay as assessed.

Mr. Wayne Hastings, 3706 St. Nicholas Drive, Parcel No. 50-01825

Mr. Hastings stated the parcel is land locked (7.5 acres).

Mr. Tibbs stated the formula as presently stated is basing the Assessment on acreage and land value which is correct, therefore the Assessment must stand as noted.

Mr. L. Richardson, 3688 Richlawn Dr., Parcel No. 50-01072

This objection was the cost was too high.

Mr. Tibbs stated the Assessment is correct based on the formula, therefore the Assessment should stand as noted.

Mr. Austin Richardson, 3720 Paula Drive, Parcel No. 50-01091 & 50-01092 was not present at the previous meeting

The Richardsons objected to the cost of the Assessment.

Mr. Tibbs stated based on the formula this assessment must stand as noted.

At the previous meeting it was asked if anyone else in the audience had any complaints.

Mr. Spicher, 3821 Harold Drive, Parcel No. 50-01214 stated he also was assessed for an extra 25 feet to his property which he did not own.

Mr. Tibbs reported Larry Wilson agreed with Mr. Spicher so the Board is recommending to Council the Assessment be reduced. The Assessment should be changed from \$8,425. to \$7,931.

Mr. Tibbs asked if anyone from the floor had any comments they would like to add?

Mr. Zelinski asked if his property was changed back to residential, could he have the assessment reduced?

Larry Wilson stated he would have to go before the Zoning Board for a Zoning change.

Mr. Paul Preiska - stated he called the Village when his Septic system was bad and Village officials assured him it would be 5 to 10 years before sewers would come to his area. Mr. Preiska asked what legal action he could take?

Mr. Tibbs stated the points system was established and fairly processed and this did not fall under the Board's jurisdiction. Mr. Tibbs also reminded him the Board would request for a delay in his hook-up time.

Ms. Dixie Richardson asked Larry Wilson why she is being assessed against her existing system?

Larry Wilson stated the formula uses a 60% factor and that was applied to her resident existing system.

Mr. Fred Whatley stated the larger system would be assessed more with the point system. The existing system is there so a point could be shown as 1, 2, or 3, etc.

3/11/92 ASSESSMENT EQUALIZATION BOARD MEETING MINUTES -4-

Mr. Guran stated he still wanted his 8 points reduced due to the fact there were only 4 people in his building.

Mr. Wayne Hastings asked when assessments stand, how does this improve the property?

Board Member Regina Jandrey replied the formula was assessed at the value of the land and this should increase your land property after the sewers are installed.

MOTION: Frank Hacka moved to accept the above recommendations to Council which have been made by the Assessment Equalization Board. Seconded by Mr. Tibbs.
Passed unan.

Mrs. Jandrey moved for adjournment. The meeting adjourned at 8:14 p.m.

Respectfully submitted,



May (Peggy) Malone
Clerk of Council
3/12/92