



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, May 2, 2005

5:00 PM

City Council Chambers, Rm 231

**REGULAR MEETING NO. 26 OF COLUMBUS CITY COUNCIL, MAY 2, 2005 at
5:00 P.M. IN COUNCIL CHAMBERS.**

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

C0015-2005

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE
CITY CLERK'S OFFICE AS OF WEDNESDAY, APRIL 27, 2005:

New Type: D2
To: Dragon House Delaware Inc
DBA Dragon House
958 Galloway Rd
Columbus, Ohio 43119
permit # 22985580010

New Type: D1
To: Asian Star of Dublin Inc
DBA Asian Star Restaurant
5891 Karric Square Dr
Columbus, Ohio 43017
permit # 02989250005

New Type: D3
To: Gregory A Rowe
DBA Victorians Midnight Cafe
251 W Fifth Av 1st Fl & Patio
Columbus, Ohio 43201
permit # 7560772

New Type: D3
To: Anh Hoang
8489 Sancus Blvd
Columbus, Ohio 43240
permit # 3879846

New Type: D2
To: Six Two Eleven Inc
DBA Pyramid II
211 N 6th St 1st Fl ONLY
Columbus, Ohio 43215
permit # 8199957

New Type: D1
To: Sportsmens Billiard Club Inc
3965 Sullivant Av
Columbus, Ohio 43228
permit # 84404870005

New Type: D2
To: Osman Kivanc
DBA Turkish Cuisine
2653 N High St
Columbus, Ohio 43202
permit # 4687121

New Type: D5J
To: Sunset Negril LLC
6312 Busch Blvd
Columbus, Ohio 43229
permit # 86990120005

Transfer Type: C1, C2
To: 4M Petroleum
DBA Shady Lane Marathon
4751 E Main St & Shady Lane
Columbus, Ohio 43213
From: Mohammed Ballouz
4751 E Main St & Shady Lane
Columbus, Ohio 43213
permit # 2847716

Transfer Type: D2, D2X, D3, D3A
To: Jan Inc
DBA Water Dog Saloon
1425 Frank Rd & Patio
Columbus, Ohio 43223
From: J & R Hammond Inc
DBA Water Dog Saloon
1425 Frank Rd & Patio
Columbus, Ohio 43223
permit # 1631952

Transfer Type: D1, D2, D3, D3A, D6
To: Bears Like Fish Ltd
DBA Summit Station
& Cafe Bourbon Street
2210-16 Summit St
Columbus, Ohio 43201
From: Barbara A Brown
DBA Barbara A Brown Summit Station
& Cafe Bourbon Street
2210-16 Summit St
Columbus, Ohio 43201
permit # 0536731

Transfer Type: C1, C2, D6
To: Al Reem Inc
DBA Courtwright Market
2213 Courtwright Rd
Columbus, Ohio 43232
From: Nail & Suleiman Inc
2213 Courtwright Rd
Columbus, Ohio 43232
permit # 0145908

Transfer Type: D2, D2X, D3, D3A, D6
To: 1138 LLC
DBA Sherlocks Bar & Grille
1138 Bethel Rd
Columbus, Ohio 43220
From: John W Barry Co Inc
DBA Bumpers
1138 Bethel Rd
Columbus, Ohio 43220
permit # 6549276

Advertise 5/07/05
Return 5/21/05

RESOLUTIONS OF EXPRESSION

BOYCE

0071X-2005

To recognize and Celebrate the unveiling of the Third Edition of the Black Pages and designate Thursday, April 21, 2005, as Black Pages Day in the City of Columbus.

Sponsors: Kevin L. Boyce

MENTEL

0069X-2005 To proclaim May 1-7, 2005 as NATIONAL ARSON AWARENESS WEEK.

Sponsors: Michael C. Mentel

TAVARES

0073X-2005 To declare May 7- May 15, 2005 as Homeless Awareness Week.

Sponsors: Charleta B. Tavares

0074X-2005 To proclaim May 4, 2005 as World Asthma Day in the City of Columbus

Sponsors: Charleta B. Tavares

ADDITIONS OR CORRECTIONS TO THE AGENDA

FR FIRST READING OF 30-DAY LEGISLATION

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

FR **0756-2005** To accept the plat titled VILLAGE AT REYNOLDS CROSSING, from DOMINION HOMES, INC., an Ohio corporation, by ROBERT A. MEYER, JR., Senior Vice President and to declare an emergency.

(REQUEST TO AMEND TO EMERGENCY)

UTILITIES: THOMAS, CHR. MENTEL O'SHAUGHNESSY HABASH

FR **0631-2005** To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release certain sanitary sewer easements, located in the vicinity of West Fifth Avenue and Broadview Avenue, at the request of Skilken Properties in exchange for a replacement easement previously granted to the City of Columbus, Ohio.

FR **0680-2005** To authorize the Director of Public Utilities to increase the contract with Moling & Associates, Inc., for security guard services at the Public Utilities Complex, for the Division of Water, and to authorize the expenditure of \$25,000.00 from Water Systems Operating Fund. (\$25,000.00)

RULES & REFERENCE: HABASH, CHR. MENDEL HUDSON TAVARES

- FR [0805-2005](#) To repeal and replace Chapter 921 of the Columbus City Codes to bring waterway codes up to date and to bring City of Columbus codes into closer compatibility with State waterway codes.

Sponsors: Matthew D. Habash

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

- FR [0549-2005](#) To rezone 4490 SUNBURY ROAD (43219), being 12.07± acres located at the northeast corner of Sunbury Road and Easton Way, From: L-M, Limited Manufacturing District, To: L-M, Limited Manufacturing District. (Rezoning # Z04-094)
- FR [0612-2005](#) To grant a Variance from the provisions of Sections 3333.04, AR-O, Apartment Office District of Columbus City Codes; for the property located at 1000 EAST BROAD STREET (43205), to permit a beauty salon in the AR-O, Apartment Residential Office District and to declare an emergency.

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

- [0807-2005](#) To amend Ordinance #0158-2005, passed March 28, 2005, with SBC Ameritech by correcting the federal identification number in Section 1. and to declare an emergency.

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

- CA [0784-2005](#) To authorize the Director of Department of Development to enter into an agreement with the Columbus Sister Cities International, Inc.; to authorize the expenditure of \$35,000 from the General Fund; and to declare an emergency. (\$35,000)

SAFETY & JUDICIARY: MENDEL, CHR. BOYCE THOMAS HABASH

- CA [0706-2005](#) To authorize and direct the Director of Public Safety to expend \$100,000.00 for miscellaneous renovations of various Division of Police facilities from the Safety Bond Fund, and to declare an emergency. (\$100,000.00)
- CA [0621-2005](#) To authorize the payment of \$30,114.72 for vacation time and benefits which have been accumulated in excess of the maximum amount established by salary ordinance for various Fire Division personnel. (\$30,114.72)

- CA [0065X-2005](#) To declare the necessity and intent to appropriate permanent easements in, over, under and through real estate in connection with the Briar Meadow Drive Culvert Replacement Project, and to declare an emergency.
- CA [0066X-2005](#) To declare the necessity and intent to appropriate fee simple title in and to real estate in connection with the Idlewild Drive Storm Sewer Project, and to declare an emergency.

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

- CA [0598-2005](#) To authorize the Public Service Director to enter into a contract with Columbus Asphalt Paving, Incorporated, for the Concrete Rehabilitation and Joint Seal 2005 project for the Transportation Division; to authorize the expenditure of \$995,867.14 from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$995,867.14)
- CA [0700-2005](#) To accept the plat titled DORCHESTER SECTION 3, from ROCKFORD HOMES, INC., an Ohio corporation, by DONALD R. WICK, Executive Vice President.
- CA [0719-2005](#) To accept the plat titled PRESERVATION AVENUE AND THOMPSON ROAD DEDICATION AND EASEMENTS, from THE NEW ALBANY COMPANY, LLC., a Delaware limited liability company, by BRENT B. BRADBURY, Chief Financial Officer and EPCON COBBLESTONE, LLC, an Ohio limited liability company, by THE EPCON GROUP INC., an Ohio corporation, by EDWARD A. BACOME, Vice President.
- CA [0734-2005](#) To authorize the Public Service Director to enter into an agreement with the Director of the Ohio Department of Transportation and to grant consent and propose cooperation with the State of Ohio for this US 62 Urban Paving Project for the Transportation Division. (\$0)

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

- CA [0679-2005](#) To authorize the Board of Health to enter into contract with KNS Services, Inc., for video monitoring equipment maintenance services; and to authorize a total expenditure of \$26,940.00 from the Health Department Special Revenue Fund. (\$26,940.00)

UTILITIES: THOMAS, CHR. MENTEL O'SHAUGHNESSY HABASH

- CA [0692-2005](#) To authorize the Director of Public Utilities to enter into contract with Marion Electric Motor Services Inc for Electric Motor Services for the Division of Sewerage and Drainage, to authorize the expenditure of \$110,000.00 from the Sewerage System Operating Fund, and to declare an emergency. (\$110,000.00)

- CA [0712-2005](#) To authorize the Director of Public Utilities to modify a contract with Duke's Root Control Inc for Root Control Services for the Division of Sewerage and Drainage, to authorize the expenditure of \$287,000.00 from the Sewerage System Operating Fund and to declare an emergency. (\$287,000.00)
- CA [0741-2005](#) To authorize and direct the Finance Director to enter into a contract for an option to purchase Wemco Pump Parts with Envirotech Pumpsystems, Inc. dba Weir Specialty Pumps, to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)
- CA [0811-2005](#) To determine that certain license agreements are inconsistent with an intended public use of City owned real property and to authorize the Real Estate Division, Department of Law, on behalf of the City of Columbus, Ohio, to take such action as is necessary to terminate all such license agreements pertaining to an unimproved portion of Zollinger Road to allow construction therein of the Trentwood/Shady Hill storm sewer project for the benefit of the surrounding community; and to declare an emergency.

RECREATION & PARKS: HABASH, CHR. BOYCE MENTEL THOMAS

- CA [0705-2005](#) To authorize the expenditure of \$100,000.00 for various facilities improvements from the Voted 1995 and 1999 Parks and Recreation Bond Fund, and to declare an emergency. (\$100,000.00)
- CA [0718-2005](#) To authorize and direct the Director of Recreation and Parks to modify the contract with Lawhon & Associates for additional services related to the fuel tank improvements at various facilities, to authorize the expenditure of \$26,311.30 from various funds, and to declare an emergency. (\$26,311.30)
- CA [0720-2005](#) To authorize and direct the Director of Recreation and Parks to enter into a blanket architectural/engineering contract with ES Architecture and Development for professional services for various projects, to authorize the expenditure of \$50,000.00 from the Voted 1995 and 1999 Parks and Recreation Bond Fund, and to declare an emergency. (\$50,000.00)
- CA [0729-2005](#) To authorize an appropriation in the amount of \$92,699.00 from the unappropriated balance of the Recreation and Parks Grant Fund to the Recreation and Parks Department for the Central Ohio Area Agency on Aging, in connection with the Senior Farmer's Market Nutrition Program, and to declare an emergency. (\$92,699.00)
- CA [0739-2005](#) To authorize and direct the Director of Recreation and Parks to modify an existing contract with Catholic Social Services for the expansion of the Long Term Care Ombudsman Program and to authorize the

expenditure of \$45,140.00 from the Recreation & Parks Grant Fund, and to declare an emergency. (\$45,140.00)

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

ADMINISTRATION: BOYCE, CHR. MENDEL HUDSON HABASH

0717-2005

To authorize the Public Service Director to enter into contract for the Facilities Management Division with Kirk Williams Co., Inc. for the renovation of the HVAC system, the direct digital controls, and the fire alarm system at 750 Piedmont Avenue; to authorize the expenditure of \$1,049,000.00 from the Facilities Management Capital Improvement Fund; and to declare an emergency. (\$1,049,000.00).

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

0697-2005

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 assistant grant funds in an amount of \$750,000.00; to authorize the appropriation of \$750,000.00 from the General Government Grant Fund; to authorize and direct the Director of the Columbus Department of Development to enter into an agreement with Broad and High CRILP to apply said grant funding for environmental cleanup work at Broad and High; to authorize the expenditure of \$750,000.00 from the General Government Grant Fund; and to declare an emergency. (\$750,000.00)

0698-2005

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 assistant grant funds in an amount of \$750,000.00; to authorize the appropriation of \$750,000.00 from the General Government Grant Fund; to authorize and direct the Director of the Columbus Department of Development to enter into an agreement with the Columbus Downtown Development Corporation to apply said grant funding for environmental cleanup work at the former Lazarus Building in Downtown Columbus; to authorize the expenditure of \$750,000.00 from the General Government Grant Fund; and to declare an emergency. (\$750,000.00)

0738-2005

To authorize the appropriation of \$955,495.62 from the Downtown Development Fund to the Department of Development; to authorize the Director of the Department of Development to amend a contract with the Columbus Downtown Development Corporation by increasing the amount and extending the term; and to authorize the expenditure of \$955,495.62 from the Downtown Development Fund. (\$955,495.62)

0774-2005

To authorize the appropriation of transfer of \$172,000 from the Department of Finance to the Development Department within the Jobs

Growth Fund; to authorize the Director of the Department of Development to enter into a contract with the Columbus Urban Growth Corporation; to authorize the expenditure of \$172,000 from the General Fund Jobs Growth Fund. ; and to declare an emergency. (\$172,000.00).

SAFETY & JUDICIARY: MENDEL, CHR. BOYCE THOMAS HABASH

- 0694-2005** To authorize and direct the Finance Director to modify and extend the citywide contract for the option to rent linens with Economy Linen and Towel Service, Inc., to waive competitive bidding requirements, and to declare an emergency.

DEVELOPMENT: O'SHAUGHNESSY, CHR. HUDSON TAVARES HABASH

- 0690-2005** To amend Ordinance 2110-2004 to correct inaccuracies in the legal description and to include the zoning application number Z05-022.
- 0691-2005** To amend Ordinance 0001-2005 to include the zoning application number Z05-021.
- 0737-2005** To designate Engine House No. 10, 1096 West Broad Street, Engine House No. 14, 1716 Parsons Avenue, Engine House No. 17, 2300 West Broad Street, and Engine House No. 18, Cleveland Avenue and Windsor, as listed property on the Columbus Register of Historic Properties.
- 0808-2005** To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN05-005) of 6.451± Acres in Orange 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

- 0711-2005** To authorize the Director of the Public Service Department to execute those documents required to transfer a portion of the first alley north of East Broad Street from Twenty-First Street to the alley east thereof to Pilgrim Missionary Baptist Church, Inc., for \$1,732.62, and to waive the competitive bidding provisions of Columbus City Codes.
- 0721-2005** To authorize the Director of the Public Service Department to execute those documents required to transfer Chapel Street from Wall Street east to North High Street to Columbus Downtown Development Corporation at no charge; and to waive the Land Review Commission and the competitive bidding provisions of Columbus City Codes.

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

- 0566-2005** To authorize the Finance Director to enter into contract with Continental Office Furniture, Inc. for the purchase and installation of modular office furniture, in accordance with sole source provisions of the City Code; to authorize the expenditure of \$30,000.00 from the Voted 1999 Health Renovation Fund; and to declare an emergency. (\$30,000.00)
- 0656-2005** To authorize the Board of Health to enter into a contract with Access Health Columbus for an operational review of CNHC, to authorize the expenditure of \$25,000 from the Health Special Revenue Fund, and to declare an emergency. (\$25,000)
- 0716-2005** To amend Ordinance Number 1139-02, the South of Main/Area E Community Reinvestment Area; and to authorize real property tax exemptions as established in Section 3735.65 to 3735.70 of the Ohio Revised Code. (AMENDED BY ORDINANCE # 1937-2006 PASSED 11/06/06)

UTILITIES: THOMAS, CHR. MENDEL O'SHAUGHNESSY HABASH

- 0310-2004** To authorize the Director of Public Utilities to enter into an agreement with Parsons Brinckerhoff Construction Services, Inc. for construction management services in connection with the Southerly Wastewater Treatment Plant New Headworks Project; to authorize the appropriation, transfer and expenditure of \$2,810,584.28 from the Sewer System Reserve Fund to the Ohio Water Pollution Control Loan Fund; and to declare an emergency. (\$2,810,584.28)
(TABLED 3/8/04; REQUEST ORDINANCE BE DEFEATED)
- 0258-2005** To amend the 2004 Capital Improvements Budget; to appropriate and authorize the City Auditor to transfer \$53,029.00 from the Special Income Tax Fund to the 1995, 1999 Voted Refuse Collection Fund; to authorize the Finance Director to enter into contract with Fyda Freightliner Columbus, Incorporated, and Bell Equipment Company of Ohio for the purchase of manual side loading refuse collection cabs and chassis and truck bodies, respectively, that collectively compose four (4) complete manual side loading refuse collection trucks for the Refuse Collection Division; to authorize the expenditure of \$445,141.00 from the 1995, 1999 Voted Refuse Collection Fund, and to declare an emergency. (\$445,141.00)
- 0589-2005** To amend the 2004 Capital Improvements Budget; to appropriate and authorize the City Auditor to transfer \$25,000.00 from the Special Income Tax Fund to the 1995, 1999 Voted Refuse Collection Fund; to authorize the Finance Director to establish a purchase order with McNeilus Truck and Manufacturing Company for the purchase of two automated side loading truck hydraulic arms for the Refuse Collection Division; to waive the formal competitive bidding requirements of the City Code; to authorize the expenditure of \$25,000.00 for this purpose

from the 1995, 1999 Voted Refuse Collection Fund, and to declare an emergency. (\$25,000.00)

0601-2005

To authorize the Director of Public Utilities to modify the contract with HAWA, Inc. for professional engineering services for a Fire and Hazard Alarm System, for the Division of Water, to amend the 2004 C.I.B., to authorize the City Auditor to transfer funds within the Waterworks Enlargement Voted 1991 Bonds Fund, and to authorize the expenditure of \$15,000.00 from the Water Works Enlargement Voted 1991 Bond Fund. (\$15,000.00)

0687-2005

To authorize the Director of Public Utilities to enter into a contract with Worthington Products, Inc., for Watershed Management Section Miscellaneous Improvement Facilities - Griggs Dam Safety Cable Replacement, in connection with the Mayor's Emergency declared March 1, 2005, for the Division of Water, to waive the provisions of formal competitive bidding, to authorize the expenditure of \$50,000.00 from Waterworks Enlargement Voted 1991 Bonds Fund, and to declare an emergency. (\$50,000.00)

0748-2005

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 Co, for the Division of Sewerage and Drainage; to authorize the expenditure of \$808,850.00 from the Sewerage System Operating Fund, and \$1,000,000.00 from the Storm Sewer Operating Fund, and to declare an emergency. (\$1,808,850.00)

0780-2005

To authorize the Director of Public Utilities to enter into contract with US Filter/Envirex for repairs of the Dystor framework of Digester 1 at the Jackson Pike Wastewater Treatment Plant for the Division of Sewerage and Drainage, to authorize the expenditure of \$165,000.00 from the Sewerage System Operating Fund, to waive the competitive bidding provisions of Columbus City Code. and to declare an emergency. (\$165,000.00)

RECREATION & PARKS: HABASH, CHR. BOYCE MENTEL THOMAS**0715-2005**

To authorize the Executive Director of Recreation and Parks to execute a mutual termination of the existing lease agreement with the City of Bexley for Academy Park/Clowson Field and the athletic fields at Wolfe Park, and to execute a new lease agreement with the City of Bexley for Academy Park/Clowson Field.

0730-2005

To authorize and direct the Director of Recreation and Parks to enter into a revenue generating contract with The Wellington School for use of athletic fields in Northcrest Park. and to declare an emergency.

0790-2005

To authorize the Executive Director of Recreation and Parks to enter into a Mutual Termination of Lease Agreement with the City of Bexley.

0810-2005

To authorize the Executive Director of the Department of Recreation and Parks to execute a deed to M/I Homes of Central Ohio, LLC for certain City owned real property, to provide a community center, park recreational facilities and open space to residents in the Upper Albany West development area, 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.

RULES & REFERENCE: HABASH, CHR. MENDEL HUDSON TAVARES**0725-2005**

To amend Chapters 1105 and 1137 of the Columbus City Codes, 1959, regarding front footage fees assessed for properties that are tapping into City sewer and water lines.

Sponsors: Patsy Thomas

ADJOURNMENT