

# City of Columbus

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



## Minutes - Final

Monday, December 8, 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. 52 OF COLUMBUS CITY COUNCIL,  
MONDAY, DECEMBER 8, 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 Sensenbrenner, 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, DECEMBER 3, 2003:**

**New Type:** C2  
**To:** 4440 Indianola Inc  
DBA Clintonville Market  
4440-2 Indianola Av  
Columbus Ohio 43214

**Transfer Type:** D1, D2, D3, D3A  
**To:** Westgate 3 Gen Inc  
DBA Westgate Lounge  
575-77 Wedgewood Dr  
Columbus Ohio 43228  
**From:** George A Stirpe  
DBA Westgate Cocktail Lounge  
575-77 Wedgewood Dr  
Columbus Ohio 43228

**Transfer Type:** D5  
**To:** 4955 Arbor Village Drive Thru  
DBA Zueys Roundback Bar  
4955 Arbor Village Dr  
Columbus Ohio 43214  
**From:** Odd Couple LLC  
DBA Zueys Roundback Bar  
4955 Arbor Village Dr  
Columbus Ohio 43214

**Transfer Type:** C1, C2  
**To:** Alja Stores Inc  
DBA Kent Street Market  
1656 Kent St 1st Fl  
Columbus Ohio 43205  
**From:** Napaly Inc  
DBA Kent Carryout  
1656 Kent St 1st Fl  
Columbus Ohio 43205

**Transfer Type:** D1, D2, D3, D6

**To:** Cozymel #11 LLC  
DBA Cozymels Coastal Grill  
Patio & Courtyard  
6100 Parkcenter Circle  
Columbus Ohio 43017

**From:** Brinker Ohio Inc  
DBA Cozymels A Very Mexican Grill  
Patio & Courtyard  
6100 Parkcenter Circle  
Columbus Ohio 43017

**Transfer Type:** C1, C2

**To:** Sullivant Ave Inc  
DBA Certified  
3172 E Livingston Av  
Columbus Ohio 43227

**From:** Certified Oil Corp  
DBA Certified Oil 420  
3172 E Livingston Av  
Columbus Ohio 43227

**Transfer Type:** C1, C2

**To:** Sullivant Ave Inc  
DBA Certified  
3034 E Broad St  
Columbus Ohio 43209

**From:** Certified Oil Corp  
DBA Certified Oil 370  
3034 E Broad St  
Columbus Ohio 43209

**Stock Type:** D5, D6

**To:** Flannagans Dublin Inc  
DBA Flannagans  
6835 Caine Rd & Patios  
Columbus Ohio 43235

**NOTICE:**

TO THE COUNCIL OF THE CITY OF COLUMBUS, OHIO:

The undersigned, a Board of Revision, appointed and acting in the pursuance of Resolution No. 380X-2003 adopted November 3, 2003, respectfully approve the estimated assessment of the cost and expense of improving McDannald Estates Area by constructing sanitary sewers as made by the Division of Sewerage and Drainage and hereby adopts said report as its own.

Walter R. Cates, Sr., Chair  
Darrin Wasniewski  
Fred K. Parker

**NOTICE:**

TO THE COUNCIL OF THE CITY OF COLUMBUS, OHIO:

The undersigned, a Board of Revision, appointed and acting in the pursuance of Resolution No. 380X-2003 adopted November 3, 2003, respectfully approve the estimated assessment of the cost and expense of improving Longview Avenue Area by installing underground wiring and ornamental street lighting as made by the Electricity Division and hereby adopts said report as its own.

Walter R. Cates, Sr., Chair  
Fred K. Parker  
Darrin Wasniewski

ADVERTISE 12/13/03  
RETURN 12/24/03

**RESOLUTIONS OF EXPRESSIONS**

**O'SHAUGHNESSY**

To endorse the Central Ohio Transit Authority's participation in the *United We Ride* program and to declare December 2, 2003 as *United We Ride Day* in Columbus.

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

**THOMAS**

To recognize and honor the Nigerian Friendship Association in celebration of their 10th Annual Banquet.

**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**

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

**FR**

To amend Management Compensation Plan, Ordinance No. 2944-99, as amended, by providing no increases in salaries to City Council President (E) and City Council Member (E) in 2004 and setting a wage scale for the

succeeding three years contingent upon acceptance by the members of City Council; **and to declare an emergency.**

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

FR

To authorize the City Attorney to modify an agreement for special legal counsel services with representatives of the law firm of Squire, Sanders & Dempsey, LLP and to authorize the expenditure of the sum of One Hundred Twenty Thousand Dollars and no/cents (\$120,000.00).

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

FR

To adopt an update to the Rocky Fork-Blacklick Accord as the city's official policy document for development, infrastructure improvements, and future land use within the planning area.

FR

To adopt the Indianola Avenue Corridor Plan as the city's official policy document for development, infrastructure improvements, and future land use within the planning area.

FR

To adopt the South Linden Neighborhood Plan as a guide for future improvements, investments and actions within the South Linden neighborhood.

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

FR

To accept the plat titled THE WILLOWS AT PRESERVE CROSSING, from VILLAGE COMMUNITIES, L.L.C., an Ohio limited liability corporation, by R. S. TRE' GILLER, III, President.

FR

To accept the plat titled THE RESERVE AT LINWORTH, from THE KING GROUP, LTD. By its President, DENIS R. KING, JR., Managing General Partner.

FR

**To authorize the Director of the Public Service Department to execute those documents required to grant an encroachment easement for a ramp that will provide ADA compliant access to the building located at 2439 North High Street.**

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

FR

To authorize the Director of Public Utilities to enter into lease agreements for property in Franklin, Delaware and Pickaway Counties, for the Division of Water.

FR

To authorize the Director of Public Utilities to modify the professional engineering services agreement with Burgess & Niple, Limited for the Jackson Pike Wastewater Treatment Plant New Headworks; to authorize the appropriation, transfer and expenditure of \$343,075.00 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. (\$343,075.00)

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

FR

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.

FR

To amend Section 2107.06 of the Columbus City Codes, 1959, pertaining to impounding fees and storage charges.

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

FR

To rezone **3715 WEST DUBLIN-GRANVILLE ROAD (43017)**, being 0.71± acres located on the south side of West Dublin-Granville Road, 522± feet east of Sawmill Road, **From:** C-3, Commercial District, **To:** L-C-4, Limited Commercial District (Rezoning Z02-071).

FR

To rezone **4505 EAST DUBLIN-GRANVILLE ROAD (43081)**, being 2.3± acres located on the south side of East Dublin-Granville Road, 400± feet west of Conifer Drive, **From:** R, Rural District, **To:** L-I, Limited Institutional District. (Rezoning # Z03-052) **AMENDED BY ORD. # 0795-2006 PASSED 05/22/06**

FR

To rezone **2150 EAST POWELL ROAD (43240)**, being 12.71± acres located on the south side of East Powell Road, 2000± feet east of South Old State Road, **From:** R, Rural District, **To:** L-AR-12, Limited Apartment Residential District. (Rezoning # Z03-053)

FR

To rezone **1800 WALCUTT ROAD (43228)**, being 11.21± acres on the east side of Walcutt Road, 1530± feet north of Trabue Road, **From:** M-1, Manufacturing District, **To:** L-M Limited Manufacturing District. (Rezoning # Z03-032)

FR

To rezone **8754 NORTH HIGH STREET (43215)**, being 47.55± acres located on the east side of North High Street, 1540± feet north of Lazelle Road, From: R, Rural District, To: CPD, Commercial Planned Development and PUD-8, Planned Unit Development Districts.

**CA CONSENT ACTIONS****ADMINISTRATION: BOYCE, CHR. SENSENBRENNER MENTEL  
HABASH**

CA

To authorize the Director of the Department of Technology to modify a contract with Unisys Corporation for software license support and services for the Department of Technology Information Services Division, to authorize the expenditure of \$57,035.00 from the Information Services Fund, and to declare an emergency. (\$57,035.00)

**This Matter was Approved on the Consent Agenda.**

CA

To authorize the City Clerk to enter into a contract with Daystar Computer Systems, Inc. for the support and maintenance of Legistar, the city's established citywide electronic system for creating and submitting legislation; and to authorize the expenditure of \$22,515.00 from the General Fund, and to declare an emergency. (\$22,515.00)

**This Matter was Approved on the Consent Agenda.**

CA

To authorize the Director of Finance, to enter into the fifth year of a five year lease agreement with Xerox Corporation for the lease of a large volume copier; and to authorize the expenditure of \$30,000.00 from the 2003 operating budget of the City Clerk and City Council, and to declare an emergency. (\$30,000.00)

**This Matter was Approved on the Consent Agenda.**

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

CA

To authorize and direct the Director of Recreation and Parks to modify the contract with Miles McClellan for additional professional services in conjunction with the North Bank Park Project, to authorize the expenditure of \$51,000.00 from the Recreation and Parks Grant Fund, and to declare an emergency. (\$51,000.00)

**This Matter was Approved on the Consent Agenda.**

**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 Sidewalk Installation Phase IV Project, and to declare an emergency.

**This Matter was Adopted on the Consent Agenda.**

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

CA

To authorize the Public Service Director to render payment to the Mid-Ohio Regional Planning Commission for staff support services rendered in connection with the State Capital Improvement Program and Local Transportation Improvement Program for the Transportation Division; to expend \$46,121.00 from the Municipal Motor Vehicle License Tax Fund for this purpose, and to declare an emergency. (\$46,121.00)

**This Matter was Approved on the Consent Agenda.**

CA

To appropriate \$150,000.00 within the Federal-State Highway Engineering Fund; to authorize the Public Service Director to pay ownership-related expenses including but not limited to grounds upkeep, maintenance, cleaning, rental expenses, utilities and property taxes for occupied and unoccupied properties acquired by the city as a result of advanced acquisition for the Hard Road Improvement project for the Transportation Division; to authorize the expenditure of \$150,000.00 from the Federal-State Highway Engineering Fund, and to declare an emergency. (\$150,000.00)

**This Matter was Approved on the Consent Agenda.**

CA

To appropriate monies in the amount of \$2,545.17 from the General Permanent Improvement Fund and authorize the expenditure of \$3,042.95 from the Voted 1995, Voted 1999 Streets and Highways Fund and \$2,545.17 from the General Permanent Improvement Fund to pay the State of Ohio, Department of Transportation for an outstanding invoice in connection with the Broad Street Bridge over Alum Creek project for the Transportation Division, and to declare an emergency. (\$5,588.12)

**This Matter was Approved on the Consent Agenda.**

CA

To authorize the Public Service Director to modify and increase an existing contract with The Shelly Company for the construction of the Neil Avenue Traffic Islands and Resurfacing project for the Transportation Division; to authorize the expenditure of \$41,324.32 from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$41,324.32)

**This Matter was Approved on the Consent Agenda.**

CA

To authorize the Public Service Director to modify and extend agreements with the Mid-Ohio Regional Planning Commission and the Ohio Department of Transportation for continued operation of the Paving the Way program through July 31, 2004, and to declare an emergency. (\$0.00)

**This Matter was Approved on the Consent Agenda.**



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

CA

To authorize the Board of Health to modify and increase a contract with Ron Suprenant, DBA Med2Order for medical billing consulting services; to authorize an expenditure of \$20,000 from the Health Department Special Revenue Fund, and to declare an emergency. (\$20,000).

**This Matter was Approved on the Consent Agenda.**

CA

To authorize and direct the Board of Health to accept grants from the Central Ohio Breathing Association and the Ohio Commission on Minority Health in the amount of \$39,030.00; to authorize the appropriation of \$39,030.00 from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency. (\$39,030.00)

**This Matter was Approved on the Consent Agenda.**

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

CA

To authorize the Finance Director to establish an additional Blanket Purchase Order, for water meters and appurtenances, from an established Universal Term Contract with Badger Meters, Inc., for the Division of Water, to authorize the expenditure of \$49,800.00 from Water Systems Operating Fund, and to declare an emergency. (\$49,800.00)

**This Matter was Approved on the Consent Agenda.**

**Passed The Consent Agenda****EMERGENCY, TABLED AND 2ND READING OF 30-DAY  
LEGISLATION****FINANCE: SENSENBRENNER, CHR. O'SHAUGHNESSY  
TAVARES HABASH**

To authorize and direct the Human Resources Director to enter into an contract with the consulting firm of Watson Wyatt for the purchase of compensation consulting services to continue to design and implement the CMAGE/CWA pay plan; to authorize the expenditure of \$57,700.00; to waive the competitive bid requirements of the Columbus City Codes; and to declare an emergency (\$57,700).

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

To grant an extension of injury leave to Dennis Hammond, Fire Fighter, for a period of six (6) months beginning April 18, 2003 as recommended by the Board of Industrial Relations; and to declare an emergency.

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

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

To authorize the Director of the Department of Finance to establish purchase orders with Cingular Wireless in the amount of \$27,360.00 and Nextel Communications in the amount of \$152,940.00 for the purchase of wireless and communication services, for the Department of Technology, on behalf of citywide agencies; to authorize the expenditure of \$145,800.00 from the Telecommunications Division Cable Fund; \$34,500.00 from the Technology Director's Office Internal Service Fund; and to declare an emergency. (\$180,300.00)

**A motion was made by President Pro-Tem Boyce, seconded by Sensenbrenner, that this matter be Tabled to Certain Date. The motion carried by the following vote:**

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

To authorize the Director of the Department of Recreation and Parks to execute and grant a quitclaim deed of easement to Abigail E. Sheard through a certain portion of that City owned property known as Antrim Park, and to the extent they may be applicable, to waive the competitive bidding and Land Review Commission requirements of the Columbus City Codes (1959) Revised, and to declare an emergency.

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

To authorize and direct the Director of Recreation and Parks to enter into contract with George J. Igel & Company for the North Bank Park - Issue B Project, to authorize the expenditure of \$1,266,315.00 from the Recreation and Parks Grant Fund and \$1,000,000.00 from the Voted 1995 and 1999 Street and Highway Bond Fund, and to declare an emergency. (\$2,266,315.00)

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

To authorize an appropriation in the amount of \$3,675,000.00 from the unappropriated balance of the Recreation and Parks Grant Fund to the Recreation and Parks Department for continued operation of the Central Ohio Area Agency on Aging during 2003 and 2004, and to declare an emergency. (\$3,675,000.00)

**A motion was made by President Pro-Tem Boyce, seconded by Sensenbrenner, that this matter be Approved. The motion carried by the**

following vote:

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

To authorize the City Attorney to modify an agreement for special legal counsel services with representatives of the law firm of Porter, Wright, Morris & Arthur and to authorize the expenditure of the sum of One Hundred Twenty Thousand Dollars and no/cents (\$120,000.00).

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

To authorize the City Attorney to modify an agreement for special legal counsel services with representatives of the law firm of Carlile, Patchen & Murphy, L.L.P. and to authorize the expenditure of the sum of One Hundred Five Thousand Dollars and no/cents (\$105,000.00).

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

To authorize the City Attorney to modify an agreement for special legal counsel services with representatives of the law firm of Schottenstein, Zox & Dunn Co. LPA and to authorize the expenditure of the sum of Twenty Thousand Dollars and no/cents (\$20,000.00).

**A motion was made that this matter be Tabled to Certain Date. The motion carried by the following vote:**

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

To adopt interim guidelines proposed by the Italian Village Commission addressing the use of artificial siding materials on new construction projects within the Italian Village Historic District; to waive Section 3116.03 of the Columbus City Codes, 1959; and to declare an emergency.

**A motion was made that this matter be Taken from the Table. The motion carried by the following vote:**

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

To authorize the Director of Development to dissolve the existing Enterprise Zone Agreement (EZA) with Value City Department Stores and to end the inventory tax abatement provided for in the EZA, with or without the written consent of Value City Department Stores; and to declare an emergency.

**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 Director of Development to dissolve the existing Jobs Creation Tax Credit Agreement (JCTCA) with Daifuku America Corporation with or without the written consent of Daifuku America Corporation; and to declare an emergency.

**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 Director of Development to terminate the existing Enterprise Zone Agreement and Jobs Creation Tax Credit with Buckeye Steel Castings Company with or without the written consent of Buckeye Steel Castings Company; and to declare an emergency.

**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 Director of Development to dissolve the Enterprise Zone Agreement and the Tax Credit Agreement with International Business Machines Corporation (IBM), and to end the related property tax exemptions and tax credit, with or without the written consent of IBM; and to declare an emergency.

**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 Director of the Department of Development to amend the existing Enterprise Zone Agreement with the City of Columbus and Shonac Corporation to reflect approximately 203 (two hundred and three) of the 355 (three hundred and fifty five) retained jobs transferring to the Value City Northland site also known as Retail Ventures, Inc.; and to declare an emergency. (REPEALED BY ORDINANCE 1367-2006 PASSED 07/31/06)

**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 Director of the Department of Development to amend the Weiler-Bowen/City Park Place Enterprise Zone Agreement to acknowledge multiple tenants at the facility, to require the retention and/or creation of 150 jobs, to designate Weiler-Bowen Ltd. to be responsible for the job retention/creation being achieved and to be responsible for the annual report the City requires to fulfill its Enterprise Zone obligations; and to declare an emergency.

**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 Director of Development to terminate the existing Jobs Creation Tax Credit with Leadscope Inc, with or without the written consent of Leadscope Inc.; and to declare an emergency.

**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 Director of the Department of Development to amend the Enterprise Zone Agreement between the City and Brooks Beverage Management, Inc., changing the tax exemption on real property improvements for the period of 2005 through 2014 and altering the job creation from 115 to 69 full time employees; and to declare an emergency.  
**(AMENDED BY ORD 0270-2004 PASSED 2/23/2004)**

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

To amend Ordinance 1793-03, passed July 28, 2003, in order to correct the legal description contained in the original ordinance designating the Continent as a Community Entertainment District **and to declare an emergency.**

**A motion was made by O'Shaughnessy that this matter be Amended to Emergency. The motion carried by the following vote:**

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

To authorize the Director of the Department of Development to enter into a Columbus Downtown Office Incentive Program agreement with Cornerstone Home Financial as provided in Columbus City Council Resolution 144X-02 adopted July 22, 2002.

**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 Director of the Department of Development to enter into a Columbus Downtown Office Incentive Program agreement with Midwest Communications and Media as provide in Columbus City Council Resolution 144X-02 adopted July 22, 2002.

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

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

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

To authorize the acceptance and disposition of a deed for a parcel of land to be included in the Land Bank inventory.

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

An ordinance declaring improvements to certain parcels of real property to be a public purpose, requiring the owners thereof to make service payments in lieu of taxes, establishing an urban redevelopment tax increment equivalent fund for the deposit of such service payments, describing the improvements to be made, and authorizing the Director of Development to execute the TIF and Development Agreement to pay for infrastructure and other development costs associated with the former Northland Mall site; and to declare an emergency.

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

An Ordinance declaring the improvement to certain parcels of real property to be a public purpose, requiring the owners thereof to make service payments in lieu of taxes, providing for the payment to the Columbus City School District of its portion of those service payments, establishing a municipal public improvement tax equivalent fund for the deposit of the remainder of those service payments with the City and authorizing the Director of the Department of Development to execute a Tax Increment Financing and Development Agreement for infrastructure improvements to benefit the development of West Edge Business Center; and to declare an emergency.

**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 Director of the Department of Development to execute documents to allow the City to accept title to certain property generally known as West Edge Business Center; to transfer the property back to the original owners; and to declare an emergency.

**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 Development Director to dissolve the existing Enterprise Zone Agreement (EZA) and Jobs Creation Tax Credit Agreement (JCTCA) with Distribution Fulfillment Services (DFS) and to end the related tax incentives; and to declare an emergency.

**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 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 resurface a portion of U. S. Route 23D (Third Street) for the Transportation Division and to declare an emergency. (\$-0-)**

**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 Director of Development to terminate the existing Enterprise Zone Agreement with Edwards Companies and to end the related property tax exemptions; and to declare an emergency.

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

To authorize the Development Director to amend the Enterprise Zone Agreement (EZA) with USIR, eliminating the personal property tax abatement and the requirement for investment in personal property; and to declare an emergency.

**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 Director of the Department of Development to amend the Central Ohio Welding Industries, Inc. Enterprise Zone Agreement to reduce the number of jobs retained/created from 148 to 38 and to extend the period of time to meet this requirement to 12/31/05; and to declare an emergency.

**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 Director of the Department of Development to amend the Commodity Logistics Enterprise Zone Agreement to extend the period of time for meeting the job creation goal to 12/31/05; and to declare an emergency.

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

An Ordinance declaring improvements to certain parcels of real property within the Rocky Fork Blacklick Accord Economic Development Plan Area to be a public purpose, requiring the owners thereof to make service payments in lieu of taxes, providing for the payment to the Columbus City School District of its portion of those service payments, establishing a municipal public improvement tax equivalent fund for the deposit of the remainder of those service payments with the City and authorizing the Director of the Department of Development to execute one or more Tax Increment Financing and Development Agreement for infrastructure improvements to benefit the development of Rocky Fork Blacklick Accord Economic Development Plan Area; and to declare an emergency.

**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 Director of Development to amend the existing Enterprise Zone Agreement (EZA) with Coca-Cola Fountain, Inc. and to reduce the requirement of machinery and equipment, extend the allowable time of investment, eliminate the requirement for job creation and reduce the job retention requirement; and to declare an emergency.

**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 Director of the Department of Development to amend the amendment for Roxane Laboratories and to amend the amended agreement to the Enterprise Zone Agreement between the City of Columbus and Roxane Laboratories Inc. and its affiliates; and to declare an emergency.

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

To amend Ordinance ~~1793-03~~ 1759-2003, passed July 28, 2003, in order to correct the legal description contained in the original ordinance designating the Continent as a Community Entertainment District **and to declare an emergency.**

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

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

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

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

**To authorize the Public Service Director to enter into a contract with Evans, Mechwart, Hamilton and Tilton (EMH&T) for a feasibility study and preliminary engineering work for the possible realignment of the westbound IR-670 off-ramp at North Fourth Street for the Transportation Division; to authorize the expenditure of \$20,000.00 from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$20,000.00)**

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

**To authorize the Public Service Director to enter into a contract with Shelly and Sands, Inc. for the Main Street Wheelchair Ramps project for the Transportation Division; to authorize the expenditure of \$269,101.30 from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$269,101.30)**

**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 Public Service Director to execute those documents required to grant an underground encroachment easement into Children's Drive for The Children's Hospital.



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 appropriation of \$500,000.00 within the Municipal Motor Vehicle License Tax Fund; to authorize the Public Service Director to reimburse the Street Construction, Maintenance and Repair Fund for force account alley rehabilitation, permanent pavement marking, traffic signal, and sign installation work performed by and for the Transportation Division; to authorize the expenditure of \$500,000.00 from the Municipal Motor Vehicle License Tax Fund for this purpose and to declare an emergency. (\$500,000.00)

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 Public Service Director to enter into a one year agreement with Computran Systems Corporation for software maintenance for the Transportation Division's downtown signal system processor per the sole-source provisions of the Columbus City Codes, 1959; to authorize the expenditure of \$20,000.00 or so much thereof as may be needed for this purpose from the Municipal Motor Vehicle License Tax Fund, and to declare an emergency. (\$20,000.00)

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

To accept the plat titled SUNBURY PLACE, from BENCHMARK LAND TRUST, an Ohio trust, by DANIEL P. REIDEL, Trustee.

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 \$800,000.00 in existing appropriation authority between divisions and major expenditure categories within the Development Services Fund (\$100,000.00) and the Street Construction, Maintenance and Repair Fund (\$700,000.00) and to authorize the appropriation of \$90,000.00 within the Development Services Fund for anticipated expenditures for the balance of 2003 within the Transportation Division, Public Service Department, all of which are consistent with third quarter review projections, and to declare an emergency. (\$890,000.00)

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

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

To authorize the Director of Public Utilities to enter into a cooperative agreement with the Geological Survey, United States Department of Interior, for Investigation of Water

Resources in Central Ohio, and Ground Water Levels in Franklin County for the Division of Water, and the Scioto River at Columbus for the Division of Sewerage and Drainage, and to authorize the expenditure of \$232,450.00 (\$232,450.00).

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

To authorize the Finance Director to enter into a contract with Thomas W. Ruff & Co., for office workstations, for the Division of Water, to waive the provisions of competitive bidding, to authorize the expenditure of \$24,332.12 from Water Systems Operating Fund, and to declare an emergency. (\$24,332.12)

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

To authorize the Director of Finance to establish a Blanket Purchase Order for the Rental of Construction Equipment with Operator from a Universal Term Contract with Travco Construction Company for the Division of Sewerage and Drainage; to authorize the expenditure of \$430,000.00 from the Sewerage System Operating Fund, and to declare an emergency. (\$430,000.00)

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

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

To amend Chapters 2101, 2105, 2107, 2109, 2113, 2131, 2133, 2135, 2137, 2139, 2150, 2151, 2155, 2157, 2171, 2173, 2301, 2303, and 2307 of the Columbus City Codes, 1959, and to create new Chapter 2141 of the Columbus City Codes, 1959, to reflect recent changes to Title 29 and Title 45 of the Ohio Revised Code as a result of the passage of Senate Bill 123 and House Bill 490 by the Ohio Legislature as well as to address existing discrepancies between Title 21 of the Columbus City Codes, 1959, and Title 45 of the Ohio Revised Code.

**A motion was made by President Mentel, seconded by Tavares, that this matter be Taken from the Table. The motion carried by the following vote:**

To amend Chapters 2101, 2105, 2107, 2109, 2113, 2131, 2133, 2135, 2137, 2139, 2150, 2151, 2155, 2157, 2171, 2173, 2301, 2303, and 2307 of the Columbus City Codes, 1959, and to create new Chapter 2141 of the Columbus City Codes, 1959, to reflect recent changes to Title 29 and Title 45 of the Ohio Revised Code as a result of the passage of Senate Bill 123 and House Bill 490 by the Ohio Legislature as well as to address existing discrepancies between Title 21 of the Columbus City Codes, 1959, and Title 45 of the Ohio Revised Code.

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

**A motion was made by President Mentel, seconded by Tavares, that this**

**matter be Approved as Amended. The motion carried by the following vote:**

To supplement Chapter 4113 of the Columbus City Codes, 1959, by amending existing Section 4113.505 of the Columbus Building Code by eliminating archaic home improvement limited license classifications and by augmenting the current qualifications of an applicant for any home improvement license classification to include an Ohio registered design professional that is experienced in residential design and construction.

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

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

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

## **ADJOURNMENT**

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