

ORDINANCE NO. 67 -92By: Richard F. Weber

An Ordinance to authorize the Mayor and Auditor to enter into a contract with the Director of Public Safety, City of Columbus, to provide fire protection and emergency medical services to the City of Bexley, and to declare an emergency.

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

Section 1. That the Mayor and the Auditor are hereby authorized to enter into a contract with the City of Columbus, through its Director of Public Service, to provide both fire protection services and emergency medical services to the City of Bexley for a period of five (5) years beginning January 1, 1993 and ending December 31, 1997.

Section 2. That a copy of said contract is attached to this Ordinance and incorporated herein and made a part hereof as if fully rewritten.

Section 3. That this Ordinance is an emergency measure necessary for the immediate preservation of the public peace, health and safety in order to assure uninterrupted fire protection and emergency medical services to the City, and this ordinance shall go into immediate force and effect upon its passage and approval by the Mayor.

Passed: December 22, 1992

John H. Kenby  
President of Council

ATTEST: [Signature]  
Clerk of Council

APPROVED: 12/22, 1992

D. Madison  
David H. Madison, Mayor

Nov. 24, 1992. 1<sup>st</sup> reading  
Dec. 8, 1992. 2<sup>nd</sup> reading  
Dec. 22, 1992. 3<sup>rd</sup> reading  
Adopted

C O N T R A C T

This Contract, made and entered into this 13<sup>th</sup> day of JANUARY, 1992,<sup>3</sup> by and between the City of Columbus, Ohio by Leonard Keller, its Director of Public Safety and the City of Bexley, Ohio, by David H. Madison, its Mayor.

WHEREAS, by Ordinance No. 803-74, passed by the Council of the City of Columbus, Ohio, the Director of Public Safety of the City of Columbus, Ohio, on behalf of the City is authorized to enter into a contract to provide both fire protection and emergency medical service to municipalities such as the City of Bexley, Ohio, under the terms and conditions set forth in said Ordinance, and,

WHEREAS, by Ordinance No. 67-92, passed by the Council of the City of Bexley, the Mayor of the City of Bexley is authorized to contract with the City of Columbus for such services;

NOW, THEREFORE,

For consideration hereinafter named, the City of Columbus agrees that the Division of Fire, Department of Public Safety, will answer fire calls from the City of Bexley and its inhabitants and send fire apparatus and firefighters thereto for the purpose of extinguishing fire in the City of Bexley in like manner as fire calls are answered and fires extinguished in the City of Columbus, for a period of five years beginning January 1, 1993 and ending December 31, 1997. In addition, the City of Columbus, Ohio, for the period of time provided herein agrees to make available to the City of Bexley the services of its Emergency Medical Squads.

In consideration of providing the above services, the City of Bexley agrees to pay the City of Columbus semi-annually on April 1

and October 1 of each year covered by this Contract. Each semi-annual payment shall be 50% of the annual rate which will be based on the formula as set forth in this Contract.

The cost for each year covered by this Contract, shall be the cost of manpower for one engine company, plus 1/20 of the cost of an engine, which represents depreciation of the engine, plus that year's average fuel and maintenance cost for one engine as estimated by the Division of Fire Bureau of Maintenance.

The cost of manpower for one engine company shall be the salaries and fringe benefit rates as of January 1st, projected for the pay periods of that year, for 12 Firefighters, 2 Lieutenants, and 1 Captain (15 total Fire personnel). Fringe benefits may include but are not limited to: holiday pay, insurance, pension and worker's compensation. Salary and/or benefit changes which may occur during each year due to salary ordinances will not affect the annual cost for that year because manpower cost is limited to the January 1st rates of that year.

In addition, at the option of the City of Bexley, the City of Columbus, Division of Fire agrees to make available fire prevention inspection at a rate and terms to be discussed and agreed upon, at the selection of that option an addendum to this contract will be filed.

The City of Columbus shall furnish a description of the annual cost to the City of Bexley no later than the second week of January of each year. This information may be furnished earlier depending on enactment of salary ordinances. Payment shall be sent to the City of Columbus, Director of Public Safety. Notification of a payment due will be sent to the Auditor of the City of Bexley at least 15 days prior to due date.

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

It is mutually understood and agreed that either party hereto may cancel and terminate this Contract upon giving a ninety (90) day written notice to the opposite party of its intention so to do, and if this Contract is so canceled so much as ninety (90) days before the expiration of the time for which payment has been made, then and in that instance a refund shall be made for the proportionate time remaining after such cancellation.

IN WITNESS WHEREOF, the parties have set their hands this

13<sup>th</sup> day of JANUARY, 1992<sup>3</sup>

SIGNED AND ACKNOWLEDGED

Terry Leach  
Evdy M. Jye

CITY OF COLUMBUS, OHIO

BY: Donald P. Keller  
Director of  
Public Safety

Sharon R. Patterson  
Robert E. Fouch

CITY OF BEXLEY, OHIO

BY: D. Madis  
Mayor  
BY: J. W. [Signature]  
Auditor

FORM APPROVED:

James H. Leon  
City Attorney

APPROVED AS TO FORM

Don Osner  
by OKB 1/14/93