



## Legislation Details (With Text)

**File #:** 1100-2022      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 4/7/2022      **In control:** Small & Minority Business Committee

**On agenda:** 4/18/2022      **Final action:** 4/20/2022

**Title:** To approve the East Main St. Special Improvement District, Inc. Petition and Articles of Incorporation and the inclusion of the properties owned by the City of Columbus in said district; and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 1100-2022 East Main SID - Franklin Co Auditor Certification Letter, 2. 1100-2022 East Main SID - Secretary of State Certificate

Date	Ver.	Action By	Action	Result
4/20/2022	1	CITY CLERK	Attest	
4/19/2022	1	ACTING MAYOR	Signed	
4/18/2022	1	COUNCIL PRESIDENT	Signed	
4/18/2022	1	Columbus City Council	Approved	Pass

**BACKGROUND:** This Council is being asked to approve the Petition, and the Articles of Incorporation of the East Main Street Special Improvement District of Columbus, Inc., an Ohio not-for-profit corporation organized pursuant to ORC 1710.

The Petition and Articles of Incorporation are on file with the Clerk of the Columbus City Council.

Chapter 1710 of the Ohio Revised Code, effective September 29, 1994 provides for the creation of Special Improvement Districts (District), by non-profit corporations governed by trustees elected by the property owners for the provision of special services in a designated district. In 2017 a petition to create a new SID was approved by Council. The property owners initiated a one petition process in which the owners of at least 60% of the front footage of all real property located within in the East Main Street area between Bexley and Whitehall, acknowledging that they were interested in the creation of a Special Improvement District and they approved of the Plan for Improvements and Services to be provided by the East Main Street SID. This petition was accepted and approved by Columbus City Council by Ordinance 0765-2017, passed March 27, 2017. Another action required by the Ohio Revised Code is the approval of the Plan for Improvements and Services in said plan. This legislation was approved by Columbus City Council by Resolution No. 0071X-2017, passed April 3, 2017. The third piece of legislation was to declare the necessity to implement the Plan of Services adopted by the East Main Street SID, and to levy a special assessment for the services. This legislation was approved by Columbus City Council by Resolution No. 0147X-2017, passed May 15, 2017. A final piece of legislation, providing for the levy of assessment to property owners, was approved by City Council by Ordinance No. 1608-2017, passed July 10, 2017 for a 5-year term from January 1, 2018 through December 31, 2022. Each assessment is to be returned to the SID for operational requirements as set forth in the District Plan.

The current term of the East Main Street Special Improvement District will conclude in December 2022.

A one petition process has been initiated in which at least 60% of the property owners within the District signed that they are interested in reauthorizing the East Main Street SID and they approve of the Plan of Services to be provided by the

SID.

This legislation is the first of four actions required by Chapter 1710 of the Ohio Revised code to reauthorize.

Emergency action is required to allow the East Main Street Special Improvement District of Columbus, Inc. to continue the reauthorization of their Special Improvement District in a timely manner.

**FISCAL IMPACT:** No funding is required for this legislation.

To approve the East Main St. Special Improvement District, Inc. Petition and Articles of Incorporation and the inclusion of the properties owned by the City of Columbus in said district; and to declare an emergency.

**WHEREAS**, Chapter 1710 of the Revised Code, effective September 29, 1994 provides for the creation of Special Improvement District (SID), by non-profit corporations governed by trustees elected by the property owners for the provision of special services in designated district; and

**WHEREAS**, the property owners located in the East Main Street SID area have initiated a petition to reauthorize the SID and have filed the petition with the Clerk of the Columbus City Council along with the Articles of Incorporation of the East Main Street Special Improvement District of Columbus, Inc., an Ohio non-profit corporation, created pursuant to Chapter 1710.02 of the Revised Code; and

**WHEREAS**, Section 1710.02 further excludes the property owned by the municipal corporation unless the municipal corporation specifically authorizes its property to be included in the district; and,

**WHEREAS**, the Clerk of Columbus City Council finds that the property owners per the signed Petition, if authorized by this Council, represents at least 60% of the front footage of the property located in the SID, all as provided by Section 1710.02 of the Revised Code; and

**WHEREAS**, it is the determination of this Council that the SID is a valuable tool for continuing to further economic development and a means of continuing to revitalize the downtown area; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development, Economic Development Division, in that it is immediately necessary to approve the petition and the Articles of Incorporation for the East Main Street Special Improvement District of Columbus, Inc. in order to continue the reauthorization of their Special Improvement District in a timely manner, all for the immediate preservation of the public health, property, safety and welfare;

**NOW, THEREFORE,**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Petition for the reauthorization of the East Main Street Special Improvement District of Columbus, Inc. and the Articles of Incorporation of the East Main Street Special Improvement District of Columbus, Inc. now on file with the Clerk of the Columbus City Council, are hereby approved.

**SECTION 2.** That the properties of City of Columbus abutting upon the streets in the Petition are hereby authorized to be included in the District.

**SECTION 3.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the

Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.