



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 11/4/2022 **In control:** Public Safety Committee

On agenda: 12/12/2022 **Final action:** 12/14/2022

Title: To authorize the Fire Chief, on behalf of the Department of Public Safety, Division of Fire, to consent to attorney's and fiduciary fees and expenses in an amount up to \$3,023.23; to authorize the acceptance of a monetary donation from the Estate of Timothy D. Evans; to authorize the deposit of these funds in the Division of Fire's Entrepreneurial Training Fund within the City's Special Purpose Fund for this purpose; and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
12/14/2022	1	CITY CLERK	Attest	
12/13/2022	1	MAYOR	Signed	
12/12/2022	1	COUNCIL PRESIDENT	Signed	
12/12/2022	1	Columbus City Council	Approved	Pass

BACKGROUND: The City of Columbus, Department of Public Safety, Division of Fire has been named in the Last Will and Testament of Timothy D. Evans as a beneficiary of 50 percent of his estate to be used "for the benefit of the Columbus Division of Fire, and in memory of Johnny Cooper from Fire Station 15 and all Fire Fighters who died in the Twin Towers catastrophe on 9/11/2001 in New York." The Division of Fire wishes to accept this gift in order to fund the continued specialization of their personnel via the division's Entrepreneurial Training Fund.

FISCAL IMPACT: None.

EMERGENCY DESIGNATION: The Division of Fire requests emergency legislation to allow the Division of Fire to begin utilizing this donation upon deposit.

To authorize the Fire Chief, on behalf of the Department of Public Safety, Division of Fire, to consent to attorney's and fiduciary fees and expenses in an amount up to \$3,023.23; to authorize the acceptance of a monetary donation from the Estate of Timothy D. Evans; to authorize the deposit of these funds in the Division of Fire's Entrepreneurial Training Fund within the City's Special Purpose Fund for this purpose; and to declare an emergency.

WHEREAS, the Columbus Fire Department has been named as a beneficiary to the Estate of Timothy D. Evans, Franklin County Probate Case No. 603123; and

WHEREAS, the Fire Chief, on behalf of the Division of Fire, wishes to accept the monetary donation from the Estate of Timothy D. Evans for deposit into the Fire Division's Entrepreneurial Training Fund; and

WHEREAS, the Franklin County Court of Common Pleas has determined that attorney's fees, fiduciary fees and expenses in the amount of \$3,023.23 are a reasonable cost to be awarded to the attorney for the estate to cover his expenses; and

WHEREAS, the Division of Fire stands to inherit 50% of the Estate of Timothy D. Evans from which these expenses will be deducted; and

WHEREAS, the Last Will and Testament of Timothy D. Evans stipulates that the funds be used “for the benefit of the Columbus Division of Fire, and in memory of Johnny Cooper from Fire Station 15 and all Fire Fighters who died in the Twin Towers catastrophe on 9/11/2001 in New York”; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Safety, Division of Fire, in that it is immediately necessary to authorize the Fire Chief to consent to the payment of fees so that the acceptance of the monetary donation from the Estate of Timothy D. Evans may be completed for the preservation of 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 Fire Chief, on behalf of the Department of Public Safety, Division of Fire, be and hereby is authorized and directed to consent to attorney’s fees in the amount of \$3,023.23 in connection with a monetary donation from the Estate of Timothy D. Evans and to accept said monetary donation in amount to be determined by the Franklin County Probate Court in *In re Estate of Timothy D. Evans*, Case No. 603123, which amount shall be inclusive of the attorney’s fees, for the benefit of the Columbus Fire Department.

SECTION 2. That all funds necessary to carry out the purpose of this sub-fund are hereby deemed appropriated in an amount not to exceed the amount of cash on hand in the sub-fund and to carry out the purpose of the sub-fund.

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.