



# City of Columbus

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

## Agenda - Final Revised 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.*

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Monday, May 10, 2004

5:00 PM

City Council Chambers, Rm 231

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**REGULAR MEETING NO. 26 OF COLUMBUS CITY COUNCIL, MAY 10, 2004 at  
5:00 P.M. IN COUNCIL CHAMBERS.**

### ROLL CALL

### READING AND DISPOSAL OF THE JOURNAL

#### C0016-2004

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE  
CITY CLERK'S OFFICE AS OF WEDNESDAY, MAY 5, 2004:

New Type: C1, C2  
To: Trader Joes East Inc  
DBA Trader Joes  
3888 Townsfair Way  
Columbus Ohio 43219

New Type: D5  
To: Lounge County Inc  
2013 Lockbourne Rd  
Columbus Ohio 43207

New Type: D3, D3A  
To: Lounge County Inc  
2542 W Broad St Rear  
Columbus Ohio 43204

New Type: C1, C2  
To: Tamarkin Company  
DBA Giant Eagle Fuel Station  
2888 Bethel Rd  
Columbus Ohio 43220

Transfer Type: D5A, D6  
To: Platinum Lodging LLC  
DBA Holiday Inn

4560 Hilton Corporate Dr  
Columbus Ohio 43227  
From: B F Saul Co  
DBA Holiday Inn East  
4560 Hilton Corporate Dr  
Columbus Ohio 43227

Transfer Type: C1, C2  
To: Shabait Inc  
DBA North High Carryout  
2598 N High St 1st Fl Only  
Columbus Ohio 43202  
From: Scarlet & Grey Carryout Inc  
DBA Scarlet & Grey Café II  
2598 N High St 1st Fl Only  
Columbus Ohio 43202

Transfer Type: D1, D2, D6  
To: TMG Of Ohio LLC  
DBA Teds Montana Grill  
1025 Polaris Pkwy  
Columbus Ohio 43240  
From: Atlanta Operations A LLC  
DBA Atlanta Bread  
8711 Sancus Blvd & Patio  
Columbus Ohio 43240

ADVERTISE 05/15/04  
RETURN 05/26/04

## RESOLUTIONS OF EXPRESSION

### O'SHAUGHNESSY

#### 121X-2004

To Recognize the Ride of Silence and to declare Wednesday May 19, 2004 as a day of remembrance for all bicyclists killed or injured by motorists in Ohio.

**Sponsors:** Maryellen O'Shaughnessy

### TAVARES

#### 120X-2004

To honor and recognize Jonathan D. Bailey Sr., recipient of The diversity Ambassador Award.

**Sponsors:** Charleta B. Tavares

**ADDITIONS OR CORRECTIONS TO THE AGENDA****FR FIRST READING OF 30-DAY LEGISLATION****FINANCE: SENSENBRENNER, CHR. O'SHAUGHNESSY TAVARES HABASH**

**FR**     [0653-2004](#)     To authorize and direct the creation of a subfund for the purpose of depositing donations received for the purpose of various community education/information related activities, to appropriate an amount up to, but not to exceed, the cash in the fund not encumbered for any other purpose within the Special Purpose Fund, and to authorize the expenditure of those funds received and limited for the purpose of community education/information related activities. (REPEALED BY: ORD. #2155-2005 passed 02/13/06)

**FR**     [0785-2004](#)     To authorize the issuance of Notes pursuant to the "Development Agreement" previously entered into between the City of Columbus and Nationwide Arena, LLC authorized by ordinance 2202-98. (\$9,000,000)

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

**FR**     [0710-2004](#)     To accept the application (AN04-001) of Robert N. Phillips for the annexation of certain territory containing 70.51 ± Acres in Plain Township.

**FR**     [0850-2004](#)     To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of a parcel of real property held in the Land Bank pursuant to the Land Reutilization Program.

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

**FR**     [0722-2004](#)     To authorize the Public Service Director to enter into a \$150,000.00 Guaranteed Maximum Cost contract with the Central Ohio Transit Authority (COTA) for purposes of constructing public rights-of-way improvements around the Near East Transit Center; to authorize the appropriation and transfer of \$150,000.00 from the Special Income Tax Fund to the 1995, 1999 Voted Streets and Highways Fund and to authorize the expenditure of \$150,000.00 from the 1995, 1999 Voted Streets and Highways Fund for this purpose. (\$150,000.00)

**FR**     [0739-2004](#)     To repeal Ordinance 0890-01 and to accept the plat titled CHILMARK DRIVE DEDICATION AND EASEMENTS from THE LURIE FAMILY

LIMITED PARTNERSHIP, an Ohio Limited Partnership, THOMAS H. LURIE, General Partner and to declare an emergency.

- FR**     [0763-2004](#)     To authorize the Public Service Director to enter into a Guaranteed Maximum Cost Agreement with Capitol South Community Urban Redevelopment Corporation for design development and budgeting for future implementation of a Downtown Wayfinding Signage program within the City's Downtown District for the Transportation Division; to waive the competitive bidding requirements of the Columbus City Code, 1959, and to authorize the expenditure of \$47,000.00 from the 1995, 1999 Voted Streets and Highways Fund. (\$47,000.00)
- FR**     [0767-2004](#)     To accept the plat titled RESUBDIVISION OF McCUTCHEON CROSSING SECTION 5 BEING THE RESUBDIVISION OF LOTS 289, 290, 291, 292, 293, AND 294 OF McCUTCHEON CROSSING SECTION 5 (PB 103 PP. 2 & 3), from McCUTCHEON CROSSING ASSOCIATES, LLC, an Ohio limited liability company, by ROBERT A. MEYER, JR., Senior Vice President of DOMINION HOMES, INC., an Ohio corporation, Managing Member, and ERIC J. SCHOTTENSTEIN, president of JOSHUA INVESTMENT COMPANY, INC., an Ohio corporation, Member and to declare an emergency.
- FR**     [0772-2004](#)     To accept the plat titled THE GLEN AT SCHIRM FARMS SECTION 2, from THE GLEN AT SCHIRM FARMS, LLC, an Ohio limited liability company, by VILLAGE COMMUNITIES CORPORATION, an Ohio corporation, Managing Member, by ROWLAND S. GILLER III, President.
- FR**     [0778-2004](#)     To authorize the Public Service Director to execute those documents required to transfer an unimproved 12 foot wide alley granted to the City in a deed recorded in 1892 and to release those reserved easement rights in the vacated 15 foot wide alley north of East Broad Street from Garfield Avenue to the alley east thereof and in the 15 foot wide alley east of Garfield Avenue between the first and second alleys north of East Broad Street as requested by Broad Street Presbyterian Church; to waive the competitive bidding provisions of Columbus City Code; and to waive the Land Review Commission requirements of Columbus City Council.
- FR**     [0831-2004](#)     To authorize the Director of the Public Service Department to execute those documents required to release the general utility easement that was retained when the first alley north of State Street from the east right-of-way line of South Front Street to the west right-of-way line of Wall Street was vacated pursuant to Ordinance Number 15-81.

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

- FR     [0836-2004](#)     To authorize the Director of the Department of Development to modify a contract with Community Research Partners by extending the termination date to December 31, 2004.

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

- FR     [0491-2004](#)     To authorize the Director of Public Utilities to enter into a Sewer and Water Service Area Boundary Contract with the City of Gahanna, Ohio
- FR     [0591-2004](#)     To authorize the Public Utilities Director to enter into a contract with Blue Heron Consulting, to manage, analyze, design, implement, test, and maintain our Water and Sewer Information Management System (WASIMS), for the Division of Water, and to authorize the expenditure of \$75,000.00 from Water Systems Operating Fund. (\$75,000.00)
- FR     [0695-2004](#)     To authorize the Director of Public Utilities to enter into a contract with Optimatics LLC for a genetic algorithm optimization for the Division of Water, to waive the provision of competitive bidding, to authorize the City Auditor to transfer funds within the Waterworks Enlargement Voted 1991 Bonds Fund, and to authorize the expenditure of \$50,000.00 from the Waterworks Enlargement Voted 1991 Bonds Fund (\$50,000.00)
- FR     [0705-2004](#)     To authorize the Director of Public Utilities to modify the contract with Burgess & Niple, Limited for professional engineering services for Water Main Rehabilitation- Marion Franklin Area Water Line Improvements, for the Division of Water, and to authorize the expenditure of \$22,500.00 from the Water Works Enlargement Voted 1991 Bond Fund. (\$22,500.00)
- FR     [0707-2004](#)     To authorize the Director of Public Utilities to modify the contract with McDaniel's Construction Corp. Inc., for the Group Four 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, and to authorize the expenditure of \$362,000.00 for construction and \$43,000.00 for inspection services by the Transportation Division from the Waterworks Enlargement Voted 1991 Bonds Fund. (\$405,000.00)

- FR [0724-2004](#) To authorize the Director of Public Utilities to enter into a contract with Kokosing Construction Company, Inc. for the Dublin Road Water Plant Chlorine Storage Facility, for the Division of Water, to authorize the expenditure of \$10,068,345.00 from the Waterworks Enlargement Voted 1991 Bonds Fund, and to authorize the City Auditor to transfer funds within the Waterworks Enlargement Voted 1991 Bonds Fund. (\$10,068,345.00)

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

- FR [0362-2004](#) To rezone 1416 HARRISBURG PIKE (43223), being 8.59± acres located on the east side of Harrisburg Pike, 440± feet north of Big Tree Drive, From: R, Rural, R-1, Residential and C-4, Commercial Districts, To: L-C-4, Limited Commercial District. (Rezoning # Z03-081)

**CA CONSENT ACTIONS**

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

- CA [0578-2004](#) To authorize the Director of the Department of Technology to enter into a revenue contract with Community Research Partners to provide web hosting and data sharing and maintenance services for the Community Research Partners' community data system in the amount of \$20,000.00 (\$20,000.00)
- CA [0762-2004](#) To authorize and direct the City Auditor to transfer \$116,000.00 from the Special Income Tax Fund to the Facilities Management Capital Improvement Fund, to authorize the appropriation and expenditure of \$116,000.00 from the Facilities Management Capital Improvement Fund, and to authorize the Public Service Director to contract for the Facilities Management Division with Nu-Tec Roofing Contractors, LLC in the amount of \$116,000.00 for the renovation of the roof at the Refuse Collection Division, 1550 Georgesville Road; and to declare an emergency. (\$116,000.00)
- CA [0766-2004](#) To authorize and direct the City Auditor to transfer \$116,000.00 from the Special Income Tax Fund to the Facilities Management Capital Improvement Fund, to authorize the appropriation and expenditure of \$116,000.00 from the Facilities Management Capital Improvement Fund, and to authorize the Public Service Director to contract for the Facilities Management Division with Nu-Tec Roofing Contractors, LLC in the amount of \$116,000.00 for the renovation of the roof at the Refuse Collection Division, 2100 Alum Creek Drive; and to declare an emergency. (\$116,000.00)

- CA [0780-2004](#) To authorize and direct the City Auditor to transfer \$27,000.00 from the Special Income Tax Fund to the Safety Bond Fund, to authorize the appropriation and expenditure of \$27,000.00 from the Safety Bond Fund, and to authorize the Public Service Director to enter into contract for the Facilities Management Division with Nu-Tec Roofing Contractors, LLC in the amount of \$27,000.00 for the renovation of Police Substations #11 and #13 at 544 Woodrow Avenue; and to declare an emergency. (\$27,000.00)

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

- CA [0790-2004](#) To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Concrete Flatwork Services, with G & G Cement Contractors and to declare an emergency.

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

- CA [0754-2004](#) To authorize and direct the Finance Director to enter into contract(s) for the option to purchase Corel Word Perfect Licenses with Columbus Supply, to authorize the expenditure of \$1.00 to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00 dollar).
- CA [0771-2004](#) 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 the Morse Road Improvement Project, to authorize the expenditure of \$45,430.00 from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$45,430.00).
- CA [0782-2004](#) 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 North High Streetscapes Improvement Project, to authorize the expenditure of \$6,570.00 from the Voted 1995/1999 Streets and Highways Fund, and to declare an emergency. (\$6,570.00).
- CA [103X-2004](#) To declare the necessity and intent to appropriate permanent and construction easements in, over, under and through real estate in connection with the Leland/Milton Avenues Sanitary Improvements Projects, and to declare an emergency.
- CA [0805-2004](#) To authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services, and to expend \$13,580.00 from the Storm Sewer Bonds Fund for costs in connection with the Glendower/Llewellyn Stormwater System Improvement Project, and to declare an emergency. (\$13,580.00).

- CA [0807-2004](#) To authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services, and to expend \$37,500.00 from the Storm Sewer Bonds Fund for costs in connection with the Refugee Road Pump Station Project, and to declare an emergency. (\$37,500.00).
- CA [0808-2004](#) To authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services, and to expend \$70,350.00 from the Storm Sewer Bonds Fund for costs in connection with the Trentwood/Shadyhill Stormwater System Improvements Project, and to declare an emergency. (\$70,350.00).
- CA [0810-2004](#) To authorize the City Attorney to expend \$17,000.00 from the Storm Sewer Bonds Fund for acquisition related costs in connection with the East Central Relief Storm Sewer Project, and to declare an emergency. (\$17,000.00).
- CA [0815-2004](#) To authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services, and to expend \$5,000.00 from the Storm Sewer Bonds Fund for additional costs in connection with the Oaklawn/Piedmont Road Drainage Improvement Project, and to declare an emergency. (\$5,000.00).
- CA [0829-2004](#) To authorize the City Attorney to expend \$50,000.00 from the Storm Sewer Bonds Fund for acquisition related costs in connection with the Bliss Run Trunk Sewer Improvements Phase 3 Project, and to declare an emergency. (\$50,000.00).

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

- CA [0668-2004](#) To authorize and direct the Finance Director to issue purchase orders for vehicle parts, supplies, and accessories for the Fleet Management Division, to authorize and direct the expenditure of \$225,000.00 from the Fleet Maintenance Fund, and to declare an emergency. (\$225,000.00)
- CA [0706-2004](#) To authorize and direct the Finance Director to enter into two contracts for an option to purchase Reflective Glass Spheres with Swarco Industries (primary supplier) and Potters Industries, Inc. (secondary supplier), to authorize the expenditure of two dollars to establish these contracts from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$2.00)

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



- CA [0740-2004](#) To authorize and direct the Columbus Health Department to accept a grant from the Ohio Children's Trust Fund in the amount of \$75,000 and to authorize the appropriation of \$75,000 from the Health Department Grants Fund.
- CA [0687-2004](#) To authorize and direct the Finance Director to enter into eight (8) contracts for an option to purchase Emergency Repair Services for Low-Income Residential Properties, with All About Drains, Absolute Air, ABC Gas, Ohio Mechanical, Holt Mechanical, Ready Wire, Union, and Stairway/Chairlift, to authorize the expenditure of eight dollars to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$8.00)

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

- CA [0656-2004](#) To authorize the City Auditor to issue payment in the amount of \$55,000.00 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 \$55,000.00 from the Storm Sewer Operating Fund for the Division of Sewerage and Drainage. (\$55,000.00)
- CA [0667-2004](#) To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release a City owned sanitary sewer easement, located in the vicinity of Gender Road and Refugee Road.
- CA [0747-2004](#) To authorize the Director of Finance to enter into a purchase order with Century Equipment Inc. for the purchase of four (4) Utility Vehicles for the Division of Sewerage and Drainage, to authorize the expenditure of \$34,088.30 from the Sewerage System Operating Fund, (\$34,088.30)

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

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

- [0781-2004](#) To authorize the appropriation and transfer of \$712,000.00 from the Special Income Tax Fund to the Voted 1995 and 1999 Parks and Recreation Bond Fund, to authorize the Director of Recreation and Parks to enter into contract with Farber Corporation for the Blackburn and Sawyer Centers HVAC Improvements, to authorize the expenditure of said funds from the Recreation and Parks Bond Fund, and to declare an emergency. (\$712,000.00)
- [0795-2004](#) To authorize and direct the Director of Recreation and Parks to accept a grant in the amount of \$5,000.00 from the Ohio Valley Tennis Association for the improvement and operation of the Champions Tennis Center, to appropriate these funds to the Recreation and Parks

Private Grant Fund, and to declare an emergency. (\$5,000.00)

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

**0574-2004** To authorize and direct the Finance Director to modify and extend the contract for the option to purchase wireless data service from Cingular Wireless, to modify the same contract to add wireless data technology equipment, to waive competitive bidding requirements and to declare an emergency.

**0700-2004** To authorize the Director of the Department of Human Resources to enter into a contract with the law firm of Baker & Hostetler for the purpose of providing assistance as may be necessary to achieve final resolution of the negotiations with FOP/Capital City Lodge #9 and prepare for and negotiate a successor collective bargaining contract between the City and the International Association of Fire Fighters, Local #67; to authorize the expenditure of \$147,000 from the General Fund; to waive the competitive bid requirements of the Columbus City Codes; and to declare an emergency (\$147,000.00).

**0802-2004** To accept the proposed collective bargaining contract between the City of Columbus and the Fraternal Order of Police, Capital City Lodge No. 9, December 9, 2002 - December 8, 2005, to provide for wages, hours and other terms and conditions of employment for employees in the bargaining units as provided in Attachment A attached hereto; and to declare an emergency.

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

**0614-2004** To accept the application (AN03-041) of Frank W. Otto, et al for the annexation of certain territory containing 4.86 ± Acres in Orange Township.

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

**0793-2004** To accept the plats titled BIG RUN RIDGE SECTION 2 PART 1 and BIG RUN RIDGE SECTION 2 PART 2, from DOMINION HOMES INC., an Ohio Corporation, by ROBERT A. MEYER, JR., Senior Vice President.

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

**0731-2004** To authorize the Director of the Department of Finance to appropriate and expend \$293,917.00 from the General Government Grant Fund, to enter into a contract with the Community Shelter Board for the provision of homeless services and to declare an emergency. (\$293,917.00)  
(TABLED 5/3/04)

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

**0588-2004** To authorize the City Auditor to transfer, and appropriate \$939,236.39 from the Storm Sewer System Reserve Fund to the Storm Sewer Bond Fund, in connection with the Rarig Avenue, 6th and 7th Avenues Project, for the Division of Sewerage and Drainage, and to declare an emergency. (\$939,236.39)

**0640-2004** To authorize the Public Utilities Director to enter into an agreement with American Electric Service Corporation as agent for Columbus Southern Power Company to purchase a 34.5 kV circuit breaker and other associated equipment located adjacent to the O'Shaughnessy Dam; to authorize the expenditure of \$1.00 from the Division of Electricity Operating Fund; and to declare an emergency. (\$1.00)  
(TABLED 5/3/04)

**0711-2004** To authorize the Director of Public Utilities to modify the contract with Kokosing Construction Company, Inc., for the Refugee Road 16" Water Main Project for the Division of Water, to authorize the City Auditor to transfer funds within the Water Limited Fund, to authorize the expenditure of \$450,000.00 from the Water Limited Fund, and to declare an emergency. (\$450,000.00)

**0720-2004** To authorize the City Auditor to make an intra-subfund transfer of \$113,668.22 within the Storm Sewer Bonds Fund; to authorize the City Auditor to transfer, and appropriate \$270,186.78 from the Storm Sewer System Reserve Fund to the Storm Sewer Bond Fund; for the Division of Sewerage and Drainage to provide the necessary capital projects funds for land acquisition services; to amend the Capital Improvements Budget to accommodate these various transactions; and to declare an emergency. (\$383,855.00)

**0751-2004** To authorize the Director of Public Utilities to enter into a professional services contract with EMA, Inc. for the preparation of a technology master plan for the Department of Public Utilities; to authorize the expenditure of \$299,990.00 from the water, sanitary sewer and electricity operating funds, and to declare an emergency. (\$299,990.00)

**ADJOURNMENT**