

# **Columbus City Bulletin**



**Bulletin 29  
July 20, 2002**



# Proceedings of City Council

Vol. LXXXVII

Saturday, July 20, 2002

NO. 29

## **PROCEEDINGS OF CITY COUNCIL REGULAR MEETING NO.32 MONDAY, JULY 15, 2002 AT 5:00 P.M.**

Council met in regular session with President Matthew D. Habash in the chair. The roll being called, the following members were present: Kevin L. Boyce, Jennette B. Bradley, President Pro Tem Michael C. Mentel, Maryellen O'Shaughnessy, Richard W. Sensenbrenner, Charleta B. Tavares and President Matthew D. Habash.

There being a quorum present, Council adopted a motion to dispense with reading of the minutes of the previous session and to accept the journal as recorded.

## **PROCEEDINGS OF CITY COUNCIL REGULAR MEETING NO.33 MONDAY, JULY 15, 2002 AT 6:30 P.M.**

Council met in regular session with President Matthew D. Habash in the chair. The roll being called, the following members were present: Kevin L. Boyce, Jennette B. Bradley, President Pro Tem Michael C. Mentel, Maryellen O'Shaughnessy, Richard W. Sensenbrenner, Charleta B. Tavares and President Matthew D. Habash.

There being a quorum present, Council adopted a motion to dispense with reading of the minutes of the previous session and to accept the journal as recorded.

### **THE CITY BULLETIN Official Publication of the City of Columbus**

Published weekly under authority of the City Charter and direction of the City Clerk. The Office of Publication is the City Clerk's Office, 90 W. Broad Street, Columbus, Ohio 43215. The City Bulletin contains the official report of the proceedings of council. The Bulletin also contains all ordinances and resolutions acted upon by council, civil service notices and announcements of examinations, advertisements for bids and requests for professional services, and details pertaining to official actions of all city departments.

Subscriptions by mail, \$164.00 a Year in advance.

**THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY CLERK'S OFFICE AS OF MONDAY, JULY 15, 2002:****New Type: C1, C2**

**To:** S&S Drive Thru Inc  
DBA Carry Out  
3870 Sullivant Ave  
Columbus, Ohio 43228

**New Type: D2**

**To:** Annas Restaurant  
A Taste From Greece Inc  
DBA Annas Restaurant  
Unit 2728 Agora Dr  
7370 Sawmill Rd  
Columbus, Ohio 43235

**New Type: D1**

**To:** Wingage II Ltd  
1710 Hilliard Rome Rd  
Columbus, Ohio 43026

**New Type: D3**

**To:** Lindo Mexico Restaurant Inc  
DBA Lindo Mexico Restaurant  
3203 Sullivant Ave  
Columbus, Ohio 43204

**Stock Type: C1, C2**

**To:** William Food Inc  
DBA Food Max  
3150 Allegheny Ave  
Columbus, Ohio 43209

**(07.20.02)**

<b>ORDINANCES</b>
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**REPRINTED WITH CORRECTIONS****ORD. NO. 0871-01**

To rezone 1775 EAST FIFTH AVENUE (43219), being 0.494± acres located at the southwest corner of East Fifth Avenue and Leonard Avenue, From: M, Manufacturing District, To: CPD, Commercial Planned Development District.

WHEREAS, application #ZOO-099 is on file with the Building and Development Services Section of The Department of Trade and Development requesting rezoning of 0.494± acres from M, Manufacturing District, to CPD, Commercial Planned Development District; and

WHEREAS, the Development Commission recommends Approval of said zoning change; and

WHEREAS, the City Departments recommend Approval of said zoning change because the applicant requests the CPD, Commercial Planned Development District to redevelop an existing abandoned gas station with a convenience store and restaurant with gasoline sales. The development standards include street trees and buffering from adjacent residential uses, now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Zoning Map attached to Ordinance No. 1620-77, passed September 19, 1977, and as subsequently amended be, and the same is hereby revised by changing the zoning of the property as follows:

1775 EAST FIFTH AVENUE (43219), being 0.494± acres located at the southwest corner of East Fifth Avenue and Leonard Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, and being part of Theodore Leonard's Heirs Subdivision of record in Plat Book 4, page 396 and 397 at the Franklin County Recorders Office, Franklin County, Ohio, and being 0.494 acres of land more or less, and being more particularly described as follows:

Beginning for reference at an iron pin (found), said iron pin being located at the most northwesterly property corner of Lot No. 13 of George Washington Carver Subdivision of record in Plat Book 21 page 13, at said Recorders Office, said iron pin also being located in the southerly right-of-way line of East Fifth Avenue;

Thence along the northerly property line of said Lot No. 13, and also along said southerly right-of-way line, S 80° 27' 23" E, a distance of 185.00 feet to an iron pin (found);

Thence leaving said right-of-way line, S 03° 20' 17" W, a distance of 43.00 feet to an iron pin (found), said iron pin being located in the northerly right-of-way line of Leonard Avenue.

Thence along said northerly right-of-way line, S 58° 27' 17" W, a distance of 224.00 feet to an iron pin (set), said iron pin being located in the easterly right-of-way line of an alley (10 feet wide);

Thence along the said easterly right-of-way line, and also along the easterly property line of said LOT No. 13, N 03° 17' 19" E, a distance of 191.10 feet to the True Point of Beginning and containing 0.494 acres of land more or less, and being subject to all easements, restrictions and rights-of-way (if any) of previous record.

To Rezone From: M, Manufacturing District,

To: CPD, Commercial Planned Development District.

Section 2. That a Height District of Thirty-five (35) feet is hereby established on the CPD, Commercial Planned Development District on this property.

Section 3. That the Director of the Department of Trade and Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building and Development Services Section and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Building and Development Services Section as required by Section 3311.12 of the Columbus City Codes; said plan being titled, "CONVENIENCE STORE 1773 & 1775 E. FIFTH AVENUE, COLUMBUS, OHIO SITE PLAN", signed by Ismail Jallaq, Applicant, dated February 20, 2001; and text titled, " COMMERCIAL PLANNED DEVELOPMENT TEXT ", signed by Ismail Jallaq, Applicant, dated February 20, 2001, and reading as follows:

**COMMERCIAL PLANNED DEVELOPMENT TEXT**

PROPERTY ADDRESS:	1775 East Fifth Avenue
OWNER:	J-I-Inc.
APPLICANT:	Ishmail Jallaq
DATE:	February 20, 2001
APPLICATION NO.:	ZOO-099

I. INTRODUCTION: The property is located at the corner of E. 5th Ave. and Old Leonard Avenue. Old Leonard Avenue terminates at this site. The site was a gas filling station. The site contains approximately 0.494 acre. The proposed facility will be open 24 hours a day. The facility will employ 6 persons per shift.

II. PERMITTED USES: The site will be used for Convenience Store/Restaurant with gasoline sales. The proposed building will be no more than 2750 sq. ft in area. No automotive repair will be performed at the site. Underground fuel storage tank will be installed at the property for gasoline fuel and diesel fuel.

III. DEVELOPMENT STANDARDS: The following development standards shall apply to the Subject Property:

A. Density, Height, Lot and Setback Commitments.

Building setback from Fifth Avenue right-of-way is 36 feet. Building setback from Old Leonard right-of-way is 26 feet. Building and canopy heights will not exceed 25 feet.

B. Access, Loading, Parking and Other Traffic Related Commitments.

Curb cut locations shall be approved by the City of Columbus Traffic Engineering and Parking Division. Parking shall be located as shown on the Site Plan.

Sidewalks shall be installed and maintained as shown on the Site Plan.

C. Buffering, Landscaping, Open Space and Screening Commitments.

The Subject Property shall be landscaped as follows:

1) All deciduous trees planted along the northern boundary of the property shall be a minimum of 4" trunk caliper with a minimum height of 6 feet.

2) All deciduous trees planted along the eastern edge of the property shall be a minimum of 4" trunk caliper with a minimum height of 6 feet.

3) All trees and landscaping shall be well maintained. Dead items shall be removed and replaced within six months or the next planting season, whichever occurs first.

A 6' wooden privacy fence will be installed and maintained as shown on the Site Plan along the western boundary of the property.

D. Building Design and/or Interior-Exterior Treatment Commitments.

Building materials will include steel frame and masonry. The exterior finish will be a combination of smooth face and split face masonry construction. A structure steel canopy will be constructed over the gasoline fuel pumps. Rooftop mechanical equipment or other rooftop utility equipment shall be screened at the height of the equipment or to the sight line.

E. Dumpsters, Lighting, Outdoor Displays Areas and Environmental Commitments..

Lighting

All external lighting shall be mounted on the canopy and shall provide lighting for the pumps (down lighting). All other external lighting shall be cutoff-type fixtures (down lighting) and shall be no more than 10 feet in height.

Outdoor Display Areas.

Outdoor display and sales areas shall only be located around the building. The outdoor display areas shall contain only automobile-related items such as antifreeze, oil, and washer fluid; vending machines; freestanding refreshments such as soda pop and water; and ice machines. Except for vending machines and ice machines, outdoor display areas located around the building shall not exceed four feet in depth, twelve feet in width, and three feet in height.

F. Graphic Commitments.

The applicable graphics standards shall be those contained in Columbus City Code Article 15 as they apply to C-4, Commercial District. Any variances to the applicable graphics standards shall be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous commitments.

The Property shall be developed in accordance with the Site Plan; however, the Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data established at the time of development and engineering plans are completed. The Director of the Department of Trade and Development or the Director's designee must approve any slight adjustment to the Site Plan upon submission of the appropriate data regarding the proposed adjustment.

A nonexclusive permanent easement to the City of Columbus for public ingress and egress, to be located on the southwest portion of the property, a description of which will be subject to staff approval shall be granted by the Applicant. Such easement will provide access for the City's Sanitation department and the City's Fire Department.

IV. CPD REQUIREMENTS.

A. Natural Environment:

The Subject Property is a triangular parcel with an abandoned gas station.

B. Existing Land Use:

Vacant gas station.

C. Transportation and Circulation:

The Subject Property is located at the terminus of Old Leonard Avenue and Fifth Avenue. One 36' curb cut will be located on Fifth Avenue and one 36' curbcut will be located off Old Leonard Avenue.

D. Visual Form of the Environment

Commercial and manufacturing uses are located across Fifth Avenue from the Subject Property. In addition, residential uses are located west of the subject property.

E. View and Visibility:

The Subject Property is visible from Fifth Avenue, Leonard Avenue, and Old Leonard Avenue.

F. Proposed Development:

Convenience store/Restaurant with gasoline sales.

G. Behavior Patterns:

The area to the west of the Subject Property is zoned for residential uses.

The convenience store and gas station located at this intersection will serve these residents with nearby grocery and gasoline services.

H. Emissions:

No adverse effect from emissions shall result from the proposed development.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed July 1, 2002, Matthew D. Habash, President of Council / Approved July 2, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

**ORD. NO. 0888-02**

To rezone 5881 WEST BROAD STREET (43112), being 78.0± acres located on the south side of West Broad Street, 315± feet west of Galloway Road, From: R, Rural District, To: L-C-4, Limited Commercial and R-2, Residential Districts.

WHEREAS, application #Z01-069 is on file with the Building Services Division of the Department of Development requesting rezoning of 78.0± acres from R, Rural District to L-C-4, Limited Commercial and R-2, Residential Districts; and

WHEREAS, the Development Commission recommends Approval of said zoning change; and

WHEREAS, the Westland Area Commission recommends Disapproval of said zoning change; and

WHEREAS, the City Departments recommend Approval of said zoning change because the requested L-C-4, Limited Commercial District would allow commercial development consistent with established zoning and development patterns along this portion of West Broad Street. The requested R-2, Residential District would allow for the development of a single-family subdivision consistent with other subdivisions adjacent to Galloway Road. The Westland Area Plan recommends commercial and residential development as the most appropriate land use for this site. The L-C-4 text includes appropriate use restrictions and development standards in consideration of surrounding uses, now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Zoning Map attached to Ordinance No. 1620-77, passed September 19, 1977, and as subsequently amended be, and the same is hereby revised by changing the zoning of the property as follows:

5881 WEST BROAD STREET (43112), being 78.0± acres located on the south side of West Broad Street, 250± feet west of Galloway Road, and being more particularly described as follows:

Tract 1: Situated in the State of Ohio, County of Franklin, City of Columbus, located in Virginia Military Survey Numbers 1571 & 5243., being more particularly bounded and described as follows:

Beginning, for reference, at the northeasterly corner of that Blauser Farm Partnership tract, in the centerline of West Broad Street; thence South 01°27'41" West, with the easterly line of said Blauser Farm Partnership tract, a distance of 39.18 feet to a point;

thence North 87°13'58" East, a distance of 410.38 feet to the True Point of Beginning;  
 thence North 87°13'58" East, a distance of 1083.02 feet to a point;  
 thence South 13°07'11" West, a distance of 363.90 feet to a point;  
 thence South 87°13'58" West, a distance of 997.68 feet to a point; and  
 thence North 00°25'55" West, a distance of 350.29 feet to the True Point of Beginning and containing 8.4 acres of land. more or less.

To Rezone From: R, Rural District,  
 To: L-C-4, Limited Commercial District

Tract 2: Situated in the State of Ohio, County of Franklin, City of Columbus, located in Virginia Military Survey Numbers 1571 & 5243, being more particularly bounded and described as follows:

Beginning, for reference, at the northeasterly corner of that Blausier Farm Partnership tract, in the centerline of West Broad Street;  
 thence South 01°27'41" West, with the easterly line of said Blausier Farm Partnership tract, a distance of 39.18feettoapoint;  
 thence South 00°54'06" West, continuing with said easterly line, a distance of 350.72 feet to a point;  
 thence North 87°13'58" East, leaving said easterly line, a distance of 260.69 feet to the True Point of Beginning;  
 thence North 87°13'58" East, a distance of 1155.54 feet to a point;  
 thence North 13°07'11" East, a distance of 13.84 feet to a point;  
 thence North 87°35'59" East, a distance of 166.87 feet to a point;  
 thence South 13°22'46" West, a distance of 507.46 feet to a point;  
 thence North 87°28'11" East, a distance of 94.58 feet to a point;  
 thence South "IS^O?" West, a distance of 200.90 feet to a point;  
 thence North 87°43'16" East, a distance of 178.34 feet to a point;  
 thence South 12°51'42" West, a distance of 60.58 feet to a point;  
 thence South 86°30'57" West, a distance of 161.71 feet to a point;  
 thence Northwesterly, with the arc of a curve to the right having a radius of 1416.82 feet. a central angle 07004102" and a chord that bears North 88°16'53" West, a chord distance of 174.65 feet to a point;  
 thence Northwesterly, with the arc of a curve to the right having a radius of 1202.84 feet, a central angle 07°58'03" and a chord that bears North 80°15'53" West, a chord distance of 167.13 feet to a point;  
 thence North 77°07'30" West, a distance of 193.87 feet to a point;  
 thence South 02°39'28" West, a distance of 953.23 feet to a point;  
 thence South 76°31'43" East, a distance of 238.67 feet to a point;  
 thence South 13°07'09" West, a distance of 462.16 feet to a point;  
 thence South 76°24'31" East, a distance of 273.59 feet to a point;  
 thence South 12°18'26" West, a distance of 61.11 feet to a point;  
 thence North 76°23'58" West, a distance of 274.29 feet to a point;  
 thence South 13°01'24" West, a distance of 389.74 feet to a point;  
 thence South 81°09'55" West, a distance of 1024.99 feet to a point;  
 thence North 00°54'06" East, a distance of 2418.87 feet to a point;  
 thence North 47°21'20" East, a distance of 358.73 feet to the True Point of Beginning and containing 69.6 acres of land, more or less.

To Rezone From: R, Rural District,  
 To: R-2, Residential District

Section 2. That a Height District of Thirty-five (35) feet is hereby established on L-C-4, Limited Commercial and R-2, Residential Districts on this property.

Section 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved L-C-4, Limited Commercial and R-2, Residential Districts and Application among the records of the Building Services Division as required by Section 3370.03 of the Columbus City Codes; said text being titled, "LIMITATION OVERLAY TEXT DEVELOPMENT PLAN," signed by Jeffrey L. Brown, Attorney for the Applicant, dated March 1, 2002, and reading as follows:

LIMITATION OVERLAY TEXT DEVELOPMENT PLAN

PROPOSED DISTRICT: L-C-4, Limited Commercial  
 PROPERTY ADDRESS: 5881 West Broad Street  
 OWNER: Alta-Rome Realty  
 APPLICANT: Dominion Homes  
 DATE OF TEXT: 3/1/02  
 APPLICATION NUMBER: Z01-069

1. INTRODUCTION:

The site is located on the south side of West Broad Street, west of Galloway Road.

2. PERMITTED USES:

Those uses permitted under Section 3355.02 C-4 commercial of the Columbus City Code with the following exclusions: Armory; Billboards; Dance hall; Electric substation; Funeral parlor; Hotel; Millinery; Motel; Motor bus terminal; Night club; Pool room; Poultry killing (not to exclude a poultry shop where killing is not performed on site); Tinsmith; Trade School; Stable; Used car lot unless part of a new car dealership

3. DEVELOPMENT STANDARDS:

Unless otherwise indicated in the written text, the applicable development standards shall be those standards contained in Chapter 3355, C-4, Commercial of the Columbus City Code.

A. Density, Height, Lot and/or Setback commitments.

1. Parking setback from West Broad Street shall be twenty-five (25) feet.
2. Building setback from West Broad Street shall be sixty (60) feet.

B. Access, Loading, Parking and/or other Traffic related commitments.

- 1 The applicant shall extend a street through the commercial area to connect W. Broad to the proposed single family subdivision to the south.
- 2 If required by the appropriate governmental agency, the applicant shall install a west bound left turn lane and an east bound right turn lane on W. Broad Street at the access point referred to in B(1) above.
- 3 The design of any access points and the traffic improvements outlined in B(2) above shall be subject to the review and approval of the appropriate governmental agency.

C. Buffering, Landscaping, Open space and/or Screening commitments.

1. Within the setback areas along West Broad Street and any interior public street, a white horse fence, a three foot average height continuous planting hedge, fence, wall or earth mound, individually or in any combination thereof, shall be installed as well as one tree per forty (40) feet of frontage thereof. Trees do not have to be equally spaced, but may be grouped.
  2. The south property line shall be screened with two rows of evergreen trees staggered twenty-five feet on center.
  3. A five foot wide landscape strip shall be established between the side parcel lines of the outlets along West Broad Street. The strip may be all on one parcel or split between the parcels.
  4. All trees and landscaping shall be well maintained. Dead items shall be replaced within six (6) months with landscape materials per the original requirements.
  5. One tree shall be planted for every 10 parking spaces.
  6. Minimum tree sizes at installation: deciduous trees, 2 ½ inch caliper; ornamental trees 1 ½ inch caliper; evergreen, five (5) feet in height.
- D. Building design and/or Interior-Exterior treatment commitments.
1. Except for the outparcels, the building material for the elevations which face Broad Street shall be brick.
  2. The outparcel buildings shall have the same finished materials on all four sides.
  3. Prefabricated metal buildings, untreated masonry block structures, and building featuring an exterior finish entirely of glass are prohibited.
  4. Poured concrete exterior walls are prohibited.
- E. Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments.
1. All non-decorative lighting shall be down lighting (cut off fixtures).
  2. All external outdoor lighting fixtures within a given area shall be from the same or similar manufacturer's type to insure compatibility.
  3. Parking lot lighting standards shall not exceed 20 feet in height light poles except within 100 feet of the proposed residential where the maximum height shall be 14 feet
  4. In parking lots, lights shall be placed in raised islands or medians to protect both lights and vehicles from damage.
  5. Wiring within a development shall be underground.
  6. The developer shall install sidewalks along its frontage on West Broad Street any interior public streets.
  7. Mechanicals on the top of the shopping center shall be screened to the height of the equipment from off site views.
- F. Graphics and Signage commitments.

All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the C-4 Commercial District and any variance to the sign requirements shall be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous commitments:

The developer shall comply with the park land dedication ordinance by donating \$400/acre to the Recreation and Parks Department.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1070-02**

To rezone 6055 CLEVELAND AVENUE (43205), being 2.3± acres located on the west side of Cleveland Avenue, 50± feet south of Deewood Drive, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District.

WHEREAS, application #Z02-024 is on file with the Building Services Division of the Department of Development requesting rezoning of 2.3± acres from CPD, Commercial Planned Development District to CPD, Commercial Planned Development District; and

WHEREAS, the Development Commission recommends Approval of said zoning change; and

WHEREAS, the City Departments recommend Disapproval of said zoning change because although the existing CPD, Commercial Planned Development District allows for a 20,000 square foot commercial building, staff did not support that request The Northland Plan recommends office uses as the most appropriate use for this area and suggests higher intensity uses be oriented towards major intersections. The retail component of this proposal suggests a higher intensity commercial use at this location, now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Zoning Map attached to Ordinance No. 1620-77, passed September 19, 1977, and as subsequently amended be, and the same is hereby revised by changing the zoning of the property as follows:

6055 CLEVELAND AVENUE (43205), being 2.3± acres located on the west side of Cleveland Avenue, 50± feet south of Deewood Drive, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, being a part of Quarter Township 4, Township 2, Range 18, United States Military Lands, containing 2.273 acres of land, more or less, out of that original 12.728 acre tract of land and described in a deed to Emma W. Coleman, of record in Deed Book 2857, Pages 406 and 407 (all references to deed books, plat books or official records in this description refer to the records of the Recorder's Office, Franklin County, Ohio), said 2.273 acre tract of land being more particularly described as follows:

Beginning, for reference, at a point in the centerline of Cleveland Avenue (80 feet in width) at the northeasterly corner of Deerfield Village, a subdivision of record in Plat Book 45, Page 63, thence S 04° 53' 14", with the centerline of said Cleveland Avenue, an easterly line of said Deerfield Village, a distance of 262.12 feet to the true point of beginning, passing the centerline of Deewood Drive at a distance of 158.72 feet;

Thence, from said true point of beginning, S 04° 53' 14" W, continuing with the centerline of said Cleveland Avenue, with an easterly line of said original 12.728 acre tract a distance of 150.05 feet to a point;

Thence N 85° 05' 34" W, with a southerly line of said original 12.728 acre tract, with the northerly line of that 0.387 and that 0.129 acre tracts as the same are described in a deed to Diane K. Johnson and Anna L. Johnson, of record in Official Record 00661, pages C02 and C03, also a northerly line of that 1.756 acre tract of land as described in a deed to Pedro J. Obiegion, of record in Official Record 02213, Pages F09 through F11, a distance of 660.00 feet to an iron pin (found) in an easterly line of said Deerfield Village, passing an iron pin (set) at a distance of 40.00 feet;

Thence N 04° 53' 14" E, with an easterly line of said Deerfield Village, a distance of 150.05 feet to an iron pin (found) in the northerly line of said 12.728 acre tract;

Thence S 85° 05' 34" E, with the northerly line of said 12.728 acre tract, a distance of 660.00 feet to the true point of beginning, passing an iron pin (set) at a distance of 620.00, and containing 2.273 acres of land, more or less.

To Rezone From: CPD, Commercial Planned Development District,

To: CPD, Commercial Planned Development District.

Section 2. That a Height District of Thirty-five (35) feet is hereby established on the CPD, Commercial Planned Development District on this property.

Section 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Building Services Division as required by Section 3311.12 of the Columbus City Codes; said plans being titled, "PROPOSED SITE PLAN" and text titled, "COMMERCIAL PLANNED DEVELOPMENT TEXT", signed by Jeffrey L. Brown, Attorney for the Applicant, dated May 22, 2002, and reading as follows:

COMMERCIAL PLANNED DEVELOPMENT TEXT

PROPOSED DISTRICT: CPD  
 PROPERTY ADDRESS: 6055 Cleveland Avenue  
 OWNER: Harold L. Nathans & Sons  
 APPLICANT: Home Lighting Center  
 DATE OF APPLICATION: 5/22/02  
 APPLICATION NUMBER: Z02-024

I. INTRODUCTION:

The subject property consists of approximately 2.273 acres located at 6055 Cleveland Avenue and was zoned Commercial Planned District (CPD) by Columbus city Council on March 9, 1992 as Ordinance #368-92 (Z91-104). The site was rezoned in Z94-122 to permit an addition to the existing building, which was never constructed. The applicant is now ready to move forward with that addition but needs to make a small adjustment in its square footage (2,000 sq. ft.) to meet his current needs.

II. PERMITTED USES:

Lighting fixture store, new furniture store, optician, or those uses contained in Section 3353.02, C-2, Commercial, of the Columbus City Code. No billboards or off premise graphics shall be permitted.

III. DEVELOPMENT STANDARDS:

Unless otherwise indicated in the Site Plan or in the written text, the applicable development standards of Chapter 3355 shall apply to the subject property.

A. Density, Height, Lot and/or Setback commitments. N/A

B. Access, Loading, Parking and/or other Traffic related commitments.

1. All walkway/street intersections shall have wheelchair ramps. All medians, parking lots, end caps, and/or intersection curbs shall have wheelchair ramps when intersecting walkways.

2. All parking areas shall have a minimum of two (2) spaces for handicapped parking to be adequately signed and located adjacent to building entrances.

3. The required parking for a lighting fixture store, new furniture store or an optician's office is shown on the submitted site plan. Any other use must meet the city code as it applies to that use's parking requirement and install the future parking area as shown on the submitted site plan.

C. Buffering, Landscaping, Open space and/or Screening commitments.

1. All existing healthy trees over eight (8) inches in caliper and located within the required setback areas shall be maintained; all major tree rows shall be maintained where feasible to do so; and all other existing healthy trees shall be integrated where feasible into parking and building plans and with the approval of the City may totally offset required tree ratios.

2. Lot coverage for structures and paved areas may not exceed eighty-five percent (85%) of net usable area (the term "net usable area" shall mean the gross zoned acreage of the Property).

3. Loading areas shall be screened by opaque material and/or structures and/or landscaping to a minimum height of seven (7) feet.

4. All trees shall meet the following minimum size at the time of planting shade trees, 2½ inch caliper; ornamental trees 1 ½ caliper; evergreen trees 5 feet in height. The caliper size is measured six inches from the ground.

5. The height of any shrubbery or bushes planted to screen the transformer shall not be permitted to exceed the height of the transformer.

6. The frontage along Cleveland Avenue shall be landscaped in accordance with the Site Plan .

D. Building design and/or Interior-Exterior treatment commitments. N/A

E. Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments.

1. All external outdoor lighting shall be cut-off fixtures (down lighting).

2. All external outdoor lighting fixtures to be used shall be form the same or a similar manufacturer's type to insure aesthetic compatibility.

3. All light poles and standards shall be black, brown or bronze in color and shall either be constructed of black, brown or bronze wood or metal.

4. Parking lot lighting shall be no higher than twenty-eight (28) feet except for those lights which are within 50 feet of the west property line which shall have a maximum height of 14 feet.

5. There shall be no outside storage or display of merchandise.

F. Graphics and signage commitments.

Graphics and signage shall comply with the City Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the C-4, Commercial classification and any variance to those requirements shall be submitted to the Columbus Graphics Commission for consideration.

G. Variances.

Due to the low traffic volumes associated with a lighting store and given that approximately 11,000 sq. ft. of the building will be devoted to storage of products which are sold in the lighting store, there is no need to park that square footage on the basis of retail but that a warehouse parking requirement would be more reasonable. The code required parking is being reduced from 44 to 11 parking spaces.

Additional ground remains on the site for more parking spaces if the need arises.

IV. CPD REQUIREMENTS:

NATURAL ENVIRONMENT: The property is presently occupied by a retail business.

EXISTING LAND USES: to the north are two office buildings; to the east are single-family houses which have been converted to offices; to the south is another house which has been converted into a mortgage office and additional office buildings have been constructed west of the converted house; and to the west is an existing apartment development.

TRANSPORTATION AND CIRCULATION FACILITIES: The proposed development will have a single access point to Cleveland Avenue, which is shown on the submitted site plan .

**VISUAL FORM OF THE ENVIRONMENT:** The Property is part of a transition area along Cleveland Avenue. The original single-family houses are either being converted into other uses or being replaced with new non-residential buildings.

**VIEWS AND VISIBILITY:** In the development of the Property and in the location of the building, consideration has been given to the visibility and safety of the motorist and pedestrian.

**PROPOSED DEVELOPMENT, STRUCTURES AND UTILITIES:** This development shall comply with the current city requirements regarding storm water run-off and sanitary sewer. An electrical transformer is located on the Property in that general area depicted on the Site Plan. To the extent possible, the transformer shall be screened from view from Cleveland Avenue with evergreen shrubs and bushes. The transformer may be moved to the rear of the Property without amendment to this text or the Site Plan.

**BEHAVIOR PATTERNS:** The area already represents a mixed use of residential, office and commercial development. The older single-family houses are being converted into non-residential uses. Traffic patterns have already been established by prior development.

**EMISSIONS:** There would not appear to be any threat of any unusual emissions from this proposed development.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed as amended July 15, 2002, Matthew D. Habash, President of Council / Approved as amended July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

#### **ORD. NO. 1071-02**

To rezone 1839 WEST CASE ROAD (43235), being 2.4± acres located on the south side of West Case Road, 1050± feet east of Moorgate Drive, From: R, Rural District, To: RR, Rural Residential District.

WHEREAS, application #Z02-033 is on file with the Building Services Division of the Department of Development requesting rezoning of 2.4± acres from R, Rural District, to RR, Rural Residential District; and

WHEREAS, the Development Commission recommends Approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the applicant requests the RR, Rural Residential District for single-family residential development. The RR, Rural Residential District requires minimum 10,000 square foot lots, which is compatible with the surrounding single-family lots, now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

Section 1. That the Zoning Map attached to Ordinance No. 1620-77, passed September 19, 1977, and as subsequently amended be, and the same is hereby revised by changing the zoning of the property as follows:

1839 WEST CASE ROAD (43235), being 2.4± acres located on the south side of West Case Road, 1050± feet east of Moorgate Drive, and being more particularly described as follows:

Being situated in the State of Ohio, County of Franklin, Township of Perry being part of Section 2, Township 2 North, Range 19 West, United States Military Lands, and being more particularly described as follows:

Beginning at a point, said point being the southeast corner of the subject 2.426 acre tract, being also the southwest corner of a 0.758 acre tract conveyed to James E. and Donna J. Kirk by deed of record in Volume 1842, Page 558, Recorder's Office, Franklin county, Ohio, said point being on the northerly line of "THE GABLE WEST" as the plat of same is shown of the record in Plat Book 43, Page 78, Recorder's Office, Franklin County, Ohio, being also on an existing corporation line of the City of Columbus, as established by Columbus Ordinance No. 1030-66 and shown of record in Miscellaneous Volume 141, Page 248, Recorder's Office, Franklin County, Ohio;

Thence Westerly along the existing Columbus Corporation Line as established by Ordinance No. 1030-66, a distance of approximately 319 feet, and along the northerly line of Lots 286, 285, 284, 283, and 282 of the said "THE GABLE WEST" and the southerly line of the subject parcel to a point;

Thence Northerly along the westerly line of the subject parcel and the easterly line, a 0.916 acre tract conveyed to Patricia A. McAllister, a distance of approximately 307 feet to a point, said point being in the existing southerly right-of-way line of West Case Road (50 feet in width);

Thence Easterly along the existing southerly right-of-way line of the said West Case Road (being parallel to and 25 feet Southerly from the centerline of said road) a distance of approximately 318 feet to a point;

Thence Southerly along the easterly line of the subject parcel and the westerly line of the said J.E. and D.J. Kirk tract a distance of approximately 305 feet to the place of beginning of this description, containing 2.426 acres of land, more or less, and there to terminate

To Rezone From: R, Rural District,

To: RR, Rural Residential District.

Section 2. That a Height District of Thirty-five (35) feet is hereby established on the RR, Rural Residential District on this property.

Section 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

#### **ORD. NO. 1072-02**

To grant a Variance from the provisions of Sections 3332.035, R-3, Residential District; 3332.26, Minimum side yard permitted; 3332.28, Side or rear yard obstruction; 3342.17, Parking lot screening; and 3342.24, Surface for property located at 914 East 13th Avenue (43211), being 1.69± acres located at the north side of East Thirteenth Avenue, 35± feet east of Jefferson Avenue, to permit a private school and playground including ancillary after school uses in the R-3, Residential District and to repeal Ordinance #486-99, and to declare an emergency.

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to pass this ordinance as an emergency measure because of the need to permit the applicant to file for and receive a building permit for the remodeling work at the earliest possible time so that the remodeling may be finished in time for the opening of classes in the Fall and that this is for the same reason necessary for the immediate preservation of the public peace, property, health or safety; and

WHEREAS, by application No. CV02-032, the owner of property at 914 East 13th Avenue (43211), is requesting a Council Variance to permit a private school and playground; and

WHEREAS, A Council Variance is necessary to permit the establishment of a private school and playground in the R-3, Residential District; and

WHEREAS, Section 3332.035, R-3, Residential District, prohibits private schools and playgrounds, while the applicant proposes to utilize the property for private school use and continue the use of the existing private playground as provided by Ordinance #486-99; and

WHEREAS, Section 3332.26, Minimum side yard permitted, requires a side yard of not less than five (5) feet, while the applicant proposes to extend an exterior stairwell up to three feet into the required side yard on the east property line; and

WHEREAS, Section 3332.28, Side or rear yard obstruction, requires that the required side and rear yard be open except that bay windows and architectural features associated with fireplaces may project not more than three (3) feet into the required side or rear yard, while the applicant proposes to permit parking and maneuvering and an existing exterior stairwell in the required side yard; and

WHEREAS, Section 3342.17, Parking lot screening, requires screening of any portion of a parking lot within eighty (80) feet of residentially zoned property, while the applicant proposes to provide no screening to the west; and

WHEREAS, Section 3342.24, Surface, requires the hard surfaced parking lot to be designed to control storm water runoff with drainage conforming to the standards of the Division of Sewerage and Drainage, while the applicant proposes to provide a hard surface parking lot without on-site storm water detention or collection as approved by the Division of Sewerage and Drainage; and

WHEREAS, Ordinance #486-99, passed March 15, 1999, permits the existing private park/playground use is hereby repealed as this ordinance replaces that provision as an accessory use to the private school; and

WHEREAS, the South Linden Area Commission recommends approval; and

WHEREAS, the City Departments recommend approval and note a hardship exists in that public playground and public school uses are permitted in the district but private playground and private school uses are not permitted in residential districts and no zoning district exists that permits residential uses and private school/playground uses on the same lot; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed use; and

WHEREAS, the granting of said variance will not impair an adequate supply of light and air to adjacent properties or unreasonably increase the congestion of public streets, or unreasonably diminish or impair established property values within the surrounding area, or otherwise impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus; and

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at 914 East 13th Avenue (43211), in using said property as desired; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That a variance from the provisions of Section 3332.035, R-3, Residential District; 3332.26, Minimum side yard permitted; 3332.28, Side or rear yard obstruction; 3342.17, Parking lot screening; and 3342.24, Surface of the Columbus City Codes are hereby granted for the property located at 914 East 13th Avenue (43211), insofar as said sections prohibit the use of a private school and playground including ancillary after school uses such as adult-supervised after-school programs for school-age children, an adult-supervised, indoor extension of the existing private playground and neighborhood-based, home Bible study in the R-3, Residential District with a hard surfaced parking lot in the side yard setback, without on-site storm water detention or collection and without parking lot screening to the west and with a stairwell encroaching into the east side yard setback being more particularly described as follows:

#### Legal Description

Situated in the County of Franklin, in the State of Ohio and in the City of Columbus: Being Lot Numbers Sixty-Nine, Seventy (70) and Seventy-One (71) of SCHNEIDER'S TWELFTH AVENUE ADDITION, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 10, page 138, Recorder's Office, Franklin County, Ohio.

Section 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a private school or playground or a permitted use in the R-3 Residential District.

Section 3. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

Section 4. That Ordinance #486-99, passed March 15, 1999, is hereby repealed.

Section 5. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed as amended July 15, 2002, Matthew D. Habash, President of Council / Approved as amended July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

#### **ORD. NO. 1073-02**

To grant a Variance from the provisions of Sections 3345.04, Permitted Uses and 3345.07, Contents of application for establishment of PUD; for property located at 3700 Sunbury Road (43219), to permit a private elementary school in the PUD-8, Planned Unit Development District.

WHEREAS, by application No. CV02-031, the owner of property at 3700 Sunbury Road (43219), is requesting a Council Variance to permit a private elementary school; and

WHEREAS, City Departments note a hardship exists in that Section 3345.04, Permitted uses does not permit private schools in the PUD-8, Planned Unit Development District, while the applicant wishes to construct a private school; and

WHEREAS, City Departments note a hardship exists in that the registered PUD-8 Plan for Z72-029 shows multi-family development on the subject site, which is binding upon the applicant per Section 3345.07 and that the applicant's construction time-frame does not allow time to pursue a rezoning prior to the start of construction; and

WHEREAS, a Council Variance is necessary to permit the construction of a private elementary school in the PUD-8 without a rezoning; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed use; and

WHEREAS, the Northeast Area Commission recommends approval; and

WHEREAS, the granting of said variance will not impair an adequate supply of light and air to adjacent properties or unreasonably increase the congestion of public streets, or unreasonably diminish or impair established property values within the surrounding area, or otherwise impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus; and

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at 3700 Sunbury Road (43219), in using said property as desired; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That a variance from the provisions of Sections 3345.04, Permitted uses and 3345.07, Contents of application for establishment of PUD, of the Columbus City Codes are hereby granted for the property located at 3700 Sunbury Road (43219), insofar as said sections prohibit the construction of a private elementary school as it is not a permitted use and is not provided on the recorded PUD-8 Plan which is binding upon the applicant, said property being more particularly described as follows:

EXHIBIT A to Deed from Schottenstein Trustees to Ephesus  
Seventh-day Adventist Church

#### DESCRIPTION OF 11.638 ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, Township of Mifflin, Township 1, North Range 17 West, Quarter Township 2, United States Military District, and bounded and described as follows:

Beginning for reference at a point, said point being located in the centerline of Sunbury Road, said point also being the most Northwesterly corner of a 1.00 acre tract of land belonging to Larry and Rosa Craig, of record in Official Record volume 156, Page F03, at the Franklin County, Ohio Recorder's Office, Thence along said centerline, South, 25°, 17', 30", West, a distance of 107.19 feet to a point, said point being the True Point of Beginning:

Thence from said True Point of Beginning along the Southerly boundary of said Craig tract of land, South, 95°, 49', 00", East, a distance of 466.07 feet (passing an iron pin at 32.16 feet) to an iron pin:

Thence South, 3', 42', 18", West, a distance of 797.73 feet (passing an iron pin at 767.73 feet) to a point, said point being located in the centerline of McCutcheon Road;

Thence along said centerline of McCutcheon Road, North, 85°, 38', 00", West, a distance of 811.59 feet to a railroad spike, said spike being located at the intersection of Sunbury and McCutcheon Roads:

Thence along centerline of Sunbury road, North, 27°, 38', 06", East, a distance of 722.28 feet to a railroad spike, said spike being located at the intersection of Old Innis Road and Sunbury Road:

Thence along the centerline of Sunbury Road, North 25°, 23', 25", East, a distance of 142.11 feet to the True Point of Beginning and containing 11.638 acres of land more or less.

Subject to all easements, restrictions and right of ways of previous record.

EXHIBIT B to Deed from Schottenstein trustees to Ephesus  
Seventh-day Adventist Church

#### DESCRIPTION OF 50 FOOT INGRESS EGRESS AND UTILITY EASEMENT

Situated in the State of Ohio, County of Franklin, City of Columbus, Township of Mifflin, township 1, North range 17 west, Quarter township 2, United States Military District, and bounded and described as follows:

Beginning for reference at a point, said point being located in the centerline of Sunbury Road, said point also being the most Northwesterly corner of a 1.00 acre tract of land belonging to Larry and Rosa Craig, of record in Official Record Volume 156, Page F03, at the Franklin count, Ohio Recorder's Office, Thence along said centerline, south, 25°, 17', 30", West, a distance of 107.19 feet to a point, said point being the most Southwesterly corner of said Craig tract of land:

Thence South, 85°, 49', 00", East, a distance of 32.16 feet to an iron pin being located in the Easterly right- of-way line of Sunbury Road; said point also being the True Point of Beginning;

Thence from said True Point of Beginning along the Southerly boundary of said Craig tract of land, South, 85°, 49', 18", West, a distance of 50.00 feet to a point;

Thence North, 85°, 49' 00", West, a distance of 453.72 feet to a point, said point being located in the Easterly right-of-way line of Sunbury Road;

Thence along said right-of-way line North 25°, 23', 25", East, a distance of 53.63 feet to the True Point of Beginning.

For the purpose of constructing, using and maintaining a two-lane road with devil strip for ingress and egress, storm and/or sanitary sewers, and all public utilities and appurtenant works, including the right to repair, clean and care for said improvements and access for said purpose.

Being a strip of land 50.00 feet in width lying south of and adjacent to the entire southern line of the permanent easement.

Subject to all easements, restrictions and right of ways of previous record.

EXHIBIT C to Deed from Schottenstein Trustees to Ephesus  
Seventh-Day Adventist Church

#### TEN FOOT STORM SEWER EASEMENT

Situated in the State of Ohio, County of Franklin, City of Columbus, Township of Mifflin, being located in Quarter Township 2, Range 17, United States Military Lands, and being a ten (10) foot storm sewer easement, the centerline of said easement, being more particularly described as follows:

Beginning for reference at a point, said point being located in the centerline of Sunbury Road, said point also being the most Southwesterly corner of a 1.00 acre tract of land belonging to Larry and Rosa Craig, of record in Official Record Volume 156, Page F03, at the Recorder's Office, Franklin County, Ohio; Thence South 85°, 49', 00", East, a distance of 32.16 feet to an iron pin, said iron pin being located in the easterly right-of-way line of Sunbury Road; Thence along said right-of-way line, South, 25°, 23', 25", East, a distance of 53.63 feet to a point; Thence leaving said right-of-way, South, 85°, 49', 00", East, a distance of 5.32 feet to the True Point of Beginning of said centerline of easement;

Thence along the centerline of said easement in a southwesterly direction, parallel to and 5.00 feet measured at right angles from the easterly right-or-way line of said Sunbury Road, the following four (4) distances:

- (1) 104.00 feet to a point;
- (2) 293.50 feet to a point;
- (3) 100.25 feet to a point;
- (4) 226.50 feet to a point in the northerly right-of-way line of McCutcheon Road, the point of ending.

For the purpose of constructing, using and maintaining a storm sewer and appurtenant works, including the right to clean, repair and care for said improvements and access for said purpose.

Situated in the State of Ohio, county of Franklin, City of Columbus, Township of Mifflin, being located in Quarter Township 2, Range 17, United States Military Lands, and being a fifty (50) foot Temporary Construction Easement, the centerline of said easement, being more particularly described as follows:

Beginning for reference at a point, said point being located in the centerline of Sunbury Road, said point also being the most Southwesterly corner of a 1.00 acre tract of land belonging to Larry and Rosa Craig, of record in Official Record Volume 156, Page F03, at the Recorder's Office, Franklin county, Ohio:

Thence South 85°, 49' 00", East, a distance of 32.16 feet to an iron pins, said iron pin being located in the easterly right-of-way line of Sunbury Road; Thence along said right-of-way line, South 25°, 23', 25", East, a distance of 53.63 feet to a point; Thence leaving said right-of-way, South, 85°, 49', 00", East, a distance of 26.61 feet to the True Point of Beginning of said centerline of easement;

Thence along the centerline of said easement in a southwesterly direction, parallel to and 25.00 feet measured at right angles from the easterly right-of-way line of said Sunbury Road, the following four (4) distances:

- (1) 110.00 feet to a point;
- (2) 296.00 feet to a point;
- (3) 100.50 feet to a point;
- (4) 233.50 feet to a point in the northerly right-of-way line of McCutcheon road, the point of ending.

Subject to all easements, restrictions, and right of ways of previous record.

Section 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a private elementary school or those uses permitted in the PUD-8, Planned Unit Development District.

Section 3. That this ordinance is conditioned on the Subject Site being developed in general conformance with the site plan titled "EXISTING SITE PLAN R1 & PUD-8", signed by Bruce Harris, agent for the applicant, and dated March 4, 2002. The site plan may be slightly adjusted to reflect engineering, topographical or other site data developed at the time of development and engineering plans are completed. Any slight adjustment to the plan shall be reviewed and approved by the Director of the Department of Development or his designee upon submission of the appropriate data regarding the proposed adjustment.

Section 4. That this ordinance is conditioned on the applicant apply for a rezoning to the appropriate zoning district by January 2003 and pursue said rezoning request through City Council action.

Section 5. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

Section 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

#### **ORD. NO. 1074-02**

To grant a Variance from the provisions of Sections 3332.039, R-4, Residential District; 3342.08, Driveway; 3342.15, Maneuvering; and 3342.28, Minimum number of parking spaces required of the Columbus City Codes for property located at 1023 Chittenden Avenue (43211), being 0.5± acres located at the southwest corner of Chittenden Avenue and St. Clair Avenue, to permit office uses in two contiguous single-family dwellings in the R-4, Residential District.

WHEREAS, by application No. CV02-031, the owner of property at 1023 Chittenden Avenue (43211), is requesting a Council Variance to permit office uses to occupy two single-family dwellings in the R-4, Residential District; and

WHEREAS, Section 3332.039, R-4, Residential District, prohibits office use, while the applicant proposes to occupy the first floor of two contiguous single-family dwellings with office uses; and

WHEREAS, Section 3342.08, Driveway, requires a minimum width of twenty (20) feet for commercial uses, while the applicant proposes to use the existing ten (10) foot wide driveway; and

WHEREAS, Section 3342.15, Maneuvering, requires every parking space to have sufficient access and maneuvering area which may include an aisle, circulation area or improved alley, while the applicant proposes maneuvering into Chittenden Avenue and to stack additional parking spaces in the driveway; and

WHEREAS, Section 3342.28(A)(11), Minimum number of parking spaces required, requires four off-street parking spaces for the general office use within the first floor of each dwelling, while the applicant proposes zero parking spaces on parcel #010-027267 and two parking spaces in the detached garage located primarily on parcel #010-050947; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed use; and

WHEREAS, the City Departments recommend approval of said ordinance; and

WHEREAS, the South Linden Area Commission recommends approval; and

WHEREAS, the granting of said variance will not impair an adequate supply of light and air to adjacent properties or unreasonably increase the congestion of public streets, or unreasonably diminish or impair established property values within the surrounding area, or otherwise impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus; and

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at 1023 Chittenden Avenue (43211), in using said property as desired; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

Section 1. That a variance from the provisions of Sections 3332.039, R-4, Residential District; 3342.08, Driveway; 3342.15, Maneuvering; and 3342.28, Minimum number of parking spaces required of the Columbus City Codes are hereby granted for the property located at 1023 Chittenden Avenue (43211), insofar as said sections prohibit office uses in single-family dwellings in the R-4, Residential District with reduced parking from four spaces to zero on parcel #010-027267 and from four spaces to two on parcel #010-050947 with a ten-foot wide driveway, stacked spaces in front of an existing detached garage and maneuvering in the right-of-way, said property being more particularly described as follows:

#### Legal Description

Description of a 0.308 acre tract of land at the southwest corner of Chittenden Avenue and St. Clair Avenue for Urban Concern, Inc.

Being a part of Quarter Township 4, Township 1, Range 18, of the U. S. M. L, also known as Lot Numbers 4 and 5 of Clare Subdivision as recorded in Plat Book 10, Page 281, and part of the vacated right-of-ways of Chittenden Avenue and St. Clair Avenue as recorded in Instr. 200203050057173, Plat Book 10 Page 281, Plat Book 33, Page 18, and Plat Book 84, Page 59 of Franklin County Records.

Beginning at an iron pipe found at the northeast corner of Lot 4 of Clare Subdivision as recorded in Plat Book 10, Page 280, thence with the south right-of-way of Chittenden Avenue extended 5 52° 22' 31" E a distance of 69.37' to a drill hole set at the point of curvature of the right-of-way of Chittenden Avenue as recorded in Plat Book 84, Page 59, Rosewind - Replat Of Windsor Terrace Dedication And Vacation Of Right-Of-Way And Easement. Thence with said right-of-way along the arc of a curve to the right with a radius of 6.00', a delta of 88° 55' 10", an arc length of 9.24', a cord bearing of 5 8° 14' 57" E, and a chord distance of 8.35' to a drill hole set at the point of tangency. Thence along the new right-of-way of St. Clair Avenue 5 35° 52' 36" W a distance of 48.27' to an iron pipe set at the point of curvature in the right-of-way. Thence with said right-of-way along the arc of a curve to the left with a radius of 238.00', a delta of 8° 55' 10", an arc distance of 37.05', a chord bearing of 5 31° 25' 01" W, and a chord distance of 37.01' to an iron pin set at the intersection of the south line of Lot 5 of Clare Subdivision extended to the new right-of-way of St. Clair Avenue. Thence N 51° 49' 40" W a distance of 21.69' to an iron pipe found at the southeast corner of said Lot 5. Thence with the south line of Lot 5 and the north line of Lot 6 a distance of 131.97' to an iron pin set at the southwest corner of Lot 5 and the northwest corner of Lot 6. Thence N 38° 08' 38" E along the east line of a 16' wide alley and west line of Lots 5 and 4 a distance of 89.40' to an iron pin set at the northwest corner of Lot 4. Thence S 52° 22' 31" E along the south right-of-way of Chittenden Ave. and the north line of Lot 4 to the place of beginning. Containing 0.308 acres of land, 0.210 acres of which are located in Lots 4 and 5, which are currently owned by Urban Concern, Inc. by Instr. 199709100090676 and Instr. 199709100090675 of Franklin County Records, and 0.098 acres of land vacated by the City of Columbus and acquired by Urban Concern, Inc. by Instr. 200203050057173 of Franklin County Records. This land is subject to all easements and right-of-ways of record. Surveyed September 21, 2001 by Arthur L. Burford P.S. # 7634.

Revised March 1, 2002

Revised March 5, 2002

Section 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for office uses in the first floor of two contiguous single-family dwellings with reduced parking, stacking spaces, and maneuvering in the right-of-way or those uses in the R-4, Residential District

Section 3. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

#### **ORD. NO. 1075-02**

To grant a Variance from the provisions of Section 3332.037, R-2F, Residential Two-family District use; Section 3342.28, Minimum number of parking spaces required; 3372.541, Minimum landscaped area and treatment; 3372.542, Maximum lot coverage; and 3372.544, Maximum floor area for the property located at 2685 EAST AVENUE (43202), to conform an existing four-family dwelling in the R-2F, Residential Two-family District.

WHEREAS, by application No. CV02-038, the owner of property at 2685 EAST AVENUE (43202), is requesting a Council variance to conform an existing four-family dwelling in the R-2F, Residential Two-family District; and

WHEREAS, Section 3332.037, R-2F, Residential Two-family District use, provides for single-family and two-family dwellings, while the applicant proposes to make an existing non-conforming, four-family dwelling a conforming use on the property by this variance; and

WHEREAS, Section 3342.28, Minimum parking spaces required, requires a total of eight (8) parking spaces, while the applicant proposes to provide only three (3) parking spaces and three (3) stacking spaces; and

WHEREAS, Section 3372.541, Minimum landscaped area and treatment requirements, requires a 340 square feet of landscaping for this site, while the applicant proposes to provide no landscaping for this site; and

WHEREAS, Section 3372.542, Maximum lot coverage, requires a maximum of 850 square feet of lot coverage, while the applicant intends to cover 905 square feet; and

WHEREAS, Section 3372.544, Maximum floor area, requires a maximum floor area of 1360 square feet, while the applicant proposes a maximum floor area of 1930 square feet; and

WHEREAS, This variance will make conforming, an existing four-unit dwelling in the R-2F, Residential Two-family District. A Council variance is necessary in that only single and two-family dwellings are permitted in the R-2F, Residential District; and

WHEREAS, City Departments recommend approval and note a hardship exists because a lending institution will not finance this non-conforming use; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed use; and

WHEREAS, said variance will not adversely affect the surrounding property or surrounding neighborhood; and

WHEREAS, the granting of said variance will not impair an adequate supply of light and air to adjacent properties or unreasonably increase the congestion of public streets, or unreasonably diminish or impair established property values within the surrounding area, or otherwise impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus; and

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at 2685 EAST AVENUE (43202), in using said property as desired; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

Section 1. Variance from the provisions of Section 3332.037, R-2F, Residential Two-family District use; Section 3342.28, Minimum number of parking spaces required; 3372.541, Minimum landscaped area and treatment; 3372.542, Maximum lot coverage; and 3372.544, Maximum floor area are hereby granted for the property located at 2685 EAST AVENUE (43202), in that said sections prohibit four-family dwellings in the R-2F, Residential Two-family District with the following reduced development standards: minimum required parking spaces from eight (8) to three (3) parking and three (3) stacking spaces; minimum landscaped area and treatment requirements from 340 square feet to zero (0); maximum lot coverage from 850 square feet to 905 square feet; and, maximum floor area from 1360 square feet to 1930 square feet; said property being more particularly described as follows:

Situated in the State of Ohio, in the County of Franklin and in the City of Columbus:

Being Lot Number Four Hundred Eighteen (418) of GEORGE WILLIAM NORTHWOOD HEIGHTS AMENDED, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, page 270, Recorder's Office, Franklin County, Ohio, except the following description portion:

Beginning at a stake at the northeast corner of the Lot 418, above mentioned; thence with the west line of said Lot, southerly 63.2 feet to a stake; thence westerly, across said lot 33.13 feet to a stake in the west line of said Lot 60.82 feet, measured along the west line of said Lot, from the northwest corner;

thence with the west line of said Lot northerly 60.82 feet to the northwest corner; thence with the north line of Lot No. 418 easterly 33 feet to the place of beginning.

Section 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a lot developed with four-family residential dwelling, or those uses permitted in the R-2F, Residential Two-family District.

Section 3. That this ordinance is further conditioned on general compliance with drawings titled "2685 EAST AVENUE A-D" and dated April 2002.

Section 4. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

Section 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

#### **ORD. NO. 1077-02**

To accept the application (AN02-011) of Renaissance Community Development Corporation, Adam Troy, Executive Director for the annexation of certain territory containing 4.385 ± Acres in Mifflin Township.

WHEREAS, a petition for the annexation of certain territory in Mifflin Township was duly filed by Renaissance Community Development Corporation, Adam Troy, Executive Director on January 28, 2002; and

WHEREAS, the said petition was duly considered by the Board of County Commissioners of Franklin County, Ohio, and the annexation of said hereinafter described territory to the city of Columbus was approved by said Commissioners by order dated April 3, 2002; and

WHEREAS, the Board of County Commissioners of Franklin County certified the transcript of the proceedings in connection with the said annexation with the map and petition required in connection therewith to the City Clerk who received the same on May 7, 2002; and

WHEREAS, sixty days from the date of said filing have now elapsed in accordance with the provisions of the Ohio Revised Code; and

WHEREAS, it is in the best interest of the city of Columbus to accept the annexation of the territory sought to be annexed by the aforesaid petition; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS**

Section 1. That the proposed annexation as applied for in the petition of Renaissance Community Development Corporation, Adam Troy, Executive Director being the majority of owner(s) of real estate in the territory sought to be annexed and filed with the Board of County Commissioners of Franklin County, Ohio January 28, 2002 in which said petition prayed for annexation to the city of Columbus, Ohio, of certain territory adjacent thereto as hereinafter described, and which said petition was approved for annexation to the city of Columbus by the Board of County Commissioners by order dated April 3, 2002, be and the same is hereby accepted and said territory is hereby annexed to the city of Columbus. Said territory is described as follows:

Situated in the State of Ohio, County of Franklin, Township of Mifflin, being located in Quarter Township 1, Township 1, Range 17, United States Military Lands and being a portion of the 27.436 acre tract conveyed to the Renaissance Community Development Corporation in Instrument Number 200106250142667 and a portion of Codet Road as dedicated to the Franklin County Commissioners in Plat Book 23, Page 48, with all record references herein stated being to the records of the Franklin County Recorder, Columbus, Ohio, and being more particularly described as follows:

Beginning for reference at a point at the centerline intersection of Stelzer Road and Codet Road (50 feet in width);

Thence, S 87° 07'37" E, along the centerline of said Codet Road, a distance of 756.72 feet to a point on the existing corporation line of the City of Columbus as described in Ordinance Number 1507-00 and of record in instrument Number 200009130184747, and said point being the true point of beginning of the annexation parcel herein described:

Thence N 03° 52'23" E, leaving said centerline of Codet Road and along said existing corporation line, and along the westerly line of an original 3.503 acre tract conveyed to Abbott Laboratories in Instrument Number 200010030200823 and the easterly line of an original tract conveyed to Abbott Laboratories in Instrument Number 199811090287213, both of said tracts being contained within said 27.436 acre tract, and passing the northerly right-of-way line of said Codet Road and the southerly line of said 27.436 acre tract at 25.00 feet, a total distance of 690.53 feet to a point on the existing corporation line of the City of Columbus as described in Ordinance No. 246-66 and of record in Miscellaneous Volume 140, Page 370, said point being in the northerly line of said 27.436 acre tract and the southerly line of the 190,441 acre tract conveyed to Abbott Laboratories in Official Record 101 02H 15, and said point also being at the northwest corner of said original 3.503 acre tract and the northeasterly corner of said tract conveyed to Abbott Laboratories in Instrument Number 199811090287213;

Thence S 87° 00'33" E, along said existing corporation line as described in Ordinance No. 246-66, and along the northerly line of said 27.436 acre tract and said original 3.503 acre tract, and along the southerly line of said 190,441 acre tract, a distance of 260.55 feet to a point at the northeasterly corner of said original 3.503 acre tract, and said point also being at the northwest corner of an original 1.331 acre tract conveyed to Abbott Laboratories in Official Record 10277C06 and contained within said 27.436 acre tract;

Thence S 02° 53'23" W, leaving said existing corporation line as described in Ordinance No. 246-66, and leaving said northerly line of the 27.436 acre tract and said southerly line of the 190,441 acre tract, and along said existing corporation line of the City of Columbus as described in Ordinance Number 1507-00, and along the easterly line of said original 3.503 acre tract and a westerly line of said original 1.331 acre tract, a distance of 476.92 feet to a point on the northerly line of an original 0.570 acre tract conveyed to Abbott Laboratories in Instrument Number 200010030200825 and contained within said 27.436 acre tract:

Thence S 87° 07'37" E, continuing along said existing corporation line of the City of Columbus as described in Ordinance Number 1507-00, and along said northerly line of the original 0.570 acre tract and a southerly line of said original 1.331 acre tract, a distance of 3.26 feet to a point at the northeasterly corner of said original 0.570 acre tract;

Thence S 03° 52'23" W, continuing along said existing corporation line of the City of Columbus as described in Ordinance Number 1507-00, and along the easterly line of said original 0.570 acre tract and an easterly line of said original 1.331 acre tract, and passing said northerly right-of-way line of Codet Road and the southerly line of said 27.436 acre tract at 188.00 feet, a total distance of 238.00 feet to a point in the southerly right-of-way line of Codet Road and the northerly line of a 34.926 acre tract conveyed to Renaissance Community Development Corporation in Instrument Number 200106250142667;

Thence N 87° 07'37" W, continuing along said existing corporation line as described in Ordinance Number 1507-00, and along said southerly right-of-way line of Codet Road and said northerly line of the 34.926 acre tract, a distance of 272.00 feet to a point:

Thence N03° 52'23" E, leaving said southerly right-of-way line of Codet Road and said northerly line of the 34.926 acre tract, and continuing along said existing corporation line as described in Ordinance Number 1507-00, a distance of 25.00 feet to the true point of beginning of the annexation parcel herein described, containing 4.385 acres, more or less

Section 2. That the City Clerk is hereby authorized and directed to make three copies of this ordinance to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, and a certificate as to the correctness thereof, the City Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the Board of Elections thereof and do such other things as may be required by law.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1078-02**

To accept the application (AN02-009) of Park Storage, Inc., Patrick L. Swanson, President for the annexation of certain territory containing 2.0 ± Acres in Sharon Township.

WHEREAS, a petition for the annexation of certain territory in Sharon Township was duly filed by Park Storage, Inc., Patrick L. Swanson, President on January 22, 2002; and

WHEREAS, the said petition was duly considered by the Board of County Commissioners of Franklin County, Ohio, and the annexation of said hereinafter described territory to the city of Columbus was approved by said Commissioners by order dated April 3, 2002; and

WHEREAS, the Board of County Commissioners of Franklin County certified the transcript of the proceedings in connection with the said annexation with the map and petition required in connection therewith to the City Clerk who received the same on May 7, 2002; and

WHEREAS, sixty days from the date of said filing have now elapsed in accordance with the provisions of the Ohio Revised Code; and

WHEREAS, it is in the best interest of the city of Columbus to accept the annexation of the territory sought to be annexed by the aforesaid petition; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS**

Section 1. That the proposed annexation as applied for in the petition of Park Storage, Inc., Patrick L. Swanson, President being the majority of owner(s) of real estate in the territory sought to be annexed and filed with the Board of County Commissioners of Franklin County, Ohio January 22, 2002 in which said petition prayed for annexation to the city of Columbus, Ohio, of certain territory adjacent thereto as hereinafter described, and which said petition was approved for annexation to the city of Columbus by the Board of County Commissioners by order dated April 3, 2002, be and the same is hereby accepted and said territory is hereby annexed to the city of Columbus. Said territory is described as follows:

Situated in the State of Ohio, County of Franklin, Township of Sharon and being all of Lots 6,7,8,9 and 10 and the south half of Lot 5, all of Station Street and part of Oak Street and also that portion of a 20 foot wide alley abutting the west line of said Lots in the Town of Flint as shown of record in Plat Book 1, Page 401, Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Beginning at the intersection of the south line of Oak Street, 40 feet wide, and the east line of Station Street, 40 feet wide, said point also being in the west line of the Norfolk and Western Railroad;

Thence, westerly, along part of the south line of Oak Street, approximately 260 feet to the west line of said 20 foot alley produced southerly;

Thence, northerly, across Oak Street and along the west line of said alley and along part of the City of Columbus Corporation Line as established by Ordinance Number 2382-89, of record in Official Record Volume 14329, Page B-18, approximately 315 feet to the City of Columbus Corporation Line as established by Ordinance Number 2240-91 of record in Official Record Volume 18087, Page B-06;

Thence, easterly across said alley and said Lot 5 and along said Corporation Line established by Ordinance Number 2240-91, approximately 220 feet to the east line of said Lot 5 and the west line of Station Street;

Thence, northerly, along part of the east line of said Lot 5 and the east line of Lot 1 of said Town of Flint and along part of the west line of Station Street and the City of Columbus Corporation Line as established by Ordinance Number 2240-91, approximately 125 feet to the northeast corner of said Lot 1 and the south line Park Road, 40 feet wide;

Thence, easterly, along the south line of Park Road, approximately 40 feet to the east line of Station Street and the west line of the Norfolk and Western Railroad;

Thence, southerly, along the east line of Station Street and the west line of the Norfolk and Western Railroad, approximately 440 feet to the Point of Beginning, CONTAINING 2.0 ACRES, more or less.

Section 2. That the City Clerk is hereby authorized and directed to make three copies of this ordinance to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, and a certificate as to the correctness thereof, the City Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the Board of Elections thereof and do such other things as may be required by law.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

### **ORD. NO. 1079-02**

To accept the application (AN02-008) of Charles W. Johnston, Jr. et al. for the annexation of certain territory containing 4.637 ± Acres in Hamilton Township.

WHEREAS, a petition for the annexation of certain territory in Hamilton Township was duly filed by Charles W. Johnston, Jr. et al. on January 4, 2002; and

WHEREAS, the said petition was duly considered by the Board of County Commissioners of Franklin County, Ohio, and the annexation of said hereinafter described territory to the city of Columbus was approved by said Commissioners by order dated April 3, 2002; and

WHEREAS, the Board of County Commissioners of Franklin County certified the transcript of the proceedings in connection with the said annexation with the map and petition required in connection therewith to the City Clerk who received the same on May 7, 2002; and

WHEREAS, sixty days from the date of said filing have now elapsed in accordance with the provisions of the Ohio Revised Code; and

WHEREAS, it is in the best interest of the city of Columbus to accept the annexation of the territory sought to be annexed by the aforesaid petition; now, therefore,

#### **BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS**

Section 1. That the proposed annexation as applied for in the petition of Charles W. Johnston, Jr. et al. being the majority of owner(s) of real estate in the territory sought to be annexed and filed with the Board of County Commissioners of Franklin County, Ohio January 4, 2002 in which said petition prayed for annexation to the city of Columbus, Ohio, of certain territory adjacent thereto as hereinafter described, and which said petition was approved for annexation to the city of Columbus by the Board of County Commissioners by order dated April 3, 2002, be and the same is hereby accepted and said territory is hereby annexed to the city of Columbus. Said territory is described as follows:

Situated in the State of Ohio, County of Franklin, Township of Hamilton, in the Northeast Quarter of Section 15 and in the Northwest Quarter of Section 14, Township 4 North, Range 22 West, Congress Lands, and being all or portions of the following four (4) tracts of land:

1. all of Lots Numbers Nine (9), Ten (10) and Eleven (11) and a portion of Lot Number Eight (8) in Alien E. McDowell's Lockbourne & Williams Road Subdivision, as shown of record in Plat Book 17, Page 294, all references being to the Recorder's Office, Franklin County, Ohio, said Lot No. 8 having been conveyed as Parcel 3 to Charles W. Johnson, Jr. by deeds of record in Deed Book 2553, Page 588 (undivided one-half interest), in Deed Book 2947, Page 638 (undivided one-sixth interest), in Deed Book 2994, Page 112 (undivided one-sixth interest) and in Deed Book 3007, Page 462 (undivided one-sixth interest), said Lot No. 9 having been conveyed to Charles W. Johnson, Jr. by deed of record in Deed Book 3091, Page 397, the south 0.491 acre of said Lot No. 10 having been conveyed to Charles W. Johnson, Jr. by deed of record in Deed Book 3094, Page 274, and the north 0.408 acre of said Lot No. 10 and all of said Lot No. 11 having been conveyed to Charles W. Johnson, Jr. by deed of record in Deed Book 3093, Page 26,

2. portions of Lot Number Seven (7) and said Lot No. 8 in said Alien E. McDowell's Lockbourne & Williams Road Subdivision, said portions having been conveyed as a 0.789 acre tract to Amvets Post #1312 by deed of record in Instrument 200008090160155,

3. a portion of Lot Number Six (6) in said Alien E. McDowell's Lockbourne & Williams Road Subdivision, said portion being a part of an original 0.553 acre tract conveyed as First Parcel to Gertrude M. Heller by deed of record in Deed Book 3299, Page 52, and

4. 0.286 acre being a strip of land 30 feet wide immediately east of the centerline of Lockbourne Road and being a portion of the land dedicated to City of Columbus, Ohio, for Lockbourne Road right-of-way purposes in the plat of Lockbourne Industrial Park, of record in Plat Book 50, Page 57,

all bounded and described as follows:

Beginning at a point at the northwest corner of said Lot No. 11, at the southwest corner of Lot Number Twelve (12) in said Alien E. McDowell's Lockbourne & Williams Road Subdivision, at the northeast corner of Lot Number Fifty-Four (54) in Amended Alien E. McDowell's Lockbourne-Williams Road Subdivision, as shown of record in Plat Book 17, Page 299, and at the southeast corner of Lot Number Nineteen (19) in said Alien E. McDowell's Lockbourne & Williams Road Subdivision;

Thence easterly along the north line of said Lot No. 11 and said north line extended easterly, along the south line of said Lot No. 12 and said south line extended easterly and crossing a portion of Lockbourne Road a distance of approximately 590 feet to a point in the old east right-of-way line of Lockbourne Road and in an existing City of Columbus Corporation Line established by Ordinance No. 934-61 and recorded in Miscellaneous Record 131, Page 28 (passing a point in the west right-of-way line of Lockbourne Road at approximately 530 feet and passing a point in the centerline of Lockbourne Road, in the east line of said Section 15, in the west line of said Section 14, at the northeast corner of said Lot No. 11 and at the southeast corner of said Lot No. 12 at approximately 560 feet);

Thence southerly along the old east right-of-way line of Lockbourne Road, along a portion of said City of Columbus Corporation Line established by Ordinance No. 934-61 and parallel with and 30 feet easterly by perpendicular measurement from the centerline of Lockbourne Road, from the east line of said Section 15, from the west line of said Section 14 and from the east lines of said Lots Nos. 11, 10, 9, 8, 7 and 6 a distance of approximately 416 feet to a point in the north line extended easterly of Maplewood Road (50 feet wide) and in the south line extended easterly of said Lot No. 6;

Thence westerly crossing a portion of Lockbourne Road, along the north line extended easterly and along the north line of Maplewood Road and along the south line extended easterly and along a portion of the south line of said Lot No. 6 a distance of approximately 266 feet to a point at the southeast corner of a 0.197 acre tract of land conveyed out of said Lots Nos. 6 and 7 to Timothy W. and Misty M. Rice by deed of record in Instrument 200109280224030 (passing a point in the centerline of Lockbourne Road, in the west line of said Section 14, in the east line of said Section 15 and at the southeast corner of said Lot No. 6 at approximately 30 feet and passing a point in the west right-of-way line of Lockbourne Road at approximately 60 feet);

Thence northerly crossing said Lot No. 6 and along an east line of said 0.197 acre tract a distance of approximately 66 feet to a point in the north line of said Lot No. 6, in the south line of said Lot No. 7, at a corner of said 0.197 acre tract and in the south line of said 0.789 acre tract;

Thence westerly along a portion of the north line of said Lot No. 6, along a portion of the south line of said Lot No. 7, along a portion of the south line of said 0.789 acre tract and along a north line of said 0.197 acre tract a distance of approximately 9 feet to a point at the southwest corner of said 0.789 acre tract and at a corner of said 0.197 acre tract;

Thence northerly crossing said Lot No. 7, along a portion of the west line of said 0.789 acre tract and along an east line of said 0.197 acre tract a distance of approximately 70 feet to a point in the north line of said Lot No. 7, in the south line of said Lot No. 8 and at the northeast corner of said 0.197 acre tract;

Thence westerly along a portion of the south line of said Lot No. 8, along a portion of the north line of said Lot No. 7, along a north line of said 0.197 acre tract, along the north line of a 0.188 acre tract of land conveyed out of said Lots Nos. 6 and 7 to Reba K. Martin by deed of record in Instrument 200017110137157, along the north line of a 0.119 acre tract of land conveyed out of said Lots Nos. 6 and 7 to Hollis J. and Marcie Hamilton by deed of record in Official Record 29050, Page A 13, along the north line of a 0.123 acre tract of land conveyed out of said Lots Nos. 6 and 7 to Charles Michael Ball and Betty Jean Ball by deed of record in Official Record 15519, Page G 16, along the north line of a 0.123 acre tract of land conveyed out of said Lots Nos. 6 and 7 to Robert and Sandy Webb by deed of record in Instrument 199903180068071 and along the north line of a 0.246 acre tract of land conveyed out of said Lots Nos. 6 and 7 to Cecil L. and Barbara E. Cullum by deed of record in Official Record 31986, Page J 6, a distance of approximately 314 feet to a point at the southwest corner of said Lot No. 8, at the northwest corner of said Lot No. 7, at the northwest corner of said 0.246 acre tract and in the east line of Lot Number Fifty (50) in said Amended Alien E. McDowell's Lockbourne-Williams Road Subdivision;

Thence northerly along the west lines of said Lots Nos. 8, 9, 10 and 11, along a portion of the east line of said Lot No. 50, along the east lines of Lots Numbers Fifty-One (51), Fifty-Two (52) and Fifty-Three (53) in said Amended Alien E. McDowell's Lockbourne-Williams Road Subdivision and along the east line of said Lot No. 54 a distance of approximately 280 feet to the place of beginning; containing 4.637 acres of land more or less.

Section 2. That the City Clerk is hereby authorized and directed to make three copies of this ordinance to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, and a certificate as to the correctness thereof, the City Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the Board of Elections thereof and do such other things as may be required by law.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

#### **ORD. NO. 1080-02**

To accept the application (AN02-012) of M. H. Murphy Development Company, Inez Ferguson, Trustee of Ferguson Living Trust, for the annexation of certain territory containing 4.13 ± Acres in Blendon Township WHEREAS, a petition for the annexation of certain territory in Blendon Township was duly filed by M. H. Murphy Development Company, Inez Ferguson, Trustee of Ferguson Living Trust, on February 1, 2002; and

WHEREAS, the said petition was duly considered by the Board of County Commissioners of Franklin County, Ohio, and the annexation of said hereinafter described territory to the city of Columbus was approved by said Commissioners by order dated April 3, 2002; and

WHEREAS, the Board of County Commissioners of Franklin County certified the transcript of the proceedings in connection with the said annexation with the map and petition required in connection therewith to the City Clerk who received the same on May 7, 2002; and

WHEREAS, sixty days from the date of said filing have now elapsed in accordance with the provisions of the Ohio Revised Code; and

WHEREAS, it is in the best interest of the city of Columbus to accept the annexation of the territory sought to be annexed by the aforesaid petition; now, therefore,

#### **BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS**

Section 1. That the proposed annexation as applied for in the petition of M. H. Murphy Development Company, Inez Ferguson, Trustee of Ferguson Living Trust, being the majority of owner(s) of real estate in the territory sought to be annexed and filed with the Board of County Commissioners of Franklin County, Ohio February 1, 2002 in which said petition prayed for annexation to the city of Columbus, Ohio, of certain territory adjacent thereto as hereinafter described, and which said petition was approved for annexation to the city of Columbus by the Board of County Commissioners by order dated April 3, 2002, be and the same is hereby accepted and said territory is hereby annexed to the city of Columbus. Said territory is described as follows:

Situated in the State of Ohio, County of Franklin, Township of Blendon, Quarter Township 4, Township 2, Range 17, United States Military Lands, being approximately 4.13 acres of land on the south side of Broadview Road, west of Hamilton Road and being more particularly described as follows:

Beginning at an angle point in the existing City of Columbus Corporation Line established by Ordinance No. 1310-74 and filed for record in Miscellaneous Record 163, Page 334 and by Ordinance No. 134-01 and filed for record in Instrument Number 200105210110403, being also the southeasterly corner of that 4.00-acre tract as described in a deed to Inez L. Ferguson Revocable Living Trust (Official Record 28933E03, Franklin County Recorder's Office);

Thence westerly, along the Corporation Line, a distance of approximately 197 feet to the southwesterly corner of said 4.00-acre tract;

Thence northerly, along the westerly line of said 4.00-acre tract, crossing said Broadview Road, a distance of approximately 913 feet to a point in the existing City of Columbus Corporation Line established by Ordinance No. 2509-80 and filed for record in Official Record 421 Gil, being also in the northerly right-of-way line of Broadview Road, 30 feet from centerline, and in the southerly line of The Woods at Blendon Estates Section No. 2 subdivision (Plat Book 72, Page 56, Franklin County Recorder's Office);

Thence easterly, along said Corporation Line and said right-of-way line, a distance of approximately 197 feet to a point;

Thence southerly, crossing said Broadview Road and along the existing Corporation Line previously referenced (Ordinance No. 134-01), a distance of approximately 913 feet to the place of beginning and containing 4.13 acres of land, more or less.

Section 2. That the City Clerk is hereby authorized and directed to make three copies of this ordinance to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, and a certificate as to the correctness thereof, the City Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the Board of Elections thereof and do such other things as may be required by law.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1081-02**

To accept the application (AN02-013) of Thomas C. Wagner, et al. for the annexation of certain territory containing 29.5 ± Acres in Hamilton Township.

WHEREAS, a petition for the annexation of certain territory in Hamilton Township was duly filed by Thomas C. Wagner, et al. on February 1, 2002; and

WHEREAS, the said petition was duly considered by the Board of County Commissioners of Franklin County, Ohio, and the annexation of said hereinafter described territory to the city of Columbus was approved by said Commissioners by order dated April 3, 2002; and

WHEREAS, the Board of County Commissioners of Franklin County certified the transcript of the proceedings in connection with the said annexation with the map and petition required in connection therewith to the City Clerk who received the same on May 7, 2002; and

WHEREAS, sixty days from the date of said filing have now elapsed in accordance with the provisions of the Ohio Revised Code; and

WHEREAS, it is in the best interest of the city of Columbus to accept the annexation of the territory sought to be annexed by the aforesaid petition; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS**

Section 1. That the proposed annexation as applied for in the petition of Thomas C. Wagner, et al. being the majority of owner(s) of real estate in the territory sought to be annexed and filed with the Board of County Commissioners of Franklin County, Ohio February 1, 2002 in which said petition prayed for annexation to the city of Columbus, Ohio, of certain territory adjacent thereto as hereinafter described, and which said petition was approved for annexation to the city of Columbus by the Board of County Commissioners by order dated April 3, 2002, be and the same is hereby accepted and said territory is hereby annexed to the city of Columbus. Said territory is described as follows:

Situated in the State of Ohio, County of Franklin, Township of Hamilton, Sections 15 and 22, Township 4, Range 22, Congress Lands, being comprised of 1) part of the existing right-of-way of Obetz Road as shown on the subdivision plat entitled "Southern Pines Section No. 9", of record in Plat Book 45, Page 18; 2) part of that tract of land conveyed to Wayne B. Wagner by deed of record in Deed Book 3482, Page 326; 3) all of that tract of land conveyed to Thomas C. and Barbara J. Wagner by deed of record in Deed Book 3796, Page 137; and 4) all of that tract of land conveyed to Hardline Investments, Ltd. by deed of record in Instrument Number 199809180237949, and more particularly bounded and described as follows:

Beginning at the southwesterly corner of that tract conveyed to Citicasters Co. by deed of record in Official Record 32600D12 in the northerly right-of-way line of Jack Nicklaus Freeway (1-270);

Thence westerly, with said northerly right-of-way line, a distance of approximately 583 feet to the southeasterly corner of that tract conveyed to Raymond A. and Grace N. Fisher by deed of record in Deed Book 2935, Page 442;

Thence northerly, with the easterly line of said Fisher tract, a distance of approximately 682 feet to a corner thereof;

Thence westerly, with the northerly line of said fisher tract, a distance of approximately 423 feet to the southeasterly corner of that tract conveyed to Heritage Temple Free Will Baptist Church by deed of record in Instrument Number 200007130138673;

Thence northerly, with an easterly line of said church tract and the easterly line of that tract conveyed to Donna K. Childress by deed of record in Instrument Number 199904280105928, a distance of approximately 620 feet to the southwesterly corner of that tract conveyed to Harold D. Jr. and Carol A. Stewart by deed of record in Official Record 29559A12;

Thence easterly, with the southerly line of said Stewart tract, a distance of approximately 168 feet to a corner thereof;

Thence northerly, with the easterly line of said Stewart tract, a distance of approximately 416 feet to a point in the existing City of Columbus corporation line as established by Ordinance Number 1156-69 and shown of record Miscellaneous Record 148, Page 159;

Thence easterly, with said existing corporation line, a distance of approximately 158 feet to a point;

Thence southerly, with the westerly line of that tract conveyed to Larry J. and Claudia A. Freeman by deed of record in Official Record 22644H05, a distance of approximately 223 feet to the southwesterly corner thereof;

Thence easterly, with the southerly line of said Freeman tract, a distance of approximately 99 feet to the southerly corner thereof;

Thence northerly, with the easterly line of said Freeman tract, a distance of approximately 174 feet to a point in the southerly right-of-way line of Obetz Road;

Thence easterly, with southerly right-of-way line, a distance of approximately 296 feet to a point;

Thence southerly, with the westerly line of that tract conveyed to Robert W. and Lisa K. Everts by deed of record in Official Record 28879F07, a distance of approximately 359 feet to the southwesterly corner thereof;

Thence easterly, with the southerly line of said Everts tract, a distance of approximately 116 feet to the southeasterly corner thereof;

Thence northerly, with the easterly line of said Everts tract, a distance of approximately 408 feet to a point in said existing corporation line;

Thence easterly, with said existing corporation line, a distance of approximately 127 feet to a point;

Thence southerly, with the westerly line of said Citicasters Co. tract, a distance of approximately 1719 feet to the point of beginning, containing approximately 29.5 acres of land.

Section 2. That the City Clerk is hereby authorized and directed to make three copies of this ordinance to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, and a certificate as to the correctness thereof, the City Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the Board of Elections thereof and do such other things as may be required by law.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1082-02**

To authorize and direct the City Auditor to enter into an agreement with Deloitte and Touche LLP for professional auditing services for calendar year 2002 and to authorize the expenditure of \$384,600 from the General Fund. (\$384,600)

WHEREAS, the State of Ohio via the Auditor of State, the City Charter and certain of the City's bond indentures and other agreements require that an audit of the City's financial statements be conducted annually, and

WHEREAS, certain of the bond agreements call for the audit to be conducted by a nationally recognized firm of certified public accountants, and

WHEREAS, the United States Office of Management and Budget through the Single Audit Act of 1996 has made it possible for all federal grants to be audited via one comprehensive audit, and

WHEREAS, the State Auditor of Ohio and the City Auditor have concurred that the most appropriate way to meet all such requirements is to engage Deloitte & Touche LLP; Certified Public Accountants to conduct an independent audit of the City's 2002 accounting records including federal and state grants, and

WHEREAS, maximum efficiencies can be achieved by including the Columbus Municipal Airport Authority (CMAA), The Franklin Park Conservatory District (the District) and the Franklin County Municipal Court; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the City Auditor is hereby authorized and directed to enter into an agreement with the firm of Deloitte & Touche LLP, Certified Public Accountants, to conduct an audit of the 2002 accounting records and financial statements and to render an opinion thereon.

Section 2. That this agreement include the audit of the Columbus Municipal Airport Authority (CMAA), the Franklin Park Conservatory District (the District) and the Franklin County Municipal Court and be in the amount of \$384,600.

Section 3. That the sum of \$384,600 or so much thereof as may be necessary, is hereby authorized to be expended from the General Fund 010, Department 22-01, Object Level-1 03. Object Level-3 3325, OCA 220145 for the aforesaid purpose.

Section 4. The City Auditor is hereby authorized to prorate the costs of this audit to the various funds of the City.

Section 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1083-02**

To authorize and direct the Director of Recreation and Parks to submit a grant application, in the amount of \$84,750.00, to the Ohio Department of Natural Resources, Division of Real Estate and Land Management, for grant funding under the Land and Water Conservation Fund for development of Big Run Park. (\$84,750.00)

WHEREAS, the Ohio Department of Natural Resources, Division of Real Estate and Land Management, is accepting grant applications for funding under the Land and Water Conservation Fund for Franklin County; and

WHEREAS, the Recreation and Parks Department desires to submit an application for the development of Big Run Park; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to submit a grant application in the amount of \$84,750.00 to the Ohio Department of Natural Resources, Division of Real Estate and Land Management, for funding under the Land and Water Conservation Fund for the development of Big Run Park.

SECTION 2. That this ordinance authorizes an application only and is not a commitment to expend City funds. A second ordinance to authorize the grant is required before the City will obligate its funds.

SECTION 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1084-02**

To authorize and direct the Director of Recreation and Parks to submit a grant application, in the amount of \$113,172.50, to the Ohio Department of Natural Resources, Division of Real Estate and Land Management for grant funding under the Land and Water Conservation Fund for development of North Central Tuskegee Park. (\$113,172.50)

WHEREAS, the Ohio Department of Natural Resources, Division of Real Estate and Land Management, is accepting grant application for funding under the Land and Water Conservation Fund for Franklin County; and

WHEREAS, the Recreation and Parks Department desires to submit an application for the development of the North Central Tuskegee Park; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to submit a grant application in the amount of \$113,172.50 to the Ohio Department of Natural Resources, Division of Real Estate and Land Management, for funding under the Land and Water Conservation Fund for the development of North Central Tuskegee Park.

Section 2. That this ordinance authorizes an application only and is not a commitment to expend City funds. A second ordinance to authorize the grant is required before the City will obligate its funds.

Section 3. That this ordinance shall take effect and be in force from and after the earliest allowed by law.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1085-02**

To authorize and direct the Director of the Recreation and Parks Department to submit a grant application to the Ohio Department of Natural Resources, totaling \$92,200.00, for improvements at the Hoover Nature Preserve on the north end of Hoover Reservoir. (\$92,200.00)

WHEREAS, the Ohio Department of Natural Resources, Division of Real Estate and Land Management, is accepting grant applications for funding under the Nature Works Program for Delaware County; and

WHEREAS, the Recreation and Parks Department wishes to apply for said funding for improvements at Hoover Nature Preserve on the north end of Hoover Reservoir: now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Recreation and Parks Department be and he is hereby authorized and directed to submit a grant application in the amount of \$92,200.00 to the Ohio Department of Natural Resources, Division of Real Estate and Land Management, for improvements at Hoover Nature Preserve on the north end of Hoover Reservoir.

Section 2. That this ordinance authorizes an application only and is not a commitment to expend City funds. A second ordinance to authorize the grant is required before the City will obligate its funds.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1086-02**

To authorize and direct the Director of the Recreation and Parks Department to submit a grant application to the Ohio Department of Natural Resources, totaling \$282,430.00, for improvements at Sills Park (\$282,430.00)

WHEREAS, the Ohio Department of Natural Resources, Division of Real Estate and Land Management, is accepting grant applications for funding under the Nature Works Program for Franklin County; and

WHEREAS, the Recreation and Parks Department wishes to apply for said funding for improvements at Sills Park; now, therefore,  
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Recreation and Parks Department be and he is hereby authorized and directed to submit a grant application in the amount of \$282,430.00 to the Ohio Department of Natural Resources, Division of Real Estate and Land Management, for improvements at Sills Park.

Section 2. That this ordinance authorizes an application only and is not a commitment to expend City funds. A second ordinance to authorize the grant is required before the City will obligate its funds.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1087-02**

To authorize the Recreation and Parks 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 a bikeway project from The Creeks Park to Alum Creek Drive for the Columbus Recreation and Parks Department.

The following is an Ordinance enacted by the City of Columbus, Franklin County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

Section 1. Project Description

WHEREAS, the LPA has identified the need for the described project: Construct a bikeway from The Creeks Park to Alum Creek Drive. This is one phase of a 22-mile trail along Alum Creek; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 2. Consent Statement

Being in the public interest, the LPA gives consent to the Director of the Ohio Department of Transportation (Director of Transportation) to complete the above-described project.

Section 3. Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the above-described project, as follows:

The City hereby agrees to cooperate with the Director of Transportation of the State of Ohio in the planning, design and construction of the identified highway improvement project and grants consent to the Ohio Department of Transportation for its development and construction of the project in accordance with the plans, specifications and estimates as approved by the Director.

The City of Columbus will assume and bear one hundred percent (100%) of the cost of preliminary engineering and right-of-way. The City of Columbus will assume and bear one hundred percent (100%) of the cost of construction less the amount of federal funds set aside by the Director of Transportation and the Federal Highway Administration.

In the event that the City requests certain features or appurtenances be included within the highway improvement project's design and construction, and which features and appurtenances are determined by the State and the Federal Highway Administration to be unnecessary for the State's highway improvement project, the City shall, prior to the project being advertised for construction contract bidding purposes, provide appropriate documentation that its Council has appropriated, and its Auditor has certified as being available for such specific purposes, funds sufficient in amount to cover one hundred percent of the costs of incorporating such additional features or appurtenances within the State's project, including preliminary engineering, final design, right-of-way, construction and construction engineering expenses as may be directly related thereto.

Section 4. Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of-way costs include eligible utility costs.

The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

Section 5. Maintenance

Maintain the right-of-way and keep it free of obstructions and hold said right-of-way inviolate for public highway purposes.

Section 6. Authority to Sign

The Recreation and Parks Director of said City is hereby empowered on behalf of the City of Columbus to enter into contracts with the Director of Transportation necessary to complete the above-described project.

Section 7.

That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1088-02**

To authorize the Director of Public Utilities to modify the professional engineering services contract with Evans, Mechwart, Hambleton & Tilton, Inc., for purposes of updating and enhancing the Division of Sewerage and Drainage's sewer system computerized hydraulic capacity model, for the Division of Sewerage and Drainage, and to authorize the expenditure of \$566,510.63 from the Sewerage System Operating Fund. (\$566,510.63)

WHEREAS, Contract No. XC818984 was authorized by Ordinance No. 2022-97, as passed by Columbus City Council on July 28, 1997, was executed January 13, 1998, and approved by the City Attorney on January 23, 1998, for purposes of providing continuing specialized technical and professional engineering services that are required to provide specific enhancements to the Sewer System Capacity Model (SSCM) which is utilized to address capacity issues for the City of Columbus's sanitary and combined sewer system, and

WHEREAS, Modification No. 1 to Contract No. XC81984 was authorized by Ordinance No. 1359-98, as passed by Columbus City Council on June 1, 1998, was executed on July 29, 1998, and approved by the City Attorney on August 8, 1998, for purposes of providing the additional services and stormwater utility funding necessary so that the storm sewer infrastructure within the Maize/Morse project community area could be surveyed, digitized and incorporated into the Sewer System Capacity Model, and

WHEREAS, Modification No. 2, identified as City Auditor Contract No. EL001032, was authorized by Ordinance No. 2376-00, passed December 11, 2000, was executed December 26, 2001, and approved by the City Attorney on December 28, 2000, for purposes of providing the first of three appropriations that are required to update the SSCM to end of year 1999 sewer conditions; and

WHEREAS, Modification No. 3, identified as City Auditor Contract No. EL002119, was authorized by Ordinance No. 2191-01, passed January 14, 2002, was executed March 14, 2002, and approved by the City Attorney on March 6, 2002, for purposes of providing second of three appropriations that are required to update the SSCM to end of year 1999 sewer conditions; and

WHEREAS, it is necessary for this Council to authorize the Director of Public Utilities to allow for the execution of a contract modification with Evans, Mechwart, Hambleton & Tilton, Inc., in order to allow for the continued update to the Division's Sewer System Capacity Model which is needed to ensure the work currently being performed within the inflow and infiltration projects in the Driving Park, Clintonville, Maize/Morse and Francisco/Teteridge neighborhoods within the City of Columbus, at the earliest practicable date; now, therefore,  
**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

Section 1. That the Director of Public Utilities be, and hereby is authorized to modify the professional engineering services contract with Evans, Mechwart, Hambleton & Tilton, Inc., 170 Mill Street, Gahanna, OH 43029, in connection with the Sewer System Capacity Model (SSCM), in accordance with the terms and conditions as shown on the Modification No. 4 on file in the office of the Division of Sewerage and Drainage's Sewer System Engineering Section.

Section 2. That for the purpose of paying the cost of the professional engineering services contract modification, the following expenditure in the amount of \$566,510.63, or as much thereof as may be needed, be and the same is hereby authorized as follows:

Division	Fund	Object Level Three	OCA	Amount
60-05	650	3339	605113	\$566,510.63

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1089-02**

To authorize the Director of Public Utilities to modify an agreement with Malcolm Pirnie, Inc., for professional engineering services for Wastewater Treatment and Collection System Regulatory Compliance and General Technical Services, for the Division of Sewerage and Drainage; to authorize the expenditure of \$450,000.00 from the Sewerage System Operating Fund (\$450,000.00)

WHEREAS, the Division of Sewerage and Drainage, Department of Public Utilities, requests approval to authorize the Director of Public Utilities to modify an agreement with a professional engineering firm, in order to provide the professional engineering services for Wastewater Treatment and Collection System Regulatory Compliance and General Technical Services, now, therefore,  
**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

Section 1. That the Director of Public Utilities be, and hereby is, authorized to modify an agreement with Malcolm Pirnie, Inc., 1900 Polaris Parkway, Suite 200, Columbus OH 43240-2020, for professional engineering services associated with Wastewater Treatment and Collection System Regulatory Compliance and General Technical Services, in accordance with the terms and conditions as shown on the Agreement on file in the office of the Division of Sewerage and Drainage.

Section 2. That the expenditure \$450,000.00, or as much thereof as may be needed, be and the same hereby is authorized from the Sewerage System Operating Fund, Fund 650, Division 60-05, OCA Code 605006, OL1 03, OL3 3336, to pay the cost of this contract.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1091-02**

To accept the plat titled SHANNON GREEN DRIVE DEDICATION AND EASEMENTS, from Dominion Homes, Inc., an Ohio corporation, by David S. Borrer, Executive Vice President.

WHEREAS, the plat titled SHANNON GREEN DRIVE DEDICATION AND EASEMENTS (hereinafter "plat"), has been submitted to the City Engineer's Office for approval and acceptance; and

WHEREAS, Dominion Homes, Inc., an Ohio corporation, by David S. Borrer, Executive Vice President, owner of the platted land, desires to dedicate to the public use all or such parts of the Drive shown on said plat and not heretofore so dedicated; and

WHEREAS, after examination, it has been found to be in the best interest of the City to accept said plat; now, therefore

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

Section 1. That the plat titled SHANNON GREEN DRIVE DEDICATION AND EASEMENTS on file in the office of the City Engineer, Transportation Division, be and the same is hereby accepted.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1147-02**

To authorize the Director of the Department of Development to increase a contract with Johns Industrial Landscaping for grass mowing and litter control services during the 2002 season; to authorize the expend of \$15,000 from the Community Development Block Grant Fund; and to declare an emergency. (\$15,000.00)

WHEREAS, grass mowing and litter control are necessary to public health; and  
 WHEREAS, it is the responsibility of the Weed Abatement Program to clear public sites and private properties deemed in violation; and  
 WHEREAS, in order to carry out this responsibility it is necessary to increase a contract for grass mowing and litter control services; and  
 WHEREAS, an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to increase a contract to provide these services; for the immediate preservation of the public peace, health, safety, and welfare; now, therefore,  
**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

Section 1. That the Director of the Department of Development is authorized to increase a contract with the vendor listed below in accordance with Columbus City Code for grass mowing and litter control services for the Department of Development, Neighborhood Services Division.

Johns Industrial Landscaping

Section 2. That the expenditure of \$15,000.00, or so much thereof as may be necessary, from the Department of Development, Neighborhood Services Division, Division 44-05, Community Development Block Grant Fund, Fund 248, for the aforesaid purpose is hereby authorized as follows:

<u>OCA</u>	<u>Object Level One</u>	<u>Object Level Three</u>	<u>Amount</u>
440331	03	3354	\$15,000.00

Section 3. That for the reasons stated in the preamble thereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and be in force from an after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1148-02**

To authorize and direct the Finance Director to enter into five contracts for an option to purchase one twentieth through fifty horse power Electric Motors, with Marion Electric Motor Service, Inc., Motion Industries, Watson Electric Motors Service, Inc., Matlock Electric Company, Inc., and WW Grainger, to authorize the expenditure of five dollars to establish contracts from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$5.00)

WHEREAS, the Purchasing Office advertised and solicited formal bids on March 7, 2002 and selected the lowest bids; and  
 WHEREAS, this ordinance addresses Purchasing objectives of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into five contracts for an option to purchase one twentieth through fifty horse power Electric Motors, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,  
**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

SECTION 1. That the Finance Director be and is hereby authorized and directed to enter into five contracts for an option to purchase one twentieth through fifty horse power Electric Motors in accordance with Solicitation No. SA000224JRM as follows:

Company	Item(s)	Amount
Marion Electric Motor Service	<b>Primary Award:</b> 2, 4, 7, 8, 11, 15, also A.O. Smith and WEG, <b>Secondary Award:</b> 3	\$1.00
Motion Industries	<b>Primary Award:</b> 5, 9, 12, 13, 17 <b>Secondary Award:</b> 2, 6, 7, 11, 15 and WEG	\$1.00
Watson Electric Motor Service, Inc.	<b>Primary Award:</b> 6	\$1.00
Matlock Electric Company, Inc.	<b>Primary Award:</b> 14, 16, also American <b>Secondary Award:</b> 5,8,9, 12, 13, 17	\$1.00
WW Grainger	<b>Primary Award:</b> 3	\$1.00

No bids received for item 1

Section 2. That the expenditure of \$5.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-516, Object Level 3: 2270, OCA: 451120, to pay the cost thereof.

Section 3. That for the reason stated in the preamble here to, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1149-02**

To authorize and direct the Finance Director to enter into a contract for an option to purchase Layne Pump Parts, with Ecology Process, Inc., to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)

WHEREAS, the Purchasing Office advertised and solicited formal bids on May 30, 2002 and selected the lowest bid; and  
 WHEREAS, this ordinance addresses Purchasing objectives of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into a contract for an option to purchase Layne Pump Parts, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,  
**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

Section 1. That the Finance Director be and is hereby authorized and directed to enter into a contract for an option to purchase Layne Pump Parts in accordance with Solicitation No. SA000247BGB as follows:

Company	Item(s)	Amount
Ecology Process, Inc.	All Items	\$1.00

Section 2. That the expenditure of \$1.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-516, Object Level 3: 2270, OCA: 451120, to pay the cost thereof.

Section 3. That for the reason stated in the preamble here to, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1150-02**

To authorize and direct the Finance Director to enter into a contract for an option to purchase Mobile Speed Awareness Trailers, with Reico Sales Company, Inc., to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)

WHEREAS, the Purchasing Office advertised and solicited formal bids on April 5, 2002 and selected the most responsive and responsible low bid; and

WHEREAS, this ordinance addresses Purchasing objectives of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into a contract for an option to purchase Mobile Speed Awareness Trailers, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Finance Director be and is hereby authorized and directed to enter into a contract for an option to purchase Mobile Speed Awareness Trailers in accordance with Solicitation No. SA000238BGB as follows:

Company	Item(s)	Amount
Reico Sales Company, Inc.	Item 1	\$1.00

Section 2. That the expenditure of \$1.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-516, Object Level 3: 2270, OCA: 451120, to pay the cost thereof.

Section 3. That for the reason stated in the preamble here to, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1151-02**

To authorize and direct the Auditor's Office to modify (EL000512) contract to change the company name on the contract from KPMG CONSULTING to TIER TECHNOLOGIES, INC., and to declare an emergency.

WHEREAS, KPMG CONSULTING has been acquired by TIER TECHNOLOGIES INC.; the current contract needs to reflect the name and federal identification number change; and

WHEREAS, an emergency exists in the usual daily operation of the Auditor's Office in that it is immediately necessary to modify EL000512 thereby preserving the public health, peace, property, safety, and welfare, now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Auditor is hereby authorized and directed to assign to TIER TECHNOLOGIES, EL000512, to change the name and Federal ID number on the contract from KPMG CONSULTING LLP, FID# 223680806 to TIER TECHNOLOGIES INC., Inc. FH#94- 3145844.

Section 2. That this modification is in accordance with Section 329.13 of the Columbus City Codes

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1152-02**

To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Auto and Truck Radiator Repair, with Skinner Diesel Services, Inc. dba Commercial Radiator, and to declare an emergency.

WHEREAS, the Purchasing Office advertised and solicited formal bids, and selected the lowest bid; and

WHEREAS, vendor has agreed to extend FL000141 at current prices and conditions to and including February 28, 2003, and it is in the best interest of the City to exercise this option; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to extend FL000141 for an option to purchase Auto and Truck Radiator Repair thereby preserving the public health, peace, property, safety, and welfare, now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Finance Director be and is hereby authorized and directed to modify and extend FL000141 with Skinner Diesel Services, Inc. dba Commercial Radiator to and including February 28, 2003.

Section 2. That this modification is in accordance with Section 329.13 of the Columbus City Codes

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1153-02**

To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Street Sweeper Parts, with Jack Doheny Supplies Ohio, Inc., and to declare an emergency.

WHEREAS, the Purchasing Office advertised and solicited formal bids, and selected the lowest bid; and

WHEREAS, vendor has agreed to extend FL000269 at current prices and conditions to and including April 30, 2003, and it is in the best interest of the City to exercise this option: and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to extend FL000269 for an option to purchase Street Sweeper Parts thereby preserving the public health, peace, property, safety, and welfare, now, therefore, **BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

Section 1. That the Finance Director be and is hereby authorized and directed to modify and extend FL000269 with Jack Doheny Supplies Ohio, Inc. to and including April 30, 2003.

Section 2. That this modification is in accordance with Section 329.16 of the Columbus City Codes

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1154-02**

To authorize and direct the Finance Director to modify and extend the citywide contracts for the option to purchase Computers, Servers, Peripherals and Accessories, with Erie Shores Computer, Inc. and CompUSA, Inc., and to declare an emergency.

WHEREAS, the Purchasing Office advertised and solicited formal bids, and selected the lowest bid; and

WHEREAS, vendors have agreed to extend FL900450 and FL900539 at current prices and conditions to and including December 31, 2002, and it is in the best interest of the City to exercise this option: and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to extend FL900450 and FL900539 for an option to purchase Computers, Servers, Peripherals and Accessories thereby preserving the public health, peace, property, safety, and welfare, now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

Section 1. That the Finance Director be and is hereby authorized and directed to modify and extend FL900450 with Erie Shores Computer, Inc. and FL900539 with CompUSA, Inc. to and including December 31, 2002.

Section 2. That this modification is in accordance with Section 329.16 of the Columbus City Codes

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1155-02**

To authorize and direct the Finance Director to enter into a contract for an option to purchase Demolition Services, with Empire Dismantlement Corporation, to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)

WHEREAS, the Purchasing Office advertised and solicited formal bids on June 13, 2002 and selected the lowest bid; and

WHEREAS, this ordinance addresses Purchasing objectives of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into a contract for an option to purchase Demolition Services, thereby preserving the public health, peace, property, safety, and welfare; now, therefore, **BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

Section 1. That the Finance Director be and is hereby authorized and directed to enter into a contract for an option to purchase Demolition Services in accordance with Solicitation No. SA000269GLM as follows:

Company	Item(s)	Amount
Empire Dismantlement Corporation	All Services	\$1.00

Section 2. That the expenditure of \$1.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-516, Object Level 3: 2270, OCA: 451120, to pay the cost thereof.

Section 3. That for the reason stated in the preamble here to, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1156-02**

To authorize and direct the Finance Director to enter into a contract for an option to purchase Trophies and Awards, with American Awards, to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)

WHEREAS, the Purchasing Office advertised and solicited formal bids on June 13, 2002 and selected the lowest bid; and

WHEREAS, this ordinance addresses Purchasing objectives of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into a contract for an option to purchase Trophies and Awards, thereby preserving the public health, peace, property, safety, and welfare; now, therefore, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Finance Director be and is hereby authorized and directed to enter into a contract for an option to purchase Trophies and Awards in accordance with Solicitation No. SA000266RFM as follows:

Company	Item(s)	Amount
American Awards	All items	\$1.00

Section 2. That the expenditure of \$1.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-516, Object Level 3: 2270, OCA: 451120, to pay the cost thereof.

Section 3. That for the reason stated in the preamble here to, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1157-02**

To authorize and direct the Director of Recreation and Parks enter into a contract with LifeCare Alliance for the Senior Farmer's Market Nutrition Program, to authorize the expenditure of \$90,632.00 from the Recreation and Parks Grant Fund, and to declare an emergency. (\$90,632.00)

WHEREAS, funding for the Senior Farmer's Market Nutrition Program was awarded to the Central Ohio Area Agency on Aging from the Ohio Department of Aging.

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to enter into contract for the preservation of the public health, peace, property safety and welfare; now, therefore, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to enter into a contract in the amount of \$90,632.00 with LifeCare Alliance for the Senior Farmer's Market Nutrition Program for the period June 1, 2002 through October 31, 2002.

Section 2. That the expenditure of \$90,632.00 or so much thereof as may be necessary, be and is hereby authorized from Recreation and Parks Grant Fund No. 286. Department No. 51. Object Level Three, 3337, Project No. 518309, OCA No. 518309 to pay the cost thereof.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoed the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1158-02**

To authorize an appropriation of \$159,150.10 from the unappropriated balance of the Recreation and Parks Operating Fund of insurance monies received for items lost in the fire at the Recreation and Parks warehouse, and to declare an emergency. (\$159,150.10)

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to appropriate said funds for the preservation of public health, peace, property and safety; now, therefore, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That from the unappropriated monies in the Recreation and Parks Operating Fund No. 285, and from all monies estimated to come into said fund from any and all sources and unappropriated any other purpose during the fiscal year ending December 31, 2002, the sum of \$159,150.10 is appropriated to the Recreation and Parks Department, Department No. 51-01, as follows:

OCA Code	OCA Title	Object Level 3	Amount
510248	Fiscal	2193	\$ 6,663.25
510255	Warehouse	2140	30,549.05
510255	Warehouse	2193	11,152.00
510255	Warehouse	2194	3,246.98
510255	Warehouse	2201	1,997.27
510255	Warehouse	2212	598.80
510255	Warehouse	2217	4,544.08
510255	Warehouse	2222	637.00
510255	Warehouse	2269	12,780.13
510255	Warehouse	2290	15,870.88
510255	Warehouse	3352	2,847.00
510297	Community Rec.	2193	4,915.50
510297	Community Rec.	2212	5,498.70
510297	Community Rec.	2214	8,366.14

510297	Community Rec.	2269	9,951.75
510354	Senior Rec.	2193	4,320.75
510404	Adult Sports	2269	6,592.00
510487	Park Maintenance	2272	310.50
510495	Building Maintenance	2208	4,211.52
510545	Current Development	3393	545.00
510677	Special Events	2269	3,766.08
510677	Special Events	2273	115.52
510685	Music in the Air	2245	4,791.79
511139	Permits	2269	3,286.90
511139	Permits	6690	1,053.10
516468	Marketing	2222	3,000.00
516773	P.L.A.Y.	2269	864.41
516773	P.L.A.Y.	3352	5,710.00
516500	Youth Sports	2269	154.00
516518	Outdoor Education	2269	810.00
	<b>TOTAL</b>		<b>\$159,150.10</b>

Section 2. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1159-02**

To authorize and direct the Director of Recreation and Parks to enter into contract with Hopewell Constructors, Inc., for the Goodale Shelterhouse Renovations Project, to authorize the expenditure of \$250,000.00 from the Voted 1995 and 1999 Parks and Recreation Bond Fund, and to declare an emergency (\$250,000.00)

WHEREAS, bids were received by the Recreation and Parks Department on June 25, 2002, and the contract for the Goodale Shelterhouse Renovations Project will be awarded on the basis of the lowest and best responsive and responsible bidder; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to enter into said contract for the preservation of public health peace, property and safety; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to enter into contract with Hopewell Constructors, Inc., for the Goodale Shelterhouse Renovations Project, in accordance with plans and specifications on file in the Recreation and Parks Department.

Section 2. That the expenditure of \$250,000.00, or so much thereof as may be necessary, be and is hereby authorized from the Voted 1995 and 1999 Parks and Recreation Bond Fund, as follows, to pay the cost thereof.

Fund Type	Dept. No.	Fund	Project No.	Project Title	Object Level 3	OCA Code	Amount
Cap. Proj.	51-01	702	510035	Facility Renovations	6620	644526	245,000.00
Cap. Proj.	51-01	702	510035	Facility Renovations	6681	644526	5,000.00

Section 3. That for the purpose of paying for any contingencies which may occur during this project, the amount of \$17,000.00 has been included in Section 2, above. This amount will be expended only after approval by the Director of the Recreation and Parks Department, certification by the City Auditor, and approval of the City Attorney.

Section 4. That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project; except that no transfer shall be so made from a project account funded by monies from more than one source.

Section 5. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1160-02**

To authorize the Director of the Recreation and Parks Department to execute those documents necessary with Capitol South Urban Redevelopment Corporation to purchase various parcels on the Scioto Peninsula, to pay all costs associated with the purchase of said land, to authorize the expenditure of \$6,500,000.00 from the Recreation and Parks Fund, and to declare an emergency. (\$6,500,000.00)

WHEREAS, the City of Columbus desires to purchase 10 additional parcels in order to continue the implementation of the Scioto Peninsula Vision Plan: and

WHEREAS, funding was specifically included in a grant from the 1998 Scioto Peninsula State Capital Budget for these purchases; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to purchase said property for the preservation of the public peace, property health and safety; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Recreation and Parks Department be and is hereby authorized and directed to enter into contracts with Capitol South Urban Redevelopment Corporation to purchase various parcels on the Scioto Peninsula.

Section 2. That the expenditure of \$6,500,000.00, or so much thereof as may be necessary, be and is hereby authorized from the Recreation and Parks Grant Fund No. 286, as follows, to pay the cost thereof.

Fund Type	Dept.	Fund	Grant No.	Grant Name	Object Level 3	OCA Code	Amount
Grant	51-01	286	510102	Scioto Peninsula Improvements	6601	510102	6,500,000.00

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1161-02**

To authorize and direct the Director of Recreation and Parks to enter into contract with Gutknecht Construction Company for the Whetstone Pond Renovations Project, to authorize the expenditure of \$311,223.00 from the Recreation and Parks Permanent Improvement Fund, and to declare an emergency (\$311,223.00)

WHEREAS, bids were received by the Recreation and Parks Department on June 25, 2002, and the contract for the Whetstone Pond Renovations Project will be awarded on the basis of the lowest and best responsive and responsible bidder; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to enter into said contract for the preservation of public health, peace, property and safety; now, therefore,  
**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

Section 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to enter into contract with Gutknecht Construction Company for the Whetstone Pond Renovations Project, in accordance with plans and specifications on file in the Recreation and Parks Department.

Section 2. That the expenditure of \$311,223.00, or so much thereof as may be necessary, be and is hereby authorized from the Recreation and Parks Permanent Improvement Fund, as follows, to pay the cost thereof.

Fund Type	Dept.	Fund	Project No.	Project Name	Object Level 3	OCA Code	Amount
Cap. Proj.	51-01	747	510017	Park & Playground Development	6621	640862	306,223.00
Cap. Proj.	51-01	747	510017	Park & Playground Development	6680	640862	5,000.00

Section 3. That for the purpose of paying for any contingencies which may occur during this project, the amount of \$20,000.00 has been included in Section 2, above. This amount will be expended only after approval by the Director of the Recreation and Parks Department, certification by the City Auditor, and approval of the City Attorney.

Section 4. That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project; except that no transfer shall be so made from a project account funded by monies from more than one source.

Section 5. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1162-02**

To authorize and direct the Director of Recreation and Parks to accept a grant in the amount of \$4,750,000.00 and enter into an agreement with the Ohio Department of Natural Resources for funding to support the development of the Scioto Peninsula, to authorize an appropriation of \$4,750,000.00 from the unappropriated balance of the Recreation and Parks Grant Fund to the Recreation and Parks Department, and to declare an emergency. (\$4,750,000.00)

WHEREAS, the Ohio Department of Natural Resources has awarded the City of Columbus, Recreation and Parks Department, a grant for the development of the Scioto Peninsula; and

WHEREAS, it is necessary to accept said grant and appropriate said funds; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to accept and appropriate said grant funds for the preservation of public health, peace, property and safety; now, therefore,  
**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

Section 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to accept a grant in the amount of \$4,750,000.00 and enter into an agreement with the Ohio Department of Natural Resources for the Scioto Peninsula Phase II development project.

Section 2. That from the unappropriated monies in the Recreation and Parks Grant Fund No. 286, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2002, the sum of \$4,750,000.00 is appropriated to the Recreation and Parks Department, Department No. 51-01, as follows:

Grant Title	Grant No.	OCA Code	Object Level 3	Amount
Scioto Peninsula Phase II ODNR	510202	510202	6600	\$4,750,000.00

Section 3. That the monies in the foregoing Section 2 shall be paid upon order of the Director of Recreation and Parks, and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1163-02**

To authorize and direct the Director of Recreation and Parks to enter into contract with The Righter Company for the Whetstone Shelter Site Improvements Project, to authorize the expenditure of \$213,650.00 from the Recreation and Parks Permanent Improvement Fund, and to declare an emergency. (\$213,650.00)

WHEREAS, bids were received by the Recreation and Parks Department on June 25, 2002, and the contract for the Whetstone Shelter Site Improvements Project will be awarded on the basis of the lowest and best responsive and responsible bidder; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to enter into said contract for the preservation of public health, peace, property and safety; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to enter into contract with The Righter Company for the Whetstone Shelter Site Improvements Project, in accordance with plans and specifications on file in the Recreation and Parks Department.

Section 2. That the expenditure of \$213,650.00, or so much thereof as may be necessary, be and is hereby authorized from the Recreation and Parks Permanent Improvement Fund, as follows, to pay the cost thereof.

Fund Type	Dept.	Fund	Project No.	Project Name	Object Level 3	OCA Code	Amount
Cap. Proj.	51-01	747	510017	Park & Playground Development	6621	640862	208,650.00
Cap. Proj.	51-01	747	510017	Park & Playground Development	6680	640862	5,000.00

Section 3. That for the purpose of paying for any contingencies which may occur during this project, the amount of \$15,000.00 has been included in Section 2, above. This amount will be expended only after approval by the Director of the Recreation and Parks Department, certification by the City Auditor, and approval of the City Attorney.

Section 4. That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project; except that no transfer shall be so made from a project account funded by monies from more than one source.

Section 5. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1164-02**

To authorize the Finance Director to establish a Blanket Purchase Order for the purchase of Screw Conveyor Components from established Universal Term Contracts with U.S. Filter/Asdor Limited and Spaans Babcock, Inc. for the Division of Sewerage and Drainage; to authorize the expenditure of \$75,000.00 from the Sewerage System Operating Fund, and to declare an emergency. (\$75,000.00)

WHEREAS, the Purchasing Office is in the process of establishing two (2) Universal Term Contracts, with US Filter/Asdor Limited and Spaans Babcock, Inc. for the option to purchase Screw Conveyor Components; and,

WHEREAS, the Division of Sewerage and Drainage desires to purchase Screw Conveyor Components in accordance with the pending Universal Term Contracts; and,

WHEREAS, an emergency exists in the usual daily operations of the Division of Sewerage and Drainage, Department of Public Utilities, for the preservation of the public health, peace, property, safety, and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Finance Director be and he is hereby authorized to establish a Blanket Purchase Order with US Filter/Asdor Limited and Spaans Babcock, Inc. from the existing Universal Term Contracts for the Division of Sewerage and Drainage, Department of Public Utilities.

Section 2. That the expenditure of the sum of \$75,000.00, or so much therefore as may be needed, is hereby authorized and directed from Sewerage System Operating Fund 650 as follows:

Division No. 60-05 - Department of Public Utilities

<u>OCA Code</u>	<u>Object Level One</u>	<u>Object Level Three</u>	<u>Amount</u>
605030	2245	02	\$75,000.00
		<b>TOTAL</b>	<b>\$75,000.00</b>

to pay the cost thereof.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor disapproves the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1165-02**

Determining to proceed with installing a high pressure sodium street lighting system with ornamental poles and underground wiring for the Clintonville II area under the assessment procedure; and to declare an emergency.

WHEREAS, it is necessary to proceed with the installation of a high pressure sodium street lighting system with ornamental poles and underground wiring for the Clintonville II area; and

WHEREAS, a Board of Revision appointed and acting in the pursuance of Resolution 106X-02, adopted by City Council on May 20, 2002, respectfully approved the estimated assessment, for the cost and expense of the improvement; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Electricity, in that it is immediately necessary to proceed with the installation of a high pressure sodium street lighting system with ornamental poles and underground wiring for the Clintonville II area for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore,  
**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

Section 1. That it is hereby determined to proceed with the installation of a high pressure sodium street lighting system with ornamental poles and underground wiring for the Clintonville II area, which includes Dunedin Road from High Street to Indianola Avenue, Piedmont Road from Torrence Road to Indianola Avenue, Torrence Road from High Street to Indianola Avenue, Brevoort Road from High Street to Indianola Avenue, Fredonia Avenue from Oakland Park Avenue to Piedmont Road, Calumet Street from East North Broadway to Torrence Road, Colerain Avenue from Oakland Park Avenue to Blenheim Road, Granden Road from Torrence Road to Blenheim Road, Fallis Road from Granden Road to Indianola Avenue, Richards Road from Granden Road to Indianola Avenue, Acton Road from Granden Road to Indianola Avenue, Chatham Road from Foster Street to Indianola Avenue, Blenheim Road from High Street to Indianola Avenue, Glenmont Avenue from High Street to Indianola Avenue, Foster Street from Glencoe Road to Glenmont Avenue and Sharon Avenue from Richards Road to Glenmont Avenue, by installing poles, fixtures, power cable, and conduit, constructing control facilities and doing such other things as may be necessary in the City of Columbus, Ohio, in accordance with Resolution 120X-01, adopted by Council on July 9, 2001, and in accordance with the plans, specifications and estimate of cost therefore approved and now on file in the office of the Department of Public Utilities.

Section 2. That all claims for damages resulting there from shall be judicially inquired into after completion of the proposed improvement, and the City Attorney be and he is hereby authorized and directed to institute proceedings in a court of competent jurisdiction to inquire into such claims in the event any such claims are filed with the clerk within the period permitted by law.

Section 3. That the whole cost of said improvement, together with interest on notes issued in anticipation the issuance of bonds and on bonds issued in anticipation of the collection of the assessment to be levied for said improvements, shall be assessed in proportion to the benefits which may result from the improvement the property bounding or abutting upon the improvement.

Section 4. That the assessment so to be levied shall be paid in twenty semi-annual installments with interest on deferred payments at a rate not exceeding the prevailing interest rate; provided that the owner of the property assessed may, at his option, pay such assessment or any number of installments of the same, at any time after such assessment has been levied.

Section 5. That notes of the City of Columbus, Ohio, shall be issued in anticipation of the issuance of bonds to be issued in anticipation of the collection of assessments by installments and in an amount equal thereto.

Section 6. That the Director of Public Utilities be and he is hereby authorized and directed to make and execute contract for said improvement with the lowest and best bidder.

Section 7. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1166-02**

To authorize the Director of Public Utilities to modify the contract with Reynolds, Inc., for Parsons Avenue Water Plant Operations Improvements - Finished Water Pumps for the Division of Water, to authorize the expenditure of \$256,704.00 from Waterworks Enlargement Voted 1991 Bonds Fund, to authorize the City Auditor to transfer funds within the Waterworks Enlargement Voted 1991 Bonds Fund, and to declare an emergency. (\$256,704.00).

WHEREAS, Contract No. EA025113 was authorized by Ordinance No. 2646-00, passed December 4,2000, was executed December 28, 2000, and approved by the City Attorney on January 5, 2001, and

WHEREAS, It is necessary to modify Contract No. EA025113 to provide for additional Parsons Avenue Water Plant Operations Improvements - Finished Water Pumps, for the Division of Water, and

WHEREAS, This modification provides for an increase of \$256,704.00 to this contract, and

WHEREAS, An emergency exists in the usual daily operation of the Division of Water, Department of Public Utilities, in that it is immediately necessary to authorize the Director of Public Utilities to modify Contract No. EA025113, for Parsons Avenue Water Plant Operations Improvements - Finished Water Pumps, for the preservation of public health, peace, property and safety now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS**

Section 1. The Director of Public Utilities be and is hereby authorized to modify contract No. EA025113 with Reynolds, Inc., in the amount of \$256,704.00, for Parsons Avenue Water Plant Operations Improvements - Finished Water Pumps, for the Division of Water, Department of Public Utilities, Project No. 690328, Contract No. 988, terms and conditions of which are on file at the Office of the Division of Water.

Section 2. That for the purpose of paying the cost thereof, the expenditure of \$256,704.00 is hereby authorized from Waterworks Enlargement Voted 1991 Bonds Fund, Fund No. 606, Department of Public Utilities Division of Water, Dept./Division No. 60-09, Object Level Three 6623; Project No. 690328, OCA Code 642926

Section 3. The City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project stipulating that the project has been completed and the monies are no longer required for said project, except that no transfer shall be so made from a project account funded by monies from more than one source.

Section 4. That the City Auditor is hereby authorized and directed to transfer funds within the Waterworks Enlargement Voted 1991 Bonds Fund, Fund No. 606, Department of Public utilities, Division of Water, as follows:

<b>From:</b>		
690407	Mound/Harrisburg Pike 24" Water Main	\$256,704.00
	OCA Code 642900	
<b>To:</b>		
690328	PAWP Operations Improvements	\$256,704.00
	OCA Code 642926	

Section 5. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1167-02**

To authorize the Director of the Department of Public Utilities to execute those documents necessary to accept certain sanitary and storm sewer easement rights as granted from the State of Ohio to certain real property located on the Ohio State University.

WHEREAS, the City of Columbus, Ohio desires certain easement rights for the operation, maintenance and repair of certain sanitary and storm sewers over certain State of Ohio owned land; and,

WHEREAS, the subject property is under the jurisdiction of the Ohio State University; and

WHEREAS, the subject real property is a part of Don Scott Field; and

WHEREAS, the sewer lines will provide utilities to a tract of land south of State Route 161 and west of Linworth Road;

Now, Therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Department of Public Utilities be and hereby is authorized to execute those documents, approved by the Department of Law, Real Estate Division, necessary to thereby accept certain sanitary sewer easement rights from the State of Ohio to the following described real property:

**Easement 1.430 47- Acres**

Situated in the State of Ohio, County of Franklin, City of Columbus, Fourth Quarter, Township 2, Range 19, being located in that 21.25 acre tract of land as described in a deed to The State of Ohio, of record in Deed Volume 1966, Page 57, all references herein being to the records of the Franklin County Recorder's Office, Columbus, Ohio, and being more particularly described as follows:

Beginning at the northeast corner of said 21.25 acre tract, at the southeast corner of that 5.3 acre tract as described in a deed to Linworth Enterprises, of record in Deed Volume 2442, Page 374, in the westerly right-of-way line of the CSX Railroad;

Thence South 07°10'00" East, along the easterly line of said 21.25 acre tract and said westerly right-of-way line, a distance of 935.30 feet to the southeast corner of said 21.25 acre tract and the northeast corner of that 9.998 acre tract as described in a deed to the City of Worthington, of record in Instrument Number 200009190189816;

Thence North 86°00'00" West, along the common line between said 21.25 and 9.998 acre tracts, a distance of 30.00 feet to point;

Thence through said 21.25 acre tract the following courses:

1. North 11°31'52" West, a distance of 270.27 feet to a point;
2. North 07°10'00" West, a distance of 590.16 feet to a point;
3. North 55°35'12" West, a distance of 54.00 feet to a point;
4. North 86°36'00" West, a distance of 317.37 feet to a point;
5. North 03°24'00" East, a distance of 50.00 feet to a point in the northerly line of said 21.25 acre tract, and the

southerly line of that 12.845 acre tract as described in a deed to Linworth Village Center, of record in Official Record 1113 7, Page J09;

Thence South 86°36'00" East, along the northerly line of said 21.25 acre tract, and the southerly lines of said 12.845 and 5.3 acre tracts, a distance of 400.00 feet to the place of beginning, containing 1.430 acres of land. Bearings herein are based on South 86°36' East for the northerly line of the 21.25 acre tract as described in Deed Volume 1966, Page 57.

Section 2. That the Director of the Department of Public Utilities be and hereby is authorized to execute those documents, approved by the Department of Law, Real Estate Division, necessary to thereby accept certain sanitary sewer easement rights from the State of Ohio to the following described real property:

**Easement 1.335 +/- acres**

Situated in the State of Ohio, County of Franklin, City of Columbus, Fourth Quarter, Township 2, Range 19, being located in that 21.25 acre tract of land as described in a deed to The State of Ohio, of record in Deed Volume 1966, Page 57, all references herein being to the records of the Franklin County Recorder's Office, Columbus, Ohio, and being more particularly described as follows:

Beginning at the northeast corner of said 21.25 acre tract, at the southeast corner of that 5.3 acre tract as described in a deed to Linworth Enterprises, of record in Deed Volume 2442, Page 374, in the westerly right-of-way line of the CSX Railroad;

Thence South 07°10'00" East, along the easterly line of said 21.25 acre tract and said westerly right-of-way line, a distance of 680.00 feet to a point;

Thence through said 21.25 acre tract the following courses:

1. South 82°50'00" West, a distance of 50.00 feet to a point;
2. North 07°10'00" West, a distance of 610.16 feet to a point;
3. North 55°35'12" West, a distance of 54.00 feet to a point;
4. North 86°36'00" West, a distance of 263.00 feet to a point;
5. North 70°05'44" West, a distance of 88.00 feet to a point;
6. North 86°36'00" West, a distance of 208.00 feet to a point;
7. North 03°24'00" East, a distance of 25.00 feet to a point in the northerly line of said 21.25 acre tract, and the southerly line of

that 12.845 acre tract as described in a deed to Linworth Village Center, of record in Official Record 11137, PageJ09;

Thence South 86°36'00" East, along the northerly line of said 21.25 acre tract, and the southerly lines of said 12.845 and 5.3 acre tracts, a distance of 638.00 feet to the place of beginning, containing 1.335 acres of land. Bearings herein are based on South 86°36' East for the northerly line of the 21.25 acre tract as described in Deed Volume 1966, Page 57.

That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed as amended July 15, 2002, Matthew D. Habash, President of Council / Approved as amended July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1168-02**

To appropriate \$50,000.00 within the General Permanent Improvement Fund and authorize the expenditure of the same amount therein for the East Neil Alley Rehabilitation project; to authorize the City Attorney to contract for professional services; to acquire fee simple title and lesser interests; and to declare an emergency. (\$50,000.00)

WHEREAS, the City of Columbus, Public Service Department, Transportation Division, is committed to the rehabilitation of East Neil Alley from King Avenue north to Ninth Avenue; and

WHEREAS, it is anticipated that the right-of-way acquisitions costs for this rehabilitation project will be approximately \$50,000.00; and

WHEREAS, it is necessary to appropriate and expend funds for this project; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Transportation Division, in that it is immediately necessary to authorize the expenditure of those funds required to hire professional services and to acquire the right-of-way needed for the East Neil Alley Rehabilitation project for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

Section 1. That the sum of \$50,000.00 is hereby appropriated from the unappropriated balance of the General Permanent Improvement fund no. 748, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2002, to the Transportation Division, Dept./ Div. 59-09, OCA Code 642678, Object Level Three 6600 and project 537650.

Section 2. That the City Attorney is hereby authorized to expend those funds necessary to pay for those costs related to the acquisition of that right-of-way required for the East Neil Alley Rehabilitation project.

Section 3. That for the purpose of paying for said costs, the sum of \$50,000.00, or so much thereof as may be necessary, is hereby authorized to be expended on behalf of the Transportation Division from the General Permanent Improvement Fund as follows:

Project #	Dept./Div.	Fund#	Object Level 3	OCA Code	Amount
537650	59-09	748	6601	642678	\$50,000.00

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1169-02**

To authorize the Director of the Department of Public Safety to execute those documents necessary to grant the Ohio Department of Transportation a temporary easement to certain City owned real property, located in the vicinity of the West Little Turtle Way and State Route 161 intersection; 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.

WHEREAS, in preparation for improvements to State Route 161, the Ohio Department of Transportation (hereinafter "ODOT"), desires to obtain a temporary construction easement to certain City of Columbus (hereinafter "City") owned real property, located in the vicinity of the West Little Turtle Way and State Route 161 intersection; and

WHEREAS, this easement is necessary to the State of Ohio in order to provide the required right of way needed by ODOT for the FRA 161 Project; and

WHEREAS, after investigation by the Department of Public Safety it has been determined that the granting of the requested easement will not adversely affect the City of Columbus and should be granted; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus, in that it is necessary to immediately authorize the Director of the Department of Public Safety to execute those documents necessary to grant ODOT a temporary easement to certain City of Columbus owned real property, located in the vicinity of the West Little Turtle Way and State Route 161 intersection, for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

Section 1. That the Director of the Department of Public Safety be and hereby is authorized to execute those documents on the behalf of the City of Columbus, approved by the City Attorney's Office, Department of Law, Real Estate Division, necessary to grant the Ohio Department of Transportation a temporary construction easement to the following described real property:

**Parcel 21T**

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 4, Township 2, Range 17, United States Military Lands, and being part of a 1.313 acre tract of land described in a deed to the CITY OF COLUMBUS, of record in Official Record 3030 A01, and also being a parcel of land lying on the left side of the centerline of survey of FRA-161-25.900 made by the Ohio Department of Transportation, as recorded in Plat Book \_\_, Page \_\_ of the records of Franklin County and being bounded and described as follows:

Commencing for reference at an iron pin found on the existing northerly limited access right-of-way line of State Route 161, in the southerly line of said 1.313 acre tract, being 77.824 meters (255.33 feet) left of station 27+906.019;

Thence South 85° 36' 47" East, along the existing northerly limited access right-of-way line of State Route 161, the southerly line of said 1.313 acre tract, a distance of 18.981 meters (62.27 feet), to a point, 77.819 meters (255.31 feet) left of Station 27+925.000, at the Point of Beginning;

Thence passing through said 1.313 acre tract the following two courses:

1. North 4° 22' 14" East, a distance of 13.181 meters (43.24 feet) to a point, 91.00 meters (298.56 feet) left of Station 27+925.000;

2. South 85° 37' 46" East, a distance of 4.653 meters (15.26 feet) to a point, in the easterly line of said 1.313 acre tract, in the westerly right-of-way line of Little Turtle Way, 91.00 meters (298.56 feet) left of station 27+929.653;

Thence along the westerly right-of-way line of Little Turtle Way, the easterly line of said 1.313 acre tract, along a non tangent curve to the right having a radius of 132.588 meters (435.00 feet) and an arc length of 13.204 meters (43.32 feet), the said curve having a chord which bears South 1° 32' 02" West and a length of 13.199 meters (43.30 feet) to a point in the northerly limited access right-of-way line of State Route 161, at the southeasterly corner of said 1.313 acre tract, 77.817 meters (255.30 feet) left of Station 27+930.306;

Thence North 85° 36' 47" West, along the northerly limited access right-of-way line of State Route 161, the southerly line of said 1.313 acre tract, a distance of 5.306 meters (17.41 feet) to the Point of Beginning;

The above-described area is contained within Franklin County Auditor's parcel Number 600-193739 and contains 0.007 hectares (0.017 acres,) more or less.

This description was prepared in August 2000 by James P. Villacres, Registered Professional Surveyor No. 7912 from a survey made by MS Consultants, Inc. in 2000.

The stations referred to herein reference the Centerline Survey Plat for FRA-161- 25.900 prepared by MS Consultants, Inc. for the Ohio Department of Transportation.

Grantor claims title by instrument of record in Official Record 3030 A01 in the Records of Franklin County, Ohio.

The bearings in this description are based on the Ohio State Plane Coordinate System, South Zone, and the North American Datum of 1983.

Section 2. That the Six Hundred Fifty Dollars (\$650.00), to be received by the City as consideration for the granting of the subject temporary easement rights shall be deposited in the General Fund as follows:

Fund#	Dept./Div	Object Level Three	OCA Code	Amount
010	30-04	0836	045153	\$650.00

Section 3. That this Council has determined that it is in the best interest of the City of Columbus to waive and does hereby, under threat of Eminent Domain, waive the requirements of Columbus City Codes (1959) Revised, Chapter 328 (Land Review Commission) and Section 329.25 (competitive bidding) to the extent that they may apply to this transaction with regards to this ordinance only.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1170-02**

To appropriate and authorize the City Auditor to transfer \$800,000.00 from the Special Income Tax Fund to the Voted 1995, Voted 1999 Streets and Highways Fund and the expenditure of the same amount therein; to appropriate \$50,000.00 within the General Permanent Improvement Fund and authorize the expenditure of the same amount therein; to authorize the Director of Public Service to modify and increase the contract with "ms consultants, inc." for the preparation of construction plans for the Morse Road Project Phase I - Indianola Avenue to Karl Road project for the Transportation Division; and to declare an emergency. (\$850,000.00)

WHEREAS, contract EA031203-002 was authorized by ordinance No. 1193-01 passed July 9, 2001, executed July 20, 2001 and approved by the City Attorney on July 25, 2001; and

WHEREAS, "ms consultants, inc." has successfully completed the preliminary engineering source documents which includes survey and preliminary design; and

WHEREAS, it is necessary to modify this contract to increase the scope of services as per the Morse Road Preliminary Engineering Source Document for the project; and

WHEREAS, it will be necessary to modify this contract again at the end of this year or at the beginning of 2003, to complete the design of Morse Road Phase II -Indianola Avenue to Karl Road; and

WHEREAS, it is necessary to authorize the appropriation and transfer of funds for the project to proceed; and

WHEREAS, the City will sell notes or bonds for the aforementioned project and will reimburse the Special Income Tax Fund, this transfer should be considered as a temporary funding method; and

WHEREAS, the aggregate principal amount of obligations which the City will issue to finance the project is presently expected not to exceed \$800,000.00; and

WHEREAS, it is immediately necessary to both appropriate said funds from the Special Income Tax Fund and transfer said funds into the Voted 1995, Voted 1999 Streets and Highways Fund; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Transportation Division, in that the contract must be modified and increased in a timely manner so the work may proceed without delay, thereby preserving the public health, peace, property, safety and welfare; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

Section 1. That the sum of \$800,000.00 is hereby appropriated from the unappropriated balance of the Special Income Tax Fund no. 430, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2002, to the City Auditor, Dept./Div. no. 22-01, Object Level One 10, OCA Code 902023, Object Level Three 5502.

Section 2. That the City Auditor is hereby authorized to transfer said funds to the Voted 1995, Voted 1999 Streets and Highways Fund at such time as is deemed necessary by the City Auditor, and to expend said funds, or so much thereof as may be necessary.

Section 3. That the amount of \$800,000.00 is hereby appropriated to the Voted 1995, Voted 1999 Streets and Highways Fund No. 704 for the Transportation Division, Dept./Div. No. 59-09, Object Level One 06, project 530052.

Section 4. The City Auditor is authorized to establish proper accounting project numbers.

Section 5. That upon obtaining other funds for the Morse Road Project Phase I – Indianola Avenue to Karl Road project, the City Auditor is hereby authorized to repay the Special Income Tax Fund the amount transferred under Section 2 above, and said funds are hereby deemed appropriated for such purpose.

Section 6. That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract or contract modification associated with expenditure of the funds transferred in Section 2, above.

Section 7. The City intends that this ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations promulgated pursuant to the Internal Revenue Code of 1986, as amended.

Section 8. That the Transportation Division be and is hereby authorized to expend those funds necessary to pay for design of the Morse Road Project Phase I - Indianola Avenue to Karl Road project.

Section 9. That the sum of \$50,000.00 is hereby appropriated from the unappropriated balance of the General Permanent Improvement fund no. 748, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2002, to the Transportation Division, Dept./ Div. 59-09, OCA Code 642678, Object Level Three 6600 and project 537650.

Section 10. That the Director of Public Service is hereby authorized to modify and increase contract EA031203-002 with "ms consultants, inc.", 2221 Schrock Road, Columbus, OH 43229-1547 to complete the construction plans for the Morse Road Project - Indianola Avenue to Karl Road in accordance with the Morse Road Preliminary Engineering Source Document on file in the office of the Public Service Director.

Section 11. That for the purpose of paying the cost of the contract, the sum of \$850,000.00 or so much thereof as may be necessary, is hereby authorized to be expended from the Voted 1995, Voted 1999 Streets and Highways Fund No. 704, and the General Permanent Improvement Fund No. 748 for the Transportation Division, Dept./Div. 59-09 as follows:

<u>Fund</u>	<u>Project</u>	<u>OCA</u>	<u>OL3</u>	<u>Amount</u>	
704	530052	Morse Rd Area Investment	530052	6682	\$800,000.00
748	537650	General Roadway Improvement	642678	6682	<u>50,000.00</u>
				<b>Total:</b>	<b>\$850,000.00</b>

Section 12. That for the reasons stated in the preamble hereto, which is hereby made part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1171-02**

To authorize the Director of Public Service to modify and increase the contract with Decker Construction Company for the construction of the Group 9 - Intersections Improvement project for the Transportation Division; to authorize the expenditure of \$13,885.00 from the Waterworks Enlargement Voted 1991 Bonds Fund; and to declare an emergency. (\$13,885.00)

WHEREAS, contract EA026031 was authorized by ordinance no. 2060-00, which passed September 11, 2000 and was executed October 11, 2000; and

WHEREAS, it is necessary to modify and increase this construction contract with Decker Construction Company for the Group 9 - Intersections Improvement project; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Transportation Division, in that the contract should be modified and increased immediately so that the work may proceed without delay, thereby preserving the public health, peace, property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Public Service be and is hereby authorized to modify and increase the contract with Decker Construction Company, 3040 McKinley Avenue, Columbus, Ohio 43204, for the construction of the Group 9 Intersection Improvements project for the amount of \$13,885.00 in accordance with the terms as shown on the modification on file in the office of the Administrator, Transportation Division, which are hereby approved.

Section 2. That for the purpose of paying the cost of the contract modification and increase, the sum of \$13,885.00, or so much thereof as may be necessary, is hereby authorized to be expended from the Waterworks Enlargement Voted 1991 Bonds Fund no. 606, for the Division of Water, Dept./Div. 60-09, OCA Code 642900, Object Level Three 6629 and project 690236.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1172-02**

To appropriate and authorize the City Auditor to transfer \$79,950.00 from the Special Income Tax Fund to the Voted 1995/1999 Streets & Highways Fund for the Traffic Calming Project; to authorize the appropriation and expenditure of \$79,950.00 from the Voted 1995/1999 Streets & Highways Fund and to direct the expenditure therefrom; to authorize the Finance Director to issue a blanket purchase order form the purchase of a Mobile Speed Trailer from Reico Sales Company for the Transportation Division; and to declare an emergency. (\$79,950.00)

WHEREAS, the City will sell notes or bonds to fund this project and will reimburse the Special Income Tax Fund, this transfer shall be considered a temporary funding method; and;

WHEREAS, the Purchasing office will establish a universal term contract for the purchase of these commodities; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Transportation Division in that it is necessary to appropriate said funds from the Special Income Tax Fund and to transfer and expend said funds into the Voted 1995/1999 Streets & Highways Fund for the immediate preservation of the public health, peace, property, safety and welfare, now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the sum of \$79,950.00 be and herein appropriated from the un- appropriated balance of the Special Income Tax Fund, subfund 430, and from all monies estimated to come into said fund from any and all sources and un-appropriated for any other purpose during the fiscal year ending December 31, 2002, to the City Auditor, Dept. 22-01, Object Level One 10, OCA Code 902023, Object Level Three 5502.

Section 2. That the City Auditor is hereby authorized to transfer said funds to the Voted 1995/1999 Streets & Highways Fund at such time as is deemed necessary by the City Auditor, and to expend said funds, or so much thereof as may be necessary.

Section 3. That the amount of \$79,950.00 is hereby appropriated to the Voted 1995/1999 Streets & Highways Fund #704, Transportation Division #59-09, Object Level One 06, Project 540023 Traffic Calming.

Section 4. That upon obtaining other funds for Traffic Calming, the City Auditor is hereby authorized to repay the Special Income Tax Fund the amount transferred under Section 2 above, and said funds are hereby deemed appropriate for such purposes.

Section 5. That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of funds transferred in Section 2, above.

Section 6. The City intends that this ordinance constitute "Official Intent" for purposes of section 1.150-2(e) of the Treasury regulation promogated pursuant to the internal revenue code of 1986, as amended.

Section 7. That the sum of \$79,950.00 or so much as may be necessary, be and is hereby authorized to be expended from the Voted 1995/1999 Streets & Highways Fund as follows:

FUND	DIVISION	OCA	PROJECT	DESCRIPTION	AMOUNT
704	59-09	644377	540023	Traffic Calming	\$79,950.00

Section 8. That the Finance Director be and is hereby authorized to issue blanket purchase orders with the following company: Reico Sales Co., CC# 341860211, for a Mobile Speed Trailer on the basis of FL pending, \$79,950.00.

Section 9. That for the reasons stated in the preamble hereto, which is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1173-02**

To appropriate \$45,750.00 within the General Permanent Improvement Fund and authorize the expenditure of the same amount therein; to authorize the Director of Public Service to modify and increase the contract with Jones-Stuckey, Ltd. for the preparation of construction plans for the Weber Road project for the Transportation Division; and to declare an emergency. (\$45,750.00)

WHEREAS, contract EA029417 was authorized by ordinance no. 0043-01, which passed on January 8, 2001, was executed on January 23, 2001 and was approved by the City Attorney on January 24, 2001; and

WHEREAS, it is necessary to modify this contract to increase the scope of services for the Weber Road project; and

WHEREAS, it is necessary to appropriate and expend additional funds for this ongoing project; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Transportation Division, in that the contract should be let in a timely manner so the work may proceed without delay, thereby preserving the public health, peace, property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the sum of \$45,750.00 is hereby appropriated from the unappropriated balance of the General Permanent Improvement fund no. 748, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2002, to the Transportation Division, Dept./ Div. 59-09, OCA Code 642678, Object Level Three 6600 and project 537650.

Section 2. That the Director of Public Service is hereby authorized to modify and increase contract no. EA029417 with Jones-Stuckey Ltd, 2323 West Fifth Avenue, Suite 160, Columbus, OH 43204 to complete the design and construction plans for the Weber Road project in accordance with the consultant's letter dated May 17, 2002, which is on file in the office of the Public Service Director.

Section 3. That for the purpose of paying the cost of the contract modification, the sum of \$45,750.00 or so much thereof as may be necessary, is hereby authorized to be expended for the Transportation Division, Dept./Div. 59-09, from the General Permanent Improvement fund no. 748, OCA Code 642678, Object Level Three 6682 and project 537650.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1174-02**

To appropriate and authorize the City Auditor to transfer \$343,910.00 from the Special Income Tax Fund to the Voted 1995/1999 Streets & Highways Fund and expenditure of the same amount therein; to authorize the Public Service Director to enter into a contract with Strawser Paving Co. Inc., for the construction of Traffic Calming Devices for the Transportation Division; and to declare an emergency. (\$343,910.00)

WHEREAS, bids were received and tabulated on June 20, 2002 for the installation of Traffic Calming Devices'

WHEREAS, a satisfactory low bid has been received; and

WHEREAS, it is necessary to provide for construction and inspection costs; and

WHEREAS, the City will sell notes or bonds to fund this project and will reimburse the Special Income Tax Fund; this transfer shall be considered a temporary measure; and

WHEREAS, the aggregate principal amount of obligations which the City will issue to finance this part of the project is presently expected not to exceed \$343,910.00; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Transportation Division in that it is necessary to both appropriate said funds from the Special Income Tax Fund and to transfer and expend said funds into the Voted 1995/1999 Streets & Highways Fund and to authorize the Public Service Director to enter into a contract for Traffic Calming Devices for the immediate preservation of the public health, peace, property, safety, and welfare, now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the sum of \$343,910.00 be and herein appropriated from the un- appropriated balance of the Special Income Tax Fund #430 and from all monies estimated to come into said fund from any and all sources and un-appropriated for any other purpose during the fiscal year ending December 31, 2002, to the City Auditor, Department 22-01, Object Level One 10, OCA Code 902023, Object Level Three 5502.

SECTION 2. That the City Auditor is hereby authorized to transfer said funds to the Voted 1995/1999 Streets & Highways Fund at such time as is deemed necessary by the City Auditor, and to expend said funds, or so much thereof as may be necessary.

SECTION 3. That the amount of \$343,910.00 is hereby appropriated to the Voted 1995/1999 Streets & Highways fund #704, Transportation Division 59-09, Object Level One 06, Project 540023, Traffic Calming.

SECTION 4. That upon obtaining other funds for the Traffic Calming Project, the City Auditor is hereby authorized to repay the Special Income Tax Fund the amount transferred under Section 2 above, and said funds are hereby deemed appropriate for such purposes.

SECTION 5. That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of funds transferred in section 2 above.

SECTION 6. That the City intends that this ordinance constitute "Official Intent" for purposes of Section 1.150-2 (e) of the Treasury regulation promogated pursuant to the internal revenue code of 1986, as amended.

SECTION 7. That for the purpose of paying the cost of the contract and inspection, the sum of \$343,910.00 or so much thereof as may be necessary, is hereby authorized to be expended from the Voted 1995/1999 Streets & Highways Fund #704, Department/Division 59-09, OCA 644377, Project 540023.

SECTION 8. That the Public Service Director is hereby authorized to enter into a contract with Strawser Paving Co. Inc., 1595 Frank Road, Columbus, Ohio for construction of the Traffic Calming Projects in the amount of \$308,910.00 for the Transportation Division in accordance with the specifications and plans therefore on file in the office of the Public Service Director, which are hereby approved; to obtain and pay for the necessary inspection costs up to a maximum of \$35,000.00 therefore.

SECTION 9. That for the reasons stated in the preamble hereto, which is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1175-02**

To authorize the Board of Health to enter into a revenue contract with the Columbus Public Schools for the provision of physician services in an amount not to exceed \$35,000; and to declare an emergency. (\$35,000)

WHEREAS, it is necessary to enter into a revenue contract to offer quality health services to Columbus Public School employees and students that are both efficient and responsive to the district's needs; and,

WHEREAS, it is necessary to enter into a revenue contract to provide the foundation for an innovative coordinated school health program that is being developed cooperatively by the Columbus Public Schools and the Columbus Health Department; and,

WHEREAS, an emergency exists in the usual daily operation of the Health Department in that it is immediately necessary to enter into a revenue contract with the Columbus Public Schools for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Board of Health is hereby authorized to enter into a revenue contract with the Columbus Public Schools for the provision of physician services, in an amount not to exceed \$35,000, for the period of July 1, 2002 through June 30, 2003.

Section 2. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1176-02**

To authorize the Board of Health to enter into a revenue contract with the Columbus Neighborhood Health Center, Inc., to provide the services of a postgraduate pediatric dentist in an amount not to exceed \$32,717; and to declare an emergency. (\$32,717)

WHEREAS, the Columbus Neighborhood Health Center, Inc., has a need to ensure that dental health care services continue to be provided to individuals and families in Columbus; and,

WHEREAS, the Columbus Neighborhood Health Center, Inc., has received a grant from the Ohio Department of Health and is the grantee agency to ensure that dental health care services are continued to be provided to individuals and families in Columbus; and,

WHEREAS, the Columbus Neighborhood Health Center, Inc., and the Columbus Board of Health has entered into an affiliation agreement to provide comprehensive community dental health services to individuals and families living in Columbus; and,

WHEREAS, an emergency exists in the usual daily operation of the Health Department in that it is immediately necessary to enter into a revenue contract with the Columbus Neighborhood Health Center, Inc., for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Board of Health is hereby authorized to enter into a revenue contract with the Columbus Neighborhood Health Center, Inc., for the provision of pediatric dental health care services, in an amount not to exceed \$32,717, for the period of July 1, 2002 through June 30, 2003.

Section 2. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1177-02**

To authorize and direct the Board of Health to accept this grant from the Ohio Department of Health in amount of \$1,151,741; to authorize the appropriation of \$1,151,741 from the unappropriated balance of Health Department Grants Fund; and to declare an emergency. (\$1,151,741)

WHEREAS, \$1,151,741.00 in grant funds have been made available through the Ohio Department of Health for the Child & Family Health Services program for the period of October 1, 2002 through September 30, 2003; and,

WHEREAS, it is necessary to accept and appropriate these funds from the Ohio Department of Health for the continued support of the Child & Family Health Services program; and,

WHEREAS, this ordinance is submitted as an emergency so as to allow the financial transaction to be posted in the City's accounting system as soon as possible. Up to date financial posting promotes accurate accounting and financial management; and,

WHEREAS, an emergency exists in the usual daily operation of the Health Department in that it is immediately necessary to accept these grant funds from the Ohio Department of Health and to appropriate these funds to the Health Department for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Board of Health is hereby authorized and directed to accept a grant award totaling \$1,151,741.00 from the Ohio Department of Health for the Child & Family Health Services program for the period October 1, 2002 through September 30, 2003.

Section 2. That from the unappropriated monies in the Health Department Grants Fund, Fund No. 251, and from all monies estimated to come into said Fund from any and all sources during the twelve months ending September 30, 2003, the sum of \$1,151,741.00 is hereby appropriated to the Health Department, Division No. 50, as follows:

<u>OCA</u>	<u>Grant No.</u>	<u>Object Level One</u>	<u>Purpose</u>	<u>Amount</u>
502018	502018	01	Personnel Services	\$175,278.00
502018	502018	02	Materials & Supplies	\$36,000.00
502018	502018	03	Services Operation & Maintenance	\$940,463.00
<b>Total for Grant No. 502018</b>				<b>\$1,151,741.00</b>

Section 3. That the monies appropriated in the foregoing Section 2 shall be paid upon the order of the Health Commissioner and that no order shall be drawn or money paid except upon voucher, the form of which shall be approved by the City Auditor.

Section 4. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1178-02**

To authorize and direct the Board of Health to accept grant monies from the Franklin County Department of Jobs and Family Services, Franklin County Family and Children First Council, Kids in Different Systems, in the amount of \$202,265.00; to authorize the appropriation of \$202,265.00 from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency (\$202,265.00)

WHEREAS, \$202,265.00 in grant funds have been made available through the Franklin County Department of Jobs and Family Services, Franklin County Family and Children First Council, Kids in Different Systems, to fund the Help Me Grow - Oversight and Planning program; and,

WHEREAS, this ordinance is submitted as an emergency so as to allow the financial transaction to be posted in the City's accounting system as soon as possible. Up to date financial posting promotes accurate accounting and financial management; and,

WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to accept and appropriate these grant funds for the immediate preservation of the public health, peace, property, safety, and welfare; now, therefore, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Board of Health is hereby authorized and directed to accept grant monies totaling \$202,265.00 from the Franklin County Department of Jobs and Family Services, Franklin County Family and Children First Council, Kids in Different Systems, for the Help Me Grow - Oversight and Planning program for the period July 1, 2002 through June 30, 2003.

Section 2. That from the unappropriated monies in the Health Department Grants Fund, Fund No. 251, and from all monies estimated to come into said Fund from any and all sources during the twelve months ending June 30, 2003, the sum of \$202,265.00 is hereby appropriated to the Health Department, Division No. 50, as follows:

<u>Grant No.</u>	<u>OCA</u>	<u>Object Level One</u>	<u>Amount</u>	<u>Description</u>
502044	502044	01	\$154,965.00	Personnel Costs
502044	502044	02	2,500.00	Supplies
502044	502044	03	44,800.00	Services
Sub-total Appropriation:			\$202,265.00	
<b>Total Appropriation:</b>			<b>\$202,265.00</b>	

Section 3. That the monies appropriated in the foregoing Section 2 shall be paid upon the order of the Health Commissioner, and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

Section 4. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

#### **ORD. NO. 1179-02**

To authorize and direct the Board of Health to enter into a contract with Children's Hospital for the provision of a WIC clinic; to authorize the expenditure of \$275,000 from the Health Department Grants Fund; and waive the provisions for competitive bidding. (\$275,000)

WHEREAS, The Ohio Department of Health has designated the Columbus Health Department as primary grantee agency and fund administrator for all WIC programs in Franklin County; and,

WHEREAS, Children's Hospital will staff and operate a WIC clinic in accordance with State WIC guidelines; and,

WHEREAS, this ordinance is submitted as an emergency so as to allow the financial transaction to be posted in the City's accounting system as soon as possible. Up to date financial posting promotes accurate accounting and financial management; and,

WHEREAS, an emergency exists in the usual daily operation of the Health Department in that it is immediately necessary to enter into this contract for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Board of Health is hereby authorized and directed to enter into a contract with Children's Hospital for the provision of a WIC clinic for the period of October 1, 2002 through September 30, 2003, in an amount not to exceed \$275,000.

Section 2. That for the contract stated above, the sum of \$275,000 is hereby authorized to be expended from the Health Department Grants Fund, Fund No. 251, Grant No. 502016, Division No. 50-01, OCA Code 502016, Object Level One 03, Object Level Three 3351.

Section 3. That this contract is in compliance with Section 329.02 of the Columbus City Code.

Section 4. That the provisions of the Columbus City Code, Section 329.11 and 329.12, dealing with competitive bidding are hereby waived.

Section 5. That the City Auditor is authorized to make any accounting changes necessary to ensure that this contract is properly accounted for and recorded accurately on the City's financial records.

Section 6. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

#### **ORD. NO. 1180-02**

To authorize and direct the Board of Health to accept grant monies from the Franklin County Department of Jobs and Family Services, Franklin County Family and Children First Council, Kids in Different Systems, in the amount of \$12,518.00; to authorize the appropriation of \$12,518.00 from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency (\$12,518.00)

WHEREAS, \$12,518.00 in grant funds have been made available through the Franklin County Department of Jobs and Family Services, Franklin County Family and Children First Council, Kids in Different Systems, to fund the Help Me Grow At Risk expansion program; and,

WHEREAS, this ordinance is submitted as an emergency so as to allow the financial transaction to be posted in the City's accounting system as soon as possible. Up to date financial posting promotes accurate accounting and financial management; and,

WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to accept these grant monies from the Franklin County Department of Jobs and Family Services, Franklin County Family and Children's First Council, Kids in Different Systems and to appropriate said funds to the Health Department for the immediate preservation of the public health, peace, property, safety, and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Board of Health is hereby authorized and directed to accept grant monies totaling \$12,518.00 from the Franklin County Department of Jobs and Family Services, Franklin County Family and Children First Council, Kids in Different Systems, for the Help Me Grow At Risk expansion program for the period July 1, 2002 through September 30, 2002.

Section 2. That from the unappropriated monies in the Health Department Grants Fund, Fund No. 251, and from all monies estimated to come into said Fund from any and all sources during the twelve months ending December 31, 2002, the sum of \$12,518.00 is hereby appropriated to the Health Department Division No. 50, as follows:

<u>Grant No.</u>	<u>OCA</u>	<u>Object Level One</u>	<u>Amount</u>	<u>Description</u>
502036	502036	01	\$ 1,001.00	Personnel Costs
502036	502036	03	<u>\$11,517.00</u>	Outreach Services
<b>Total Appropriation:</b>			<b>\$12,518.00</b>	

Section 3. That the monies appropriated in the foregoing Section 2 shall be paid upon the order of the Health Commissioner, and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

Section 4. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1181-02**

To authorize the Board of Health to enter into a contract with the Children's Hospital for the provision of pediatric dental services; to waive the provisions of competitive bidding; to authorize the expenditure of \$32,717 from the Health Special Revenue Fund to pay the cost thereof; and to declare an emergency. (\$32,717)

WHEREAS, the Columbus Neighborhood Health Center, Inc., has a need to ensure that dental health care services continue to be provided to individuals and families in Columbus: and,

WHEREAS, the Columbus Neighborhood Health Center, Inc., has received a grant from the Ohio Department of Health and is the grantee agency to ensure that dental health care services are continued to be provided to individuals and families in Columbus: and,

WHEREAS, the Columbus Neighborhood Health Center, Inc., and the Columbus Board of Health has entered into an affiliation agreement to provide comprehensive community dental health services to individuals and families living in Columbus; and,

WHEREAS, an emergency exists in the usual daily operation of the Health Department in that it is immediately necessary to enter into a contract with Children's Hospital for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

Section 1. That the Board of Health is hereby authorized to enter into a contract with Children's Hospital for the provision of pediatric dental health care services, for the period of July 1, 2002 through June 30, 2003.

Section 2. That the expenditure of \$32,717 is hereby authorized from the Health Special Revenue Fund, Fund No. 250, Department of Health, Department No. 50-01, Object Level One 03, Object Level Three 3337, OCA Code 502401.

Section 3. That the provisions of Section 329.09 of the Columbus City Code are hereby waived.

Section 4. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**RESOLUTIONS****RES. NO. 139X-02**

To set Regular Meeting(s) No. 34 and 35 of City Council on Monday, July 22, 2002 at 5:00 p.m. and 6:30 p.m. respectively, in Council Chambers, and to declare an emergency.

WHEREAS, an emergency exists in the usual daily operation of the Office of the City Clerk in that it is necessary to establish the number of meetings of City Council to fulfill the requirements of Section 8 of the City Charter; now, therefore,  
**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

Section 1. That Regular Meeting No. 34 and 35 of City Council be and they are hereby set for Monday, July 22, 2002 at 5:00 p.m. and 6:30 p.m. in Council Chambers.

Section 2. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this Resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption and approval by the Mayor, or ten days after adoption if the Mayor neither approves nor vetoes the same.

Adopted July 15, 2002 Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**RES. NO. 140X-02**

To recognize and commend Assistant Fire Chief Joseph E. Keefer for his 39 years of distinguished service to the City of Columbus on his retirement from the Columbus Division of Fire on August 3, 2002.

WHEREAS, Assistant Chief Joseph E. Keefer became a firefighter on December 15, 1963 and has worked his way up through the ranks during his distinguished 39 year fire service career with the Columbus Division of Fire. Assistant Chief Keefer was promoted to the rank of Lieutenant in 1971, to Captain in 1974, and became a Battalion Chief in July 1978. He was promoted to Assistant Chief in March 1997 and was placed in charge of the Division's Training Bureau. Two years later, he transferred to the Emergency Services Bureau; and

WHEREAS, Assistant Chief Joseph E. Keefer has had numerous accomplishments during his 39 year career with the Columbus Division of Fire such as assisting when the Division of Fire acquired the operation of the Heartmobile, the country's 1st mobile coronary care vehicle and assisting in the Division's implementation of the Incident Command System; and

WHEREAS, Assistant Chief Joseph E. Keefer was a member of the Central Ohio Regional Emergency Services Committee in preparation for the origination of the Automatic Response System; and

WHEREAS, Assistant Chief Joseph E. Keefer has served as a certified Instructor with the Ohio State Fire School at Bowling Green University, Columbus State Community College and the Ohio State Fire Academy for over 30 years; and

WHEREAS, Assistant Chief Joseph E. Keefer has helped coordinate and conduct the Ohio Weekend at the National Fire Academy for the past 13 years and has been a charter member of the National Fire Academy's Training Resource and Development Exchange and co-chair of Region 5 for four years.

WHEREAS, Assistant Chief Joseph E. Keefer has served as the Chairman of the Columbus Division of Fire Awards Committee for nine years and previously served as the Chairman of the Division's Clothing Committee for five years; and

WHEREAS, Assistant Chief Joseph E. Keefer will be retiring on August 3, 2002 after 39 years of commendable service to the citizens of Columbus with the Columbus Division of Fire; now; therefore,

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

That this council does hereby recognize and commend Assistant Fire Chief Joseph E. Keefer for his 39 years of dedicated service to the City of Columbus on his retirement from the Columbus Division of Fire on August 3, 2002.

**BE IT FURTHER RESOLVED,** that a copy of this Resolution be presented to Assistant Chief Joseph E. Keefer on July 15, 2002

Adopted July 15, 2002 Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

## BIDS WANTED - PURCHASING OFFICE

Each proposal shall contain the full name and address of every person, firm or corporation interested in the same, and if corporations, the name and address of the President and Secretary.

**EQUAL OPPORTUNITY CLAUSE:** Each responsive bidder shall submit, with its bid, a contract compliance certification number or a completed application for certification. Compliance with the provisions of Article I, Title 39, is a condition of the contract. Failure to comply with this Article may result in cancellation of the contract.

**WITHOLDING OF INCOME TAX:** All bidders are advised that in order for a contract to bind the City, each contract must contain the provisions found in Section 361.34 C.C.C. with regard to income taxes due or payable to the City of Columbus for wages, salaries and commissions paid to the contractor's employees as well as requiring those contractors to ensure that subcontractors withhold in a like manner.

**DELINQUENT PERSONAL PROPERTY TAX:** All bidders are charged with notice of Section 5719.042 of the Ohio Revised Code and agree that if this contract is awarded to them, the successful bidder, prior to the time the contract is entered into, will submit to the City Auditor the affidavit required by said section of the Ohio Revised Code. Said affidavit, when filed with City Auditor, is thereby incorporated into and made a part of this contract and no payment shall be made with respect to this contract unless such statement has been so incorporated as a part thereof.

**LOCAL CREDIT:** For all contracts except professional service contracts: In determining the lowest bid for purpose of awarding a contract not exceeding \$20,000.00, a local bidder shall receive a credit equal to five percent (5%) of the lowest bid submitted by a non-local bidder. In determining the lowest bid for purposes of awarding a contract in excess of \$20,000.00, a local bidder shall receive a credit equal to one percent (1%) or \$10,000.00, whichever is less, of the lowest bid submitted by a non-local bidder. A local bidder is a person, corporation or business which (a) has listed its principal place of business as being located within the corporation limits of the City of Columbus, or the County of Franklin in official documents filed with Secretary of State, State of Ohio, or a valid vendor's license which indicates its place of business is located within the corporation limits of the City of Columbus or County of Franklin.

**FOR COPIES OF ANY OF THE FOLLOWING BID PROPOSAL CALL (614) 645-7599**

### BID OPENING DATE 07/25/02

#### BID FOR 55 CPM/PPM DIGITAL COPIERS/PRINTERS (UTC)

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1st Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on JULY 25.2002 and at that time will be publicly opened and read. Proposals received after the time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

Envelopes must be plainly marked: FINANCE DEPARTMENT/PURCHASING OFFICE

Bid for 55 CPM/PPM DIGITAL COPIERS/PRINTERS (UTC Solicitation No. SA000296RFM in accordance with specifications on file in the Purchasing Office.

Joel Taylor, Finance Director

(07/13/02; 07/20/02)

#### BID FOR OFFICE CHAIRS

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1st Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on JULY 25.2002 and at that time will be publicly opened and read. Proposals received after the time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

Envelopes must be plainly marked: DIVISION OF POLICE

Bid for OFFICE CHAIRS Solicitation No. SA000297HJB in accordance with specifications on file in the Purchasing Office.

Joel Taylor, Finance Director

(07/13/02; 07/20/02)

### BID OPENING DATE 08/01/02

#### BID FOR PURCHASE OF BALL DIAMOND CLAY

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1st Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on August 1, 2002 and at that time will be publicly opened and read. Proposals received after the time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

Envelopes must be plainly marked: Recreation & Parks

Bid for Purchase of Ball Diamond Clay Solicitation No. SA000302BGB in accordance with specifications or file in the Purchasing Office.

Joel Taylor, Finance Director

(7/20/02; 7/27/02)

**BID FOR PURCHASE OF HECKLER & KOCH TACTICAL PISTOLS**

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1st Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on August 1, 2002 and at that time will be publicly opened and read. Proposals received after the time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

Envelopes must be plainly marked: Police

Bid for Purchase of Heckler & Koch Tactical Pistols Solicitation No. SA000300DRM in accordance with specifications on file in the Purchasing Office.

Joel Taylor, Finance Director  
(7/20/02; 7/27/02)

**BID FOR POTHOLE PATCHING BODY**

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1st Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on AUGUST 1, 2002 and at that time will be publicly opened and read. Proposals received after the time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

Envelopes must be plainly marked: TRANSPORTATION DIVISION

Bid for POTHOLE PATCHING BODY Solicitation No. SA-000279 GRW in accordance with specifications on file in the Purchasing Office.

Joel Taylor, Finance Director  
(7/20/02; 7/27/02)

**BID OPENING DATE 08/08/02****BID FOR CRANE TRUCK**

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1st Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on AUGUST 8, 2002 and at that time will be publicly opened and read. Proposals received after the time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

Envelopes must be plainly marked: SEWERAGE & DRAINAGE

Bid for CRANE TRUCK Solicitation No. SA-000294 GRW in accordance with specifications on file in the Purchasing Office.

Joel Taylor, Finance Director  
(7/20/02; 7/27/02; 08/03/02)

**BID FOR DUMP TRUCK W/SALT SPREADER**

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1st Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on AUGUST 8, 2002 and at that time will be publicly opened and read. Proposals received after the time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

Envelopes must be plainly marked: DIVISION OF WATER

Bid for DUMP TRUCK w/SALT SPREADER Solicitation No. SA-000305 GRW in accordance with specifications on file in the Purchasing Office.

Joel Taylor, Finance Director  
(7/20/02; 7/27/02; 08/03/02)

**BIDS WANTED - OTHER DIVISIONS**

Each proposal shall contain the full name and address of every person, firm or corporation interested in the same, and if corporations, the name and address of the President and Secretary.

**EQUAL OPPORTUNITY CLAUSE:** Each responsive bidder shall submit, with its bid, a contract compliance certification number or a completed application for certification. Compliance with the provisions of Article I, Title 39, is a condition of the contract. Failure to comply with this Article may result in cancellation of the contract.

**WITHOLDING OF INCOME TAX:** All bidders are advised that in order for a contract to bind the City, each contract must contain the provisions found in Section 361.34 C.C.C. with regard to income taxes due or payable to the City of Columbus for wages, salaries and commissions paid to the contractor's employees as well as requiring those contractors to ensure that subcontractors withhold in a like manner.

**DELINQUENT PERSONAL PROPERTY TAX:** All bidders are charged with notice of Section 5719.042 of the Ohio Revised Code and agree that if this contract is awarded to them, the successful bidder, prior to the time the contract is entered into, will submit to the City Auditor the affidavit required by said section of the Ohio Revised Code. Said affidavit, when filed with City Auditor, is thereby incorporated into and made a part of this contract and no payment shall be made with respect to this contract unless such statement has been so incorporated as a part thereof.

**LOCAL CREDIT:** For all contracts except professional service contracts: In determining the lowest bid for purpose of awarding a contract not exceeding \$20,000.00, a local bidder shall receive a credit equal to five percent (5%) of the lowest bid submitted by a non-local bidder. In determining the lowest bid for purposes of awarding a contract in excess of \$20,000.00, a local bidder shall receive a credit equal to one percent (1%) or \$10,000.00, whichever is less, of the lowest bid submitted by a non-local bidder. A local bidder is a person, corporation or business which (a) has listed its principal place of business as being located within the corporation limits of the City of Columbus, or the County of Franklin in official documents filed with Secretary of State, State of Ohio, or a valid vendor's license which indicates its place of business is located within the corporation limits of the City of Columbus or County of Franklin.

**FOR COPIES OF ANY OF THE FOLLOWING BID PROPOSAL CALL (614) 645-7599**

**BID FOR DEPOSIT OF PUBLIC MONEY**

Notice is hereby given in accordance with Chapter 321 of the Columbus City Codes, 1959 to all banks, and building and loan or savings associations or companies situated in Franklin County, Ohio, whose application for deposit of public money has been approved by the Columbus Depository Commission that bids will be accepted by the City Treasurer for the deposit of inactive funds:

The City Treasurer will accept such bids by telephone (645-7727) or in person between the hours of 8:00 a.m. and 10:45 a.m. Monday through Friday. Such bids should specify the time span of the certificate of deposit, the rate of interest being offered, the amount of funds being bid upon, and the beginning and ending date for which said bid is applicable. By order of the Columbus Depository Commission.

THOMAS ISAACS, Chairman  
HUGH J. DORRIAN, Secretary  
JOEL S. TAYLOR, Member

**PROFESSIONAL SERVICES  
REQUEST FOR PROPOSAL (RFP)  
REQUEST FOR STATEMENT OF QUALIFICATIONS (RFSQ)**

**RFP LEGAL NOTICE  
PROPOSALS FOR AFTER SCHOOL PROGRAM SERVICES**

Sealed proposals for the following item will be received by the Office of Education at 90 W. Broad Street, Suite 108, Columbus, Ohio 43215, until five o'clock P.M. local time on August 23, 2002 and at that time will be publicly opened and read. Proposals received after the time of the opening will be returned to the offerer unopened. The City will not be responsible for late mail or other deliveries.

**PROPOSALS FOR AFTER SCHOOL PROGRAM SERVICES**

Copies of this bid proposal can be obtained by: Picking one up from our office between the hours of 9 a.m. and 5 p.m.: The Office of Education, 90 W. Broad Street, #108, Columbus, OH 43215

Or, by printing it off of the Office of Education web site. Our site can be located by going to the main City of Columbus site at [www.cityofcolumbus.org](http://www.cityofcolumbus.org) and choosing the Office of Education as your desired department site destination.

Each proposal shall contain the full name and address of every person, firm or corporation interested in the same, and if corporation, the name and address of the President and Secretary.

Equal Opportunity Clause: Each responsive bidder shall submit, with its bid, a contract compliance certification number or a completed application for certification. Compliance with the provisions of Article I, Title 39, is a condition of the contract. Failure to comply with this Article may result in a cancellation of the contract.

Withholding of Income Tax: All bidders are advised that in order for a contract to bind the City, each contract must contain the provisions found in Section 361.34 C.C.C. with regard to income taxes due or payable to the City of Columbus for wages, salaries and commissions paid to the contractor's employees as well as requiring those contractors to ensure that subcontractors withhold in a like manner.

Delinquent Personal Property Tax: All bidders are charged with notice of Section 5719.042 of the Ohio Revised Code and agree that if this contract is awarded to them, the successful bidder, prior to the time the contract is entered into, will submit to the City Auditor the affidavit required by said section of the Ohio Revised Code. Said affidavit, when filed with the City Auditor, is thereby incorporated into and made a part of this contract and no payment shall be made with respect to this contract unless such statement has been so incorporated as a part thereof.

Joel S. Taylor, Finance Director

(07/20/02)

<b>PUBLIC NOTICES</b>
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**NOTICE****2001-2002 MONTHLY MEETING SCHEDULE FOR THE VEHICLE FOR HIRE BOARD**

The Regular monthly meetings of the Columbus Vehicle for Hire Board will be scheduled for the last Thursday of every month at 10:00 a.m. The location of the meeting will be the License Section Conference Room at 240 Greenlawn Avenue, Columbus, Ohio 43223.

The Dates are as follows:

November 29, 2001  
 December 27, 2001  
 January 31, 2002  
 February 28, 2002  
 March 28, 2002  
 April 25, 2002  
 May 30, 2002  
 June 27, 2002  
 July 25, 2002  
 August 29, 2002  
 September 26, 2002  
 October 31, 2002  
 November 28, 2002  
 December 26, 2002

The VFHB will use reasonable efforts to hold its meetings in conformity with this schedule, but the VFHB reserves the right to change the date, time, or location of any meeting; or to hold additional meetings. To confirm meeting dates, please contact Lisa Davis, Recording Secretary, in the License Section Office at (614) 645-7471; or E-mail to [imdavis@cmhmetro.net](mailto:imdavis@cmhmetro.net).  
**(11/01; 12/02)**

**NOTICE****2001-2002 MONTHLY MEETING SCHEDULE FOR THE COLUMBUS CHARITABLE SOLICITATION BOARD**

The Regular monthly meetings of the Columbus Charitable Solicitations Board will be scheduled for the third Thursday of every month at 10:00 a.m., with the exception of February and March, which will be the second Thursday of the month at 10:00 a.m. The location of the meeting will be the License Section Conference Room at 240 Greenlawn Avenue, Columbus, Ohio 43223.

The Dates are as follows:

November 8, 2001 (Due to Holidays)  
 December 6, 2001 (Due to Holidays)  
 January 17, 2002  
 February 14, 2002  
 March 14, 2002  
 April 18, 2002  
 May 16, 2002  
 June 20, 2002  
 July 18, 2002  
 August – NO MEETING  
 September 19, 2002  
 October 17, 2002  
 November 7, 2002 (Due to Holidays)  
 December 5, 2002 (Due to Holidays)

The CSB will use reasonable efforts to hold its meetings in conformity with this schedule, but the CSB reserves the right to change the date, time, or location of any meeting; or to hold additional meetings. To confirm meeting dates, please contact Lisa Davis, Recording Secretary, in the License Section Office at (614) 645-7471

Applications can be obtained by mail: Charitable Solicitations Board; c/o License Section, 240 Greenlawn Avenue; Columbus, Ohio 43223; or phone (614) 645-7471; or E-mail to [imdavis@cmhmetro.net](mailto:imdavis@cmhmetro.net).  
**(11/01; 12/02)**

**OFFICIAL NOTICE**

**CIVIL SERVICE COMMISSION COMPETITIVE EXAMINATION ANNOUNCEMENTS  
 APPLY DAILY MONDAY THROUGH FRIDAY 8:00 A.M. TO 4:30 P.M.**

The Civil Service Commission continuously administers competitive examinations. Information regarding examinations, for which the Civil Service Commission is currently accepting applications, is posted at the Commission offices located at 50 West Gay Street, 6<sup>th</sup> Floor, Columbus, Ohio. **Please note that all visitors to the Beacon Building are required to produce a picture ID, authenticating their identity, in order to visit the applications area.** Interested applicants should regularly check this location for examination announcements. Also, please visit our website at [www.csc.cmhmetro.net](http://www.csc.cmhmetro.net)  
**(1/02; 12/02)**

**EXHIBIT A****NOTICE OF REGULAR MEETINGS COLUMBUS RECREATION AND PARKS COMMISSION**

The Recreation and Parks Commission, appointed and organized under the Charter of the City of Columbus, Section 112-1 is empowered to equip, operate, direct and maintain all the existing recreational and park facilities. In addition, said Commission exercised certain powers and duties as specified in Sections 112-1 and 112-2 of the Columbus City Charter.

Please take notice that meetings of the Recreation and Parks Commission will be held at the Recreation and Parks Operations Complex conference room 420 W. Whittier Street at 8:30 a.m. on the following dates (unless otherwise posted):

Wednesday, January 9, 2002  
 Wednesday, February 13, 2002  
 Wednesday, March 13, 2002  
 Wednesday, April 10, 2002  
 Wednesday, May 8, 2002  
 Wednesday, June 12, 2002  
 Wednesday, July 10, 2002  
 August Recess – No meeting  
 Wednesday, September 11, 2002  
 Wednesday, October 9, 2002  
 Wednesday, November 13, 2002  
 Wednesday, December 11, 2002

In the event no proper business exists the meeting may be cancelled without further notice. For further information you may contact the Recreation and Parks Department, 90 West Broad Street, Room 115, Columbus, Ohio 43215 (Telephone: [614] 645-3300).

Wayne A. Roberts, Director

(01/02; 12/02)

**NOTICE  
 MEETING SCHEDULE CITY OF COLUMBUS RECORDS COMMISSION**

The regular meetings of the City of Columbus Records Commission for the calendar year 2002 are scheduled as follows:

Monday, February 4, 2002  
 Monday, May 13, 2002  
 Monday, September 30, 2002

The location of these meetings will be City Hall, 90 West Broad Street, 2<sup>nd</sup> Floor, Mayor's Conference Room. They will begin promptly at 10:00 a.m.

Every effort will be made to adhere to the above schedule, but the City of Columbus Records Commission reserves the right to change the date, time or location of any meeting; or to hold additional meetings. To confirm meeting date, time and location or to obtain agenda information, contact the Office of the City of Columbus Records Commission Coordinator at (614) 645-8539.

(11/2001; 11/2002)

**PUBLIC HEARING  
BY COLUMBUS CITY COUNCIL**

The following Rezoning/Variance Ordinances will be heard by City Council on **Monday, July 29, 2002** at approximately 6:30 p.m. in Council Chambers, Second Floor, City Hall, 90 West Broad Street, Columbus, Ohio 43215.

- 1185-02**            To rezone **400 WILLIAMS ROAD (43207)**, being 1.04± acres located at the northeast corner of Williams Road and Parsons Avenue, From: L-C-1, Limited Commercial District and C-3, Commercial District, To: **Z01-089** CPD, Commercial Planned Development District.
- 1186-02**            To rezone **5040 POSTLEWAITE ROAD (43235)**, being 0.95± acres located on the east side of Postlewaite Road, 1000± feet north of Bethel Road, From: R, Rural District, To: R-2F, Residential District. **Z02-032**
- 1187-02**            To rezone **2690 WEST DUBLIN-GRANVILLE ROAD (43235)**, being 1.8± acres located on the north side of West Dublin-Granville Road, 100± feet west of Nicholas Drive, From: R, Rural District, To: L-C-2, Limited Commercial District. **Z02-019**
- 1188-02**            To grant a Variance from the provisions of Section 3367.01, M-2, Manufacturing District, for the property located at **3177 SCIOTO DARBY EXECUTIVE COURT (43221)**, to permit a dog boarding, exercise, grooming, and training facility with ancillary retail sales of dog care and maintenance products in the M-2, Manufacturing District. **CV02-043**
- 1189-02**            To grant a Variance from the provisions of Section 3355.02, C-4, Commercial District of Columbus City Codes, for the property located at **1212 NORTH SIXTH STREET (43201)**, to permit a single-family dwelling in the C-4, Commercial District. **CV02-012**
- 1190-02**            To grant a Variance from the provisions of Sections 3371.01(c), (f)(1-4), and (j) of the P-1, Parking District of Columbus City Codes; Section 3307.06, Special Permits, for the property located at **724 FRANKLIN AVENUE (43205)**, to permit a garage structure in the P-1, Private Parking District. **CV02-009**
- 1191-02**            To grant a Variance from the provisions of Sections 3332.039, R-4, Residential District Use; 3309.141, Basic Height District Established; 3332.15, R-4, Area District Requirements; 3332.19, Fronting; 3332.21, Building Lines; 3332.24, Side Yard; 3332.25, Maximum Side Yards Required; 3332.27, Rear Yard; 3342.09, Dumpster Area; 3342.17, Parking Lot Screening; 3342.18, Parking setback line; 3342.28(A)(5), Minimum Number of Parking Spaces Required of Columbus City Codes for the property located at **682 NORTH PEARL STREET (43215)**, to allow ground floor commercial uses and four upper-floor dwelling units with reduced development standards in the R-4, Residential District. **CV02-023**
- 1192-02**            To grant a Variance from the provisions of Section 3333.04, AR-O, Apartment Residential/Office District Use; Section 3342.28, Minimum Number of Parking Spaces Required, for the property located at **762 EAST MAIN STREET (43205)**, to permit a beauty salon with day spa with reduced parking in the AR-O, Apartment **CV02-010**

Residential District.

- 1193-02** To grant a Variance from the provisions of Section 3363.01, M, Manufacturing District; 3363.24, Building Lines  
**CV00-051A** in an M, Manufacturing District; 3342.15, Maneuvering; 3342.25, Vision Clearance; and 3342.28, Minimum  
 Number of Parking Spaces Required; for the property located at **100 LIBERTY STREET (43215)**, to permit  
 314 dwelling units with reduced development standards and off-street parking spaces in the M, Manufacturing  
 District.
- 1244-02** To grant a Variance from the provisions of Section 3353.01, C-2, Commercial District Use; 3311.10, Effect of  
**CV02-036** Registered Planned Unit Development District; and 3345.07, Contents of Application for Establishment of PUD, for  
 the property located at **6617 EAST BROAD STREET (43004)**, to permit a portion of a clubhouse building and  
 accessory parking in the L-C-2, Limited Commercial District and Maneuvering in the Required Perimeter Yard of the  
 PUD-8, Planned Unit Development District.

(07.20.02; 07.27.02)

**PUBLIC HEARING**  
**BY COLUMBUS CITY COUNCIL**

The following Rezoning/Variance Ordinances will be heard by City Council on **Monday, July 22, 2002** at approximately 6:30 p.m. in Council Chambers, Second Floor, City Hall, 90 West Broad Street, Columbus, Ohio 43215.

- 1129-02** To rezone **3744 GENDER ROAD (43110)**, being 28.9± acres located on the east side of Gender Road, 320±  
**Z02-026** feet north of Abbie Trails Drive, From: R, Rural District, To: L-AR-12, Limited Apartment Residential District.
- 1130-02** To amend Ordinance #2656-97 (Z97-092), passed November 24, 1997, for property located at **2770 WEST**  
**Z97-092A** **BROAD STREET (43204)**, by repealing Section 3 and adopting a revised Section 3 thereby allowing modified  
 curb ramp improvements and to declare an emergency.
- 1131-02** To amend Ordinance #1568-99 (CV99-016), passed July 12, 1999, for property located at **679 WEST**  
**CV99-016A** **SPRING STREET (43215)**, to permit an outdoor restaurant deck addition in the DD, Downtown District in the  
 Scioto River floodway and to declare an emergency.
- 0886-02** To rezone **9203 SOUTH OLD STATE ROAD (43035)**, being 0.93± acres located on the east side of South  
**Z01-085** Old State Road, 300± feet south of Polaris Parkway, From: R, Rural District, To: L-C-4, Limited Commercial  
 District.  
**(TABLED 6/24/02)**
- 0887-02** To rezone **9263 SOUTH OLD STATE ROAD (43035)**, being 1.01± acres located on the east side of South  
**Z01-079** Old State Road, 700± feet south of Polaris Parkway, From: R, Rural District, To: L-C-4, Limited Commercial  
 District.  
**(TABLED 6/24/02)**

(07.13.02; 07.20.02)

**APPEALS AGENDA**  
**BOARD OF ZONING ADJUSTMENT**  
**CITY OF COLUMBUS**  
**JULY 23, 2002**

The Columbus Board of Zoning Adjustment will hold a public hearing on the following applications on **TUESDAY, JULY 23, 2002 at 6:00 P.M.** in the First Floor Hearing Room of the Building Services Division Offices, 757 Carolyn Avenue.

The Board of Zoning Adjustment hears requests for Special Permits, Appeals and Variances to the requirements of the Columbus Zoning Code, Title 33, of the Columbus City Codes. The Board does not hear applications to amend the Official Zoning Map. Specific case information may be obtained by contacting the Building and Development Services Section, 757 Carolyn Avenue, 645-7314.

**SPECIAL NOTE TO THE APPLICANT:** It is important that you or your representative be present at the public hearing. It is the rule of the Board to dismiss an application when a representative is not present.

**SIGN LANGUAGE INTERPRETER:** An interpreter to "Sign" this meeting will be made available for anyone with a need for this service, provided the Building Services Division is made aware of this need and given a reasonable notice of at least four (4) hours prior to the scheduled meeting time. To schedule an interpreter, please contact the City of Columbus, Human Resources Department at 645-6373 or TDD 645-3293.

**THE FOLLOWING CASES WILL BE HEARD BEGINNING AT 6:00 P.M.:**

1. 02312-00007  
 3445 SOUTH HIGH STREET  
 Council of South Side Organizations  
 C-4, Commercial

To appeal a determination of the Director in the administration of the Zoning Code for:

1. 3378.04, Spacing requirements.

**Code Enforcement Officer:** Brad Jones

**Code Enforcement Officer Phone:** 645-1984

**Appellant:** Outlook Media, Inc., Attn: Harkley Thornton, 5401 S. Kirkman Rd., Ste # 680, Orlando, Florida 32819

**Owner:** Allen W. McHugh, 3445 S. High St., Columbus, Ohio 43207

**Attorney/Agent:** Jackson B. Reynolds III c/o Smith & Hale, 37 W. Broad St., Suite 725, Columbus, Ohio 43215  
(07/13/02; 07/20/02)

**AGENDA  
BOARD OF ZONING ADJUSTMENT  
CITY OF COLUMBUS, OHIO  
JULY 23, 2002**

The Columbus Board of Zoning Adjustment will hold a public hearing on the following applications on **TUESDAY, JULY 23, 2002 at 6:00 P.M.** in the First Floor Hearing Room of the Building Services Division, 757 Carolyn Avenue.

The Board of Zoning Adjustment hears requests for Special Permits, Appeals and Variances to the requirements of the Columbus Zoning Code, Title 33, of the Columbus City Codes. The Board does not hear applications to amend the Official Zoning Map. Specific case information may be obtained by contacting the Building Services Division, 757 Carolyn Avenue, 645-7314.

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**THE FOLLOWING CASES WILL BE HEARD BEGINNING AT 6:00 P.M.:**

**PRELIMINARY MATTERS (RECONSIDERATION REQUESTS):**

2. **ODS No.:** 02310-00022  
**Location:** 4274 CLEVELAND AVENUE (43224), located on the east side of Cleveland Avenue, 1,060± feet south of Morse Road.  
**Area Comm./Civic:** Northland Community Council  
**Existing Zoning:** SR, Suburban Residential and R-1, Residential District  
**Request:** Variance(s) to Section(s):
  1. 3332.38, Private garage  
To increase the lot area devoted to private garage from 720 square feet to 1,440 square feet.**Proposal:** To construct a 1,200 square-foot garage in addition to an existing 240 square-foot one-car attached garage.  
**Applicant(s):** Daryl & Michelle Oliver  
4274 Cleveland Av.  
Columbus, OH 43224  
**Property Owner(s):** Applicants
  
3. **ODS No.:** 02310-00023  
**Location:** 481 EAST SYCAMORE STREET (43206), located on the south side of East Sycamore Street, 160± feet west of Washington Avenue.  
**Area Comm./Civic:** Council of Southside Organizations and Schumacher Place Civic Association  
**Existing Zoning:** R-2F, Residential District  
**Request:** Variance(s) to Section(s):
  1. 3332.25, Maximum side yards required  
To reduce the sum of the widths of each side yard from 20% (8 feet) of the width of the lot to not less than 5%, or 2 feet.
  2. 3332.26, Minimum side yard permitted  
To reduce the minimum side yard from 3 feet to 2 feet along the east side of the dwelling for the deck only.**Proposal:** To construct a foyer entrance and family room addition to the east side of the dwelling and allow an existing deck that was built without a permit.  
**Applicant(s):** Julie Van De Mark  
481 E. Sycamore St.  
Columbus, OH 43206  
**Property Owner(s):** Applicant
  
4. **ODS No.:** 02310-00028  
**Location:** 518 EAST BECK STREET (43206), located on the north side of East Beck Street, 420± feet west of Parsons Avenue.  
**Area Comm./Civic:** Council of Southside Organizations and Schumacher Place Civic Association  
**Existing Zoning:** R-2F, Residential District  
**Request:** Variance(s) to Section(s):
  1. 3332.05, Area District lot width requirements  
To reduce the width of each of four proposed lots from 50 feet to not less than 39 feet.
  2. 3332.14, R-2F Area District requirements  
To reduce the lot area of each of four proposed lots from 6,000 square feet to not less than 2,789 square feet.
  3. 3332.19, Fronting  
To allow each of two proposed lots to be developed with a dwelling that will not front upon a public street (South Lane Street is an alley).
  4. 3332.21, Building lines  
To reduce the building line from 10 feet to 3 feet for each of two proposed lots along East Beck Street.

5. 3332.30, Vision clearance  
To reduce the clear vision area from 12 feet to 3 feet at vehicular access points along East Beck Street.
  6. 3332.33, Private access and parking requirements  
To not provide for private access to off-street parking facilities for each of four proposed lots to allow shared driveways.
  7. 3342.06, Aisle  
To reduce the width of an aisle serving adjacent parking spaces from 20 feet to 16 feet for each of four proposed lots to allow shared driveways and maneuvering areas that straddle property lines.
  8. 3342.08, Driveway  
To reduce the width of a residential driveway from 10 feet to 7 feet for each of four proposed lots to allow shared driveways that straddle property lines.
- Proposal:** To create four lots from two parcels and develop each of the four lots with a single-family home and detached two-car garage.
- Applicant(s):** Gary D. and Cecelia F. Phillips c/o Donald T. Plank  
Shuler, Plank & Brahm, 145 E. Rich St.  
Columbus, OH 43215
- Property Owner(s):** Applicants

**NEW CASES:**

5. **ODS No.:** 02310-00030  
**Location:** 317 JACKSON STREET (43206), located on the south side of Jackson Street, 100± feet east of South 6th Street.  
**Area Comm./Civic:** German Village Commission  
**Existing Zoning:** R-2F, Residential District  
**Request:** Variance(s) to Section(s):
  1. 3332.26, Minimum side yard permitted  
To reduce the minimum side yard from 3 feet to 1.5 feet along the east and west sides of a detached garage.

**Proposal:** To construct a two-car detached garage.

**Applicant(s):** Brett Leukart  
317 Jackson St.  
Columbus, OH 43206

**Property Owner(s):** Applicant
6. **ODS No.:** 02310-00031  
**Location:** 1689 WEST WIND LANE (43223), located on the west side of West Wind Lane, 100± feet south of Ripplebrook Road.  
**Area Comm./Civic:** Greater Hilltop Area Commission  
**Existing Zoning:** R-2, Residential District  
**Request:** Variance(s) to Section(s):
  1. 3332.21, Building lines  
To reduce the platted building line from 25 feet to zero along West Wind Lane.
  2. 3332.30, Vision clearance  
To reduce clear vision at an abutting vehicular access point.

**Proposal:** To allow an existing above-ground swimming pool that was installed without zoning clearance or a building permit to remain in the required front yard.

**Applicant(s):** Glenn & Priscilla Curnutte  
1689 West Wind Ln.  
Columbus, OH 43223

**Property Owner(s):** Applicants
7. **ODS No.:** 02310-00032A  
**Location:** 98-116 EAST 2ND AVENUE (LOT A) (43212), located at the northwest corner of East 2nd Avenue and Summit Street.  
**Area Comm./Civic:** Italian Village Commission  
**Existing Zoning:** R-4, Residential District  
**Request:** Variance(s) to Section(s):
  1. 3332.05, Area District lot width requirements  
To reduce the width of a lot from 50 feet to 35.875 feet.
  2. 3332.15, R-4 Area District requirements  
To reduce the lot area from 6,000 square feet to 3,685 square feet.
  3. 3332.25, Maximum side yards required  
To reduce the sum of the widths of each side yard from 20% of the width of the lot (7.175 feet) to not less than 18%, or 6 feet 8 inches.
  4. 3332.26, Minimum side yard permitted  
To reduce the minimum side yard from 5 feet to 3 feet 4 inches along both sides of the dwelling.
  5. 3342.06, Aisle  
To reduce the width of an aisle serving an adjacent parking space from 20 feet to 10 feet.

**Proposal:** To construct a two-story two-family dwelling, a two-car detached garage and two surface parking spaces.

**Applicant(s):** Juliet Bullock, Behal Sampson Dietz  
990 W. 3rd Av.  
Columbus, OH 43212

**Property Owner(s):** Rob Blunk  
2380 Farleigh Rd.  
Columbus, OH 43221

- 8. ODS No.: 02310-00032B**  
**Location:** 98-116 EAST 2ND AVENUE (LOT B) (43212), located at the northwest corner of East 2nd Avenue and Summit Street.

**Area Comm./Civic:** Italian Village Commission

**Existing Zoning:** R-4, Residential District

**Request:** Variance(s) to Section(s):

1. 3332.05, Area District lot width requirements  
To reduce the width of a lot from 50 feet to 36 feet.
2. 3332.15, R-4 Area District requirements  
To reduce the lot area from 6,000 square feet to 3,696 square feet.
3. 3332.25, Maximum side yards required  
To reduce the sum of the widths of each side yard from 20% of the width of the lot (7.2 feet) to not less than 18%, or 6 feet 8 inches.
4. 3332.26, Minimum side yard permitted  
To reduce the minimum side yard from 5 feet to 3 feet 4 inches along both sides of the dwelling.
5. 3342.06, Aisle  
To reduce the width of an aisle serving an adjacent parking space from 20 feet to 10 feet.

**Proposal:** To construct a two-story two-family dwelling, a two-car detached garage and two surface parking spaces.

**Applicant(s):** Juliet Bullock, Behal Sampson Dietz  
990 W. 3rd Av.  
Columbus, OH 43212

**Property Owner(s):** Rob Blunk  
2380 Farleigh Rd.  
Columbus, OH 43221

- 9. ODS No.: 02310-00032C**  
**Location:** 98-116 EAST 2ND AVENUE (LOT C) (43212), located at the northwest corner of East 2nd Avenue and Summit Street.

**Area Comm./Civic:** Italian Village Commission

**Existing Zoning:** R-4, Residential District

**Request:** Variance(s) to Section(s):

1. 3332.05, Area District lot width requirements  
To reduce the width of a lot from 50 feet to 35.97 feet.
2. 3332.15, R-4 Area District requirements  
To reduce the lot area from 6,000 square feet to 3,702 square feet.
3. 3332.25, Maximum side yards required  
To reduce the sum of the widths of each side yard from 20% of the width of the lot (7.19± feet) to not less than 18%, or 6 feet 8 inches.
4. 3332.26, Minimum side yard permitted  
To reduce the minimum side yard from 5 feet to 3 feet 4 inches along both sides of the dwelling.
5. 3342.28, Minimum number of parking spaces required  
To reduce the number of off-street parking spaces required from 4 to 3.
6. 3342.08, Driveway  
To reduce the width of a driveway from 10 feet to 4.5 feet where it straddles the property line.
7. 3342.19, Parking space  
To reduce the width of one parking space from 9 feet to 3 feet at the closest point where it straddles the property line.

**Proposal:** To construct a two-story two-family dwelling, a two-car detached garage and one surface parking space.

**Applicant(s):** Juliet Bullock, Behal Sampson Dietz  
990 W. 3rd Av.  
Columbus, OH 43212

**Property Owner(s):** Rob Blunk  
2380 Farleigh Rd.  
Columbus, OH 43221

- 10. ODS No.: 02310-00032D**  
**Location:** 98-116 EAST 2ND AVENUE (LOT D) (43212), located at the northwest corner of East 2nd Avenue and Summit Street.

**Area Comm./Civic:** Italian Village Commission

**Existing Zoning:** R-4, Residential District

**Request:** Variance(s) to Section(s):

1. 3332.15, R-4 Area District requirements  
To reduce the lot area from 4,500 square feet to 4,218 square feet.
2. 3332.25, Maximum side yards required  
To reduce the sum of the widths of each side yard from 16 feet to not less than 13 feet.
3. 3332.26, Minimum side yard permitted  
To reduce the minimum side yard from 5 feet to 3 feet 4 inches along the north side of the dwelling.

4. 3332.21, Building lines  
To reduce the building line from 10 feet to 3 feet along Summit Street.
5. 3332.30, Vision clearance  
To reduce the clear vision triangle at an intersection.
6. 3342.08, Driveway  
To reduce the width of a driveway from 10 feet to 4.5 feet where it straddles the property line.
7. 3342.19, Parking space  
To reduce the width of a parking space from 9 feet to 4 feet at the closest point where it straddles the property line.
8. 3342.28, Minimum number of parking spaces required  
To reduce the number of off-street parking spaces required from 6 to 4.
- Proposal:** To construct a three-story three-family dwelling, a three-car detached garage and one surface parking space.  
**Applicant(s):** Juliet Bullock, Behal Sampson Dietz  
990 W. 3rd Av.  
Columbus, OH 43212
- Property Owner(s):** Rob Blunk  
2380 Farleigh Rd.  
Columbus, OH 43221
- 11. ODS No.: 02310-00033**  
**Location:** 4567 NORTH GATE (43054), located at the northwest corner of North Gate and Chiswick Court  
**Area Comm./Civic:** Rocky Fork-Blacklick Accord Implementation Panel  
**Existing Zoning:** PUD-4, Planned Unit Development District  
**Request:** Variance(s) to Section(s):
1. 3345.17, Private garages  
To increase the height of a detached private garage from 15 feet to 37 feet.
2. 3345.17, Private garages  
To increase the lot area devoted to a private garage from 1,689 square feet to 1,966 square feet.
3. 3345.17, Private garages  
To increase the number of parking spaces provided in garages from 2 to 5.
4. 3345.17, Private garages  
To allow habitable space in a detached garage.
- Proposal:** To construct a 1,120 square foot combination detached two-car garage with a workshop and a half-bath, in addition to an existing 846 square foot, three-car detached garage.  
**Applicant(s):** Tuckerman Development  
64 E. Broad St.  
Columbus, OH 43215
- Property Owner(s):** Gerald A. & Judy A. Lacko  
4567 North Gate  
New Albany, OH 43054
- 12. ODS No.: 02310-00034**  
**Location:** 98 EAST MAYNARD AVENUE (43202), located at the northeast corner of East Maynard and Findley Avenues.  
**Area Comm./Civic:** University Area Commission  
**Existing Zoning:** R-2F, Residential District  
**Request:** Variance(s) to Section(s):
1. 3332.30, Vision clearance  
To reduce the clear vision at a vehicular access point.
2. 3342.18, Parking setback line  
To reduce the parking setback line from 10 feet to zero along Findley Avenue.
- Proposal:** To construct a 22 ft. X 28 ft. concrete parking pad in the rear yard.  
**Applicant(s):** Gerald L. & Shawn E. Fiegelist  
98 E. Maynard Av.  
Columbus, OH 43202
- Property Owner(s):** Applicants
- THE FOLLOWING CASES WILL NOT BE HEARD BEFORE 7:00 P.M.:**
- 13. ODS No.: 02310-00035**  
**Location:** 4101 REFUGEE ROAD (43232), located on the south side of Refugee Rd., approximately 1/4 mile west of I-270.  
**Area Comm./Civic:** Southeast Community Coalition  
**Existing Zoning:** C-4, Commercial District  
**Request:** Variance(s) to Section(s):
1. 3342.28, Minimum number of parking spaces required.  
To reduce the required number of parking spaces from 185 to 0.
- Proposal:** To convert an existing commercial store with 424 existing parking spaces into a night club/live rodeo entertainment facility.  
**Applicant(s):** Chris Vallette, c/o DSA Architects  
1277 Worthington Woods Blvd.  
Worthington, OH 43085
- Property Owner(s):** Ersco Ltd., LLC  
571 S. Third Street  
Columbus, OH 43215

- 14. ODS No.: 02310-00036**  
**Location:** 5601 WARNER ROAD (43081), located on the south side of Warner Road, 1000± feet west of Harlem Road.  
**Area Comm./Civic:** Rocky Fork-Blacklick Accord Implementation Panel  
**Existing Zoning:** L-AR-12, Limited-Apartment Residential District  
**Request:** Variance(s) to Section(s):
1. 3370.10, Affect of the approved Development Plan  
To reduce the west perimeter building setback from 75 feet to 45 feet for a club house.
  2. 3370.10, Affect of the approved Development Plan  
To reduce the west perimeter building setback from 75 feet to 65 feet for condominium buildings.
  3. 3370.10, Affect of the approved Development Plan  
To reduce the west and north perimeter parking/maneuvering setback from 50 feet to 25 feet.
  4. 3370.10, Affect of the approved Development Plan  
To reduce the north perimeter building setback from 75 feet to 70 feet.
- Proposal:** To construct an 88-unit condominium complex.  
**Applicant(s):** Triangle Real Estate Services, Inc. c/o Donald T. Plank, Esq.  
Shuler, Plank & Brahm, 145 E. Rich St.  
Columbus, OH 43215  
**Property Owner(s):** Albany Commons Ltd. c/o Donald T. Plank, Esq.  
Shuler, Plank & Brahm, 145 E. Rich St.  
Columbus, OH 43215
- 15. ODS No.: 02310-00037A**  
**Location:** 48 EAST RUSSELL STREET (LOT 1) (43215), located on the north side of East Russell Street, 100± feet west of Kerr Street.  
**Area Comm./Civic:** Italian Village Commission  
**Existing Zoning:** R-4, Residential District  
**Request:** Variance(s) to Section(s):
1. 3332.21, Building lines  
To reduce the building line from 10 feet to 5 feet along East Russell Street.
  2. 3332.25, Maximum side yards required  
To reduce the sum of the widths of each side yard from 20% of the width of the lot (10.15 feet) to not less than 11%, or 6 feet.
  3. 3332.26, Minimum side yard permitted  
To reduce the minimum side yard from 5 feet to 3 feet along both sides of the dwelling.
- Proposal:** To construct a two-story three-family dwelling.  
**Applicant(s):** Richard J. Bruggeman c/o Donald T. Plank, Esq.  
Shuler, Plank & Brahm, 145 E. Rich St.  
Columbus, OH 43215  
**Property Owner(s):** Applicant
- 16. ODS No.: 02310-00037B (OPTION 1)**  
**Location:** 48 EAST RUSSELL STREET (LOT 2) (43215), located on the north side of East Russell Street, 100± feet west of Kerr Street.  
**Area Comm./Civic:** Italian Village Commission  
**Existing Zoning:** R-4, Residential District  
**Request:** Variance(s) to Section(s):
1. 3332.05, Area District lot width requirements  
To reduce the width of a lot from 50 feet to 25 feet 4-1/2 inches.
  2. 3332.15, R-4 Area District requirements  
To reduce the lot area from 6,000 square feet to 3,248 square feet.
  3. 3332.18, Basis of computing area  
To allow the depth of the lot to exceed three times the width for calculating area for density purposes.
  4. 3332.25, Maximum side yards required  
To reduce the sum of the widths of each side yard from 20% of the width of the lot (5.075 feet) to not less than 11%, or 3 feet.
  5. 3332.26, Minimum side yard permitted  
To reduce the minimum side yard from 3 feet to 0 feet along the party wall.
  6. 3332.33, Private access and parking requirements  
To not provide for private access to on-site parking facilities.
- Proposal:** To construct two, two-story attached two-family dwellings.  
**Applicant(s):** Richard J. Bruggeman c/o Donald T. Plank, Esq.  
Shuler, Plank & Brahm, 145 E. Rich St.  
Columbus, OH 43215  
**Property Owner(s):** Applicant
- 17. ODS No.: 02310-00037C (OPTION 1)**  
**Location:** 48 EAST RUSSELL STREET (LOT 3) (43215), located on the north side of East Russell Street, 100± feet west of Kerr Street.  
**Area Comm./Civic:** Italian Village Commission  
**Existing Zoning:** R-4, Residential District

- Request:** Variance(s) to Section(s):
1. 3332.05, Area District lot width requirements  
To reduce the width of a lot from 50 feet to 25 feet 4-1/2 inches.
  2. 3332.15, R-4 Area District requirements  
To reduce the lot area from 6,000 square feet to 3,248 square feet.
  3. 3332.18, Basis of computing area  
To allow the depth of the lot to exceed three times the width for calculating area for density purposes.
  4. 3332.25, Maximum side yards required  
To reduce the sum of the widths of each side yard from 20% of the width of the lot (5.075 feet) to not less than 11%, or 3 feet.
  5. 3332.26, Minimum side yard permitted  
To reduce the minimum side yard from 3 feet to 0 feet along the party wall.
  6. 3332.33, Private access and parking requirements  
To not provide for private access to on-site parking facilities.
- Proposal:** To construct two, two-story attached two-family dwellings.  
**Applicant(s):** Richard J. Bruggeman c/o Donald T. Plank, Esq.  
Shuler, Plank & Brahm, 145 E. Rich St.  
Columbus, OH 43215
- Property Owner(s):** Applicant
18. **ODS No.:** 02310-00037C (OPTION 2)  
**Location:** 48 EAST RUSSELL STREET (LOTS 2 & 3) (43215), located on the north side of East Russell Street, 100± feet west of Kerr Street.  
**Area Comm./Civic:** Italian Village Commission  
**Existing Zoning:** R-4, Residential District  
**Request:** Variance(s) to Section(s):
1. 3332.15, R-4 Area District requirements  
To reduce the lot area from 10,000 square feet to 6,496 square feet.
  2. 3332.25, Maximum side yards required  
To reduce the sum of the widths of each side yard from 20% of the width of the lot (10.15 feet) to not less than 11%, or 6 feet.
  3. 3332.26, Minimum side yard permitted  
To reduce the minimum side yard from 5 feet to 3 feet along both sides of the dwelling.
  4. 3332.33, Private access and parking requirements  
To not provide for private access to on-site parking facilities.
- Proposal:** To construct a two-story four-family dwelling.  
**Applicant(s):** Richard J. Bruggeman c/o Donald T. Plank, Esq.  
Shuler, Plank & Brahm, 145 E. Rich St.  
Columbus, OH 43215
- Property Owner(s):** Applicant
19. **ODS No.:** 02310-00037E  
**Location:** 48 EAST RUSSELL STREET (LOT 4) (43215), located on the north side of East Russell Street, 100± feet west of Kerr Street.  
**Area Comm./Civic:** Italian Village Commission  
**Existing Zoning:** R-4, Residential District  
**Request:** Variance(s) to Section(s):
1. 3332.15, R-4 Area District requirements  
To reduce the lot area from 7,500 square feet to 5,868 square feet.
  2. 3332.19, Fronting  
To allow a dwelling to not front upon a public street (Brickel Street is an alley).
  3. 3332.25, Maximum side yards required  
To reduce the sum of the widths of each side yard from 16 feet to 6 feet.
  4. 3332.26, Minimum side yard permitted  
To reduce the minimum side yard from 5 feet to 3 feet along both sides of the proposed dwelling.
  5. 3332.27, Rear yard  
To reduce the rear yard from 25% of the total lot area to 21%.
- Proposal:** To construct a two-story three-family dwelling.  
**Applicant(s):** Richard J. Bruggeman c/o Donald T. Plank, Esq.  
Shuler, Plank & Brahm, 145 E. Rich St.  
Columbus, OH 43215
- Property Owner(s):** Applicant
20. **ODS No.:** 02310-00038  
**Location:** 801 HAMLET STREET (43215), located on the west side of Hamlet Street, 195± feet north of Warren Street.  
**Area Comm./Civic:** Italian Village Commission  
**Existing Zoning:** R-4, Residential District  
**Request:** Variance(s) to Section(s):
1. 3332.26, Minimum side yard permitted  
To reduce the minimum side yard from 3 feet to 1 foot along both sides of a detached garage.
- Proposal:** To construct a two-car detached garage.

- Applicant(s):** Michael Ruckel  
801 Hamlet St.  
Columbus, OH 43215
- Property Owner(s):** Applicant
- 21. ODS No.:** **02310-00039**
- Location:** **1127-1129 NORTH HIGH STREET (43201)**, located on the west side of High St., 40.82 feet north of W. 4th Ave.
- Area Comm./Civic:** Victorian Village
- Existing Zoning:** C-4, Commercial District
- Request:** Variance(s) to Section(s):
1. 3342.08, Driveway.  
To reduce the required width of a driveway from 20 feet to 10 feet as access to a commercial parking lot from an alley.
  2. 3342.15, Maneuvering.  
To not provide for maneuvering area to access parking for 5 parking spaces of an adjoining parcel.
  3. 3342.28, Minimum number of parking spaces required.  
To reduce the required number of parking spaces from 105 to 26 (67 spaces).
  4. 3342.29, Minimum number of loading spaces required.  
To reduce the required number of loading spaces from 1 to 0.
  5. 3309.14, Height districts.  
To permit the overall height of a building to exceed 35 feet, to be 54 feet (19 feet).
  6. 3342.19, Parking space.  
To reduce the required width of four (4) parking spaces from 9 feet to 8.5 feet.
- Proposal:** To construct a four-story building with ground level commercial uses, and 20 dwelling units on the second, third, and fourth floors.
- Applicant(s):** Lakota Investment Co., Ltd., c/o Donald T. Plank, Esq.  
145 East Rich Street  
Columbus, OH 43215
- Property Owner(s):** Applicant
- 22. ODS No.:** **02310-00040**
- Location:** **307 EAST 1ST AVENUE (43201)**, located on Civitas Ave., between Auden Ave. and Cornelius St. (undeveloped streets), one block south of E. 1st Ave.
- Area Comm./Civic:** Italian Village
- Existing Zoning:** M, Manufacturing District
- Request:** Variance(s) to Section(s):
1. 3363.24, Building lines in an M-manufacturing district.  
To reduce the required building setback from 5 feet to 0 feet.
  2. 3342.28, Minimum number of parking spaces required.  
To reduce the required number of parking spaces from 60 to 30.
- Proposal:** To construct two, mixed-use buildings with a reduced building setback of 5 feet and reduced parking requirement by 50% to 60 spaces through a Council Variance containing residential, commercial and parking uses with a reduced building setback along Civitas Ave., only to 0 feet and reduced parking to 30 spaces.
- Applicant(s):** Concorde Capital Corporation, c/o Donald T. Plank, Esq.  
145 East Rich Street  
Columbus, OH 43215
- Property Owner(s):** Waterford Limited Partnership, c/o Donald T. Plank, Esq.  
145 East Rich Street  
Columbus, OH 43215
- 23. ODS No.:** **02310-00041**
- Location:** **3899 ASTOR AVENUE (43227)**, located on the south side of Astor Avenue at the terminus of Dillon Drive.
- Area Comm./Civic:** None
- Existing Zoning:** R-2, Residential District
- Request:** Variance(s) to Section(s):
1. 3342.06, Aisle  
To reduce the width of an aisle serving an adjacent parking space from 20 feet to 15.5 feet.
- Proposal:** To construct a sunroom addition to the rear of the dwelling on top of an existing concrete slab.
- Applicant(s):** Ohio Energy Contractors  
40 W. 1st Av.  
Columbus, OH 43201
- Property Owner(s):** Vicki Stout & Christopher McPheters  
3899 Astor Av.  
Columbus, OH 43227
- 24. ODS No.:** **02311-00002**
- Location:** **8270 SANCUS BOULEVARD (43081)**, located at the southeast corner of Lazelle Rd. and Sancus Blvd.
- Area Comm./Civic:** Far North Columbus Community Coalition
- Existing Zoning:** CPD, Commercial Planned Development District
- Request:** Special Permit(s) to Section(s):
1. 3389.03, Field, park or arcade.  
To allow up to 10 devices or attractions as an arcade use, ancillary to a primary use as a bar.
- Proposal:** To permit the establishment of up to 10 coin-/token-activated devices and/or attractions as an ancillary use to a bar.

**Applicant(s):** Executive Hair Design, Inc., dba Club Polaris, c/o Todd H. Neuman, Esq.  
10 W. Broad Street, Ste. 2400  
Columbus, OH 43215

**Property Owner(s):** Sancus/Lazelle Properties, LLC  
P. O. Box 165  
Dublin, OH 43017

**HOLDOVER CASE:**

25. **ODS No.:** 02310-00026
- Location:** 705 MCNAUGHTEN ROAD (43213), located on the west side of McNaughten Road, 3,600± feet north of East Main Street.
- Area Comm./Civic:** None
- Existing Zoning:** R-2F, Residential District and SR, Suburban Residential District
- Request:** Variance(s) to Section(s):
1. 3332.05, Area District lot width requirements  
To reduce the width of lots in the SR, Suburban Residential District located on a cul-de-sac or curved street from 50 feet to not less than 17 feet at the front only.
  2. 3332.05, Area District lot width requirements  
To reduce the width of lots in the R-2F, Residential District from 50 feet to 40 feet; and to reduce the width of lots located on a cul-de-sac or curved street from 40 feet to not less than 23 feet at the front only.
  3. 3332.10, SR Area District requirements  
To reduce the area of lots in the SR, Suburban Residential District from 7,200 square feet to not less than 5,557 square feet.
  4. 3332.14, R-2F Area District requirements  
To reduce the area of lots in the R-2F, Residential District from 6,000 square feet to not less than 5,200 square feet.
  5. 3332.18, Basis of computing area  
To allow more than three times the lot width to be counted toward area for density purposes.
  6. 3332.21, Building lines  
To reduce the building line from 25 feet to 20 feet for all lots in the subdivision.
  7. 3332.25, Maximum side yards required  
To reduce the maximum side yards required from 20% of the width of the lot to a minimum percentage that will maintain the required side yard of 5 feet.
  8. 3332.26, Minimum side yard permitted  
To reduce the minimum side yard from 5 feet to 0 feet along the party wall of attached dwelling units, and along alternating sides of each detached dwelling.
  9. 3342.18, Parking setback line  
To reduce the parking setback line for 9 lots adjacent to I-270 (Lots 48A - 52B) from 25 feet to 5 feet.
  10. 3332.33, Private access and parking requirements  
To not provide for private access to off-street parking facilities for several proposed lots in the subdivision.
- Proposal:** To construct a single-family subdivision consisting of attached and detached dwellings.
- Applicant(s):** Morrone-O'Keefe McNaughten Hills Development Co. LLC  
c/o Donald T. Plank, Esq., Shuler, Plank & Brahm, 145 E. Rich St.  
Columbus, OH 43215
- Property Owner(s):** Applicant  
(07/13/02; 07/20/02)

**NOTICE OF MEETING CANCELLATION  
GERMAN VILLAGE COMMISSION**

Please note that the August 6, 2002 regular meeting of the German Village Commission is canceled because of lack of a quorum. The next regular meeting of the German Village Commission is scheduled for September 10, 2002.

If there are any questions regarding this notice, please call the Historic Preservation Office at 645-7964 or 645- 8635.  
(07/20/02; 07/27/02)

**CHANGES IN YOUR 1959 COLUMBUS CITY CODE****ORD. NO. 1092-02**

To repeal the current Chapter 4117 and amend Sections 3381.18, 4114.515, 4114.707 and 4114.931 of the Columbus City Codes, 1959, by replacing current Chapter 4117 - "Certificate of Occupancy" with a revised version which correctly reflects the new "One-Stop-Shop" initiative changes including changes in the Ohio Building Code, and to make necessary corrections in specific Sections of Chapters 3381 and 4114.

WHEREAS, the Department of Development's, Building Services Division is required to issue certificates of occupancy; and

WHEREAS, these certificates of occupancy are issued for a building or structure that has been altered, constructed or renovated; and

WHEREAS, such a certificate indicates that such building or structure is safe for occupancy as a result of compliance to the model code used for its alteration, construction or renovation; and

WHEREAS, the 2002 Ohio Building Code has incorporated changes that require changes to be made in Chapter 4117 for conformity to such code; and

Whereas, the "One-Stop-Shop" initiative promulgated changes to the Department's fee schedule that need to be correctly interpreted for the issuance of certificates of occupancy; and

WHEREAS, typographic errors in Columbus City Code Sections 3381.18, 4114.515, 4114.707 and 4114.913 need to be corrected so these sections of Chapter 3381 and Chapter 4114 dealing with the same subject read alike; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS**

Section 1. That the Columbus City Codes, 1959, are hereby supplemented by the enactment of new Chapter 4117, "Certificates of Occupancy," consisting of eight (8) sections oddly numbered 4117.01 through 4117.15 reading as follows:

**4117.01 Certificate of occupancy required.**

(A) No building or structure as defined in C.C. Chapter 4101, or the Ohio Building Code (OBC), Chapter 4101:1-2-02 - "Section 202 Definitions", that has been newly constructed or that has been enlarged, extended or altered, and/or where the existing use or occupancy classification of any such building or structure or portion thereof has been changed shall be used or occupied, in whole or in part, until the Chief Building Official has issued either of the following:

- (1) a temporary certificate of occupancy; or
- (2) a certificate of occupancy.

(B) Whenever it is discovered that any building or structure has been occupied without either a properly-issued temporary certificate of occupancy or a certificate of occupancy, the Chief Building Official, or designee, shall be authorized to make a records check and issue a notice in writing to be served on any person doing or causing such occupancy. This notice shall require immediate vacation of the building or structure and declare that all necessary steps must be taken to secure either of the following:

- (1) a temporary certificate of occupancy; or
- (2) a certificate of occupancy.

**4117.03 Change in use or occupancy.**

Changes in the character, use or occupancy of a building or structure shall only be made in compliance with the applicable codes specified in C.C. Section 4103.03 and the approval of the Chief Building Official.

**4117.05 Certificate of occupancy issuance.**

The issuance of a certificate of occupancy shall require the pre-approval of all trade(s) or craft(s) that require permits and inspections before the certificate's issuance unless waived by the Chief Building Official. It shall also require the building or structure to comply with all Building Code provisions applicable to the building or structure and the terms and conditions of the building permit. Upon verification of these facts, the Chief Building Official may issue a certificate of occupancy.

(A) For any building or structure governed by the Ohio Building Code (OBC), that is newly constructed or which has been enlarged, extended or altered, in whole or in part, the issuance of a certificate of occupancy by the Chief Building Official shall comply with OBC Section 4101:1-1-10 - "Section 110 Certificate of Occupancy."

(B) For any building or structure not governed by the Ohio Building Code (OBC), that is newly constructed or which has been enlarged, extended or altered, in whole or in part, the Chief Building Official, or designee, may issue a certificate of occupancy. The certificate of occupancy shall contain a statement that indicates the building or structure complies with the provisions of this Building Code for such building or structure.

4117.07 Temporary Certificate of occupancy issuance.

(A) Requests for a temporary certificate of occupancy shall be considered on a case-by-case basis. All health and safety related items must be completed and approved including, but not limited to, any site improvements deemed

necessary for adequate safety and welfare and, therefore, are prerequisites for consideration for the issuance of a temporary certificate of occupancy.

(B) Upon the request of the owner or the owner's representative, for any building or structure governed by the Ohio Building Code (OBC), that is newly constructed or which has been enlarged, extended or altered, in whole or in part, the Chief Building Official may issue a temporary certificate of occupancy. Such temporary certificate of occupancy shall be in strict compliance with OBC Section 4101:1-1-10- "Section 110 Certificate of Occupancy", and further provided that such occupancy may be made safely without endangering life or public welfare.

(C) Upon the request of the owner or the owner's representative for any building or structure not governed by the Ohio Building Code (OBC), that is newly constructed or which has been enlarged, extended or altered, in whole or in part, the Chief Building Official, or designee, may issue a temporary certificate of occupancy. Such temporary certificate of occupancy may only be issued provided such occupancy can be made safely without endangering life or public welfare.

(D) The temporary certificate of occupancy shall require the pre-approval of all trade(s) or craft(s) that require permits and inspections before the certificate's issuance unless waived by the Chief Building Official. It shall also require the building or structure to be free from any unsafe building condition(s) and/or serious hazardous condition(s) as determined by the chief building official and that it will significantly comply with the provisions of the Building Code as applicable, including the terms and conditions of the building permit. Upon verification of these facts, including a complete listing of the items needing completion and/or specific conditions required for such occupancy provided by the Chief Building Official, or designee, the Chief Building Official may issue a temporary certificate of occupancy.

**4117.09 Temporary certificate of occupancy validity.**

The temporary certificate of occupancy shall only be issued and used in conformity with the following:

(A) A temporary certificate of occupancy issued for a building or structure, or portion thereof, in accordance with 4117.07 shall expire ninety (90) calendar days from the date of its issuance, or concurrently with the issuance of the certificate of occupancy, which ever occurs first.

(B) Upon the request of the owner or the owner's representative and the payment of the required fee, the Chief Building Official may extend the temporary certificate of occupancy by the issuance of a subsequent ninety (90) day temporary certificate of occupancy. However, no more than two (2) such extensions shall be issued. Temporary certificates of occupancy can be issued only on a consecutive calendar day basis.

(C) If upon the expiration of the third and final temporary certificate of occupancy period and if the work covered by the building permit, including any mechanical and electrical work, is not completed, all such permits shall immediately become invalid. A new building permit(s) and new permits for the unfinished mechanical and electrical work shall be obtained before the issuance of any further certificates of occupancy. All fees for these new permits, as prescribed by the fee schedule, shall apply.

**4117.11 Posting of a temporary certificate of occupancy permit required.**

(A) A current and valid temporary certificate of occupancy, issued in accordance with this Chapter, for all structures and use groups except R-3, shall be posted in a conspicuous place within that portion of the structure for which the certificate is issued.

(B) A temporary certificate of occupancy required to be posted under this Code, shall not be removed or defaced and, if lost, removed or defaced, shall be immediately replaced.

**4117.13 Fee.**

The fee for all certificates of occupancy required by this Chapter shall be charged as prescribed in the Fee Schedule. Such fees shall not be prorated nor are they refundable.

**4117.15 Compliance required.**

Any person who fails to comply with the requirements of this section shall be deemed to be in violation of this building code and shall be subject to the provisions of Chapter 4111.

Section 2. That the existing Section 3381.18 of the Columbus City Codes, 1959, is hereby amended to read as follows:

**3381.18 Requirements for issuance of a limited or general sign contractor's license.**

Before the Department issues a general or limited sign erector's license under the provisions of this Chapter, and prior to each renewal, a holder of a Department issued license shall provide and maintain the following:

A. A bond of not less than fifteen thousand dollars (\$15,000.00), which ~~must~~ shall be of good and sufficient surety approved by the Department.

1. The bond ~~must~~ shall be on a form prescribed by the Department.

2. The bond ~~must~~ shall be conditioned to save the City harmless from all loss and damage to persons or property which may be occasioned in any way, by accident or the want of care ~~of~~ or skill or applicant's part, in the prosecution of the work.

3. The bond ~~must~~ shall provide for payment to the City for damages to the City or City property in the course of performance of work.

4. The individual named on the Department issued general or limited sign erector's license shall sign the bond submission regardless of any assignment to a business concern.

5. When an individual has more than one Department issued contractor's license, or contractor registration with the Department only one, fifteen thousand dollar (\$15,000) bond will be sufficient for all such licenses and registrations with the Department.

B. Proof of liability insurance, which ~~must~~ shall be written with an acceptable insurance company licensed to do business in the state of Ohio. The liability insurance ~~must~~ shall afford limits of no less than one hundred thousand dollars (\$100,000.00) for damages to a single person and three hundred thousand dollars (\$300,000.00) for one (1) occurrence

C. Proof of current workers compensation coverage, which ~~must~~ shall be by the State of Ohio in the name of the Department issued contractor's license holder and which must shall cover the employees already engaged or to be engaged in the work covered by the contractor's license.

D. Proof of registration with the Income Tax Division of the City of Columbus Auditor's Office in a manner prescribed by the Department. The determination of an account in good standing shall be by the Income Tax Division of the City of Columbus Auditor's Office.

E. The Board of Review of general and limited sign erectors is empowered by the provisions of C.C. 3381.10 to suspend a Department issued general or limited sign erector's license upon proof that any of the items denoted in parts A through D of this Section have not been continuously maintained in good standing by the holder of the respective license,

Section 3. That the existing Section 4114.515 of the Columbus City Codes, 1959, is hereby amended to read as follows:

**4114.515 Bond requirement for a Department issued contractor license.**

(A) Before the Department issues a home improvement general or limited contractor's license, or a sewer contractor's license under the provisions of this Chapter, and prior to each renewal thereof, each holder of such a Department issued license shall, in a manner prescribed by the Department, give a bond, which shall be maintained at all times thereafter, to the Department. A Department issued license shall not be issued or renewed without meeting this bond requirement.

(B) The bond required for the holder of a Department issued license shall be of not less than fifteen thousand dollars (\$15,000.00). The bond shall have good and sufficient surety approved by the Department. The bond shall be on a form prescribed by the Department.

(C) The bond shall be conditioned to save the City harmless from all loss and damage to persons or property which may be occasioned in any way, by accident or the want of care of or skill on applicant's part, in the prosecution of the work.

(D) Such bond shall provide for payment to the City for damages to the City or City property in the course of performance of work.

(E) Failure to maintain such bond in good standing shall be cause for immediate suspension by the Department of the Department issued license.

(F) The individual named on the Department issued home improvement general or limited contractor's license or a sewer contractor's license, shall sign the bond submitted for a Department issued license or the renewal thereof, regardless of any assignment to a business concern.

(G) When ~~a~~ an individual has more than one (1) such Department issued contractor's license, or contractor registration with the Department, one (1) fifteen thousand dollar (\$15,000) bond will be sufficient for all such licenses and registrations with the Department.

(H) No bond shall be required of the holder of a journey person plumber license.

Section 4. That the existing Section 4114.707 of the Columbus City Codes, 1959, is hereby amended to read as follows:

**4114.707 Bond requirement for a Department issued OCIEB licensed specialty contractor registration.**

(A) Before the Department issues an OCIEB licensed specialty contractor registration under the provisions of this Chapter, and prior to each renewal thereof, each registered licensed specialty contractor shall, in a manner prescribed by the Department, give a bond, which shall be maintained in good standing at all times thereafter, to the Department. A Department issued OCIEB licensed specialty contractor registration shall not be issued or renewed without meeting this bond requirement.

(B) The bond required of an OCIEB registered licensed specialty contractor by the Department shall be of not less than fifteen thousand dollars (\$15,000.00). The bond shall have good and sufficient surety approved by the Department. The bond shall be on a form prescribed by the Department.

(C) The bond shall be conditioned to save the City harmless from all loss and damage to persons or property which may be occasioned in any way, by accident or the want of care ~~of~~ or skill on applicant's part, in the prosecution of the work.

(D) Such bond shall provide for payment to the City for damages to the City or City property in the course of performance of work.

(E) Failure to maintain such bond in good standing shall be immediate cause for suspension by the Department of the OCIEB licensed specialty contractor registration.

(F) The individual named on the OCIEB licensed specialty contractor license shall sign the bond submitted for a registered OCIEB licensed specialty contractor registration or the renewal thereof.

(G) When a registered OCIEB licensed specialty contractor has more than one (1) such registration, or other Department issued license or contractor registration, one (1) fifteen thousand dollar (\$15,000) bond will be sufficient for all such licenses and registrations with the Department.

Section 5. That the existing Section 4114.913 of the Columbus City Codes, 1959, is hereby amended to read as follows:

**4114.913 Bond requirement for a Department issued demolition contractor or fire alarm and detection equipment and/or fire protection contractor registration.**

(A) Before the Department issues either a demolition contractor registration or fire alarm and detection and/or fire protection company registration under the provisions of this Chapter, and prior to each renewal thereof, each registered demolition contractor or fire alarm and detection equipment and/or fire protection company shall, in a manner prescribed by the Department, give a bond, which shall be maintained at all times thereafter, to the Department. A Department issued demolition contractor or fire alarm and detection equipment and/or fire protection company registration shall not be issued or renewed without meeting this bond requirement.

(B) The bond required for a registered demolition contractor or registered fire alarm and detection equipment and/or fire protection company by the Department shall be of not less than fifteen thousand dollars (\$15,000.00). The bond shall have good and sufficient surety approved by the Department. The bond shall be on a form prescribed by the Department.

(C) ~~Such bond shall provide for payment to the City for damages to the City or City property in the course of performance of work.~~ The bond shall be conditioned to save the City harmless from all loss and damage to persons or property which may be occasioned in any way, by accident or the want of care or skill on applicant's part, in the prosecution of the work.

(D) Such bond shall provide for payment to the City for damages to the City or City property in the course of performance of work.

(E) Failure to maintain such bond in good standing shall be cause for immediate suspension by the Department of the contractor or company registration.

(F) The individual named on the registered demolition contractor registration shall sign the bond submitted for a registered demolition contractor registration or the renewal thereof, regardless of any assignment to a business concern

(G) The individual named on the Ohio Division of State Fire Marshal, Bureau of Licensing and Certification issued company certification making the application for a fire alarm and detection and/or fire protection company registration shall sign the bond submitted for a registered fire alarm and detection equipment and/or fire protection company registration or the renewal thereof.

(H) When a registered demolition contractor or fire alarm and detection equipment and/or fire protection company has more than one (1) such registration, or other Department issued license or contractor or company registration, one (1) fifteen thousand dollar (\$15,000) bond will be sufficient for all such licenses and registrations with the Department during the same registration period

Section 6. That the existing Chapter 4117 of the Columbus City Codes, 1959, is hereby repealed.

Section 7. That this ordinance shall take effect and be in force from and after the earliest period provided by law.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1182-02**

To amend various Chapters of the Columbus City Codes, 1959, by allowing the Director of Public Service to utilize the standards for multi-way stop applications as provided in either the Ohio Manual of Uniform Traffic Control Devices for Streets and Highways, or the Federal Manual of Uniform Traffic Control Devices; and to declare an emergency.

WHEREAS, the Columbus City Code currently requires the Director of Public Service to conform to the existing version of the Ohio Manual of Traffic Control Devices (OMUTCD) when designing stop and multi-way stop intersections; and

WHEREAS, the most recent update to the Federal Manual of Uniform Traffic Control Devices (FMUTCD) allows for more flexibility in the placement of such traffic control devices at stop and multi-way stop intersections and allows the city to consider associated pedestrian issues; and

WHEREAS, the FMUTCD allows the City to stop the traffic direction that conflicts most with pedestrian crossings or school walking routes; and

WHEREAS, the State of Ohio is in the process of reviewing the Federal Manual and it is anticipated that the General Assembly will adopt these changes within the next few years; and

WHEREAS, it is necessary and advisable to amend existing Columbus City Code, 1959, Sections 2105.01 and 2105.08 to enable the Director of Public Service to utilize the Federal Manual for this purpose; and

WHEREAS, it is the Administration's position that the update to the Federal Manual in the area of stop and multi-way stop intersections should be adopted without delay by the City of Columbus to provide greater flexibility in the placement of traffic control devices at multi-way stop intersections and to allow for more orderly movement of pedestrians and vehicles at traffic intersections; and

WHEREAS, an emergency exists in the usual daily operation of the Transportation Division, Public Service Department, in that it is immediately necessary to amend the Columbus City Codes, thereby preserving the public health, peace, property, safety and welfare, now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That existing Sections 2105.01 and 2105.08 of the Columbus City Codes, 1959 is hereby amended to read as follows:

**2105.01 Designation and placement of traffic control devices.**

The service director is authorized, and it shall be his or her duty to cause to be placed and maintained all official traffic control devices. All traffic control devices required shall so far as practicable be uniform as to type and location throughout the city, and shall conform to the Ohio Manual of Uniform Traffic Control Devices for Streets and Highways, or to the Federal Manual of Uniform Traffic Control Devices. Section 2B.05 STOP Sign Applications and Section 2B.07 Multi-way Stop Applications, when considering stop and multi-way stop applications.

**2105.08 Stop and yield intersections.**

The service director shall establish and designate stop intersections and yield intersections, at which intersections shall be maintained the appropriate traffic control devices to regulate traffic and promote public safety. In designating stop controlled intersections the service director shall use the Federal Manual of Uniform Traffic Control Devices. Section 2B.05 STOP Sign Applications and Section 2B.07 Multi-way Stop Application when considering stop and multi-way stop applications. The service director shall have all necessary authority to erect, or cause to be erected, appropriate and legible signs or markers, upon which shall be displayed the word "stop" at all intersections designated by the director as stop intersections or the word "yield" at all intersections designated by the director as yield intersections.

Section 2. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1093-02**

To repeal Columbus Building Code sections 4125.43 and 4127.70 in order to remove the requirement that in-sink food waste grinders, commonly referred to as garbage disposal units, be installed in all new residential kitchens or as part of a major remodeling.

WHEREAS, this ordinance removes the antiquated requirement from the Columbus Building Code that in-sink food waste grinders, commonly referred to as garbage disposal units, be installed in all new residential kitchens or as part of a major remodeling; and

WHEREAS, after consultation with the Columbus Health Department and the Division of Sewerage and Drainage of the Department of Utilities, it was determined that removing the requirement would have no adverse effects on the public health or safety; and

WHEREAS, after adequate public notice a public hearing was held at which the Columbus Board of Review of Plumbers approved these code changes and recommended their adoption by City Council; and

WHEREAS, after adequate public notice a public hearing was held at which the Columbus Building Commission approved these code changes and recommended their adoption by City Council; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That section 4125.43 of the Columbus City Codes, 1959, is hereby repealed.

**~~4125.13 OBBC Building Code Plumbing (OPC) Food waste grinders.~~**

~~Prior to the occupancy of any new, remodeled or altered kitchen within a residential dwelling unit, a food waste grinder shall be properly installed in every kitchen sink. A food waste grinder shall be properly installed in each commercial, institutional, or industrial establishment which processes, prepares, or serves food on a daily basis~~

~~Exception 1: Any food service operator or food establishment licensed by the Columbus Health Department and regulated by the Ohio Department of Health under OAC Section 3701:21-12, Garbage and refuse disposal, paragraph (A), Containers, is not required to install a food waste grinder under this section.~~

~~Exception 2: In any existing residential dwelling unit, when a kitchen will be remodeled or altered, a food waste grinder will not be required if;~~

~~(1) The original kitchen waste plumbing system has not been or will not be changed, altered, or modified in any way; and,~~

~~(2) The original kitchen waste plumbing system had not been equipped with a food waste grinder.~~

Section 2. That section 4127.70 of the Columbus City Codes, 1959, is hereby repealed.

**~~4127.70 Food waste grinders,~~**

~~Prior to the occupancy of any new, remodeled or altered kitchen within a residential dwelling unit, a food waste grinder shall be properly installed in every kitchen sink.~~

~~Exception: In any existing residential dwelling unit, when a kitchen will be remodeled or altered, a food waste grinder will not be required if;~~

~~(1) The original kitchen waste plumbing system has not been or will not be changed, altered, or modified in any way; and,~~

~~(2) The original kitchen waste plumbing system had not been equipped with a food waste grinder.~~

Section 3. That this ordinance shall take effect and be in force from and after the earliest period provided by law.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1094-02**

To supplement the Columbus City Codes, 1959, with the addition of Section 3372.690 in order to create an Urban Commercial Overlay (UCO) district along portions of South Front Street and South High Street.

WHEREAS, commercial development and pedestrian-oriented architecture exist along urban thoroughfares in older Columbus neighborhoods; and

WHEREAS, the development standards contained in the Columbus Zoning Code are generally suburban in nature and do not accommodate pedestrian-oriented architecture or promote the preservation of urban commercial development; and

WHEREAS, the Columbus City Council adopted Urban Commercial Overlay (UCO) legislation in 1999 that created alternative development standards which promote pedestrian-oriented architecture and urban commercial development; and

WHEREAS, the UCO corridors protect, re-establish and retain the unique aesthetic and architectural characteristics of urban commercial corridors, such as retail display windows, rear parking lots, shallow setbacks, and pedestrian-oriented site elements prevalent in central city commercial areas; and

WHEREAS, certain portions of South Front Street and South High Street exhibit the unique aesthetic and architectural characteristics typical of older, urban commercial corridors and merit application of the UCO; and

WHEREAS, after public notice and mailing to all affected property owners and those within 125 feet, a public hearing was held at which the Development Commission recommended adoption of the South Front Street - South High Street Urban Commercial Overlay by City Council; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Columbus City Codes, 1959, are hereby supplemented by the enactment of a new Section 3372.690 reading as follows:

**3372.690 South Front Street - South High Street Urban Commercial Overlay**

There is hereby created in the city an Urban Commercial Overlay to be known as the South Front Street - South High Street Urban Commercial Overlay consisting of the following area and parcels:

Beginning at a point at the intersection of Pearl Alley and Livingston Ave., thence along the courses described herein:

1. Proceeding in a southerly along Pearl Alley S 8° 3' E ±996' to Willow St.,
2. Thence continuing along Pearl Alley S 8° 8' E ±2219' to Thurman Ave.,
3. Thence continuing along Pearl Alley S 7° 25' E ±276' to an unnamed alley,
4. Thence continuing along Pearl Alley S 1° 30' E ±842' to Hanford St.,
5. Thence along Hanford St. N 90° W ±26' to Pearl Alley,
6. Thence along Pearl Alley S 1° 57' E ±592' to Moler St.,
7. Thence continuing along Pearl Alley S 2° 55' W ±625' to Jenkins Ave.,
8. Thence along Jenkins Ave. S 86° 9' E ±346' to Third St.,
9. Thence along Third St. S 2° 25' W ±378' to Southwood Ave.,
10. Thence along Southwood Ave. N 85° 48' W ±296' to an unnamed alley,
11. Thence along unnamed alley S 1° 39' E ±375' to Markison Ave.,
12. Thence along Markison Ave. S 86° 18' E ±84' to an unnamed alley,

13. Thence along unnamed alley S 3° 48' E ±690' to Morrill Ave.,  
 14. Thence continuing along unnamed alley/alley termination S 4° ' E ±666' to Woodrow Ave.,  
 15. Thence along Woodrow Ave. S 84° 28' E ±65' to an unnamed alley,  
 16. Thence along unnamed alley S 3° 34' E ±508' to Innis Ave.,  
 17. Thence along Innis Ave. S 85°14' E ±51' to unnamed alley,  
 18. Thence along unnamed alley S 1° 55' E ±1033' to Hinkle Ave.,  
 19. Thence continuing along unnamed alley S 4° 13' W ±250' to Hosack St.,  
 20. Thence along Hosack St. N 86° W ±28' to an unnamed alley,  
 21. Thence along unnamed alley S 3° 27' W ±325' to Merritt St.,  
 22. Thence along Merritt St. S 85°14' E ±,  
 23. Thence S 23 °25'W±,  
 24. Thence N 62°36' W ±212' to High St.,  
 25. Thence N42°34'W ±738',  
 26. Thence N 88°21' E ±288' to an unnamed alley,  
 27. Thence along unnamed alley N 1 ° 22' W ±,  
 28. Thence S 85° 18'W ±422',  
 29. Thence N22°44'W ±336',  
 30. Thence N88°35'E ±94',  
 31. Thence N 1°20'W±39\  
 32. Thence N 89°8' W ±245',  
 33. Thence N2°38'W ±30',  
 34. Thence N 88°30' W ±86', to an unnamed alley;  
 35. Thence along unnamed alley N 1°22' W ±883' to Hinman Ave.,  
 36. Thence continuing along unnamed alley N 1 ° 48' W ±1114' to Markison Ave.,  
 37. Thence continuing along unnamed alley N 1 ° 45' W ±661' to Jenkins Ave.,  
 38. Thence continuing along unnamed alley N 1° 39' W ±710' to Moler Ave.,  
 39. Thence N1°W ±136',  
 40. Thence S87°8'W ±13',  
 41. Thence N 1°57' W±617' to Gates St.,  
 42. Thence along Gates St. S 88° 34' W ±152' to Front St.,  
 43. Thence along Front St. S 88° 34' W ±152' to an unnamed alley;  
 44. Thence along unnamed alley N 83°26' E ±144',  
 45. Thence continuing along unnamed alley N 1 ° 53' W ±659' to Greenlawn Ave.,  
 46. Thence along Greenlawn Ave. S 87° 17' W ±324',  
 47. Thence N6° 12'E ±247',  
 48. Thence N 83° 3' E ±95' to Front St.,  
 49. Thence along Front St. N 10° 49' W±29F to DeshlerAve. (vacated);  
 50. Thence N22° 34'W ±661"  
 51. Thence N22° 26'W ±873',  
 52. Thence N 33° 9' W ±1008' to Frederick St. (extended),  
 53. Thence N 18° 55' W±573' to Whittier St.  
 54. Thence N 39° 22' W ±722' to former canal right-of-way,  
 55. Thence N 16° W ±1137' to Sycamore St. (extended),  
 56. Thence N 16° 16' W±1040'  
 57. Thence N 9° 48' W ±684' to Fulton St.,  
 58. Thence along Fulton St. S 83° 44' E ±459',  
 59. Thence continuing along Fulton St. S 69° 23' E ±257',  
 60. Thence continuing along Fulton St. S 84° 45' E ±253' to Front St. and Livingston Ave.,  
 61. Thence along Livingston Ave. S 83° 6' E ±253' to High St.'  
 62. Thence continuing along Livingston Ave. S 80° 28' E ±255' to point of beginning.

Note: All bearings referencing streets and alleys are along center lines unless otherwise specified. This description is prepared from records, not from an actual survey.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period provided by law.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 1095-02**

To revise Chapter 3372 (Urban Commercial Overlay) of the Columbus City Codes by adoption of new Sections 3372.601, 3372.603, 3372.605, 3372.607, 3372.609, 3372.611, 3372.613 and 3372.615.

WHEREAS, commercial development and pedestrian-oriented architecture exist along urban thoroughfares in older Columbus neighborhoods; and

WHEREAS, the development standards contained in the Columbus Zoning Code are generally suburban in nature and do not accommodate pedestrian-oriented architecture or promote the preservation of urban commercial development; and

WHEREAS, the Columbus City Council adopted Urban Commercial Overlay (UCO) legislation in 1999 that created alternative development standards which promote pedestrian-oriented architecture and urban commercial development; and

WHEREAS, the Urban Commercial Overlay corridors protect, re-establish and retain the unique aesthetic and architectural characteristics of urban commercial corridors, such as retail display windows, rear parking lots, shallow setbacks, and pedestrian-oriented site elements prevalent in central city commercial areas; and

WHEREAS, amendments in the Urban Commercial Overlay (UCO) legislation are necessary to improve the general understanding, interpretation and application of the legislation, as well as preserve the authority and discretion granted to architectural review commissions; and

WHEREAS, after public notice a public hearing was held on April 25, 2002, at which the Development Commission recommended adoption of these code revisions by City Council; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

Section 1. That existing Sections 3372.601, 3372.603, 3372.605, 3372.607, 3372.609, 3372.611, 3372.613 and 3372.615, of the Columbus City Codes, 1959, are hereby repealed in their entirety.

Section 2. That the Columbus City Codes, 1959, are hereby supplemented by the creation of new Sections 3372.601, 3372.603, 3372.605, 3372.607, 3372.609, 3372.611, 3372.613 and 3372.615, reading as follows:

**3372.601 Definitions.**

Building Frontage: "Building frontage" means the side, or facade, of a building closest to and most nearly parallel to an abutting street.

Building Frontage, Primary: "Primary building frontage" means a building frontage that abuts a street listed in the Columbus Thoroughfare Plan.

Building Frontage, Secondary: "Secondary building frontage" means a building frontage that abuts a street not listed in the Columbus Thoroughfare Plan.

Building Rear: "Building rear" means the wall or plane opposite the primary building frontage. For a building on a corner lot, the building rear is the wall or plane opposite the wall or plane containing the principal building entrance.

Drive-Thru: "Drive-thru" means a building or portion of a building designed for customers to receive goods or services while remaining in a motor vehicle.

Parking Lot: "Parking lot" means any off-street public or private area, under or outside of a building or structure, designed and used for the temporary storage of motor vehicles.

Principal Building: "Principal building" means a building in which the principal use of the property is conducted. All parcels containing at least one building shall be deemed to have a principal building. A parcel may contain more than one principal building.

Public-Private Setback Zone: "Public-private setback zone" means an area between a principal building and a public street right-of-way line utilized for seating, outdoor dining, public art and/or other pedestrian amenities.

Reconstruction: "Reconstruction" means the replacement or rebuilding of a building, premises or structure.

Setback: "Setback" means the distance between a building, structure or parking lot and any lot line or street right-of-way line.

**3372.603 Purpose.**

The purpose of the Urban Commercial Overlay (UCO), consisting of Columbus City Code Sections 3372.601 through 3372.699, inclusive, is to regulate development in specifically designated areas in order to protect, re-establish and retain the unique architectural and aesthetic characteristics of older, urban commercial corridors.

The provisions of the UCO are intended to encourage pedestrian-oriented development featuring retail display windows, reduced building setbacks, rear parking lots, and other pedestrian-oriented site design elements. Where applied, UCO standards generally require full compliance for new construction, partial compliance for exterior building additions and alterations and minimal or no compliance for routine maintenance and the replacement in-kind of materials.

**3372.605 Designated Areas.**

The standards of the UCO apply to those portions of older, urban commercial corridors determined by City Council to be necessary to retain, develop, and redevelop pedestrian-oriented architecture and urban land use patterns where recent development has displaced, or threatens to displace, the original pedestrian streetscape. The boundaries of

designated UCO areas are part of the Official Zoning Map and described in separate sections beginning with C.C. 3372.650.

**3372.607 Applicability and Extent.**

The standards and requirements of the UCO apply as follows:

A. On a commercially-zoned or commercially-used property within a designated UCO area:

1. The placement, construction, or reconstruction of a principal building is subject to all standards and requirements of this Chapter;
2. The expansion of a principal building's gross floor area by up to 50% is subject to C.C. 3372.611 and 3372.613 and the expansion of a principal building's gross floor area by more than 50% is subject to all standards and requirements of this Chapter;
3. The extension or expansion of a principal building towards a public street is subject to all standards and requirements of this Chapter; and
4. Exterior alteration of a primary building frontage is subject to C.C. 3372.611 and 3372.613.

Secondary building frontages and primary building frontages set back from an abutting street a distance of more than 30 feet are exempt from this requirement. For purposes of this requirement, the placement of window shutters, fabric canopies and awnings and/or building-mounted signage is not considered to be exterior alteration.

B. The construction or installation of parking lots, fences and other accessory structures on commercially- zoned or commercially-used properties shall comply with C.C. 3372.609 B. and C., 3372.611, 3372.613, and 3372.615.

C. The standards and requirements of this Chapter may be waived for buildings officially recognized as historic if they would result in an unacceptable modification of the original, historic appearance of the building as determined by the City of Columbus Historic Resources Commission.

D. Residentially-zoned properties and residences are exempt from the standards and requirements of this Chapter, except in architectural review commission districts.

E. In architectural review commission districts, residences, residentially-zoned properties and commercially-zoned or commercially-used properties are subject to C.C. 3372.615 and 3372.609, excepting 3372.609 B, and are not subject to Sections 3372.611 and 3372.613.

F. Routine maintenance and in-kind replacement of materials are exempt from the standards and requirements of this Chapter,

The standards contained in the UCO are in addition to the regulations of the underlying zoning districts. Where the provisions of this Chapter conflict with those of the underlying zoning district or other provisions of this Zoning Code, the most restrictive provision applies.

**3372.609 Setback Requirements.**

Setback requirements are as follows:

A. The minimum building setback is zero (0) feet and the maximum building setback is ten (10) feet, except where a Public-Private Setback Zone is provided. Where a Public-Private Setback Zone is provided, a maximum setback of fifteen (15) feet is permitted for up to 50% of the building frontage.

B. The minimum setback for parking lots is five (5) feet. Parking lots and accessory buildings shall be located at the rear of the principal building. Where access to the rear of the property is not possible from a public alley or street, up to 50% of the parking may be located at the side of the principal building.

C. The minimum setback for fences and masonry or stone walls is zero (0) feet.

**3372.611 Design Standards.**

Design standards are as follows:

A. A primary building frontage shall incorporate at least one main entrance door. At a building corner where two primary building frontages meet, one main entrance door may be located so as to meet the requirement for both building frontages.

B. A building frontage that exceeds a width of 50 feet shall include vertical piers or other vertical visual elements to break the plane of the building frontage. The vertical piers or vertical elements shall be spaced at intervals of 15 feet to 35 feet along the entire building frontage.

C. For each primary building frontage, at least 60% of the area between the height of 2 feet and 10 feet above the nearest sidewalk grade shall be clear/non-tinted window glass permitting a view of the building's interior to a minimum depth of 4 feet. For a secondary building frontage, the pattern of window glass shall continue from the primary frontage a minimum distance of 10 feet.

D. All roof-mounted mechanical equipment shall be screened from public view to the height of the equipment. The design, colors and materials used in screening shall be architecturally compatible with the rooftop and the aesthetic character of the building.

E. Dumpsters and all ground-mounted mechanical equipment shall be located at the rear of the building and screened from public view to the height of the dumpster/equipment.

F. Fences, with or without masonry piers, shall be decorative and constructed of ornamental metal tubes or solid metal bars. Fences may not exceed a height of 4 feet.

G. Masonry or stone walls may be used for screening, sitting, or used as independent architectural elements. Walls may not exceed a height of 4 feet.

H. In architectural review commission districts, required screening will be the screening approved by the architectural review district commissions. In all other areas, screening shall consist of either:

1. A 4-foot high solid masonry or stone wall; or

2. A 4-foot high decorative metal tube or solid metal bar fence located at the street right-of-way line (property line), with or without masonry pier supports, with a minimum 3 foot wide landscaped area along the parking lot side of the fence. The landscaped area must be planted with three evergreen shrubs and one deciduous shade tree per 30 feet of frontage. Trees and shrubs must be maintained in good condition; dead material must be replaced within one year.

I. Commercial signage shall comply with C.C. 3375-3383. Billboard signs are not permitted.

**3372.613 Drive-thru Uses.**

Drive-thru pickup windows and coverings are prohibited on primary building frontages and shall be attached to the rear or side of the principal building.

**3372.615 Parking and Circulation.**

Parking, access and vehicular circulation standards are as follows:

A. Parking, stacking and circulation aisles are not permitted between a public street right-of-way line and a principal building.

B. Additional curb cuts along streets identified in the Columbus Thoroughfare Plan will not be permitted unless the Division of Transportation staff determines that a new curb cut is the only means available to provide vehicular access to the site and that the new location of the curb cut meets the requirements of the Division of Transportation.

C. The required number of off-street parking spaces may be reduced by up to 50% by the Chief Zoning Official or designee in consultation with the Division of Transportation staff. Factors to be considered include, but are not limited to: the availability of on-street, public, permit or shared parking; available transit service; pedestrian traffic and accessibility; elimination of arterial curb cuts; recommendation of architectural review commission; hours of operation and existing/proposed land use.

D. The required number of loading spaces may be eliminated at the discretion of the Chief Zoning Official or designee, with due consideration given to: frequency and time of deliveries; size and nature of vehicles accommodated by the loading spaces; the character of the neighborhood; and impact upon adjoining streets or alleys.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

**ORD. NO. 2279-01**

To amend Section 3101.01 of the Columbus City Codes, 1959, to change the composition of the Development Commission by eliminating the Public Service Director as the seventh member; to allow the Mayor to appoint, with the approval of City Council, all qualified regular and alternate members of the Commission without regard to occupation or employer; and to declare an emergency.

WHEREAS, the Columbus City Code provides that the public service director (or assistant service director in the absence of the service director) be required to serve as a regular member of the Development Commission, and

WHEREAS, it is prudent that the Code be changed to provide that all qualified members and alternate members of the Development Commission be appointed by the Mayor with the approval of City Council without regard to occupation or employer, and

WHEREAS, "qualified" shall mean that members and alternate members shall at minimum be residents of the City of Columbus, and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to amend said section of the Columbus City Code pertaining to the composition of the Development Commission thereby preserving the public health, peace, property, safety and welfare, now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That Section 3101.01 of the Columbus City Code be and hereby is amended as follows:

**3101.01 Development commission—Membership—Terms.**

The development commission, created as the successor to the city planning commission, shall consist of seven (7) regular members and three (3) alternate members who all shall be citizens of the city of Columbus and who shall, while members of the commission, hold no other salaried public office except as specified herein. ~~Six (6) of the~~ The regular members shall be appointed by the mayor with the approval of council; ~~the seventh regular member shall be the director of public service or the assistant service director in the absence of the service director, who shall serve for the period~~

during which he or she holds that position. The three (3) alternate member shall also be appointed by the mayor with the approval of council.

All commission members, except those already employed by the City of Columbus for the director of public service, shall be paid for commission service in accordance with the master salary ordinance. Failure of a regular member to attend seventy-five (75) percent of all regularly scheduled meetings per year, or failure to attend two (2) regularly scheduled meetings in one (1) year without notifying the Development director or such staff person as designated by the director of that member's his or her inability to attend and the need for an alternate member to take the regular member's place and without an excuse acceptable to a majority of the other members of the commission, shall be cause for the revocation of appointment by the mayor with the approval of council. Terms of the citizen members shall be three (3) years. The commission shall annually elect from among the regular membership a chairperson and such other officers as may be appropriate, who shall serve in such capacity for one (1) year or until such time as a successor is elected; such duly elected officers may be re-elected for consecutive terms. Citizens heretofore appointed to the development commission and approved are hereby ratified and confirmed as regular members of the development commission for the balance of the term to which they were originally appointed.

Each alternate member of the development commission shall be on call for all development commission meetings to take the place of a regular member when such regular member cannot attend a meeting. The alternate member shall have all of the powers and responsibilities of the regular member when serving in the place of such regular member. Section 2. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

#### **ORD. NO. 1145-02**

To amend the Columbus City Codes, 1959, by increasing the penalty for speeding in a school zone from a minor misdemeanor to a 4th degree misdemeanor, with a mandatory court appearance and a maximum fine \$250; and to make the Code consistent with the Ohio Revised Code; and to declare an emergency.

WHEREAS, it is necessary to modify certain portions of the city code with language that is consistent with the Ohio revised code; and

WHEREAS, this legislation seeks to increase the penalty for speeding in a school zone from a minor misdemeanor to a 4th degree misdemeanor with a mandatory court appearance and a maximum fine of \$250; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Safety in that it is immediately necessary to modify certain portions of the Columbus City Code for the aforementioned purpose for the preservation of the public health, peace, property, safety, and welfare; now, therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That new Section 2101.355 of the Columbus City Codes, 1959, shall be enacted to read as follows:

#### **2101.355 School zone.**

"School zone" means that portion of a street or highway passing a school fronting upon the street or highway that is encompassed by projecting the school property lines to the fronting street or highway, and also includes that portion of the state highway. The distances described in this definition shall not exceed three hundred feet per approach per direction and are bounded by whichever of the following distances or combinations thereof that the director of public service approves as most appropriate:

a) the distance encompassed by projecting the school building lines normal to the fronting highway and extending a distance of three hundred feet on each approach direction;

b) the distance encompassed by projecting the school property lines intersecting the fronting highway and extending a distance of three hundred feet on each approach direction;

c) the distance encompassed by the special marking of the pavement for a principal school crosswalk plus a distance of three hundred feet on each approach direction of the highway (ORC 4511.21(c))

Section 2. That Section 2133.03 of the Columbus City Codes, 1959, shall be amended to read as follows:

#### **2133.03 Maximum speed limits; assured clear distance ahead.**

No person shall operate a motor vehicle in and upon the streets and highways at a speed greater or less than is reasonable or proper, having due regard to the traffic, surface and width of the street or highway and any other conditions, and no person shall drive any motor vehicle in and upon any street or highway at a greater speed than will permit him to bring it to a stop within the assured clear distance ahead.

It is prima facie lawful for the operator of a motor vehicle to operate the same at a speed not exceeding the following:

(a) Fifteen miles per hour on all alleys within the City;

(b) Twenty miles per hour ~~when passing a school building or the grounds thereof~~ in school zones during school recess and while children are going to or leaving school during the opening or closing hours, and when ~~appropriate signs giving notice of the existence of the school~~ twenty mile per hour school speed limit signs are erected; except that on controlled access highways and expressways, if the right-of-way line fence has been erected without pedestrian opening, the speed shall be governed by subsection (e) of this section, and on freeways, if the right-of-way line fence has been erected without pedestrian opening, the speed shall be governed by subsection (f) of this section. The end of every school zone may be marked by a sign indicating the end of the zone. Nothing in this section or in the manual and specifications for a uniform system of traffic control devices shall be construed to require school zones to be indicated by signs equipped with flashing or other lights, or giving other special notice of the hours in which the school zone speed is in effect;

(c) Twenty-five miles per hour in all other portions of the City, except on State routes, through streets and through highways outside business districts;

(d) Thirty-five miles per hour on all State routes or through streets and through highways within the City outside business districts, except as provided in subsection (e) of this section.

(e) Fifty miles per hour on controlled-access highways and expressways within the City, and on State routes outside urban districts unless a lower prima-facie speed is established as provided by Ohio R.C. 4511.21;

(f) Fifty-five miles per hour at all times on freeways with paved shoulders inside the City.

Section 3. That Section 2133.99 of the Columbus City Codes, 1959, shall be amended by enacting proposed Section 2133.99(f) and shall read as follows:

**2133.99 Penalty.**

(f) Whoever violates Section 2133.03(b) is guilty of speeding in a school zone, a misdemeanor of the 4<sup>th</sup> degree.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 15, 2002, Matthew D. Habash, President of Council / Approved July 16, 2002 Michael B. Coleman, Mayor / Attest, Andrea Blevins, Acting City Clerk

TABLE OF CHANGES IN YOUR 1959  
COLUMBUS CITY CODE

Code	Ordinance	2001	Page	Subject
To amend certain provisions	0628-02	19	973	To amend certain provisions of Title 31, Title 33, Title 41 and Title 45 of the Columbus City Codes, 1959, to expressly authorize the Director of the Department of Development to exercise enforcement powers over these codes; to create an appellate process for violations of historic architectural review codes that conform with constitutional due process requirements; and to standardize definitions of certain terms within these Codes to reflect the reorganization of the Department of Development; and to declare an emergency.
To supplement Chapter 3372	0681-02	19	979	To supplement Chapter 3372, Planning Overlay, of the Columbus City Codes, 1959, by amending section 3372.504, establishing new boundaries for the University Impact District; by enacting new sections within the sub-chapter Regulations for the University Impact District, amending provisions pertaining to the establishment and operation of the University Area Review Board; and by repealing the sub-chapter Regulations for University Area Review.
To amend Title 21	0787-02	23	1170	To amend Title 21 Traffic Code of the Columbus City Codes, 1959, by the enactment of new sections related to junk motor vehicles.
To amend Chapters 1105 and 1147	0781-02	24	1240	To amend Chapters 1105 and 1147 of the Columbus City Codes, 1959, by changing the method of assessing credits for water and sewer system capacity charges.
To establish	0856-02	24	1242	To establish the Hellbranch Run Watershed Protection Overlay pursuant to Columbus City Codes Chapter 3372
To enact new Chapter 373	0754-02	27	1370	To enact new Chapter 373 of the Columbus City Codes, 1959, to provide for an excise tax upon the short-term rental of passenger vehicles and to provide for administration and collection of the tax by the City Auditor.
To amend substantial portions of Chapter 540	0973-02	27	1373	To amend substantial portions of Chapter 540 of the Columbus City Code to correct constitutional defects that have rendered this ordinance unenforceable since 1978, to expand the scope of establishments regulated by this chapter to include bath establishments, and to classify violations of this chapter as first-degree misdemeanors.
To supplement the Columbus City Codes	1128-02	28	1432	To supplement the Columbus City Codes, 1959, by the enactment of new sections in Chapter 3372, Planning Overlay, in order to create the "High Street: North of Morse Road Planning Overlay" for that portion of the High Street corridor from Morse Road/Rathbone Avenue to the city of Worthington corporate line; and to declare an emergency.
To repeal the Current Chapter 4117	1092-02	29	1488	To repeal the current Chapter 4117 and amend Sections 3381.18, 4114.515, 4114.707 and 4114.931 of the Columbus City Codes, 1959, by replacing current Chapter 4117 - "Certificate of Occupancy" with a revised version which correctly reflects the new "One-Stop-Shop" initiative changes including changes in the Ohio Building Code, and to make necessary corrections in specific Sections of Chapters 3381 and 4114.
To amend various Chapters	1182-02	29	1491	To amend various Chapters of the Columbus City Codes, 1959, by allowing the Director of Public Service to utilize the standards for multi-way stop applications as provided in either the Ohio Manual of Uniform Traffic Control Devices for Streets and Highways, or the Federal Manual of Uniform Traffic Control Devices; and to declare an emergency.
To repeal Columbus Building Code sections 4125.43 & 4127.70	1093-02	29	1492	To repeal Columbus Building Code sections 4125.43 and 4127.70 in order to remove the requirement that in-sink food waste grinders, commonly referred to as garbage disposal units, be installed in all new residential kitchens or as part of a major remodeling.
To supplement the Columbus City Codes	1094-02	29	1493	To supplement the Columbus City Codes, 1959, with the addition of Section 3372.690 in order to create an Urban Commercial Overlay (UCO) district along portions of South Front Street and South High Street.
To revise Chapter 3372	1095-02	29	1495	To revise Chapter 3372 (Urban Commercial Overlay) of the Columbus City Codes by adoption of new Sections 3372.601, 3372.603, 3372.605, 3372.607, 3372.609, 3372.611, 3372.613 and 3372.615.
To amend Section 3101.01	2279-01	29	1497	To amend Section 3101.01 of the Columbus City Codes, 1959, to change the composition of the Development Commission by eliminating the Public Service Director as the seventh member; to allow the Mayor to appoint, with the approval of City Council, all qualified regular and alternate members of the Commission without regard to occupation or employer; and to declare an emergency.
To amend the Columbus City Codes	1145-02	29	1498	To amend the Columbus City Codes, 1959, by increasing the penalty for speeding in a school zone from a minor misdemeanor to a 4th degree misdemeanor, with a mandatory court appearance and a maximum fine \$250; and to make the Code consistent with the Ohio Revised Code; and to declare an emergency.