

**RESOLUTION NO.: 2018-06 (Revised)**  
**INTRODUCED BY: MS. GRUBE**

**4081**

**A RESOLUTION DECLARING IT NECESSARY TO IMPROVE  
WALTERS ROAD BY CONSTRUCTING SIDEWALKS  
BETWEEN CERTAIN TERMINI AND DECLARING AN  
EMERGENCY.**

**WHEREAS**, some residents who reside on Hickory Hill and Walters Road have requested the Village construct sidewalks on Walters Road in order to create a walking connection to the Downtown District of the Village; and

**WHEREAS**, the Streets and Sidewalk Committee of Council held public meetings and informally polled the residents who reside on Hickory Hill and Walters Road and determined that a majority of respondents favored construction of sidewalks; and

**WHEREAS**, the construction of a sidewalk on Walters Road would enable the properties on Hickory Hill and Walters Road to be connected to existing sidewalks to provide safe passage to the Downtown District of the Village; and

**WHEREAS**, the Village's consulting engineers have prepared plans, specifications, estimates of cost and profiles for the improvement described hereon and have filed those materials in the office of the Clerk of Council.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF CHAGRIN FALLS, CUYAHOGA COUNTY, STATE OF OHIO, THREE-FOURTHS OF ALL MEMBERS ELECTED OR APPOINTED THERETO CONCURRING, THAT:**

**SECTION 1.** It is hereby declared necessary to improve the Village's walking system by constructing sidewalks on the north side of Walters Road by constructing a five (5) foot wide sidewalk on the north side of Walters Road from the intersection of Bell Street to the Village Corporation line approximately one thousand (1,000) feet to the northeast.

**SECTION 2.** The plans, specifications, profiles and estimate of cost of the improvement, prepared by CT Consultants, Inc., and now on file in the office of the Clerk of Council, are approved. The improvements shall be made in accordance with, and the grade of the improvement and of any street shall be the grade as shown on those plans, specifications and profiles for the improvement.

**SECTION 3.** This Council hereby finds and determines that the proposed improvement is conducive to the public health, safety, convenience and welfare of this Village and the inhabitants

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thereof and the lots and lands to be assessed as described in Section 4 hereof, and in EXHIBIT "A" attached hereto are specifically benefitted by the improvement.

**SECTION 4.** The Village shall assume and pay, as its portion of the cost of the improvement, the first Two Thousand Eight Hundred Forty-Nine and 50/100 Dollars (\$2,849.50) of the cost of constructing the sidewalks, and the residents shall pay the balance of the cost of the improvements, engineering, legal, financing and administrative costs to be allocated among the fifty-six (56) parcels described on EXHIBIT "A" attached hereto and made a part hereof, abutting Walters Road and Hickory Hill, said costs to include all engineering, legal, administrative and publication and service costs, and financing costs as well as the actual cost of construction of the sidewalks. The cost of the improvement to be assessed to the property owners described on EXHIBIT "A" attached hereto are being assessed in proportion to the benefits which may result from the improvement upon all buildable lots and lands bounding and abutting on the improvement between the termini as described in Section 1 hereof, for which a sidewalk connection is to be installed to Bell Street, with each lot to be assessed an equal one-fifty-sixth (1/56) of the portion of the cost allocated to property owners, of the cost of construction together with the engineering, legal, publication and service and other administrative costs, and financing costs, said improvements all as shown on the maps and plans presently on file in the office of the Clerk of Council.

**SECTION 5.** The Engineer's estimate of the cost for construction, engineering, legal and finance costs are Forty-Seven Thousand Five Hundred Thirty-Seven and 54/100 Dollars (\$47,537.54). The cost of the improvements shall include the cost of preliminary and other surveys, plans, specifications, profiles and estimates and printing, serving and publishing notices, resolutions and ordinances, the amount of any damages resulting from the improvement and the interests thereon, the cost incurred in connection with the preparation, levy and collection of the special assessments, expenses of legal services including obtaining and approving legal opinions, costs of labor and material, and interests on securities issued in anticipation of the levy and collection of the special assessments, together with all other necessary expenditures.

**SECTION 6.** CT Consultants, Inc. is authorized and directed to prepare and file in the office of the Clerk of Council the estimated special assessments of the cost of the improvement described in this Resolution. Those estimated special assessments shall be based upon the estimate of cost of the improvement set forth in Section 5 and now filed in the office of the Clerk of Council and shall be prepared pursuant to the provisions of this Resolution. When the estimated special assessments have been so filed, the Clerk of Council shall cause notice of the adoption of this Resolution and the filing of the estimated special assessments to be served in the manner provided by law on the owners of all lots and lands to be assessed, which are those lots set forth on EXHIBIT "A" attached hereto and made a part hereof.

**SECTION 7.** The special assessments to be levied may be paid in ten (10) equal annual installments, at an interest rate to be determined in subsequent legislation; provided that the owner of any property assessed may pay this special assessment in cash within thirty (30) days after passage of the assessing Ordinance.

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**SECTION 8.** The Village does not presently intend to issue securities in anticipation of a levy of the special assessments. The Village does not intend to issue securities in anticipation of the collection of the special assessments.

**SECTION 9.** That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.

**SECTION 10.** That in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls, public notice of this Resolution shall be given by posting a copy thereof for not less than fifteen (15) days in the Village Hall.

**SECTION 11.** This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health and safety of the inhabitants of the Village and for the further reason this Resolution is required to be immediately effective to provide for the construction of the sidewalks, which is needed to eliminate existing hazards to the safety of the residents of the Village; wherefore provided it receives the affirmative vote of at least three-fourths (3/4) of all members elected to Council, this Resolution shall be in full force and effect from and immediately upon its passage by this Council and approval by the Mayor; otherwise, it shall take effect and be in force after the earliest period allowed by law.

PASSED: January 22, 2018

  
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Karl Maersch, Council President

Submitted to the Mayor for  
his approval on this  
23 day of Jan., 2018

Approved by the Mayor  
January 23, 2018

  
\_\_\_\_\_  
Mayor William Tomko

I hereby certify that Resolution No. 2018- 06 was duly enacted on the 22 day of January, 2018, by the Council of the Village of Chagrin Falls and posted in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls.


  
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Clerk of Council

EXHIBIT A

Walters Road Sidewalk Assessment Project  
List of Assessed Properties and Estimated Assessments

1/23/2018

Ref #	PERMANENT PARCEL NUMBER	PARCEL OWNER	PARCEL ADDRESS	ESTIMATED ASSESSMENT
1	93121034	SCHRAMM, DENNIS A	241 HICKORY HILL RD	\$798.00
2	93121003	ROUTE, STEVEN L.	245 HICKORY HILL RD	\$798.00
3	93121023	FRADOS, WENDY	252 HICKORY HILL RD	\$798.00
4	93121033	CAHN, RODGER.	257 HICKORY HILL RD	\$798.00
5	93121024	SELLERS III, JOHN P. & PENSKY, EMILY EDITH	260 HICKORY HILL RD	\$798.00
6	93121032	JEKUTIS, DANIEL G & BERNADETTE	269 HICKORY HILL RD	\$798.00
7	93121025	MCCULLOUGH, ALLEN D.	270 HICKORY HILL RD	\$798.00
8	93121031	ZALBA, ANTHONY S & PAMELA S	279 HICKORY HILL RD	\$798.00
9	93121026	MEDINGER, SANDRA S. TRUSTEE	280 HICKORY HILL RD	\$798.00
10	93121030	SCHEFFT, PAUL A., TRS.	289 HICKORY HILL RD	\$798.00
11	93121027	SHELLEY, JAMES E.	290 HICKORY HILL RD	\$798.00
12	93121029	SAMPSEL, BRUCE H. & KNIGHT-, S	297 HICKORY HILL RD	\$798.00
13	93121028	ABBOTT, ARLENE K. TRS.	298 HICKORY HILL RD	\$798.00
14	93120003	GAYHART, R SAMANTHA	307 HICKORY HILL RD	\$798.00
15	93120004	KANIECKI, NANCY	308 HICKORY HILL RD	\$798.00
16	93120001	BERKOBELIN, BRETT R.	317 HICKORY HILL RD	\$798.00
17	93120005	BRATIC, RADOVAN & NADA	318 HICKORY HILL RD	\$798.00
18	93120002	STRICKLER, BARBARA.	327 HICKORY HILL RD	\$798.00
19	93120006	SCANLON, RYAN & KRISTEN	328 HICKORY HILL RD	\$798.00
20	93120022	BRENNAN, MARY E.	338 HICKORY HILL RD	\$798.00
21	93120008	KOTTHA, NIKHIL A.	341 HICKORY HILL RD	\$798.00
22	93120021	ROURU, JACOB S & MARY LOU AS T	348 HICKORY HILL RD	\$798.00
23	93120009	HAGEMAN, SCOTT	351 HICKORY HILL RD	\$798.00
24	93120020	Sluder, Christopher	358 HICKORY HILL RD	\$798.00
25	93120010	GAUDIO, VALERIE F. TRUSTEE	361 HICKORY HILL RD	\$798.00
26	93120012	MAUS, KELANN M.	368 HICKORY HILL RD	\$798.00
27	93120011	OHLRICH, ROBERT B. AND OHLRICH	371 HICKORY HILL RD	\$798.00
28	93120007	MULLER, HERMAN L.	378 HICKORY HILL RD	\$798.00
29	93120015	Novak, Heather L & Fitzhugh, S	381 HICKORY HILL RD	\$798.00
30	93120019	KESSELL JAMES R	388 HICKORY HILL RD	\$798.00
31	93120014	LERCHBACHER, W J TRUSTEE	391 HICKORY HILL RD	\$798.00
32	93120018	ZEITZ, MICHELE M.	398 HICKORY HILL RD	\$798.00
33	93120013	CORLETZI, EDWARD C. & TERI A.	401 HICKORY HILL RD	\$798.00
34	93120016	GAMBRILL, RYAN & JULIE	411 HICKORY HILL RD	\$798.00
35	93120017	Levine Gary M. Trustee	421 HICKORY HILL RD	\$798.00
36	93121001	THOREN, HELENB (TRUSTEE	0 WALTERS RD	\$798.00
37	93121015	FRAM, EDWINA ANN	399 WALTERS RD.	\$798.00
38	93121021	ZAMISKA JAN B	415 WALTERS RD	\$798.00
39	93121017	BERNOTAS MARY HELEN	421 WALTERS RD	\$798.00
40	93213001	BENDER, CYNTHIA A.	426 WALTERS RD	\$798.00
41	93213002	WALTERS LLC	436 WALTERS RD	\$798.00
42	93121016	MCCREERY, R. DOUGLAS, TRUSTEE	441 WALTERS RD	\$798.00
43	93213003	BURNETT, CLAYTON T. & LISA R.	442 WALTERS RD	\$798.00
44	93213004	GILLESPIE, EVAN B. & RACHEL	444 WALTERS RD	\$798.00
45	93121014	BELLINI SUZANNE J.	445 WALTERS RD	\$798.00
46	93121004	STERNEN, HALLIE R.	449 WALTERS RD	\$798.00
47	93121043	SZYMANSKI, JOSEPH.	453 WALTERS RD	\$798.00
48	93213005	CUMMINGS, SUSAN MARIE	454 WALTERS RD	\$798.00
49	93121018	DEEDRICK CAROL, -TR	459 WALTERS RD	\$798.00
50	93213006	FOX, LINDA TRS	460 WALTERS RD	\$798.00
51	93121019	NOWAC, BRANDON F.	465 WALTERS RD	\$798.00
52	93213007	Bergomi, Marie S. & Guido A.	470 WALTERS RD	\$798.00
53	93121020	GOBLE, DENISE M. TRUSTEE	477 WALTERS RD	\$798.00
54	93213008	HORODYSKY, ROMA SONIA	480 WALTERS RD	\$798.00
55	93121002	HRUSKA, RENE	487 WALTERS RD	\$798.00
56	93213009	ZUGAN, FRANK.	490 WALTERS RD	\$798.00
			Subtotal	\$44,688.04
			Village Share of costs (2% of costs plus intersections)	\$2,849.50
			Total	\$47,537.54