



## Legislation Text

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**File #:** 2997-2022, **Version:** 1

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**BACKGROUND:** This legislation will enable the Department of Public Utilities, Division of Power, to proceed with the installation of LED street lighting in the Morningstar-North Forty neighborhood, under the assessment procedure.

**FISCAL IMPACT:** The determined amount to be paid for the City's share under this assessment procedure is \$788,126.63

To authorize the Department of Public Utilities, Division of Power, to proceed with the installation of LED lighting with ornamental poles and underground wiring in the Morningstar-North Forty neighborhood under the assessment procedure.

**WHEREAS,** pursuant to Section 181-1 of the Columbus City Charter, property owners in the Morningstar-North Forty neighborhood submitted a petition for LED lighting with ornamental poles and underground wiring for the Morningstar-North Forty area; and

**WHEREAS,** objections to estimated assessments for the proposed improvement were submitted to the City Clerk; and

**WHEREAS,** a Board of Revision appointed and acting in the pursuance of Resolution 0180X-2022, adopted by City Council on October 3, 2022, respectfully approved the estimated assessment for the cost and expense of the improvement; and

**WHEREAS,** this Council, in the exercise of its legislative discretion, hereby determines that it is necessary to proceed with the installation of a LED street lighting system with ornamental poles and underground wiring in the Morningstar-North Forty neighborhood as if this improvement was initiated by Council and notwithstanding the objections submitted as to the estimated assessment and notwithstanding any alleged deficiencies in the petition initially proposing the improvement; **NOW, THEREFORE,**

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

**SECTION 1.** That it is hereby determined to proceed with the installation of a LED lighting system with ornamental poles and underground wiring in the Morningstar-North Forty neighborhood including: Sullivant Ave, Round Up Dr., Corral Gate Ct., Morningstar Dr., Branding Iron Ct., Branding Iron Dr., North Forty Dr., Tricia Dr., Wild Stallion Dr., Old Ranch Ct., Magna Carta Circle, Greensdale Dr., Countrie Side Dr., Countrie Glen Dr., Countrie View Ct., by installing poles, fixtures, power cable and conduit, constructing control facilities and doing such other things as may be necessary in the City of Columbus, Ohio, in accordance with Resolution 0364-2018, adopted by Council on December 10, 2018; and in accordance with the plans, specifications and estimate of cost therefor approved and now on file in the office of the Department of Public Utilities.

**SECTION 2.** That all claims for damages resulting therefrom shall be judicially inquired into after completion of the proposed improvement, and the City Attorney be and is hereby authorized and directed to institute proceedings in a court of competent jurisdiction to inquire into such claims in the event any such claims are filed with the clerk within the period permitted by law.

**SECTION 3.** That the whole cost of said improvement, together with interest on notes issued in anticipation of the issuance of bonds and on bonds issued in anticipation of the collection of the assessment to be levied for said improvements, less the City of Columbus, Division of Power, with the balance to be assessed in proportion to the benefits which may result from the improvement of the property bounding or abutting upon the improvement.

**SECTION 4.** That the assessment so to be levied shall be paid in twenty semi-annual installments with interest on deferred payments at a rate not exceeding the prevailing interest rate; provided that the owner of the property assessed may, at his or her option, pay such assessment or any number of installments of the same, at any time after such assessment has been levied.

**SECTION 5.** That notes of the City of Columbus, Ohio, shall be issued in anticipation of the issuance of bonds to be issued in anticipation of the collection of assessments by installments and in an amount equal thereto.

**SECTION 6.** That the Director of the Department of Public Utilities be and is hereby authorized and directed to make and execute a contract for said improvement with the lowest and best bidder.

**SECTION 7.** That this ordinance shall take effect and may be in force from and after the earliest period allowed by law.