



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 7/5/2022 **In control:** Small & Minority Business Committee

On agenda: 7/18/2022 **Final action:** 7/20/2022

Title: To determine to proceed with the Plan of Services of the East Main Street Special Improvement District of Columbus, Inc.; to provide for the levy of assessment in said District; to waive report of the Assessment Equalization Board; and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
7/20/2022	1	CITY CLERK	Attest	
7/19/2022	1	MAYOR	Signed	
7/18/2022	1	COUNCIL PRESIDENT	Signed	
7/18/2022	1	Columbus City Council	Approved	Pass

BACKGROUND:

The East Main Street Special Improvement District (the SID or District) was created in 2018 for a term of 5 years through 2022. The current term of the East Main Street Special Improvement District will conclude in December 2022.

A one petition process has been initiated in which at least 60% of the property owners within the SID signed that they are interested in reauthorizing the East Main Street SID and they approve of the Plan of Services for designated services to be provided by the SID. This petition was accepted and approved by Columbus City Council by Ordinance No. 1100-2022, passed April 18, 2022. The second action required by the Ohio Revised Code is the approval of the Plan of Services. This legislation was approved by Columbus City Council by Resolution No. 0063X-2022, passed May 2, 2022.

A third legislation to declare the necessity to implement the Plan of Services adopted by the East Main Street SID and the necessity to levy a special assessment for the services set forth in said Plan of Services upon the lots and lands benefiting under the Plan of Services was accepted and approved by City Council by Resolution No. 0091X-2022, passed June 6, 2022. Following the Council's approval and by notice dated June 7, 2022, the Clerk of City Council served notice in accordance with Ohio Revised Code Section 727-13, upon the owners of the lots or parcels of land in the District to be assessed for the Plan of Services. On June 28, 2022, the Clerk of City Council reported that no objections were received by the deadline from the owners of properties in the District, therefore, appointment of an Assessment Equalization Board was not required per Ohio Revised Code Section 727.16.

This legislation is the fourth and the final one of four actions required by Chapter 1710 of the Ohio Revised code to reauthorize.

Emergency action is required to enable the East Main Street Special Improvement District of Columbus, Inc. to allow the special assessment process to proceed in a timely manner.

FISCAL IMPACT: No funding is required for this legislation.

To determine to proceed with the Plan of Services of the East Main Street Special Improvement District of Columbus, Inc.; to provide for the levy of assessment in said District; to waive report of the Assessment Equalization Board; and to declare an emergency.

WHEREAS, Chapter 1710 of the Revised Code, effective September 29, 1994, provides for the creation of Special Improvement Districts (SID) by non-profit corporations governed by trustees elected by the property owners for the provision of special services in designated Districts. The East Main Street Special Improvement District was created in 2018 for a 5-year term ending December 31, 2022.

WHEREAS, the petition to reauthorize the East Main Street SID was approved by the City Council by Ordinance No. 1100-2022, passed on April 18, 2022; and

WHEREAS, the petition to approve the Plan of Services set forth by the East Main Street SID was accepted and approved by City Council by Resolution No. 0063X-2022, passed on May 2, 2022; and

WHEREAS, the City Council adopted Resolution No. 0091X-2022 on June 6, 2022 declaring the necessity of implementing the Plan of Services of the East Main Street SID 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

WHEREAS, the Plan of Services calls for the provision of these services to be provided by the East Main Street Special Improvement District of Columbus, Inc. to be funded by special assessment; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to proceed in a timely manner with the Plan of Services of the East Main Street SID for the economic development and continued improvement of the East Main Street SID area, all for the immediate preservation of the public health, safety and welfare; **NOW THEREFORE**

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

SECTION 1. That it is hereby determined to proceed with the Plan of Services of the East Main Street Special Improvement District of Columbus, Inc. as set forth in said Plan heretofore approved by Resolution No. 0063X-2022, adopted on May 2, 2022.

SECTION 2. That services constituting the Plan of Services shall be made in accordance with the provision of Resolution of Necessity 0091X-2022, adopted on June 6, 2022 and in accordance with the Plan of Services and estimate of cost of the Plan of Services as approved and on file in the Office of Clerk of Council.

SECTION 3. That the Council does hereby find that no objections to the East Main Street SID's Plan of Services have been filed with the Clerk of Council. Therefore, the Council waives report of the Assessment Equalization Board per Ohio Revised Code Section 727.16.

SECTION 4. That the assessable portion of the cost of the Plan of Services shall be assessed against the benefiting properties, in the manner and in the amount of annual installments as provided in the Resolution of Necessity 0091X-2022.

SECTION 5. That the portion of the cost provided in the above-mentioned Resolution of Necessity to be assessed in the manner and number of installments provided in said Resolution No. 0091X-2022 and on the lots and lands described therein, which assessments are in proportion to the special benefits and are not in excess of any statutory limitations.

SECTION 6. The assessment against each lot or parcel of land shall be payable over five (5) years in semiannual special assessment to the County Auditor as provided by law.

SECTION 7. That pursuant to the provisions of Section 1710.11 of the Ohio Revised Code, East Main Street Special

Improvement District of Columbus, Inc., as soon as funds are available, my make and execute contract(s) for said Plan of Services in accordance with East Main Street Special Improvement District of Columbus, Inc.'s rules for competitive bidding, and such improvements and services shall be financed as provided in the aforesaid Resolution of Necessity.

SECTION 8. That the Clerk of Council is hereby directed to deliver one certified copy of this Ordinance to James V. Janlin, Office of Franklin County Auditor , 373 S. High Street, 21st Floor, Columbus, OH 43215, within fifteen (15) days after its passage.

SECTION 9. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 10. That the Clerk of Council is hereby directed to post a copy of this Ordinance in the Office of the Clerk of Council and shall cause a notice of passage of this Ordinance to be on file in the office of the Clerk of Council.

SECTION 11. That for the reasons stated in the preamble hereto, which is hereby made a part hereof this Ordinance is 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 its passage if the Mayor neither approves nor vetoes the same.