

CITY OF FRANKLIN, OHIO
RESOLUTION 2019-54

**PROVIDING INTENT OF CITY COUNCIL UNDER CHARTER SECTION 3.03(i) TO
DISPENSE WITH COMPETITIVE PUBLIC BIDDING REGARDING
THE SALE OF REAL PROPERTY
AND DIRECTING AND AUTHORIZING COMPLIANCE WITH CHARTER SECTION
3.03(i)**

WHEREAS, The City of Franklin Charter Section 3.03(i) vests the Council with “[t]he power to sell or otherwise convey, lease, or grant interests in real property Such sale, conveyance, lease or grant, shall be in the manner provided by the ordinance authorizing the sale, conveyance, lease, or grant provided that real estate shall not be sold or leased except to the highest and best bidder after competitive bids have been received pursuant to a notice of the proposed sale or lease published once a week for four (4) consecutive weeks in a newspaper of general circulation in the City. Written notice of intent to sell or lease real property shall be posted on the real estate to be sold or leased in a conspicuous location on such property and shall remain posted for four (4) consecutive weeks.” and;

WHEREAS, the City of Franklin Charter 3.03(i) further provides, as recently passed by voters in the 2017 general election, that “[t]he requirement that real estate be sold or leased only after competitive bidding may be waived upon the vote of at least five (5) members of the Council provided, however, that the Council shall give notice of its intent to dispense with competitive bidding by publication of such intent in the manner prescribed herein and by the reading of such intent at two consecutive regular Council meetings.” (Ord 17-17, 11-17-17; passed by electorate 11-17-17, eff. 1-1-18); and

WHEREAS, the City of Franklin holds title to the real property situated at 335 South Main Street, Parcel ID number 04323860150; and

WHEREAS, the City of Franklin desires the property to be used for a productive use to compliment existing surrounding establishments to aid in the continued efforts to further develop economic growth and stability of the downtown area;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Franklin, Ohio, FIVE (5) members elected thereto concurring, that:

Section 1. The City of Franklin Council gives notice to the public of its intent to dispense with competitive bidding in the sale of real property located at 335 South Main Street, Franklin, Ohio;

Section 2. The City of Franklin Council authorizes and directs the Clerk of Council to give notice of its intent to dispense with competitive bidding regarding the sale of this real property by publication once a week for four (4) consecutive weeks in a newspaper of general circulation in the City.

Section 3. The City of Franklin Council authorizes and directs the City Manager to post the notice of its intent to dispense with competitive bidding regarding the sale of this real property on the City's website, while not required by the Charter, but to ensure the public every opportunity to learn of Council's intent to dispense with competitive bidding to afford the public every opportunity to be heard.

Section 4. The City Manager is further directed to post the notice of its intent to dispense with competitive bidding regarding the sale of this real property on the real estate to be sold or leased in a conspicuous location on such property and shall remain posted for four (4) consecutive weeks.

Section 5. The Clerk of Council is further directed to place on the Agenda for the next two consecutive regular Council meetings the reading of the notice of its intent to dispense with competitive bidding regarding the sale of this real property.

Section 6. The Law Director is directed to prepare an Ordinance authorizing the sale of real property situated at 335 South Main Street without competitive bidding for public reading at the third consecutive regular Council meeting and for public hearing at the fourth consecutive regular Council meeting.

Section 7. The written notice of its intent to dispense with competitive bidding regarding the sale of this real property is attached hereto as Exhibit A.

Section 8. It is hereby found that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code, and the Rules of Council.

Section 9. This Resolution shall become effective immediately upon its passage.

ADOPTED: September 16, 2019

ATTEST: Jane McGee
Jane McGee, Clerk of Council
Read at 10/7/19 meeting
Read at 20/21/19 meeting

APPROVED: Todd Hall
Todd Hall, Mayor

CERTIFICATE

I, the undersigned Clerk of Council for the Franklin City Council, do hereby certify that the foregoing is a true and correct copy of Resolution 2019-54 passed by that body on September 16, 2019.

Jane McGee, Jane McGee, Clerk of Council

Exhibit A
Legal Notice
City of Franklin, Warren County, Ohio

The City of Franklin, in compliance with City Charter Section 3.03 POWERS OF COUNCIL (i) Real Property gives notice to the public of the following:

1. The City of Franklin Council passed Resolution 2019-54 on September 16, 2019, effective immediately, providing notice to the public of its intent to dispense with competitive bidding in the sale of real property located at 335 South Main Street, Franklin, Ohio, Parcel ID Number 04323860150.
2. The City of Franklin will read this notice at the next two consecutive regular Council meetings (October 7, 2019 and October 21, 2019). All those wishing to be heard by Council on this matter are encouraged to attend.
3. The power to dispense with competitive bidding in the sale of real property was granted to Council through Charter Amendment passed by voters in the November 2017 general election.
4. Council intends to dispense with competitive bidding in the sale of real property located at 335 South Main Street, Franklin, Ohio, in furtherance of its objective and continued efforts to create and develop economic growth and stability of the downtown area.

_____ **Publish in newspaper consecutive week one (September 23, 2019)**

_____ **Publish in newspaper consecutive week two (September 30, 2019)**

_____ **Publish in newspaper consecutive week three (October 7, 2019)**

_____ **Publish in newspaper consecutive week four (October 14, 2019)**

_____ **Post on City Website and do not remove before October 21, 2019**

_____ **Post on Property and not to be remove before October 21, 2019**