



Legislation Details (With Text)

File #: 2437-2019 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 9/13/2019 **In control:** Public Utilities Committee

On agenda: 10/14/2019 **Final action:** 10/16/2019

Title: To authorize the Department of Public Utilities to pay Carol A. Graney \$37,130.00 to resolve a dispute related to a September 2018 storm sewer replacement project that is alleged to have caused damage to the detached garage located at property owned by Mrs. Graney at 820 Strimple Avenue, Columbus, Ohio; to authorize the expenditure of \$37,130.00 within Sanitary Sewer Fund; and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ord 2437-2019 Graney Financials

Date	Ver.	Action By	Action	Result
10/16/2019	1	CITY CLERK	Attest	
10/15/2019	1	MAYOR	Signed	
10/14/2019	1	COUNCIL PRESIDENT	Signed	
10/14/2019	1	Columbus City Council	Approved	Pass

BACKGROUND: This ordinance authorizes the Department of Public Utilities (DPU) to pay Carol A. Graney (the “Owner”) for costs related to damage to the detached garage located at the Owner’s property, 820 Strimple Avenue, Columbus, Ohio. The Owner has asserted that a September 2018 DPU storm sewer replacement project within the vicinity of 820 Strimple Avenue caused the damage to the garage, and DPU has agreed to pay \$37,130.00 in the interest of resolving the matter and avoiding the uncertainties of litigation. The Owner will execute a release of claims as a condition of the payment.

EMERGENCY DESIGNATION: It is requested that this legislation be handled in an emergency manner in order to reimburse the customer at the earliest possible date.

FISCAL IMPACT: The City will make payment to Carol A. Graney in the amount of \$37,130.00. This ordinance authorizes the expenditure of funds from the Sanitary Sewer Fund for this expenditure.

To authorize the Department of Public Utilities to pay Carol A. Graney \$37,130.00 to resolve a dispute related to a September 2018 storm sewer replacement project that is alleged to have caused damage to the detached garage located at property owned by Mrs. Graney at 820 Strimple Avenue, Columbus, Ohio; to authorize the expenditure of \$37,130.00 within Sanitary Sewer Fund; and to declare an emergency.

WHEREAS, the Department of Public Utilities (DPU) completed storm sewer replacement work in September 2018 (the “Project”) in the vicinity of property owned by Carol A. Graney (the “Owner”) at 820 Strimple Avenue, Columbus, Ohio (the “Property”); and

WHEREAS, the Owner has asserted that that the Project caused damage to the detached garage at the Property; and

WHEREAS, DPU has agreed to pay the Owner \$37,130.00, in the interest of resolving the matter and avoiding the uncertainties of litigation, and the Owner will execute a release of claims as a condition of the payment; and

WHEREAS, it is necessary to authorize the expenditure of \$37,130.00 from the Sanitary Sewer Fund; and

WHEREAS, there is an emergency in the usual daily operations of the Department of Public Utilities in that it is immediately necessary that this payment be approved and such payment be made so that the dispute can be promptly resolved, for the preservation of the public peace, safety and welfare; now therefore,

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

SECTION 1. That the Director of Public Utilities is hereby authorized to pay Carol A. Graney (the “Owner”) \$37,130.00 to resolve a dispute related to damage to the detached garage located at the Owner’s property, 820 Strimple Avenue, Columbus, Ohio.

SECTION 2. That for the purpose of making this payment, the following expenditure or as much thereof as may be needed be from the Sanitary Sewer Operating Fund per the attached financial dimensions.

SECTION 3. That the City Auditor is hereby authorized to establish proper project accounting numbers as appropriate.

SECTION 4. That for the reasons set forth in the preamble, which are incorporated by reference herein, this ordinance is hereby deemed to be an emergency measure and shall take effect and be in force from and immediately after its passage and approval by the Mayor, or 10 days after if the Mayor neither approves nor vetoes the same.