



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

Legislation Text

File #: 0098X-2016, **Version:** 1

BACKGROUND: In 2005 the Northland Alliance, the Morse Road SID Exploratory Committee, and the City of Columbus Development Department initiated an effort with property owners on Morse Road from Indianola Avenue to Cleveland Avenue to create a Special Improvement District (SID). Columbus City Council approved the Petition and Articles of Incorporation with Ordinance 0414-2006 on February 27, 2006. The SID has been so successful in its 10 year term that the property owners, using the single petition method, have successfully attained the signatures of owners representing at least 60% of the front feet contained in the District to reauthorize the SID. The Morse Road Special Improvement District, Inc.'s petition was approved March 14, 2016 by Ordinance 0611-2016 to reauthorize a ten year Morse Road SID and the Plan of Services was approved on March 21, 2016 by Resolution 0043X-2016. The Plan of Improvements and Services are on file with the Clerk of the Columbus City Council.

This legislation is to declare the necessity to implement the Plan of Improvements and Services adopted by the Morse Road Special Improvement District of Columbus, Inc. and the necessity to levy a special assessment for the services set forth in the plan pursuant to the Ohio Revised Code Chapter 1710.02 and 1719.06.

Emergency action is requested on this legislation to allow the special assessment process to proceed in a timely manner.

FISCAL IMPACT: No funding is required for this legislation.

To declare the necessity to implement the Plan of Services adopted by the Morse Road Special Improvement District of Columbus, Inc. and the necessity to levy a special assessment for the services set forth in said plan upon the lots and lands benefiting under the plan; and to declare an emergency.

WHEREAS, the property owners have initiated a petition to reauthorize the Morse Road Special Improvement District (SID) and to approve the plan for improvements and services and have filed the petitions with this Council along with the Articles of Incorporation for Special Improvement District, Inc. a non-profit corporation to be responsible for the operation of the SID; and

WHEREAS, the petition to reauthorize the Morse Road Special Improvement of Columbus, Inc. was approved by this Council by Ordinance 0611-2016, passed March 14, 2016; and

WHEREAS, this Council by the same ordinance authorized that the properties of the municipal corporation abutting upon the streets described in the petition are included in the district; and

WHEREAS, the property owners located in the district have included in their initial petition the approval of the Plan for Services to be provided by the Morse Road Special Improvement District of Columbus, Inc. pursuant to the Ohio Revised Code Chapter 1710; and

WHEREAS, the petition to approve the Plan of Services to be provided by the Morse Road Special Improvement District of Columbus, Inc. was accepted and approved by this Council by Resolution 0043X-2016, passed March 21, 2016; and

WHEREAS, the Plan for Services calls for the provisions of these services to the Morse Road Special Improvement District of Columbus, Inc. to be funded by special assessment; and

WHEREAS, Section 1710.02 and 1710.06 of the Ohio Revised Code authorizes the participating subdivision to levy a special assessment to pay for the cost of the services as set forth in said Plan in that the services included in the Plan are deemed to be a special benefit to the property-owners within the District; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to declare the necessity to implement the Plan of Improvements and Services adopted by the Morse Road Special Improvement District of Columbus, Inc. and the necessity to levy a special assessment for the services set forth in the plan to allow the special assessment process to proceed in a timely manner, all for the preservation of public health, peace, property safety and welfare; **NOW, THEREFORE**,

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

SECTION 1. It is declared necessary to implement the Plan of Services of the Morse Road Special Improvement District of Columbus, Inc. (hereafter "SID") in the City of Columbus. Boundaries are set per the Plan of Services of the Morse Road Special Improvement District of Columbus, Inc. as approved by this Council in Resolution 0043X-2016.

SECTION 2. The Plan and estimate of cost of the services prepared by the SID providing for a total estimated cost of approximately \$300,000 per year for each of the five years of the Plan, are now on file in the office of the Clerk of Council as Exhibit A, respectively, to Resolution 0043X-2016, are approved, and the Plan shall be performed as shown therein. The lots and land benefiting from and to be assessed are for the services set forth in the Plan are shown in Exhibit A attached hereto and incorporated by reference.

SECTION 3. This Council finds and determines that 1) the Plan of Services is conducive to the public health, convenience and welfare of this City and inhabitants thereof, and 2) the lots and lands to be assessed as described in Attachment A hereof are especially benefited by the services set forth in the Plan in amounts equal to or greater than the assessed amounts.

SECTION 4. A portion of the cost of the services set forth in the Plan shall be assessed as per the Plan of Services of the Morse Road Special Improvement District of Columbus, Inc. as approved by this Council in Resolution 0043X-2016. This Council hereby determines said assessment for services to be per the Plan of Services of the Morse Road Special Improvement District of Columbus, Inc. for all such lots and lands as described in Exhibit A. The portion of the cost of the services to be paid by the City shall be provided in the Plan and as approved by Resolution 0043X-2016.

SECTION 5. That the Morse Road Special Improvement District of Columbus, Inc. is authorized and directed to prepare and file with Council in the office of the Clerk of Council an assessment report in accordance with the method of assessment provided for in this resolution. Such assessment report shall show the lots and lands assessed and the amount of assessment as to each. When the estimated assessments have been so filed, the Council Clerk shall cause notice of the adoption of this resolution and the filing of the estimated assessment to be served in a manner provided by law on the owner of all lots and lands to be assessed.

SECTION 6. That the assessment to be levied shall be paid in semi-annual installations and that the term of the assessment shall be for ten (10) years from January 1, 2017 through December 31, 2026; and further provided that the owner of any property assessed may, at his/her option, pay such assessment in cash within thirty (30) days after passage of the assessing ordinance.

SECTION 7. The Clerk of Council is directed to certify a copy of this Resolution to the City Auditor.

SECTION 8. The assessment to be levied and collected pursuant to this Resolution may be levied and collected in whole or in part prior to the performance of the Plan.

SECTION 9. That the Clerk of Council is hereby directed to post a copy of this Resolution as provided by law.

SECTION 10. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is hereby declared to be an emergency measure and shall take effect and be in force from and after its adoption and approval by the Mayor or ten days after adoption if the Mayor neither approves nor vetoes the same.