

East Main Street Special Improvement District

TO:

January 30, 2017

Andrew J. Ginther, Mayor

Andrea Blevins, City Council Clerk

Richard C. Pfeiffer, Columbus City Attorney

Lee Hennick, Department of Economic Development

Please see the attached copies of the County Auditor's certified petition that contains property owner signatures and total front feet reaching the required threshold for the development of the Special Improvement District on Main Street. Please contact the undersigned with any questions.

Submitted by:

Herb Talabere

Chair, SID Development Committee

herbtalabere@yahoo.com

614-783-6223

Lindsey Cullums

Development Assistant

lindsey.cullums@gmail.com

740-407-9903

STEVEN R. SCHOENY
Director

THE CITY OF
COLUMBUS
ANDREW J. GINTHER, MAYOR
DEPARTMENT OF
DEVELOPMENT

February 3, 2017

Mr. Herb Talabere
Chair, SID Development Committee
East Main Street Special Improvement District
23 N. Fourth Street
Columbus, OH 43215

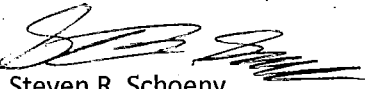
Re: Plan for Services

Dear Herb:

Pursuant to Section 1710.06 of the Ohio Revised Code, I have reviewed the Plan for Services, adopted by the East Main Street SID.

On behalf of Mayor Andrew J. Ginther, I am writing to inform you that the City of Columbus Administration has no comments or recommendations to make regarding this plan.

Sincerely,



Steven R. Schoeny
Director of Development

Cc: Quinten Harris, Deputy Director, Economic Development
Mark Lundine, Administrator, Economic Development

Office of the Director
50 West Gay Street
Columbus, OH 43215-9040
(614) 645.7795
(614) 645.6675 [FAX]

Code Enforcement Division
757 Carolyn Ave.
Columbus, OH 43224-3218
(614) 645.2202
(614) 645.2462 [FAX]

Economic Development Division
150 South Front Street Suite 220
Columbus, OH 43215-4418
(614) 645.8616
(614) 645.2486 [FAX]

Housing Division
50 West Gay Street
Columbus, OH 43215-9040
(614) 645.7795
(614) 645.6675 [FAX]

Planning Division
50 West Gay Street
Columbus, OH 43215-9030
(614) 645.8664
(614) 645.1483 [FAX]

Land Redevelopment Office
50 West Gay Street
Columbus, OH 43215-9030
(614) 645.5263
(614) 645.3092 [FAX]



January 25, 2017

Ms. Andrea Blevins
Clerk, Columbus City Council
90 W. Broad Street
Columbus, Ohio 43215

Dear Ms. Blevins,

This letter is to certify that the signatures and frontage as determined by our G.I.S. meet the necessary Sixty (60) percent compliance required by Section 1710 of the Ohio Revised Code to create the East Main Street Special Improvement District Inc.

25,701.39	Total Frontage
<u>389.55</u>	Exempt Frontage
25,311.84	Feet (non-exempt)
15,967.23	Signatures Acquired
$15,967.23 / 25,311.84 = 63.08\%$ Compliant	

If you have any further questions, please contact Peter Stevens at 614-525-7293.

Sincerely,

Clarence Mingo,
Franklin County Auditor

ARTICLES OF INCORPORATION OF
THE EAST MAIN STREET SPECIAL IMPROVEMENT DISTRICT OF COLUMBUS, INC.

The undersigned, desiring to form a nonprofit corporation under Chapter 1702 of the Ohio Revised Code (“ORC”), adopt the following Articles of Incorporation.

FIRST: The name of this corporation is EAST MAIN STREET SPECIAL IMPROVEMENT DISTRICT OF COLUMBUS, INC. (hereafter referred to as the “Corporation”).

SECOND: The place in Ohio where the Corporation’s principal office will be located is the City of Columbus, Franklin County, Ohio.

THIRD: The corporation is formed for the following purposes:

- A. To govern a Special Improvement District created pursuant to ORC Chapter 1710.
- B. To encourage and participate in programs that will maintain, improve and build the East Main Street corridor of Columbus as a viable business, cultural and residential community.
- C. To assist the City of Columbus, Franklin County and other agencies and groups in providing programming which will preserve and enhance economic well-being and opportunity in the East Main Street corridor of Columbus.
- D. To engage in any lawful act or activity for which corporations may be formed under ORC Chapter 1702 and amendments thereto, as may be deemed appropriate by the trustees of the Corporation, and to exercise any powers or rights now or hereafter conferred on nonprofit corporations under the laws of the State of Ohio which are in furtherance of any of the purposes for which the Corporation is formed.
- E. To engage in any lawful act or activity for which corporations may be formed under ORC Chapter 1710 and amendments thereto, as may be deemed appropriate by the trustees of the Corporation.
- F. The above enumerated purposes shall be interpreted in connection with the limitation that the Corporation is organized exclusively for charitable, religious, educational and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the “Code”).

FOURTH: The name of the Special Improvement District formed by the Corporation under ORC Chapter 1710 shall be the “East Main Street Special Improvement District.”

FIFTH: The territory within the District shall be generally described as that portion of the City of Columbus, Ohio which is located within the following area:

- A. Beginning at the southeast corner of Gould Road and East Main Street and proceeding east along East Main Street, then proceeding
- B. South along the western boundaries of Franklin County tax parcel numbers 010-087538 and 010-217331 along the east side of Barnett Road, then proceeding
- C. East along the southern boundary of Franklin County tax parcel number 010-217331, then proceeding
- D. North along the eastern boundaries of Franklin County tax parcel numbers 010-217331, 010-217330, and 010-088829, then proceeding
- E. West along the northern boundary of Franklin County tax parcel number 010-088293, then proceeding
- F. South along the western boundaries of Franklin County tax parcel numbers 010-088293 and 010-088364, then proceeding
- G. West along the north side of East Main Street until reaching the corner of Gould Road and East Main Street.

A detailed listing of all property included in the District, as identified by its current tax parcel number assigned by the Franklin County Auditor's Office, is attached hereto as Exhibit 1.

SIXTH: Each owner of real property within the District, other than the State of Ohio, Franklin County, the City of Columbus, the United States of America, or the owners of any Church Property (as such term is defined in ORC Section 1710.02) will be a member of the District ("Members"); provided, however, that Franklin County, the City of Columbus, or the owners of any Church Property, as the case may be, shall be Members to the extent (but only to the extent) that they voluntarily submit to the District and to the provisions of Chapter 1710 all or a portion of their real property in the District, as provided by Chapter 1710. Members shall have such voting rights as described in the Code of Regulations of the Corporation.

SEVENTH: The Board of Trustees of the Corporation shall consist of at least four (4) individuals, one of whom shall be the Chief Executive of the City of Columbus, or alternately an employee of the City of Columbus who shall serve at the pleasure of the Chief Executive, and the remainder of whom shall be Members or executive representatives of Members elected by the Members.

The Incorporators, whose names and addresses are set forth at the end of these Articles, plus two (2) temporary Trustees to be appointed by the Incorporators, shall serve the Corporation as Trustees until the election of Trustees, which will occur at the first meeting of the entire membership or thereafter at the annual meeting of the District after its creation. The Trustees of the Corporation from time to time shall constitute the Board of Directors of the Special Improvement District under ORC Chapter 1710.

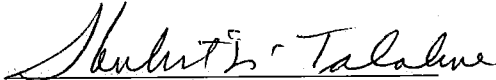
EIGHTH: These Articles may be amended only (a) by the vote of Members entitling them to exercise a majority of the voting power on such proposal, and (b) after receipt of approval of such amendment or amended articles by resolution of the legislative authority of the City of Columbus, and (c) upon filing of such amendment or amended articles and a certified copy of such resolution with the Ohio Secretary of State.

NINTH: The District is being created by concerned landowners in the District in an effort to enhance economic vitality, livability, and commerce in the East Main Street corridor of Columbus. The district is intended to increase the use of East Main Street by businesses and individuals in the Columbus metropolitan area, thereby better establishing East Main Street as a clean and safe business district which will in return be conducive to the public health, safety, peace, convenience, and welfare of the District.

TENTH: No part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article III hereof. No substantial part of the activities of the Corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these Articles, the Corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under Section 501(c)(3) of the Code or (b) by a corporation, contributions to which are deductible under Section 501(c)(2) of the Code.

ELEVENTH: Upon the dissolution of the Corporation, all assets remaining after paying or making provision for the payment of all of the liabilities of the Corporation shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Code or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by the Court of Common Pleas of the County in which the principal office of the Corporation is then located, exclusively for such purposes or to such organization or organizations as said Court shall determine, which are organized and operated exclusively for such purposes.

IN WITNESS WHEREOF, the undersigned have executed this instrument on this 26th day of January, 2017.

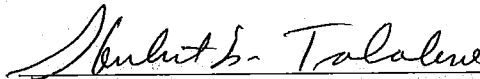


Herbert F. Talabere

ORIGINAL APPOINTMENT OF AGENT

The undersigned, being the incorporator of the East Main Street Special Improvement District of Columbus (hereafter referred to as the "Corporation"), hereby appoint Herbert F. Talabere, a natural person resident of the State of Ohio, in which state the Corporation has its principal out office, as a statutory agent upon whom any process, notice, or demand required or permitted by statute to be served upon the Corporation may be served.

Date: January 26th, 2017



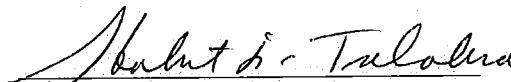
Herbert F. Talabere

The complete address of the statutory agent is Herbert F. Talabere, 347 South Broadleigh Road, Columbus OH, 43209.

EAST MAIN STREET SPECIAL IMPROVEMENT DISTRICT OF COLUMBUS, INC.

I accept appointment as the statutory agent for this Corporation, upon whom process, notice or demand may be served.

Date: January 26th, 2017



Herbert F. Talabere

PETITION TO CREATE THE EAST MAIN STREET SPECIAL IMPROVEMENT DISTRICT

IMPORTANT INFORMATION ABOUT THIS PETITION

You are being asked to execute a Petition for Creation of the East Main Street Special Improvement District of Columbus.

The proposed boundaries of the district will consist of assessable properties in the City of Columbus, running from the boundary with Bexley on the west to the boundary with Whitehall on the east. This is a distance of approximately 1 mile. Creation of the District requires the approval of property owners representing at least 60% of the property within District boundaries, based upon front footage.

When circulation of this petition has been concluded, the petition will be presented to the Columbus Mayor and City Council. You may withdraw your signature from the petition at any time prior to its presentation to the City.

If enough signatures are gathered and the petition is approved by City Council, you should expect the following:

1. A non-profit corporation will be formed.
2. All of the property owners in the District will be members of the non-profit corporation and will elect a Board of Trustees comprised of property owners. The City of Columbus will also appoint at least one representative to serve on the Board.
3. An assessment will be levied against all of the properties in the District based on the taxable value of each property. This assessment will amount to approximately 7.5 percent of each property owner's annual property taxes. The assessments will be collected, beginning no earlier than 2017 in the same manner as real estate taxes and forwarded to the non-profit corporation to pay the costs of providing the improvements and/or services set forth in the plan adopted by the Board of Trustees. Thus, property owners in the District will remain in control of the use of the assessment monies.
4. The Board of Trustees will use the assessments to implement the service plan outlined in the petition.
5. If the required property owner approvals are not obtained on the petition, then the non-profit corporation will not be formed and no assessments will be levied.

**PETITION TO CREATE THE EAST MAIN STREET
SPECIAL IMPROVEMENT DISTRICT**

To: The Mayor of the City of Columbus, Hon. Andrew J. Ginther, and Columbus City Council.

The undersigned do hereby respectfully petition the City of Columbus (the "City") for the creation of the **East Main St. Special Improvement District of Columbus** (the "District") pursuant to Section 1710 of the Ohio Revised Code and amendments thereto (the "Act"). The **District Boundaries** will be as described and shown in Exhibit A attached hereto and made a part hereof.

Each of the undersigned represents that he or she is the owner, or the authorized signatory of the owner, of the property or properties set forth below, which collectively comprise at least sixty percent (60%) or more of the front footage of property abutting upon the streets, alleys, public roads, places, boulevards, parkways, park entrances, easements, and other public improvements situated in the District.

In support of this petition, the undersigned petitioners approve the following:

- 1. Mission.** The mission of the District will be to enhance the value of properties within the District by carrying out the improvements and/or services in and for the benefit of the District as the Board (defined below) may determine and funds may allow, all as set forth in the Service Plan.
- 2. Corporate Entity and Governance.** The operations and fiscal affairs of the District will be managed and administered by the Board of Trustees (the "Board") of East Main St. Special Improvement District of Columbus, Inc., an Ohio not-for-profit corporation to be formed for such purpose. The Board will consist of at least four (4) individuals and will have all powers authorized by the Act. At least three (3) trustees will be elected by the property owners in the District, and at least one (1) will be an appointee of the City of Columbus.
- 3. Authority.** The District will be authorized to provide services and improvements pursuant to the Act that will benefit property within the boundaries of the District. The City will be authorized to levy a special assessment on property within the District to pay for such services and improvements, based on the benefits conferred by those services and improvements.
- 7. Boundaries.** A description of the boundaries of the District, a map showing the boundaries of the District, and a definitive listing, as identified by parcel number, of properties to be included in the District are provided in **Exhibit A**.
- 8. Miscellaneous.** The undersigned acknowledge that the District is being created using the single petition option under the Act and that no further authorization by property owners will be required for the District to be created and the Service Plan to be implemented.

This petition may be executed in several counterparts, each of which will be an original and all of which will constitute one and the same instrument.

**PETITION TO CREATE THE EAST MAIN STREET
SPECIAL IMPROVEMENT DISTRICT**

The Columbus City Council is hereby respectfully requested to approve, by resolution, this petition to create the East Main St. Special Improvement District and adopt the Service Plan within sixty (60) days of this Petition being filed with the City.

EXHIBIT A

EAST MAIN STREET SPECIAL IMPROVEMENT DISTRICT BOUNDARIES

This Exhibit A defining the boundaries of the East Main Street Special Improvement District of Columbus (the "District") consists of three parts, which are to be viewed in combination.

The three parts are:

1. A general description of the area of the District.
2. A map showing the approximate boundaries of the District.
3. A definitive listing of properties to be included in the District, which are identified by parcel number.

1. General Description: The District will generally consist of assessable properties facing East Main Street from Gould Road on the west to Barnett Road on the east, including 3 parcels to the east of Barnett Road. This is a distance of approximately 1 mile. This is the section of East Main Street in Columbus which is bounded by the City of Bexley on the west and the City of Whitehall on the east.

The "MAP OF THE APPROXIMATE BOUNDARIES OF THE DISTRICT" and the "LIST OF PROPERTIES IN THE DISTRICT BY PARCEL NUMBER" that follow are also part of Exhibit A.

**PETITION TO CREATE THE EAST MAIN STREET
SPECIAL IMPROVEMENT DISTRICT**

2. Map of the Approximate Boundaries of the District:



**PETITION TO CREATE THE EAST MAIN STREET
SPECIAL IMPROVEMENT DISTRICT**

3. Definitive List of Properties in the District by Parcel Number:

010-088300	010-088238	010-088565
010-089703	010-090154	010-088602
010-088325	010-090150	010-088601
010-259217	010-090153	010-088298
010-088351	010-088374	010-089652
010-089704	010-266101	010-091113
010-016049	010-014392	010-088813
010-089705	010-090104	010-089076
010-089706	010-090106	010-088738
010-013598	010-022201	010-088966
010-088356	010-088360	010-088967
010-088353	010-092060	010-089544
010-089707	010-088308	010-089079
010-089709	010-090200	010-089561
010-089710	010-090201	010-089604
010-088359	010-090202	010-088513
010-089711	010-088754	010-088618
010-089712	010-088752	010-088563
010-087947	010-088753	010-089022
010-038254	010-088751	010-089606
010-092152	010-088798	010-088610
010-088297	010-090203	010-033532
010-062665	010-090205	010-089023
010-092147	010-090206	010-092064
010-092146	010-089490	010-089694
010-088373	010-089491	010-087944
010-088342	010-089493	010-088364
010-088371	010-090207	010-088328
010-088304	010-088672	010-088850
010-092031	010-089062	010-089568
010-091072	010-006017	010-088806
010-091071	010-088707	010-089665
010-091073	010-088809	010-087538
010-091069	010-089134	010-217330
010-088233	010-088562	010-217331
010-088236	010-089135	010-088829
010-088239	010-089133	010-088293
010-088243	010-089132	
010-091068	010-088708	
010-090196	010-088579	
010-088235	010-088576	
010-090155	010-088743	

**PETITION TO CREATE THE EAST MAIN STREET
SPECIAL IMPROVEMENT DISTRICT**

EXHIBIT B

PLAN OF SERVICES & BUDGET

The total budget is \$54,000 per year at a 7.5 percent special assessment on property taxes. This tax assessment will pay for unarmed safety patrols, on bicycle and on foot, with a direct connection to the Columbus Police Department. The tax assessment will also fund litter pickup along Main Street. At \$10 per hour and 10 hours per week, litter pickup will cost \$5,200 annually.

If other funds are secured from the City of Bexley, COTA or other sources, services will be increased proportionally. To pay for 40 hours of Community Crime Patrol time, which costs \$70,720, we will require outside funding.

All other projects, like beautification, landscaping and lighting, will be financed through private donations, government contributions, and/or grant funding.