



# 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, January 12, 2004

5:00 PM

City Council Chambers, Rm 231

---

**REGULAR MEETING NO. 2 OF COLUMBUS CITY COUNCIL, JANUARY 12, 2004  
at 5:00 P.M. IN COUNCIL CHAMBERS.**

### ROLL CALL

### READING AND DISPOSAL OF THE JOURNAL

#### C0001-2004

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE  
CITY CLERK'S OFFICE AS OF THURSDAY, JANUARY 8, 2004:

New Type: D2  
To: Wingage II Ltd  
1710 Hilliard Rome Rd & Patio  
Columbus Ohio 43026

New Type: D3  
To: Chipotle Mexican Grill of Colorado LLC  
DBA Chipotle Mexican Grill  
1835 Hilliard Rome Rd  
Columbus Ohio 43026

New Type: C1, C2  
To: Armbruster Energy Enterprises LLC  
8500 N High St  
Lewis Center Columbus Ohio 43035

New Type: C1, C2  
To: Johyna II Inc  
DBA Als Market  
224 Reeb Av  
Columbus Ohio 43207

Transfer Type: D5, D6  
To: HB Klub Inc  
DBA Mianis

2619 N High St & Patio  
Columbus Ohio 43202  
From: 2619 N High Street Inc  
DBA Mianis  
2619 N High St & Patio  
Columbus Ohio 43202

Transfer Type: C1, C2  
To: Luckys Carryout Inc  
DBA Luckys Carryout  
2326 Summit St  
Columbus Ohio 43202  
From: Hasheh Foods Inc  
DBA Maynard Market  
2326 Summit St 1st Fl & Bsmt  
Columbus Ohio 43202

ADVERTISE 01/17/04  
RETURN 01/28/04

## RESOLUTIONS OF EXPRESSIONS

### TAVARES

[002X-2004](#) To recognize and congratulate Mary Lou Langenhop on her retirement on this 3rd day of January, 2004.

## ADDITIONS OR CORRECTIONS TO THE AGENDA

### FR FIRST READING OF 30-DAY LEGISLATION

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

- FR [2557-2003](#) To accept the application (AN03-029) of Ruth Ames for the annexation of certain territory containing 4.794 ± Acres in Franklin & Jackson Townships.
- FR [2582-2003](#) To accept the application (AN03-028) of Jennifer Grooms, et al. for the annexation of certain territory containing 171.0 ± Acres in Prairie & Pleasant Townships.
- FR [2585-2003](#) To accept the application (AN03-036) of Community Housing Network, Inc. for the annexation of certain territory containing 2.904 ± Acres in

Franklin Township.

- FR     [2593-2003](#)     To accept the application (AN03-026) of Sharon L. Goodburn, et al. for the annexation of certain territory containing 10.912 ± Acres in Orange Township.
- FR     [0026-2004](#)     An ordinance adopting the Harrison West / A.C. Humko Economic Development Plan as a guide for future economic development and in support of a tax increment financing district.

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

- FR     [0021-2004](#)     To accept the plat titled OLDSTONE CROSSING SECTION 1, from VIRGINIA HOMES, LTD., an Ohio limited liability company, by CHARLES E. RUMA, Vice President.
- FR     [0030-2004](#)     To authorize the Director of the Public Service Department to execute those documents required to grant an encroachment easement into the east side of North Sixth Street between Grove Street and Buckingham Street.
- FR     [0036-2004](#)     To authorize the Director of the Public Service Department to execute those documents required to grant encroachment easements into East Main Street, Washington Avenue, Cherry Street and the alley west of Washington Avenue to 4MX Partners, LLC.
- FR     [0037-2004](#)     To authorize the Director of the Public Service Department to execute those documents required to transfer the 10 foot wide unimproved alley west of 936 Spring Street to David C. Fleisher and Charles W. Jett, II, and to waive the competitive bidding provisions of Columbus City Codes.
- FR     [0041-2004](#)     To authorize the Public Service Director to execute those documents required to grant encroachment easements into Nationwide Boulevard and John H, McConnell Boulevard to NWD 225 Nationwide, LLC.
- FR     [0042-2004](#)     To authorize the Public Service Director to execute those documents required to transfer a portion of Worthington Road, north of Polaris Parkway, to NP Limited Partnership; and to waive the Land Review Commission and the competitive bidding provisions of Columbus City Codes.

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

- FR**     [2308-2003](#)     To grant an exception from the street lighting requirements of Chapter 1165 of the Columbus City Codes, 1959, to The Ohio State University for Lane Avenue from Pearl Alley to the east side of the Lane Avenue/Olentangy bridge structure and from the west side of the Lane Avenue Olentangy bridge structure to approximately 900' west; and to authorize the Director of Public Utilities to enter into an agreement with The Ohio State University for the maintenance of said lighting. (\$0)
- FR**     [2572-2003](#)     To authorize the Director of Public Utilities to modify contracts with the Superior Electric Company and Camp Dresser and McKee, Inc. in connection with the Wastewater Treatment Facilities Instrumentation and Control System Upgrade Project; to authorize the appropriation, transfer and expenditure of \$2,288,711.00 from the Sewerage System Reserve Fund to the Ohio Water Pollution Control Loan Fund; and to amend the 2003 Capital Improvements Budget, for the Division of Sewerage and Drainage. (\$2,288,711.00)
- FR**     [2634-2003](#)     To authorize the Director of Public Utilities to modify the contract with Darby Creek Excavating Inc., for Fire Hydrant Upgrades - 2002 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 \$140,000.00 from the Waterworks Enlargement Voted 1991 Bonds Fund. (\$140,000.00)

**CA     CONSENT ACTIONS****FINANCE: SENSENBRENNER, CHR. O'SHAUGHNESSY TAVARES HABASH**

- CA**     [2679-2003](#)     To authorize and direct the Finance Director to modify and extend the city-wide contracts for the option to purchase Building Electrical Products, with Wesco Distribution Inc, Loeb Electric Company, Edco Tool & Supply, Consolidated Electrical, Becker Electric Supply, Rexel Elgee Inc., Electrical Mechanics and McNaughton-McKay Electric, and to declare an emergency.

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

- CA**     [2691-2003](#)     To authorize an increase to an existing Auditor's Certificate by \$183,000.00 from the Recreation and Parks Grant Fund for the provision of services to older adults and to declare an emergency. (\$183,000.00)

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

- CA [2503-2003](#) To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Mobile Computing Units, with Data911, and to declare an emergency.
- CA [2730-2003](#) To authorize the Columbus Fire Chief to accept a grant award from the Public Utilities Commission of Ohio to provide hazardous materials technician and technician refresher courses to fire service personnel, to appropriate \$5,325.00 from the unappropriated balance of the General Government Grant Fund to the Division of Fire and to declare an emergency. (\$5,325.00)

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

- CA [2705-2003](#) To authorize the acceptance of a deed for a parcel of land to be held in the City's Land Bank inventory until a redevelopment project is identified.
- CA [2706-2003](#) To authorize the Director of Department of Development to execute deeds and all other necessary agreements required for conveyance of title of one parcel of real property held in the Land Bank pursuant to the Land Reutilization Program.
- CA [0038-2004](#) To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN03-040 RF) of 2.58± Acres in Plain Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

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

- CA [2701-2003](#) To authorize the Director of the Public Service Department to execute those documents required to release the ten foot wide platted easement along the lot line common to Lots 6 and 7 of Brookside Business Park, Section 1, of record in Plat Book 63, Pages 50 and 51, in the offices of the Recorder, Franklin County, Ohio.

**APPOINTMENTS**

- CA [A0032-2004](#) Director of the Department Development for the City of Columbus and in accordance with Section 4114.03 of the Columbus City Code, I hereby reappoint Dale F. Witte to serve as a Union OCIEB licensed Contractor to the Board of Review of HVAC Contractors. The term will expire November 30, 2006.

*WITHDRAWN*

- CA [A0031-2004](#) The Department of Development would like to recommend the

reappointment of Doreen Uhas-Sauer, 2347 Neil Avenue, Columbus, Ohio 43202 to serve on the University Area Review Board with a term expiration date of January 31, 2007

*WITHDRAWN*

- CA**    [A0030-2004](#)    The Civil Services Commission would like to reappoint Priscilla R. Tyson, City Year, 35 N. 4th Street, Columbus, Ohio 43215 to serve on the Civil Services Commission with a new term expiration date of January 31, 2010.
- CA**    [A0029-2004](#)    The Columbus Urban Growth Board of Directors would like to appoint Sherry Keys-Hebron to replace Ms. Lorraine Brock, CEO/President of Volunteers of American, 415 East Main Street, Columbus, Ohio 43215. The new term expiration date will be May 31, 2006.
- CA**    [A0019-2004](#)    The Veterans' Advisory Board would like to reappoint Dave Bradley, 250 W. Broad, Columbus, Ohio 43215. The new term will expire June 30, 2005
- CA**    [A0018-2004](#)    The Veterans' Advisory Board would like to reappoint Richard M. Long, 6535 Evening Street, Worthington, Ohio 43085. LeRoy Clendenen will be the alternate for Richard M. Long. The new term will expire September 30, 2005
- CA**    [A0017-2004](#)    The Mayor's Education Advisory Commission for the prescribed term amounts in accordance with Section 159.02 of the Columbus City Code and the Ordinance Numbers 2439-00 and 0073-01 would like to reappoint Betty J. Simmons-Talley, Ohio Association of Public School Employees, 6805 Oak Creek Drive, Columbus, Ohio 43220-1591, to Mayor's Education Advisory commission. The new term will expire December 31, 2006
- [A0016-2004](#)    The Mayor's Education Advisory Commission for the prescribed term amounts in accordance with Section 159.02 of the Columbus City Code and the Ordinance Numbers 2439-00 and 0073-01 would like to reappoint Mark Real, President and CEO, KidsOhio.org, 22 E. Gay Street, to Mayor's Education Advisory commission. The new term will expire December 31, 2006
- CA**    [A0015-2004](#)    The Mayor's Education Advisory Commission for the prescribed term amounts in accordance with Section 159.02 of the Columbus City Code and the Ordinance Numbers 2439-00 and 0073-01 would like to reappoint John Grossman, Columbus Education Assn., 929 East Broad Street, Columbus, Ohio 43205, to Mayor's Education Advisory commission. The new term will expire December 31, 2006
- CA**    [A0014-2004](#)    The Mayor's Education Advisory Commission for the prescribed term amounts in accordance with Section 159.02 of the Columbus City

Code and the Ordinance Numbers 2439-00 and 0073-01 would like to reappoint Dr. Gene Harris, Superintendent, Columbus City Schools, 270 E. State Street, Columbus, Ohio 43215, to Mayor's Education Advisory commission. The new term will expire December 31, 2006

- CA**     [A0012-2004](#)     The Department of Development would like to recommend the appointments of David Brownstein, 755 Dennison Ave, Columbus, Ohio 43215 to fill a vacant position that for Victorian Village Society seats. The term will expire June 30, 2004.
- CA**     [A0011-2004](#)     The Department of Development would like to recommend the appointments of Rob Vogt, 775 N Park Street, Columbus, OH 43215 to fill a vacant position that for Victorian Village Society seats. The terms will expire June 30, 2004.
- CA**     [A0010-2004](#)     Director of the Department Development for the City of Columbus and in accordance with Section 4114.03 of the Columbus City Code, I hereby reappoint Craig R. Brown, 5304 Morning Drive, Hilliard, Ohio 43026 to serve as a Non-Union OCIEB Licensed Contractor to the Board of Review of HVAC contractors. The term will expire February 1, 2006.  
*WITHDRAWN*
- CA**     [A0009-2004](#)     The Columbus Advisory Committee on Disability Issues would like to recommend reappointment of Scott Lissner - 1849 Cannon Dr., Columbus, Ohio 43210 to serve on the Advisory Committee on Disability Issues replacing Nancy James with a new term expiration date of September 30, 2006.
- CA**     [A0008-2004](#)     The Columbus Advisory Committee on Disability Issues would like to recommend reappointment of David Newland - 3014 Avalon Road, Columbus, Ohio 43221 to serve on the Advisory Committee on Disability Issues, with a new term expiration date of September 30, 2006.
- CA**     [A0007-2004](#)     The Columbus Advisory Committee on Disability Issues would like to recommend reappointment of Cherilyn Bloodworth - D.S.C, 5858 N. High Street, Worthington, Ohio 43085 to serve on the Advisory Committee on Disability Issues, with a new term expiration date of September 30, 2006.
- CA**     [A0006-2004](#)     The Columbus Advisory Committee on Disability Issues would like to recommend reappointment of Kathy Blair - 6011 Blue Spruce Street., Columbus, Ohio 43231 to Serve on the Advisory Committee on Disability Issues with a new term expiration date of September 30, 2006.
- CA**     [A0005-2004](#)     Franklin Park Conservatory Joint Recreation District to recommend that

Trustees Cathy Mayne Lyttle, Corporate Communications, Worthington Industries, 200 Old Wilson Bridge Road, Columbus, Ohio 43085, be reappointed to the Conservatory's Board of Trustees with a term expiration date of January 31, 2007.

CA [A0004-2004](#) Franklin Park Conservatory Joint Recreation District to recommend that Trustees Nadia Alaudini , Pricewaterhouse Coopers LLP, 100 East Broad Street, Columbus, Ohio 43203, be reappointed to the Conservatory's Board of Trustees with a term expiration date of January 31, 2007

CA [A0003-2004](#) The Columbus Advisory Committee on Disability Issues would like to recommend reappointment of David Cameron - RSC, 400 Campus View Blvd., Columbus, OH 43235 to serve on this board with a term expiration date of September 30, 2006

CA [A0002-2004](#) The Department of Development would like to recommend the reappointment of Bob Deis, 718 Highland Drive, Columbus, Ohio 43214 with a new term expiration date of January 31, 2007. (appointees resume on file with the Mayor's office).

WITHDRAWN

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

### FINANCE:SENSENBRENNER, CHR. O'SHAUGHNESSY TAVARES HABASH

[2544-2003](#) To make appropriations for the 12 months ending December 31, 2004 for the Sinking Fund - Bond Note Retirement Funds, and to declare an emergency.

*(TABLED INDEFINITELY 11/24/03)*

[2546-2003](#) To make appropriations for the 12 months ending December 31, 2004, for selected other funds for various divisions, to authorize the City Auditor to make transfers as may be necessary, and to declare an emergency.

*(TABLED INDEFINITELY 11/24/03)*

[2709-2003](#) To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Rental of Uniforms and Building Maintenance Supplies with Cintas Corporation, to waive formal competitive bidding requirements, and to declare an emergency.

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

[2692-2003](#) To authorize and direct the Finance Director to modify and extend the



citywide contract for the option to purchase Cisco Products and Services, with Resource One, to waive formal competitive bidding requirements, and to declare an emergency.

**003X-2004** To authorize the City Auditor to request advance payments of property and estate taxes from the Franklin, Fairfield and Delaware County Auditors during 2004 and to declare an emergency.

**0070-2004** To authorize and direct the Public Service Director to enter into a contract for the Facilities Management Division for critical electrical repairs at Fire Station 10, to authorize the expenditure not to exceed \$100,000 from the Public Safety Voted Bond Fund, Fire Facility Renovation Project; and to declare an emergency. (\$100,000)

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

**2523-2003** To authorize the transfer of funds within the City Attorney's budget , to authorize the City Attorney to contract with Orville L. Reed, III for legal services in connection with Azzarella v. Frank Messer & Sons, et al., Case No. CV 2000-03-1499 in the Summit County Court of Common Pleas, to waive the competitive bidding provisions of the Columbus City Codes, to authorize the expenditure of One Hundred Thousand Dollars (\$100,000.00), and to declare an emergency.

**2539-2003** To authorize and direct the Director of Public Safety to modify and increase a contract with the Franklin County Board of Commissioners for the housing of prisoners: to authorize the expenditure of \$940,000 from the General Fund and to declare an emergency. (\$940,000)

**2620-2003** To authorize and direct the City Attorney to pay the settlement amount to Plaintiff William Anderson and James McNamara as his counsel, in the case of William Anderson v. City of Columbus, et al., United States District Court Case No. C2-01-791, to authorize the expenditure of the sum of Twenty-three Thousand, Five Hundred Dollars (\$23,500.00), and to declare an emergency .

**0034-2004** To authorize the City Attorney to enter into a professional services agreement with Lighting Technologies and Services, Inc. , to authorize the expenditure of Twenty-Five Thousand Dollars and 00/100 (\$25,000.00), to waive competitive bidding and to declare an emergency. (\$25,000.00)

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

**2553-2003** To accept the application (AN03-025) of Rockford Homes, Inc. for the annexation of certain territory containing 15.0 ± Acres in Jefferson Township.

*(TABLED 12/08/03)*

**0053-2004** To authorize the Director of Development to amend the existing Enterprise Zone Agreement (EZA) and Jobs Creation Tax Credit Agreement (JCTCA) with Value City Department Stores, Inc. and Northland Associates, LLC. to reflect the new parent holding company now known as Retail Ventures, Inc. and three of its subsidiaries including Value City Department Stores, Inc., Shonac Corporation and Retail Ventures Services, Inc. ; and to declare an emergency.

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

**2650-2003** To authorize an appropriation of \$13,474,645 in various divisions and object levels of the Community Development Block Grant Fund, to provide funding for approved programs, and to declare an emergency. (\$13,474,645)

*(TABLED 12/15/03)*

**2667-2003** To authorize the transfer of \$373,844 (cash only) from the CDBG subfund known as the "revolving loan fund" to the CDBG subfund known as the "entitlement fund" to provide resources for all approved 2004 CDBG program activities, and to declare an emergency. (\$373,844)

*(TABLED 12/15/03)*

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

**2630-2003** To authorize the Director of Public Utilities to execute a modification to the sewerage service agreement on behalf of the City of Columbus with the Village of Shawnee Hills, Ohio, for the Division of Sewerage and Drainage. (\$0.00)

**2654-2003** To authorize the Director of Public Utilities to execute a modification to the sewerage service agreement on behalf of the City of Columbus with the City of Upper Arlington, Ohio, for the Division of Sewerage and Drainage. (\$0.00)

**2664-2003** To authorize the Department of Public Utilities, Division of Electricity, to proceed with the installation of a high pressure sodium street lighting system with ornamental poles and underground wiring on Longview

Avenue from High Street to Calumet Street under the assessment procedure.

## **RULES & REFERENCE: HABASH, CHR. MENDEL SENSENBRENNER TAVARES**

### **1908-2003**

To amend various sections of Chapter 329 of the Columbus City Codes, 1959 by establishing distinct provisions for specific services procurement, including additional quality factors for City agency directors to consider when making a contract award, and renumbering various other sections as required.

**Sponsors:** Maryellen O'Shaughnessy

*(TABLED INDEFINITELY 12/15/03)*

### **0054-2004**

To amend section 111.12 of Columbus City Codes 1959, speaking before city council, and to declare an emergency.

**Sponsors:** Matthew D. Habash

## **FROM THE FLOOR**

## **RESOLUTIONS OF EXPRESSION**

## **TAVARES, THOMAS**

### **006X-2004**

To honor and recognize Douglas Moore, the Coalition of Black Trade Unionists' Labor Award recipient for the 2004 Labor's Salute to Dr. Martin Luther King, Jr.

**Sponsors:** Charleta B. Tavares and Patsy Thomas

### **007X-2004**

To honor and recognize Arthur Calloway, the Coalition of Black Trade Unionists' Community Service Award recipient for the 2004 Labor's Salute to Dr. Martin Luther King, Jr.

**Sponsors:** Charleta B. Tavares and Patsy Thomas

### **008X-2004**

To honor and recognize Jessica Michelle Brookins, the Coalition of Black Trade Unionists' Scholarship Award recipient for the 2004 Labor's Salute to Dr. Martin Luther King, Jr.

**Sponsors:** Charleta B. Tavares and Patsy Thomas

### **009X-2004**

To honor and recognize Richard C. Pfeiffer, Jr., the Coalition of Black Trade Unionists' Special Recognition Award recipient for the 2004 Labor's Salute to Dr. Martin Luther King, Jr.

**Sponsors:** Charleta B. Tavares and Patsy Thomas

**ADJOURNMENT**