



Legislation Details (With Text)

File #: 0147X-2017 **Version:** 1
Type: Resolution **Status:** Passed
File created: 5/4/2017 **In control:** Small & Minority Business Development Committee
On agenda: 5/15/2017 **Final action:** 5/18/2017

Title: To declare the necessity to implement the Plan of Services adopted by the East Main Street 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.

Sponsors:

Indexes:

Code sections:

Attachments: 1. RES0147X-2017 Exhibit A

Date	Ver.	Action By	Action	Result
5/18/2017	1	CITY CLERK	Attest	
5/18/2017	1	MAYOR	Signed	
5/15/2017	1	COUNCIL PRESIDENT PRO-TEM	Signed	
5/15/2017	1	Columbus City Council	Adopted	Pass

BACKGROUND: On March 27, 2017 Ordinance 0765-2017 passed approving the East Main Street Special Improvement District of Columbus, Inc.'s (East Main Street SID) Petition and Articles of Incorporation and the inclusion of a City owned parcel creating the City's sixed Special Improvement District for a term of 5 years. On April 3, 2017 Resolution 071X-2017 became effective approving the East Main Street SID's Initial Plan for Improvements and Services.

This legislation is to declare the necessity to implement the Plan of Improvements and Services adopted by the Discovery 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 East Main Street 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 located on East Main Street between Bexley and Whitehall have initiated a petition to create the East Main Street Special Improvement District of Columbus, Inc. and to approve the plan for improvements and services and have filed the petitions with the Columbus City 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 create the East Main Street Special Improvement District of Columbus, Inc. was accepted by City Council by Ordinance No. 0765-2017, passed March 28, 2017; and

WHEREAS, the Columbus City Council by the same ordinance authorized that the property of the municipal corporation abutting upon the streets described in the petition is 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 East Main Street 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 East Main Street Special Improvement District of Columbus, Inc. was accepted and approved by City Council by Resolution No. 0071X-2015, passed April 3, 2017; and

WHEREAS, the Plan for Services calls for the provisions of these services to the East Main Street 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

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to declare the necessity to implement the Plan of Improvements and Services adopted by the East Main Street 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 for the economic and continued improvement of the East Main Street area and 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 East Main Street Special Improvement District of Columbus, Inc. (hereafter "SID") in the City of Columbus. Boundaries are set per the Plan of Services of the East Main Street Special Improvement District of Columbus, Inc. as approved by the Council of the City of Columbus in Legislation No. 0071X-2017.

Section 2. The Plan and estimate of cost of the services prepared by the SID providing for a total estimated cost of approximately \$45,000 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 0071X-2017, 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 East Main Street Special Improvement District of Columbus, Inc. as approved by the Council of the City of Columbus in Legislation No. 0071X-2017. The Council of the City of Columbus hereby determines said assessment for services to be per the Plan of Services of the East Main Street 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 No 0071X-2017.

Section 5. That the East Main Street 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 five (5) years from January 1, 2018 through December 31, 2022; 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 full force from and immediately upon its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.