

# City of Columbus

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



## Minutes - Final

Monday, June 16, 2003

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. 20 OF COLUMBUS CITY COUNCIL,  
MONDAY, JUNE 16, 2003 at 5:00 P.M. IN COUNCIL  
CHAMBERS.**

**ROLL CALL**

**READING AND DISPOSAL OF THE JOURNAL**

**COMMUNICATIONS AND REPORTS RECEIVED BY CITY  
CLERK'S OFFICE**

**THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE  
CITY CLERKS OFFICE AS OF MONDAY, JUNE 16, 2003**

**[New Type: D4**  
**To:** Columbus Roadrunners  
DBA CRB  
3505 Parsons Av  
Columbus Ohio 43207

**New Type: D5**  
**To:** El Milagro Corporation  
DBA La Casita  
1355 Bethel Rd & Patio  
Columbus Ohio 43220

**New Type: D1**  
**To:** UDIPI Cafe Inc  
DBA UDIPI Cafe  
2001 E Dublin Granville Rd  
Village Center  
Columbus Ohio 43229

**New Type: D3, D3A**  
**To:** Daniel L Pizzurro  
DBA El Grotto  
2324 W Broad St  
Columbus Ohio 43204

**New Type: C2**  
**To:** Livingston Ave Gas Station  
DBA Marathon  
3851 E Livingston Av  
Columbus Ohio 43227

**New Type: C1, C2**  
**To:** Sullivant Ave Inc  
DBA Marathon  
3464 Sullivant Av  
Columbus Ohio 43204

**Transfer Type:** D5J, D6

**To:** N A P Venture Partners LLC

391 Neil Av & Patio

Columbus Ohio 43215

**From:** Columbus Hospitality LLC

DBA Margarita Mamas

391 Neil Av & Patio

Columbus Ohio 43215

**Transfer Type:** D2, D2X, D3, D3A

**To:** Kopsun LLC

DBA Zyng Noodlery

1368 Grandview Ave

Columbus Ohio 43212

**From:** Daniel L Pizzurro

DBA El Groto

1st Fl Bsmt & Patio

2324 W Broad St

Columbus Ohio 43204

**Transfer Type:** D2, D2X, D3, D3A, D6

**To:** James & Kimberly Grinstead

1183-85 N Wilson Rd

Columbus Ohio 43204

**From:** Royer Co Inc

1183-85 N Wilson Rd

Columbus Ohio 43204

**Transfer Type:** D2, D2X

**To:** Chung M Aun Inc

DBA Japanese Oriental Restaurant

2283 N High St

Columbus Ohio 43201

**From:** Lims Interprize Inc

DBA Japanese Oriental Restaurant

2283 N High St 1st Fl & Bsmt

Columbus Ohio 43201

**Transfer Type:** D1, D2, D3, D3A

**To:** Polaris Host Inc

DBA Texas Roadhouse

8440 Lyra Dr

Columbus Ohio 43240

**From:** LBR 2013 Corp

DBA D&R Lounge

2013 Lockbourne Rd

Columbus Ohio 43207

Michael L Knopp

**Transfer Type:** D5

**To:** Claddagh Pubs of Polaris LLC

DBA Claddagh Irish Pub

8745 Sancus Blvd

Columbus Ohio 43240  
**From:** City Barbeque Inc  
5979 E Main St  
Columbus Ohio 43213

**Transfer Type:** D1  
**To:** Daniel L Pizzurro  
DBA El Grotto  
2324 W Broad St  
Columbus Ohio 43204  
**From:** Daniel L Pizzurro  
DBA Westside Bar  
2422 W Broad St  
Columbus Ohio 43223

ADVERTISE 6/21/03  
RETURN 6/30/03]

## RESOLUTIONS OF EXPRESSIONS

To recognize and honor the Most Reverend James A. Griffin, J.D., J.C.L. for 20 years as Bishop of the Diocese of Columbus, Ohio.

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

To recognize and congratulate the **Ohio High School Football Coaches Association** for bringing the fifty-eighth **Grange Insurance Annual Ohio All-Star Classic Football Game** to Crew Stadium in Columbus, Ohio on Saturday June 21st, 2003.

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

## ADDITIONS OR CORRECTIONS TO THE AGENDA

### THE FOLLOWING ITEMS WERE REMOVED FROM CONSENT ACTION

#### DEVELOPMENT 1505-2003

#### FR FIRST READING OF 30-DAY LEGISLATION

#### SAFETY & JUDICIARY: MENTEL, CHR. BOYCE HABASH THOMAS

FR

To authorize and direct the Safety Director of the City of Columbus to apply for and if awarded accept a Homeland Security Overtime Program grant from the U.S. Department of

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Justice, Office of Community Oriented Policing Services. (\$999,833.00)

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

- FR** To authorize the creation of a Special Revenue Environmental Fund with a maximum allotment of \$100,000 to provide a funding mechanism to cover the costs of litigating public nuisance abatement actions and proceedings in aid of execution of judgment, such as foreclosure actions; and to earmark all fines paid by persons convicted of violating any housing, building, zoning, health, safety, fire, air pollution or sanitation ordinance of the Columbus City Code, all awards of judgment obtained by the City in enforcing its housing, building, zoning, health, safety, fire, air pollution or sanitation ordinances, and all monetary contempt penalties imposed by the Environmental Division of the Franklin County Municipal Court to enforce its orders relative to public nuisance abatement actions and housing, building, zoning, health, safety, fire, air pollution or sanitation ordinances as the source of monies for this Fund.

**CA CONSENT ACTIONS**

**ADMINISTRATION: BOYCE, CHR. HABASH SENSENBRENNER  
MENTEL**

- CA** To authorize the Finance Director to issue a purchase order for the procurement of natural gas from Columbia Gas for Choice Account purchases, to authorize the expenditure of \$95,000 from the General Fund, and to declare an emergency. (\$95,000.00)

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

- CA** To authorize the Public Service Director to modify and extend a lease agreement for the Facilities Management Division with the 3042 Trust c/o Decker Construction Company, for office space for the Community Policing Center #15 and the Strategic Response Bureau for the Police Division, to authorize the expenditure of \$198,184.32 from the General Fund, and to declare an emergency. (\$198,184.32)

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

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

- CA** To authorize and direct the Director of the Department of Finance on behalf of the Municipal Court Clerk to issue a purchase order to the Oracle Corporation for ongoing Oracle maintenance support, to authorize the expenditure of \$46,464.00 from the Court Clerk Computer Special Revenue Fund and to declare an emergency. (\$46,464.00)

**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 relocation of certain public street as part of the Gateway Area Revitalization Initiative Project, and to declare an emergency.

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

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

CA

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN03-021) of 0.716± Acres in Mifflin Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

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

CA

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN03-020) of 1.27± Acres in Mifflin Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

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

## **Passed The Consent Agenda**

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

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

To authorize an appropriation of \$54,330.60 from the unappropriated monies in the Hazardous Material Incidents Reimbursement Fund, for the Division of Fire to provide funds for supplies and equipment needed for hazardous material incidents.(\$54,330.60)

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

To authorize the Director of Public Safety to execute a contract modification with Kenneth W. Borror, for E-911 Consulting Services, for the Division of Communications, and to authorize the expenditure of \$27,940.00

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

To authorize and direct the Safety Director to enter into an agreement for the training of canines for the Division of Police, to waive the City Code provision of competitive bidding, to authorize the expenditure of \$39,786.00 from the General Fund. (\$39,786.00)

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

To authorize the City Attorney to compromise and settle with long-term car leasing companies for the payment of overdue parking tickets on terms and conditions acceptable to City Council, and to declare an emergency.

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

To authorize the City Attorney to enter into a contract with Michael S. Brining to serve as the City Attorney's Office, Prosecutor's Division's Stalking Unit Investigator, to authorize the expenditure of an amount not to exceed Forty-Seven Thousand Two Hundred and Eight Dollars and 00/100 (\$47,208.00) for services rendered pursuant thereto, to waive the competitive procurement provisions of Chapter 329 of the Columbus City Codes, and to declare an emergency. (\$47,208.00)

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

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

To adopt the North Linden Neighborhood Plan as a guide for future improvements, investments and actions within the North Linden neighborhood.

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

To authorize the Director of the Department of Development to enter into and execute those documents necessary to purchase real property for the Taylor Avenue Homes Project; to authorize the appropriation and transfer of \$300,000.00 from the Special Income Tax Fund to the Northland and Other Acquisition Fund; to authorize the expenditure of \$300,000.00; and to declare an emergency. (\$300,000.00)

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

To authorize the Director of the Department of Development to enter into a Columbus Downtown Office Incentive Program agreement with Keglner, Brown, Hill & Ritter as provided in Columbus City Council Resolution 144X-02 adopted July 22, 2002.

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

To authorize the Director of the Department of Development to enter into a Columbus Downtown Office Incentive Program agreement with Ten/Resource as provide in Columbus City Council Resolution 144X-02 adopted July 22, 2002.

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

CA

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN03-019) of 0.39± Acres in Perry Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

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

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

To authorize the expenditure of \$180,000 from the Community Development Block Grant Fund for the purpose of continuing the Housing Division's optional relocation assistance program. (\$180,000)

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

To authorize the Director of the Department of Development to enter into contract with Community Research Partners; and to authorize the expenditure of \$70,000 from the Community Development Block Grant Fund. (\$70,000)

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

To authorize the Director of the Department of Development to enter into contract with the Community Shelter Board to support the Rebuilding Lives program; to authorize the expenditure of \$205,000.00 from the FY 2003 General Fund; and to declare an emergency. (\$205,000.00)

**A motion was made by Tavares, seconded by President Pro-Tem Boyce, that this matter be Approved. The motion carried by the following vote:**

To authorize the Director of the Department of Development to enter into contract with the Community Shelter Board; to authorize the expenditure of \$1,131,000 from the FY2003 General Fund; to authorize the expenditure of \$500,000 from the Emergency Human Services Fund; and to declare an emergency. (\$1,631,000.00)



**A motion was made by Tavares, seconded by President Pro-Tem Boyce, that this matter be Approved. The motion carried by the following vote:**

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

To authorize the Finance Director to establish a purchase order with the Solid Waste Authority of Central Ohio for landfill use by the Transportation Division; to authorize the expenditure of \$160,000.00 or so much thereof as may be needed from the Street Construction, Maintenance and Repair Fund; to waive the formal competitive bidding requirements of the Columbus City Code and to declare an emergency. (\$160,000.00)

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

To increase an existing Auditor's Certificate by \$30,000.00 from the Water Limited Fund, for the Morse Road Reynoldsburg-New Albany 36" Water Main Project and to declare an emergency. (\$30,000.00).

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

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

To authorize the Director of Public Utilities to enter into a contract with AMCO Water Metering Systems, for turbine style meters, for the Division of Water, in accordance with the sole source provisions of the Columbus City Code, to amend the 2002 C.I.B., to authorize the City Auditor to transfer funds within the Water Works Enlargement Voted 1991 Bonds Fund, to authorize the expenditure of \$60,000.00 from the Water Works Enlargement Voted 1991 Bonds Fund, and to declare an emergency. (\$60,000.00)

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

To authorize the Director of Public Utilities to execute a new Sewerage Service Agreement on behalf of the City of Columbus with the Commissioners of Franklin County, Ohio, for the Division of Sewerage and Drainage, and to declare an emergency.

**A motion was made by President Mentel, seconded by President Pro-Tem Boyce, that this matter be Approved. The motion carried by the following vote:**

To declare the determination of City Council to proceed with the construction of the sanitary sewer improvements associated with the Hillock/Lewis Roads Assessment Area Sewer, Part 2 Project, in accordance with the assessment procedures set forth by Columbus City Charter, for the Division of Sewerage and Drainage; and to declare an emergency.

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

To declare a necessity to construct sanitary sewer improvements known as the Strimple, Kilbourne, and Minerva Avenues Assessment Sewer Project, and to approve the plans, specifications, estimates and the profiles in accordance with the assessment procedures of the

Columbus City Charter, for the Division of Sewerage and Drainage.

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

To declare a necessity to construct sanitary sewer improvements known as Willow Springs Area Assessment Sewer, and to approve the plans, specifications, estimates and profiles in accordance with the assessment procedures of the Columbus City Charter, for the Division of Sewerage and Drainage.

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

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

To amend Chapter 1105 of the Columbus City Codes, 1959, regarding terminology located within the Yard Restoration portion of the Code.

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

## **ADJOURNMENT**

**A motion was made by President Mentel, seconded by Sensenbrenner, to adjourn this Regular Meeting. The motion carried by the following vote:**