



Legislation Text

File #: 1744-2007, **Version:** 1

Background: The Federal Highway Administration, the State of Ohio Department of Transportation, and the City of Columbus are engaged in the design, right-of-way acquisition, and construction of the Hard Road Improvement Project. As a part of Phase C (Linworth Road to SR-315) of this project the City has acquired a total of 12 properties more fully described as 911 Hard Road; 899 Hard Road; 885 Hard Road; 871 Hard Road; 859 Hard Road; 845 Hard Road; 833 Hard Road; 783 Hard Road; 767 Hard Road; 749 Hard Road; 731 Hard Road; and 715 Hard Road.

The Boy Scouts of America Troop #243, Buckeye District, Simon Kenton Council (Leader David E. Sanders) contacted the City and requested permission to remove suitable trees for a pole lashing project. The pole lashing project is part of the Boy Scout program. The trees will otherwise be cleared and destroyed during the construction of Phase C. This legislation authorizes the Director of Public Service to enter into agreements with Troop #243 which sets forth specific terms and conditions as upon which Troop #243 may enter and remove trees from the parcels acquired by the City of Columbus as part of the Hard Road, Phase C, Improvement Project.

Council action is required as the trees are considered real property. In the interest of maintaining positive community interaction and because these trees are considered real property it is recommended that the provisions of the City Code in regards to competitive bidding be waived.

Fiscal Impact: There is no direct fiscal impact to the City as a result of these agreements and the removal of trees from these sites.

Emergency Justification: Emergency action is requested to allow Troop #243 to enter upon these properties and remove suitable trees for their project before the arrival of inclement winter weather.

To authorize the Director of the Public Service Department to execute various agreements by and between the City of Columbus and the Boy Scouts of America Troop #243 authorizing Troop #243 to remove suitable trees for a pole lashing project from properties purchased by the City as a part of Hard Road, Phase C, Improvement Project; to waive competitive bidding requirements of the Columbus City Code; and to declare an emergency.

WHEREAS, the Federal Highway Administration, the State of Ohio and the City of Columbus are engaged in the design, right-of-way acquisition and construction of that project identified as the Hard Road Improvement Project; and

WHEREAS, as a part of Phase C of this project the City has acquired a total of twelve (12) properties, more fully identified as 911 Hard Road; 899 Hard Road; 885 Hard Road; 871 Hard Road; 859 Hard Road; 845 Hard Road; 833 Hard Road; 783 Hard Road; 767 Hard Road; 749 Hard Road; 731 Hard Road; 715 Hard Road; and

WHEREAS, the City has determined that these properties will be cleared and grubbed for the construction of Hard Road Phase C and any trees on these properties will be destroyed during the process of construction; and

WHEREAS, Troop #243 of the Boy Scouts of America has requested that, prior to the commencement of construction, the City permit it to enter upon these lands for the purpose of allowing Troop #243 to remove any trees that are suitable for their purpose that have no value to the City; and

WHEREAS, it is necessary to authorize the Public Service Director to enter into agreement to permit Troop #243 to enter upon these lands for this purpose; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Transportation Division in that these agreements should be authorized prior to inclement winter weather, 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 Public Service Director be and is hereby authorized to enter into agreements with Troop #243 of the Boy Scouts of America to authorize the Troop to enter upon the lands acquired by the City for this improvement for the purpose of removing any trees that are suitable for their purpose that have no value to the City.

SECTION 2. That this Council finds the best interest of the City is served by waiving and does hereby waive section 329.06 (Formal Competitive Bidding) of the Columbus City Code.

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby 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.