



City of Columbus

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

Agenda - Final 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.*

Monday, November 17, 2003

5:00 PM

City Council Chambers, Rm 231

**REGULAR MEETING NO. 47 OF COLUMBUS CITY COUNCIL, MONDAY,
NOVEMBER 17, 2003 at 5:00 P.M. IN COUNCIL CHAMBERS.**

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

C0046-2003

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE
CITY CLERK'S OFFICE AS OF WEDNESDAY, NOVEMBER 12, 2003:

New Type: D1
To: Point Inc
530 Norton Rd Units 5460 5480
Columbus Ohio 43228

New Type: C1, C2
To: Double D Beverage Service LLC
DBA End Zone Beer & Wine Drive Thru
500 Riverview Dr.
Columbus Ohio 43202

Transfer Type: C1, C2
To: 1112 Barberry Lane Inc
DBA Shop N Go
3951 E Livingston Av
Columbus, Ohio 43227
From: 3951 E Livingston Inc
DBA Shop N Go
3951 E Livingston Av
Columbus Ohio 43227

Transfer Type: D5, D6
To: Miamo Inc
DBA Mulligans Sport Pub
8743 Smokey Row Rd

Columbus Ohio 43065
From: MHA Enterprises Inc
DBA Mulligans Sport Pub
8743 Smokey Row Rd
Columbus Ohio 43065

Transfer Type: C1, C2, D6
To: Wawi Inc
DBA Woodys Beverage Drive Thru
6733 Karl Rd
Columbus Ohio 43229
From: Warren Ellet Hogue
DBA Woodys Beverage Drive Thru
6733 Karl Rd
Columbus Ohio 43229

Transfer Type: D1, D3, D3A, D6
To: Dueces Wild Inc
1964 ½ Parsons Ave
Columbus Ohio 43207
From: La Club Panache Inc
DBA La Club Panache
6312 Busch Blvd
Columbus Ohio 43229
Maher Mahmoud

Transfer Type: D5, D6
To: 1880 North High Street Inc
1880 N High St
Columbus Ohio 43201
From: Xando COSI Inc
AKA COSI Inc
DBA COSI
6390 Sawmill Rd
Columbus Ohio 43235

Stock Type: D5
To: 346 S High St Inc
DBA Scores
346 S High St 1st Fl & Bsmt
Columbus Ohio 43215

Stock Type: D1, D2, D3, D3A
To: Sequoia Pro Bowl Inc
5501 Sandalwood Blvd
Columbus Ohio 43229

Stock Type: D5, D6
To: Aramark Sports & Entertainment
Services Inc
500 N High St & Patio
Columbus Ohio 43215

Stock Type: D5, D6
To: Aramark Sports & Entertainment
Services Inc
Battelle Hall/Convention Center
Executive Offices Excluded
400 N High St 3rd & 4th Fls & Patio
Columbus Ohio 43215

ADVERTISE 11/22/03
RETURN 12/04/03

RESOLUTIONS OF EXPRESSIONS

[393X-2003](#) To recognize and congratulate Pastor Harold A. Hudson and First Lady Deborah Hudson on their 7th Pastoral Anniversary.

ADDITIONS OR CORRECTIONS TO THE AGENDA

FR FIRST READING OF 30-DAY LEGISLATION

ADMINISTRATION: BOYCE, CHR. SENSENBRENNER MENTEL HABASH

[2470-2003](#) To authorize the City Auditor to transfer and increase, if necessary, appropriations within any of the various funds of the City to provide for payrolls, internal services, and other obligations for 2003 and to authorize the payment of payrolls and other obligations due in 2004 prior to the passage of the 2004 appropriation ordinances.
(REQUEST TO WAIVE SECOND READING)

FR [2428-2003](#) To authorize the Finance Director to enter into contract with Audsam Printing, Inc. for the production of 2003-2004 personalized income tax forms for the Department of the City Auditor, Division of Income Tax and to authorize the expenditure of \$59,478.70.

RECREATION & PARKS: BOYCE, CHR. SENSENBRENNER THOMAS HABASH

FR [2348-2003](#) To authorize and direct the Director of Recreation and Parks to accept a grant in the amount of \$15,170.00 and enter into an agreement with the Ohio Arts Council for funding to support the 2004 Festival Latino, to authorize an appropriation of \$15,170.00 from the unappropriated

balance of the Recreation and Parks Grant Fund to the Recreation and Parks Department. (\$15,170.00)

- FR [2387-2003](#) To authorize and direct the Director of Recreation and Parks to submit a grant application to Franklin County Children Services in the amount of \$150,000.00 to assist family caregivers of children in Franklin County in connection with the Kinship Care Navigator Project.
- FR [2403-2003](#) To authorize and direct the Director of Recreation and Parks to modify the revenue generating contract with Anne U. Dempsey, dba Sun Shine Catering, for food concessions at Turnberry Golf Course.

DEVELOPMENT: O'SHAUGHNESSY, CHR. BOYCE TAVARES HABASH

- FR [2467-2003](#) To adopt the Olentangy River Road Urban Design Plan as a guide for future improvements, investments and actions within the area bounded by Riverside Methodist Hospital/Thomas Lane on the north, the Olentangy River on the east, Lane Avenue on the south, and the Chesapeake and Ohio railroad on the west.

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

- FR [2378-2003](#) To authorize the Public Service Director to enter into a contract for the Transportation Division with G & G Cement Contractors for construction of the Summit Street Corridor Improvements project; to authorize the expenditure of \$311,258.83 from the Voted 1995, Voted 1999 Streets and Highways Fund for the Transportation Division. (\$311,258.83)
- FR [2399-2003](#) To authorize the transfer of \$54,985.49 between projects within the 1995, 1999 Voted Streets and Highways Fund; to authorize the Public Service Director to reimburse the Sewerage and Drainage Division \$58,851.44 for costs incurred for the resurfacing of Binns Boulevard for the Transportation Division, and to authorize the expenditure of \$58,851.44 from the 1995, 1999 Voted Streets and Highways Fund. (\$58,851.44)
- FR [2441-2003](#) To authorize the Public Service Director to modify and increase the contract with Columbus Engineering Consultants, Inc. for the preparation of the construction plans for Group 10 Intersections project for the Transportation Division; to authorize the expenditure of \$50,000.00 from the 1995, 1999 Voted Streets and Highways Fund. (\$50,000.00)
- FR [2459-2003](#) To authorize the Public Service Director to execute those documents required to release the easterly 5 feet of an existing platted easement

on Lot 27 of Asherton Woods (of record in Plat Book 102, Pages 94 and 95) in exchange for the dedication of a 5 foot wide easement along the east line of Reserve "A" of the same plat.

UTILITIES: THOMAS, CHR. MENDEL O'SHAUGHNESSY HABASH

- FR [2187-2003](#) To authorize the Director of Public Utilities to reimburse Dominion Homes, Inc. for the construction of the Big Run South Road water line, to authorize the City Auditor to transfer funds within the Water Limited Fund, and to authorize the expenditure of \$25,000.00 from the Water Limited Fund for the Division of Water. (\$25,000.00)
- FR [2342-2003](#) To authorize the Director of Public Utilities to modify and increase the contract with Critical Path Consultants, to assist us with strengthening management practices in order to improve Division-wide measures, for the Division of Water, and to authorize the expenditure of \$20,000.00 from Water Systems Operating Fund. (\$20,000.00)
- FR [2375-2003](#) To authorize the Director of Public Utilities to pay the annual Discharge Fees to the Ohio Environmental Protection Agency for the Division of Sewerage and Drainage; and to authorize the expenditure of \$82,800.00 from the Sewerage System Operating Fund. (\$82,800.00)
- FR [2395-2003](#) To authorize the Director of the Department of Public Utilities to enter into a pole attachment agreement with Citynet for the Division of Electricity.

RULES & REFERENCE: HABASH, CHR. MENDEL SENSENBRENNER TAVARES

- FR [2358-2003](#) To amend Chapter 1149 of the Columbus City Codes 1959, to enact new Stormwater fees effective January 1, 2004, and to repeal the existing Section being amended.
- FR [2359-2003](#) To amend Chapter 1147 of the Columbus City Codes 1959, to enact new sanitary sewer service rates for the year beginning January 1, 2004, and to repeal the existing Section being amended
- FR [2380-2003](#) To amend the Columbus City Codes, 1959, as it relates to 2004 water rates for customers of the Division of Water.
- FR [2406-2003](#) To replace Chapter 921 of the Columbus City Codes to bring waterway codes up to date and to bring City of Columbus codes into closer compatibility with State waterway codes.

**ZONING: MENDEL, CHR. BOYCE HABASH O'SHAUGHNESSY
SENSENBRENNER TAVARES THOMAS**

- FR [2094-2003](#) To rezone 24 WEST BRIGHTON ROAD (43202), being 0.12± acres located on the northwest corner of West Brighton Road and North High Street, From: C-4, Commercial Development District, To: CPD, Commercial Planned Development District. (Rezoning # Z03-028)

CA CONSENT ACTIONS**FINANCE: SENSENBRENNER, CHR. O'SHAUGHNESSY TAVARES HABASH**

- CA [2454-2003](#) To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Folding Tables and Chairs, with Mity-Lite, Inc., and to declare an emergency.

ADMINISTRATION: BOYCE, CHR. SENSENBRENNER MENDEL HABASH

- CA [2469-2003](#) To authorize the City Treasurer to modify a contract with Fifth Third Bank and its processing agent, Midwest Payment Systems, for the provision of credit card processing services, and to authorize the expenditure of \$3,550.00 from the Recreation and Parks Operating fund and to declare an emergency. (\$3,550.00)

RECREATION & PARKS: BOYCE, CHR. SENSENBRENNER THOMAS HABASH

- CA [2376-2003](#) To authorize the Director of Recreation and Parks to enter into a contract with the Chiller at Easton, to authorize an expenditure from the Recreation and Parks Operating Fund in the amount of \$2,200.00 in conjunction with the Ice Hockey Program for the remainder of 2003 and through January 31, 2004, and to declare an emergency. (\$2,200.00)
- CA [2405-2003](#) To authorize and direct the transfer of \$55,000.00 within the Recreation and Parks Operating Fund to complete a necessary expenditure regarding the Trask-Tyler case settlement, and to declare an emergency. (\$55,000.00)
- CA [2420-2003](#) To authorize and direct the Finance Director to enter into a contract for an option to purchase Softballs, with A. D. Starr, to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)
- CA [2434-2003](#) To authorize and direct the Director of Recreation and Parks to submit

a grant application to the Ohio Department of Natural Resources/Division of Watercraft for the Navigational Aids Grant Program, and to declare an emergency.

- CA [2463-2003](#) To authorize and direct the Director of Recreation and Parks to accept a grant in the amount of \$1,102.00 and enter into an agreement with the Ohio Department of Natural Resources for funding to support the Hooked on Fishing Not on Drugs program, to authorize an appropriation of \$1,102.00 from the unappropriated balance of the Recreation and Parks Grant Fund to the Recreation and Parks Department, and to declare an emergency. (\$1,102.00)

SAFETY & JUDICIARY: MENTEL, CHR. BOYCE THOMAS HABASH

- CA [388X-2003](#) To declare the necessity and intent to appropriate permanent and construction easements in, over, under and through real estate in connection with the Big Walnut Sanitary Trunk Extension Part II, and to declare an emergency.
- CA [2452-2003](#) To authorize the Columbus Fire Chief to accept a grant award from Battelle for Bomb Squad training for the Division of Fire, to appropriate \$3,000.00 from the unappropriated balance of the Special Revenue Private Grants Fund, and to declare an emergency. (\$3,000.00)

DEVELOPMENT: O'SHAUGHNESSY, CHR. BOYCE TAVARES HABASH

- CA [2491-2003](#) To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN03-035) of 1.01± Acres in Norwich Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.
- CA [2495-2003](#) To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN03-039) of 42.7± Acres in Jefferson Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

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

- CA [2107-2003](#) To authorize the Public Service Director to reimburse the Street Construction, Maintenance Repair Fund for force account alley rehabilitation work performed by and for the Transportation Division; to authorize the expenditure of \$203,132.10 from the 1995, 1999 Voted

Streets and Highways Fund for this purpose and to declare an emergency. (\$203,132.10)

- CA [2433-2003](#) To authorize the Public Service Director to reimburse American Electric Power Company for utility relocation costs incurred in conjunction with the Dublin - Frantz at Hayden Run Road Improvement project for the Transportation Division; to authorize the expenditure of \$67,200.00 for this purpose from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$67,200.00)
- CA [2440-2003](#) To authorize the Public Service Director to pay Columbia Gas of Ohio and American Electric Power Company for utility relocation costs incurred in conjunction with the Polaris Parkway Widening Project for the Transportation Division; to authorize the expenditure of \$73,775.75 for this purpose from the 1995, 1999 Voted Streets and Highways Fund and to declare an emergency. (\$73,775.75)

HEALTH, HOUSING & HUMAN SERVICES: TAVARES, CHR. BOYCE THOMAS HABASH

- CA [2430-2003](#) To authorize and direct the Board of Health to accept a contract from the Licking County Board of Health in the amount of \$30,238; to authorize the appropriation of \$30,238 from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency. (\$30,238.00)

UTILITIES: THOMAS, CHR. MENDEL O'SHAUGHNESSY HABASH

- CA [2322-2003](#) To authorize the Director of Public Utilities to modify the contract with Bale Contracting Inc., for the Group One Water Line Improvements Project for the Division of Water, to authorize the City Auditor to transfer funds within the Waterworks Enlargement Voted 1991 Bonds Fund, to authorize the expenditure of \$25,574.84 from the Waterworks Enlargement Voted 1991 Bonds Fund, and to declare an emergency. (\$25,574.84)
- CA [2324-2003](#) To authorize the Director of Public Utilities to modify the contract for Corrosion Control Air Handling Equipment Maintenance Services with Cornerstone Services, for the Division of Sewerage and Drainage; and to authorize the expenditure of \$100,000.00. (\$100,000.00)
- CA [2416-2003](#) To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release a certain sewer easement, located in the vicinity of 750 Stelzer Road and East Fifth Avenue, at the request of Kemp, Schaeffer, Rowe & Lardiere Co., L.P.A. in exchange for a replacement easement previously granted to the City of Columbus, Ohio and to declare an emergency.

- CA [2458-2003](#) To authorize and direct the Finance Director to enter into a contract for an option to purchase Fine Bubble Air Diffusers & Parts, with Delaney and Associates, to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)

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

ADMINISTRATION: BOYCE, CHR. SENSENBRENNER MENTEL HABASH

- [2233-2003](#) To authorize and direct the Director of the Office of Education to accept a grant in the amount of \$40,000.00 and enter into an agreement with The Columbus Foundation for funding to support after school programming, to authorize an appropriation of \$40,000.00 from the unappropriated balance of the Education Private Grant Fund No. 291 to the Office of Education.(\$40,000.00)

RECREATION & PARKS: BOYCE, CHR. SENSENBRENNER THOMAS HABASH

- [2436-2003](#) To authorize and direct the transfer of \$350,000.00 between Objects within the Special Purpose Fund 223, Various Park Improvements Sub-fund 025 to properly align appropriations in order to complete necessary expenditure corrections, and to declare an emergency. (\$350,000.00)

SAFETY & JUDICIARY: MENTEL, CHR. BOYCE THOMAS HABASH

- [2384-2003](#) To authorize and direct the transfer of \$477,000.00 from the Finance Director's Office to the Division of Fire General Fund Budget to provide funds for pharmaceutical and medical supplies purchases; and to declare an emergency. (\$477,000.00)
- [2362-2003](#) To authorize and direct the City Attorney to settle the lawsuit of Sandra Trask-Tyler, et al. v. Columbus City Recreation & Parks Department, et al., Court of Common Pleas of Franklin County, Ohio, Case No. 02 CVC 02-1791, to authorize the expenditure of \$55,000.00, and to declare an emergency.
- [2388-2003](#) To authorize the Mayor of the City of Columbus to accept United States Department of Justice, Community Oriented Policing Services (COPS) funding under the COPS Interoperable Communications Technology Grant Program of \$2,506,913.00, to authorize the appropriation of same, and to declare an emergency.
- [2404-2003](#) To authorize and direct the City Attorney to settle the lawsuit of Terence Tabaczynski v. The City of Columbus, et al., United States District Court Case No. C2-02-536, to authorize the expenditure of

\$39,000.00, and to declare an emergency.

DEVELOPMENT: O'SHAUGHNESSY, CHR. BOYCE TAVARES HABASH

2414-2003 To authorize and direct the City Auditor to adjust appropriations and transfer \$358,538.00 within Department of Development, Development Services Fund; and to declare an emergency. (\$358,538.00)

2442-2003 To authorize the Director of Development to enter into an agreement with the Greater Linden Development Corporation for a tax abatement of seventy-five percent (75%) for a period of ten (10) years in consideration of a proposed \$2.9 million investment in real property improvements and furniture & fixtures and the creation of five (5) new jobs; and to declare it an emergency.

2446-2003 An ordinance authorizing the City Clerk to execute and sign on behalf of the City of Columbus and the Columbus City Council the Petition for the creation of The RiverSouth Authority; and to declare an emergency.

2461-2003 To authorize & direct the Development Director to pay the attorney fees and court costs to J. Michael Murray Esq., as legal counsel in the case of Franklin Jefferson, Ltd, et al v. City of Columbus, United States District Court, Southern District of Ohio; to authorize the expenditure \$47,136.52 from the Development Services Fund; and to declare an emergency. (\$47,136.52)

UTILITIES: THOMAS, CHR. MENTEL O'SHAUGHNESSY HABASH

363X-2003 To authorize the Director of Public Utilities, on behalf of the Division of Electricity, to cause plans and specifications to be prepared for installing ornamental street lighting with underground wiring in the Madison Mills Subdivision under the assessment procedure.

2234-2003 To appropriate and authorize the City Auditor to transfer \$1,423,348.00 from the Special Income Tax Fund to the Voted 1995, 1999 Refuse Collection Fund; to authorize and direct the Finance Director to enter into contract with ESEC Corporation dba Columbus Peterbilt and Schodorf Truck Body and Equipment Company for the purchase of truck cabs and chassis and bodies, respectively, which collectively constitute nine (9) automated side loader refuse collection trucks for the Refuse Collection Division; to authorize the expenditure of \$1,423,348.00 from the Voted 1995, 1999 Refuse Collection Fund, and to declare an emergency. (\$1,423,348.00)

2235-2003 To appropriate and authorize the City Auditor to transfer \$367,728.00 from the Special Income Tax Fund to the Voted 1995, 1999 Refuse

Collection Fund; to authorize and direct the Finance Director to enter into contract with Graham Ford for the purchase of three (3) manual side loader refuse collection trucks for the Refuse Collection Division; to authorize the expenditure of \$367,728.00 from the Voted 1995, 1999 Refuse Collection Fund, and to declare an emergency. (\$367,728.00)

2236-2003

To appropriate and authorize the City Auditor to transfer \$1,606,744.00 from the Special Income Tax Fund to the Voted 1995, 1999 Refuse Collection Fund; to authorize and direct the Finance Director to enter into contract with ESEC Corporation dba Columbus Peterbilt and McNeilus Truck and Manufacturing Company for the purchase of truck cabs and chassis and bodies, respectively, which collectively constitute twelve (12) rear loading refuse collection trucks for the Refuse Collection Division; to authorize the expenditure of \$1,606,744.00 from the Voted 1995, 1999 Refuse Collection Fund and to declare an emergency. (\$1,606,744.00)

2324-2003

To authorize the Director of Public Utilities to modify the contract for Corrosion Control Air Handling Equipment Maintenance Services with Cornerstone Services, for the Division of Sewerage and Drainage; and to authorize the expenditure of \$100,000.00. (\$100,000.00)

2407-2003

To authorize the Director of the Department of Public Utilities to execute those documents necessary to release a certain portion of a water utility easement, located in the vicinity of Hamilton Road and Broadview Road, at the request of the Ben W. Hale, Jr., Trustee and to declare an emergency.

RULES & REFERENCE: HABASH, CHR. MENTEL SENSENBRENNER TAVARES**2431-2003**

To modify Chapter 3372, "Planning Overlay", of the Columbus Zoning Code (Title 33) by renaming the 'Morse Road Planning Overlay' and 'High Street North of Morse Road Planning Overlay' with generic titles in order to facilitate their future application to additional corridors and/or areas, thereby creating a three-tiered structure of overlay districts.

ADJOURNMENT