



Legislation Details (With Text)

File #: 1031-2016 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 4/7/2016 **In control:** Finance Committee
On agenda: 5/2/2016 **Final action:** 5/4/2016
Title: To authorize the Director of Finance and Management to enter into a Third Amendment to Farmland Lease Agreement with Mr. Jeffrey L. Writsel to reduce the acreage of land leased for farming and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
5/4/2016	1	CITY CLERK	Attest	
5/3/2016	1	MAYOR	Signed	
5/2/2016	1	COUNCIL PRESIDENT	Signed	
5/2/2016	1	Columbus City Council	Approved	Pass

Background: The City of Columbus owns multiple tracts of agricultural land in Franklin County on behalf of its Department of Public Utilities that are being held generally for future growth and as a buffer for the Southerly Wastewater Treatment Plant and the Compost Facility. This agricultural land is leased to Tenant farmers to reduce the maintenance cost of holding the land for example, the cost of mowing the fields, maintaining fences, tree lines, etc. and to keep the land in productive use to prevent the formation of wetland conditions. Approximately Three Hundred Eleven and One Half (311.5) acres of this agricultural land has been leased since 2008 to Mr. Jeffrey L. Writsel for farming purposes.

The City's Department of Public Utilities has a construction project planned at the Southerly Wastewater Treatment Plant that requires the use of approximately 16.5 tillable acres presently leased to and farmed by Mr. Writsel thus necessitating an amendment to the existing Farmland Lease Agreement to reflect a reduction in the acreage leased and the associated reduction in rent.

This ordinance authorizes the Director of the Department of Finance and Management to execute a Third Amendment To Farm Lease Agreement with Mr. Jeffrey Writsel to reduce the tillable acreage of his lease from 311.5 acres to 295 acres.

Emergency action is requested to amend the current lease to properly identify the fields and acreage available to Mr. Writsel for the 2016 farming season and to allow farming to begin as soon as possible.

To authorize the Director of Finance and Management to enter into a Third Amendment to Farmland Lease Agreement with Mr. Jeffrey L. Writsel to reduce the acreage of land leased for farming and to declare an emergency.

WHEREAS, the City of Columbus owns multiple tracts of agricultural land in Franklin County associated with the Department of Public Utilities' Southerly Wastewater Treatment Plant and the Compost Facility; and

WHEREAS, the City leases the land not actively used in the operation of the Southerly Wastewater Treatment Plant and Compost Facility to Tenants for the purpose of farming; and

WHEREAS, a Department of Public Utilities construction project at Southerly Wastewater Treatment Plant will require the use of 16.5 tillable acres presently leased to and farmed by Mr. Writsel thus necessitating that the current lease be amended to deduct approximately 16.5 tillable acres and to reflect the associated reduction in rent; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to authorize the Director of Finance and Management to execute those documents necessary to enter into Third Amendment to Farmland Lease Agreement with Jeffrey L. Writsel to allow the amended lease to be in place in time for the 2016 planting season, thereby preserving the public health, peace, property, safety, and welfare; now, therefore:

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

SECTION 1. That the Director of the Department of Finance and Management, on behalf of the Department of Public Utilities, be and is hereby authorized to execute those documents necessary, as approved by the Department of Law, Real Estate Division, to amend an existing farmland lease with Jeffrey L. Writsel, to deduct approximately 16.5 tillable acres from the leased acreage, amend the rent to reflect the reduced tillable acreage and to amend any other necessary provisions.

SECTION 2. That the amendment shall be in a form approved by the Real Estate Division, Department of Law.

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is thereby 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 passage if the Mayor neither approves nor vetoes the same.