



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, February 14, 2005

5:00 PM

City Council Chambers, Rm 231

**REGULAR MEETING NO. 8 OF COLUMBUS CITY COUNCIL, MONDAY,
FEBRUARY 14, 2005 at 5:00 P.M. IN COUNCIL CHAMBERS.**

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

C0006-2005

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE
CITY CLERK'S OFFICE AS OF WEDNESDAY, FEBRUARY 9, 2005:

New Type: D1

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

Transfer Type: D2, D2X, D3, D6

To: Jinsha Company
DBA Guangdong Restaurant
6101 Busch Blvd
Columbus, Ohio 43229
From: Chileryoo Inc
DBA New House Mandarin Restaurant
6101 Busch Blvd
Columbus, Ohio 43229
permit # 4290780

Transfer Type: C1, C2

To: 2460 Parkwood Inc
2725 W Broad St
Columbus, Ohio 43204
From: Y S Holdings LLC
2725 W Broad St
Columbus, Ohio 43204
permit # 91168750005

Transfer Type: C1, C2, D6
To: Preferred Beverage LLC
DBA Barley Bin of Dublin
5931 Karric Square Dr
Columbus, Dublin, Ohio 43016
From: G&C Beverage LTD
DBA Barley Bin of Dublin
5931 Karric Square Dr
Columbus, Dublin, Ohio 43016
permit # 7062790

Transfer Type: D2, D2X, D3, D3A
To: Lee Ann Enterprises Inc
DBA Golden Eight Ball
2100 Morse Rd Suites 4683 & 4685
Columbus, Ohio 43229
From: Lee Ann Enterprises Inc
DBA Golden Eight Ball
5432 N High St 1st Bsmt & Mezzanine
Columbus, Ohio 43214
permit # 50844510001

Advertise 2/19/05
Return 3/02/05

The City Clerk's Office received 743 part and full initiative petitions on Wednesday, February 2, 2005. The title of the initiative petition stated "Ordinance Amending Columbus City code Chapter 715.03 To Exempt Certain Businesses Which Serve Intoxicating Beverages From the City of Columbus Smokefree Indoor Air Act of 2004". The original petitions were delivered to the Board of Elections on Thursday, February 3, 2005.

On Friday, February 11, 2005, the following letter dated February 10, 2005 was received from the Board of Elections:

Andrea Blevins, City Clerk
City of Columbus
90 West Broad Street
Columbus, Ohio 43215

RE: Initiative Petition to Amend City Code - Chapter 715.03 -
Smoking

Dear Ms. Blevins:

This office has examined signatures on six hundred eighty (680) part-petitions for a total of seven thousand, six hundred and twenty seven (7,627) records. The following is a report of our findings:

This office has validated 5,008 signatures of registered electors in the City of Columbus. Who are qualified to sign the above referenced petition.

We invalidated 2,619 signatures as not being qualified.

There is an additional 280 part-petitions containing approximately 6,500 signatures that were not examined once we obtained the number of signatures required for this petition filing.

If you have any additional questions, please do not hesitate to contact me at 462-6675.

Sincerely,

Peggy C. Howell, Supervisor
Petitions and Financial Filings

RESOLUTIONS OF EXPRESSION

TAVARES

[0020X-2005](#) In Memory of Ms. Bessie King Jackson

Sponsors: Charleta B. Tavares and Patsy Thomas

[0021X-2005](#) To honor and congratulate Columbus Children's Hospital for achievement and recognition as one of the premier Pediatric Emergency Medical Care providers in the nation.

Sponsors: Charleta B. Tavares

[0024X-2005](#) To honor and congratulate Marjory M. Pizzuti on becoming the President/CEO of Goodwill of Columbus.

Sponsors: Charleta B. Tavares

ADDITIONS OR CORRECTIONS TO THE AGENDA

FR FIRST READING OF 30-DAY LEGISLATION

SAFETY & JUDICIARY: MENDEL, CHR. BOYCE THOMAS HABASH

- FR [0225-2005](#) To authorize and direct the Mayor of the City of Columbus to apply for and participate in the Bureau of Justice Assistance Bulletproof Vest Partnership FY2005 program. (\$181,200.00)

UTILITIES: THOMAS, CHR. MENDEL O'SHAUGHNESSY HABASH

- FR [0154-2005](#) To authorize the Director of Public Utilities to enter into a cooperative agreement with the Columbus Health Department, for participation in the Lead-Safe Columbus Program, in order to seek regulatory flexibility from the EPA's Lead and Copper Rule, for the Division of Water, and to authorize the expenditure of \$300,000.00 from Water Systems Operating Fund. (\$300,000.00)

RULES & REFERENCE: HABASH, CHR. MENDEL HUDSON TAVARES

- FR [0344-2005](#) To enact the ordinance proposed by Initiative Petition entitled "Ordinance amending Columbus City Code chapter 715.03 to exempt certain businesses which serve intoxicating beverages from the City of Columbus Smokefree Indoor Air Act of 2004"

Sponsors: Matthew D. Habash

CA CONSENT ACTIONS

ADMINISTRATION: BOYCE, CHR. MENDEL HUDSON HABASH

- CA [0048-2005](#) 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 1 and to authorize the expenditure of \$140,200.00 from the Safety Voted Bond Fund. (\$140,200.00)

- CA [0060-2005](#) To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Janitorial Supplies, with Cleansers, Inc., HP Products, Key-4 Cleaning Supplies, Inc., Willis Distributing; Rose Products & Services, Inc.; and National Paper & Packaging Company.

- [0140-2005](#) To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Small Tools, with Edco Tool & Supply, Goss Supply Company, Hertz Equipment Rental Corp, NAPA Distribution Center, National Diamond Inc, Ohio Power Tool, Inc, and Scott Cable Communications I

- CA [0269-2005](#) To authorize and direct the appropriation of \$120,000 within the Collection Fee Fund, and to declare an emergency (\$120,000).

SAFETY & JUDICIARY: MENDEL, CHR. BOYCE THOMAS HABASH

CA [0137-2005](#) To authorize and direct the transfer of \$24,633.48 from the Fire Division General Fund Operating Budget to the Quarter Master Incentive Travel Fund; to appropriate \$52,477.26 within the Quarter Master Incentive Travel Fund; and to declare an emergency. (\$52,477.26)

CA [0162-2005](#) To authorize the transfer of \$28,551.00 from the General Fund to the Local Law Enforcement Block Grant Fund for the Division of Police to provide the city cash match for the FY2004 Local Law Enforcement Block Grant, and to declare an emergency. (\$28,551.00)

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

CA [0031-2005](#) To authorize the Public Service Director to enter into a contract with G & G Cement Contractors for construction of the On-Call ADA Curb Ramp - 2005 project for the Transportation Division and to authorize the expenditure of \$142,462.50 from the 1995, 1999 Voted Streets and Highways Fund. (\$142,462.50)

CA [0094-2005](#) To authorize the Finance Director to issue a blanket purchase order for the purchase of asphalt emulsion in accordance with the terms and conditions of a citywide universal term contract with Phillips Oil Company, Incorporated of Ohio for the Transportation Division and to authorize the expenditure of \$150,000.00 from the Street Construction, Maintenance and Repair Fund. (\$150,000.00)

CA [0096-2005](#) To appropriate \$1,708.53 within the Special Purpose Fund for the Transportation Division's 2005 Employee Awards Program and to authorize the Public Service Director to expend these funds consistent with the program's award criteria. (\$1,708.53)

CA [0174-2005](#) To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase OEM Small Engine Parts with Century Equipment Inc. and Green Thumb Power Equipment Center Inc., and to declare an emergency.

CA [0234-2005](#) To authorize the Public Service Director to execute those documents required to release the 20 foot wide sanitary sewer easement and the adjacent 40 foot wide construction easement shown on the plat titled Hamilton Road Extension of record in Plat Book 100, Page 3 of the Franklin County, Ohio, Recorder's Office; and to declare an emergency.

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

CA [0072-2005](#) To authorize the Columbus Health Department to enter into a revenue contract with the City of Worthington for the provision of public health services in the amount of \$23,395.

UTILITIES: THOMAS, CHR. MENDEL O'SHAUGHNESSY HABASH

- CA [2207-2004](#) To authorize the Director of Public Utilities to modify the contract with Hoffman Engineering Company, for Dublin Road Water Plant Miscellaneous Improvements, Auxiliary High Service Pump Station Electrical Renovation, for the Division of Water, and to authorize the expenditure of \$7,820.00 from Waterworks Enlargement Voted 1991 Bonds Fund. (\$7,820.00)
- CA [0122-2005](#) To authorize the Director of Public Utilities to renew membership in the Water Environment Research Foundation for Fiscal Year 2005 for use of the Utility Subscription Program for the Division of Sewerage and Drainage, in accordance with the sole source provisions of the Columbus City Code, and to authorize the expenditure of \$55,040.00 from the Sewerage System Operating Fund. (\$55,040.00)

RECREATION & PARKS: HABASH, CHR. BOYCE MENDEL THOMAS

- CA [0113-2005](#) To authorize and direct the Director of Recreation and Parks to accept a grant in the amount of \$10,595.00 and enter into an agreement with the Franklin County Board of Commissioners (dba: Franklin County Senior Options) for funding to support the 50+ Fitness programs, and to authorize an appropriation of \$10,595.00 from the unappropriated balance to the Recreation and Parks Grant Fund to the Recreation and Parks Department. (\$10,595.00)
- CA [0139-2005](#) To authorize and direct the Director of Recreation and Parks to enter into an agreement with Community Arts Project, Inc., to provide financial support toward community arts programming and facility operation and maintenance, to authorize the expenditure of \$90,000.00 from the Recreation and Parks Operating Fund, and to declare an emergency. (\$90,000.00)
- CA [0222-2005](#) To authorize and direct the Director of Recreation and Parks to enter into contract with Total Tennis, Inc. for the Champions Fast Dry Tennis Court Renovation, to authorize the expenditure of \$54,898.00 from the Voted 1995 and 1999 Parks and Recreation Bond Fund, and to declare an emergency. (\$54,898.00)

APPOINTMENTS

- CA [A0022-2005](#) Re-appointment of David Barker, Convention & Visitors Bureau, 90 N. High St., Columbus, Ohio 43215 to serve on the Vehicle For Hire Board with a new term expiration date of December 31, 2005 (resume attached).
- CA [A0034-2005](#) Appointment of Andy Bittinger, 4949 Oldbridge Drive, Columbus, Ohio 43220, to serve on the Franklin Park Conservatory Joint Recreation District Board replacing Nadia Alaudini with a new term expiration date

of January 31, 2007 (resume attached).

CA [A0035-2005](#) Appointment of Cindy Rasmussen, One Miranova Place #810, Columbus, Ohio 43215 to serve on the Franklin Park Conservatory Joint Recreation District Board replacing Lonnie Miles with a new term expiration date of January 31, 2008 (resume attached).

[A0036-2005](#) Appointment of Jeff Hobson, Airport Authority, 4600 International Gateway, Columbus, OH 43219 to serve on the Vehicle For Hire Board with a new term expiration date of December 31, 2005 (resume attached).

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

ADMINISTRATION: BOYCE, CHR. MENDEL HUDSON HABASH

[0129-2005](#) To authorize the Public Service Director to enter into contracts for the Facilities Management Division with eS Architecture and Development, Inc., for professional architectural services for renovation of Fire Station 14 and with 2K General Company, Inc., for construction services to renovate Fire Station 14; to authorize the expenditure of \$300,00.00 from the Safety Voted Bond Fund, and to declare an emergency. (\$300,000.00).

(TABLED 2/7/05)

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

[0176-2005](#) To authorize the Director of the Department of Development to contract with the Columbus Partnership for the CompeteColumbus project; to authorize the expenditure of \$30,000 from the Neighborhood Economic Development Fund; and to declare an emergency (\$30,000.00)

[0230-2005](#) To authorize the Director of Development to enter into an agreement with ms consultants, inc. for an Enterprise Zone tax abatement of sixty-five percent (65%) for a period of seven (7) years for real property improvements, furniture & fixture, stand-alone computers and a Jobs Creation Tax Credit of sixty percent (60%) for a period of six (6) years on new full-time employees in consideration of a proposed \$3,038,000 investment in real property improvements and personal property, the retention of 89 (eighty-nine) full-time permanent jobs and the creation of 69 (sixty-nine) full-time permanent jobs; and to declare an emergency.

[0231-2005](#) To authorize and direct the payment of \$548,725.98 to the Gahanna-Jefferson City School District to compensate for real property tax revenues forgone as a result of CRA tax abatements in the Stelzer-Styglar CRA; to authorize the expenditure of \$548,725.98 from the General Fund; and to declare an emergency. (\$548,725.98)

0232-2005

To authorize the Director of Development to enter into an agreement with Buckeye Distributing, Inc. for a tax abatement of sixty percent (60%) for a period of six (6) years; in consideration of a proposed \$2,140,000 investment in real property improvements, machinery & equipment, furniture & fixtures, stand-alone computers, and new inventory, the relocation/retention of 19 (nineteen) full-time permanent jobs, which will be new to Columbus, and the creation of 11 (eleven) full-time permanent jobs; and to declare an emergency.

0284-2005

To authorize and direct the Director of the Development Department to enter into an Enterprise Zone and Jobs Creation Tax Credit Agreement with Hirschvogel, Incorporated to provide a 10-year/75% real and personal property tax exemption on the company's proposed minimum investment of \$8.6 million and a 7-year/55% Jobs Creation Tax Credit on the Company's proposed minimum creation of 46 new jobs; and to declare an emergency.

SAFETY & JUDICIARY: MENDEL, CHR. BOYCE THOMAS HABASH**0226-2005**

To authorize and direct the Director of Public Safety to enter into contract with Metropolitan Towing and Storage, Inc. for the purpose of towing of vehicles from City streets as requested by the Division of Police; to authorize the expenditure of \$1,800,000.00 from the General Fund; and to declare an emergency. (\$1,800,000.00).

DEVELOPMENT: O'SHAUGHNESSY, CHR. HUDSON TAVARES HABASH**0196-2005**

To authorize the Director of the Development Department to enter into an Annexation agreement with the Trustees of both Brown and Washington Townships and to declare an emergency.

(TABLED 1/31/05)

PUBLIC SERVICE & TRANSPORTATION: O'SHAUGHNESSY, CHR. HUDSON TAVARES HABASH**2176-2004**

To authorize the Public Service Director to enter into an agreement with the Ohio Department of Transportation for the Construction of Norton Road; to authorize the Transfer of \$1,334,277.00 between projects within the 1995, 1999 Voted Streets and Highways Fund; to transfer \$1,334,277.00 from Fund 704 to Fund 766, the Street and Highway Improvement Fund; to appropriate \$1,933,735.00 within Fund 766, the Street and Highway Improvement Fund; and to authorize the expenditure of \$1,933,735.00 from the Street and Highway Improvement Fund for the Transportation Division for the Norton Road Project; and to declare an emergency. (\$1,933,735.00)

0089-2005

To authorize the Public Service Director to pay the City's annual membership dues to the Mid-Ohio Regional Planning Commission for the Transportation Division; to authorize the expenditure of

\$313,274.00 from the Street Construction, Maintenance and Repair Fund; to waive the formal competitive bidding requirements of the Columbus City Code, and to declare an emergency. (\$313,274.00)

0093-2005

To authorize the Finance Director to establish a purchase order with the Solid Waste Authority of Central Ohio for tipping fees for the Transportation Division; to authorize the expenditure of \$218,100.00 from the Street Construction, Maintenance and Repair Fund; to waive the formal competitive bidding requirements of the Columbus City Code, and to declare an emergency. (\$218,100.00)

(TABLED 2/7/05)

**HEALTH, HOUSING & HUMAN SERVICES: TAVARES, CHR. BOYCE THOMAS
HABASH****0101-2005**

To authorize the Board of Health to enter into four contracts with Columbus AIDS Task Force, Licking County Coalition for Housing, Fairfield Affordable Housing, Inc., and Pater Noster House for the provision of eligible HOPWA services for the period of January 1, 2005 through December 31, 2005; to authorize the expenditure of \$678,106 from the General Government Grants Fund, and to declare an emergency. (\$678,106)

0107-2005

To authorize the Columbus Health Department to accept a grant from the U.S. Department of Housing and Urban Development in the amount of \$584,000; to authorize the appropriation of \$584,000 from the unappropriated balance of the General Government Grants Fund, and to declare an emergency. (\$584,000)

UTILITIES: THOMAS, CHR. MENDEL O'SHAUGHNESSY HABASH**1814-2004**

To authorize the Director of Public Utilities to modify the contract with Camp Dresser and McKee, Inc., for the Wastewater Treatment Facilities Instrumentation and Control System Upgrade Project; to authorize the appropriation, transfer and expenditure of \$1,436,559.00 from the Sewer System Reserve Fund to the 1991 Voted Sanitary Bond Fund; to amend the 2004 Capital Improvements Budget, for the Division of Sewerage and Drainage; and to declare an emergency. (\$1,436,559.00)

(TABLED 2/7/05)

0057-2005

To authorize the Public Service Director to modify and increase the existing yard waste collection contract with Rumpke of Ohio, Incorporated, for the Refuse Collection Division; to authorize the expenditure of \$3,242,300.00 from the General Fund, and to declare an emergency. (\$3,242,300.00)

(TABLED 2/7/05)

- 0061-2005** To authorize the Director of Public Utilities to execute a construction contract with American Water Services Underground Infrastructure, Inc., in connection with the Royal Forest/Beechmont Sanitary Improvements Project; to authorize the appropriation of \$408,215.61 and the expenditure of \$327,321.05 from the Ohio Water Pollution Control Loan Fund; and to amend the 2004 Capital Improvements Budget; for the Division of Sewerage and Drainage. (\$327,321.05)
- 0065-2005** To authorize the Director of Public Utilities to enter into a professional engineering services contract with the Camp Dresser & McKee, Inc., in connection with the Sanitary Sewer System Inflow/Infiltration-Livingston/James Area Remediation Project; to authorize the appropriation, transfer and expenditure of \$4,127,371.06 from the Sewerage System Reserve Fund to the 1991 Voted Sanitary Bond Fund; and to amend the 2004 Capital Improvements Budget; for the Division of Sewerage and Drainage; and to declare an emergency. (\$4,127,371.06)
(TABLED 2/7/05)
- 0123-2005** To authorize the Finance Director to establish a purchase order for the purchase of two (2) Tandem Axle Combination Sewer Cleaners from Jack Doheny Supplies Ohio Inc. for the Division of Sewerage and Drainage, to authorize the expenditure of \$511,000.00 from the Sewer System Operating Fund, and to declare an emergency. (\$511,000.00)
- 0131-2005** To authorize the Director of Public Utilities to modify contracts for the purchase of wholesale electric power with American Municipal Power-Ohio, Inc. for the Division of Electricity, under the provisions of Columbus City Codes, to authorize the expenditure of \$10,944,000.00 from the Division of Electricity Operating Fund, and to declare an emergency. (\$10,944,000.00)
- 0147-2005** To authorize the Director of Public Utilities to modify a contract for the purchase of landfill gas-fueled electric power with Bio-Energy (Ohio) LLC, under the provisions of Columbus City Codes, to authorize the expenditure of \$624,000.00 from the Electricity Operating Fund, and to declare an emergency. (\$624,000.00)
- 0149-2005** To authorize the Director of Public Utilities to modify the existing contract for the purchase of wholesale electric power with Constellation Energy Commodities Group for the Division of Electricity, under the provisions of Columbus City Codes, to authorize the expenditure of \$26,520,000.00 from the Division of Electricity Operating Fund, and to declare an emergency. (\$26,520,000.00)
- 0193-2005** To authorize the Director of Finance to establish a Blanket Purchase Order for Heating Oil from an established Cooperative Purchase Contract with BP Products North America Inc. for the Division of Sewerage and Drainage, to authorize the expenditure of \$780,000.00 from the Sewerage System Operating Fund, and to declare an

emergency (\$780,000.00)

0219-2005

To authorize the Director of the Department of Public Utilities to execute those documents necessary to grant 0.112 + acres of City owned real property located in the vicinity of Griggs Reservoir, in exchange for a warranty deed of equal acreage to be granted to City of Columbus in order to alleviate an existing encroachment onto City property; to waive the Land Review Commission provisions of the Columbus City Codes (1959) and to declare an emergency.

RECREATION & PARKS: HABASH, CHR. BOYCE MENTEL THOMAS

0141-2005

To authorize and direct the Director of Recreation and Parks to enter into an agreement with the Franklin Park Conservatory Joint Recreation District for the City's share for the operation of the District in 2005, to authorize the expenditure of \$452,693.00 from the Recreation and Parks Operating Fund, and to declare an emergency.
(\$452,693.00)

RULES & REFERENCE: HABASH, CHR. MENTEL HUDSON TAVARES

1858-2004

To supplement Chapter 4113 of the Columbus City Codes, 1959, by amending Sections 4113.09, 4113.17 and 4113.33 of the Columbus Building Code (Title 41) removing an erroneous fee condition that is not consistent with current Building Services Division operations and to clarify the refund policy.

Sponsors: Maryellen O'Shaughnessy

0037-2005

To amend Chapter 111.01 of Columbus City Codes, 1959, regarding meeting times of Columbus City Council, and to declare an emergency.

Sponsors: Matthew D. Habash

FROM THE FLOOR:

RESOLUTIONS OF EXPRESSION

O'SHAUGHNESSY

LA

0022X-2005

To recognize Steve McClary's achievements as the Department of Development's Planning Division Administrator and to wish him a happy retirement.

Sponsors: Maryellen O'Shaughnessy

ADJOURNMENT

THERE WILL BE NO CITY COUNCIL MEETING HELD ON MONDAY, FEBRUARY 21, 2005 IN OBSERVANCE OF PRESIDENT'S DAY. THE NEXT SCHEDULED CITY COUNCIL MEETING WILL BE MONDAY, FEBRUARY 28, 2005.