



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, April 11, 2005

5:00 PM

City Council Chambers, Rm 231

**REGULAR MEETING NO. 20 OF COLUMBUS CITY COUNCIL, APRIL 11, 2005 at
5:00 P.M. IN COUNCIL CHAMBERS.**

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

C0012-2005

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE
CITY CLERK'S OFFICE AS OF WEDNESDAY, APRIL 6, 2005:

New Type: C1, C2

To: D K A Inc
DBA Kelleys Carryout
1521 N Fourth St
Columbus, Ohio 43201
permit # 22152360005

New Type: D2, D3

To: Project Vehicle Inc
DBA Mrs Wiggins Ice Cream
937 N High St
Columbus, Ohio 43215
permit # 7095363

Transfer Type: D5

To: 5th 231 LLC
DBA Cove Lounge
231 N Fifth St
Columbus, Ohio 43215
From: 2414 ABC Inc
DBA 2414 Club
2414 W Broad St
Columbus, Ohio 43204
Raymond Baker III
permit # 2714629

Transfer Type: D5, D6
To: Newport Music Hall LLC
DBA Newport Music
1722 North High St
Columbus, Ohio 43201
From: Promowest Productions Inc
DBA Newport Music
1722 N High St
Columbus, Ohio 43201
permit # 6379257

Transfer Type: D5
To: Baxter Bob Corp
461 Commerce Sq
Columbus, Ohio 43228
From: Rob R E Corp
461 Commerce Sq
Columbus, Ohio 43228
permit # 0526966

Transfer Type: D1, D3, D3A
To: NPK 1 Inc
Bsmt & 1st Fl & Mezz 1 & 2
2159 N High Street
Columbus, Ohio 43201
From: MEA Group LLC
DBA Roxy
Bsmt & 1st Fl & Mezz 1 & 2
2159 N High St
Columbus, Ohio 43201
permit # 6277355

Transfer Type: C1, C2
To: Atcheson Market Inc
DBA Atcheson Market
436 N Champion Av
Columbus, Ohio 43203
From: B J Market Inc
DBA B J Market
436 N Champion Av
Columbus, Ohio 43203
permit # 0305920

Advertise 4/16/05
Return 5/01/05

RESOLUTIONS OF EXPRESSION**HUDSON**

- 0064X-2005** To recognize and congratulate the Columbus Business and Professional Women's Organization on its 85 years of promoting the equality of all women in the workplace through advocacy, education and information.

Sponsors: Mary Jo Hudson

ADDITIONS OR CORRECTIONS TO THE AGENDA**FR FIRST READING OF 30-DAY LEGISLATION****SAFETY & JUDICIARY: MENTEL, CHR. BOYCE THOMAS HABASH**

- FR** **0516-2005** To authorize and direct the Director of Public Safety to enter into a contract with Motorola C & E for backup maintenance service required for continued operation of the Fire and Police 800 MHz Radio, Wireless PA, and Mobile Data RF Communication Systems in accordance with the provisions of sole source procurement, to authorize the expenditure of \$72,554.28 or so much thereof as needed, from the Division of Support Services' Cable Fund. (\$72,554.28).

DEVELOPMENT: O'SHAUGHNESSY, CHR. HUDSON TAVARES HABASH

- FR** **0429-2005** To accept the application (AN04-026) of James J. Kramer, et al. for the annexation of certain territory containing 44.7 ± Acres in Washington Township.
- FR** **0433-2005** To accept the application (AN04-033) of George P. Benua, et al. for the annexation of certain territory containing 50.6 ± Acres in Blendon Township.

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

- FR** **0045X-2005** To request the Director of the Ohio Department of Transportation to lower the speed limit on S.R. 315 between I-670 and Lane Avenue to 55 mph from the posted speed of 65 mph, and to repeal any and all previous speed limit resolutions on S.R. 315 between I-670 and Lane Avenue.
- FR** **0372-2005** To authorize the Public Service Director to enter into a Guaranteed Maximum Cost Agreement with Capitol South Community Urban Redevelopment Corporation to construct downtown streetscape improvements on Gay Street between Front Street and Fourth Street

for the Transportation Division; to waive the competitive bidding requirements of the Columbus City Code, 1959, and to authorize the expenditure of \$350,000.00 from the 1995, 1999 Voted Streets and Highways Fund. (\$350,000.00)

FR [0374-2005](#) To authorize the Public Service Director to enter into a Guaranteed Maximum Cost Agreement with Grant Partners LLC for the construction of downtown streetscape improvements on Grant Avenue between Walnut Street and Rich Street for the Transportation Division; to waive the competitive bidding requirements of the Columbus City Code, 1959, and to authorize the expenditure of \$125,000.00 from the 1995, 1999 Voted Streets and Highways Fund. (\$125,000.00)

FR [0377-2005](#) To authorize the Public Service Director to enter into a Guaranteed Maximum Cost Agreement with JDS Spring LLC for the construction of downtown streetscape improvements on Spring Street between Pearl Street and Third Street, in front of 60 East Spring Street for the Transportation Division; to waive the competitive bidding requirements of the Columbus City Code, 1959, and to authorize the expenditure of \$125,000.00 from the 1995, 1999 Voted Streets and Highways Fund. (\$125,000.00)

FR [0669-2005](#) To accept the plat titled ALKIRE WOODS, from ALKIRE WOODS, LLC, by ROLAND S. GILLER, III, President of VILLAGE COMMUNITIES CORPORATION, Managing Member and to declare an emergency.

(DEPT. REQUEST TO AMEND TO EMERGENCY)

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

FR [0699-2005](#) To authorize the Director of the Department of Development to enter into contract with the United Way of Franklin County to support Operation Feed; and to authorize the expenditure of \$79,728.00 from the General Fund. (\$79,728.00)

(REQUEST TO WAIVE SECOND READING)

UTILITIES: THOMAS, CHR. MENDEL O'SHAUGHNESSY HABASH

FR [0486-2005](#) To authorize the Director of Public Utilities to enter into a contract with Loft Painting Co., Inc. for the painting of two elevated water tanks at the East Broad Street Tankyard 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 \$449,677.00 from the Water Works Enlargement Voted 1991 Bonds Fund. (\$449,677.00)

FR [0547-2005](#) To authorize the Director of Public Utilities to enter into a contract with Columbus Asphalt Paving, Inc. for Far East Water Line Improvements

for the Division of Water and to authorize the expenditure of \$1,152,820.95 for construction and \$147,179.05 for inspection services by the Transportation Division from the Water Works Enlargement Voted 1991 Bonds Fund. (\$1,300,000.00)

RECREATION & PARKS: HABASH, CHR. BOYCE, MENDEL, THOMAS

FR [0606-2005](#) To authorize and direct the City Auditor to make payment of \$1,415.70 for vacation time benefits which were accrued in excess of the maximum carryover amount established by the collective bargaining agreement between the City of Columbus and AFSCME, and to authorize the expenditure of \$1,415.70 from the Recreation and Parks Operating Fund. (\$1,415.70)

FR [0648-2005](#) To authorize and direct the Director of Recreation and Parks to grant consent to the Union Station Foundation to apply for permission to sell alcoholic beverages at Dancing & Rocking in the Streets, June 24 - 25, 2005.

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

FR [2239-2004](#) To amend Ordinance #0316-03 (Z02-093), passed March 10, 2003, by repealing Section 3 in its entirety and replacing it with a new Section 3 thereby modifying the CPD text and site plan to allow a new parking lot design with additional parking spaces for property located at 5700 FRANTZ ROAD (43016), and to declare an emergency.

FR [0495-2005](#) To grant a Variance from the provisions of Section 3356.03, C-4 permitted uses; for the property located at 1204-1206 NORTH SIXTH STREET (43201), to permit an existing two-family dwelling with reduced development standards in the C-4, Commercial District.

FR [0637-2005](#) To rezone 1345 COMMUNITY PARK DRIVE (43229), being 1.20± acres located on the south side of Community Park Drive 935± feet west of Cleveland Avenue, From: R, Rural District, To: L-C-2, Limited Commercial District (Z05-003).

FR [0653-2005](#) To rezone 5635 FEDER ROAD (43219), being 8.3± acres located at the southeast corner of Feder Road and Hartford Village Boulevard, From: CPD, Commercial Planned Development District, To: L-AR-12, Limited Apartment Residential District (Rezoning Z04-085).

CA CONSENT ACTIONS

ADMINISTRATION: BOYCE, CHR. MENDEL HUDSON HABASH

[0514-2005](#) To authorize the Finance Director to transfer \$100,000 within the General Fund, Department of Finance, to authorize and direct the Director of Finance to establish purchase orders for the payment of

annual membership dues or subscriptions for the City of Columbus for the National League of Cities, the Ohio Municipal League, the U.S. Conference of Mayors, the Central Ohio Municipal Alliance, the Government Finance Officers' Association, the National Conference of Black Mayors, and Gongwer Hannah News Service, and to authorize the expenditure of \$100,000 from the general fund (\$100,000)

- CA [0728-2005](#) To authorize and direct the Finance Director to enter into a contract for an option to rent Non-Safety Forces Uniforms and Building Maintenance Supplies with Spirit Services Company, to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)

**JOBS AND ECONOMIC DEVELOPMENT: HUDSON, CHR. O'SHAUGHNESSY
THOMAS HABASH**

- [0565-2005](#) To authorize the appropriation of \$114,810.00 from the Capital South Fund; to authorize the Director of the Department of Development to enter into an agreement with the Columbus Downtown Development Corporation; and to authorize the expenditure of \$114,810 from the Capital South Fund. (114,810.00)

SAFETY & JUDICIARY: MENDEL, CHR. BOYCE THOMAS HABASH

- CA [0586-2005](#) To authorize the City Attorney to execute those documents necessary to accept title to certain real property, located in the vicinity of Indianola Avenue and Clinton Heights Avenue, from Columbus Infill Development Company, LLC, and to declare an emergency.
- CA [0630-2005](#) To authorize and direct the Finance Director to modify the contract with Meggs Associates, D.B.A. CRISNet for the Division of Police for the purchase of the third year of maintenance and support, and to authorize the expenditure of \$170,110.00 from the Law Enforcement Block Grant Funds; and to declare an emergency. (\$170,110.00)
- CA [0664-2005](#) To authorize the acceptance of a supplemental grant award from the Franklin County Board of Commissioners, Justice Programs Unit and appropriation of funds in the amount of Five Thousand Seventy-Three and no/100 Dollars (\$5,073.00) for the funding of the VAWA Domestic Violence Prosecutors program, to authorize the transfer and appropriation of matching funds required by the acceptance of the grant in the amount of One Thousand Six Hundred Ninety and no/100 Dollars (\$1,690.00) and to declare an emergency. (\$6,763.00)
- CA [0667-2005](#) To authorize and direct the appropriation of \$6,000.00 and transfer of \$700.00 within the FY2003 Local Law Enforcement Block Grant (LLEBG) account for the purchase of software customization services, and to declare an emergency. (\$6,700.00)

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

- CA [0576-2005](#) To authorize the Board of Health to enter into a contract with the Franklin County Board of Health for cardiovascular health education services; to authorize the expenditure of \$24,000 from the Health Department Grants Fund, and to declare an emergency. (\$24,000)
- CA [0632-2005](#) To authorize the Director of the Development Department to enter into a contract with the Mid-Ohio Regional Planning Commission for the Homebuyer Education Program; to authorize the expenditure of \$20,000 from the 2005 Community Development Block Grant Fund; and to declare an emergency. (\$20,000)
- CA [0633-2005](#) To authorize the Director of the Department of Development to enter into a contract with Homes On The Hill for The Homebuyer Education Program; to authorize the expenditure of \$25,000 from the Community Development Block Grant Fund; and to declare an emergency. (\$25,000.00)
- CA [0634-2005](#) To authorize the Director of the Department of Development to enter into a contract with Columbus Housing Partnership to fund the Homebuyer Education Program; to authorize the expenditure of \$125,000 from the Community Development Block Grant Fund; and to declare an emergency. (\$125,000)

UTILITIES: THOMAS, CHR. MENDEL O'SHAUGHNESSY HABASH

- CA [0508-2005](#) To authorize the City Auditor to issue payment in the amount of \$60,000.00 to the Mid-Ohio Regional Planning Commission (MORPC) for the purposes of providing funding for the Franklin County Greenway Plan, and to authorize the expenditure of \$60,000.00 from the Storm Sewer Operating Fund for the Division of Sewerage and Drainage. (\$60,000.00)
- CA [0571-2005](#) To authorize and direct the Finance Director to enter into a primary and secondary contracts for an option to purchase Lawn Maintenance Services, with W.A.Q. Inc., and Hickman Lawn Care, to authorize the expenditure of two dollars to establish the contracts from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$2.00)
- CA [0587-2005](#) To authorize the Finance Director to increase the contract with Itron, Incorporated, for the continued maintenance of software and hardware of the data capturing system, for the Division of Water, in accordance with the sole source provisions of the Columbus City Code, to authorize the expenditure of \$20,589.48 from Water Systems Operating Fund, and to declare an emergency. (\$20,589.48)
- CA [0607-2005](#) To authorize the Director of Public Utilities to establish a Purchase Order with Hickman Lawn Care, Inc., for Lawn Maintenance in Zones

1, 2, and 3 from the current citywide contract for the option to purchase such services, for the Division of Sewerage and Drainage; to authorize the expenditure of \$157,000.00 from the Sewerage System Operating Fund; and to declare an emergency. (\$157,000.00)

- CA** [0655-2005](#) To authorize and direct the Finance Director to modify by extending a contract for the option to purchase 300 Gallon Refuse Containers with Rotonics Manufacturing, Inc., and to declare an emergency.

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

ADMINISTRATION: BOYCE, CHR. MENTEL HUDSON HABASH

- [0533-2005](#) To authorize and direct the Finance Director to modify and extend the existing citywide contract for the option to purchase wireless voice and data services, excluding those wireless data services being used by the Department of Safety, Division of Police, via modems, from Cingular Wireless, to waive competitive bidding requirements and to declare an emergency.

JOBS AND ECONOMIC DEVELOPMENT: HUDSON, CHR. O'SHAUGHNESSY THOMAS HABASH

- [0559-2005](#) To authorize the Director of Development to enter into an agreement with Morrison Medical LTD for a tax abatement of sixty percent (60%) for a period of seven (7) years in consideration of a proposed \$1,250,000 investment in real property improvements, machinery & equipment and new inventory, retention of 25 (twenty-five) full-time permanent jobs and the creation of 5 (five) full-time permanent jobs.

- [0591-2005](#) To authorize the City Auditor to transfer an amount not to exceed \$450,000 within the Voted 1995-1999 Streets and Highways Fund; to authorize the transfer of \$450,000 from Fund 704 Voted 1995-1999 Streets and Highways Fund to Fund 735 Northland and Other Acquisitions Fund; to authorize the appropriation of \$450,000 from Fund 735 Northland and Other Acquisitions Fund to the Department of Development for the purpose of designing the remaining roadways on the Northland Park redevelopment site; and to declare an emergency. (\$450,000)

- [0657-2005](#) To authorize the Director of Development to consent to the transfer and assignment of the Enterprise Zone Agreement to 274 First, AGA, LLC; and to declare an emergency.

SAFETY & JUDICIARY: MENTEL, CHR. BOYCE THOMAS HABASH

- [0401-2005](#) To authorize and direct the City Attorney to extend contracts with Capital Recovery Systems, Inc and Linebarger, Goggan, Blair & Sampson LLP (formerly Scoliere & Associates) to authorize the City

Attorney to expend up to Four Hundred Thousand and no/100 Dollars (\$400,000.00) for services rendered pursuant thereto, to waive the competitive procurement provisions of Chapter 329 of the Columbus City Codes and to declare an emergency (\$400,000.00)

0483-2005

To authorize the Mayor to execute the First Amendment to the Lease Agreement between the City of Columbus and the State of Ohio, acting through the Ohio Cultural Facilities Commission, for the lease of the property formerly known as Central High School, and to declare an emergency.

(TABLED 4/4/05)

0546-2005

To authorize and direct the Director of Public Safety to accept a High Intensity Drug Trafficking Area (HIDTA) Task Force funding award, to enter into contract with Higgins Contracting, to authorize the appropriation of \$51,274.00 from the unappropriated balance of the General Government Grant Fund to the Division of Police, to authorize the expenditure of \$51,274.00 from the Task Force Funding, to waive the provisions of Columbus City Codes Chapter 329; and to declare an emergency. (\$51,274.00)

0610-2005

To authorize the Clerk of the Franklin County Municipal Court to enter into an agreement with Maximus, Inc. for an Integrated Document Management System and application support, to waive all competitive bidding provisions of the Columbus City Codes, to authorize the expenditure of \$318,710.75 from the Clerk's Special Revenue Fund, and to declare an emergency. (\$318,710.75)

**PUBLIC SERVICE & TRANSPORTATION: O'SHAUGHNESSY, CHR. HUDSON
TAVARES HABASH****0446-2005**

To authorize the Public Service Director to enter into a professional engineering services contract for the Transportation Division with Dynotec, Inc. for the design of the Milo-Grogan Improvements project; and to authorize the expenditure of \$920,000.00 from the 1995, 1999 Voted Streets and Highways fund. (\$920,000.00).

0538-2005

To authorize the transfer of \$277,668.40 within and from the 1995, 1999 Voted Streets and Highways Fund to the State Issue Two Street Projects Fund to eliminate existing cash deficits for closed grants for the Transportation Division and to declare an emergency. (\$277,668.40)

**HEALTH, HOUSING & HUMAN SERVICES: TAVARES, CHR. BOYCE THOMAS
HABASH****0593-2005**

To authorize the Board of Health to enter into a contract with OSU Occupational Medicine of The Ohio State University Medical Center, for occupational health physician services for the Occupational Health & Safety Clinic, to authorize the expenditure of \$114,400 from the

Health Special Revenue Fund, and to declare an emergency.
(\$114,400)

0635-2005

To authorize and direct the appropriation of \$1,000,000.00 (or greater or lesser sum as set forth in the Background) from the Hotel/Motel Excise Tax fund; to authorize the Director of the Development Department to enter into a contract with the Columbus/Franklin County Affordable Housing Trust Corporation; to authorize the expenditure of \$1,000,000 in accordance with the agreement between the City and the Corporation regarding the use of said funds in order to facilitate the production of affordable housing and enhance home ownership opportunities in Columbus; and to declare an emergency.
(\$1,000,000.00)

UTILITIES: THOMAS, CHR. MENDEL O'SHAUGHNESSY HABASH**0499-2005**

To authorize the Finance Director to establish Blanket Purchase Orders, for water treatment chemicals, from established Universal Term Contracts with Envirotrol Inc., Univar USA, Carus Chemical Co., Carmeuse Lime/Black River Div., BOC Gases, and U.S. Aluminate, and Lucier Chemical Industries, Ltd., from a Universal Term Contract in process with Univar USA, for the Division of Water, to authorize the expenditure of \$7,366,071.85 from Water Systems Operating Fund, and to declare an emergency. (\$7,366,071.85)

0527-2005

To authorize the Director of Public Utilities to enter into a contract with Malcolm Pirnie, Inc. for the Dublin Road Water Plant Misc. Improvements - Raw Water Intake Improvements, for the Division of Water, to authorize the expenditure of \$564,182.00 from the Waterworks Enlargement Voted 1991 Bonds Fund. (\$564,182.00)

0554-2005

To authorize the appropriation of \$35,000 from the Special Purpose Fund, and to authorize the City Clerk to contract with Ralston Consulting, Inc., for \$25,200 of the \$35,000 to assist in the implementation of a public education and outreach effort, or PAD Program, to increase the cardiac arrest survival rate through a variety of methods, including greater access to automated external defibrillators and increasing the number of citizens trained in CPR and AED, and to declare an emergency. (35,000.00)

0555-2005

To authorize the City Attorney to acquire fee simple title and lesser interests; to contract for professional services; to authorize the transfer and expenditure of \$1,550,000.00 from within the Waterworks Enlargement Voted 1991 Bonds Fund in connection with two water supply capital improvement projects; to amend the 2004 Capital Improvement Budget for the Division of Water; and to declare an emergency. (\$1,550,000.00)

0560-2005

To authorize the Director of Public Utilities to execute a construction contract with Kokosing Construction Company, Inc., in connection with

the Rustic Bridge Area Sanitary Improvements Project; to authorize the appropriation of \$633,677.60 and the expenditure of \$633,677.60 from the Ohio Water Pollution Control Loan Fund; to amend the 2004 Capital Improvements Budget; for the Division of Sewerage and Drainage; and to declare an emergency. (\$663,667.60)

0568-2005

To authorize the Director of Public Utilities to modify the professional engineering services contract with URS Corporation, in connection with the Southerly Wastewater Treatment Plant Electrical System Upgrade project; to authorize the appropriation and expenditure of \$769,735.00 from the Ohio Water Pollution Control Loan Fund; and to declare an emergency. (\$769,735.00)

0645-2005

To authorize the Director of Public Utilities to establish an encumbrance payable to the State of Ohio Treasurer, Department of Natural Resources, for operation and maintenance services and water entitlement for the Alum Creek Reservoir, storage spaces #1 and #2, for the Division of Water, to authorize the expenditure of \$1,235,419.81 from Water Systems Operating Fund, and to declare an emergency. (\$1,235,419.81)

FROM THE FLOOR:**JOBS AND ECONOMIC DEVELOPMENT: HUDSON, CHR. O'SHAUGHNESSY****THOMAS HABASH****LA 0592-2005**

To authorize the Director of Development to enter into a contract with Columbus Urban Growth Corporation for the purpose of assisting the City in the redevelopment of the Northland Mall site; to authorize the expenditure of \$450,000 from the Northland and Other Acquisition Fund; and to declare an emergency. (\$450,000)

ADJOURNMENT