

City of Columbus

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



Agenda

Monday, September 19, 2005

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. 49 OF COLUMBUS CITY COUNCIL, SEPTEMBER 19, 2005 at 5:00 P.M. IN COUNCIL CHAMBERS.**ROLL CALL****READING AND DISPOSAL OF THE JOURNAL**

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY CLERK'S OFFICE AS OF WEDNESDAY, SEPTEMBER 14, 2005:

New Type: D5
To: Grandview Cafe 2 LLC
DBA Grandview Cafe
Bsmt & Patios
1455 W 3rd Av
Columbus, Ohio 43212
permit # 3325803

New Type: C1, C2
To: Target Corp
DBA Target Store T 1072
4199 Morse Crossing
Columbus, Ohio 43219
permit # 87992400090

New Type: C1, C2
To: Target Corp
DBA Target Store T 1058
1717 Olentangy River Rd
Columbus, Ohio 43212
permit # 87992400125

New Type: C1, C2
To: Target Corp
DBA Target Store T 1978
55 Graceland Blvd
Columbus, Ohio 43214
permit # 87992400150

New Type: D1
To: Super Seafood Buffet Inc
1662 E Dublin-Granville Rd
Columbus, Ohio 43229
permit # 8700568

Transfer Type: D2, D2X, D3, D3A, D6
To: RZ Restaurant Group LLC
DBA Z Cucina
1368 Grandview Ave 1st Fl
Columbus, Ohio 43212
From: Kopsun LLC
DBA Zyng Noodlery

1368 Grandview Ave 1st Fl
Columbus, Ohio 43212
permit # 7638468

Advertise 9/24/05
Return 10/06/05

RESOLUTIONS OF EXPRESSION

HABASH

To honor and recognize the twelve community organizations that have volunteered their time and energy to make Columbus' parks more enjoyable for all citizens.

ADDITIONS OR CORRECTIONS TO THE AGENDA

FR FIRST READING OF 30-DAY LEGISLATION

ADMINISTRATION: BOYCE, CHR. MENDEL HUDSON HABASH

FR

To authorize the Department of Technology Director to modify and extend a contract, previously entered into between the City of Columbus and Ohio State University authorized by ordinance 2104-2004, with no additional cost, for consulting services associated with the City's ColumbusStat project. (\$00.00)

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

FR

An ordinance approving and authorizing the Director of Development to execute a Tax Increment Finance Agreement with Campus Partners for Community Urban Redevelopment in furtherance of the redevelopment and revitalization of the Gateway Area.

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

FR

To authorize the Director of the Public Service Department to execute those documents required to transfer the first alley south of East Fifth Avenue from Rarig Avenue to the first alley east of Rarig Avenue to Ralston Industries, Inc., East Fifth Avenue Apartments, LLC, William H. and Barbara L. Moberger (Construction One, Inc.), and Frank Nutis and to waive the competitive bidding provisions of Columbus City Codes.

FR

To authorize the Director of the Public Service Department to execute those documents required to transfer that portion of Cypress Avenue (the 20 foot wide alley east of North

Glenwood Avenue) from the alley north of Scott Street to Cable Avenue to H & G Properties, LLC, for \$3,300.00, and to waive the competitive bidding provisions of Columbus City Codes.

FR

To authorize the Director of the Public Service Department to execute those documents required to release the platted easement located along the easterly line of Lot 16 of the Town Square Villages at Preserve Crossing, of record in Plat Book 106, Pages 59 and 60 of the Franklin County, Ohio, Recorder's Office.

FR

To accept the plat titled SUSSEX PLACE SECTION 3, from SUSSEX PLACE, LLC, an Ohio limited liability company, by MARONDA HOMES, INC. OF OHIO, an Ohio corporation, sole member, by JAMES BAUER, Executive Vice President.

UTILITIES: THOMAS, CHR. MENDEL O'SHAUGHNESSY HABASH

FR

To authorize the Director of Public Utilities to enter into contract with R.D. Zande & Associates Inc. for the engineering design of the Taylor Road 2MG Water Storage Tank for the Division of Water, and to authorize the expenditure of \$93,000.00 from the Water Works Enlargement Voted 1991 Bonds Fund. (\$93,000.00)

FR

To authorize the Director of Public Utilities to enter into contract with Korda/Nemeth Engineering, Inc. for the engineering design of the Water Line Rehabilitation-Far East Columbus Water Main Improvements Part II for the Division of Water, and to authorize the expenditure of \$96,000.00 from the Water Works Enlargement Voted 1991 Bonds Fund. (\$96,000.00)

FR

To authorize the Director of Public Utilities to enter into contract with Ribway Engineering Group Inc. for the engineering design of the Water Line Rehabilitation-Cleveland Avenue Area Water Main Improvements for the Division of Water, and to authorize the expenditure of \$187,000.00 from the Water Works Enlargement Voted 1991 Bonds Fund. (\$187,000.00)

FR

To authorize the Director of Public Utilities to enter into contract with Burgess & Niple, Inc. for the engineering design of the Champion Avenue 20 inch Water Main for the Division of Water, and to authorize the expenditure of \$151,000.00 from the Water Works Enlargement Voted 1991 Bonds Fund. (\$151,000.00)

FR

To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release a certain portion of a City owned easement, located in the vicinity of Greenlawn Avenue and Interstate 71, at the request of the Greenlawn Realty Co. in exchange for a replacement easement previously granted to the City of Columbus, Ohio.

FR

To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Flow Monitoring and Rain Gauge Data Collection Equipment, with ADS Environmental Services.

FR To authorize the Finance Director to enter into a contract with Franklin Tractor Sales, Inc., for a 12" brush chipper, for the Division of Water, to waive the provisions of competitive bidding, and to authorize the expenditure of \$23,585.00 from Water Systems Operating Fund. (\$23,585.00)

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

FR To rezone **1525 EAST KOHR PLACE (43211)**, being 0.41± acres located on the south side of East Kohr Place 136± feet west of Cleveland Avenue, **From:** R-3, Residential District, **To:** CPD, Commercial Planned Development District. (Rezoning # Z05-033)

CA CONSENT ACTIONS

ADMINISTRATION: BOYCE, CHR. MENTEL HUDSON HABASH

CA To authorize the Director of the Department of Technology, on behalf of the Columbus Health Department, to modify and extend a contract, for maintenance and support services provided by CareCentric, Inc.; to authorize the expenditure of \$26,807.16 from the Department of Technology, internal service fund; and to declare an emergency (\$26,807.16)

CA To authorize the Director of the Department of Technology, on behalf of Public Utilities, Division of Water, to modify the contract with Astute, Inc., for maintenance and support services related to the IVR system; to authorize the expenditure of \$58,372.83 from the Department of Technology's internal services fund and to declare an emergency (\$58,372.83)

CA To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Protective Footwear with Safety Solutions, Inc., and to declare an emergency.

SAFETY & JUDICIARY: MENTEL, CHR. BOYCE THOMAS HABASH

CA To declare the necessity and intent to appropriate fee simple title in and to real estate in connection with the **Idlewild Drive Storm Sewer Project**, and to declare an emergency.

CA To declare the necessity and intent to appropriate fee simple title in and to real estate in connection with the **FRA Olentangy Trail Bridge Project (State Job 465874)**, and to declare an emergency.

CA To authorize the Columbus Fire Chief to accept a grant award from the Public Utilities Commission of Ohio for Hazardous Materials Training for the Division of Fire, and to appropriate \$18,211.50 from the unappropriated balance of the General Government Grant Fund.

CA

To authorize and direct the Finance Director to sell to Officer Dredrick Lane for the sum of \$1.00 a police canine with the registered name of "Marco II " which has no further value to the Division of Police, and to waive provisions of the City Code-Sale of City Owned Personal Property. (\$1.00)

DEVELOPMENT: O'SHAUGHNESSY, CHR. HUDSON TAVARES HABASH**CA**

To accept the application (AN05-007) of Cardinal Title Holding Co. for the annexation of certain territory containing 4.041 ± Acres in Plain Township.

To adopt the Near East Area Plan as a guide for development, redevelopment, and the planning of future public improvements.

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

To accept the plat titled ALTA VIEW VILLAGE, from GIUSEPPE A. PINGUE SR. and ROBY COMPANY LIMITED PARTNERSHIP.

CA

To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Standard Auto Parts with Automotive Distributors Company, NAPA Distribution Center, Transport Specialists and Carquest of Simplex, and to declare an emergency.

CA

To authorize the Director of the Public Service Department to execute those documents required to transfer those rights of way identified as portions of Dolphin Alley, Lee Avenue, Sigsbee Avenue and Ericson Alley to Mt. Zion Missionary Baptist Church and Rosetta J. Rhodes for a total of \$15,066.60, and to waive the competitive bidding provisions of Columbus City Codes.

CA

To accept various DEEDS for real property to be used as road right-of-way and to dedicate and name those properties as Chambers Road, Emrick Road, McCutcheon Road, an unnamed alley near Fire Station 18, Thompson Road, an unnamed alley north of East Broad Street, from Ohio Avenue to the alley west, Kennedy Road, Norton Road, North Meadows Boulevard, Postlewaite Road, Sullivant Avenue, Henderson Road, Sawmill Road, Cassady Avenue, Cassady Avenue, Winchester Pike and Hamilton Road, Avery Road and Fisher Road.

CA To authorize the Public Service Director to enter into an agreement with the Director of the Ohio Department of Transportation and to grant consent and propose cooperation with the State of Ohio for this SR 161 Urban Paving Project for the Transportation Division. (\$0)

CA To authorize the Public Service Director to enter into an agreement with the Director of the Ohio Department of Transportation and to grant consent and propose cooperation with the State of Ohio for this SR 3 Urban Paving Project for the Transportation Division. (\$0)

CA To authorize the Public Service Director to enter into an agreement with the Director of the Ohio Department of Transportation and to grant consent and propose cooperation with the State of Ohio for the IR270/IR71 North end of the outerbelt interchange reconstruction project for the Transportation Division. (\$0)

CA To accept the plat titled **CREEKSTONE SECTION II PART III**, from **S & J REAL ESTATE INVESTMENT CO., LTD**, an Ohio limited liability company, by **THEODORE P. URITUS**, President, **SOVEREIGN DEVELOPMENT CORPORATION**, Member and by **TODD J. OHLEMEIER**, Vice President, **JOSHUA INVESTMENT CO.**, Member.

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

CA To authorize the Director of Finance to establish a purchase order with Gen-Probe for the purchase of Chlamydia and gonorrhea test kits for the Columbus Health Department in accordance with sole source provisions; to authorize the expenditure of \$37,000 from the Health Special Revenue Fund and the Health Department Grants Fund; and to declare an emergency. (\$37,000)

To authorize the Director of Finance to establish a purchase order with OraSure for the purchase of OraQuick HIV antibody detection test kits for the Columbus Health Department in accordance with sole source provisions; to authorize the expenditure of \$48,000 from the Health Special Revenue Fund and the Health Department Grants Fund; and to declare an emergency. (\$48,000)

CA To authorize and direct the Columbus Health Department to accept a grant from the Ohio Department of Public Safety in the amount of \$1,500.00; to authorize the appropriation of \$1,500.00 from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency. (\$1,500.00)

UTILITIES: THOMAS, CHR. MENDEL O'SHAUGHNESSY HABASH

CA To authorize and direct the Finance Director to enter into contracts for the option to purchase Composting Bulking Materials with Complete Clearing, Inc. and Ohio Mulch Supply, Inc., to authorize the expenditure of \$2.00 to establish the contracts from the Purchasing/Contract Operation Fund. (\$2.00).

CA To authorize the Director of Public Utilities to enter into contract with Pomeroy & Associates,

Ltd for the engineering design of the Water Line Rehabilitation-East Columbus Area Water Main Improvements for the Division of Water, and to authorize the expenditure of \$152,000.00 from the Water Works Enlargement Voted 1991 Bonds Fund. (\$152,000.00)

CA

To authorize the Director of Finance to establish a purchase order with Air Power of Ohio for the purchase of two (2) Air Compressors with Trade-in an option generator for the Division of Sewerage and Drainage, and to authorize the expenditure of \$26,074.00 from the Sewerage System Operating Fund. (\$26,074.00)

CA

To authorize the Director of Public Utilities to reimburse a customer a portion of sewer and stormwater charges, to authorize the expenditure of \$3,470.34 from the Sewer Systems Operating Fund, and \$25,168.43 from the Storm Sewer Operating Fund, and to declare an emergency. (\$28,638.77)

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

To authorize and direct the transfer and appropriation of \$21,000.00 within the General Fund, to authorize and direct the Director of Recreation and Parks to establish a purchase order with The Mid Ohio Regional Planning Commission for the City's contribution to the Greater Columbus Green Map Project from the Recreation and Parks Operation and Extension Fund, and to declare an emergency. (\$21,000.00)

CA

To authorize and direct the Director of Recreation and Parks to accept a grant in the amount of \$1,500.00 from the National Recreation and Parks Association and the National Football League Charities for the fall football camp and the NFL Flag Football Program, to authorize an appropriation of \$1,500.00 from the unappropriated balance of the Recreation and Parks Grant Fund to the Recreation and Parks Department, and to declare an emergency. (\$1,500.00)

APPOINTMENTS**CA**

Reappointment of Beth Klukoske, 1363 Aberdeen Avenue, Columbus, OH 43211, to serve on the North Linden Area Commission with a new term expiration date of June 1, 2007. (bio attached)

CA

Reappointment of Donzella Edgerton, 2589 McGuffey Road, Columbus, OH 43211, to serve on the North Linden Area Commission with a new term expiration date of June 1, 2007. (bio attached)

CA

Appointment of John Warhol, 1430 Loretta Avenue, Columbus, OH 43211, to serve on the North Linden Area Commission with a term expiration date of June 1, 2006 (bio attached).

CA

Reappointment of Werner Rase, 2608 Linden Avenue, Columbus, OH 43211, to serve on the North Linden Area Commission with a new term expiration date of June 1, 2006 (bio

attached).

- CA** Appointment of John Mancini, 3042 McKinley Avenue, Columbus, OH 43204 to serve on the North Linden Area Commission with a term expiration date of June 1, 2006 (bio attached).
- CA** Reappointment of James Schowochow, 1679 Sandhurst Road, Columbus, OH 43229, to serve on the North Linden Area Commission with a new term expiration date of June 1, 2007 (bio attached).
- CA** Appointment of Mary Carney Hinson, 3612 Maize Road, Columbus, OH 43211, to serve on the North Linden Area Commission with a term expiration date of June 1, 2007 (bio attached).
- CA** Appointment of Danny Popp, 855 East Cooke Road, Columbus, O 43224, to serve on the North Linden Area Commission with a term expiration date of June 1, 2007 (bio attached).
- CA** Appointment of Richard Korn, 2840 Bremen Street, Columbus, OH 43224, to serve on the North Linden Area Commission with a term expiration date of June 1, 2007 (bio attached).
- CA**
- CA** Appointment of Madeleine Trichel, 2840 Bremen Street, Columbus, OH 43224, to serve on the North Linden Area Commission with a term expiration date of June 1, 2007 (bio attached).
- CA** Reappointment of Walter Reiner, 5030 Westerville Road, Columbus, OH 43231, to serve on the North Linden Area Commission with a new term expiration date of June 1, 2007 (bio attached).
- CA** Reappointment of Irene Radcliff, 1094 Oakland Park Avenue, Columbus, OH 43224, to serve on the North Linden Area Commission with a new term expiration date of June 1, 2006 (bio attached).
- CA** Reappointment of Beverly Corner, 1260 East 24th Avenue, Columbus, Ohio 43211, to serve on the South Linden Area Commission with a new term expiration date of September 30, 2005 (bio attached).
- CA** Reappointment of Hazel Boyd, 1326 East 23rd Avenue, Columbus, Ohio 43211, to serve on the South Linden Area Commission with a new term expiration date of September 30, 2005 (bio attached).
- CA** Reappointment of Nathaniel Bostic, 2305 Homestead Drive, Columbus, Ohio 43211, to serve on the South Linden Area Commission with a new term expiration date of September 30, 2005 (bio attached).

EMERGENCY, TABLED AND 2ND READING OF 30-DAY LEGISLATION**ADMINISTRATION: BOYCE, CHR. MENTEL HUDSON HABASH**

To authorize and direct the transfer of \$190,210.00 within the General Fund from the Department of Finance and Management to the Community Relations Commission for the implementation of the New American Initiative Program. (\$190,210.00)

To authorize and direct the City Auditor to transfer \$65,835.72 from the Special Income Tax Fund to the Facilities Management Capital Improvement Fund, to authorize the Finance and Management Director to enter into contract for the Facilities Management Division with eS Architecture and Development, Inc. for professional services necessary to develop a space study/facilities master plan, to authorize the appropriation and expenditure of \$265,933.00 from the Facilities Management Capital Improvement Fund, to authorize the expenditure of \$34,169.00 from the Water Operating Fund, to authorize the expenditure of \$34,169.00 from the Sanitary Sewer Fund, and to declare an emergency. (\$334,271.00).

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

To authorize the Director of Development to enter into an Enterprise Zone Agreement with Gowdy Partners LLC and Gowdy Partners II LLC for a tax abatement of seventy-five percent (75%) for a period of ten (10) years; and to authorize the Director of Development to enter into a Jobs Creation Tax Credit Agreement with Time Warner Cable, Inc. to provide therewith an exemption of sixty-five percent (65%) for a period of ten (10) years in consideration of a proposed \$27,500,000 investment, the retention of 450 (four hundred and fifty) jobs and the creation of 203 (two hundred and three) new jobs.

SAFETY & JUDICIARY: MENTEL, CHR. BOYCE THOMAS HABASH

To authorize the transfer of \$218,595.88 within the Safety Voted Bond Fund 701, to amend the 2004 CIB, and to declare an emergency. (\$218,595.88)

To authorize and direct the City Attorney to settle the claim of Hertz Equipment Rental against the City of Columbus, Division of Sewers and Drains, in the total amount of Fifty-five Thousand Dollars and no/100 (\$55,000.00) for property damage this business incurred as a result of flooding; and to declare an emergency (\$55,000.00)

DEVELOPMENT: O'SHAUGHNESSY, CHR. HUDSON TAVARES HABASH

To accept the application (AN05-006) of Columbus Regional Airport Authority for the annexation of certain territory containing 19.109 ± Acres in Hamilton Township.

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

To accept the plats titled **THE FALLS AT HAYDEN RUN PART 1** and **THE FALLS AT HAYDEN RUN PART 2**, from **THE FALLS AT HAYDEN RUN, LTD**, an Ohio liability company, by **MICHAEL J. DEASCENTIS II**, Manager.

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

To authorize and direct the Director of Finance and Management Department to enter into lease contracts with four property owners for the lease of clinic space for the WIC and Immunization programs, for the period of October 1, 2005 through September 30, 2006; to authorize a total expenditure of \$124,841 from the Health Department Grants Fund; and to declare an emergency. (\$124,841)

To authorize the appropriation of \$33,333.00 from the unappropriated balance of the Emergency Human Services Capital Fund to the Department of Development; to authorize the Director of the Department of Development to enter into contract with St. Stephen's Community House; to authorize the expenditure of \$33,333.00 from the Emergency Human Services Capital Fund; and to declare an emergency. (\$33,333.00)

UTILITIES: THOMAS, CHR. MENDEL O'SHAUGHNESSY HABASH

To authorize the Director of Public Utilities to execute a contract modification with the Messer Construction Company in the amount of \$908,000.00, for the Sewer Maintenance Operations Center (SMOC) Renovation Project; to authorize the appropriation and expenditure of \$500,000.00 from the Ohio Water Pollution Control Loan Fund; the appropriation, transfer and expenditure of \$408,000.00 from the Sewer System Permanent Improvements Fund; to amend the 2005 Capital Improvements Budget, for the Division of Sewerage and Drainage; and to declare an emergency. (\$908,000.00)

To authorize the Director of Finance to establish Blanket Purchase Orders for Heating Oil from an established State of Ohio Cooperative Purchase Contract with BP Products North America Inc. for the Division of Sewerage and Drainage, to authorize the expenditure of \$390,000.00 from the Sewerage System Operating Fund, and to declare an emergency (\$390,000.00)

RULES & REFERENCE: HABASH, CHR. MENDEL HUDSON TAVARES

To amend Section 3372.909 of the Columbus City Codes, 1959, in order to modify a standard in the Regional Commercial Overlay that addresses parking lot layout for sites larger than two

(2) acres in size.

ADJOURNMENT