

City of Columbus

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



Agenda

Monday, October 24, 2005

5:00 PM

City Council Chambers, Rm 231

Columbus City Council

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

**REGULAR MEETING NO. 57 OF COLUMBUS CITY COUNCIL, OCTOBER 24, 2005
at 5:00 P.M. IN COUNCIL CHAMBERS.**

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY CLERK'S
OFFICE AS OF WEDNESDAY, OCTOBER 19, 2005:

New Type: C1, C2
To: Nicolas Garcia Martinez
DBA La Pequena
2100 Morse Ctr Ste 4562
Columbus, Ohio 43229
permit # 5591068

New Type: D3, D3A
To: JJ McDaniel Entertainment LLC
DBA Q Bar & Nightclub
205 N Fifth St
Columbus, Ohio 43215
permit # 4179459

Transfer Type: C1, C2, D6
To: Alcastle Inc
DBA Fast & Friendly 2
506 St Clair Av
Columbus, Ohio 43203
From: Naser One Inc
DBA Fast & Friendly 2
506 St Clair Av
Columbus, Ohio 43203
permit # 0089504

Transfer Type: D5
To: AOJO Enterprises LLC
DBA Acuarios
461 Commerce Sq
Columbus, Ohio 43228
From: Baxter Bob Corp
461 Commerce Sq
Columbus, Ohio 43228
permit # 0243540

Transfer Type: D1, D2
To: JJ McDaniel Entertainment LLC
DBA Q Bar & Nightclub
205 N Fifth St
Columbus, Ohio 43215
From: Buckeye P H Inc
5152 N High St

Columbus, Ohio 43214
permit # 4290921

Transfer Type: D5, D6
To: Mitchs Too Lounge & Grill LLC
4400 Karl Rd & Patio
Columbus, Ohio 43224
From: Karl Rd Entertainment Inc
4400 Karl Rd & Patio
Columbus, Ohio 43224
permit # 6062584

Stock Type: C1, C2
To: Ansar Inc
786 E Whittier St
Columbus, Ohio 43206
permit # 0227396

Advertise 10/29/05
Return 11/13/05

RESOLUTIONS OF EXPRESSION

BOYCE

To honor and recognize The Kemetic Institute at their 9th Annual Father Son Celebration.

To recognize Cameron Elias Eberlyn on the distinguished accomplishment of achieving the rank of Eagle Scout.

HUDSON

To honor, recognize and celebrate the life of David J. Citino, poet, professor, and advocate for the arts, culture, and community in the City of Columbus, and to extend sincere condolences to his family and friends.

O'SHAUGHNESSY

To recognize the dedication of Casto Park.

TAVARES

To recognize and congratulate the Central Ohio Division of the March of Dimes for the work it

does to saves babies' lives.

HABASH

To declare October 26, 2005 Westminster-Thurber Day in Columbus, Ohio.

ADDITIONS OR CORRECTIONS TO THE AGENDA

FR FIRST READING OF 30-DAY LEGISLATION

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

FR

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

FR

To authorize the City of Columbus to enter into a Memorandum of Understanding with NWD Investments, LLC pertaining to the construction of an \$18 million, six-story, 130,000 square foot owner-occupied office building by NWD Investments in the Arena District; to enter into a Guaranteed Maximum Cost Agreement with NWD Investments, LLC pursuant to Section 186 of the City Charter for the construction of streetscape improvements on Marconi Boulevard and across the Norfolk & Southern railroad line where it intersects Marconi Boulevard in Downtown Columbus; to waive the formal competitive bidding requirements of Chapter 329 of the City Code; to authorize a transfer in the amount of \$226,804 between projects in the 1995, 1999 Voted Streets and Highways Fund; and to authorize the expenditure of \$400,000 from the 1995, 1999 Voted Streets and Highways Fund. (\$400,000)

SAFETY & JUDICIARY: MENDEL, CHR. BOYCE THOMAS HABASH

FR

To authorize and direct the Mayor of the City of Columbus to accept a subgrantee award through the FY2005 Justice Assistance Grant (JAG) program from the Bureau of Justice Assistance, Office of Justice Programs via the Franklin County Office of Homeland Security and Justice Programs Unit, to authorize Lt. Ramona Patts as the official representative to act in connection with the subgrant and to authorize an appropriation of \$260,000.00 from the unappropriated balance of the Local Law Enforcement Block Grant Fund to the Division of Police to cover the costs of the FY05 Justice Assistance Grant projects. (\$260,000.00)

FR

To authorize and direct the Finance and Management Director to sell to Officer Wallace Sprague for the sum of \$1.00 a police canine with the registered name of "Boris " which has no further value to the Division of Police and to waive provisions of the City Code-Sale of City Owned Personal Property. (\$1.00)

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

FR To authorize the City Auditor to transfer separately appropriated monies received as partial reimbursement of extraordinary snow and debris removal expenses incurred by the Public Service Department, Transportation and Refuse Collection Divisions, during the period December 24-26, 2004 from the General Government Grant Fund to the Street Construction, Maintenance and Repair Fund and the General Fund, respectively; to authorize the appropriation of \$206,960.00 within the Street Construction, Maintenance and Repair Fund and \$964.00 within the General Fund and to authorize the expenditure of \$206,960.00 from the Street Construction, Maintenance and Repair Fund for tipping fees and the purchase of rock salt for the Transportation Division and \$964.00 from the General Fund for Refuse Collection Division overtime. (\$207,924.00)

FR To accept the plat titled HAYDEN FARMS SECTION 3, from M/I HOMES OF CENTRAL OHIO, LLC, an Ohio limited liability company, by STEPHEN M. CAPLINGER, Vice President Land Operations.

RULES & REFERENCE: HABASH, CHR. MENDEL HUDSON TAVARES

FR To enact new Section 1145.05 of the Columbus City Codes, 1959, and to repeal existing Section 1145.05 of the City Code in order to modify the standard for Sewer Design and Construction Specifications.

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

CA To authorize a transfer of \$161,915.66 from the Refuse Collection Division General Fund Budget to the Facilities Management Division General Fund Budget.

CA To authorize and direct the transfer of \$55,000.00 within the General Fund from the Community Relations Commission with \$40,000.00 allotted to the Human Resources Department and to authorize the transfer and appropriation of \$15,000.00 to the Health Department Special Revenue Fund; and to declare an emergency. (\$55,000.00)

SAFETY & JUDICIARY: MENDEL, CHR. BOYCE THOMAS HABASH

CA To authorize and direct the Finance and Management Director to sell a 1987 Sutphen Aerial Tower that is of no further value to the Division of Fire to the Sutphen Corporation for the sum of \$10,000.00, and to waive the provisions of the City Code relating to the sale of City-owned property.

CA

To authorize an appropriation of \$52,299.00 from the unappropriated monies in the FY2005 Bulletproof Vest Partnership grant fund. (\$52,299.00)

CA

To authorize an appropriation of \$76,500.00 from the unappropriated balance of the Law Enforcement Contraband Seizure Fund to refund forfeitures to the county and to purchase services for the Division of Police; and to declare an emergency. (\$76,500.00)

CA

To declare the necessity and intent to appropriate fee simple title and lesser interests in and to real estate in connection with the **Minnesota Avenue Improvement Project**, and to declare an emergency.

CA

To authorize the City Attorney to file the necessary complaints for the appropriation of fee simple title and lesser interests in and to real estate necessary for the **Hard Road Phase C Project**, to authorize the expenditure of \$6,900.00 from the **Federal-State Highway Engineering Fund**, and to declare an emergency. (\$6,900.00).

CA

To accept an Intergovernmental Agreement executed between representatives of the City of Columbus and Franklin County as a special condition for receiving Urban Area Security Initiative (USAI) Sub-grantee awards from the county; and to declare an emergency.

DEVELOPMENT: O'SHAUGHNESSY, CHR. HUDSON TAVARES HABASH

CA

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN05-018) of 1.53± Acres in Franklin Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

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

CA

To appropriate \$5,215.00 within the General Permanent Improvement Fund; to authorize the Finance and Management Director to establish a purchase order with Cline's Technical Services, Incorporated, for the purchase of a new portable nuclear moisture density gauge for the Transportation Division; to authorize the expenditure of \$5,215.00 from the General Permanent Improvement Fund, and to declare an emergency. (\$5,215.00)

CA

To authorize the Director of the Public Service Department to execute those documents required to transfer the unimproved right-of-way identified as that portion of Woodland Avenue from the north right-of-way line of Minnesota Avenue northerly to the south right-of-way line of Aberdeen Avenue to Columbus Public Schools; and to waive the Land Review Commission and the competitive bidding provisions of Columbus City Codes.

CA

To authorize the City Attorney to file the necessary complaints for the appropriation of fee simple title and lesser interests in and to real estate necessary for the **Hard Road Phase C Project**, to authorize the expenditure of \$15,825.00 from the **Federal-State Highway Engineering Fund**, and to declare an emergency. (\$15,825.00).

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

To declare the necessity and intent to appropriate perpetual and construction easements in, over, under and through real estate in connection with the **West Fifth Avenue Underpass Stormwater System Project**, and to declare an emergency.

CA

To authorize the Finance Director to enter into a contract with Hach Company, for a Water Distribution Monitoring System, for the Division of Water, and to authorize the expenditure of \$40,926.75 from Water Systems Operating Fund. (\$40,926.75)

CA

To authorize the Director of Public Utilities to modify and extend the Yard Waste and Log Grinding Services agreement for one additional year with Ohio Mulch Supply for the Division of Sewerage and Drainage

CA

To authorize the Finance Director to enter into a contract with Manufacturers Representatives, for Powder Activated Carbon Pumps, for the Division of Water, and to authorize the expenditure of \$21,950.00 from Water Systems Operating Fund. (\$21,950.00)

CA

To authorize the Director of the Department of Public Utilities to execute those documents necessary for the partial release of an existing sanitary easement, located in the vicinity of Ogden Woods Boulevard and Keswick Drive, in exchange for a replacement easement previously granted to the City of Columbus, Ohio.

CA

To authorize the Director of Public Utilities to renew a membership with the National Association of Clean Water Agencies for the Division of Sewerage and Drainage, to authorize the expenditure of \$20,501.00 from the Sewerage System Operating Fund, and to declare an emergency. (\$20,501.00)

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

To authorize and direct the Director of Recreation and Parks to enter into a revenue-generating contract with Schmidt's Hospitality Concepts, Inc., for food service at Raymond Memorial

Golf Course, and to declare an emergency.

CA

To authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services, and to expend \$485,835.00 from the Alum Creek Corridor Preservation Fund for costs in connection with the **Alum Creek Corridor Preservation - Mock to Innis Park**, and to declare an emergency. (\$485,835.00).

CA

To authorize the transfer of \$34,800.00 within the Voted 1999/2004 Parks and Recreation Bond Fund; to authorize the Director of Recreation and Parks to enter into contract with James Burkhart Associates for professional services in conjunction with the Turnberry Golf Course Irrigation Design Project, to authorize the expenditure of \$34,800.00 from the Voted 1999/2004 Parks and Recreation Bond Fund, and to declare an emergency. (\$34,800.00)

APPOINTMENTS

CA

Reappointment of Karen P. Torvik, 68 E. Beaumont Rd., Columbus, Ohio, 43214, to serve on the Columbus Horticultural Subcommittee with a new term expiration date of April 30, 2010.

CA

Appointment of Sue Laughlin, 2977 Palmetto Street, Columbus, OH 43204 to serve on the Greater Hilltop Area Commission with a new term expiration date of June 30, 2008 (bio attached).

CA

Appointment of Michael Cole, 350 South Huron Avenue, Columbus, OH 43204, to serve on the Greater Hilltop Area Commission with a new term expiration date of June 30, 2008 (bio attached).

CA

Appointment of Lisa McGann, 31 South Huron, Columbus, OH 43204, to serve on the Greater Hilltop Area Commission with a new term expiration date of June 30, 2008 (bio attached).

CA

Reappointment of Dennis Morgan, 1261 G Woodbrook Lane, Columbus, OH 43223, to serve on the Greater Hilltop Area Commission with a new term expiration date of June 30, 2006 (bio attached).

CA

Reappointment of Chuck Patterson, 2932 Gratz Ridge Road, Grove City, OH 43123, to serve on the Greater Hilltop Area Commission with a new term expiration date of June 30, 2008 (bio attached).

CA

Reappointment of David Horn, 105 South Brinker Avenue, Columbus, OH 43204, to serve on the Greater Hilltop Area Commission with a new term expiration date of June 30, 2008 (bio attached).

CA

Reappointment of Roy Bertossi, PO Box 202, Grove City, OH 43123, to serve on the Southwest Area Commission with a new term expiration date of August 15, 2008 (bio attached).

CA Reappointment of Myrna Hammonds, 1971 New Market Place, Grove City, OH, 43123-1677 to serve on the Southwest Area Commission with a new term expiration date of August 15, 2008 (bio attached).

CA Reappointment of Elizabeth Krick, 2501 Creekwillow Place, Columbus, OH 43123, to serve on the Southwest Area Commission with a new term expiration date of August 15, 2008 (bio attached).

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

ADMINISTRATION: BOYCE, CHR. MENDEL HUDSON HABASH

To authorize and direct the Finance and Management Director to enter into three contracts for the option to purchase Automobiles with Bob McDorman Chevrolet, Inc., Graham Ford, Inc., and Byers Chevrolet LLC, to authorize the expenditure of three dollars to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$3.00).

To authorize and direct the Finance and Management Director to enter into three contracts for the option to purchase Light Duty Trucks with 32 Ford-Mercury Inc., Bob McDorman Chevrolet Inc. and Byers Chevrolet LLC, to authorize the expenditure of three dollars to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$3.00).

To authorize the City Treasurer to modify a contract with Fifth Third Banks and its processing agent, Fifth Third Processing Solutions, for the provision of credit card processing services, and to authorize the expenditure of \$70,000.00 from the Water Operating Fund, and to declare an emergency. (\$70,000.00)

To authorize the appropriation and transfer of \$237,455.00 from the Special Income Tax Fund to the Voted 1999 and 2004 Parks and Recreation Bond Fund; to authorize the Director of Recreation & Parks to enter into a guaranteed maximum cost contract with M& D Blacktop for professional and construction services relating to the Columbus Building Safe Playgrounds & Neighborhoods Program pursuant to Section 186 of the Columbus City Charter; to authorize the expenditure of \$237,455.00 from the Voted 1999 and 2004 Parks and Recreation Bond Fund; and to declare an emergency. (\$237,455.00)

To authorize and direct the Director of Recreation and Parks to enter into a lease agreement with the Board of Education of the Columbus City School District, and to declare an emergency. (\$00.00)

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

To authorize the Director of the Department of Development to enter into an agreement with Chasm Industries for a Jobs Creation Tax Credit of sixty-five percent (65%) for a period of ten (10) years; and to declare an emergency.

An ordinance creating a TIF incentive district and declaring the improvement of certain real property located in the city of Columbus, Ohio to be a public purpose; declaring such property to be exempt from real property taxation; designating improvements to be made that will benefit or serve such property; requiring the owners of such property to make annual service payments in lieu of taxes; establishing the Brewery District II Public Improvement Tax Increment Equivalent Fund and related authorizations pursuant to Ohio Revised Code sections 5709.40, 5709.42 and 5709.43; and to declare an emergency.

An ordinance declaring the improvement of certain real property located in the City of Columbus, Ohio to be a public purpose; declaring such property to be exempt from real property taxation; designating improvements to be made that will benefit such property; authorizing payments to the school district; requiring annual service payments in lieu of taxes; authorizing the execution of a Tax Increment Financing Agreement; establishing a Grange Urban Redevelopment Tax Increment Equivalent Fund and related authorizations pursuant to Ohio revised code sections 5709.41, 5709.42 and 5709.43; and to declare an emergency. (AMENDED BY ORDINANCE 1139-2007 PASSED 07/23/07)

To authorize and direct the Director of the Department of Development to enter into an Enterprise Zone Agreement with Grange Mutual Casualty Company for a tax abatement of seventy-five percent (75%) for a period of ten (10) years on the increase in the assessed value of real property; and to declare an emergency.

To authorize and direct the Director of the Department of Development to enter into a Large Employment Office Incentive Agreement with Grange Mutual Casualty Company and to authorize a Large Employment Office Building Incentive of 50% of withholding taxes paid by new employees for a period of eight years; and to declare an emergency.

To authorize the Director of Development to amend the Enterprise Zone Agreement with Bicentennial Plaza Limited and Novell, Inc. by establishing an overall best efforts job creation/retention requirement of 180 jobs; and to declare an emergency.

To authorize the Director of the Development Department to amend the Enterprise Zone Agreement with MND LLC and Moody Nolan Ltd. to add two tenants to the Agreement, to extend the time period for the job creation, to reduce the job creation commitment to 20 jobs and to increase the job retention commitment to 180 jobs; and to declare an emergency.

To authorize the Director of Development to amend the Enterprise Zone Agreement with Plastic Suppliers by reducing the number of jobs required to be created and providing additional time for the job creation; and to declare an emergency.

To authorize the Director of Development amend the Enterprise Zone Agreement with Safety Today, Inc. and Meritex Columbus, LLC by reducing the job creation to fifteen (15) jobs and reducing the length of the tax abatement by one (1) year; and to declare an emergency.

To dissolve the Enterprise Zone Agreement with Superconductive Components, Inc. at the company's request, to end the tax exemptions, and to direct the Director of the Department of Development to notify as necessary the local and state tax authorities; and to declare an emergency.

To authorize the Director of Development to amend the Enterprise Zone Agreement with The Trane Company and Millennium Court II LLC by extending the time for attaining the job creation to December 31, 2007 and reducing the length of the tax abatement by one (1) year; and to declare an emergency.

To authorize the Director of the Department of Development to amend Ordinance Number 0559-2005 by permitting MJ Paragon LLC to be made a party to the agreement; and to declare an emergency.

To authorize the Director of the Department of Development to enter into an agreement with the Science and Technology Campus Corporation; to authorize the expenditure of \$62,892 from the 2005 General Fund; and to declare an emergency. (\$62,892)

SAFETY & JUDICIARY: MENTEL, CHR. BOYCE THOMAS HABASH

To authorize and direct the Finance and Management Director to issue a blanket purchase order to Economy Linen & Towel Service Inc. in the amount of \$20,000.00, for the purchase of linen rental; to waive the provisions of competitive bidding; to authorize the expenditure of \$20,000.00 from the General Fund; and to declare an emergency. (\$20,000.00)

DEVELOPMENT: O'SHAUGHNESSY, CHR. HUDSON TAVARES HABASH

To adopt the Harrison West Plan as a guide for development, redevelopment, and the planning of future public improvements.

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

To authorize and direct the Finance and Management Director to enter into thirteen contracts for the option to purchase OEM Truck Parts with Center City International Trucks Inc., Franklin Tractor Sales, Schodorf Truck Body & Equipment, W.W. William Midwest Inc., Brom Truck Inc., Nortrax-Great Lakes Inc., Holtz Industries, McNeilus Truck & Manufacturing Inc., Best Equipment, Burdick Equipment Company Inc., Bell Equipment Company of Ohio, Fosters Truck & Trailer Inc., Weller Auto Parts, to authorize the expenditure of thirteen dollars to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$13.00).

To authorize the Public Service Director to modify and increase an existing contract with Evans, Mechwart, Hambleton and Tilton, Incorporated, for preliminary design of the I-670/Fourth Street Off Ramp project; to waive the formal competitive bidding requirements of the City Code; to authorize the expenditure of \$5,000.00 from the Development Limited Bond Fund for the Transportation Division and to declare an emergency. (\$5,000.00)

To authorize the Director of the Public Service Department to execute various agreements by and between the City of Columbus and the Greater Columbus Habitat for Humanity authorizing Greater Columbus Habitat for Humanity to remove recyclable materials from structures purchased by the City as a part of the Hard Road, Phase C, Improvement Project; to waive the competitive bidding provisions of Columbus City Codes; and to declare an emergency.

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

To adopt the 2006 Action Plan Budget which implements the "Consolidated Plan" for the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Shelter Grant (ESG) and Housing Opportunities for Persons with AIDS (HOPWA) programs; to authorize the filing of the plan application with the U.S. Department of Housing and Urban Development; and to declare an emergency.

To authorize the Board of Health to enter into a contract with HECO Operations dba SERVPRO of N.E. Columbus to provide physical intervention services for the Healthy Homes

Demonstration Program; to authorize the expenditure of \$175,000 from the Health Department Grants Fund to pay the costs thereof; and to declare an emergency. (\$175,000)

To authorize and direct the Board of Health to enter into contract with the Franklin County Board of Health, to authorize the expenditure of \$259,685 from the Health Department Grants Fund, and to declare an emergency. (\$259,685)

UTILITIES: THOMAS, CHR. MENDEL O'SHAUGHNESSY HABASH

To authorize the Director of Public Utilities to enter into a contract with SAIC Engineering of Ohio, Inc. for Security Enhancements, for the Division of Water, to authorize the expenditure of \$2,981,333.00 from the Waterworks Enlargement Voted 1991 Bonds Fund, to authorize the City Auditor to transfer funds within the Waterworks Enlargement Voted 1991 Bonds Fund, and to amend the 2005 C.I.B. (\$2,981,333.00)

RECREATION & PARKS: HABASH, CHR. BOYCE MENDEL THOMAS

To waive the appropriate section of the Columbus City Codes, and to authorize and direct the Executive Director of Recreation and Parks to issue a Block Party Permit for CCSID for more than (5) consecutive days, and to declare an emergency.

To authorize an appropriation in the amount of \$10,672,058.00 from the unappropriated balance of the Recreation and Parks Grant Fund to the Recreation and Parks Department for the operation of various grant programs administered by the Central Ohio Area Agency on Aging, and to declare an emergency.

(THERE WILL BE NO CITY COUNCIL MEETING ON OCTOBER, 31, 2005. THE NEXT SCHEDULED MEETING WILL BE NOVEMBER 7, 2005)

ADJOURNMENT