

# City of Columbus

Office of City Clerk  
90 West Broad Street  
Columbus OH 43215-9015  
columbuscitycouncil.org



## Minutes - Final

Monday, July 26, 2004

5:00 PM

City Council Chambers, Rm 231

## Columbus City Council

***ELECTRONIC READING OF MEETING DOCUMENTS AVAILABLE DURING COUNCIL OFFICE HOURS. CLOSED CAPTIONING IS AVAILABLE IN COUNCIL CHAMBERS. ANY OTHER SPECIAL NEEDS REQUESTS SHOULD BE DIRECTED TO THE CITY CLERK'S OFFICE AT 645-7380 BY FRIDAY PRIOR TO THE COUNCIL MEETING.***

**REGULAR MEETING NO. 44 OF COLUMBUS CITY COUNCIL,  
MONDAY, JULY 26, 2004 at 5:00 P.M. IN COUNCIL  
CHAMBERS.**

**ROLL CALL**

**READING AND DISPOSAL OF THE JOURNAL**

**A motion was made by Thomas, seconded by Sensenbrenner, to Dispense with the reading of the Journal and Approve. The motion carried by the following vote:**

**THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE  
CITY CLERK'S OFFICE AS OF WEDNESDAY, JULY 21, 2004:**

**New Type:** D1  
**To:** William T Wentzel  
DBA R & R Sports Headquarters  
781 S Front St  
Columbus Ohio 43206  
Permit #: 95195780005

**New Type:** D3, D3A  
**To:** Knotty Pine Grill Investors LTD  
DBA Knotty Pine Bar and Grill  
1st Flr Bsmt & Patio  
1761-65 W 3rd Av  
Columbus Ohio 43212  
Permit #: 4739225

**Transfer Type:** C1, C2  
**To:** Hilltop Carryout Inc  
DBA Hilltop Carryout  
1971 Doren Av  
Columbus Ohio 43223  
**From:** 1971 Doren Avenue Inc  
DBA New Doren Market  
1971 Doren Av  
Columbus Ohio 43223  
Permit #: 3855011

**Transfer Type:** D5, D6  
**To:** Jaewon Shim  
DBA Café Blvd  
2537 Franksway St  
Columbus Ohio 43232  
**From:** Majed Inc  
485 S Front St 1st Fl & Patio  
Columbus Ohio 43215  
Permit #: 80878240010

**Transfer Type:** D1, D3  
**To:** KTS Chaus LLC  
DBA Bruce Lee Dragon Restaurant  
3777 E Livingston Av  
Columbus Ohio 43228  
**From:** Yu Yi Inc  
DBA Bruce Lee Dragon Restaurant  
3777 E Livingston Av  
Columbus Ohio 43228  
Permit #: 4422161

**Transfer Type:** D5, D6  
**To:** All American Food Service Inc  
DBA Big Easy Bourbon St Café  
1915-21 Channing Way Center Dr & Patio  
Columbus Ohio 43232  
**From:** Easy Brothers Inc  
1915-12 Channing Way Center Dr & Patio  
Columbus Ohio 43232  
Permit #: 0121493

ADVERTISE 07/31/04  
RETURN 08/12/04

## **RESOLUTIONS OF EXPRESSION**

### **O'SHAUGHNESSY**

**To support the Central Ohio Transit Authority's North Corridor Light Rail and Expanded Bus Service as the Locally Preferred Alternative**

**A motion was made by O'Shaughnessy, seconded by Sensenbrenner, that this matter be Adopted. The motion carried by the following vote:**

### **SENSENBRENNER**

In commemoration of Leroy V. Trout.

**A motion was made by Sensenbrenner, seconded by Thomas, that this matter be Adopted. The motion carried by the following vote:**

## **ADDITIONS OR CORRECTIONS TO THE AGENDA**

**THE FOLLOWING ITEMS WERE REMOVED FROM THE  
CONSENT AGENDA AND VOTED ON LATER IN THE MEETING**

**APPOINTMENTS: A0100, A0101,A0102****CA CONSENT ACTIONS****ADMINISTRATION: BOYCE, CHR. SENSENBRENNER MENTEL  
HABASH****CA**

To authorize the City Auditor to transfer funds between projects in the Facilities Management Capital Improvement Fund, to authorize the Public Service Director to enter into contracts for the renovation of the probate court located in the Municipal Court Building, 375 South High Street, and to authorize the expenditure of \$37,383.89 from the Facilities Management Capital Improvement Fund. (\$37,383.89)

**This Matter was Approved on the Consent Agenda.**

**CA**

To authorize the Public Service Director to enter into contracts for the installation and renovation of dog runs used by the Police Division, and to authorize the expenditure of \$13,694.87 from the Safety Capital Improvement Fund. (\$13,694.87)

**This Matter was Approved on the Consent Agenda.**

**CA**

To authorize and direct the City Auditor to enter into an agreement with Deloitte and Touche LLP for professional auditing services for calendar year 2004 and to authorize the expenditure of \$406,500 from the General Fund. (\$406,500)

**This Matter was Approved on the Consent Agenda.**

**RECREATION & PARKS: BOYCE, CHR. SENSENBRENNER  
THOMAS HABASH****CA**

To authorize the Columbus Zoological Park Association, Inc. to represent the City in planning with the Ohio Department of Transportation for the purposes of making certain engineering and design decisions as to the State Route 750 realignment.

**This Matter was Adopted on the Consent Agenda.**

**SAFETY & JUDICIARY: MENTEL, CHR. BOYCE THOMAS  
HABASH****CA**

To authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services, and to expend a combined total of \$80,000.00 with certain portions coming from the Voted 1995/1999 Recreation and Parks Bond Fund: Park Land Acquisition and the Voted 1995/1999 Recreation and Parks Bond Fund for costs in connection with the **Glen Echo Ravine Land Acquisitions Improvement Project**. (\$80,000.00).

**This Matter was Approved on the Consent Agenda.**

**PUBLIC SERVICE & TRANSPORTATION: O'SHAUGHNESSY,  
CHR. SENSENBRENNER TAVARES HABASH**

CA

To authorize the Public Service Director to enter into a consent and cooperation agreement with the Director of the Ohio Department of Transportation for the SR710 Urban Paving Project for the Transportation Division.

**This Matter was Approved on the Consent Agenda.**

CA

To authorize the City Attorney to file the necessary complaints for the appropriation of fee simple title and lesser interests in and to real estate necessary for the **Hard Road Phase B Project**, to authorize the expenditure of \$18,400.00 from the **Federal-State Highway Engineering Fund**. (\$18,400.00).

**This Matter was Approved on the Consent Agenda.**

CA

To accept the plat titled **OLENTANGY MEADOWS DRIVE, from ORANGE LAND CORPORATION** by **THOMAS H. SCHOTTENSTEIN, President**.

**This Matter was Approved on the Consent Agenda.**

**UTILITIES: THOMAS, CHR. MENDEL O'SHAUGHNESSY  
HABASH**

CA

To authorize the Director of Public Utilities to modify the contract with Korda/Nemeth Engineering, Incorporated, for professional engineering services to prepare construction plans for the Lockbourne Road Drainage Improvements Project for the Transportation Division and to authorize the expenditure of \$23,972.00 from the 1995, 1999 Voted Streets and Highways Fund. (\$23,972.00)

**This Matter was Approved on the Consent Agenda.**

CA

To authorize the Director of Public Utilities to reimburse the Franklin County Engineer for the construction of the Morse Road Sanitary Sewer Project, in coordination with Franklin County's Morse Road, Cleveland Ave. to Trindel Way Project; to authorize the City Auditor to appropriate, transfer and to expend up to \$196,970.00 from within the 1991 Voted Sanitary Bond Fund, for the Division of Sewerage and Drainage. (\$196,970.00)

**This Matter was Approved on the Consent Agenda.**

CA

To authorize the Director of Public Utilities to modify the professional engineering services agreement with Burgess & Niple, Limited for the Southerly Wastewater Treatment Plant Effluent Disinfection Improvements Project; to authorize the appropriation, transfer and expenditure of \$448,500.00 from the Sewerage System Reserve Fund to the Ohio Water

Pollution Control Loan Fund; for the Division of Sewerage and Drainage. (\$448,500.00)

**This Matter was Approved on the Consent Agenda.**

CA

To authorize the Director of Public Utilities to enter into a contract with H. R. Gray & Associates, Inc., for General Engineering Services-Supply Group-Constructability Reviews for the Division of Water, to authorize the expenditure of \$150,000.00 from the Waterworks Enlargement Voted 1991 Bonds Fund. (\$150,000.00)

**This Matter was Approved on the Consent Agenda.**

CA

To authorize and direct the Finance Director to modify and extend the contract for the option to purchase Mechanical Bar Screen Components with Bearing Distributors, Inc.

**This Matter was Approved on the Consent Agenda.**

CA

To authorize the Director of Public Utilities to pay the Water Pollution Control Loan Fund application fee to the Ohio Water Development Authority, for a Sewerage and Drainage Division project; and to authorize the expenditure of \$321,275.00. (\$321,275.00)

**This Matter was Approved on the Consent Agenda.**

## APPOINTMENTS

CA

Appointment of Gregory S. Baker, 542 Mohawk Street, Columbus, OH 43206 to serve on the Italian Village Commission replacing Eric Rosenberg with a new term expiration date of May 31, 2007 (resume attached).

**This Matter was Approved on the Consent Agenda.**

CA

Appointment of Brenton E. Warner, 124 East Beck Street, Columbus, OH 43206, to serve on the German Village Commission replacing Ashlin Caravana with a new term expiration date of June 30, 2007.

**This Matter was Approved on the Consent Agenda.**

CA

Re-appointment of Deborah L. Stein, 1628 Roundwyck Lane, Powell, Ohio 43065, to serve on the Community Shelter Board with a term expiration date of June 30, 2007. (resume attached).

**This Matter was Approved on the Consent Agenda.**

## Passed The Consent Agenda

## EMERGENCY, TABLED AND 2ND READING OF 30-DAY LEGISLATION

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**SAFETY & JUDICIARY: MENDEL, CHR. BOYCE THOMAS  
HABASH**

To authorize and direct the City Auditor to transfer \$1,479,984.00 from the Special Income Tax Fund to the Fire Safety Bond Fund; to authorize the appropriation of said funds; to authorize and direct the Finance Director to issue a purchase order to Central States Fire Apparatus LLC, for the purchase of heavy rescue vehicles; to authorize the expenditure of \$1,479,984.00 from the Safety Voted Bond Fund. ~~; and to declare an emergency.~~ (\$1,479,984.00)

**A motion was made by Thomas, seconded by Sensenbrenner, that this matter be Taken from the Table. The motion carried by the following vote:**

To authorize and direct the City Auditor to transfer ~~\$1,479,984.00~~ **\$369,996.00** from the Special Income Tax Fund to the Fire Safety Bond Fund; to authorize the appropriation of said funds; to authorize and direct the Finance Director to issue a purchase order to Central States Fire Apparatus LLC, for the purchase of heavy rescue vehicles; to authorize the expenditure of ~~\$1,479,984.00~~ **\$369,996.00** from the Safety Voted Bond Fund. ~~; and to declare an emergency.~~ (~~\$1,479,984.00~~) (**369,996.00**)

**A motion was made by Thomas, seconded by Sensenbrenner, that this matter be Amended as submitted to the Clerk. The motion carried by the following vote:**

**A motion was made by Thomas, seconded by Sensenbrenner, that this matter be Approved as Amended. The motion carried by the following vote:**

**DEVELOPMENT: O'SHAUGHNESSY, CHR. BOYCE TAVARES  
HABASH**

To accept the application (AN04-007) of Linda J. Chandler, et al. for the annexation of certain territory containing 6.70 ± Acres in Plain Township.

**A motion was made by O'Shaughnessy, seconded by Sensenbrenner, that this matter be Approved. The motion carried by the following vote:**

**PUBLIC SERVICE & TRANSPORTATION: O'SHAUGHNESSY,  
CHR. SENSENBRENNER TAVARES HABASH**

To repeal any and all previous speed limit ordinances and resolutions on Vine Street and to raise the speed limit on Vine Street between Neil Avenue and the Michigan Avenue Connector to 40 miles per hour from the posted speed limit of 35 miles per hour.

**A motion was made by O'Shaughnessy, seconded by Thomas, that this matter be Taken from the Table. The motion carried by the following vote:**

**A motion was made by O'Shaughnessy, seconded by Thomas, that this matter be Approved. The motion carried by the following vote:**

To authorize the Director of the Public Service Department to execute those documents required to transfer the alley north of Granville Street, between Winner Avenue and Graham Street to Union Grove Baptist Church; and to waive the competitive bidding provisions of Columbus City.

**A motion was made by O'Shaughnessy, seconded by Thomas, that this matter be Approved. The motion carried by the following vote:**

## **UTILITIES: THOMAS, CHR. MENTEL O'SHAUGHNESSY HABASH**

To authorize the Director of Public Utilities to enter into a contract with Bale Contracting Inc. for Main Line Valve Replacement for the Division of Water, to amend the 2004 C.I.B., to authorize the City Auditor to transfer funds within the Waterworks Enlargement Voted 1991 Bonds Fund, and to authorize the expenditure of \$1,026,135.00 from the Water Works Enlargement Voted 1991 Bonds Fund. (\$1,026,135.00)

**A motion was made by Thomas, seconded by Sensenbrenner, that this matter be Approved. The motion carried by the following vote:**

## **RULES & REFERENCE: HABASH, CHR. MENTEL SENSENBRENNER TAVARES**

To authorize the City Treasurer to increase the fee for processing checks returned by banks as unpaid due to insufficient funds and various other reasons. To amend sections 1105.09 (Special charges) and 1163.19 (Service charge) of the Columbus City Codes, 1959 relating to a returned check processing charge and dishonored check charge.

**A motion was made by President Habash, seconded by Sensenbrenner, that this matter be Approved. The motion carried by the following vote:**

## **APPOINTMENTS**

Appointment of Dr. Clay Royder, 867 West Town Street, Columbus, Ohio 43222, to serve on the Recreation and Parks Commission to replace Eugene Harper with a term expiration date of December 31, 2005. ( Resume attached)

**A motion was made by President Habash, seconded by Thomas, that this matter be Tabled Indefinitely. The motion carried by the following vote:**

Appointment of Jason S Sudy, 880 Hamlet Street, Apt. C, Columbus, OH 43201, to serve on the Italian Village Commission replacing Steven Hurtt with a new term expiration date of June 30, 2007.

**A motion was made by President Habash, seconded by Thomas, that this matter be Tabled Indefinitely. The motion carried by the following vote:**

Appointment of Michael Anson Wilkos, 63 East Gay Street, #2, Columbus, OH 43215-3103, to serve on the Italian Village Commission replacing Larry Brown with a new term expiration date of June 30, 2005.



A motion was made by President Habash, seconded by Thomas, that this matter be Tabled Indefinitely. The motion carried by the following vote:

**PLEASE NOTE THAT THE ZONING AGENDA FOR MONDAY, JULY 26, 2004 WILL BEGIN AT 5:30 P.M. (INSTEAD OF THE CUSTOMARY 6:30 P.M.)**

**ADJOURNMENT**

A motion was made by Sensenbrenner, seconded by Thomas, to Motion to Recess the Regular Meeting. The motion carried by the following vote:

**MEETING NO. 44 WAS RECONVENED ON AUGUST 18, 2004  
PLEASE REFER TO RECONVENED MEETING FOR  
LEGISLATION AND VOTES.**