

By: Shawna

To authorize the Mayor to execute a contract with the City of Columbus for fire protection and to declare an emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1. That the Mayor, on behalf of the City of Bexley, Ohio, be and he is hereby authorized to execute a contract with the City of Columbus in the following form:

CONTRACT

This Agreement, made and entered into this 14th day of January, 19 69, by and between the City of Columbus, Ohio, by Frederick J. Simon, its Director of Public Safety, and City of Bexley, Ohio, by its Mayor.

Whereas, by Ordinance No. 496-61, passed by the Council of the City of Columbus, Ohio, the Director of Public Safety of the City of Columbus, Ohio, on behalf of said City is authorized to enter into a contract to provide fire protection service including inhalator service to the City of Bexley, Ohio, under the terms and conditions set forth in said Ordinance; and

Whereas, the City of Bexley, by Ordinance No. 3-69 passed January 14, 1969 by the Council of the City of Bexley, authority was granted by that body to Mayor McClure, on behalf of said City, to contract with the said City of Columbus for such services; now, therefore,

For the consideration hereinafter named, the City of Columbus, Ohio, hereby agrees that its Division of Fire, Department of Public Safety, will answer fire calls from said City of Bexley and its inhabitants and send fire apparatus and firemen thereto for the purpose of extinguishing fires in said City of Bexley in like manner as fire calls are answered and fires extinguished in the City of Columbus, the said City of Bexley being also to receive the services of the Inhalator Squad of the Division of Fire, under this agreement.

In consideration for which the said City of Bexley agrees to pay to the City of Columbus for said services the sum of \$150,000.00 for the year 1969. The amount is to be paid in equal semi-annual installments on or before January 30 and July 31 of the year 1969. For the following years of the duration of this contract, payment shall be based on the actual total per capita cost of the City of Columbus services provided to the City of Columbus and the City of Bexley on the second year prior to the year of payment (the payment for 1970 will be based on per capita cost of 1968). The per capita cost shall be determined by dividing the said total cost of services to Bexley and Columbus by the Columbus Chamber of Commerce estimates of the combined population of these two cities as of the first day of the year of payment. Consideration will be the per capita figure so determined multiplied by the Columbus Chamber of Commerce estimate of the population of the City of Bexley. The population figures used will be those for the second year prior to the year of payment as set forth above. Cost figures used in the determination of the per capita cost of the City of Columbus shall include, but not be limited

to, consideration of the following items:

1. General operations
2. City's contribution to pension fund
3. Share of Workmen's Compensation cost
4. Share of Communications cost
5. Depreciation of Capital Plant, equipment and rolling stock.

It is further mutually understood and agreed that in no case shall the City of Columbus be liable in damages to said City of Bexley, or any of its inhabitants, for failure to answer any fire call, or for lack of speed in answering any such call, or for any inadequacy of equipment, negligent operation of apparatus, failure to extinguish any fire, or for any cause whatsoever growing out of this agreement or the use of the fire equipment and personnel of said City of Columbus.

It is mutually understood and agreed that either party hereto may cancel and terminate this agreement upon giving a one hundred twenty (120) day written notice to the opposite party of its intention so to do.

This agreement shall take effect and be in force from January 1, 1969 to and including December 31, 1979.

In witness whereof, the parties hereto have set their hands this 14th day of January, 1969.

Section 2. That this ordinance is an emergency ordinance necessary for the immediate preservation of the public peace, health and safety, said emergency being that the City is without any contract for fire protection, and this ordinance shall go into immediate force and effect upon its passage and approval by the Mayor.

Passed: January 14 1969

J. Roth Leabur  
President of Council

Attest:

R. P. Ginzcoth  
Clerk of Council

Approved: 1/15/69 1969

R. D. McClure  
MAYOR

Passed 1/15/69