



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, April 5, 2004

5:00 PM

City Council Chambers, Rm 231

**REGULAR MEETING NO. 19 OF COLUMBUS CITY COUNCIL, APRIL 5, 2004 at
5:00 P.M. IN COUNCIL CHAMBERS.**

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

C0012-2004

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE
CITY CLERK'S OFFICE AS OF WEDNESDAY, MARCH 31, 2004:

New Type: D5
To: Lounge County Inc
2542 W Broad St Rear
Columbus Ohio 43204

New Type: D3, D3A
To: Lounge County Inc
2013 Lockbourne Rd
Columbus Ohio 43207

Transfer Type: D5
To: Mivida Inc
DBA Cucos Market & Taqueria
2162 W Henderson Rd
Columbus Ohio 43220
From: Michael William Lewis
DBA Lidos Pizza & Restaurant
2534-2540 Bethel Rd
Columbus Ohio 43220

Transfer Type: D5, D6
To: Majed Inc
450 S Front St 1st Flr Only
Columbus Ohio 43215

From: Majed Inc
485 S Front St 1st Fl & Patio
Columbus Ohio 43215

Transfer Type: D5
To: CSC 5512 LLC
DBA Lounge
5512 E Livingston & Patio
Columbus Ohio 43232
From: 5512 Inc
DBA Lounge
5512 E Livingston & Patio
Columbus Ohio 43232

Transfer Type: D1, D2, D3, D6
To: Price Avenue Group LTD
895 N High St
Columbus Ohio 43215
From: Cooker Restaurant Corp
Unit 5206-12 Bethel Centre Mall
1540 Bethel Rd
Columbus Ohio 43220

Transfer Type: D1, D2
To: High 2195 Inc
2195 N High St
Columbus Ohio 43201
From: Cleveland 926 Inc
926 Cleveland Ave 1st Fl
Columbus Ohio 43201

Transfer Type: C1, C2
To: Ritika Inc
6044 Channingway Blvd
Columbus Ohio 43232
From: Maroof Inc
6044 Channingway Blvd
Columbus Ohio 43232

Transfer Type: C1, C2
To: 1080 E Hudson Inc
DBA Hudson Market
1080 E Hudson St
Columbus Ohio 43211
From: Hudson Market Inc
DBA Hudson Market
1080 E Hudson St

Columbus Ohio 43211

Transfer Type: D5
To: T M T Operations
DBA Leipzig Haus
1st Fl & Bsmt & Patio
2201 E Livingston Av
Columbus Ohio 43209
From: Mark E Linton
DBA Leipzig Haus
1st Fl & Bsmt & Patio
2201 E Livingston Av
Columbus Ohio 43209

Stock Type: C1, C2, D6
To: Rawahneh Inc
DBA Wheat Land Foods
1432 Mt Vernon Av 1st Fl
Columbus Ohio 43203

Stock Type: D5, D6
To: DOS Habaneros Ltd
6520 Tussing Rd
Columbus Ohio 43068

Stock Type: C1, C2, D6
To: Calumet Natural Foods Cooperative
DBA Clintonville Community Market
200 Crestview Rd
Columbus Ohio 43214

Stock Type: C1, C2, D6
To: G&C Beverage LTD
DBA Barley Bin of Dublin
5931 Karric Square Dr
Columbus Dublin Ohio 43016

ADVERTISE 04/10/04
RETURN 04/22/04

RESOLUTIONS OF EXPRESSION

BOYCE

[086X-2004](#)

To honor and recognize Teckie Shackelford recipient of 2004 American

Red Cross Humanitarian Award

Sponsors: Kevin L. Boyce and Charleta B. Tavares

O'SHAUGHNESSY

088X-2004 To declare April 4 - April 10, 2004 as Building Safety Week in Columbus.

Sponsors: Maryellen O'Shaughnessy

ADDITIONS OR CORRECTIONS TO THE AGENDA

FR FIRST READING OF 30-DAY LEGISLATION

SAFETY & JUDICIARY: MENDEL, CHR. BOYCE THOMAS HABASH

FR **0534-2004** To authorize and direct the City Attorney to settle the claim of Karla Barnett against the City of Columbus, Division of Refuse, and to authorize the expenditure of the sum of Thirty Thousand and 00/100 Dollars (\$30,000.00) in settlement of this claim and to declare an emergency.

(REQUEST TO AMEND TO EMERGENCY)

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

FR **0632-2004** To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of 7 parcels of real property held in the Land Bank pursuant to the Land Reutilization Program.

FR **0636-2004** To authorize the Director of the Department of Development to enter into a Columbus Downtown Office Incentive Program agreement with Gates McDonald & Company as provided in Columbus City Council Resolution 075X-2004, adopted March 29, 2004.

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

FR **0104-2004** To repeal any and all previous speed limit ordinances and resolutions on Vine Street and to raise the speed limit on Vine Street between Neil Avenue and the Michigan Avenue Connector to 40 miles per hour from the posted speed limit of 35 miles per hour.

FR **0317-2004** To authorize the Public Service Director to enter into a contract for the Transportation Division for a professional services contract with Columbus Engineering Consultants, Inc., for engineering services of

the Holtzman-Main project; to authorize the expenditure of \$250,000.00 from the 1995, 1999 Voted Streets and Highways Fund. (\$250,000.00)

- FR** [0541-2004](#) To authorize the Public Service Director to enter into a Guaranteed Maximum Cost Agreement with Capitol South Community Urban Redevelopment Corporation for design development and budgeting for future streetscape improvements on Gay Street from Front Street to Fourth Street for the Transportation Division; to waive the competitive bidding requirements of the Columbus City Code, 1959, and to authorize the expenditure of \$20,000.00 from the 1995, 1999 Voted Streets and Highways Fund. (\$20,000.00)

RULES & REFERENCE: HABASH, CHR. MENDEL SENSENBRENNER TAVARES

- FR** [0277-2004](#) To supplement the Columbus City Codes, 1959, by the enactment of new sections in Chapter 3372, Planning Overlay, to create the Noe-Bixby Road Urban Scenic Byway Overlay for that portion of Noe-Bixby Road north of East Main Street and south of East Broad Street; to create an Urban Scenic Byway designation in the Columbus Thoroughfare Plan; and to recognize Noe-Bixby as the first Urban Scenic Byway in the City of Columbus.

Sponsors: Maryellen O'Shaughnessy

CA CONSENT ACTIONS

FINANCE: SENSENBRENNER, CHR. O'SHAUGHNESSY TAVARES HABASH

- CA** [0504-2004](#) To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Uniforms/Floor Mat Rental with Cintas Corporation, and to declare an emergency.

ADMINISTRATION: BOYCE, CHR. SENSENBRENNER MENDEL HABASH

- CA** [0544-2004](#) To authorize a supplemental appropriation of \$50,000 from the unappropriated balance of the Telecommunications cable fund for the purpose of paying outstanding SBC invoices; to authorize the expenditure of \$50,000 or as much thereof as may be necessary from the Department of Technology, Telecommunications cable fund; and to declare an emergency. (\$50,000.00)

- CA** [0551-2004](#) To authorize and direct the City Auditor to transfer \$107,077.00 from the Special Income Tax Fund to the Safety Bond Fund, to authorize the

appropriation and expenditure of \$107,077.00 from the Safety Bond Fund, to authorize the Public Service Director to enter into contract for the Facilities Management Division with Smith Roofing, Ltd., for the renovation of the roof at Fire Station 28, and to declare an emergency. (\$107,077.00)

RECREATION & PARKS: BOYCE, CHR. SENSENBRENNER THOMAS HABSH

- CA** [0505-2004](#) To authorize and direct the Director of Recreation and Parks to enter into a Local Public Agency agreement with the Ohio Department of Transportation for the Olentangy Trail Bridge Project.
- CA** [0586-2004](#) To authorize and direct the Finance Director to enter into one contracts for the option to purchase Transportation Services for the Recreation and Parks Department, to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)

SAFETY & JUDICIARY: MENTEL, CHR. BOYCE THOMAS HABASH

- [0423-2004](#) To authorize and direct the Director of Public Safety to authorize payment of prisoner medical bills to The Ohio State University Hospital for the Division of Police from the General Fund in the amount of \$37,577.34 (\$37,577.34)
- CA** [0589-2004](#) To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Uniforms, with Roy Tailors Uniform Company of Columbus, Inc., and to declare an emergency.
- [0624-2004](#) To authorize the Franklin County Municipal Court, through the Administrative/Presiding Judge, to enter into the first year of a four-year contract with Netcare Corporation, for the provision of competency evaluations and examinations of defendants, to authorize the expenditure of \$100,000.00 from the General Fund, and to declare an emergency. (\$100,000.00)
- CA** [0253-2004](#) To authorize the City Attorney and the City Auditor to enter into an Escrow Agreement with Dominion Homes, Inc., an Ohio corporation, to facilitate the acquisition of certain sewer easements underneath certain real property owned by New York Central Lines, LLC (i.e. CSX Transportation, Inc.), necessary for the extension of the Upper Scioto West S.S.S. Hayden Road Area, Vicinity of Railroad, to authorize the City Auditor to act as Escrow Agent for this account and to declare an emergency.
- CA** [0465-2004](#) To authorize and direct the Mayor of the City of Columbus to accept a subgrantee award and enter into a contract with the Franklin County Board of Commissioners via the Justice Programs Unit for the FY2003

Juvenile Accountability Incentive Block Grant (JAIBG) School Sports Violence project, and to authorize an appropriation of \$61,111.00 from the unappropriated balance of the General Government Grant Fund to the Division of Police to cover the costs of the above grant project. (\$61,111.00)

DEVELOPMENT: O'SHAUGHNESSY, CHR. BOYCE TAVARES HABASH

- CA [0566-2004](#) To authorize the acceptance of deeds for two parcels of real estate to be held in the City's Land Bank for redevelopment.

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

- CA [0282-2004](#) To authorize the transfer of \$100,000.00 between projects within the 1995, 1999 Voted Streets and Highways Fund to fund the 2004 Curb Reimbursement program for the Transportation Division; to authorize the Public Service Director to reimburse various property owners for the replacement of concrete curbs and to authorize the expenditure of \$100,000.00 from the 1995, 1999 Voted Streets and Highways Fund. (\$100,000.00)

- CA [0479-2004](#) To amend Section 6 of Ordinance 2464-2003, passed on November 24, 2003, to correctly name the publicly dedicated right-of-way described in said ordinance as Hamilton Road and to repeal the existing Section 6.

- [0530-2004](#) To accept various GENERAL WARRANTY DEEDS for real property to be used as road right-of-way and to dedicate and name those properties as Winchester Lakes Boulevard and Summit View Road.

- CA [0582-2004](#) To accept the plat titled LANGFORD MEADOW SECTION FOUR, from COLUMBUS CONTRACTOR COMPANY, by JOHN J. GIRARD, President.

- CA [0597-2004](#) To authorize and direct the Finance Director to modify and extend the citywide contracts for the option to purchase OEM Auto Parts from Byers Chevrolet LLC and Dick Masheter Ford Inc. and to declare an emergency.

- CA [0603-2004](#) To authorize and direct the Finance Director to modify and extend the citywide contracts for the option to purchase OEM Chrysler Parts from George Byers Sons LLC and to declare an emergency.

UTILITIES: THOMAS, CHR. MENTEL O'SHAUGHNESSY HABASH

- CA [0581-2004](#) To authorize the Director of Public Utilities to execute a change order

agreement and mutual release of claims with the City of Dublin, Ohio in connection with the construction of Part 3 of the Upper Scioto West Interceptor Sewer, for the Division of Sewerage and Drainage. (\$0.00)

- CA [0536-2004](#) To authorize and direct the Finance Director to enter into a contract for an option to purchase Wooden Utility Poles, with McFarland Cascade Holdings Incorporated, to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)

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

FINANCE: SENSENBRENNER, CHR. O'SHAUGHNESSY TAVARES HABASH

- [0520-2004](#) To accept Memorandum of Understanding #2004-01 executed between representatives of the City of Columbus and Columbus Municipal Association of Government Employees (CMAGE)/CWA, Local 4502, which amends the Collective Bargaining Contract, August 24, 2002 through August 23, 2005; and to declare an emergency.

ADMINISTRATION: BOYCE, CHR. SENSENBRENNER MENTEL HABASH

- [0558-2004](#) To authorize the Public Service Director to enter into a contract for the Facilities Management Division with Building Technology Engineers of North America for general building maintenance at the Municipal Court Building; to authorize the expenditure of \$191,936.90 from the General Fund; to waive the competitive bidding provisions of the Columbus City Codes; and to declare an emergency. (\$191,936.90)
- [0620-2004](#) To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Fire Protection Equipment Maintenance, with Harold D. Hard Company, to waive competitive bidding requirements, and to declare an emergency.

SAFETY & JUDICIARY: MENTEL, CHR. BOYCE THOMAS HABASH

- [089X-2004](#) To withdraw the objection to the renewal of the liquor permit for Dirty Dungarees, 6701 Karl Rd., Columbus, OH 43229 and to declare an emergency.

Sponsors: Michael C. Mentel

- [0539-2004](#) To authorize the establishment of the City Attorney Mediation Fund and the appropriation and expenditure of \$89,897.54 from the Fund for

the purpose of paying for the contract services of mediators in the Night Prosecutor Program, and to declare an emergency.

DEVELOPMENT: O'SHAUGHNESSY, CHR. BOYCE TAVARES HABASH

- 0427-2004** To accept the application (AN03-043) of Homewood Corporation for the annexation of certain territory containing 86.0 ± Acres in Madison Township.
- 0432-2004** To accept the application (AN03-044) of Robert D. Patrella for the annexation of certain territory containing 22.8 ± Acres in Plain Township.
- 0440-2004** To accept the application (AN03-046) of Wilbur H. Lamp, et al. for the annexation of certain territory containing 229.3 ± Acres in Madison Township.
- 0442-2004** To accept the application (AN03-042) of Ohio District Lutheran Church Extension Fund, Inc. for the annexation of certain territory containing 26.596 ± Acres in Madison Township.
- 0627-2004** To amend Ordinance No 3106.96 to declare improvements to certain additional parcels of real property to be a public purpose; to describe public improvements to be made to benefit those parcels; to require the owners thereof to make service payments in lieu of taxes used to pay for the costs of such public improvements; and to declare an emergency.
(Polaris TIF boundaries) (AMENDED BY ORD.#1560-2005) PASSED 12/12/05)

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

- 070X-2004** To repeal any and all previous speed limit ordinances and resolutions on Alum Creek Drive between Main Street and Livingston Avenue, and request the Director of the Ohio Department of Transportation to lower the speed limit on Alum Creek Drive between Livingston Avenue and Main Street to 45 mph from the posted speed of 50 mph.
- 0295-2004** To transfer \$1,500,000.00 between projects within the 1995, 1999 Voted Streets and Highways Fund; to authorize the Public Service Director to reimburse the Gateway Area Revitalization Initiative for

construction and inspection costs for the improvement of North High Street from Ninth Avenue to Chittenden Avenue for the Transportation Division; to authorize the expenditure of \$1,500,000.00 from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$1,500,000.00)

0527-2004

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 project to rehabilitate four existing bridges on Interstate Routes 70 and 71 for the Transportation Division. (\$0)

**HEALTH, HOUSING & HUMAN SERVICES: TAVARES, CHR. BOYCE THOMAS
HABASH****0506-2004**

To authorize the appropriation of \$1,215.00 from the unappropriated balance of the Emergency Human Services Capital Fund to the Department of Development; and to declare an emergency. (\$1,215.00)

(TABLED 3/29/04)

0508-2004

To authorize the Director of the Department of Development to modify the contracts of various social service agencies to promote work force development; to authorize the expenditure of \$238,930.00 from the Community Development Block Grant Fund; and to declare an emergency. (\$238,930.00)

0509-2004

To authorize the Director of the Department of Development to enter into a contract with the Center for New Directions; to authorize the expenditure of \$2,365.00 from the Emergency Human Services Fund; to authorize the expenditure of \$12,502.00 from the General Fund; and to declare an emergency. (\$14,867.00)

0511-2004

To authorize the Director of the Department of Development to modify the contracts of various social service agencies; to authorize the expenditure of \$747,635.00 from the Emergency Human Services Fund; and to declare an emergency. (\$747,635.00)

0512-2004

To authorize the Director of the Department of Development to modify a contract with the United Way of Franklin County to support Operation Feed for an additional program year; to authorize the expenditure of \$79,728.00 from the General Fund; and to declare an emergency. (\$79,728.00)

0513-2004

To authorize the Director of the Department of Development to modify the contracts of various social service agencies; to authorize the expenditure of \$999,352.00 from the General Fund; and to declare an emergency. (\$999,352.00)

- 0514-2004** To authorize the Director of the Department of Development to modify the contracts of various social service agencies; to authorize the expenditure of \$1,461,710.00 from the General Fund; and to declare an emergency. (\$1,461,710.00)

UTILITIES: THOMAS, CHR. MENDEL O'SHAUGHNESSY HABASH

- 0538-2004** To authorize and direct the City Auditor to transfer \$377,296.68 from the Special Income Tax Fund to the Voted Street Lighting and Electricity Distribution Improvements Fund; to authorize the appropriation of said funds; to authorize Director of Public Utilities to reimburse the Franklin County Engineer for street lights installed on Wilson and Morse Roads; to authorize the expenditure of \$377,296.68 from the Voted Street Lighting and Electricity Distribution Improvements Fund; and to declare an emergency. (\$377,296.68)

- 0595-2004** To authorize the Director of Public Utilities to establish an encumbrance payable to the State of Ohio Treasurer, Department of Natural Resources, for operation and maintenance services and water entitlement for the Alum Creek Reservoir, storage spaces #1 and #2, for the Division of Water, to authorize the expenditure of \$1,256,817.46 from Water Systems Operating Fund, and to declare an emergency. (\$1,256,817.46)

RULES & REFERENCE: HABASH, CHR. MENDEL SENSENBRENNER TAVARES

- 0126-2004** To amend various sections of the City of Columbus Fire Prevention Code (Title Twenty-five), relating to the fees charged for inspections, and other services.

Sponsors: Michael C. Mentel

(TABLED 3/15/04)

- 0184-2004** To redraft Section 4113.51 and amend Section 4113.73 of the Columbus Building Code (Title 41) in order to provide for the registration, with proper documentation, of certain temporary tents 2,000 square feet or less in size erected in place for no more than 5 days and to adjust the 2003 fees for Community Festivals while capping all future Community Festival Fees at \$25 dollars, including the required registration fee.

Sponsors: Maryellen O'Shaughnessy

FROM THE FLOOR**TAVARES**

093X-2004

We proclaim the month of April to be minority health month and April 5-11, 2004 as National Public Health Week in the City of Columbus.

Sponsors: Charleta B. Tavares

094X-2004

To honor and recognize The Ohio State University Micheal E. Moritz College of Law Chapter of the National Black Law Students Association as you celebrate your 25th Annual Awards and Recognition Banquet on this 3rd day of April 2004.

Sponsors: Charleta B. Tavares

ADJOURNMENT: 6:05 P.M.

"THERE WILL BE NO CITY COUNCIL MEETING ON MONDAY, APRIL 12, 2004"