

City of Columbus

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



Agenda

Monday, October 3, 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. 53 OF COLUMBUS CITY COUNCIL, OCTOBER 3, 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 28, 2005:

New Type: C1, C2
To: 2323 Sullivant Inc
DBA Future Wholesale Market
2323 Sullivant Ave
Columbus, Ohio 43223
permit # 9116349

Transfer Type: C1, C2
To: Sri-Krishna LLC
DBA ABC Liquor
1571 E Dublin Granville Rd
Columbus, Ohio 43229
From: M & S Investors LP
DBA ABC Liquor
1571 E Dublin Granville Rd
Columbus, Ohio 43229
permit # 8459627

Transfer Type: D2, D2X, D3
To: Pasqualone Laplaia LLC
DBA La Plaia Ristorante
5766 Columbus Sq
Columbus, Ohio 43231
From: Italo Santilli
DBA Ristorante La Plaia
5766 Columbus Sq
Columbus, Ohio 43231
permit # 6732325

Transfer Type: D2, D2X
To: Cuisine of India Inc
8475 Sancus Blvd
Columbus, Ohio 43240
From: Fid Pies Inc
DBA Pa Pa Joes Pizza & Pasta
1931 Hard Rd
Columbus, Ohio 43235
permit # 1845243

Transfer Type: D1, D2, D3, D6
To: Carrabbas Mid East Limited Partnership
DBA Carrabbas Italian Grill

8460 Lyra Dr & Patio
Columbus, Ohio 43240
From: Carrabbas Ohio Limited Partnership
8460 Lyra Dr & Patio
Columbus, Ohio 43240
permit # 12825850005

Transfer Type: C1, C2
To: R & J Mass Market Inc
DBA Alex Market
1359 W Broad St
Columbus, Ohio 43222
From: Alex Market Inc
DBA Alex Market
1359 W Broad St
Columbus, Ohio 43222
permit # 7149086

Transfer Type: C1, C2
To: Speedy Mart Mobile Inc
3377 E Livingston Ave
Franklin, Ohio 43227
From: UDF Limited Partnership I
DBA United Dairy Farmers 619
3377 E Livingston Av
Columbus, Ohio 43227
permit # 8419010

Transfer Type: D5, D6
To: Pingue Properties Inc
DBA La Costa Restaurant
1175 Worthington Woods Blvd
Columbus, Ohio 43085
From: La Costa Restaurant Inc
DBA La Costa Restaurant
1175 Worthington Woods Blvd
Columbus, Ohio 43085
permit # 69320870005

Transfer Type: C1, C2, D6
To: Great Checks Inc
DBA Great Checks
186-88 Wilson Rd
Columbus, Ohio 43204
From: Harry L Mills
186-88 Wilson Rd
Columbus, Ohio 43204
permit # 3339127

Transfer Type: C2, C2X
To: Thorntons Inc
DBA Thorntons 171
3840 Gender Rd
Columbus, Ohio 43110
From: Thornton Oil Corp 74

DBA Thornton Oil
1030 Reading Rd
Mason, Ohio 45040
permit # 89135090070

Transfer Type: D5
To: Buckeye Greek LLC
DBA Happy Greek Gateway
1554 N High St
Columbus, Ohio 43201
From: Baxsam Inc
461 Commerce Sq Dr
Columbus, Ohio 43228
Jennifer Packey
permit # 1071449

Transfer Type: C2, D1, D3, D6
To: Tu Casa Market LLC
DBA Rancho Alegre Market
2379 W Broad St 1st Fl & Bsmt
Columbus, Ohio 43204
From: Macmap Corporation
DBA Rancho Alegre Market
2379 W Brad St 1st Fl & Bsmt
Columbus, Ohio 43204
permit # 9082526

Stock Type: D5A, D6
To: Hyatt Corp
DBA Hyatt on Capitol Square
75 E State St & Patio
Columbus, Ohio 43215
permit # 40995920005

Type: Liquor Agency Contract
To: Sri-Krishna LLC
DBA ABC Liquor
1571 E Dublin Granville Rd
Columbus, Ohio 43229
permit # 8459627

Advertise 10/08/05
Return 10/16/05

RESOLUTIONS OF EXPRESSION

HABASH

To honor and recognize Franklin County Treasurer Richard Cordray for being named County Leader of the Year by *American City and County Magazine*.

To honor and recognize the 26th running of the Columbus Marathon and the first ever Columbus Marathon - Ringling Brothers Barnum and Bailey Circus Red Nose Children's Run.

HUDSON

To recognize the celebration of Ramadan in Columbus and to honor the work of the Council on American-Islamic Relations to encourage dialogue, empower American Muslims, promote cultural understanding throughout Central Ohio.

MENTEL

To proclaim the week of October 9-15, 2005 as NATIONAL FIRE PREVENTION WEEK, and convey our gratitude to all members of the Columbus Division of Fire for their outstanding contributions to the safety and well being of the citizens of Columbus.

THOMAS

To proclaim October 2-8, 2005 as Public Power Week in Columbus, Ohio, to celebrate 105 years of community service by the Division of Electricity, and to recognize the benefits of public power in Columbus.

ADDITIONS OR CORRECTIONS TO THE AGENDA

FR FIRST READING OF 30-DAY LEGISLATION

SAFETY & JUDICIARY: MENTEL, CHR. BOYCE THOMAS HABASH

FR To authorize and direct the Finance Director to sell MSA systems and cylinders that are of no further value to the Division of Fire to various entities for the sum of \$13.00, and to waive the provisions of the City Code relating to the sale of City-owned property. (\$13.00)

DEVELOPMENT: O'SHAUGHNESSY, CHR. HUDSON TAVARES HABASH

FR To authorize the acceptance of a deed for three parcels of land to be held in the Lank Bank inventory.

FR To accept the application (AN05-005) of Steve Vilardo for the annexation of certain territory containing 6.451 ± Acres in Orange Township.

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

FR To change the name of that right-of-way within the Northland Mall site identified as Retail Ventures Boulevard on the plat titled "New Northland Crossing, Northland Park Avenue, Retail Ventures Boulevard Dedication and Easements" to Northland Ridge Boulevard.

FR

To vacate the unimproved portions of the cul-de-sac in Faber Avenue; and to the extent they may apply to waive the competitive bidding provisions and the Land Review Commission requirements of Columbus City Codes.

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

To authorize the Director of Public Utilities to pay operating license fees for the three water treatment plants to the Treasurer, State of Ohio, Ohio Environmental Protection Agency, for the Division of Water, and to authorize the expenditure of \$204,000.00 from the Water Systems Operating Fund. (\$204,000.00)

FR

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 North High Street and Highbluffs Boulevard, at the request of Triangle Investments, Inc. in exchange for a replacement easement previously granted to the City of Columbus, Ohio.

FR

To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release certain sewer easements, located in the vicinity of Reliance Street and Dearborn Drive, at the request of Mettler-Toledo, Inc. in exchange for a replacement easement previously granted to the City of Columbus, Ohio.

RULES & REFERENCE: HABASH, CHR. MENDEL HUDSON TAVARES**FR**

To amend Section 2101.165 of the Columbus City Codes, 1959, to include Martin Luther King Day, President's Day, and Columbus Day as exempt holidays for the purpose of enforcement of parking meters.

CA CONSENT ACTIONS**ADMINISTRATION: BOYCE, CHR. MENDEL HUDSON HABASH****CA**

To authorize and direct the City Auditor to contract for professional auditing services, and to authorize the expenditure of \$21,000.00; to authorize the payment of the City's proportionate share of audit costs of certain of the City's subgrantee agencies (\$2,000.00) from the general fund, and to declare an emergency. (\$23,000)

To authorize and direct the City Auditor to transfer \$8,000.00 within the Parking Violations Bureau, General Fund Budget, and to authorize the City Treasurer to modify and increase the current contract with Fifth Third Processing Solutions to provide credit card processing services for the Parking Violations Bureau; and to authorize the expenditure of \$8,000 from the General Fund (\$8,000.00).

To authorize the Finance and Management Director to enter into contract for the Facilities Management Division with 2K General Company, Inc. for mold remediation and reconstruction at Fire Station #15; to authorize the expenditure of \$250,000.00 from the Safety Voted Bond Fund, and to declare an emergency. (\$250,000.00).

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

To authorize the Director of the Development Department to execute those documents necessary to enter into an occupancy license agreement with Capitol South Community Urban Redevelopment Corporation to support the operation of the Downtown Development Resource Center located at 20 East Broad St.; and to authorize the expenditure of \$25,000 from the General Fund. (\$25,000)

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

To authorize and direct the Finance Director to issue purchase orders to Mar-Vel International in the amount of \$26,456, and Med-Eng Systems in the amount of \$10,911.00, for the purchase of bomb suits and related equipment for the Fire Division Bomb Squad; to authorize the expenditure of \$30,000.00 from the General Government Grant Fund; to authorize the expenditure of \$7,367.00 from the General Fund; and to declare an emergency. (\$37,367.00)

CA

To authorize a supplemental appropriation within the Franklin County Municipal Court Judges special projects fund for court security in the amount of \$100,000; and to declare an emergency. (\$100,000.00)

CA

To authorize and direct the Finance Director to enter into a contract for an option to purchase Fire Helmets with Total Fire Group, 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

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 **Hard Road Phase C Project**, to authorize the expenditure of \$30,850.00 from the **Federal-State Highway Engineering Fund**, and to declare an emergency. (\$30,850.00).

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

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN05-016) of 9.8± Acres in Prairie Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

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

To authorize the Public Service Director to modify and increase the existing contract with Resource International, Incorporated, for construction materials testing and inspection services for the Transportation Division; to authorize the expenditure of \$125,000.00 or so much thereof as may be needed from the Development Services Fund and to declare an emergency. (\$125,000.00)

CA

To authorize the Director of the Public Service Department to execute those documents required to transfer that right-of-way identified as the unimproved portion of the 20 foot wide alley east of Woodland Avenue from Richmond Avenue to its northern terminus to John E. Lester for a total of \$2,240.00, and to waive the competitive bidding provisions of Columbus City Codes.

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

To authorize the Director of Public Utilities to enter into contract with EMH&T, Inc. for the engineering design of the Livingston Avenue 24 inch Water Main for the Division of Water, and to authorize the expenditure of \$133,000.00 from the Water Works Enlargement Voted 1991 Bonds Fund. (\$133,000.00)

CA

To authorize the Director of Public Utilities to pay the annual Discharge Fees for 2005 to the State of Ohio, 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)

CA

To authorize the Director of Public Utilities to enter into a service agreement with Thermo Electron for the LabManager Support Services in accordance with the provisions of sole source procurement of Columbus City Codes Section 329.07 for the Division of Sewerage and Drainage, to authorize the expenditure of \$22,546.00 from the Sewerage System Operating Fund. (\$22,546.00)

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

To authorize the Director of Recreation and Parks to enter into a "Right of First Refusal" agreement, for the charge of \$1.00, with the Worthington Library Board for property adjacent to the Lazelle Woods Recreation Center, currently owned by the Worthington Libraries. (\$1.00)

To authorize the appropriation and transfer of \$76,000.00 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 DLZ, Inc. for professional services in conjunction with the renovation of facility roofs, to authorize the expenditure of \$76,000 from the Voted 1995 and 1999 Parks and Recreation Bond Fund, and to declare an emergency. (\$76,000.00)

CA

To authorize an appropriation in the amount of \$27,253.00 from the unappropriated balance of the Recreation and Parks Grant Fund to the Recreation and Parks Department for the Central Ohio Area Agency on Aging, in connection with the Home Energy Assistance Program (HEAP), and to declare an emergency. (\$27,253.00)

EMERGENCY, TABLED AND 2ND READING OF 30-DAY LEGISLATION**FINANCE: BOYCE, CHR. O'SHAUGHNESSY TAVARES HABASH**

To establish a new authorized strength ordinance for various city divisions; to repeal ordinance 1170-2005, and to declare an emergency.

ADMINISTRATION: BOYCE, CHR. MENDEL HUDSON HABASH

To authorize the Director of the Office of Education to accept a grant in the amount of \$365,046.85 from the Franklin County Department of Job and Family Services; to enter into contract with Trinity Baptist Church, Communities in Schools and the Columbus Urban League for the purpose of providing afterschool programming; to appropriate and expend \$365,046.85 for said purpose; and to declare an emergency (\$365,046.85).

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

To authorize the Director of the Department of Development to enter into a Columbus Downtown Office Incentive Program agreement with Shaw & Shaw CPA's, Inc. as provided in Columbus City Council Resolution 075X-2004, adopted March 29, 2004.

To authorize the Director of the Department of Development to enter into a Columbus Downtown Office Incentive Program agreement with Princeton Information as provide in Columbus City Council Resolution 075X-2004, adopted March 29, 2004.

To authorize the appropriation of \$15,000 to the Development Department within the Jobs Growth Fund; to authorize the Director of the Department of Development to amend a contract with the Mid-Ohio Regional Planning Commission for a joint study with Grandview Heights; to authorize the expenditure of \$15,000 from the Jobs Growth Fund; and to declare an emergency. (\$15,000.00)

SAFETY & JUDICIARY: MENDEL, CHR. BOYCE THOMAS HABASH

To authorize the City Attorney to assign all past, present, and future City of Columbus business transactions with Mark W. Ely to E Investigations, Inc; to authorize the modification of an existing contract with E Investigations; to authorize the appropriation and expenditure of Four Hundred Eighty Dollars (\$480.00) from the Stalking Investigator Grant fund; to waive the competitive bidding provision of the Columbus City Codes; and to declare an emergency. (\$480.00)

To authorize and direct the Finance Director to enter into a contract for the purchase of taser cartridges for training/recertification of the Division of Police taser users, to authorize the expenditure of \$24,096.60 from the General Fund, to waive the provisions of Columbus City Codes Chapter 329.06; and to declare an emergency. (\$24,096.60)

DEVELOPMENT: O'SHAUGHNESSY, CHR. HUDSON TAVARES HABASH

To authorize the Director of the Department of Development, or his designee, to issue a rebuild assurance letter to the current owner of the property at **2896-2972 McGuffey Road (43224)** in which the City assures potential lenders that, subject to certain conditions, it will permit the buildings on said property to be rebuilt in the event of damage or destruction notwithstanding the restriction in Section 3391.01(c) of the Columbus City Codes relative to the restoration of a damaged non-conforming building or structure; and to declare an emergency.

To authorize the Director of the Department of Development to execute those documents necessary to enter into a lease agreement between the City and King Lincoln Gateway, LLC for forty (40) parking spaces in the City owned parking lot located at northwest corner of East Long and Garfield; and to declare an emergency.

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

To appropriate \$155,000.00 within the Fleet Management Services Fund, to authorize a transfer of \$155,000.00 within the Sewer Operating Fund; to authorize the Finance Director to establish a purchase order with Ohio Cat for the rebuild of an articulating wheel loader in accordance with sole source procurement; to authorize the expenditure of \$155,000.00 in the Fleet Management Services Fund; to waive the formal competitive bidding requirements of the Columbus City Code, and to declare an emergency. (\$155,000.00)

To authorize the Finance Director to issue purchase orders for the purchase of credit card and bulk fuel for the Fleet Management Division; to authorize the expenditure of \$1,430,000.00 from the Fleet Management Services Fund, and to declare an emergency. (\$1,430,000.00)

To authorize a transfer of \$354,740 within the Fleet Management Services Fund; to authorize the Director of Finance and Management to issue various purchase orders for automotive parts and repair services for the Fleet Management Division per the terms and conditions of Universal Term Contracts, to authorize the expenditure of \$370,000.00 from the Fleet Management Services Fund, and to declare an emergency. (\$370,000.00)

To authorize a transfer of \$1,000,000 within the general fund; to authorize a transfer of \$213,610 within the street, construction, maintenance and repair fund; to authorize a supplemental appropriation of \$1,430,000 within the fleet management services fund; and to declare an emergency. (\$1,430,000.00)

To accept the plat titled VILLAGE AT OLENTANGY MEADOWS SECTION 1 PART 2, from DOMINION HOMES, INC., an Ohio corporation, by JOSEPH A. SUGAR III, Vice President - Land Acquisition.

To authorize the City Auditor to transfer \$211,181.33 between projects within the 1995, 1999 Voted Streets and Highways Fund; to authorize the Public Service Director to modify and increase the existing contract with Shelly and Sands, Incorporated, for construction of the Resurfacing 2005 Project 1 project for the Transportation Division by \$277,312.91 and pay construction inspection costs, to authorize the expenditure of \$305,044.20 or so much thereof as may be needed from the 1995, 1999 Voted Streets and Highways Fund and to declare an emergency. (\$305,044.20)

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

To authorize and direct the Board of Health to accept a grant from the Ohio Department of Health in the amount of \$974,584.00; to authorize the appropriation of \$974,584.00 from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency. (\$974,584.00)

UTILITIES: THOMAS, CHR. MENTEL O'SHAUGHNESSY HABASH

To authorize the Director of Public Utilities to enter into a contract with The Righter Company, Inc. for Utility Complex Vehicle Maintenance Garage Lifts for the Division of Water, to amend the 2005 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 \$382,725.00 from the Water Works Enlargement Voted 1991 Bonds Fund. (\$382,725.00)

To authorize the Director of Public Utilities to enter into contract with R.D. Zande Inc. for General Engineering Services for the Division of Water, to amend the 2005 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 \$150,000.00 from the Water Works Enlargement Voted 1991 Bonds Fund. (\$150,000.00)

To authorize the Director of Public Utilities to enter into contract with Woolpert, LLP for the engineering design of the Morse/Hamilton Booster Station for the Division of Water, to amend the 2005 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 \$168,000.00 from

the Water Works Enlargement Voted 1991 Bonds Fund. (\$168,000.00)

To amend the 2005 Capital Improvements Budget; to authorize the transfer of funds within the Voted Street Lighting and Electricity Distribution Improvements Fund; to authorize the Finance Director to enter into contracts with Reed City Power Line Supply; Professional Electric Products; and Electric Laboratories/Hughes Supply for the purchase of SF6 Switches and related parts for the Division of Electricity; and to authorize the expenditure of \$198,627.33 from Voted Street Lighting and Electricity Distribution Improvements Fund and \$52,803.55 from the Division of Electricity Operating Fund. (\$251,430.88)

To authorize and direct the Finance Director to enter into contract for the option to purchase Process Control Computer Systems Maintenance with Telvent USA, Inc., to waive the provisions of competitive bidding, and to authorize the expenditure of \$1.00 to establish a contract (UTC) from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00).

To amend the 2005 Capital Improvements Budget; to authorize the transfer of \$85,414.34 within the Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund; and to authorize the reimbursement to the Division of Electricity for labor and equipment costs incurred in the installation of various street lighting projects; to authorize the expenditure up to an amount not to exceed \$108,163.44; and to declare an emergency. (\$108,163.44)

RECREATION & PARKS: HABASH, CHR. BOYCE MENTEL THOMAS

To authorize the appropriation and transfer of \$1,000,000.00 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 the Franklin Park Conservatory for funding to begin implementation of the Franklin Park Conservatory and Franklin Park Master Plan, to authorize the expenditure of \$1,000,000 from the Voted 1995 and 1999 Parks and Recreation Bond Fund, and to declare an emergency. (\$1,000,000.00)

RULES & REFERENCE: HABASH, CHR. MENTEL HUDSON TAVARES

(THERE WILL BE NO CITY COUNCIL MEETING ON MONDAY, OCTOBER 10, 2005 IN OBSERVANCE OF COLUMBUS DAY. THE NEXT SCHEDULED CITY COUNCIL MEETING WILL BE MONDAY, OCTOBER 17, 2005)

ADJOURNMENT

