



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, September 20, 2004

5:00 PM

City Council Chambers, Rm 231

**REGULAR MEETING NO. 49 OF COLUMBUS CITY COUNCIL, MONDAY,
SEPTEMBER 20, 2004 at 5:00 P.M. IN COUNCIL CHAMBERS.**

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

C0027-2004

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE
CITY CLERK'S OFFICE AS OF WEDNESDAY SEPTEMBER 15, 2004

New Type: C1, C2
To: Yohannes Abraham
682 E Hudson St
Columbus, Ohio 43211
permit # 00322640005

New Type: C1, C2
To: Harsha & Co Inc
DBA Smokers Stop
809 Bethel Rd
Columbus, Ohio 43214
permit # 3637295

New Type: D3A
To: Colombinis Bar & Grill Inc
DBA Colombinis Sports Diner
894 W Broad St 1st Fl & Patio
Columbus, Ohio 43222
permit # 16386100006

Transfer Type: C1, C2
To: Nofa Oil Inc
DBA Livingston Sunoco
4425 E Livingston Av
Columbus, Ohio 43227

From: Free Enterprises Inc
DBA Livingston & Hamilton Sunoco
4425 E Livingston Av
Columbus, Ohio 43227
permit # 6430664

Transfer Type: D5
To: Manga I Inc
3836 E Livingston Av
Columbus, Ohio 43227
From: Tammy A Khim
DBA El Coyote
3024 Sullivant Ave
Columbus, Ohio 43204
permit # 5478071

Transfer Type: D1, D3, D3A, D3X
To: Sunset Negril LLC
108 Vine St
Columbus, Ohio 43215
From: Family Entertainment West Inc
461 Commerce Square Dr
Columbus, Ohio 43228
permit # 8699012

Transfer Type: D2
To: Lounge County Inc
1st Fl Rear & Bsmt only
2542 W Broad St
Columbus, ohio 43204
From: 918 Weber Inc
2530 W Broad St 1st Fl
Columbus, Ohio 43204
permit # 53132120005

Advertise 9/25/04
Return 10/11/04

RESOLUTIONS OF EXPRESSION

BOYCE

207X-2004

To recognize Lisa Marin for her appointment to the position of Director of Personnel for the District of Columbia and to express our appreciation for nearly four years of dedicated service to the City of Columbus, Department of Human Resources.

Sponsors: Kevin L. Boyce

HABASH

198X-2004 That this Council recognizes and commends the actions of Don Anthony, of the Columbus Parking Violations Bureau, for demonstrating his honesty, integrity, and commitment to exemplary public service.

Sponsors: Matthew D. Habash

206X-2004 To urge the citizens of the City of Columbus to vote for the 2004 Bond Package, Issues 4 thru 11, on November 2, 2004.

Sponsors: Matthew D. Habash

TAVARES

205X-2004 To honor and congratulate Mary Passaglia on her new position as Development Director of Rocky Mountain Youth Corps in Taos, New Mexico.

Sponsors: Charleta B. Tavares

208X-2004 To honor and congratulate Dr. Wesley E. Greenfield Jr. on answering the call to become Pastor of Love Zion Baptist Church on this 19th day of September 2004.

Sponsors: Charleta B. Tavares

209X-2004 To proclaim Saturday, September 18, 2004 as a "Day of Hope" in the City of Columbus.

Sponsors: Charleta B. Tavares

ADDITIONS OR CORRECTIONS TO THE AGENDA

FR FIRST READING OF 30-DAY LEGISLATION

RECREATION & PARKS: BOYCE, CHR. THOMAS HABASH

FR **1479-2004** To authorize and direct the Finance Director to enter into a contract for the option to purchase Clay and Glazes with Columbus Clay Co., to authorize the expenditure of \$1.00 to establish the contract from the Purchasing/Contract Operation Fund. (\$1.00).

DEVELOPMENT: O'SHAUGHNESSY, CHR. BOYCE TAVARES HABASH

- FR [1571-2004](#) To accept the application (AN04-013) of Wyandotte Eakin Road LLC. for the annexation of certain territory containing 0.25 ± Acres in Franklin Township.
- FR [1600-2004](#) 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 (3579 E. Deshler Avenue) held in the Land Bank pursuant to the Land Reutilization Program.
- FR [1601-2004](#) 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 (McAllister Avenue, Lot 8) held in the Land Bank pursuant to the Land Reutilization Program.
- FR [1602-2004](#) To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of 2 parcels of real property held in the Land Bank pursuant to the Land Reutilization Program.

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

- FR [1494-2004](#) To authorize the Public Service Director to enter into a contract for the Transportation Division for a professional engineering services contract with DLZ Ohio, Inc., for the Neighborhood Commercial Revitalization (NCR) General Engineering 2004 project; to authorize the expenditure of \$500,000.00 from the 1995, 1999 Voted Streets and Highways Fund. (\$500,000.00)
- FR [1650-2004](#) To accept various DEEDS for real property to be used as road right-of-way and to dedicate and name those properties as Old State Road, Powell Road, Kennedy Road, Harrisburg Pike, Roberts Road, Wilson Road, Georgesville Road, McNaughten Road, Cassady Avenue, Parsons Avenue, Cassady Avenue, North Hamilton Road, Kinnear Road, Lazelle Road, Brown Road and Dyer Road.

UTILITIES: THOMAS, CHR. MENDEL O'SHAUGHNESSY HABASH

- FR [1441-2004](#) To authorize the Finance Director to establish a purchase order for the purchase of 470 used 90-gallon refuse collection containers from the Solid Waste Authority of Central Ohio for the Refuse Collection Division; to waive the formal competitive bidding requirements of the Columbus City Code, and to authorize the expenditure of \$9,400.00 from the 1995, 1999 Voted Mechanized Refuse Collection Equipment

Fund. (\$9,400.00)

- FR** [1497-2004](#) To authorize and direct the Public Service Director to apply for and accept a \$141,500.00 2005 "Recycle, Ohio!" grant from the Ohio Department of Natural Resources for the continued operation of the Keep Columbus Beautiful program within the Refuse Collection Division, Public Service Department. (\$-0-)
- FR** [1533-2004](#) To authorize the Finance Director to establish an additional Blanket Purchase Order, for computer programming services, from an established Universal Term Contract with Compuware Corporation, for the Division of Water, and to authorize the expenditure of \$80,000.00 from Water Systems Operating Fund. (\$80,000.00)
- FR** [1541-2004](#) To authorize the Finance Director to establish a purchase order with Victor Stanley, Incorporated, for the purchase of two hundred (200) sidewalk litter receptacle liners for the Refuse Collection Division per the terms and conditions of an existing citywide contract and to authorize the expenditure of \$5,600.00 from the Development Department Capital Fund. (\$5,600.00)

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

- FR** [1630-2004](#) To rezone 3790 MORSE ROAD (43219), being 12.77± acres located at the northeast corner of Morse and Sunbury Roads, From: R, Rural and L-R, Limited Rural Districts, To: CPD, Commercial Planned Development District (Z04-048) and to declare an emergency.

CA CONSENT ACTIONS

ADMINISTRATION: BOYCE, CHR. MENTEL HABASH

- CA** [1463-2004](#) To authorize the expenditure of \$100,000.00 from the Facilities Management Capital Improvement Fund for various facility renovations, and to declare an emergency. (\$100,000.00)
- [1577-2004](#) To authorize and direct the City Auditor to modify and increase Contract No. CT-17228 with The Huntington National Bank for certain banking services to be performed for the City Auditor, Division of Income tax through February 28, 2005 and to authorize the expenditure of \$55,000.00 from the general fund, (\$55,000.00), and to declare an emergency.

SAFETY & JUDICIARY: MENTEL, CHR. BOYCE THOMAS HABASH

- CA [1452-2004](#) To authorize and direct the Finance Director to enter into a contract with Air BP for purchase of jet fuel for the Division of Police; to authorize the expenditure of \$150,000.00 from the General Fund. (\$150,000.00)
- CA [1456-2004](#) To authorize and direct the Finance Director to contract for the 2nd year option for the lease of copy machines for the Division of Police with Xerox Corporation, to authorize the expenditure of \$96,254.04 from the General Fund budget. (\$96,254.04)
- CA [1465-2004](#) To authorize and direct the Finance Director to contract for the rental of parking spaces for the Division of Police, to authorize the expenditure of \$141,091.00 from the General Fund. (\$141,091.00)

DEVELOPMENT: O'SHAUGHNESSY, CHAR. BOYCE TAVARES HABASH

- CA [1524-2004](#) To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of one parcel of real property (530 Miller Avenue) held in the Land Bank pursuant to the Land Reutilization Program.
- CA [1525-2004](#) To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of 3 parcels of real property (Condon Drive) held in the Land Bank pursuant to the Land Reutilization Program.
- CA [1527-2004](#) To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of two parcels of real property held in the Land Bank pursuant to the Land Reutilization Program.
- CA [1535-2004](#) 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 (E. 25th Avenue, Lot 105) held in the Land Bank pursuant to the Land Reutilization Program.
- CA [1537-2004](#) 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 (234 S. Highland Avenue) held in the Land Bank pursuant to the Land Reutilization Program.
- CA [1539-2004](#) To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of 4 parcels of real property held in the Land Bank pursuant to the Land Reutilization Program.

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

- CA [0266-2004](#) To authorize the Public Service Director to modify and increase a design contract with Eriksson Engineering Limited for the Minnesota Avenue, Riverview Drive and Elmore Avenue project for the Transportation Division; to authorize the expenditure of \$208,000.00 from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$208,000.00)
- CA [0840-2004](#) To authorize the City Auditor to reinstate \$50,000.00 that was inadvertently cancelled from the General Engineering - Roadways 1998 contract with EMH&T for the Transportation Division; to authorize the expenditure of \$50,000.00 from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$50,000.00)
- CA [1440-2004](#) To authorize the Public Service Director to execute those documents required to grant an encroachment easement into Neilston Avenue to Dwain Lee Architects, Inc.
- CA [1449-2004](#) To accept the plat titled NEW NORTHLAND CROSSING, NORTHLAND PARK AVENUE RETAIL VENTURES BOULEVARD DEDICATION AND EASEMENTS.
- CA [1453-2004](#) To accept the plat titled THE RESIDENCES AT ITALIAN VILLAGE, from NEW VICTORIANS INC., by JOSEPH ARMENI, President and COLLIN MK PROPERTIES LLC, by STEVE KLEMA.
- CA [1476-2004](#) To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Auto & Truck Upholstery Repair with A-Tech Auto Restylin' Inc., and to declare an emergency.
- CA [1528-2004](#) To authorize the Public Service Director to establish an encumbrance to pay for labor and materials for traffic calming in the Linden Area; to authorize the expenditure of \$30,000.00 from the 1995, 1999 Voted Street and Highways Fund for this purpose; and to declare an emergency. (\$30,000.00)
- CA [1532-2004](#) To authorize the Public Service Director to establish an encumbrance to pay for labor and materials for the installation of features to improve the safety of two intersections: Dimension Drive at High Cross Boulevard and Dimension Drive at Vantage Drive; to authorize the expenditure of \$40,000.00 from the 1995, 1999, Voted Streets and Highways Fund, and to declare an emergency. (\$40,000.00)
- CA [1588-2004](#) To accept the plat titled GREAT OAK SECTION 1, from DOMINION HOMES INC., an Ohio corporation, by ROBERT A. MEYER, JR., Senior Vice President.

UTILITIES: THOMAS, CHR. MENDEL O'SHAUGHNESSY HABASH

- CA [1460-2004](#) 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 \$201,393.92 from the Water Systems Operating Fund. (\$201,393.92)
- CA [1468-2004](#) To authorize and direct the Finance Director to enter into eight contracts for the option to purchase Pole Line Hardware, with WESCO Distribution, Inc., Reed City Power Line Supply, Hughes Supply/Electric Laboratories & Sales, Consolidated Electrical Distributors, Becker Electric, GE, Edison Equipment Co., and Traffic Parts, Inc., to authorize the expenditure of eight dollars to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$8.00).
- CA [1496-2004](#) To authorize the Director of Finance to establish a purchase order with Alto U.S. Inc for the purchase of an Industrial Sweeper Scrubber for the Division of Sewerage and Drainage, and to authorize the expenditure of \$35,371.78 from the Sewerage System Operating Fund. (\$35,371.78)
- CA [1502-2004](#) To authorize the Director of Public Utilities to modify the contract with Stone Environmental Engineering & Science, Inc. for the Federally Mandated Spill Prevention, Control and Countermeasures plan for the Division of Electricity; to authorize the expenditure of \$18,500.00 from the Voted Street Lighting and Electricity Distribution Improvements Fund; and to declare an emergency. (\$18,500.00)

APPOINTMENTS

- CA [A0110-2004](#) Reappointment of Wallace C. Giffen, The Ohio State University, Dept. of Physical Facilities, Utilities Division, 2003 Millikin Road, Columbus, Ohio 43210, to serve on the Sewer and Water Advisory Board with a new term expiration date of September 13, 2008 (resume attached).

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

- [1251-2004](#) To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Pager Services with Arch Wireless, to waive formal competitive bidding requirements and to

declare an emergency.

1515-2004 To authorize and direct the cancellation of \$300,000 from an auditor's certificate within the general fund, Department of Finance, and to declare an emergency (\$300,000).

1655-2004 To authorize the transfer of monies between projects within the Information Services Bond Fund, the Storm Sewer Bond Fund, the 1991 Sanitary Sewer Voted Bond Fund, and the 1995, 1999 Voted Streets and Highways Capital Fund. To align the funds issued in the 2004 bond sale with prior certifications against the Special Income Tax Fund (SIT) and Reserve Funds; to amend the 2004 Capital Improvements Budget (CIB); and to declare an emergency. (\$1,043,506.76)

1536-2004 To authorize the City Clerk to enter into contract with the Franklin County Public Defender Commission to provide legal counsel to indigent persons charged with criminal offenses, to authorize the transfer of \$100,000 within the Office of City Council, to authorize the expenditure of \$706,198 from the General Fund; and to declare an emergency. (\$706,198.00)

RECREATION & PARKS: BOYCE, CHR. THOMAS HABASH

1686-2004 To authorize the Executive Director of the Recreation and Parks Department to execute a Real Estate Exchange Contract and any ancillary documents necessary to grant certain City owned real property, located in the vicinity of Holtzman Avenue and Bryden Road, to S & G Properties in exchange for certain real property, necessary to the Alum Creek Bike Trail (Academy Park to Main Street) Project; to waive the Land Review Commission provisions of the Columbus City Codes (1959) and to declare an emergency.

SAFETY & JUDICIARY: MENDEL, CHR. BOYCE THOMAS HABASH

0861-2004 To authorize and direct the Finance Director to issue a purchase order to Sutphen Corporation, for the purchase of 100' aerial platform ladders; to authorize the expenditure of \$1,709,500.78 from the Safety Voted Bond Fund; and to declare an emergency. (\$1,709,500.78)

1553-2004 To authorize the Mayor of the City of Columbus to accept a Sub-Grant Award from the Franklin County Commissioners' Grant Office, for the construction of a new 800 MHz radio communications tower in the North Corridor of the Columbus Urban Area, to authorize the appropriation of \$5,800,000.00 and to declare an emergency. (\$5,800,000.00).

JOBS AND ECONOMIC DEVELOPMENT: HUDSON, CHR.

- [1599-2004](#) To authorize and direct the Director of the Columbus Department of Development to enter into an agreement with the Ohio Department of Development to receive and administer Clean Ohio assistance grant funds in an amount of \$81,200.00; to authorize the appropriation of \$81,200 from the General Government Grant Fund; to authorize and direct the Director of the Columbus Department of Development to enter into an agreement with General Theming Contractors to apply said grant funding for Phase II environmental work at its facility at 1826 E. Livingston Avenue; to authorize the expenditure of \$81,200 from the General Government Grant Fund; and to declare an emergency. (\$81,200)

DEVELOPMENT: O'SHAUGHNESSY, CHR. BOYCE TAVARES HABASH

- [1295-2004](#) To accept the application (AN04-010) of Barefoot Grass Lawn Service, Inc. for the annexation of certain territory containing 2.63 ± Acres in Madison Township.
- [1296-2004](#) To accept the application (AN04-008) of The New Albany Company LLC for the annexation of certain territory containing 2.3 ± Acres in Plain Township.
- [1320-2004](#) To accept the application (AN04-011) of The Linh Son Pagoda of Ohio for the annexation of certain territory containing 0.75 ± Acres in Clinton Township.
- [1511-2004](#) To accept the application (AN04-009) of Cypress Wesleyan Church for the annexation of certain territory containing 55.9 ± Acres in Prairie Township.
- (DEPT. REQUEST ORDINANCE TO BE TABLED)*
- [1518-2004](#) To accept the application (AN04-016) of Donnie Ross, et al. for the annexation of certain territory containing 5.06 ± Acres in Franklin Township.

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

1457-2004 To authorize the Public Service Director to reimburse the Franklin County Engineering Department \$800,000.00 or so much thereof as may be necessary for the city's share of costs incurred on the Cleveland Avenue - Oakland Park Avenue to Ferris Road improvement project for the Transportation Division; to authorize this expenditure from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$800,000.00)

1517-2004 To authorize the Director of the Public Service Department to execute those documents required to transfer the alley east of Kerr Street, from Russell Street to I-670, to Kerr Street Place, Ltd., at no charge; and to waive the competitive bidding provisions of Columbus City Codes (1959) Revised.

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

1394-2004 To authorize and direct the transfer of \$300,000.00 within the General Fund, Development Department; to authorize the Director of the Department of Development to enter into a contract with the Community Shelter Board to support the Rebuilding Lives Program; to authorize the expenditure of \$369,581.00 from the General Fund; and to declare an emergency. (\$369,581.00)

1570-2004 To authorize the appropriation of \$30,000.00 from the unappropriated balance of the Community Development Block Grant Fund; to authorize the expenditure of \$30,000.00 from the Community Development Block Grant Fund for the provision of loans through the Homeownership Development Program; and to declare an emergency. (\$30,000.00)

UTILITIES: THOMAS, CHR. MENDEL O'SHAUGHNESSY HABASH

1470-2004 To authorize the Director of Public Utilities to execute a construction contract with Kokosing Construction Company, Inc., in connection with the Columbus/Kossuth Streets Sewer Replacement Project; to authorize the appropriation of \$4,030,569.23 and the expenditure of \$3,722,000.32 from the Ohio Water Pollution Control Loan Fund; and to amend the 2004 Capital Improvements Budget; for the Division of Sewerage and Drainage. (\$3,722,000.32)

1530-2004 To authorize the Finance Director to enter into contracts with ESEC Corporation dba Columbus Peterbilt and McNeilus Truck Body and Manufacturing Company for the purchase of truck cabs and chassis and bodies, respectively, which collectively constitute twelve (12)

automated side loader refuse collection trucks for the Refuse Collection Division; to authorize the expenditure of \$1,880,076.00 from the 1995, 1999 Voted Refuse Collection Fund, and to declare an emergency. (\$1,880,076.00)

1531-2004

To authorize the Finance Director to establish purchase orders with Toter, Incorporated, and Rotonics Manufacturing, Incorporated, for the purchase of mechanized collection containers and container parts for the Refuse Collection Division per the terms and conditions of existing citywide contracts; to authorize the expenditure of \$482,807.05 from the 1995, 1999 Voted Mechanized Refuse Collection Equipment Fund, and to declare an emergency. (\$482,807.05)

1543-2004

To authorize the City Auditor to make an intra-subfund transfer of \$29,097.36 within the Storm Sewer Bonds Fund for the Division of Sewerage and Drainage to provide the necessary capital projects funds for stormwater improvements at the intersection of Lane Avenue and Tuller Street; to authorize an amendment to the 2004 Capital Improvements Budget to accommodate this transaction; and to declare an emergency. (\$29,097.36)

1545-2004

To authorize the City Auditor to make an intra-subfund transfer of \$200,000.00 within the Storm Sewer Bonds Fund for the Division of Sewerage and Drainage to provide the necessary capital projects funds for land acquisition services; to authorize an amendment to the 2004 Capital Improvements Budget to accommodate these various transactions; and to declare an emergency. (\$200,000.00)

1671-2004

Authorizing the issuance and sale of special assessment bonds in the amount of \$168,800 for the Eastmoor II Street Light Assessment Project. (\$168,800).

Section 55(b) of the City Charter

(DEPT. REQUEST TO WAIVE SECOND READING)

RULES & REFERENCE: HABASH, CHR. MENTEL TAVARES**194X-2004**

To accept the amounts and rates by the Franklin County Budget Commission for the City's Tax Budget for 2005 and to declare an emergency.

Sponsors: Matthew D. Habash

APPOINTMENTS**A0100-2004**

Appointment of Dr. Clay Royder, 867 West Town Street, Columbus, Ohio 43222, to serve on the Recreation and Parks Commission to replace Eugene Harper with a term expiration date of December 31,

2005. (Resume attached)

(TABLED 7/26/04)

ADJOURNMENT