

City of Columbus

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



Minutes - Final

Monday, November 3, 2003

5:00 PM

City Council Chambers, Rm 231

Columbus City Council

ELECTRONIC READING OF MEETING DOCUMENTS AVAILABLE DURING COUNCIL OFFICE HOURS. CLOSED CAPTIONING IS AVAILABLE IN COUNCIL CHAMBERS. ANY OTHER SPECIAL NEEDS REQUESTS SHOULD BE DIRECTED TO THE CITY CLERK'S OFFICE AT 645-7380 BY FRIDAY PRIOR TO THE COUNCIL MEETING.

**REGULAR MEETING NO. 44 OF COLUMBUS CITY COUNCIL,
NOVEMBER 3, 2003 at 5:00 P.M. IN COUNCIL CHAMBERS.**

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

A motion was made by President Mentel, seconded by Tavares, to Dispense with the reading of the Journal and Approve. The motion carried by the following vote:

**THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE
CITY CLERK'S OFFICE AS OF WEDNESDAY, OCTOBER 29, 2003:**

New Type: C1, C2
To: 14-0 Express Inc
355 E Hudson
Columbus Ohio 43202

Transfer Type: D2, D2X, D3, D3A, D6
To: Pearl Bar Inc
DBA Barrister Hall
1st & 2nd Fl Bsmt & Patio
560 S High St
Columbus, Ohio 43215
From: 560 S High St Inc
DBA Barrister Hall
1st & 2nd Fl Bsmt & Patio
560 S High St
Columbus Ohio 43215

Transfer Type: D1
To: Tripati Baba Ltd
DBA Indian Kitchen
2346 N High St
Columbus Ohio 43202
From: Zhen Di Inc
5829 Emporium Square
Columbus Ohio 43231

Transfer Type: D1, D2, D3, D6
To: 487 Park Inc
487 Park St
Columbus Ohio 43215
From: Stopper Enterprises LLC
DBA R J Snappers Bar & Grill
700 N High St 1st Fl Bsmt & Mezzanine
Columbus Ohio 43215

Transfer Type: D1
To: Burklyn Enterprises LLC

DBA Teed Up Golf
7543 Pingue Dr
Columbus Ohio 43085
From: Northland Car Wash Inc
DBA Teed Up Golf
7543 Pingue Dr
Columbus Ohio 43085

Transfer Type: D1, D2
To: Tandoori Palace Inc
DBA Tandoori Palace
195 Campus View Blvd
Columbus Ohio 43235
From: Taipei Gourmet Inc
2882 E Main St
Columbus Ohio 43209

Transfer Type: D1, D2, D3, D3A, D6
To: Maylin Inc
DBA Moon Garden
4419-21 Crossroads Center
Columbus Ohio 43232
From: Sung Eun Inc
DBA Moon Garden
4419-21 Crossroads Center
Columbus Ohio 43232

ADVERTISE 11/08/03
RETURN 11/20/03

RESOLUTIONS OF EXPRESSIONS

THOMAS

To recognize and congratulate Reverend Cleophus Kee on his 37th
Pastoral Anniversary.

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

TAVARES

To Declare Our City to be a "Leave No Child Behind City" and to Endorse the Movement
and the Act to Leave No Child Behind (S.447/H.R. 936)

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

To recognize Shremshock Architects, Inc., Franklin County Children Services, Dave Thomas Foundation, and the Adopt a Child Foundation for partnering together to kickoff National Adoption Month.

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

ADDITIONS OR CORRECTIONS TO THE AGENDA

FR FIRST READING OF 30-DAY LEGISLATION

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

FR

To authorize the Public Service Director to establish encumbrances to pay construction inspection charges related to 2004 ADA-compliant Ramp Installation and 2004 Resurfacing projects that will be undertaken by the Transportation Division; to authorize the expenditure of \$100,000.00 or so much thereof as may be needed for this purpose from the 1995, 1999 Voted Streets and Highways Fund. (\$100,000.00)

FR

To change the name of that right-of-way currently referred to as Pfeifer Drive on the recorded subdivision plat of White Ash, Section 1, to Pfeifer Ash Drive.

FR

To change the name of McCloud Road, east of Fairwood Avenue, from Frebis Avenue north to Gates Street, to Thelma B. Kee Place.

UTILITIES: THOMAS, CHR. MENDEL O'SHAUGHNESSY HABASH

FR

To authorize the Finance Director to establish a Blanket Purchase Order, for systems maintenance on Division of Water plant process control computers, from an established Universal Term Contract with Telvent USA, for the Division of Water, and to authorize the expenditure of \$105,050.00 from the Water Systems Operating Fund. (\$105,050.00)

FR

To authorize the reimbursement to the Division of Electricity for material, labor and equipment costs incurred in the installation of urban infrastructure street lighting projects, and to authorize the expenditure of \$18,000.00 from the Voted Street Lighting and Electricity Distribution Improvement Fund. (\$18,000.00)

FR

To authorize the Director of Public Utilities to establish an encumbrance to pay operating license fees for our three water treatment plants, based on the State of Ohio House Bill 152, payable to the Treasurer, State of Ohio, Ohio Environmental Protection Agency, for the

Division of Water, and to authorize the expenditure of \$206,000.00 from the Water Systems Operating Fund. (\$206,000.00)

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

FR

To grant a Variance from the provisions of Section 3349.03, I, Permitted Uses, for the property located at **50 WEST THIRD AVENUE (43201)**, to permit an existing single-family dwelling in the I, Institutional District. (Council Variance # CV03-021)

FR

To grant a Variance from the provisions of Sections 3332.039, R-4, Residential District use; 3332.15, Area District requirements; 3332.19, Fronting on a public street; and 3332.27, Rear yard; for the property located at **929 NORTH FOURTH STREET (43201)**, to permit a second single-family dwelling unit (a carriage house) on the rear of a lot developed with a single-family dwelling with reduced development standards in the R-4, Residential District. (Council Variance # CV03-029)

CA CONSENT ACTIONS

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

CA

To authorize the Public Service Director to enter into contract for the Facilities Management Division with York International Corporation to replace two HVAC compressors at the Fire Training Academy, to expend \$49,303.00 from the Facilities Management Capital Improvement Fund, and to declare an emergency. (\$49,303.00)

This Matter was Approved on the Consent Agenda.

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

CA

To authorize the Columbus Fire Chief to accept a grant award from Wal-Mart, Inc. for the Safe Neighborhood Heroes Program, to appropriate \$5,000.00 from the unappropriated balance of the Special Revenue Private Grants Fund, and to declare an emergency. (\$5,000.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize and direct the City Auditor to transfer \$35,000.00 within the Municipal Court Clerk Computer Special Revenue Fund for the purpose of mitigating a projected shortfall in payroll costs and to declare an emergency. (\$35,000.00)

This Matter was Approved on the Consent Agenda.

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

CA

To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of three (3) parcels of real property held in the Land Bank pursuant to the Land Reutilization Program and to declare an emergency.

This Matter was Approved on the Consent Agenda.

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

CA

To authorize the expenditure of \$100,000.00 for Transportation Division construction inspection fees from the Voted 1995 and 1999 Street and Highway Bond Fund, and to declare an emergency. (\$100,000.00)

This Matter was Approved on the Consent Agenda.

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

CA

To appropriate \$50,000.00 within the General Permanent Improvement Fund; to authorize the Public Service Director to modify and increase an existing contract with Decker Construction Company for the Utility Cut and Restoration project - 2002 for the Transportation Division; to authorize the expenditure of \$50,000.00 from the General Permanent Improvement Fund and \$200,000.00 from the Sanitary Operating Fund, and to declare an emergency. (\$250,000.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Public Service Director to enter into an agreement with the Director of the Ohio Department of Transportation and the Franklin County Engineer to grant consent and propose cooperation with the State of Ohio and Franklin County for a project to reconstruct the existing bridge on CR171 (Innis Road) over Alum Creek for the Transportation Division; and to declare an emergency. (\$0)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Public Service Director to enter into an agreement with the Director of the Ohio Department of Transportation to grant consent and propose cooperation with the State of Ohio for a roadway improvement project to develop a transportation operations and construction strategy to address deficiencies on portions of the IR-70 Corridor for the Transportation Division and to declare an emergency. (\$0)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Public Service Director to enter into an agreement with the Director of the Ohio Department of Transportation to grant consent and propose cooperation with the State of Ohio for a roadway improvement project to develop a transportation operations and construction strategy to address deficiencies on portions of IR-270, SR315, U.S. Route 23 and IR-71 for the Transportation Division and to declare an emergency. (\$-0-)

This Matter was Approved on the Consent Agenda.

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

CA

To authorize the City Auditor to transfer \$13,500.00 within the Waterworks Enlargement Voted 1991 Bonds Fund to fund the Sunbury Road 12" Water Line Improvement project for the Division of Water, and to declare an emergency. (\$13,500.00)

This Matter was Approved on the Consent Agenda.

Passed The Consent Agenda

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

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

To accept the application (AN03-022) of Hurstle & Imogene Long for the annexation of certain territory containing 0.419 ± Acres in Madison Township.

A motion was made by O'Shaughnessy, seconded by President Mentel, that this matter be Tabled to Certain Date. The motion carried by the following vote:

To authorize the Director of Development to enter into an agreement with Mohawk Carpet Distribution LP for a tax abatement of 75% (seventy-five) percent on real property improvements for a period of 10 (ten) years in consideration of a proposed \$18,331,700.00 investment, the retention of 100 (one hundred) jobs and the creation of 50 (fifty) new jobs; and to declare an emergency.

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

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

To appropriate \$9,138.42 within the 1995, 1999 Voted Streets and Highways Fund; to authorize the transfer of \$374,711.69 between projects within that Fund; to authorize the Public Service Director to reimburse the Franklin County Engineering Department the sum of \$1,330,114.27 for the City of Columbus share of various partnered roadway improvement projects for the Transportation Division; to authorize the expenditure of \$1,330,114.27 from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$1,330,114.27)

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

To authorize the transfer of \$300,000.00 between projects within the Federal-State Highway Engineering Fund; to authorize the City Attorney to acquire fee simple title and lesser interests in and to property needed for the Norton Road Improvement project for the Transportation Division; to expend \$300,000.00 or so much thereof as may be needed from the Federal-State Highway Engineering Fund for the City share of additional acquisition costs related to this project and to declare an emergency. (\$300,000.00)

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

To authorize the transfer of \$100,000.00 between projects within the 1995, 1999 Voted Streets and Highways Fund; to authorize the Public Service Director to enter into contract with Columbus Engineering Consultants, Inc., for professional engineering services associated with the 2004 Traffic Calming Program - General Engineering Services projects for the Transportation Division, and to authorize the expenditure of \$100,000.00 from the 1995, 1999 Voted Streets and Highways Fund. (\$100,000.00)

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

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

To establish a Board of Revision to hear the objections to the Longview Avenue assessment for ornamental street lighting with underground wiring and the McDannald Estates assessment for construction of sanitary sewer improvements, and to declare an emergency.

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

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 Postlewaite Road, at the request of Gregory A. Marietti, in exchange for a replacement easement previously granted to the City of Columbus, Ohio.

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

To authorize the Director of Public Utilities to enter into contract with the Nickolas M. Savko & Sons Company, and to provide for the payment of construction administration services for the construction of the Rose Run North Subtrunk, Locust Alley North Sewer Extension Project, to authorize the transfer and expenditure of \$82,791.60 from the Sewer Permanent Improvements Fund; and to amend the 2003 Capital Improvements Budget; for the Division of Drainage. (\$82,791.60)

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

To authorize the Director of Public Utilities to modify the professional engineering services contract with DLZ Ohio, Inc., for the Jackson Pike Wastewater Treatment Plant Sludge Handling and Dewatering Improvements Project; to authorize the appropriation, transfer and expenditure of \$162,890.90 from the Sewer System Reserve Fund to the Ohio Water Pollution Control Loan Fund; for the Division of Sewerage and Drainage. (\$162,890.90)

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

To authorize the Director of Public Utilities to modify the professional engineering services contract with URS Corporation., for the Southerly Wastewater Treatment Plant Electrical System Upgrade; to authorize the appropriation, transfer and expenditure of \$199,893.00 from the Sewerage System Reserve Fund to the Ohio Water Pollution Control Loan Fund; to amend the 2003 Capital Improvements Budget; for the Division of Sewerage and Drainage. (\$199,893.000)

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

To authorize the Director of Public Utilities to enter into a professional engineering services contract with Malcolm-Pirnie, Inc., for the preparation of construction plans and specifications for three sanitary sewer improvement projects located in the Clintonville community; to authorize the appropriation, transfer and appropriation of \$853,657.00 from the Sewer System Reserve Fund to the Ohio Water Pollution Control Loan Fund; to amend the 2003 Capital Improvements Budget; for the Division of Sewerage and Drainage, and to declare an emergency. (\$853,657.00)

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

To authorize the City Auditor to transfer of \$1,500,000.00 within the Sewerage System Operating Fund to align budget authority with projected expenditures and to declare an emergency. (\$1,500,000.00)

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

ADJOURNMENT

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