



City of Columbus

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

Agenda - Final Revised 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, June 28, 2004

5:00 PM

City Council Chambers, Rm 231

**REGULAR MEETING NO. 38 OF COLUMBUS CITY COUNCIL, JUNE 28, 2004 at
5:00 P.M. IN COUNCIL CHAMBERS.**

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

C0022-2004

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE
CITY CLERK'S OFFICE AS OF WEDNESDAY, JUNE 23, 2004:

New Type: C1, C2
To: Serene Inc
1475 S Champion Av
Columbus Ohio 43206
Permit #: 79855180005

New Type: D1
To: Premier Broadcasting Co Inc
DBA Masseys Pizza
2491 Hilliard Rome Rd
Columbus Ohio 43026
Permit #: 70636190030

New Type: D2
To: Lindo Mexico Restaurant Inc
DBA Lindo Mexico Restaurant
3203 Sullivant Av
Columbus Ohio 43204
Permit #: 5216798

New Type: C1, C2
To: Hawkstone Associates Inc
DBA OSU Citgo #18
2825 Olentangy River Rd
Columbus Ohio 43202

Permit #: 36788970315

New Type: D2
To: Ohio Dominican University
Bldg 1 Fitzpatrick Hall Bsmt
Bldg 2 Sansbury Hall 1st Fl
Bldg 3 Hamilton Hall 1st Fl
1216 Sunbury Rd
Columbus Ohio 43219
Permit #: 65173900005

Transfer Type: C1, C2
To: J Conrads LLC
DBA End Zone Beer & Wine Drive Thru
500 Riverview Dr
Columbus Ohio 43202
From: Double D Beverage Services LLC
DBA End Zone Beer & Wine Drive Thru
500 Riverview Dr
Columbus Ohio 43202
Permit #: 4180164

Transfer Type: D2, D2X, D3, D3A
To: Timiter Inc
DBA Blue Diamond Lounge
1980 Oakland Park Av 1st Fl & Patio
Columbus Ohio 43224
From: T G W Enterprises Inc
DBA Blue Diamond Lounge
1980 Oakland Park Av 1st Fl & Patio
Columbus Ohio 43224
Permit #: 8935562

Transfer Type: D1, D2, D3, D3A
To: Marnad Inc
DBA Guidos Pizzeria & Carryout
5655 Emporium Sq
Columbus Ohio 43231
From: Excalibur Club Inc
DBA Excalibur Club
6223-25 Sunderland Dr & Patio
Columbus Ohio 43229
Gary L Jones Esq
Permit #: 5559225

ADVERTISE 07/03/04
RETURN 07/15/04

ADDITIONS OR CORRECTIONS TO THE AGENDA**FR FIRST READING OF 30-DAY LEGISLATION****SAFETY & JUDICIARY: MENDEL, CHR. BOYCE THOMAS HABASH**

- FR [1109-2004](#) To authorize the City Attorney to enter into an agreement for special legal counsel services with representatives of the law firm of Chester, Willcox and Saxbe, LLP regarding the matter of the franchise renewal process for Insight Communications; to authorize the appropriation and expenditure of \$10,000.00 from the cable communications fund; and to waive the competitive bidding provisions of the Columbus City Codes. (\$10,000.00)

DEVELOPMENT: O'SHAUGHNESSY, CHR. BOYCE TAVARES HABASH

- FR [0979-2004](#) To accept the application (AN03-045RF) of Cynthia J. Irwin, et al. for the annexation of certain territory containing 1.6 ± Acres in Plain Township.
- FR [0982-2004](#) To accept the application (AN03-048) of Pentecostal Assembly, Inc. for the annexation of certain territory containing 59.1 ± Acres in Franklin Township.
- FR [0994-2004](#) To accept the application (AN04-002) of Lloyd A. Shaw, et al. for the annexation of certain territory containing 1.91 ± Acres in Plain Township.
- FR [0995-2004](#) To accept the application (AN04-004R) of Rajim, LLC for the annexation of certain territory containing 1.7 ± Acres in Mifflin Township.

UTILITIES: THOMAS, CHR. MENDEL O'SHAUGHNESSY HABASH

- FR [0864-2004](#) To Authorize the Director of the Department of Public Utilities to enter into a professional services contract with Burgess & Niple, Limited, for O'Shaughnessy Dam Hydroelectric Facilities, for the Division of Water, to authorize the expenditure of \$102,600.00 from the Waterworks Enlargement Voted 1991 Bonds Fund (\$102,600.00)

FR [1019-2004](#) To authorize the Director of Public Utilities to modify and increase the contract with the Operator Training Committee of Ohio (OTCO), for utility operations and maintenance training, for the Division of Water, and to authorize the expenditure of \$20,000.00 from Water Systems Operating Fund. (\$20,000.00)

CA CONSENT ACTIONS

CA [A0069-2004](#) Appointment of Otto Beatty III, 600 S. Grant Avenue, Columbus, Ohio 43206 to serve on the Columbus Development Commission replacing Karen McCory with a new term expiration date of July 31, 2007. (appointees resume on file in the Mayor's office).

CA [A0070-2004](#) Appointment of Kay Onwukwe, Columbus, Ohio 43202 to serve on the Columbus Development Commission replacing vacant opening with a new term expiration date of July 31, 2007. (appointees resume on file in the Mayor's office).

CA [A0071-2004](#) Appointment of John A. Cooley, 104 East Tulane Road, Columbus, Ohio 43202-2220 to serve on the Columbus Development Commission replacing Paul Cianelli with a new term expiration date of July 31, 2007. (appointees resume on file in the Mayor's office).

SAFETY & JUDICIARY: MENDEL, CHR. BOYCE THOMAS HABASH

CA [1012-2004](#) To authorize and direct the Director of the Department of Finance on behalf of the Franklin County Municipal Court Clerk to modify the agreement and issue a blanket purchase order to the National City Bank for the purpose of paying for banking services, to authorize the expenditure of \$78,000.00 from the General Fund, and to declare an emergency.(\$78,000.00)

CA [1030-2004](#) To authorize an appropriation of \$13,283.37 from the unappropriated monies in the FY2004 Bulletproof Vest Partnership grant fund. (\$13,283.37)

CA [1086-2004](#) To authorize an appropriation of \$25,450.00 from the unappropriated balance of the Law Enforcement Contraband Seizure Fund, to purchase crime prevention safety materials for the Division of Police; and to declare an emergency; (\$25,450.00)

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

- CA [1010-2004](#) To authorize and direct the Finance Director to enter into one contract for the option to purchase Vehicle Washing Services for Fleet Management Division with Custom Detailing Inc., to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund. (\$1.00)
- CA [1026-2004](#) To authorize the Public Service Director to execute those documents required to allow one additional vehicular access point along Walcutt Road from that property identified as The Westbelt Business Park West on the plat of record in Plat Book 58, Page 75, Franklin County, Ohio, Recorder's Office; and to declare an emergency.
- CA [1073-2004](#) To authorize the Public Service Director to enter into an agreement with the Ohio Department of Transportation for the City to act as the Local Project Administrator for the Morse Road Phase II - Karl Road to Cleveland Avenue project for the Transportation Division, and to declare an emergency. (\$-0-)
- CA [1083-2004](#) To accept the plat titled HARTMAN PONDS SECTION 1, from INTRUST LAND DEVELOPMENT COMPANY, by FRANK CIPRIANO, President.

UTILITIES: THOMAS, CHR. MENDEL O'SHAUGHNESSY HABASH

- CA [0867-2004](#) To appropriate and authorize the City Auditor to transfer \$102,600.00 from the Water System Reserve Fund to the Waterworks Enlargement Voted 1991 Bonds Fund for the purpose of funding the O'Shaughnessy Dam Hydroelectric Facilities, for the Division of Water, and to declare an emergency. (\$102,600.00)
- CA [0945-2004](#) To authorize the Director of Public Utilities to modify the professional engineering services contract with Brown & Caldwell Ohio, for the Jackson Pike Wastewater Treatment Plant Skimmings Concentrator System Improvements Project; to authorize the appropriation, transfer and expenditure of \$107,838.00 from the Sewer System Reserve Fund to the Ohio Water Pollution Control Loan Fund; for the Division of Sewerage and Drainage. (\$107,838.000)
- [1022-2004](#) To authorize the Director of Public Utilities to modify the contract with Astute, Inc., to purchase additional software licenses for the telephone system, for the Division of Water, to authorize the expenditure of \$30,385.00 from Water Systems Operating Fund, and to declare an emergency. (\$30,385.00)

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

FINANCE: SENSENBRENNER, CHR. O'SHAUGHNESSY TAVARES HABASH

- 147X-2004** To adopt the 2005 Tax Budget and to authorize and direct the City Auditor to submit said budget to the County and to declare an emergency.
(TABLED 6/21/04)
- 159X-2004** To accept the "Capital Improvements Program, 2004 - 2009," as described herein, as the primary guide for the Capital Improvements Budget ordinance.
- 1189-2004** Authorizing the issuance of limited tax bonds in an amount not to exceed \$335,000 for the purpose of providing funds to currently refund certain outstanding general obligation bonds of the City. (\$335,000)

Section 55(B) of the City Charter.

(REQUEST TO WAIVE SECOND READING)
- 1170-2004** Authorizing the issuance of unlimited tax bonds in the amount of \$46,320,000 for the Division of Transportation (\$46,320,000)

Section 55(B) of the City Charter.

(REQUEST TO WAIVE SECOND READING)
- 1171-2004** Authorizing the issuance of unlimited tax bonds in the amount of \$33,245,000 for the Division of Sewerage and Drainage - Sanitary (\$33,245,000)

Section 55(B) of the City Charter.

(REQUEST TO WAIVE SECOND READING)
- 1172-2004** Authorizing the issuance of unlimited tax bonds in the amount of \$32,240,000 for the Division of Water (\$32,240,000)

Section 55(B) of the City Charter.

(REQUEST TO WAIVE SECOND READING)
- 1173-2004** Authorizing the issuance of unlimited tax bonds in the amount of \$26,730,000 for recreation and parks (\$26,730,000)

Section 55(B) of the City Charter.

(REQUEST TO WAIVE SECOND READING)

1174-2004

Authorizing the issuance of unlimited tax bonds in the amount of \$15,420,000 for the Division of Electricity (\$15,420,000)

Section 55(B) of the City Charter.

(REQUEST TO WAIVE SECOND READING)

1175-2004

Authorizing the issuance of unlimited tax bonds in an amount not to exceed \$4,100,000 for the purpose of providing funds to currently refund certain outstanding general obligation bonds of the City. (\$4,100,000)

Section 55(B) of the City Charter.

(REQUEST TO WAIVE SECOND READING)

1176-2004

Authorizing the issuance of unlimited tax bonds in the amount of \$2,380,000 for refuse collection (\$2,380,000)

Section 55(B) of the City Charter.

(REQUEST TO WAIVE SECOND READING)

1177-2004

Authorizing the issuance of limited tax bonds in the amount of \$45,835,000 for transportation (\$45,835,000)

Section 55(B) of the City Charter.

(REQUEST TO WAIVE SECOND READING)

1178-2004

Authorizing the issuance of limited tax bonds in the amount of \$33,515,000 for Division of Sewerage and Drainage - storm sewers (\$33,515,000)

Section 55(B) of the City Charter.

(REQUEST TO WAIVE SECOND READING)

1179-2004

Authorizing the issuance of limited tax bonds in the amount of \$32,120,000 for public safety (\$32,120,000)

Section 55(B) of the City Charter.

(REQUEST TO WAIVE SECOND READING)

1180-2004

Authorizing the issuance of limited tax bonds in the amount of \$7,695,000 for refuse collection (\$7,695,000)

Section 55(B) of the City Charter.

(REQUEST TO WAIVE SECOND READING)

1182-2004

Authorizing the issuance of limited tax bonds in the amount of \$6,645,000 for Northland Mall Acquisition (\$6,645,000)

Section 55(B) of the City Charter.

(REQUEST TO WAIVE SECOND READING)

1183-2004

Authorizing the issuance of limited tax bonds in the amount of \$5,455,000 for the Division of Facilities Management (\$5,455,000)

Section 55(B) of the City Charter.

(REQUEST TO WAIVE SECOND READING)

1184-2004

Authorizing the issuance of limited tax bonds in the amount of \$4,475,000 for recreation and parks (\$4,475,000)

Section 55(B) of the City Charter.

(REQUEST TO WAIVE SECOND READING)

1185-2004

Authorizing the issuance of limited tax bonds in the amount of \$3,490,000 for cable and information services (\$3,490,000)

Section 55(B) of the City Charter.

(REQUEST TO WAIVE SECOND READING)

1186-2004

Authorizing the issuance of limited tax bonds in the amount of \$1,500,000 for the King Lincoln District (\$1,500,000)

Section 55(B) of the City Charter.

(REQUEST TO WAIVE SECOND READING)

1187-2004

Authorizing the issuance of limited tax bonds in the amount of

\$535,000 for the Department of Health. (\$535,000)

Section 55(B) of the City Charter.

(REQUEST TO WAIVE SECOND READING)

1188-2004

Authorizing the issuance of limited tax bonds in the amount of \$400,000 for Development (\$400,000)

Section 55(B) of the City Charter.

(REQUEST TO WAIVE SECOND READING)

1190-2004

Authorizing the issuance of limited tax bonds in the amount of \$300,000 for Taylor Homes Phase II (\$300,000)

Section 55(B) of the City Charter.

(REQUEST TO WAIVE SECOND READING)

1191-2004

Authorizing the issuance of limited tax bonds in the amount of \$200,000 for West Edge Business Center (\$200,000)

Section 55(B) of the City Charter.

(REQUEST TO WAIVE SECOND READING)

ADMINISTRATION: BOYCE, CHR. SENSENBRENNER MENTEL HABASH

1090-2004

To authorize the City Auditor to enter into an understanding with the Franklin County Auditor agreeing to the clarification of the Tax Commissioner of the State of Ohio.

RECREATION & PARKS: BOYCE, CHR. SENSENBRENNER THOMAS HABASH

1102-2004

To authorize the Director of the Recreation and Parks Department to execute those documents required to transfer 3.921 acres of City owned parkland along Alkire Road to Rockford Homes in exchange for 4.433 acres of proposed parkland to be deeded from Rockford Homes to the City, to waive the competitive bidding provisions of Columbus City Codes, and to declare an emergency.

DEVELOPMENT: O'SHAUGHNESSY, CHR. BOYCE TAVARES HABASH

1089-2004

To authorize the City Attorney to acquire options to purchase fee simple title, contract for professional services, to authorize the

appropriation and to authorize the City Auditor to transfer \$100,000 from the Special Income Tax Fund to the Northland and Other Acquisition Fund for costs in connection with the King Lincoln District Acquisition Project; to authorize the expenditure of \$100,000; and to declare an emergency (\$100,000).

1110-2004

To authorize the Director of Development to enter into an agreement with EMH&T and/or its affiliate for a tax abatement of seventy-five percent (75%) on real property improvements, machinery & equipment, and furniture & fixtures for a period of ten (10) years in consideration of a proposed \$13.5 million investment in real property improvements and new personal property, the creation of 85 (eighty-five) new full-time jobs and the relocation/retention of 329 full-time positions new to Columbus; and to declare an emergency.

**PUBLIC SERVICE & TRANSPORTATION: O'SHAUGHNESSY, CHR.
SENSENBRENNER TAVARES HABASH****0967-2004**

To authorize the City Auditor to transfer \$540,270.69 between projects within the 1995, 1999 Voted Streets and Highways Fund; to appropriate and authorize the City Auditor to transfer \$1,540,258.02 from the Special Income Tax Fund to the 1995, 1999 Voted Streets and Highways Fund; to authorize the City Auditor to transfer \$2,390,150.58 from the 1995, 1999 Voted Streets and Highways Fund to the Local Transportation Improvement Program Fund; to appropriate \$3,674,091.10 within the Local Transportation Improvement Program Fund; to authorize the Public Service Director to enter into contract with Shelly and Sands, Incorporated, for the Resurfacing 2004 Project 1 (OPWC) project for the Transportation Division; to authorize the expenditure of \$3,674,091.10 from the Local Transportation Improvement Program Fund, and to declare an emergency. (\$3,674,091.10)

1008-2004

To authorize and direct the Finance Director to issue blanket purchase orders for various automotive equipment parts, supplies, accessories and services for the Fleet Management Division, to authorize the expenditure of \$505,000.00 from the Fleet Maintenance Fund, to waive the competitive bidding requirements of the Columbus City Codes, and to declare an emergency. (\$505,000.00)

**HEALTH, HOUSING & HUMAN SERVICES: TAVARES, CHR. BOYCE THOMAS
HABASH****1091-2004**

To authorize the appropriation and expenditure of \$727,047 from the HOME Fund to the Department of Development to provide funding for the American Dream Down Payment Initiative (ADDI); and to declare

an emergency. (\$727,047)

1115-2004 To authorize the Director of the Department of Development to enter into a contract with the Community Development Collaborative of Greater Columbus; to authorize the expenditure of \$273,107.65 from the HOME Fund; and to declare an emergency. (\$273,107.65)

1134-2004 To authorize the Director of the Department of Development to enter into contract with the Community Shelter Board to support the Homeless Prevention and Transition Programs; to authorize the expenditure of \$420,000.00 from the 2004 Community Development Block Grant Fund; and to declare an emergency. (\$420,000.00)

RULES & REFERENCE: HABASH, CHR. MENTEL SENSENBRENNER TAVARES

1095-2004 To amend Title 7 of the Columbus City Codes, 1959, by enacting new Chapter 715, which prohibits smoking in public places and places of employment.

Sponsors: Charleta B. Tavares

(TABLED 6/14/04)

LATE AGENDA

RECREATION & PARKS: BOYCE, CHR. SENSENBRENNER THOMAS HABASH

LA **1268-2004** To authorize the Director of Recreation and Parks to enter into a contract with the Franklin County Commissioners for the Summer Youth Employment - Temporary Assistance for Needy Families Funds, to appropriate said funds, and to declare an emergency. (\$394,706.85)

LA **1272-2004** To authorize the direct the Director of Recreation and Parks to enter into contract with the Private Industry Council for the 2004 Summer Youth Employment Program, to authorize the expenditure of \$394,706.85 from the Recreation and Parks Grant Fund , and to declare an emergency (\$394,706.85)

ADJOURNMENT