

Columbus City Bulletin



**Bulletin 43
October 25, 2003**



Proceedings of City Council

Vol. LXXXVIII

Saturday, October 25, 2003

NO. 43

PROCEEDINGS OF CITY COUNCIL REGULAR MEETING NO. 40

MONDAY, OCTOBER 20, 2003 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, President Pro-Tem Michael C. Mentel, Maryellen O'Shaughnessy, Richard W. Sensenbrenner, Charleta B. Tavares, Patsy A. Thomas 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. 41

MONDAY, OCTOBER 20, 2003 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, President Pro-Tem Michael C. Mentel, Maryellen O'Shaughnessy, Richard W. Sensenbrenner, Charleta B. Tavares, Patsy A. Thomas 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.

APPOINTMENTS

- A0048-2003 CA Appointment of William Schottenstein, Fifth Third Center, 21 East State Street, Columbus, Ohio 43215 to serve on the Brewery District Commission - appointment with a term expiration date of June 30, 2006 (appointees resume in file in the Mayor's office)
- A0047-2003 CA Appointment of Cheryl Hacker, Ohio Attorney General's Office to serve on the German Village Commission – Reappointments with a term expiration date of June 30, 2006. (appointee's resume on file in the Mayor's office)
- A0045-2003 CA Appointment of Tom Walsh, NBBJ, 1555 Lakeshore Drive, Columbus, Ohio 43215 to serve on the German Village Commission – appointment with a term expiration date of June 30, 2006. (appointee's resume on file in the Mayor's office)
- A0042-2003 CA Appointment of Angela Bosworth, Ohio – Licensed Lawyer, 444 North Front Street # 208, Columbus, Ohio 43215 to serve on the Historic Resources Commission – Reappointments with a term expiration date of May 31, 2006. (appointee's resume on file in the Mayor's office)
- A0041-2003 CA Appointment of Ms. Marilyn Wilson, 678 South Warren Avenue, Columbus, Ohio 43204 to serve on the Columbus Horticultural Subcommittee with a term expiration date of April 30, 2008. (appointee's resume on file in the Mayor's office)
- A0040-2003 CA Appointment of Ms. Alice Scott, Columbus Recreation & Parks, 6534 Estel Road, Columbus, to serve on the Columbus Horticultural Subcommittee with a term expiration date of April 30, 2008. (appointee's resume on file in the Mayor's office)
- A0046-2003 CA Appointment of Robert Harris, Architectural Alliance, Ltd., 165 North Fifth Street, Columbus, Ohio 43215 to serve on the German Village Commission – Reappointments with a term expiration date of June 30, 2006. (appointee's resume on file in the Mayor's office)
- A0049-2003 CA Appointment of Karr'yen Jones, 3116 E. Hudson Street, Columbus, Ohio 43219 to serve on the Northeast Area Commission with a new term expiration date of June 30, 2004. (appointee's resume on file in the Mayor's office)
- A0050-2003 CA Appointment of Robert Hill, Coldwell Banker King Thompson, 2770 Woodcutter Avenue, Columbus, Ohio 43224 to serve on the Northeast Area Commission with a new term expiration date of June 30, 2004. (appointee's resume on file in the Mayor's office)
- A0051-2003 CA Appointment of Ted Alexander, 2500 Hingham Lane, Columbus, Ohio 43224 to serve on the Northeast Area Commission with a new term expiration date of June 30, 2004. (appointee's resume on file in the Mayor's office)
- A0052-2003 CA Appointment of Michael Modula, 1809 Lost Valley Road, Columbus, Ohio 43065 to serve on the Northeast Area Commission with a new term expiration date of June 30, 2004. (appointee's resume on file in the Mayor's office)
- A0053-2003 CA The Department of Development would like to recommend the appointment of Rex W. Hagerling, 300 Spruce Street, Suite 300, Columbus, Ohio 43215 to serve on the Italian Village Commission replacing no one since this is a reappointment with a new term expiration date of May 31, 2006.
- A0054-2003 CA The Department of Development would like to recommend the appointment of Joshua Wood, 102 East Third Avenue, Columbus, Ohio 43201 to serve on the Italian Village Commission replacing no one since this is a reappointment with a new term expiration date of May 31, 2006.
- A0055-2003 CA The Department of Development would like to recommend the reappointment of Samuel Gresham Jr., 878 Ebner Street, Columbus, Ohio 43203 to serve on the Joint Columbus and Franklin County Advisory Board, replacing no one since this is a reappointment with a new term expiration date of December 31, 2006.
- A0057-2003 CA The Department of Development would like to recommend the reappointment of Sharon A. Francis, Mus. D., 2006 Hegemon Crest Drive, Columbus, Ohio 43219 to serve on the Joint Columbus and Franklin County Advisory Board, replacing no one since this is a reappointment with a new term expiration date of December 31, 2006

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY CLERK'S OFFICE AS OF WEDNESDAY, OCTOBER 15, 2003:**New Type: D5**

To: Scottie MacBean Inc
DBA Scottie MacBean Inc
4675 N High St
Columbus Ohio 43214

New Type: D5J

To: All Stars FSEC LLC
6124 Busch Blvd
Columbus Ohio 43229

Transfer Type: C1, C2

To: A M Alwawi LLC
DBA Chucks Carryout
3140 Allegheny Av
Columbus, Ohio 43209
From: 3140 Allegheny Inc
DBA Chucks Carryout
3140 Allegheny Av
Columbus Ohio 43209

Transfer Type: D1

To: Minellis Pizza Inc
1189 N Wilson Rd
Columbus Ohio 43204
From: Blazin Wings Inc
DBA Buffalo Wild Wings
Grill & Bar
2137 Polaris Pkwy
Columbus Ohio 43240

Transfer Type: D1, D2, D3, D3A

To: Gibbys Arena District LLC
51 Vine St
Columbus Ohio 43215
From: Basso Bean Inc
691 N High St 1st Fl
Columbus Ohio 43215

Transfer Type: D5J, D6

To: Columbus Bistro SportService LLC
Suite A
200 W Nationwide Blvd
Columbus Ohio 43215
From: Arena Restaurant Holdings LLC
Blue Jacket Bistro
Suite A
200 W Nationwide Blvd
Columbus Ohio 43215

Transfer Type: D1, D2, D3, D3A, D6

To: 477 Park Inc
477 Park St 1st Fl & Patio
Columbus Ohio 43215
From: Brothers of Columbus Inc
DBA Its Brothers Bar & Grill
477 Park St 1st Fl & Patio
Columbus Ohio 43215

Transfer Type: C1, C2

To: My Kashkeesh LLC
DBA McGuffey Market
1066 E Hudson St
Columbus Ohio 43211
From: Ras Hassan Inc
DBA McGuffey Market
1066 E Hudson St
Columbus Ohio 43211-1247

(10/25/03)

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| ORDINANCES |
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ORD NO. 1927-2003

To grant a Variance from the provisions of Section 3356.03, CA Permitted Uses; for the property located at 2226 RIDGEWAY AVENUE (43219), to permit an existing single-family dwelling in the C-4, Commercial District

WHEREAS, by application No. CV02-047, the owner of property at 2226 RIDGEWAY AVENUE (43219), is requesting a Council Variance to make an existing single-family dwelling a conforming use on the property; and

WHEREAS, said variance is necessitated by the applicant's desire to construct a detached garage which is prohibited because the principle use, a single-family dwelling, is a nonconforming use in the district and by making the dwelling a conforming use, the applicant may proceed with construction plans for the proposed garage; and

WHEREAS, Section 3356.03, CA Permitted Uses, permits dwelling units only above specified commercial uses in the C-4, Commercial District, while the applicant proposes to make an existing single-family dwelling a conforming use on the property; and

WHEREAS, City Departments note a hardship exists and recommend approval because a variance is necessary to permit development consistent with the area's surrounding character; and

WHEREAS, The North Central Area Commission recommends approval; and

WHEREAS, The North Central Plan (2002) proposes single-family residential land use for the site; 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 2226 RIDGEWAY AVENUE (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 Section 3356.01, CA Permitted Uses; for the property located at 2226 RIDGEWAY AVENUE (43219), insofar as said section prohibits single-family dwellings; said property being more particularly described as follows:

Being a part of Lots Eight (8) and Nine (9) of Albert B. Buttles Heirs Subdivision, Plat Book No.4, page 184, Recorder's Office, Franklin County, Ohio and being more particularly described as follows

Beginning at an iron pin, which said iron pin is set in the south line of said Lot #8, and the north line of Ridgeway Avenue, 145.19 feet easterly, measured along the south line of said Lot #8, from the southwest corner of said Lot #8; thence northeastwardly and across said lots #8 and 9, 179.15 feet to an iron pin, which last said iron pin is also 138.10 feet easterly, measured along the north line of said Lot #9; from the northwest corner of said Lot #9, thence easterly, and along the north line of said Lot #9; thence southwesterly, and along the east line of said Lots #9 and 8, and the westerly line of a 20 foot alley, 173.90 feet, to an iron pin in the southeast corner of said Lot #8; thence westerly and along the south line of said Lot #8, and the north line of said Ridgeway Avenue, 67.11 feet, to the place of beginning; subject however to all easements of 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 single-family dwelling, or those uses permitted in the C-4, Regional Scale Commercial District

Section 3. That this ordinance is further conditioned on the proposed detached garage being constructed in general compliance with site plan titled, "JAUNITA DONALDSON 2226 RIDGEWAY AVENUE", drawn by Raleigh Randolph and dated May 26,2002 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 Development or the Director's designee may approve any slight adjustment to the Site Plan upon submission of the appropriate data regarding the proposed adjustment

Section 4. That this ordinance is further conditioned on all circulation, curb cuts and access points being subject to the approval of the Division of Transportation.

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 October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1978-2003

To authorize the Board of Health to enter into contract with United Security Management Services for security services and to authorize a total expenditure of \$253,000.00 from the Health Department

WHEREAS, The Health Department is in need of security services at the Health Department located at 240 Parsons Avenue; and,

WHEREAS, United Security Management Services has met performance standards during the first two years of a three-year competitively bid contract; and,

WHEREAS, it is the intent of the Health Department to contract with United Security Management Services for the third year of a three-year contract; and,

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 United Security Management Services for security services for the period November 12, 2003 through November 11, 2004.

SECTION 2. That the expenditure of \$253,000.00 is hereby authorized from the Health Department Special Revenue Fund, Fund No.250, Health Department, Division No. 50, Object Level One 03, Object Level Three 3398, OCA No. 500264.

SECTION 3. 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 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1985-2003

To authorize the Director of Public Utilities to modify the contract with ms consultants, inc for professional engineering services for Water Main Rehabilitation-Group 4 Water Line Improvements, for the Division of Water, to authorize the City Auditor to transfer funds within the Water Limited Fund and to authorize the expenditure of \$10,000.00 from the Water Limited Fund. (\$10,000.00)

WHEREAS, Contract No. EL900016 was authorized by Ordinance No.2917-98, passed November 23, 1998, was executed on February 8,1999 and was approved by the City Attorney on February 16, 1999, and

WHEREAS, the original contract was for Water Main Rehabilitation-Group 4 Water Line Improvements, and

WHEREAS, the Division of Water wishes to expand the contract to include additional engineering services needed to develop and incorporate a Maintenance of Traffic Plan into the proposed water line construction plans for all sites included in this project, and

WHEREAS, it is necessary to modify Contract No. EL900016 to provide for these services, and

WHEREAS, it is necessary to authorize the Director of Public Utilities to modify Contract No EL900016 for Water Main Rehabilitation-Group 4 Water Line Improvements, 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 Director of Public Utilities be and is hereby authorized to modify Contract No EL900016 with ms consultants, inc., 2221 Schrock Road, Columbus, Ohio 43229, for engineering services to provide for Water Main Rehabilitation-Group 4 Water Line Improvements, in accordance with the terms and conditions as shown on the modification.

Section 2. That the City Auditor is hereby authorized and directed to transfer funds within the Water Limited Fund, Fund No. 607, Department of Public Utilities, Division of Water, as follows:

| | | |
|-------|--|------------|
| From: | 690026 Miscellaneous Facilities, OCA Code 642926 | \$3,826.62 |
| To: | 690236 Water Main Rehabilitation, OCA Code 642926 | 3,826.62 |

Section 3. That the expenditure of \$10,000.00 or as much thereof as may be needed be and the same is authorized from the Water Limited Fund 607, Department 60, Division 09, OCA Code 642926, Object Level Three 6629, Object Level One 06, Project Number 690236.

Section 4. That any modification made under the provisions of this ordinance must first be authorized by the Director of Public Utilities and a contract modification properly submitted to the City Auditor for certification of funds

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

Passed October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1999-2003

To authorize the Director of the Department of Public Utilities to execute those documents necessary to release certain sewer easements at the request of the American Electric Power in exchange for a replacement easement previously granted to the City of Columbus, Ohio.

WHEREAS, the City of Columbus Department of Public Utilities, is the owner of certain sewer easements by virtue of recorded deeds of easements in the Franklin County Records Office; and

WHEREAS American Electric Power has requested the aforementioned sewer easement to be released in exchange for a replacement easement previously granted to the City of Columbus; and

WHEREAS, the Division of Sewerage & Drainage, after investigation, has determined that the release of said easements will not adversely affect the operations of the City of Columbus; 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 prepared by the Department of Law, Real Estate Division, necessary to release a certain City sewers easement in, over, under, across and through the following described real property:

SANITARY SEWER EASEMENT

Situate in the State of Ohio, County of Franklin, City of Columbus, being a fifteen (15) foot wide strip across that 13.227 acre tract conveyed to Columbus and Southern Ohio Electric Company by Deed of Record as found in Deed Volume 2523, Page 13, Records Office, Franklin County, Ohio, and being more fully described as follows:

Beginning, for reference at the southeasterly corner of said 13.227 acre tract, said point being on the centerline of Refugee Road, and running thence along the easterly line of said 13.227 acre tract, N 3 degrees 55' 23" E a distance of 612.50 feet to the true point of beginning of this description, thence crossing said 13.227 acre tract.

N 79 degrees 19' 45" W, a distance of 354.45 feet to a point, thence

N 3 degrees 55' 23"E, a distance of 15.10 feet to a point, thence

S 79 degrees 19' 45" E, a distance of 354.45 feet to a point on the easterly boundary of said 13.227-acre tract thence with said boundary;

S 3 degrees 55' 23"W, a distance of 15.10 feet to the point of beginning, containing 0.122 acres, more or less.

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

Passed October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2009-2003

To rezone 1500 NORTH CASSADY AVENUE (43219), being 35.69± acres located at the northeast corner of North Cassady Avenue and Airport Drive, From: R, Rural District, To: L-C-4, Limited Commercial District (Rezoning # Z00-084).

WHEREAS, application #Z00-084 is on file with the Building Services Division of the Department of Development requesting rezoning of 35.69± acres from R, Rural District, to L-C-4, Limited Commercial District; and

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

WHEREAS, the Northeast Area Commission recommends approval; and

WHEREAS, the City Departments recommend approval of said zoning change because this proposal is consistent with land use

recommendations of the 1-670 Corridor Development Plan (1989) and the Northeast Area Plan (1994). The applicant requests the L-C-4, Limited Commercial District to develop the site with unspecified commercial uses. Proposed development standards include building, landscaping, and lighting controls; now, therefore:

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

SECTION 1. That the Official Zoning Map of the City of Columbus, as adopted by Ordinance No. 0179-03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

1500 NORTH CASSADY AVENUE (43219), being 35.69+ acres located at the northeast corner of Cassady Avenue and Airport Drive, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, Township of Mifflin, located in Section 3, Township 1, Range 17 of the United States Military Lands and being 35.689 acres deeded to Walter J. Engel in Deed Book 1931, Page 584, Official Record 23147 A10, Deed Book 3737, Page 352, and Deed Book 3737, Page 353, (all references used in this description refer to records in the Recorder's Office, Franklin County, Ohio) said 35.869 acres being more particularly bounded and described as follows:

Beginning for reference at a point in the centerline of 1-670 with the centerline of Cassady Avenue as shown on the Ohio Department of Transportation Right-of-Way plans for 1-670 (FRA-62-19.06), thence North 03° 12' 08" East with the centerline of said Cassady Avenue a distance of 1002.08 feet to a P.K. nail set, said P.K. nail being the TRUE POINT OF BEGINNING for the tract herein to be described;

Thence North 03° 12' 08" East with the centerline of said Cassady Avenue a distance of 154.37 feet to an existing P.K. nail;

Thence North 03° 09' 56" East continuing with the centerline of said Cassady Avenue a distance of 1048.60 feet to a P.K. nail set;

Thence South 86° 23' 59" East leaving said centerline, with the southerly line of a 1.921 acre tract deeded to Faith D. Crosswell in Official Records 34021 H09, a distance of 310.01 feet to an existing P.K. nail in a tree at the southeast corner of said 1.921 acre tract;

Thence North 03° 09' 56" East with the easterly line of said 1.921 acre tract a distance of 270.01 feet to an iron pin set at the northeast corner of said 1.921 acre tract, the southerly line of a 12.536 acre tract deeded to Roman J. Claprod Co. in Deed Book 3493, Page 436;

Thence South 86° 23' 59" East with the southerly line of said 12.536 acre tract a distance of 1063.76 feet to an existing stone in the westerly line of the Re-subdivision of part of J&J Industrial Park Section No.1, of record in Plat Book 65, Page 100;

Thence South 03° 34' 06" West with a portion of the westerly line of said Re-subdivision of part of J&J Industrial Park, and the westerly Limited Access Right-of-Way of said 1-670 a distance of 601.40 feet to an iron pin set being 435.00 feet left of centerline station 1069+45.77;

Thence the following five (5) courses and distances along the westerly Limited Access Right-of-Way of said 1-670;

1) Thence South 43° 04' 20" West a distance of 822.37 feet to an iron pin set being 331.00 feet left of centerline station 1061+30.00;

2) Thence South 54° 16' 27" West a distance of 131.10 feet to an iron pin set being 340.00 feet left of centerline station 1059+99.21;

3) Thence North 86° 20' 55" West a distance of 330.81 feet to an iron pin set being 566.93 feet left of station 1057+58.51;

4) Thence South 57° 59' 06" West a distance of 256.71 feet to an iron pin set being 601.10 feet left of station 1055+04.08;

5) Thence North 87°40' 33" West passing the easterly Right-of-Way of said Cassady Avenue at 159.38 feet, a total distance of 199.38 feet to the TRUE POINT OF BEGINNING containing 35.689 acres more or less according to an actual field survey of the premises performed in May of 2000. Subject however to any legal highways, easements, and restrictions of record.

For the purpose of this description a bearing of North 50° 20' 07" East was used between reference monuments found 60 feet left of centerline station 1050+25.00 and 60 feet left of centerline station 1070+42.88 feet as shown on the Ohio Department of Transportation Right-of-Way plans for 1-670 (FRA-670-3 .93-AA).

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

SECTION 2. That a Height District of One-Hundred Ten (110) feet is hereby established on the L-C-4, Limited Commercial 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 L-C-4, Limited Commercial District 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 Jackson B. Reynolds, III, Attorney for the Applicant, dated April 14, 2003, and reading as follows:

LIMITATION OVERLAY TEXT DEVELOPMENT PLAN

PROPOSED DISTRICT: L-C-4, Limited Commercial
 EXISTING DISTRICT: R, Rural
 OWNER: Cassady Retail Ventures Ltd.
 APPLICANT: Cassady Retail Ventures Lt&
 DATE OF TEXT: 4/14/03
 APPLICATION NUMBER: Z00-084

1. INTRODUCTION: The site has recently been annexed into the City of Columbus.
2. PERMITTED USES: Those uses permitted in Section 3356.03, except for the following listed uses: billboards; book bindery; bus or truck terminal; dance hall; motorized vehicle sales (new and used); skating rink and stable.
3. DEVELOPMENT STANDARDS: Unless otherwise specified in the following Development Standards, the Development Standards shall be as specified in the Columbus City Code as applicable to the C-4, Commercial District (Chapter 3356).
 - A. Density, Height, Lot and/or Setback commitments.
 1. The site shall have maximum building height of sixty-five feet.
 2. The building and parking setbacks from Cassady Avenue and I-670 shall be 50 feet and 25 feet, respectively.
 3. Lot coverage (pavement and building) for the entire site shall not exceed eighty-five percent.
 - B. Access, Loading, Parking and/or other Traffic related commitments.
 1. The 35+ acre site shall be developed in two (2) phases with each phase requiring a traffic impact study to identify any needed traffic improvements related to each particular phase of the development. The first phase shall consist of that property which fronts Cassady Avenue, starting at Airport Drive and going north to the northern property line will generate a total of 609 pm peak trips. The second phase will consist of the remainder of tract. A traffic impact study must be submitted to the City of Columbus Transportation Division for approval and a letter of commitment submitted for each phase before zoning clearance can be secured from the Columbus Development Department for development of either phase.

2. In Phase I of the proposed development there shall be three (3) curb cuts to Cassidy Avenue (A right turn into the site at the southern end of the property then two (2) full service curb cuts). The northernmost curb cut will be reexamined at the time the second phase of the development is initiated. A full service curb cut with signalization is contemplated in the second phase to provide access to the public road proposed in an eastward direction.
 3. These access points may be modified with the approval of the appropriate governmental agency.
 4. Where appropriate the developer shall install left turn lanes and right drop lanes per the City of Columbus specifications.
- C. Buffering, Landscaping, Open space and/or Screening commitments.
1. Street trees shall be planted within the parking setback along Cassidy Avenue and I-670 at a ratio of one tree per thirty (30) feet of frontage.
 2. Within the parking setback area along Cassidy Avenue and I-670 a three-foot average height continuous (except at access points) planting hedge, fence, wall, earth mound or combination thereof shall be installed.
 3. Any interior public streets shall meet the same landscaping standards contained in items 3(C) 1 and 2 above.
 4. All trees and landscaping shall be well maintained. Dead items shall be replaced within six months.
 5. All trees shall meet the following minimum size at the time of planting: Shade trees 2.5" caliper, Ornamental trees 1.5" caliper, Evergreen trees 5 feet in height.
 6. For the rear of any building that faces the I-670 right-of-way or exit ramp, a landscape buffer shall be installed that consists of deciduous trees with a caliper of 2.5" at the time of planting planted every 30' on center within that rear area along with a wall, mound, or fence or any combination thereof to provide a screen to the I-670 traveling public. If the front or a finish facade faces the I-670 right-of-way or ramp, then the landscaping detailed in C(1) and (2) are the only required plantings for this area.
- D. Building design and/or Interior-Exterior treatment commitments.
1. Mechanical equipment or other utility hardware on the roof of a building shall be screened from view at the property lines.
 2. The building material for any office or commercial building shall be brick, stone, glass, masonry (including pre-cast) EIFS, individually or in any combination thereof
 3. For the rear facades of any building that faces the I-670 right-of-way or exit ramp those walls shall be constructed of split-face block and painted a muted colored or earth tone with an appropriate roof band to improve the aesthetic character of the facade.
- E. Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments.
1. All external outdoor lighting shall be cut-off fixtures (down lighting) and shall be designed and placed to prevent spillage of light off the site and to prevent glare visible from the property lines and lighting shall not exceed .1 foot-candle along the property line of a residentially used or zoned property.
 2. Accent lighting shall be permitted provided such light source is concealed from adjacent right-of-way.
 3. All wall-mounted lighting shall be shielded to prevent offsite spillage.
 4. Except for decorative lighting, all other light poles shall be metal and such light poles shall be of the same color. Light poles in the parking lots shall not exceed 18 feet in height.
 5. Wiring within the subject site shall be underground, unless a utility company providing service through or over the property prohibits under ground installation.
 6. Dumpsters shall be screened on three sides with a fence, wall or landscaping to a height of six feet with a gate on the fourth side.
- F. Graphics and Signage commitments.
- All signage shall conform to Article 15, Title 33 of the Columbus City Code. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission.
- G. Miscellaneous commitments.
1. The property owner shall grant an aviation easement to the Columbus Airport Authority prior to the submission to the City for a Certificate of Zoning Clearance.
 2. The developer shall comply with the parkland dedication ordinance by paying \$400/acre to the Recreation and Parks Department at the time of submission for Certificate of Zoning Clearance.
- SECTION 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.
- Passed as amended October 20, 2003, Matthew D. Habash, President of Council / Approved as amended October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2028-2003

To rezone 5479 LINWORTH ROAD (43235), being 8.37± acres located on the west side of Linworth Road, 500+ feet south of Rocky Rill Road, From: R, Rural District, To: L-R-2, Limited Residential District (Rezoning # Z03-038) and to declare an emergency.

WHEREAS, application #Z03-038 is on file with the Building Services Division of the Department of Development requesting rezoning of 8.37± acres from R, Rural District, to L-R-2, Limited Residential District; and

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

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus given Plat Submittal Requirements for the immediate preservation of the public peace, property, health and safety; and

WHEREAS, the City Departments recommend approval of said zoning change because the proposed L-R-2, Limited Residential District to develop a single-family subdivision is compatible with surrounding single-family residential development The limitation text includes customary development standards pertaining to density, lot size, dwelling unit size, garages, and establishes a buffer zone along Kempton Run by granting a 50' wide conservation easement to the Recreation and Parks Department; now, therefore:

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

SECTION 1. That the Official Zoning Map of the City of Columbus, as adopted by Ordinance No 0179-03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows

5479 LINWORTH ROAD (43235), being 8.37± acres located on the west side of Linworth Road, 500+ feet south of Rocky Rill Road, and being more particularly described as follows

LEGAL DESCRIPTION OF A 8.369 ACRE TRACT:

Situated in the State of Ohio, County of Franklin, Township of Perry, located Quarter Township, Township 2 North, Range 19 West, United States Military Lands, and being all of the 8.67 acre tract (8.666 acres by survey), (Parcel Number 218-151160) now owned by the Khempco Building Supply Company in Official Record 2070E02 and being more particularly described as follows:

Beginning, for reference, in the centerline of Linworth Road at the northwest corner of Indian Hills Subdivision as delineated and recorded in Plat Book 34, Page 15-16, which is in the existing City of Columbus Corporation line as established by Misc. Record 134A40, dated 05/23163.

thence South 30° 00' 40" East 429.35 feet, in the centerline of Linworth Road and said Corporation Line and in the west line of said Indian Hills Subdivision, to a PK nail found marking the northeast corner of said 8.67 acre tract and the southeast corner of a 0.465 acre tract now owned by Patricia A Hay in Official Record 00678G02 (Parcel 010-137466),

thence South 60° 32' 40" West 30.00 feet, in the north line of said 8.67 acre tract, to a point being the PRINCIPAL PLACE OF BEGINNING of the herein described tract;

thence the following five courses in the west right of way line of Linworth Road;

South 29° 56' 39" East 16.62 feet to an iron pin set;

South 29° 24' 55" East 138.18 feet to an iron pin set;

South 31° 03' 50" East 101.82 feet to an iron pin set;

South 36° 20' 40" East 102.19 feet to an iron pin set;

South 39° 26' 10" East 67.83 feet, to an iron pin set, in a south line of said 8.67 acre tract and the north line of a 0.100 acre tract

now owned by the Franklin County Commissioners;

Thence South 45° 03' 28" West 57.98 feet, in a south line of said 8.67 acre tract and the north line of said 0.01 acre tract, to an iron pin set;

Thence South 44° 56' 32" East 28.69 feet, in a line common to said 8.67 acre tract and said 0.100 acre tract, to an iron pin found also being in the north line of a 0.962 acre tract now owned by Gina M Petruziello in Official Record 3649A0 1, (Parcel No.216-182494),

Thence South 65° 00' 28" West 379.02 feet, in a south line of said 8.67 acre tract and the north line of said 0.962 acre tract and the north line of a 1.375 acre tract now owned by Frederick J. and Anna L. Hitzhausen in Official Record 54 12E09 (Parcel No.216-151253), to an iron pin set;

Thence South 72° 08' 28" West 65.15 feet, in a south line of said 8.67 acre tract and the north line of a 0.773 acre tract now owned by A Michael and Roberta L. Knapp in Official Record 1947002 (Parcel No.216-151255), to an iron pin set;

Thence North 85° 51' 32" West 120.00 feet, in a south line of said 8.67 acre tract and the north line of said 0.773 acre tract, and a 0.964 acre tract now owned by Louis P. and E. Jewell Diorio in Deed Book 3404, Page 42 (Parcel No. 216-151104), to an iron pin set;

Thence South 11° 15' 43" East 139.67 feet, in a southeasterly line of said 8.67 acre tract and the north line of said 0.773 acre tract, and said 0.964 acre tract, to an iron pin set;

Thence South 46° 54' 28" West 193.17 feet, in a south line of said 8.67 acre tract and the north line of said 0.964 acre tract, and the north line of Lot 20 of the Briarbank Subdivision (Plat Book 34, Page 96) now owned by Russ Rifillitiza (Parcel 216-151257), to an iron pin et marking the southeast corner of said 8.67 acre tract and in the east line of said CSX property;

Thence North 11° 10' 12" West 359.19 feet, in the east line of said CSX property and the west line of said 8.67 acre tract, to an iron pin found;

Thence North 87° 38' 32" West 51.43 feet, in a line common to said CSX property and said 8.67 acre tract, to an iron pin found;

Thence North 11° 10' 12" West 326.28 feet, in the east line of said CSX property and the west line of said 8.67 acre tract, to an iron pin found marking the northwest corner of said 8.67 acre tract and the southwest corner of a 1.925 acre tract now owned by Collidge R R. and Olive Johnson in Deed Book 1912, Page 333, (Parcel No.010-137465);

thence North 60° 42' 10" East 351.88 feet, in the north line of said 8.67 acre tract and the south line of said 1.925 acre tract and in the City of Columbus Corporation line as recorded in Ordinance Number159-63, dated 04/11/63, to an iron pin found, marking a northeasterly corner of said 8.67 acre tract and the northwest corner of a 0.465 acre tract now owned by Billie L. and Mary E. Burcher in Deed Book 3129, Page 88.

Thence South 29° 17' 48" East 150.00 feet, in an east line of said 8.67 acre tract and in the west line of said 0.465 acre tract and the west line Hay's said 0.465 acre tract to an iron pin found;

Thence North 60° 32' 27" feet, in a north line of said 8.67 acre tract and the south line of said 0.465 acre tract to the Principal Place of Beginning, containing 8.369 acres more or less.

Basis of bearings from Official Record 20708, Page E12 based on the centerline of Linworth Road being South 30° 00' 40" East.

All referenced documents are filed at the Franklin County Recorder's Office, Columbus, Ohio A survey of the above described premises was done by Robert I Patridge Jr. in May, 2003. To Rezone From: R, Rural District,

**To Rezone From: R, Rural District
To: L-R-2, Limited Residential District**

SECTION 2. That a Height District of Thirty-five (35) feet is hereby established on the L-R-2, Limited 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 and shall register a copy of the approved L-R-2, Limited Residential District 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, "DEVELOPMENT TEXT, L-R-2, LIMITED RESIDENTIAL DISTRICT, 8.37+ ACRES" and site plan titled "PRELIMINARY PLAT FOR: KEMPTON RUN", both signed by Donald T. Plank, Attorney for the Applicant, dated August 14, 2003, and the text reading as follows:

DEVELOPMENT TEXT, L-R-2, LIMITED RESIDENTIAL DISTRICT, 8.37+ ACRES
EXISTING DISTRICT: R, RURAL
PROPOSED DISTRICT: L-R-2, LIMITED RESIDENTIAL DISTRICT
PROPERTY ADDRESS: 5479 LINWORTH ROAD, COLUMBUS, OH 43235
OWNER: KHEMPCO BUILDING SUPPLY COMPANY LIMITED PARTNERSHIP CIO DONALD PLANK, ESQ., SHULER, PLANK & BRAHM, 145 EAST RICH STREET, COLUMBUS, OH 43215
APPLICANT: RIVERWOOD PARTNERS, LLC CIO DONALD PLANK, ESQ., SHULER, PLANK & BRAHM, 145 EAST RICH STREET, COLUMBUS, OH 43215
DATE OF TEXT: AUGUST 14,2003
APPLICATION NUMBER: Z03-038

INTRODUCTION:

The subject property is 8.37+ acres located at the west side of Linworth Road, 600+ feet north of the intersection of Linworth Road and Meeklyn Drive The site was zoned CPD, Commercial Planned Development in Perry Township and is a commercial lumberyard Annexation to Columbus was accepted by Council on July28, 2003. Applicant proposes to rezone the property for development of a single family dwelling subdivision with an internal public street. A plan titled "Kempton Run Subdivision" dated July 23, 2003 and signed August 14, 2003 by Donald Plank, Attorney for Applicant, is submitted with this application and incorporated by reference as the lot and street plan, subject to final engineering and platting of the site. The plan titled "Kempton Run Subdivision" is hereafter referred to as The Plan. The proposed land use is consistent and compatible with surrounding land uses and recommendations of the Northwest Plan

1. **PERMITTED USES:** The following uses shall be permitted:
 - Detached Single-family dwellings on platted lots as permitted in Section 3332.033, R-2, Residential District Use, along with customary accessory uses and structures incidental to a single family dwelling, as permitted in Chapter 3332, Residential Districts.
2. **DEVELOPMENT STANDARDS:** Except as specified herein and as indicated on "The Plan", the applicable development standards of Chapter 3332, Residential Districts, of the Columbus City Code shall apply.
 - A. **Density, Height Lot and/or Setback Commitment&**
 1. **Density:** A maximum of twenty-two (22) detached single-family dwellings on separate platted lots shall be permitted
 2. **Height:** Height District shall be H-35.
 3. **Lot:** The minimum lot area shall be 6,000 square feet. Lot sizes shall be as depicted on The Plan, subject to minor adjustment with final engineering and platting
 4. **Setback:** Minimum building setback lines, including garages, shall be as depicted on The Plan and as follows Linworth Road (30 feet), Internal Subdivision Street (25 feet).
 - B. **Access, Loading, Parking and/or Traffic Related Commitments**
 1. There shall be no direct vehicular access to Linworth Road from Lots 1 and 22, as numbered on The Plan.
 2. All lots shall front upon and be accessed from a new public street, as depicted on The Plan
 3. Thirty (30) feet of right of way from the centerline of Linworth Road shall be deeded to the City of Columbus in conjunction with approval of this rezoning request or dedicated to the City of Columbus in conjunction with the subdivision plat, which ever is preferred by the Division of Transportation
 4. Applicant has completed a Sight Distance Study for the location of the new subdivision public street on Linworth Road The Sight Distance Study and the location of the new public street have been approved by the Division of Transportation At the time of construction of the new subdivision street, applicant shall be responsible for trimming of trees within the Linworth Road right of way to achieve sight distance for 40 miles per hour design speed
 - C. **Buffering, Landscaping, Open Space, and/or Screening Commitments**
 1. Kempton Run meanders along the south property line of the site and is both on and offsite at various locations along the south property line. A buffer zone of fifty (50) feet parallel to the top of bank shall be provided, as depicted on The Plan. A Conservation Easement corresponding to the fifty (50) foot buffer zone shall be granted to the City of Columbus The (50) foot buffer zone shall remain undisturbed with existing natural vegetation, except as needed for utility crossings and, in the area of Lot 15 and 16, grading requirements may necessitate grading/filling into apart of the fifty (50) buffer area. If grading occurs in the 50 foot buffer area of Lots 15 and 16, a grading, restoration and replanting plan acceptable to the Public Utilities and Parks Departments shall be provided
 2. Street trees shall be provided along the new internal public street at the rate of not less than one(1) street tree per lot. Street trees shall be selected from tree species approved by the City Forester.
 3. A landscaped entrance feature will be provided at the entrance to the subdivision from Linworth Road
 4. Evergreen trees shall be planted along the west property line of Lots 9 - 13, inclusive. Evergreen trees shall be a minimum of five (5) feet high and shall be planted approximately evenly at fifteen (15) feet on center. Applicant may be able to relocate larger evergreen trees (exceeding ten feet) on the property, in which case, spacing will be adjusted to be approximately twenty (20) feet on center.
 5. The minimum size of plant material, at time of installation, of street trees, entrance feature landscaping and tree planting along the west side of Lots 9 - 13, inclusive, shall be as follows: Deciduous/Street Tree -2 ½" caliper, Ornamental Tree - 1 ½" caliper, Evergreen Tree - five (5) feet. Plant material provided in conjunction with any restoration / replanting plan as referenced in C.1. or any additional planting that applicant elects to do shall not be subject to the referenced minimum caliper / height sizes
 - D. **Building Design and/or Interior-Exterior Treatment Commitments**
 1. Building materials shall be traditional and natural in appearance Primary exterior building materials shall be stone, stucco, cultured stone, brick, hardi-plank and/or wood siding. The only use of vinyl / aluminum siding, if any, shall be on soffits and fascia
 2. **Minimum Dwelling Unit Size:** The Minimum Net Floor Area for Living Quarters, as defined in Section3303.13, Letter M, of the Columbus Zoning Code, shall be 1,600 square feet per dwelling unit
 3. **Garages:** Every dwelling shall have not less than a two car attached garage
 - E. **Dumpsters, Lighting, Outdoor Display Areas and/or Environmental Commitments**

All new or relocated utility lines shall be installed underground unless the applicable utility company directs or requires otherwise.
 - F. **Graphics and Signage Commitments**

All graphics shall conform to Article 15 of the Columbus Graphics Code, as it applies to the R-2, Residential District. Any variance to the applicable sign requirements of the R-2 district shall be submitted to the Columbus Graphics Commission
 - G. **Miscellaneous.**
 1. The developer shall comply with applicable monetary payment requirements of Chapter33 18, Parkland Dedication, Columbus City Code.
 2. The plan titled "Kempton Run Subdivision" dated July 23, 2003 and signed August 14, 2003 by Donald Plank, Attorney for Applicant, is a lot and street plan for site development, subject to final engineering and platting of the site The "Kempton Run Subdivision" plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time final development and engineering plans are completed
 3. The Board of Zoning Adjustment (BZA) shall be the body to hear any and all variance requests to site development standards, unless included in a council variance application, including any and all specific site development standards contained in this ordinance or as depicted on the plan referenced in G.(2).

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 10 days after its passage if the Mayor neither approves nor vetoes the same.

Passed as amended October 20, 2003, Matthew D. Habash, President of Council / Approved as amended October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2030-2003

To authorize and direct the Board of Health to enter into a contract with the Franklin County Board of Health, to authorize the expenditure of \$105,000 from the Health Department Grants Fund, and to declare an emergency (\$105,000)
 WHEREAS, the Franklin County Board of Health provide regional public health coordination services in central Ohio; and,
 WHEREAS, this contract is necessary per the requirements of the Ohio Department of Health, Public Health Infrastructure grant; and,
 WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to

authorize 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 the Franklin County Board of Health for the period August 31, 2003 through August 30, 2004.

SECTION 2. This ordinance is in accordance with Section 329.02 of the Columbus City Code.

SECTION 3. That to pay the cost of said contracts the expenditure of \$105,000 is hereby authorized from the Health Department Grants Fund, Fund No. 251, Department No. 50, OCA 504052, Object Level One 03, Object Level Three 3337.

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 October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2037-2003

To authorize the transfer and appropriation of \$71,302.00 of funds within the Sewer System Permanent Improvements Fund in connection with the Walhalla Ravine Area Sanitary Improvements, Part B Project, for the Division of Sewerage and Drainage, and to declare an emergency

WHEREAS, Ordinance No. 1835-02, passed December 9, 2003, authorized the Director of Public Utilities to enter into contract with Reynolds, Inc., for the construction of the Walhalla Ravine Area Sanitary Improvement, Part B Project; and

WHEREAS, the City of Columbus did enter into loan agreements with the Ohio Water Development Authority, State of Ohio Water Pollution Control Loan Fund; and whereupon it has been determined that \$71,302.00 of the improvements associated with Part B are ineligible for reimbursement under the terms of the loan agreement, and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage in that it is immediately necessary for this City Council to authorize the City Auditor to transfer and appropriate funds within the Sewer System Permanent Improvements Fund for purposes of providing the City's ineligible share of the contract for the construction of the Walhalla Ravine area Sanitary Improvements, Part B Project as funded by the Ohio Water Pollution Control Loan Fund; for the preservation of the public, health, peace, and safety, 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 appropriate a total of \$71,302.00 within the Sewer System Permanent Improvements Fund as follows

Division No. 60-05 Project: Unallocated Balance Project No. 671999 OCA 900671 Object Level 3 No.: 6630.

Section 2. That the City Auditor is hereby authorized and directed to transfer monies in the said fund as follows

FROM:

Project: Unallocated Balance / Div.: 60-05 / Fund 671 / Project: 671999 / OCA: 900671

TO:

Project: Walhalla Ravine Area / Div.: 60-05 / Fund 671 / Project: 650662 / OCA: 671662

Section 3. That the city Auditor is hereby authorized and directed to transfer any unencumbered balance in the 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 4. That the City Auditor is authorized to make any accounting changes to revise the funding source for contract no. EL003033.

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 approved nor vetoes the same

Passed October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2038-2003

To authorize the Director of Public Utilities to modify the agreement with EMA Services, Inc. for professional engineering services for the Maintenance Management Program Upgrade, for the Division of Sewerage and Drainage; to appropriate and authorize the transfer of funds from the Sewerage System Reserve Fund to the 1991 Sanitary Bond Fund; to authorize the expenditure of \$1,300,000.00 from the 1991 Sanitary Bond Fund; and to declare an emergency. (\$1,300,000.00)

WHEREAS, Ordinance No. 933-98, passed April 6, 1998, authorized the Director of Public Utilities to enter into contract with EMA Services, Inc., for professional engineering services associated with the Maintenance Management Program Upgrade for the Division of Sewerage and Drainage; and

WHEREAS, it is immediately necessary to both appropriate funds from the Sewerage System Reserve Fund and transfer said funds into the 1991 Voted Sanitary Bond Fund, for the purpose of funding a modification to the said contract; and

WHEREAS, the funding method for this expenditure is a temporary measure until such time as the City sells notes or bonds for the above stated purpose and reimburses the Sewerage System Reserve Fund; and

WHEREAS, the aggregate principal amount of obligations which the City will issue to finance this modification is presently expected not to exceed \$1,300,000.00; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage, in that it is immediately necessary to authorize the modification of the existing contract in order to provide for the proper, planned continuation of the work of this project for the preservation of the 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 Public Utilities be, and hereby is, authorized to modify the agreement with EMA Services, Inc., 1970 Oakcrest Avenue, St Paul MN 55113-2624, for professional engineering services associated with the Maintenance Management Program Upgrade, Capital Improvements Project 370, in accordance with the terms and conditions as shown on the Modification on file in the office of the Division of Sewerage and Drainage.

Section 2. That the said professional services firm shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage

Section 3. That from the unappropriated monies in the Sewerage System Reserve Fund, Fund 654, 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, 2003, the sum of \$1,300,000.00 is hereby appropriated to the Division of Sewerage and Drainage, Division 60-05, Object Level One 10, Object Level Three 5502, OCA 901654.

Section 4. That the City Auditor is hereby authorized to transfer said funds to the 1991 Sanitary Bond Fund, Fund 664, for the Maintenance Management Program Upgrade, Project 650370, at such time as is deemed necessary by him, and to expend said funds or so much thereof as may be necessary

Section 5. That \$1,300,000.00 is hereby appropriated to the Division of Sewerage and Drainage, Division 60-05, 1991 Sanitary Bond Fund, Fund 664, Project 650370, OCA 650370, Object Level Three 6678, for the Maintenance Management Program Upgrade

Section 6. That upon obtaining other funds for the purpose of funding wastewater treatment facilities capital improvements work, the City Auditor is hereby authorized to repay the Sewerage System Reserve Fund the amount transferred under Section 4., above, and said funds are hereby deemed appropriated for such purpose

Section 7. That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract or contract modifications associated with expenditure of the funds transferred under Section 4., above.

Section 8. That the City intends that this ordinance constitutes 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 9. That the expenditure of \$1,300,000.00, or as much thereof as may be needed, be and the same hereby is authorized from the 1991 Sanitary Bond Fund, Fund 664, Division 60-05, Division of Sewerage and Drainage Project 650370, OCA 650370, Object Level Three 6678, to pay the cost of this modification.

Section 10. 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 October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2065-2003

To authorize the Board of Health to modify and increase a contract with Ohio AIDS Coalition for the provision of administrative support for the Ryan White Planning and Evaluation grant program, to authorize the expenditure of \$13,198.11 from the Health Department Grants Fund to pay the cost thereof, and to declare an emergency

WHEREAS, Contract No. DE044323 authorized the expenditure of \$11,000 to Ohio AIDS Coalition to provide administrative support for the Ryan White Planning and Evaluation grant program; and,

WHEREAS, additional work is needed to continue these services through March 31, 2004; and,

WHEREAS, an emergency exists in the usual daily operation of the Health Department in that it is immediately necessary to modify and increase said contract with Ohio AIDS Coalition 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 modify Contract No DE044323 with Ohio AIDS Coalition to provide administrative support for the Ryan White Planning and Evaluation grant program, for the period of April 1, 2003 through March 31, 2004, in an amount not to exceed \$13,198.11.

SECTION 2. That the expenditure of \$13,198.11 is hereby authorized from the Health Department Grants Fund, Fund No 251, Department of Health, Department No. 50-01, Object Level One 03, Object Level Three 3337, OCA No. 503009, Grant No. 503009.

SECTION 3. 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 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 October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2093-2003

To authorize the Public Service Director to enter into a Guaranteed Maximum Cost Agreement with 104 North Third Street, LLC, for the construction of downtown streetscape improvements on Third Street, Long Street, Lazelle Street, and Elm Street for the Transportation Division; to waive the formal competitive bidding requirements of the Columbus City Code, 1959, and to authorize the expenditure of \$175,000.00 or so much thereof as may be needed from the 1995, 1999 Voted Streets and Highways Fund. (\$175,000.00)

WHEREAS, the need exists to enter into a Guaranteed Maximum Cost Agreement for the construction of new downtown streetscape improvements on Third Street, Long Street, Lazelle Street, and Elm Street: and

WHEREAS, this project will provide improvements to the public right-of-way that meet or exceed the standards of the Downtown Streetscape Plan; and

WHEREAS, this streetscape project will greatly enhance the appearance of the pedestrian environment and complement an adjacent private sector investment; and

WHEREAS, in order to allow streetscape projects and their adjacent private sector projects to proceed on schedule, streetscape construction agreements were negotiated conditioned on the City's ability to fund new projects and City Council approval of the necessary legislation; and

WHEREAS, it is in the best interest of the City to waive the formal competitive bidding requirements of the Columbus City Code, 1959, and that this agreement be awarded in accordance with Section 186 of the Columbus City Charter, now, therefore;

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

SECTION 1. That the Public Service Director be and hereby is authorized to enter into a Guaranteed Maximum Cost Agreement with 104 North Third Street, LLC, for the construction of downtown streetscape improvements on Third Street, Long Street, Lazelle Street and Elm Street for the Transportation Division in the amount of \$175,000.00 pursuant to Section 186 of the Columbus City Charter.

SECTION 2. That in accordance with Section 329.27 of the Columbus City Code, City Council has determined that it is in the best interest of the City of Columbus that the formal competitive bidding requirements of Chapter 329 be and are hereby waived for the procurement of engineering and

construction services pursuant to this Guaranteed Maximum Cost Agreement.

SECTION 3. That the expenditure of \$175,000.00, or so much thereof as may be needed be and hereby is authorized and approved as follows from Fund 704, the 1995, 1999 Voted Streets and Highways Fund, Department No. 59-09, Transportation Division, Object Level One Code 06, Object Level Three Code 6631, Project 530801, Downtown Streetscape improvement project, OCA Code.

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

Passed October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2114-2003

To authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services, and to expend \$20,075.00 from the Storm Sewer Bonds Fund for costs in connection with the Hague Avenue Stormwater System Improvement Project, and to declare an emergency (\$20,075.00).

WHEREAS, the City of Columbus is engaged in the Hague Avenue Stormwater System Improvement Project; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage, in that it is immediately necessary to authorize the City Attorney to acquire fee simple title and lesser interests in and to certain parcels of real estate and to contract for the aforesaid professional services necessary in connection with said project for the preservation of the public health, peace, property and safety; now, therefore

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

Section 1. That the City Attorney be, and hereby is, authorized to acquire fee simple title and lesser interests in and to certain parcels of real estate and to contract for the professional services necessary in connection with the Hague Avenue Stormwater System Improvement Project, #610963.

Section 2. That the expenditure of \$20,075.00, or so much thereof as may be necessary from the Storm Sewer Bonds Fund #685; Dept. / Div. 60-15; Project No. 610963; OCA Code 685001; Object Level Three 6601 for the aforesaid purpose is hereby authorized.

Section 3. That for the reasons stated in the preamble hereto, 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 October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2118-2003

To authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services, and to expend \$42,240.00 from the Storm Sewer Bonds Fund for costs in connection with the Bexvie Avenue Stormwater System Improvement Project, and to declare an emergency (\$42,240.00).

WHEREAS, the City of Columbus is engaged in the Bexvie Avenue Stormwater System Improvement Project; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage, in that it is immediately necessary to authorize the City Attorney to acquire fee simple title and lesser interests in and to certain parcels of real estate and to contract for the aforesaid professional services necessary in connection with said project for the preservation of the public health, peace, property and safety; now, therefore

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

Section 1. That the City Attorney be, and hereby is, authorized to acquire fee simple title and lesser interests in and to certain parcels of real estate and to contract for the professional services necessary in connection with the Bexvie Avenue Stormwater System Improvement Project, # 610960

Section 2. That the expenditure of \$42,240.00, or so much thereof as may be necessary from the Storm Sewer Bonds Fund #685; Dept. / Div. 60-15; Project No. 610960; OCA Code 685001; Object Level Three 6601 for the aforesaid purpose is hereby authorized.

Section 3. That for the reasons stated in the preamble hereto, 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 October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2119-2003

To authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services, and to expend \$11,225.00 from the Storm Sewer Bonds Fund for costs in connection with the Napoleon / Broad Stormwater System Improvement Project, and to declare an emergency (\$11,225.00).

WHEREAS, the City of Columbus is engaged in the Napoleon / Broad Stormwater System Improvement Project; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage, in that it is immediately necessary to authorize the City Attorney to acquire fee simple title and lesser interests in and to certain parcels of real estate and to contract for the aforesaid professional services necessary in connection with said project for the preservation of the public health, peace, property and safety; now, therefore:

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

Section 1. That the City Attorney be, and hereby is, authorized to acquire fee simple title and lesser interests in and to certain parcels of real estate and to contract for the professional services necessary in connection with the Napoleon/Broad Stormwater System Improvement Project, #610872.

Section 2. That the expenditure of \$ 11,225.00, or so much thereof as may be necessary from the Storm Sewer Bonds Fund #685, Dept. / Div. 60-15; Project No. 610872, OCA Code 685001, Object Level Three 6601, for the aforesaid purpose is hereby authorized

Section 3. That for the reasons stated in the preamble hereto, 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 October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2124-2003

To rezone 5200 NEW ALBANY ROAD (43054), being 2.4± acres located at the southeast corner of State Route 161 and New Albany Road, From: L-C-4, Limited Commercial District, To: L-C-4, Limited Commercial District and to declare an emergency.

WHEREAS, application #Z03-045 is on file with the Building Services Division of the Department of Development requesting rezoning of 2.4± acres from L-C-4, Limited Commercial District, to LCA, Limited Commercial District; and

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

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; and

WHEREAS, the City Departments recommend approval of said zoning change because the applicant requests to modify a setback restriction contained within Sub-area 3 of Z94-121C to permit an expansion to an existing day care use. The expansion is to the north of the building, between the building and State Route 161. The change is minor and limited to approximately 25% of the rear property line (Z03-045), now, therefore:

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

SECTION 1. That the Official Zoning Map of the City of Columbus, as adopted by Ordinance No 0179-03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows

5200 NEW ALBANY ROAD (43054), being 2.4± acres located at the southeast corner of State Route 161 and New Albany Road and being more particularly described as follows

LEGAL DESCRIPTION OF THE SUBJECT PROPERTY DESCRIPTION OF 2.396 ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Quarter Township, Township 2, Range 16, United States Military Lands, and being 2.396 acre out of a 4.548 acre tract conveyed to Tim Donut U.S., Limited, Inc. As recorded in Official Record Volumes OR. 32833117 and 32833119, and being more particularly described as follows:

Commencing for reference, at a point at the southeasterly corner of Reserve G as the same as shown on the plat of "FODOR ROAD AND NEW ALBANY ROAD DEDICATION AND EASEMENTS" of record in Plat Book 83, Page 11;

Thence South 66 deg. 13' 36" East, a distance of 41.75 feet, along the northerly right-of-way line of Fodor Road, to an iron pin found at the southeasterly corner of said 4.548 acre tract;

Thence North 03 deg. 34' 19" East, a distance of 397.50 feet, along the easterly line of said 4.548 acre tract, to an iron pin set, said iron pin set being THE TRUE PLACE OF BEGINNING, of the herein to be described 2.396 acre tract;

Thence from said PLACE OF BEGINNING, North 86 deg. 25' 41" West, a distance of 329.17 feet, through said 4.548 acre tract, to an iron pin set in the easterly line of said Reserve G;

Thence along the arc of a curve to the right, having a radius of 445.00 feet, an arc length of 34.57 feet, delta angle of 04 deg. 27' 06", a chord distance of 34.57 feet, a chord bearing of North 01 deg. 20' 46" East, along the easterly line of said Reserve G, to an iron pin found, being the extension of easterly right-of-way line of New Albany Road, State of Ohio, Parcel 4WL, 13.736 acre as recorded in Official Record Volume 27687 A19;

Thence North 03 deg. 34' 19" East, a distance of 257.49 feet, along said extension of the easterly right-of-way of New Albany Road (being a limited access right-of-way), to an iron pin set at an angle point in the southerly right-of-way of relocated State Route 161,

Thence North 85 deg. 55' 02" East, a distance of 235.40 feet, along said southerly limited access right-of-way of relocated State Route 161, to an iron pin found;

Thence North 80 deg. 02' 03" East, a distance of 99.99 feet, continuing along said limited access right-of-way, to an iron pin found at the northeasterly corner of said 4.548 acre tract;

Thence South 03 deg. 34' 19" West, a distance of 346.80 feet, along the easterly line of said 4.548 acre tract, to THE TRUE PLACE OF BEGINNING;

Containing 2.396 acres of land, more or less, subject to all easements, restrictions and right-of-way of record;

Bearings are based on the bearings contained on the Plat of AFodor road Dedication and Easements of record in Plat Book 83, Page 11.

All references being to records of the Recorder's Office, Franklin County, Ohio

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

SECTION 2. That a Height District of Thirty-five (35) feet is hereby established on the L-rC-4, Limited Commercial 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 L-C-4, Limited Commercial District 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 "L-C-4 LIMITATION TEXT", signed by Jeffrey L Brown, Attorney for the Applicant, dated August 22, 2003, and reading as follows:

L-C-4 LIMITATION TEXT

| | |
|---------------------|--|
| PROPOSED DISTRICT: | L-C4 |
| PROPERTY ADDRESS: | 5200 New Albany Road |
| OWNER: | New Albany Real Estate |
| APPLICANT: | Steve Lefkovitz - New Albany Real Estate |
| DATE OF TEXT: | 8/22/03 |
| APPLICATION NUMBER: | Z03-045 |

1. INTRODUCTION: This application involves a portion of Subarea 3 of Z94-121C. The applicant is modifying the setback to permit the expansion of the existing building

2. PERMITTED USES: Those uses permitted in Section 3356.03 (C-4) of the Columbus City Code with the following exclusions:

Armory, Automobile salesroom, Billboards, Book bindery, Bowling alley, Bus or truck terminal, Cabaret Commercial radio transmitting or television station and appurtenances including cellular towers, Dance hall, Electric substation, Funeral parlor, Garage repair shop, Hotel, Ice house, Millinery, Motel, Motorbus terminal, Motion picture theater, Motor vehicle sales, service, maintenance, or leasing, New or second hand car lot, Nightclub, Poolroom, Private club, Public parking garage for pay, Public parking for pay Stables, Testing or experimental laboratory, Trade school Tinsmith

1. DEVELOPMENT STANDARDS: Unless otherwise indicated within this limitation text the applicable development standards of Chapter 3356 (CA) of the Columbus City Code shall apply.

- A. Density, Height, Lot and/or Setback commitments.
1. The permitted maximum density shall not exceed the ratio of 10,000 square feet of building per net acre of site for the entire site.
 2. The setback along 161 Bypass shall be 35 feet for parking and maneuvering areas and 35 feet for building for the first 125 feet measured from the northeast corner of the site then the building setback shall be 75 feet along the balance of the north property line.
 3. The setback along all other streets shall be 25 feet for parking and maneuvering areas and 50 feet for building.
 4. Height district within this site shall be 35 feet as measured per Columbus City Code
 1. Lot coverage shall not exceed 80% of the total lot area.
- B. Access, Loading, Parking and/or other Traffic related commitments
1. Location and design details of the curb cuts shall be reviewed and approved by the City's Division of Transportation.
 2. Size, ratio and type of parking and loading facility shall be regulated by the Columbus City Code, Chapter 3342.
 3. The view of all loading docks shall be fully screened from all sides from any adjacent roadway, building, or parking lot. Such screening shall achieve 90% opacity to a minimum height of six (6) feet from finished grade
- C. Buffering, Landscaping, Open space and/or Screening commitments
1. Street tree planting shall be required within the setback area along New Albany Road and 161 Bypass. Such trees shall be those specified in the Columbus Street Program guidelines from the City of Columbus Forester and have a minimum caliper upon planting of 2 2 inches and a minimum spacing of 35 feet on center and located 1 foot from edge of right-of-way.
 2. All parking areas adjacent to 161 Bypass or New Albany Road shall have headlight screening parallel to the frontage with a minimum height of 30 inches as measured from the elevation of the nearest section of the adjacent parking area. Headlight screening shall be in the form of an evergreen hedge, earth mounding or wall
 3. Tree plantings shall be required within site parking and service areas. The number of trees required shall be determined by the following applicable ratios of total inches of tree caliper (minimum of 22 inch caliper per tree) to total site coverage by buildings and pavement
 1. 0 to 20,000 square feet: 6 inches of trunk size plus 1 inch additional for every 4,000 square feet of total site coverage by buildings and pavement
 2. 20,001 to 100,000 square feet: 10 inches of trunk size plus 1 inch additional for every 4,000 square feet of total site coverage by buildings and pavement over 20,000 square feet.
 3. Over 100,000 square feet: 20 inches of trunk size plus 1 inch additional for every 6,500 square feet of total site coverage by buildings and pavement over 100,000 square feet
 4. At least 50% of required tree planting shall be integrated within parking or service areas. Existing trees of 3 inch caliper or greater may offset 2/3 of this requirement. Maximum possible green space shall be provided to minimize extensive unbroken hard surface area
 5. Landscaping islands are required within parking lots and shall be provided at a rate of 5 square feet of landscaped area per 100 square feet of vehicular use area in such a manner as to visually break up large expanses of pavement
 6. The landscaping required in this section may be used to offset the parking lot landscaping requirements contained in Chapter 3342 of the Columbus City Code.
 7. Minimum tree size shall be no less than 2 2 inch caliper for street and/or shade trees, minimum 5 feet in height for evergreen trees and 1 2 inch caliper for ornamental trees.
 8. If landscaping is used to screen service area containing dumpsters, 90% opacity is required for all non-servicing side and must be protected from service vehicle & Screening shall be 1 foot above height of structure to be screened but not less than seven (7) feet above finish grade.
- D. Building design and/or Interior-Exterior treatment commitments
3. The following architectural requirements shall apply to those uses located within 300 feet of the right-of-way lines of Fodor Road, the 161 Bypass or New Albany Road. However, the requirement does not apply to buildings in which at least 80% of their ground floor footprints lie outside the designated zone
 1. A residential appearing roof shall be required to encourage the use of Georgian architecture. Portions of the roof may be flattened so long as these flattened areas shall not exceed forty (40%) percent of the total roof areas and the flattened roof areas are screened from view from adjacent parking, service areas and road ways by balustrades or other building elements. A residential appearing roof shall be defined as a roof structure with a minimum pitch of 6:12 and a maximum roof of 12:12. The height of the roof element shall not be less than 40% of the overall height of the building as measured from finished floor to top of roof. Once the roof element has reached the 40% level, then the roof may be flattened or depressed so long as the flattened or depressed portion of the roof is not visible from adjacent parking, service areas or roadways. The sloped roof noted above shall be finished with one of the following materials: dimensional asphalt singles, wood shakes, slate, composite slate, tile, standing metal seam or cooper
 2. A maximum of three (3) building material types shall be utilized for the exterior of any building including roof materials. Minor accenting of structures through the use of a fourth building material shall be permitted
 3. No materials, supplies, equipment, or products shall be stored or permitted to remain on any portion of the parcel outside the permitted structure.
 4. Mechanical equipment or other utility hardware on the roof of a building shall be screened from view by the same materials utilized on building roof or exterior. Color shall also match building exterior or roof. Mechanical or other utility equipment on the ground shall be fully screened from view by wall, fence or landscape material
 5. Blank facades on rear of buildings will not be permitted; therefore, articulating such facades with recesses, fenestrations, fences or pilasters is required. Such articulation shall be evenly spaced along the building elevation at a distance no greater than 20 feet, 0 inches.
 6. All buildings shall be finished utilizing the same materials on all sides of the exterior
 7. In addition to using building elevations to articulate building mass, individual elevations shall be articulated with fenestrations, pattern or structural expression equal on all sides of each structure. Through the use of articulated building elements, such as porticos, dormers, recesses and other such elements, the overall building mass will appear to be reduced and will reflect a residential character.
- E. Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments
1. All external outdoor lighting shall be cut-off type fixtures (down lighting). However, buildings and landscaping may be illuminated with up lighting from concealed sources. No colored light shall be used to light the exterior of any building
 2. All external outdoor lighting to be used shall be from the same manufacturer type or family to ensure aesthetic compatibility. All light poles and standards shall be in dark brown, bronze, black, or dark green
 3. Parking lot lighting shall be no higher than 28 feet
 4. Building mounted lighting within service areas shall be designed in such a way that no light spillage off-site occurs.
 5. Landscaping at entries to parking lots and buildings shall be uplighted by groundmounted concealed fixtures

F. Graphics and Signage commitments

1. All signage and graphics shall conform to Article 15 of the Columbus City Graphic Code as it applies to the C-4, Commercial district Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission

G. Miscellaneous commitments

N/A

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 10 days after its passage if the Mayor neither approves nor vetoes the same.

Passed as amended October 20, 2003, Matthew D. Habash, President of Council / Approved as amended October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2135-2003

To accept the plats titled ALUM CREEK VILLAGE SECTION 1 PART 1 and ALUM CREEK VILLAGE SECTION 1 PART 2, from CROSSMAN COMMUNITIES OF OHIO, INC., an Ohio Corporation by JEFF J. LOGSDON, Division President and to declare an emergency.

WHEREAS, the plats titled ALUM CREEK VILLAGE SECTION 1 PART 1 and ALUM CREEK VILLAGE SECTION 1 PART 2 (hereinafter "plats"), has been submitted to the City Engineer's Office for approval and acceptance; and

WHEREAS, CROSSMAN COMMUNITIES OF OHIO, INC., an Ohio Corporation by JEFF I LOGSDON, Division President, owners of the platted land, desires to dedicate to the public use all or such parts of the Drives and Lane shown on said plats 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 plats; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Department of Public Service, in that it is immediately necessary to pass this ordinance as an emergency measure because of the need to record the plat at about the same time the construction ends for the preservation of the public health, peace, property and safety; now, therefore:

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

Section 1. That the plat titled ALUM CREEK VILLAGE SECTION 1 PART 1 on file in the office of the City Engineer, Transportation Division, be and the same is hereby accepted

Section 2. That the plat titled ALUM CREEK VILLAGE SECTION 1 PART 2 on file in the office of the City Engineer, Transportation Division, be and the same is hereby accepted

Section 3. That for the reasons stated in the preamble hereto, 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 as amended October 20, 2003, Matthew D. Habash, President of Council / Approved as amended October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2136-2003

To authorize the Director of the Civil Service Commission to establish a blanket certificate for the purpose of administering the uniformed examinations of the Department of Safety, and to authorize the expenditure of \$40,000.00 from the General Fund (\$40,000.00)

WHEREAS, the Civil Service Commission will be administering upcoming safety forces uniformed examinations; and,

WHEREAS, the Executive Director of the Civil Service Commission will be contracting with individuals from around the country for performing certain phases of these examinations; and,

WHEREAS, the Civil Service Commission will provide housing, transportation, meals, and meeting refreshments for these individuals; and,

WHEREAS, it is necessary that the Civil Service Commission establish a blanket certificate of funds for administering uniformed examinations of the Department of Safety 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 Executive Director of the Civil Service Commission be and is hereby authorized to establish a blanket certificate of funds for the purpose of administering safety forces uniformed examinations

SECTION 2. That the expenditure of \$40,000.00 or so much thereof as may be needed is hereby authorized to be expended from the General Fund No 010, Department 27-01, OCA Code 270165, Object Level One 03, Object Level Three 3336, to pay for housing, transportation, meals, meeting refreshments, printing, and any other costs incurred for these examinations.

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

Passed October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2153-2003

To authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services; and to authorize the appropriation, transfer and expenditure of \$1,260,000.00 from the Sewerage System Reserve Fund to the 1991 Voted Sanitary Bond Fund; in connection with the Big Walnut Outfall Sewer System Capacity Augmentation, Part 1 Project, and the Big Walnut Augmentation / Rickenbacker Sanitary Interceptor Project, for the Division of Sewerage and Drainage; and to declare an emergency. (\$1,260,000.00)

WHEREAS, the Division of Sewerage and Drainage, Department of Public Utilities, has developed construction plans and specifications for the sanitary sewer improvement projects known as the Big Walnut Outfall Sewer System Capacity Augmentation, Part 1 Project, and the Big Walnut Augmentation(Rickenbacker Sanitary Interceptor Project; and

WHEREAS, in order to construct the aforementioned sanitary improvements it has been determined necessary for this City Council to authorize the City Attorney to acquire fee simple title and lesser interests in and to certain parcels of real estate and to contract for the professional services necessary to complete said acquisition; and whereupon additional funds are hereby required to continue; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary to authorize the transfer and expenditure of funds; to authorize the City Attorney to procure the required easements necessary to construct the aforementioned vital sanitary sewer improvements; for the preservation of the 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 Sewerage System Reserve Fund No 654, 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, 2003, the sum of \$1,260,000.00 is hereby appropriated to the Division of Sewerage and Drainage Division 60-05; Object Level One 10; Object Level Three 5502; OCA

Code 901553.

Section 2. That the City Auditor is hereby authorized to transfer \$1,260,000.00 to the 1991 Voted Sanitary Bond Fund No.664, at such time as deemed necessary by him, and to expend said funds, or so much thereof as may be necessary as follows:

| | | | | |
|---|--------------------|-------------------------|-------------|---------------|
| Big Walnut Outfall Sewer System Capacity Augmentation | Project 650430 | Object Level Three 6601 | OCA: 664430 | \$740,000.00. |
| Big Walnut/Rickenbacker San. | Project No. 650491 | Object Level Three 6601 | OCA: 650491 | \$520,000.00. |

Section 3. That the \$1,260,000.00 is hereby appropriated for the Sanitary Sewer Overflow Elimination Project within the 1991 Voted Sanitary Bond Fund; Fund 664; Division 60-05 as follows:

| | | |
|----------------|-----------------|--------------|
| Project 650430 | OCA Code 650430 | \$740,000.00 |
| Project 650491 | OCA Code 650491 | \$520,000.00 |

Section 4 That the City Attorney be, and hereby is, authorized to acquire fee simple title and lesser interests in and to certain parcels of real estate and to contract for the professional services necessary in connection with the Big Walnut Outfall Sewer System Capacity Augmentation, Part 1 Project, and the Big Walnut Augmentation / Rickenbacker Sanitary Interceptor Project.

Section 5 That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the 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 6. That the expenditure of \$1,260,000.00, or as much thereof as may be needed, be and the same hereby is authorized from the 1991 Voted Sanitary Bond Fund No.671; Division 60-05; within the following projects:

| | | | |
|-------------------|---------------------------------------|-----------------|---------------|
| Project No.650430 | Big Walnut Outfall Sew. Sys. Cap. Aug | OCA Code 664430 | \$740,000.00. |
| Project No.650491 | Big Walnut/Rickenbacker San | OCA 671646 | \$520,000.00. |

Section 7. 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 October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2164-2003

To authorize the Director of Public Utilities to modify an existing contract with McNaughton-McKay for Electric Motor Repair Services for the Division of Sewerage and Drainage; to authorize the expenditure of \$20,000.00 from the Sewerage System Operating Fund, and to declare an emergency (\$20,000.00)

WHEREAS, bids were opened on September 25, 2002 for Electric Motor Service for the Division of Sewerage and Drainage wastewater treatment plants, and

WHEREAS, Marion Electric and McNaughton-McKay were awarded contracts via Ordinance Number 0456-03, passed March 24, 2003, and,

WHEREAS, the Southerly Wastewater Treatment Plant has additional motor service necessitating the need to modify EL-003289 with McNaughton-McKay and,

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage in that it is immediately necessary to modify EL003289 for Electric Motor Service for the Southerly Wastewater Treatment Plant for the immediate preservation of the 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 Public Utilities be and is hereby authorized to modify the contract with McNaughton-McKay for Electric Motor Service, EL-003289 for the Division of Sewerage and Drainage

Section 2. That the expenditure of \$20,000.00 or so much thereof as may be needed, be and the same hereby is authorized from the Sewerage System Operating Fund, Fund No 650, OCA 605063, Object Level 1: 03, Object Level 03: 374.

Section 3. That for the reasons stated in the preamble hereto, where is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure, which 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 October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2165-2003

To rezone 7140 LINWORTH ROAD (43235), being 10.24± acres located on the east side of Linworth Road opposite Bluepoint Drive, From: PUD-4, Planned Unit Development District, To: L-R-1, Limited Residential District (Rezoning # Z03-039) and to declare an emergency.

WHEREAS, application #Z03-039 is on file with the Building Services Division of the Department of Development requesting rezoning of 10.24± acres from PUD-4, Planned Unit Development District, to LR-1, Limited Residential District; and

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

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus given Plat Submittal Requirements for the immediate preservation of the public peace, property, health and safety; and

WHEREAS, the City Departments recommend approval of said zoning change because the proposed L-R- 1, Limited Residential District to develop 37 detached single-family dwellings with public streets at a gross density of 3.6 units per acre is compatible with surrounding single-family residential development The limitation text includes customary development standards pertaining to density, lot size, public streets, building setbacks, dwelling unit size, garage size and orientation, headlight screening at the terminus of driveways abutting adjacent lots, and approximately two acres allocated to tree preservation; now, therefore:

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

SECTION 1. That the Official Zoning Map of the City of Columbus, as adopted by Ordinance No 0179-03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows

7140 LINWORTH ROAD (43235), being 10.24± acres located on the east side of Linworth Road opposite Bluepoint Drive, and being more particularly described as follows:

LEGAL DESCRIPTION OF 10.241 ACRES:

Situated in the County of Franklin in the State of Ohio and in the Township of Sharon and bounded and described as follows:

Being in Range 18, Township 2, Quarter Township 2, United States Military Lands, and a part of Farm Lot Number 7, and in the first tier in said township; beginning at an iron pin in the center line of Linworth Road at the northwest corner of Minor G. Andrus' 28 3/4 acre tract of land, and in the line between Sharon and Perry Townships; thence along the center line of said road and the township line North 1° 36' East 599.9 feet to an iron pin at the southwest corner of said Minor G. Andrus' 8 acre parcel of land; thence with said Andrus' south line, South 87° 50' East 743.5 feet to an iron pin; thence South 1° 36' West 600.1 feet to an iron pin in the north line of Minor G. Andrus' 28 3/4 acre tract; thence with said Andrus' north line, North 87° 50' West 743.5 feet to the place of beginning, containing 10.241 acres of land, more or less. Subject to legal highways

To Rezone From: PUD-4, Planned Unit Development District,
To: L-R-1, Limited Residential District

SECTION 2. That a Height District of Thirty-five (35) feet is hereby established on the L-R-1, Limited 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 and shall register a copy of the approved L-R-1, Limited Residential District 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, "DEVELOPMENT TEXT, L-R-1, LIMITED RESIDENTIAL DISTRICT, 10.24+ ACRES" and site plan titled, "LINDSEY WOODS", both signed by Donald T. Plank, Attorney for the Applicant, dated September 12, 2003, and textreading as follows:

DEVELOPMENT TEXT, L-R-1, LIMITED RESIDENTIAL DISTRICT, 10.24+ ACRES

| | |
|---------------------|--|
| EXISTING DISTRICT: | PUD-4, PLANNED UNIT DEVELOPMENT |
| PROPOSED DISTRICT: | L-R-1, LIMITED RESIDENTIAL DISTRICT |
| PROPERTY ADDRESS: | 7140 LINWORTH ROAD, COLUMBUS, OH 43235 |
| OWNER: | HALEY HOLLOW LLC QJO DONALD PLANK, ESQ., SHULER, PLANK & BRAHM, 145 EAST RICH STREET, COLUMBUS, OH 43215 |
| APPLICANT: | THE BIGLER CO CIO DONALD PLANK, ESQ., SHULER, PLANK & BRAHM, 145 EAST RICH STREET, COLUMBUS, OH 43215 |
| DATE OF TEXT: | SEPTEMBER 12, 2003 |
| APPLICATION NUMBER: | NUMBER: Z03-039 |

INTRODUCTION: The subject property is 10.20+ acres located on the east side of Linworth Road, across from the intersections of Bluff Point Drive / Linworth Road and Adin Trail Court / Linworth Road, on the west side of Linworth Road. The site is presently zoned PUD-4, Planned Unit Development, as zoned by Ordinance 1854-01, passed November 19, 2001 (Z01-055). The site has not been developed under the PUD-4 zoning, which provides for a 40 lot subdivision with a private street system Applicant proposes to rezone the site to the L-R-1, Limited Residential District to permit a 37 lot subdivision with public streets. A plan titled "Lindsey Woods", hereinafter, The Plan, dated August 20, 2003 signed September 12, 2003 by Donald Plank, Attorney for Applicant, is submitted with this application and incorporated by reference in this Limitation Text as the street, lot and setback / tree preservation area plan for the site. The proposed 37 lot single-family dwelling subdivision with public streets is consistent with and compatible with land use and development in all directions from the site and with recommendations of The Northwest Plan

1. **PERMITTED USES:** The following uses shall be permitted:
 - Detached Single family dwellings on platted lots as permitted in Section 3332.03, R-1, Residential District Use, along with customary accessory uses and structures incidental to a single family dwelling, as permitted in Chapter 3332, Residential Districts.
2. **DEVELOPMENT STANDARDS:** Except as specified herein and as indicated on "The Plan", the applicable development standards of Chapter 3332, Residential Districts, of the Columbus City Code shall apply.
 - A. **Density, Height Lot and / or Setback Commitments**
 1. **Density:** A maximum of thirty-seven (37) detached single family dwellings on separate platted lots shall be permitted
 2. **Height:** Height District shall be H-35, subject to no two (2) story portion of any dwelling being located closer than forty (40) feet to the perimeter property lines of the 10.20 ± acre site. The restriction on location of any two (2) story portion of a dwelling shall be applicable only to the north, east and south property lines of the 10.20± acre site and specifically to the rear lot line of Lots 1-27, inclusive, as such lots are numbered on the Plan
 3. **Lot:** Lot location and size shall generally be as depicted on the Plan, subject to slight adjustment with final engineering and platting and conformance with R-1 District standards.
 4. **Setback:** Building setback lines shall be 25 feet from new internal streets(s) and 30 feet along Linworth Road Tree Preservation setback areas are depicted on the Plan. Tree Preservation areas shall also establish building setback areas corresponding to the Tree Preservation area. No building or portion of a building shall be built or placed in a Tree Preservation area, as depicted and labeled on the Plan.
 - B. **Access, Loading, Parking and / or Traffic Related Commitments.**
 1. There shall be no direct vehicular access to / from Linworth Road for Lots 1 -4, inclusive and 27, as numbered on The Plan.
 2. All lots shall front upon and be accessed from a new public street, as depicted on The Plan
 3. Thirty (30) feet of right of way from the centerline of Linworth Road shall be deeded to the City of Columbus in conjunction with approval of this rezoning request or dedicated to the City of Columbus in conjunction with the subdivision plat, which ever is preferred by the Division of Transportation
 - C. **Buffering, Landscaping, Open Space, and/or Screening Commitments.**
 1. The Plan depicts a 25 foot perimeter Tree Preservation Zone with additional Tree Preservation Zone area provided on corner lots (Lots 4, 12 18 and 27, as numbered on the Plan) and a 40 foot wide Tree Preservation Zone corresponding approximately to the north and south 20 feet of Lots 28-32, inclusive and Lots 33-37, inclusive, respectively, as such lots are numbered on the plan. Tree Preservation Zones shall be left as much as reasonably possible in their natural undisturbed state and are intended to preserve existing trees. Dead, dying and diseased trees in Tree Preservation Zones may be removed. The Tree Preservation zone will be crossed in the area of the southeast corner of the 10.20± acre site to bring sanitary sewer onto the property. Other utility crossing(s) may be necessary and shall be permitted The Tree Preservation Zones shall also be treated as building setback lines corresponding to the Tree Preservation Zones No building or portion of a building shall be constructed or placed in a Tree Preservation Zone

2. No dwelling shall have a front load garage Evergreen screening, fencing, walls and/or mounding shall be provided between the terminus of any driveway within 50 feet of the rear property line of Lots 4 -27, inclusive, as numbered on the Plan, that is not otherwise screened by building, fencing, walls and / or mounding to reduce any vehicle headlight projection off-site. Screening shall consist of an opaque material a minimum of 36" tall at installation / construction or evergreen plant material with a minimum height at time of installation of 30 -36 inches planted to obtain an opacity of not less than 75% at installation.

3. Street trees shall be provided along the new internal public street at the rate of not less than one(1) street tree per lot. Two (2) street trees shall be provided on corner lots, with one (1) street tree on each street frontage of the corner lot Street trees shall be selected from tree species approved by the City Forester.

4. Street trees shall be a minimum 2 ½" caliper at time of installation.

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

1. Building materials shall be traditional and natural in appearance Primary exterior building materials shall be stone, stucco, cultured stone, brick, hardi-plank and/or wood siding.

2. Minimum Dwelling Unit Size: The Minimum Net Floor Area for Living Quarters, as defined in Section3303.13, Letter M, of the Columbus Zoning Code, shall be 1,600 square feet per dwelling unit

3. Garages: Every dwelling shall have not less than a two car garage There shall be no front load garage on any dwelling

E. Dumpsters, Lighting, Outdoor Display Areas and/or Environmental Commitments

All new or relocated utility lines shall be installed underground unless the applicable utility company directs or requires otherwise.

F. Graphics and Signage Commitments

All graphics shall conform to Article 15 of the Columbus Graphics Code, as it applies to the R-1, Residential District. Any variance to the applicable sign requirements of the R-1 District shall be submitted to the Columbus Graphics Commission.

G. Miscellaneous.

1. The developer shall comply with applicable monetary payment requirements of Chapter 3318, Parkland Dedication, Columbus City Code.

2. The plan titled "Lindsey Woods" dated August20, 2003 signed September 12,2003 by Donald Plank, Attorney for Applicant, is submitted with this application and incorporated by reference in this Limitation Text as the street, lot and setback / tree preservation zone plan for the site, subject to final engineering and platting The street and lot locations and exact lot dimensions may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time final development and engineering plans are completed and in conjunction with platting

3. The Board of Zoning Adjustment (BZA) shall be the body to hear any and all variance requests to site development standards, unless included in a council variance application, including any and all specific site development standards contained in this ordinance or as depicted on the plan referenced in G(2).

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 10 days after its passage if the Mayor neither approves nor vetoes the same.

Passed as amended October 20, 2003, Matthew D. Habash, President of Council / Approved as amended October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2171-2003

To authorize the appropriation of \$94,727.60 within the General Permanent Improvement Fund; to authorize the transfer of this money to the Federal-State Highway Engineering Fund; to appropriate \$473,638.00 within the Federal-State Highway Engineering Fund; to authorize the Public Service Director to expend \$473,638.00 or so much thereof as may be needed to American Electric Power Company and Columbia Gas of Ohio for utility relocation performed in conjunction with the Norton Road Improvement project for the Transportation Division and to declare an emergency (\$473,638.00)

WHEREAS, the City of Columbus, Public Service, Transportation Division will require utility relocation work be performed by American Electric Power Company and Columbia Gas of Ohio in connection with the Norton Road Improvement project; and

WHEREAS, a transfer and appropriation of funds is necessary for this project; and

WHEREAS, an emergency exists in the usual daily operation of the Transportation Division in that it is immediately necessary to provide for the payment of said utility relocation costs, 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 \$94,727.60 be and hereby is appropriated from the unappropriated balance of the General Permanent Improvement Fund, Fund748, 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 December31, 2003, to the Transportation Division, Department No.59-09, Object Level One Code 06, Object Level Three Code 6631, OCA Code 642678 and Project 537650.

SECTION 2. That monies be transferred within the General Permanent Improvement Fund, Fund 748, as follows:

TRANSFER FROM:

Fund 748, project 537650, General Roadway Improvement project, Object Level One Code 06, Object Level Three Code 6631, OCA Code 642678, \$94,727.60

Total Transfer From: \$94,727.60

TRANSFER TO:

Fund 748, project 537650, General Roadway Improvement project, Object Level One Code 10, Object Level Three Code 5501, OCA Code 642678, \$94,727.60

Total Transfer To: \$94,727.60

SECTION 3. That monies be transferred between Funds as follows

TRANSFER FROM:

Fund 748, project 537650, General Roadway Improvement project, Object Level One Code 10, Object Level Three Code 5501, OCA Code 642678, \$94,727.60

Total Transfer From: \$94,727.60

TRANSFER TO:
 Fund 765, project/grant 593007, Norton Road Improvement project, Object Level One Code 06, Object Level Three Code 6631, OCA Code 593007, \$94,727.60
 Total Transfer To: \$94,727.60

SECTION 4. That the sum of \$473,638.00 be and hereby is appropriated from the unappropriated balance of the Federal-State Highway Engineering Fund, Fund 765, 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, 2003, to the Transportation Division, Department No.59-09, Object Level One Code 06, Object Level Three Code 6631, OCA Code 593007 and Project/grant 593007.

SECTION 5. That the funds appropriated in the forgoing Section 1 shall be paid upon order of the Public Service Director 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 6. That the Public Service Director be and hereby is authorized to pay American Electric Power Distribution up to a maximum of \$40,000.00, American Electric Power Transmission up to a maximum of \$183,638.00 and Columbia Gas of Ohio up to a maximum of \$250,000.00 for utility relocation work for the Norton Road Improvement project

SECTION 7. That the expenditure of \$473,638.00, or so much thereof as may be needed, be and hereby is authorized to be expended from the Federal-State Highway Engineering Fund, Fund765, Transportation Division, Department No. 59-09, Object Level One Code 06, Object Level Three Code 6631, OCA Code 593007 and Project/grant 593007 to pay the cost of said utility relocation work

SECTION 8. 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 October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2174-2003

To authorize the Board of Health to enter into a contract with Amethyst, Inc for the provision of Primary HIV Prevention Initiative Services, to authorize the expenditure of \$55,000 from the Health Special Revenue Fund to pay the cost thereof, and to declare an emergency. (\$55,000)

WHEREAS, funding has been appropriated in the 2003 Health Special Revenue Fund budget to provide assistance to various community agencies which can provide education and support services for individuals with AIDS and HIV infection; and,

WHEREAS, it is necessary to provide funding to continue this initiative; and,

WHEREAS, an emergency exists in the usual daily operation of the Health Department in that it is immediately necessary to enter into said contract with Amethyst, 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 and directed to enter into a contract with Amethyst, Inc to provide Primary HIV Prevention Initiative Services, for the period of September 1, 2003 through December 31, 2004, in an amount not to exceed \$55,000.

SECTION 2. That the expenditure of \$55,000 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 No.502112.

SECTION 3. 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 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 October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2188-2003

To authorize an appropriation of \$4,200.00 from the unappropriated balance of the Recreation and Parks Grant Fund for DSL (Digital Subscriber Line) lines for Caregiver Resource Centers established at seven Columbus Recreation and Parks Department Multigenerational Adult Program Centers (\$4,200.00)

WHEREAS, it is necessary to appropriate funds from the unappropriated balance of the Columbus Recreation and Parks Grant Fund; 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 the amount of \$4,200.00 from the Central Ohio Area Agency on Aging for DSL lines for Caregiver Resource Centers established at seven Columbus Recreation and Parks Department Multigenerational Adult Program Centers

SECTION 2. That from the unappropriated monies in the Recreation and Parks Grant Fund Na 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 December31, 2003, the sum of \$4,200.00 is appropriated to the Recreation and Parks Department, Department No.51-01, as follows:

| <u>Grant Title</u> | <u>Grant No.</u> | <u>OCA Code</u> | <u>Object Level 3</u> | <u>Amount</u> |
|--|------------------|-----------------|-----------------------|---------------|
| Title IIIE-Caregivers Resource Library | 518317 | 518317 | 3367 | \$4,200.00 |

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

Passed October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2195-2003

To authorize the Public Service Director to modify and extend a contract for the Facilities Management Division with Systems by Rich Consulting LLC for professional custodial service administration and management of the quality assurance and training programs at the Columbus Health Department, to authorize the expenditure of \$39,976.30 from the General Fund, and to declare an emergency. (\$39,976.30)

WHEREAS, a contract exists between Systems by Rich Consulting LLC and the Facilities Management Division, Public Service Department, for professional custodial service administration and management of the quality assurance and training programs at the Columbus Health Department, and

WHEREAS, it is necessary to extend contract EL001505 for another year per terms of the current contract, and

WHEREAS, Joint Commission for Accreditation of Health Care Organizations (JCAHO) accreditation will enhance the ability of the Health Department to more easily secure additional federal funding, and

WHEREAS, an emergency exists in the usual daily operation of the Facilities Management Division, Public Service Department, in that it is immediately necessary to modify and extend a contract with Systems by Rich Consulting LLC for professional custodial service administration and management of the quality assurance and training programs at the Columbus Health Department, 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 Public Service Director be and is hereby authorized to modify contract EL001505 between Systems by Rich Consulting LLC and the Facilities Management Division, Public Service Department, for professional custodial service administration and management of the quality assurance and training programs at the Columbus Health Department from October 22, 2003, through October 21, 2004.

SECTION 2. That the expenditure of \$39,976.30, or so much thereof that may be necessary is hereby authorized and approved as follows:

| | |
|-----------------|-------------|
| Division: | 59-07 |
| Fund: | 010 |
| OCA Code: | 281014 |
| Object Level 1: | 03 |
| Object Level 3: | 3396 |
| Amount: | \$39,976.30 |

SECTION 3. 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 October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2196-2003

To authorize the Public Service Director to modify and extend a contract for the Facilities Management Division with K & M Kleening Service for custodial services at the Columbus Health Department; to authorize the expenditure of \$294,000 from the General Fund, and to declare an emergency. (\$294,000.00)

WHEREAS, Ordinance Number 1755-01, passed by Council on October 22, 2001, authorized the original contract between the Facilities Management Division, Public Service Department, and K & M Kleening Service for custodial services at the Columbus Health Department, and

WHEREAS, the Facilities Management Division requests to extend the contract with K & M Kleening for another year beginning October 22, 2003, and

WHEREAS, an emergency exists in the usual daily operation of the Facilities Management Division, Public Service Department, in that it is immediately necessary to authorize the Public Service Director to modify and extend a contract with K & M Kleening Service for custodial services at the Columbus Health Department, 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 Public Service Director be and is hereby authorized to modify and extend contract E1001674 with K & M Kleening Service for custodial services at the Columbus Health Department from October 22, 2003 through October 21, 2004.

SECTION 2. That the expenditure of \$294,000.00, or so much thereof that may be necessary in regard to the action authorized in SECTION 1, be and is hereby authorized and approved as follows:

| | |
|-----------------|--------------|
| Division: | 59-07 |
| Fund: | 010 |
| OCA Code: | 281014 |
| Object Level 1: | 03 |
| Object Level 3: | 3396 |
| Amount | \$294,000.00 |

SECTION 3. 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 October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2197-2003

To rezone 2650 FARMERS DRIVE (43235), being 14.79± acres located on the north side of Farmers Drive, at the terminus of Caine Road, From: C-2, Commercial and LC4, Limited Commercial Districts, To: L-C-4, Limited Commercial District (Rezoning # Z03-026).

WHEREAS, application #Z03-026 is on file with the Building Services Division of the Department of Development requesting rezoning of 14.79± acres, From C-2, Commercial and L-C-4, Limited Commercial Districts, To L-C-4, Limited Commercial 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 proposed use is consistent with prior zoning and development in this area and with the Northwest Area Plan (1991), which recommends "freeway oriented" uses at this site. The applicant's limitation text includes a 25' parking setback, prohibits head-in parking along Farmers Drive opposite existing multi-family housing, locates the masonry wall beyond the parking setback, locates the fuel pumps and carwash beyond a 150' setback line, agrees not to locate access drives opposite multi-family housing subject to Transportation Division approval, commits to retain existing mounding and trees along Farmers Drive with tree replacement as needed, includes headlight screening for customer parking and the display lot, requires east-west orientation for the carwash entry/exit, includes design and material content details for the masonry wall, provides lighting restrictions, and commits to a landscaping plan; now, therefore:

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

SECTION 1. That the Official Zoning Map of the City of Columbus, as adopted by Ordinance No. 0179-03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

2650 FARMERS DRIVE (43235), being 14.79± acres located on the north side of Farmers Drive, at the terminus of Caine Road, and being more particularly described as follows:

Description of a 14.787 acre tract of land, south of Interstate Route 270, East of Sawmill Road, Columbus, Ohio:

Situated in the State of Ohio, County of Franklin, City of Columbus, being in Section I, Township 2, Range 19, United States Military Lands, being a 14.787 acre tract of land remaining out of Lot 7 as said Lot 7 is shown and delineated upon the plat Sawmill Road Office Park, of record in Plat Book 58, page 80, of the Recorder's Office, Franklin County, Ohio, said 14.787 acre tract being more particularly described as follows:

Beginning at a monument at Station 8+74.93 in the center of Caine Road, Service Road number 1, as delineated on the RIW Plans for I-270, Franklin County FRA-270-10.33 N, pages 10 & 11 of 23 and referenced by a monument to the south 2 degrees 44 minutes 18 seconds west a distance of 874.93 feet and located in the intersection of Caine and Snouffer Roads,

From said monument at Station 8+74.93, thence north 15 degrees 08 minutes 10 seconds west a distance of 114.10 feet to an iron pipe set at the northeast corner of the property of Rhonda F. Brazina as recorded in Official Record 05489 Page B 12 of the Recorder's Office, Franklin County, Ohio, and a corner point of the property of A.I.F. Holding Company as recorded in Official Record 02404 Page E1 5 of the Recorder's Office, Franklin County, Ohio, the true place of beginning,

Thence north 87 degrees 08 minutes 16 seconds west a distance of 417.41 feet along the north line of said Brazina property and the south line of said A.I.F. Holding Company property to an iron pipe set at the southwest corner of said 14.787 acre tract and in the east limited access right of way line of said I-270,

Thence north 21 degrees 18 minutes 17 seconds east a distance of 68-59 feet along the east limited access right of way line of said I-270 and the west line of said A.I.F. Holding Company property to a point 0.55 feet from an iron pipe found,

Thence easterly north 84 degrees 06 minutes 56 seconds east a distance of 162.73 feet along the east limited access right of way line of said I-270 and the west line of said A.I.F. Holding Company property to a point 0.42 feet from an iron pipe found,

Thence northeasterly north 61 degrees 30 minutes 56 seconds east a distance of 413.78 feet along the east limited access right-of way line of said I-270 and the west line of said A.I.F. Holding Company property to an iron pipe found,

Thence continuing northeasterly north 56 degrees 29 minutes 09 seconds east a distance of 308.49 feet along the east limited access right of way line of said I-270 and the west line of said A.I.F. Holding Company property to an iron pipe set,

Thence easterly north 85 degrees 32 minutes 34 seconds east a distance of 810.88 feet along the south limited access right of way line of said I-270 and the north line of said A.I.F. Holding Company property to an iron pipe found,

Thence easterly north 82 degrees 45 minutes 47 seconds east a distance of 182.16 feet along the south limited access right of way line of said I-270 and the north line of said A.I.F. Holding company property to an iron pipe set,

Thence southerly south 02 degrees 51 minutes 44 seconds west a distance of 563.29 feet through and 73 feet perpendicular and parallel to the east line of said A.I.F. Holding Company property to an iron pipe set in the north right of way of Farmer's Drive,

Thence westerly north 87 degrees 08 minutes 16 seconds west a distance of 1290.65 feet along the south line of said A.I.F. Holding Company property and the north right of way line of Farmer's Drive to an iron pipe set at a point of curvature,

Thence with the arc of a curve to the left, having a radius of 59.89 feet, a central angle of 90 degrees 06 minutes 26 seconds, a cord bearing and distance of south 47 degrees 48 minutes 36 seconds west, 84.77 feet to a point of tangency in the west line of said Caine Road, the place of beginning and containing 14.787 acres more or less of land.

The basis of bearings for this description is the State Plane Coordinate System, South Zone, utilizing Franklin County Monuments, Franklin County, Ohio.

**To Rezone From: C-2, Commercial and L-C-4, Limited Commercial Districts,
To: L-C-4, Limited Commercial District.**

SECTION 2. That a Height District of Thirty-five (35) feet is hereby established on the L-C-4, Limited Commercial 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 L-C-4, Limited Commercial District and Application among the records of the Building Services Division as required by Section 3370.03 of the Columbus City Codes; said landscape plan titled "LANDSCAPE DEVELOPMENT PLAN", signed by George R. McCue, III, Attorney for the Applicant, and dated August 29, 2003; and text titled, "LIMITATION TEXT, L-C-4 LIMITED COMMERCIAL DEVELOPMENT, 14.787 ACRES" signed George R. McCue, III, Attorney for the Applicant, and dated September 29, 2003, and reading as follows:

LIMITATION TEXT, L-C-4, LIMITED COMMERCIAL DEVELOPMENT, 14.787 ACRES

| | |
|---------------------|---|
| PROPOSED DISTRICT: | L-C-4, Limited Commercial Development |
| EXISTING DISTRICT: | L-C-4 and C-2, Commercial Districts |
| PROPERTY ADDRESS: | 2650 Farmers Drive, Columbus, Ohio 43235 |
| OWNER: | FIG Holding Co., c/o CRABBE, BROWN & JAMES LLP, c/o George R. McCue, Esq. and Michael T. Shannon, Esq., 500 South Front Street, Suite 1200, Columbus, Ohio 43215. |
| APPLICANT: | CarMax Auto Superstores, Inc., CRABBE, BROWN & JAMES, LLP, c/o George R. McCue, Esq., Michael T. Shannon, Esq., 500 South Front Street, Suite 1200, Columbus, Ohio 43215. gmccue@cbjlawyers.com , mshannon@cijlawyers.com , lcomek@cijlawyers.com |
| DATE OF TEXT: | September 29, 2003 |
| APPLICATION NUMBER: | Z03-026 |

INTRODUCTION:

The subject property ("Site") consists of 14.787+ acres and is located at the southeast quadrant of Sawmill Road and I-270. The Site is bounded entirely to the north by I-270 and the I-270 eastbound ramp. The Site is currently zoned L-C-4 and C-2. The Site is surrounded by a variety

of commercial zoning classifications, which include C-2 (east), L-C-4 (south and southwest across Farmers Drive). In addition, there is a multi-family development across Farmers Drive, south of the Site. To the north, across I-270, are other retail automobile sales.

A large portion of this Site was zoned L-C-4 by virtue of Ordinance No.1528-87, in 1987. This rezoning is necessary to include additional permitted uses.

The applicant's proposed development is a high-end retail facility for pre-owned automobile sales. As part of the proposed development, significant consideration has been given to aesthetics, as related to the overall appearance of the Site. Additional measures regarding safety and limited access have also been taken into consideration. These factors, as set forth in commitments below, provide a quality development for this previously undeveloped tract.

1. PERMITTED USES:

Unless otherwise specified in this Text, the applicable permitted uses shall be those contained in Chapter 3355, C-4 (Commercial) of the Columbus City Code, excepting therefrom the following: outdoor amphitheater, asbestos product sales, ballrooms (commercial, for-profit), coliseum, dance hall, bars, armored car service garage, stables, skating rink, testing or experimental laboratory, veterinary hospital, or billboards.

2. DEVELOPMENT STANDARDS:

Unless otherwise specified in this Text, the applicable development standards shall be those contained in Chapter 3355, C-4 (Commercial) of the Columbus City Code.

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

1. There shall be a 25-foot parking setback along Farmers Drive from the southeast corner of the property line, westward to the point which is directly across from the northwest corner of the existing residentially-zoned property, which property is located directly south across Farmers Drive. There shall be a 20-foot parking setback for the balance of the Site, along Farmers Drive.

2. The masonry wall described in Section D5 shall not be located within the 25-foot parking setback line along Farmers Drive.

3. Fuel pumps and FQC (carwash) building shall not be located within 150 feet of the south property line along Farmer Drive.

B. Access, Loading, Parking and/or Other Traffic-Related Commitments.

1. Any and all traffic-related commitments shall be designated and located to the specifications of the City of Columbus Transportation Division. It is specifically understood, however, that two full-access drives shall be permitted on Farmers Drive.

2. No head-in parking shall be permitted directly across from the existing residentially-zoned property, which property is located directly south across Farmers Drive.

3. Subject to specifications of the City of Columbus Transportation Division, access drives on Farmers Drive shall not be located directly across from the existing residential buildings, which buildings are located south across Farmers Drive.

4. The applicant will reconstruct Caine Rd. to twenty-two (22) feet, using the full depth pavement recycling and overlay method, to the specification of the City of Columbus Transportation Division. This improvement will be substantially completed prior to opening for business.

5. Directional signage will be provided to assist traffic leaving the site, to avoid cut-through in the nearby neighborhood and shopping center. Said directional signage, to be approved by the City Transportation Division.

6. The applicant will construct the necessary additional offsite improvements recommended by the document "Carmax Traffic Study" dated June 2003 by EP Ferris to facilitate the entrance and exiting of trucks at this site.

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

1. The existing tree line and mounding along Farmers Drive shall be maintained, except at the location of curb cuts or roadway construction. To the extent that tree removal is necessary for driveway or roadway construction, the removed trees shall be replaced on a one-for-one basis within the Site, with similar style/type of trees. If trees and/or mounding are removed due to utility construction, the mounding and trees shall be replaced at that location, with similar style/type of trees, unless not permitted by utility or governmental rule or regulations.

2. Trees shall be installed along the eastern and partial northern property lines, where the vehicle preparation area is located. Said trees shall be no more than 40 feet on center.

3. Where trees are utilized, the minimum requirements for trees at the time of planting shall be: 2 ½ inch caliper for deciduous; 1 ½ inch caliper for ornamental; 5 feet in height for evergreens, all as measured 6 inches from grade.

4. Where customer parking is provided, headlight screening in the form of a continuous thirty (30) inch landscape hedge shall be installed along the 20-foot setback area along Farmers Drive, and along the western boundary of the customer parking area.

5. All plantings and landscaping shall be well maintained. Dead items shall be replaced with like or similar type within 6 months, or the next planting season, which ever occurs first.

6. Landscaping, as specified in the attached Landscape Plan, shall be installed outside of the masonry wall described in Sections A3 and D4, along the south side of the site; north, along the east side of the site, and outside the masonry wall, for a distance of 100 feet; and west, where the site is located directly across from the existing residentially-zoned property located to the south, along Farmers Drive.

7. Landscaping, as specified in the attached Landscape Plan, shall be installed along part of the perimeter and within the vehicle display area.

8. Landscaping, as specified in the attached Landscape Plan, shall be installed in the area of the corner of Caine Road and Farmers Drive.

9. Any landscaping specified in the attached Landscape Plan may be relocated due to final engineering of the site plan, including but not limited to, site access, customer parking, display area, building footprint, masonry wall, and fencing with the approval of the Administrator, Building Services Division, Department of Development.

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

1. The Building exterior may be constructed of wood, brick, real or synthetic stone, real or synthetic stucco, EIFS material, glass, steel, vinyl siding, wood shingles, textured or coated metal, marble, smooth and/or split face masonry block, textured concrete or any combination thereof.

2. Overhead bay doors shall not be oriented north toward I-270 or south toward Farmers Drive.

3. All rooftop mechanical units or equipment shall be screened from view with building materials, as set forth above. Rooftop mechanical units or equipment shall not be construed to include vents, exhaust ducts, or other similar non-mechanical equipment.

4. The entrance and exit of the carwash (associated with the FQC building) shall be oriented east/west.

5. A masonry wall shall be constructed along the partial south, and east sides of the Site, where the vehicle preparation area is provided. Smooth-faced concrete block shall not be utilized in the masonry wall that fronts Farmers Drive. The wall shall not be more than six (6) feet in height. Along the north side of the vehicle preparation area, excepting at access point(s), a temporary chain link fence, with slats that are neutral in color, such as grey, white, off-white, black or of a color consistent to the masonry wall, may be utilized for a period of time not exceeding 24 months from the date of opening of the facility. The color blue and yellow shall not be used in the temporary fencing, and the fencing shall not be more than six (6) feet in height. At the end of this 24 month period, or sooner if desired by the developer, the

temporary fencing must be removed and replaced with a masonry wall as described in this paragraph. Landscaping specified in the attached Landscape Plan is applicable to the temporary fencing as well as the masonry wall when constructed along the north side of the vehicle preparation area.

6. Architectural detailing, which will include a cap and pilasters at approximately 45 feet on center, and may include featured EIFS, shall be utilized in construction of the masonry wall along Farmers Drive to reduce the perception of wall mass and visually break up the facade.

E. Dumpsters, Lighting, Outdoor Display Areas, and/or other Environmental Commitments.

a. Dumpsters.

1. Any dumpsters or waste removal items shall be screened on four (4) sides with like or similar materials as set forth above in Section D. 1.

b. Lighting.

1. Pole lighting shall have shielded, flat lens lamps directed downward to prevent glare and shine above the horizontal plane, and otherwise present no interference with the operation of Don Scott Airport.

2. All types of pole lighting shall be from the same manufacturer's type and style

3. All light poles and light fixture heads will be of a color in harmony with the building and canopy on site. The colors of the light poles shall be limited to gray, bronze or clear aluminum. The color of light fixture heads may be dark blue or the color of the light poles.

4. Light poles shall not exceed 28 feet in height, except that light poles located within 100 feet of existing residentially-zoned or used property shall not exceed 18 feet in height.

5. Light levels in the vehicle display area shall not exceed 70-foot candles when measured at three (3) feet above grade. Light levels in the customer parking and other areas shall not exceed 35-foot candles, when measured at three (3) feet above grade.

6. All lighting shall be reduced by a minimum 50%, one hour past the close of business.

7. Building-mounted lighting along the south side of building facades (i.e., fronting Farmers Drive) shall be directed downward, and shall be consistent in design and color with each other.

F. Graphics and/or Signage Commitments.

All signage shall conform to Article 15, Title 33, of the Columbus City Code, as applied to the C-4, Commercial District. Any variance from those requirements will be submitted to the City of Columbus Graphics Commission for consideration.

G. Miscellaneous Commitments.

1. The applicant shall comply with the City of Columbus Park Land Dedication Ordinance.

2. The applicant intends to designate a vehicle preparation area with restricted access, to be used in connection with the business. No wrecked or salvage vehicles, or other salvage operations, shall be permitted on Site.

3. The vehicle preparation area shall be paved. The Applicant shall not be required to provide striped parking spaces or designated drive isles within this area.

4. Outdoor speakers shall not be permitted.

5. No streamers, balloons or outdoor banners shall be permitted on Site.

6. No risers (car jacks) shall be permitted to display vehicles.

7. No wall-mounted signs shall be installed on the south side of buildings.

8. Test drives by customers will not be permitted in residential areas, except in the area of access to the site, along Farmers Drive.

9. The vehicle sales display area shall primarily front I-270.

10. The Landscape Plan, submitted with this Text, is intended to depict landscaping commitments only. Final location of other items illustrated in the Landscape Plan, including, but not limited to, buildings, masonry wall, fencing, site access, parking area(s), and display area(s), shall be in accordance with this Text.

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

Passed as amended October 20, 2003, Matthew D. Habash, President of Council / Approved as amended October 21, 2003 Michael B.

Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2200-2003

To authorize and direct the Fire Chief to accept an explosive magazine from Savko and Sons Inc for use by the Bomb Squad, and to declare an emergency.

WHEREAS, Savko and Sons Inc. has offered to donate an explosives magazine to the Fire Division's Bomb Squad for use in storing evidence; and

WHEREAS, the Fire Chief has approved the acceptance of the aforementioned explosive magazine; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Safety, Division of Fire, in that it is immediately necessary to accept said donation 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 the Fire Chief be and is hereby authorized and directed to accept from Savko and Sons In. an explosives magazine for use by the Bomb Squad to store evidence.

Section 2. 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 October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2202-2003

To authorize the Director of Public Safety to expend \$27,377.97 for miscellaneous renovations of various Division of Fire facilities from the Safety Voted Bond Fund, and to declare an emergency.(\$27,377.97)

WHEREAS, the renovation of various Division of Fire facilities has been approved as part of Capital Improvement Project No. 340103 (Fire Facility Renovation); and

WHEREAS, it is now necessary to provide funds for miscellaneous renovations of various Division of Fire facilities; and

WHEREAS, funds are needed for various projects under \$20,000.00 that do not require contracts; and

WHEREAS, once competitive bids are received, funds are encumbered against the certificate; and
 WHEREAS, all expenditures from this project will be in compliance with competitive bid practices as set forth in the City Code; and
 WHEREAS, an emergency exists in the usual daily operation of the Division of Fire, Department of Public Safety, in that it is immediately necessary to provide funds for miscellaneous fire facility renovations for the Division of Fire, 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 Safety Director be and he is hereby authorized to expend, as needed, for various fire facility renovations for the Division of Fire.

Section 2. That the procurement of all materials, supplies, equipment, construction, service and professional service shall be conducted in accordance with the provisions of Section 329.06 unless otherwise provided in Sections 329.07, 329.13, 329.22 or 329.24.

Section 3. That an expenditure of \$27,377.97, or so much thereof, as may be necessary, be and it is hereby authorized and directed from Division of Fire, Division No. 30-04, Safety Voted Bond Fund 701, OCA 644559, Project 340103, OL3 Code 6620.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared 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 October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2206-2003

To authorize an appropriation of \$66,668.00 from the unappropriated balance of the Urban Development Action Grants Fund, to the Department of Finance, and to authorize the expenditure of \$66,668.00 from the Urban Development Action Grants Fund, to provide for the immediate and long term maintenance of the Ohio Theatre, and to declare an emergency (\$66,668.00)

WHEREAS an emergency exists in the usual daily operation of the City in that it is immediately necessary to appropriate and expend the aforementioned funds, 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 from the unappropriated monies in the fund known as the Urban Development Action Grants Fund, Fund No. 243, 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, 2003, there be and hereby is appropriated the following sum for use during the 12 months ending December 31, 2003, to provide for long term maintenance of the Ohio Theatre

| Division No.45-01 - Department of Finance | | | | |
|---|--------|------------------|--------------------|--------------------|
| Subfund | OCA | Object Level One | Object Level Three | Amount |
| 243009 | 450171 | 03 | 3337 | \$50,000.00 |
| 243010 | 450189 | 03 | 3337 | \$16,668.00 |
| TOTAL APPROPRIATION | | | | \$66,668.00 |

SECTION 2. That the expenditure of \$66,668.00, or so much thereof as may be necessary, be and is hereby authorized from the Department of Finance, Department Na 45-01, Urban Development Action Grants Fund, Fund No 243, as follows:

| Subfund | OCA | Object Level One | Object Level Three | Amount |
|--------------------------|--------|------------------|--------------------|--------------------|
| 243009 | 450171 | 03 | 3337 | \$50,000.00 |
| 243010 | 450189 | 03 | 3337 | \$16,668.00 |
| TOTAL EXPENDITURE | | | | \$66,668.00 |

SECTION 3. That the monies appropriated in the foregoing Section 1 shall be paid upon order of the Department of Finance; 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 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 October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2207-2003

To authorize and direct the Finance Director to enter into a contract for an option to purchase Flow Monitoring and Rain Gauge Data Program Collection, with ADS 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 pursued a bid in accordance with the sole source provisions of the Columbus City Code and selected the sole provider; 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 Flow Monitoring and Rain Gauge Data Collection Program, 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 Flow Monitoring and Rain Gauge Data Collection Program in accordance with Solicitation No. SA000454BGB as follows:

ADS Corporation, Item(s): All Items, Amount: \$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 this purchase is hereby made pursuant to the City of Columbus Code section 329.07 Sole Source Procurement.

SECTION 4. 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 October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2210-2003

To authorize the appropriation of \$10,000 from the unappropriated balance of the Neighborhood Economic Development Fund to the Department of Development to provide funds for the purpose of fostering investment and development in The City; and to declare an emergency. (\$10,000.00)

Whereas, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to provide an appropriation 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 from the unallocated monies in the Neighborhood Economic Development Fund, Fund No 237, and from any and all sources unallocated for any other purpose during the fiscal year ending December 31, 2003, the sum of \$10,000 be and hereby is appropriated to the Department of Development, Director's Office; Division 44-01, OCA Code 441237, as follows:

| Object Level One | Object Level Three | Purpose | Amount |
|------------------|--------------------|-----------------------|----------|
| 03 | 3336 | Professional Services | \$ 9,500 |
| 03 | 3328 | Registration Fees | 500 |
| Total: | | | \$10,000 |

Section 2. That the monies appropriated in the foregoing Section 1 shall be paid upon the order of the Development Director 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 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 October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2218-2003

To authorize the transfer of \$175,000.00 between projects within the 1995, 1999 Voted Streets and Highways Fund; to authorize the Public Service Director to modify the current Spring Sandusky Interchange Agreements with the Ohio Department of Transportation to construct traffic calming and landscaping improvements and other amenities on Michigan Avenue, west of Goodale Street, as outlined in the Spring Sandusky interchange Overall Traffic Management Plan; to authorize the expenditure of \$175,000.00 from the 1995, 1999 Voted Streets and Highways Fund for the Transportation Division, and to declare an emergency. (\$175,000.00)

WHEREAS, the City is under agreement with the Ohio Department of Transportation, Agreement N- 9435 and Supplemental Agreement No. 9435-A, to cooperate in the construction of the Spring Sandusky Interchange; and

WHEREAS, the City committed to the development and implementation of an Overall Traffic Management Plan (OTMP) in an effort to mitigate local traffic impacts to adjacent historic neighborhoods as the result of the construction of the Spring Sandusky Interchange; and

WHEREAS, this OTMP calls for the construction of numerous individual traffic calming improvements, one of which, "Traffic Calming on Michigan Avenue," falls within the current construction limits of the Ohio Department of Transportation's FRA-670-2.61 project; and

WHEREAS, the current plans for the construction of FRA-670-2.61 call for the reconstruction of portions of Michigan Avenue but do not include the traffic calming measures prescribed within the OTMP for this roadway; and

WHEREAS, the City is to finance traffic mitigation measures constructed under the OTMP; and

WHEREAS, the City has no current funding mechanism within its current SSI agreement with ODOT for work constructed as a part of the FRA-670-2.61 project; and

WHEREAS, ODOT is seeking reimbursement for their expense for this work in an amount not to exceed One Hundred Seventy Five Thousand Dollars (\$175,000.00); and

WHEREAS, an emergency exists in the usual daily operation of the Transportation Division, Public Service Department, in that it is immediately necessary to transfer monies between projects and authorize the Public Service Director to modify the current Spring Sandusky Interchange agreement with ODOT and expend the funds necessary to reimburse ODOT for constructing "Traffic Calming on Michigan Avenue" improvements along with associated landscaping and site amenities as part of the FRA-670-2.61 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 transfer of monies between projects within the 1995, 1999 Voted Streets and Highways Fund, Fund 704, be and hereby is authorized as follows:

TRANSFER FROM:

Project 530282 / Resurfacing / Object Level One/Three Codes 06/6631 / OCA Code 644385 / \$175,000.00
Total Transfer From: \$175,000.00

TRANSFER TO:

Project 530034 / Spring Sandusky Interchange / Object Level One/Three Codes 06/6631 / OCA Code 644385 / \$175,000.00
Total Transfer To: \$175,000.00

SECTION 2. That the Public Service Director be and hereby is authorized to modify the current Spring Sandusky Interchange Agreement, Agreement No.9435 and Supplemental Agreement No. 9435-A, with the Ohio Department of Transportation and expend those funds necessary to include the construction of "Traffic Calming on Michigan Avenue" as outlined within the Overall Traffic Management Plan (OTMP) and related landscaping and amenities as a part of the ODOT's FRA-670-2.61 project.

SECTION 3. That for the purpose of paying for said costs the sum of One Hundred Seventy Five Thousand Dollars (\$175,000.00), or so much thereof as may be needed, be and hereby is authorized to be expended from the 1995, 1999 Voted Streets and Highways Fund, Fund 704, Department No.59-09, Transportation Division, Object Level One Code 06, Object Level Three Code 6631, OCA Code 644385, Project 530034.

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 October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2219-2003

To accept the plat titled HABITAT VILLAGE SECTION 1, from GREATER COLUMBUS HABITAT FOR HUMANITY, by Robert Perryman Executive Director.

WHEREAS, the plat titled HABITAT VILLAGE SECTION 1 (hereinafter "plat"), has been submitted to the City Engineer's Office for approval and acceptance; and

WHEREAS, GREATER COLUMBUS HABITAT FOR HUMANITY, by Robert Perryman Executive Director, owner of the platted land, desires to dedicate to the public use all or such parts of the Court 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 HABITAT VILLAGE SECTION 1 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 October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

Passed October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2230-2003

To accept the plat titled CEDAR RUN SECTION 1, from WOODS AT JEFFERSON, LTD., an Ohio limited liability company, by M/I SCHOTTENSTEIN HOMES, INC., an Ohio corporation, Managing Member, by STEPHEN M CAPLINGER, Vice President Land Operations, DOMINION HOMES, INC., an Ohio corporation, Member, by ROBERT A. MEYER, JR., Senior Vice President, and HOMEWOOD CORPORATION, an Ohio corporation, Member, by JOHN H. BAIN, Chief Executive Officer and to declare an emergency.

WHEREAS, the plat titled CEDAR RUN SECTION 1 (hereinafter "plat"), has been submitted to the City Engineer's Office for approval and acceptance; and

WHEREAS, WOODS AT JEFFERSON, LTD., an Ohio limited liability company, by M/I SCHOTTENSTEIN HOMES, INC., an Ohio corporation, Managing Member, by STEPHEN M CAPLINGER, Vice President Land Operations, DOMINION HOMES, INC., an Ohio corporation, Member, by ROBERT A MEYER, JR., Senior Vice President, and HOMEWOOD CORPORATION, an Ohio corporation, Member, by JOHN H. BAIN, Chief Executive Officer, owner of the platted land, desires to dedicate to the public use all or such parts of the Court, Drives, Road and Street 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; and now,

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to pass this ordinance as an emergency measure because of the need to record the plat at about the same time the construction ends 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 plat titled CEDAR RUN SECTION 1 on file in the office of the City Engineer, Transportation Division, be and the same is hereby accepted

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 as amended October 20, 2003, Matthew D. Habash, President of Council / Approved as amended October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2231-2003

To authorize an appropriation in the amount of \$7,063,504.00 from the unappropriated balance of the Recreation and Parks Grant Fund to the Recreation and Parks Department for the operation of various grant programs administered by the Central Ohio Area Agency on Aging, and to declare an emergency. (\$7,063,504.00)

WHEREAS, it is necessary to appropriate grant funds so that the Central Ohio Area Agency on Aging of the Recreation and Parks Department can provide services beyond FY 2003 without service interruption; and

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, safety, and welfare; 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 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 21, 2003, the sum of \$7,063,504.00 is appropriated to the Recreation and Parks Department, Department No. 51, as follows:

GRANT: TITLE IIID

| | | | |
|--------------------|------------------|----------------------|-------------------------------|
| PROJECT NO: 518318 | OCA CODE: 514509 | OBJECT LEVEL ONE: 01 | AMOUNT: \$44,134.00 |
| PROJECT NO: 518318 | OCA CODE: 514509 | OBJECT LEVEL ONE: 02 | AMOUNT: \$ 4,000.00 |
| PROJECT NO: 518318 | OCA CODE: 514509 | OBJECT LEVEL ONE: 03 | AMOUNT: \$40,000.00 |
| | | | TOTAL BY PROJECT: \$88,134.00 |

GRANT: TITLE IIIA

| | | | |
|--------------------|------------------|----------------------|----------------------|
| PROJECT NO: 518324 | OCA CODE: 514497 | OBJECT LEVEL ONE: 01 | AMOUNT: \$218,000.00 |
|--------------------|------------------|----------------------|----------------------|

| | | | |
|-------------------------------------|------------------|----------------------|----------------------------------|
| PROJECT NO: 518324 | OCA CODE: 514497 | OBJECT LEVEL ONE: 02 | AMOUNT: \$ 30,000.00 |
| PROJECT NO: 518324 | OCA CODE: 514497 | OBJECT LEVEL ONE: 03 | AMOUNT: \$126,731.00 |
| PROJECT NO: 518324 | OCA CODE: 514497 | OBJECT LEVEL ONE: 05 | AMOUNT: \$ 10,000.00 |
| PROJECT NO: 518324 | OCA CODE: 514570 | OBJECT LEVEL ONE: 01 | AMOUNT: \$200,000.00 |
| | | | TOTAL BY PROJECT: \$584,731.00 |
| GRANT: TITLE IIIB | | | |
| PROJECT NO: 518301 | OCA CODE: 514505 | OBJECT LEVEL ONE: 01 | AMOUNT: \$ 80,289.00 |
| PROJECT NO: 518301 | OCA CODE: 514505 | OBJECT LEVEL ONE: 02 | AMOUNT: \$ 10,000.00 |
| PROJECT NO: 518301 | OCA CODE: 514505 | OBJECT LEVEL ONE: 03 | AMOUNT: \$1,779,596.00 |
| PROJECT NO: 518301 | OCA CODE: 514505 | OBJECT LEVEL ONE: 05 | AMOUNT: \$ 10,000.00 |
| | | | TOTAL BY PROJECT: \$1,879,885.00 |
| GRANT: TITLE IIIC/USDA | | | |
| PROJECT NO: 518303 | OCA CODE: 514513 | OBJECT LEVEL ONE: 03 | AMOUNT: \$2,519,793.00 |
| PROJECT NO: 518303 | OCA CODE: 514513 | OBJECT LEVEL ONE: OS | AMOUNT: \$ 20,000.00 |
| | | | TOTAL BY PROJECT: \$2,539,793.00 |
| GRANT: TITLE IIIE-CAREGIVER SUPPORT | | | |
| PROJECT NO: 518307 | OCA CODE: 518307 | OBJECT LEVEL ONE: 01 | AMOUNT: \$112,000.00 |
| PROJECT NO: 518307 | OCA CODE: 518307 | OBJECT LEVEL ONE: 02 | AMOUNT: \$ 3,000.00 |
| PROJECT NO: 518307 | OCA CODE: 518307 | OBJECT LEVEL ONE: 03 | AMOUNT: \$ 645,935.00 |
| | | | TOTAL BY PROJECT: \$760,935.00 |
| GRANT: TITLE VII-ELDER ABUSE | | | |
| PROJECT NO: 518307 | OCA CODE: 514364 | OBJECT LEVEL ONE: 03 | AMOUNT: \$16,000.00 |
| | | | TOTAL BY PROJECT: \$16,000.00 |
| GRANT: SENIOR BLOCK GRANT | | | |
| PROJECT NO: 518315 | OCA CODE: 514539 | OBJECT LEVEL ONE: 01 | AMOUNT: \$141,039.00 |
| PROJECT NO: 518315 | OCA CODE: 514539 | OBJECT LEVEL ONE: 03 | AMOUNT: \$825,734.00 |
| | | | TOTAL BY PROJECT: \$966,773.00 |
| GRANT: HEAP | | | |
| PROJECT NO: 518020 | OCA CODE: 512814 | OBJECT LEVEL ONE: 01 | AMOUNT: \$ 7,235.00 |
| PROJECT NO: 518020 | OCA CODE: 512814 | OBJECT LEVEL ONE: 03 | AMOUNT: \$ 20,000.00 |
| | | | TOTAL BY PROJECT: \$ 27,253.00 |
| GRANT: LONG-TERM CARE OMBUDSMAN | | | |
| PROJECT NO: 518308 | OCA CODE: 514547 | OBJECT LEVEL ONE: 03 | AMOUNT: \$200,000.00 |
| | | | TOTAL BY PROJECT: \$200,000.00 |

TOTAL APPROPRIATION: \$7,063,504.00

Section 2. That the monies in the foregoing Section 1 shall be paid upon the 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 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 October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2238-2003

To authorize the expenditure of \$40,000.00 for various greenways improvements from the Recreation and Parks Special Purpose Fund, and to declare an emergency. (\$40,000.00)

WHEREAS, various greenways improvements are necessary within the Recreation and Parks Department; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to expend 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 the purchase of labor, materials and equipment is necessary for various greenways improvements within the Recreation and Parks Department

SECTION 2. That the expenditure of \$40,000.00, or so much thereof as may be necessary, be and is hereby authorized from Recreation and Parks Special Purpose Fund 223, as follows, to pay the cost thereof All work will be based on three estimates and will not exceed \$20,000.00 per contract or job.

| Fund Type | Dept. No. | Subfund | OCA Code | Object Level 3 | Amount |
|---------------------|-----------|---------|----------|----------------|-------------|
| Special Improvement | 51-01 | 025 | 511220 | 621 | \$40,000.00 |

SECTION 3. 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 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 October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2242-2003

To authorize the transfer of \$205,635.71 within the Health Department Grants Fund of the Department of Health to properly align appropriations within projected expenditures, and to declare an emergency (\$205,635.71)

WHEREAS, it is necessary to close FY03 grant and transfer surplus funds to current year grant program for the period ending June 30, 2004; 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 transfer the 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 City Auditor is hereby authorized and directed to transfer \$205,635.71 within the Health Department Grants Fund, Fund No.251, Department of Health, Department No. 50-01, as follows:

TRANSFER FROM:

| Object Level One | OCA Code | Grant No. | Amount |
|------------------|----------|-----------|--------------|
| 03 | 502018 | 502018 | \$205,635.71 |

TRANSFER TO:

| Object Level One | OCA Code | Grant No. | Amount |
|------------------|----------|-----------|--------------|
| 05 | 502018 | 502018 | \$205,635.71 |

SECTION 3. That the monies appropriated in the foregoing Section 1 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 October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2243-2003

To authorize a supplemental appropriation of \$205,635.71 from the unappropriated balance of the Health Department Grants Fund for the Child & Family Health Services (CFHS) grant program, and to declare an emergency (\$205,635.71)

WHEREAS, it is necessary to close FY03 grant and transfer surplus funds to current year grant program for the period ending June 30, 2004; 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 appropriate the 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 sum of \$205,635.71 is hereby authorized and directed to be appropriated from the unappropriated balance 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 12 months ending June 30, 2004, to the Health Department, Department No. 50-01, Grant No. 503018, as follows:

| Grant No. | Object Level One | OCA | Amount |
|-----------|------------------|--------|--------------|
| 503018 | 01 | 503018 | \$105,635.71 |
| 503018 | 03 | 503018 | \$100,000.00 |
| Total: | | | \$205,635.71 |

SECTION 2. That the monies appropriated in the foregoing Section 1 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 3. 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 October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2252-2003

To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Supplemental Uniforms, with Roy Tailors Uniform Company of Columbus, Inc., and to declare an emergency.

WHEREAS, the Purchasing Office solicited informal bids, selected the lowest bid and established a contract with Roy Tailors Uniform Company of Columbus Inc; and

WHEREAS, vendor has agreed to extend FL001303 at current prices and conditions to and including September 30, 2004, 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 FL001303 for an option to purchase Supplemental Uniforms 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 FL001303 with Roy Tailors Uniform Company of Columbus, Inc. to and including September 30, 2004.

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 October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2256-2003

To authorize the Public Service Director to enter into an agreement with the Director of the Ohio Department of Transportation to grant consent and propose cooperation with the State of Ohio for a roadway improvement project to install a cable barrier on a portion of IR-270 for the Transportation Division and to declare an emergency (\$-0-)

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 State of Ohio has identified the need for the described project

This project proposes to install cable barrier in the median on portions of a section of IR-270. Project limits extend through the corporate limits of the City of Columbus on IR-270 from 0.15 miles north of Trabue Road to SR 161 eastbound, and

WHEREAS, an emergency exists in the usually daily operation of the Transportation Division, Public Service Department, in that it is immediately necessary to proceed with this roadway improvement as soon as possible in order to enhance motorist safety, thereby preserving the public health, peace, property, safety and welfare, 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 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 plans, specifications and estimates as approved by the Director of the Ohio Department of Transportation

The Ohio Department of Transportation shall assume and bear one hundred percent (100%) of the necessary costs of the highway improvement project

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 not necessary 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

Upon completion of the project, and unless otherwise agreed, the LPA shall (1) provide adequate maintenance for the project in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial resources, as necessary, for the maintenance of the project; (3) maintain the right-of-way, keeping it free of obstructions, and (4) hold said right-of-way inviolate for public highway purposes

SECTION 6 - Authority to Sign

The Public Service Director is hereby empowered on behalf of the City of Columbus to enter into a contract(s) with the Director of Transportation necessary to complete the above-described project.

SECTION 7 - 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 October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2264-2003

To authorize the Public Service Director to enter into an agreement on behalf of the Transportation Division with the Director of the Ohio Department of Transportation (ODOT) and the Franklin County Engineer, to grant consent and propose cooperation with the State of Ohio and Franklin County for a project to replace the railroad bridge over CR 11 (Alkire Road) and widen Alkire Road under the bridge, and to declare an emergency. (\$0.00)

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.

WHEREAS, The Franklin County Engineer has identified the need for the described project:

This project proposes to replace the functionally obsolete railroad bridge over CR11 (Alkire Road). The existing structure fails to meet horizontal and vertical clearances for vehicular traffic. As part of the project, the existing roadway under the structure will be widened. Project limits extend from approximately 0.26 miles west of US62 (Harrisburg Pike) to the junction of US62; now, therefore

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

SECTION 1 - Consent Statement

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

SECTION 2 - Cooperation Statement

The LPA shall cooperate with the Director of Transportation and the Franklin County Engineer in the above-described project as follows:

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

The City agrees that Franklin County will act as the lead agency for the project.

Franklin County will assume and bear one hundred percent (100%) of the total cost of the Preliminary Engineering. Further, Franklin County will assume and bear one hundred percent (100%) of the costs of Right of Way and Construction less the amount of federal funds set aside by the Director of Transportation.

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 not necessary for the County'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 County's project, including preliminary engineering, final design, right-of-way, construction and construction engineering expenses as may be directly related thereto.

SECTION 3 - 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 4 - Maintenance

Upon completion of the project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the project in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial resources, as necessary, for the maintenance of the project; (3) maintain the right-of-way, keeping it free of obstructions, and (4) hold said right-of-way inviolate for public highway purposes.

SECTION 5- Authority to Sign

The Public Service Director of said City is hereby empowered on behalf of the City of Columbus to enter into contracts with the Director of Transportation and the Franklin County Engineer necessary to complete the above-described project.

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 or vetoes the same.

Passed October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2274-2003

To accept the plats titled STONEHILL SECTION 1 PART 1, STONEHILL SECTION 1 PART 2 and STONEHILL SECTION 1 PART 3, from DOMINION HOMES INC., an Ohio Corporation, by ROBERT A. MEYER, JR. Senior Vice President and to declare an emergency.

WHEREAS, the plats titled STONEHILL SECTION 1 PART 1, STONEHILL SECTION 1 PART 2 and STONEHILL SECTION 1 PART 3 (hereinafter "plats"), has been submitted to the City Engineer's Office for approval and acceptance; and

WHEREAS, DOMINION HOMES INC., an Ohio Corporation, by ROBERT A. MEYER, JR. Senior Vice President, owners of the platted land, desires to dedicate to the public use all or such parts of the Drives and Lanes shown on said plats 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 plats; and now,

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to pass this ordinance as an emergency measure because the Developer would like to be able to construct the model home, which is located in Section 1-1, this construction season 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 plat titled STONEHILL SECTION 1 PART I on file in the office of the City Engineer, Transportation Division, be and the same is hereby accepted

Section 2. That the plat titled STONEHILL SECTION 1 PART 2 on file in the office of the City Engineer, Transportation Division, be and the same is hereby accepted

Section 3. That the plat titled STONEHILL SECTION 1 PART 3 on file in the office of the City Engineer, Transportation Division, be and the same is hereby accepted

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 as amended October 20, 2003, Matthew D. Habash, President of Council / Approved as amended October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2276-2003

To authorize the Columbus Fire Chief to accept a grant award from the State of Ohio Division of EMS for the purchase of training and patient care equipment for the Division of Fire, to appropriate \$13,550.00 from the unappropriated balance of the General Government Grant Fund, and to declare an emergency (\$13,550.00)

WHEREAS, it is in the best interest for the Fire Chief to accept a grant award for the Division of Fire for training and patient care equipment from the State of Ohio Division of EMS; and

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

WHEREAS, an emergency exists in the usual daily operation of the Division of Fire, Department of Public Safety, in that it is necessary to authorize and direct the grant acceptance and appropriation of funds for the grant 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 Fire Chief be and he is hereby authorized to accept a grant award in the amount of \$13,550.00 from the State of Ohio Division of EMS for the Division of Fire training and patient care equipment

Section 2. That from the unappropriated monies in the General Government Grant Fund, Fund No 220, and from any and all sources estimated to come into said fund and unappropriated for any other purpose during the fiscal year ending December 31, 2003, the sum of \$13,550.00 is appropriated to the Division of Fire as follows:

Division 30-04, Fund 220, Object Level 1, 02, OCA Code 344002, Amount \$13,550.00.

Section 3. That the monies in Section 2 shall be paid upon order of the Director of Public Safety; 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 make a part hereof, this ordinance is hereby 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 October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2299-2003

To authorize the Public Service Director to execute those documents required to sell a portion of the east side of the Rich Street Connector from East Main Street to Cherry Street to JDS-Calhoun III, LLC.; and to waive the competitive bidding provisions of Columbus City Codes and to declare an emergency

WHEREAS, the City of Columbus, Public Service Department, Transportation Division, recently received a request from JDS-Calhoun III, LLC., asking that the City sell them a portion of the east side of the Rich Street Connector from East Main Street to Cherry Street; and

WHEREAS, the sale of this excess right-of-way will allow for development of downtown housing in this area; and WHEREAS, after investigation it has been determined that there are no objections to the sale of this excess right-of-way;

WHEREAS, the Department of Law, Real Estate Division established a value of \$50,250.00 for the sale of this excess right-of-way; and

WHEREAS, the Land Review Commission voted to recommend the sale of this excess right-of-way for \$50,250.00; and now, therefore

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to pass this ordinance as an emergency measure because expediting this land transaction will allow the buyer to move forward with construction plans for a new downtown residential building 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 Public Service Director be and is hereby authorized to execute quit claim deeds and other incidental instruments prepared by the Department of Law, Real Estate Division, necessary to transfer the following described excess right-of-way to JDS-Calhoun III, LLC.; to-wit:

Situated in the State of Ohio, County of Franklin, City of Columbus, being a portion of public right-of-way located on the east side of the Main Street Connector between Main Street and Cherry Street, and being more particularly described as follows:

Beginning at a rebar found at the intersection of the easterly right-of-way line of the Main Street Connector with the southerly right-of-way line of Cherry Street, said rebar also being at the northwesterly corner of Lot 15 of the R.H. & M.A. Snowden's Subdivision, of record in Plat Book 1, Page 62, Recorder's Office, Franklin County, Ohio;

Thence South 8° 17' 01" East, along said easterly right-of-way line and the westerly line of said Lot 15, a distance of 182.22 feet to an iron pin set in the northerly right-of-way line of Main Street;

Thence through the Main Street Connector right-of-way the following courses:

1. With the arc of a non-tangent curve to the right, having a radius of 83.00 feet, a central angle of 62° 27' 45", the chord of which bears North 40°55' 22" West, a chord distance of 86.07 feet to an iron pin set at the point of tangency;

2. North 9° 41' 29" West, a distance of 104.94 feet to an iron pin set;

3. North 35° 58' 11" East, a distance of 6.42 feet to an iron pin set in the southerly right-of-way line of Cherry Street;

Thence North 81° 26' 13" East, along said right-of-way line, a distance of 44.52 feet to the place of beginning and containing 0.175 acre of land.

Bearings herein are based on South 81° 26' 13" West for the north line of Main Street, of record in Instrument No. 199811250304781.

Iron pins set consist of a 1" (O.D.) iron pipe, 30" long with a plastic cap inscribed "M-E COMPANIES/S-6872".

This description was prepared by M-E Companies, Inc., Civil Engineering Group, based on information obtained from a survey performed in August 2003.

M-E Companies, Inc. Civil Engineering Group

Robert S. Wynd Registered Surveyor No.6872

Section 2. That the above referenced real property shall be considered excess road right-of-way and the public rights therein shall terminate upon the Director's execution and delivery of said quit claim deed to the grantee thereof

Section 3. That the \$50,250.00 to be received by the City as consideration for the sale of this excess right-of-way shall be deposited in Fund 748, Project 537650.

Section 4. That this Council has determined it is in the best interest of the City of Columbus to allow this excess right-of-way to be transferred without requiring competitive bidding and hereby waives the competitive bidding provision of Columbus City Codes (1959) Revised, Section 329.29 with regards to the transfer of these properties.

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 October 20, 2003, Matthew D. Habash, President of Council / Approved as amended October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2319-2003

To authorize the Director of the Recreation and Parks Department to execute those documents necessary to release certain easements, located in the vicinity of West Williams Road and South High Street at the request of Southeast Shore Properties Inc., and to declare an emergency.

WHEREAS, the City of Columbus, Ohio is the owner of certain real property located in the vicinity of South High Street and West Williams Road, west of the former Kmart Department Store site known as Heer Park; and

WHEREAS, by virtue of certain recorded instruments, referenced in the body of this ordinance, the City of Columbus is also the successor of certain easements created between the aforementioned City owned property, the former Kmart site, and an adjacent parcel located at the corner of West Williams Road and South High Street; and

WHEREAS, Southeast Shore Properties Inc., as a result of its proposed Walgreen's store development plans, has requested that the City of Columbus release its interest in the easements on a 2.005 + acre parcel, in order to enable Southeast Shore Properties Inc. to obtain clear title; and

WHEREAS, after investigation by the City, it has been determined that, with respect to the 2.005 + acre parcel, the subject easements are not needed, and their release will not adversely affect the City and therefore should be granted; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department, in that it is immediately necessary to authorize the Director of the Recreation and Parks Department to execute those documents necessary to release certain aforementioned easements,

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 the Recreation and Parks Department be, and hereby is authorized to execute those documents, as prepared and/or approved by the Department of Law, Real Estate Division, necessary to release the City's right to those certain ingress and egress easements and parking, access, drainage and utility easements over or affecting all or any part of the 2.005 + acre proposed Walgreen site legally described on Exhibit "A" attached hereto and made a part hereof, as set forth and recorded in Volume 3292, Page 232, Volume 3421, Page 807 and Volume 3777, Page 309 of the Franklin County Recorder's Office

Section 2. That any legal descriptions to be used to more fully describe the release of the easement, as are necessary, shall be prepared at no cost to the City of Columbus

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part thereof, 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 October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2321-2003

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN03-034R) of 7.1± Acres in Prairie Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

WHEREAS, a petition for the annexation of certain territory in Prairie Township was duly filed by Timothy E Fritch, et al. on October 8, 2003; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin; and

WHEREAS, the Ohio Revised Code requires that before said hearing the Municipal Legislative Authority shall adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon annexation; and

WHEREAS, the Ohio Revised Code requires that before said meeting the Municipal Legislative Authority to adopt an ordinance stating zoning buffering conditions; and

WHEREAS, properties proposed for annexation are included within the Columbus Comprehensive Plan study area and within the West Columbus Interim Development Concept planning area; and

WHEREAS, upon annexation, properties will have uniform access to City services as they become available; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to present this ordinance to the Franklin County Board of Commissioners in accordance with the Ohio Revised Code all for the preservation of the public peace, property, health safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the city of Columbus will provide the following municipal services for 7.1± acres in Prairie Township upon the annexation of said area to the city of Columbus

Public Safety: The City of Columbus, Department of Public Safety will be able to provide the appropriate level of safety related services to the proposed annexation area Such services will include police and fire protection as well as emergency medical service to the subject property.

While the petitioner for annexation may have proposed future development plans for the property in question, the Department of Public Safety requests that the City exercise its discretion in the coming development planning and review process to ensure any future development will be properly served by the Department of Public Safety Discussions between the City and the present property owner or any future developers regarding post annexation changes in zoning or other changes to the property should include the Department of Public Safety and the Department of Development to ensure any proposed development of the annexation property may be adequately accommodated Specific details for safety services are dependent upon the parameters of future development that is ultimately approved by the City

At the present time fire protection for the proposed annexation is as follows

First response from: Station 26, 5433 Fisher Road, 10 Personnel / 3 Paramedics.

Apparatus responding: Paramedic/Engine, Ladder, and Medic.

Time: 2.0 minutes.

Second response from: Station 12, 3200 Sullivant Avenue, 10 Personnel / 3 Paramedics.

Apparatus responding: Paramedic/Engine, Ladder, and Medic.

Time: 13.0 minutes.

Sanitation: Residential refuse collection services will be available upon annexation of the property

Streets: Maintenance will be available for any additional right-of-way that may be included in this annexation request

Water: There currently is no city water service available to this site. Current plans call for service to be available in 2005.

Sewer:

Sanitary Sewer:

This site can be served by an 8 inch line approximately 425 feet east of the site. Mainline extension is required at the developer's expense. This site is in the Hellbranch Run Overlay area and is subject to a moratorium prohibiting extension of sewer and water lines into the Big Darby Watershed

Storm Sewer:

All storm sewers necessary for development / redevelopment of the area shall be designed in accordance with design policy and zoning codes in effect at the time of development

All sanitary and storm sewers required shall be constructed privately by the owner / developers at their own cost and expense with no cost to the city.

Section 2. If this 7.1 acre site is annexed and if the City of Columbus permits uses in the annexed territory that the City of Columbus determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within Prairie Township, the Columbus City Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within Prairie Township For the purpose of this section, "buffer" includes open space, landscaping, fences, walls, and other structured elements streets and street right-of-way; and bicycle and pedestrian paths and sidewalks.

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 October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2328-2003

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN03-033) of 18.004± Acres in Hamilton Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

WHEREAS, a petition for the annexation of certain territory in Hamilton Township was duly filed by Columbus Regional Airport Authority on October 8, 2003; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin; and

WHEREAS, the Ohio Revised Code requires that before said hearing the Municipal Legislative Authority shall adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon annexation; and

WHEREAS, the Ohio Revised Code requires that before said meeting the Municipal Legislative Authority to adopt an ordinance stating zoning buffering conditions; and

WHEREAS, properties proposed for annexation are included within the Columbus Comprehensive Plan study area; and

WHEREAS, upon annexation, properties will have uniform access to City services as they become available; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to present this ordinance to the Franklin County Board of Commissioners in accordance with the Ohio Revised Code all for the preservation of the public peace, property, health safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the city of Columbus will provide the following municipal services for 18.004± acres in Hamilton Township upon the annexation of said area to the city of Columbus

Public Safety: The City of Columbus, Department of Public Safety will be able to provide the appropriate level of safety related services to the proposed annexation area. Such services will include police and fire protection as well as emergency medical service to the subject property.

While the petitioner for annexation may have proposed future development plans for the property in question, the Department of Public Safety requests that the City exercise its discretion in the coming development planning and review process to ensure any future development will be properly served by the Department of Public Safety Discussions between the City and the present property owner or any future developers regarding post annexation changes in zoning or other changes to the property should include the Department of Public Safety and the Department of Development to ensure any proposed development of the annexation property may be adequately accommodated Specific details for safety services are dependent upon the parameters of future development that is ultimately approved by the City

At the present time fire protection for the proposed annexation is as follows

First response from: Station 22, 3069 Parsons Avenue, 10 Personnel / 3 Paramedics.

Apparatus responding: Paramedic/Engine, Ladder, and Medic.

Time: 17.0 minutes.

Second response from: Station 4, 3030 Winchester Pike, 9 Personnel / 5 Paramedics.

Apparatus responding: Paramedic/Engine, Rescue, and Medic.

Time: 18.0 minutes.

Sanitation: Residential refuse collection services will be available upon annexation of the property

Streets: Maintenance will be available for any additional right-of-way that may be included in this annexation request

Water: This site can be served by an existing 8 inch main located in Wright Brothers Avenue.

Sewer:

Sanitary Sewer:

This site is currently served by a pump station which will be relieved by gravity service in 2008.

Storm Sewer:

All storm sewers necessary for development / redevelopment of the area shall be designed in accordance with design policy and zoning codes in effect at the time of development

All sanitary and storm sewers required shall be constructed privately by the owner / developers at their own cost and expense with no cost to the city.

Section 2. If this 18.004 acre site is annexed and if the City of Columbus permits uses in the annexed territory that the City of Columbus determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within Hamilton Township, the Columbus City Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within Hamilton Township For the purpose of this section, "buffer" includes open space, landscaping, fences, walls, and other structured elements streets and street right-of-way; and bicycle and pedestrian paths and sidewalks.

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 October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2329-2003

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN03-032) of 5.791± Acres in Hamilton & Madison Townships to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

WHEREAS, a petition for the annexation of certain territory in Hamilton & Madison Townships was duly filed by ProLogis on October 8, 2003; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin; and

WHEREAS, the Ohio Revised Code requires that before said hearing the Municipal Legislative Authority shall adopt a statement indicating

what services, if any, the municipal corporation will provide to the territory proposed for annexation upon annexation; and

WHEREAS, the Ohio Revised Code requires that before said meeting the Municipal Legislative Authority to adopt an ordinance stating zoning buffering conditions; and

WHEREAS, properties proposed for annexation are included within the Columbus Comprehensive Plan study area; and

WHEREAS, upon annexation, properties will have uniform access to City services as they become available; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to present this ordinance to the Franklin County Board of Commissioners in accordance with the Ohio Revised Code all for the preservation of the public peace, property, health safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the city of Columbus will provide the following municipal services for 5.791± acres in Hamilton & Madison Townships upon the annexation of said area to the city of Columbus

Public Safety: The City of Columbus, Department of Public Safety will be able to provide the appropriate level of safety related services to the proposed annexation area. Such services will include police and fire protection as well as emergency medical service to the subject property.

While the petitioner for annexation may have proposed future development plans for the property in question, the Department of Public Safety requests that the City exercise its discretion in the coming development planning and review process to ensure any future development will be properly served by the Department of Public Safety Discussions between the City and the present property owner or any future developers regarding post annexation changes in zoning or other changes to the property should include the Department of Public Safety and the Department of Development to ensure any proposed development of the annexation property may be adequately accommodated Specific details for safety services are dependent upon the parameters of future development that is ultimately approved by the City

At the present time fire protection for the proposed annexation is as follows

First response from: Station 22, 3069 Parsons Avenue, 10 Personnel / 3 Paramedics.

Apparatus responding: Paramedic/Engine, Ladder, and Medic.

Time: 16.0 minutes.

Second response from: Station 4, 3030 Winchester Pike, 9 Personnel / 5 Paramedics.

Apparatus responding: Paramedic/Engine, Rescue, and Medic.

Time: 17.0 minutes.

Sanitation: Residential refuse collection services will be available upon annexation of the property

Streets: Maintenance will be available for any additional right-of-way that may be included in this annexation request

Water: This site can be served by an existing 8 inch main located in Wright Brothers Avenue

Sewer:

Sanitary Sewer:

This site is currently served by a pump station witch will be relieved by gravity service in 2008.

Storm Sewer:

All storm sewers necessary for development / redevelopment of the area shall be designed in accordance with design policy and zoning codes in effect at the time of development

All sanitary and storm sewers required shall be constructed privately by the owner / developers at their own cost and expense with no cost to the city.

Section 2. If this 5.791 acre site is annexed and if the City of Columbus permits uses in the annexed territory that the City of Columbus determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within Hamilton & Madison Townships, the Columbus City Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within Hamilton & Madison Township For the purpose of this section, "buffer" includes open space, landscaping, fences, walls, and other structured elements streets and street right-of-way; and bicycle and pedestrian paths and sidewalks

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 October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2330-2003

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN03-03 IR) of 19.0+ Acres in Plain Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

WHEREAS, a petition for the annexation of certain territory in Plain Township was duly filed by Diane Cring on October 8, 2003; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin; and

WHEREAS, the Ohio Revised Code requires that before said hearing the Municipal Legislative Authority shall adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon annexation; and

WHEREAS, the Ohio Revised Code requires that before said meeting the Municipal Legislative Authority to adopt an ordinance stating zoning buffering conditions; and

WHEREAS, properties proposed for annexation are included within the Columbus Comprehensive Plan study area and within the Rocky Fork-Blacklick Accord planning area; and

WHEREAS, upon annexation, properties will have uniform access to City services as they become available; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to present this ordinance to the Franklin County Board of Commissioners in accordance with the Ohio Revised Code all for the preservation of the public peace, property, health safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the city of Columbus will provide the following municipal services for 19.0± acres in Plain Township upon the annexation of said area to the city of Columbus

Public Safety: The City of Columbus, Department of Public Safety will be able to provide the appropriate level of safety related services to the proposed annexation area Such services will include police and fire protection as well as emergency medical service to the subject

property.

While the petitioner for annexation may have proposed future development plans for the property in question, the Department of Public Safety requests that the City exercise its discretion in the coming development planning and review process to ensure any future development will be properly served by the Department of Public Safety Discussions between the City and the present property owner or any future developers regarding post annexation changes in zoning or other changes to the property should include the Department of Public Safety and the Department of Development to ensure any proposed development of the annexation property may be adequately accommodated Specific details for safety services are dependent upon the parameters of future development that is ultimately approved by the City

At the present time fire protection for the proposed annexation is as follows

First response from: Station 29, 5151 Little Turtle Way, 6 Personnel / 3 Paramedics.
Apparatus responding: Paramedic/Engine, and Medic.
Time: 9.0 minutes.

Second response from: Station 6, 5750 Maple Canyon Avenue, 8 Personnel / 4 Paramedics.
Apparatus responding: Paramedic/Engine, Medic, EMS Supervisor, and Battalion Chief
Time: 18.0 minutes.

Sanitation: Residential refuse collection services will be available upon annexation of the property
Streets: Maintenance will be available for any additional right-of-way that may be included in this annexation request
Water: This site can be served by an existing 16 inch main located in Central College Road
Sewer:

Sanitary Sewer:

This site is tributary to the Big Walnut Trunk located almost 2 miles to the southwest. The city anticipates extending the trunk to this vicinity by late 2007.

Storm Sewer:

All storm sewers necessary for development / redevelopment of the area shall be designed in accordance with design policy and zoning codes in effect at the time of development

All sanitary and storm sewers required shall be constructed privately by the owner/ developers at their own cost and expense with no cost to the city.

Section 2. If this 19.0 acre site is annexed and if the City of Columbus permits uses in the annexed territory that the City of Columbus determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within Plain Township, the Columbus City Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within Plain Township For the purpose of this section, "buffer" includes open space, landscaping, fences, walls, and other structured elements streets and street right-of-way; and bicycle and pedestrian paths and sidewalks.

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 October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2332-2003

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN03-027) of 1.289± Acres in Clinton Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.
WHEREAS, a petition for the annexation of certain territory in Clinton Township was duly filed by LINSUE Inc., et al. on October 8, 2003; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin; and

WHEREAS, the Ohio Revised Code requires that before said hearing the Municipal Legislative Authority shall adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon annexation; and

WHEREAS, the Ohio Revised Code requires that before said meeting the Municipal Legislative Authority to adopt an ordinance stating zoning buffering conditions; and

WHEREAS, properties proposed for annexation are included within the Columbus Comprehensive Plan study area; and

WHEREAS, upon annexation, properties will have uniform access to City services as they become available; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to present this ordinance to the Franklin County Board of Commissioners in accordance with the Ohio Revised Code all for the preservation of the public peace, property, health safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the city of Columbus will provide the following municipal services for 1.289+ acres in Clinton Township upon the annexation of said area to the city of Columbus

Public Safety: The City of Columbus, Department of Public Safety will be able to provide the appropriate level of safety related services to the proposed annexation area. Such services will include police and fire protection as well as emergency medical service to the subject property.

While the petitioner for annexation may have proposed future development plans for the property in question, the Department of Public Safety requests that the City exercise its discretion in the coming development planning and review process to ensure any future development will be properly served by the Department of Public Safety Discussions between the City and the present property owner or any future developers regarding post annexation changes in zoning or other changes to the property should include the Department of Public Safety and the Department of Development to ensure any proposed development of the annexation property may be adequately accommodated Specific details for safety services are dependent upon the parameters of future development that is ultimately approved by the City

At the present time fire protection for the proposed annexation is as follows

First response from: Station 25, 739 West Third Avenue, 6 Personnel / 3 Paramedics.
Apparatus responding: Paramedic/Engine, Medic, and Boat
Time: 3.5 minutes.

Second response from: Station 7, 1425 Indianola Avenue, 8 Personnel / 4 Paramedics.
Apparatus responding: Paramedic/Engine, Medic, Battalion Chief, and EMS Supervisor.
Time: 5.0 minutes.

Sanitation: Residential refuse collection services will be available upon annexation of the property

Streets: Maintenance will be available for any additional right-of-way that may be included in this annexation request

Water: This site can be served by an existing 20 inch main located in Chambers Road

Sewer

Sanitary Sewer

This site can be served by an existing 8 inch sewer located in the alley to the south of the site

Storm Sewer

All storm sewers necessary for development / redevelopment of the area shall be designed in accordance with design policy and zoning codes in effect at the time of development

All sanitary and storm sewers required shall be constructed privately by the owner / developers at their own cost and expense with no cost to the city.

Section 2. If this 1.289 acre site is annexed and if the City of Columbus permits uses in the annexed territory that the City of Columbus determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within Clinton Township, the Columbus City Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within Clinton Township. For the purpose of this section, "buffer" includes open space, landscaping, fences, walls, and other structured elements streets and street right-of-way; and bicycle and pedestrian paths and sidewalks.

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 October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest,
Andrea Blevins, CMC, City Clerk.

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| RESOLUTIONS |
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RES NO. 357X-2003

To recognize and congratulate the Daughters of Erin on their 25th Anniversary and for their contributions to the Irish culture and efforts in raising money for a wide variety of philanthropic causes and programs in Central Ohio

WHEREAS, the Daughters of Erin had their initial meeting on October 15, 1978 attended by 10 women and have since grown to more than 400 members; and

WHEREAS, the Daughters of Erin was founded to celebrate Irish heritage, to advance the knowledge of the Irish culture, and to give back to the greater community of Columbus, Ohio; and

WHEREAS, it is the largest Irish-American women's organization in Central Ohio; and

WHEREAS, over the past 25 years, the Daughters of Erin have raised and contributed more than \$225,000 to a wide variety of charitable causes; and

WHEREAS, the Daughters of Erin have sponsored hundreds of cultural and educational activities promoting Irish history, culture and customs; now therefore

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

That this Council does hereby recognize the Daughters of Erin for their contributions to the Irish culture in Columbus, Ohio on their 25th Anniversary.

BE IT FURTHER RESOLVED,

That a copy of this Resolution be presented to the Daughters of Erin with our esteem.

Adopted October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

RES NO. 371X-2003

To proclaim Thursday, October 9, 2003 as City Year Day.

WHEREAS, on October 9, 2003, in Columbus, Ohio, fifty young leaders will publicly pledge to serve America as members of the City Year 2003-2004 National Corps; and

WHEREAS, this year City Year celebrates its 15th anniversary year as a national service organization and City Year Columbus celebrates its 10th anniversary year of service to the Columbus community; and

WHEREAS, City Year is an action tank for national service that seeks to develop, improve and promote the concept of national service as a means for building a strong democracy; and

WHEREAS, this year, nationally, City Year will unite 750 diverse 17-24 year-old young people for ten months of full-time rigorous community service, leadership development, and civic engagement nationwide; and

WHEREAS, this year, locally, fifty of these inspirational young leaders will make a difference in the lives of thousands of children, providing more than 100,000 hours of service; now, therefore

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

That this Council does hereby recognize and proclaim Thursday October 9, 2003 as City Year Day and encourages our citizens to express their gratitude and offer their continued support to the organization

Adopted October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

RES NO. 372X-2003

To commend White Castle System, Inc, Purpose Magazine, and the charity Awaken Women of Excellence for sponsoring the 2nd Annual Phenomenal Mom Essay Contest and Awards Banquet on this 10th day of October 2003.

WHEREAS, This event recognizes and honors "Single Moms" in the community and acknowledges their accomplishments in their careers, and in raising their families; and

WHEREAS, All of the women who were nominated for this award have demonstrated their spirit of love and their ability to adapt to the changing needs of our families; and

WHEREAS, We embrace these phenomenal women for their unselfish sacrifice, and commitment to family, as we admire their undying strength of character and enduring spirit; now, therefore,

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

That this Council does hereby recognize and congratulate White Castle System Inc, in conjunction with Purpose Magazine, and Awaken Women of Excellence for their sponsorship and commitment to these Phenomenal Moms

Adopted October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

RES NO. 373X-2003

Columbus City Council requests City agencies to aid and assist researchers from The Ohio State University who seek to measure and improve the survival rate to hospital discharge from sudden cardiac arrest in Columbus, create a registry of information, and make application to the National Institutes of Health for consideration as a regional clinical center within a national clinical research consortium.

WHEREAS, approximately 400 citizens of Columbus suffer sudden cardiac arrest each year; and

WHEREAS, nationally it is estimated that only 5% of victims of sudden cardiac arrest survive to leave the hospital alive; and

WHEREAS, in cities with optimized emergency medical systems and ongoing clinical research programs investigating epidemiology of and treatments for sudden cardiac arrest, survival from sudden cardiac arrest is as high as 20%; and

WHEREAS, the survival rate to hospital discharge is not known for citizens who suffer sudden cardiac arrest within the City of Columbus; and

WHEREAS, additional research is needed to improve the low survival rate from this disease; and

WHEREAS, investigators from The Ohio State University have the requisite knowledge and expertise to carry out clinical and epidemiological research to improve survival from sudden cardiac arrest in Columbus; and

WHEREAS, the National Heart, Lung, and Blood Institute of the National Institutes of Health is seeking applications to join a Clinical Research Consortium to investigate methods to improve survival from sudden cardiac arrest; and

WHEREAS, investigators from The Ohio State University have the opportunity to participate in the Clinical Research Consortium to Improve Resuscitation Outcomes from the National Heart, Lung, and Blood Institute; and

WHEREAS, the Council of the City of Columbus supports clinical and epidemiological research efforts by investigators from The Ohio State University to measure and improve the survival rate to hospital discharge for citizens of Columbus suffering from sudden cardiac arrest; now therefore

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

Section 1. Council requests that agencies of the government of the City of Columbus aid and assist researchers from The Ohio State University who seek to measure and improve the survival rate to hospital discharge from sudden cardiac arrest in Columbus.

Section 2. Council requests that a report be provided to Council by the Division of Fire at the conclusion of each fiscal year that includes the survival rate to hospital discharge following cases of sudden cardiac arrest occurring within the City of Columbus.

Adopted October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

RES NO. 375X-2003

To recognize and congratulate Reverend Charles ~ Bond, Jr. on the occasion of his Installation as Pastor of the Travelers' Rest Missionary Baptist Church

WHEREAS, the installation service for Rev. Charles E. Bond, Jr. will be held on Sunday, October 19, 2003 at 7:30 p.m. at the Travelers' Rest Missionary Baptist Church; and

WHEREAS, the guest speaker will be Dr. Frank E. Ray, Sr., of the New Salem Baptist Church, Memphis TR, the home church of Rev. Bond; and

WHEREAS, Rev. Charles E. Bond, Jr. is a native of Memphis, TN and the youngest of 7 children; and

WHEREAS, Rev. Bond received his call to the ministry at the age of 13, and has been preaching for the past 15 years; and

WHEREAS, Rev. Bond was the former pastor of the Jeffrie Chapel Missionary Baptist Church in Mississippi prior to moving to Columbus, Ohio; and

WHEREAS, Rev. Charles E. Bond, was called to pastor the Travelers' Rest Missionary Baptist Church on July 13, 2003; now; therefore

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

That this Council does hereby recognize and congratulate Rev. Charles E. Bond, Jr. on the occasion of his Installation as Pastor of the Travelers' Rest Missionary Baptist Church, Sunday, October 19, 2003.

Adopted October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

RES NO. 376X-2003

To recognize and congratulate Nationwide Insurance on the occasion of the opening of Su Agencia Hispana in Columbus on October 17, 2003

Whereas, the United States now has a Hispanic population of over 42 million, forming the largest minority population in our county; and, Whereas, Nationwide Insurance has demonstrated a commitment to diversity and inclusion with the implementation of the Hispanic Satellite program in 2002; and,

Whereas, the Hispanic Satellite program has increased the number of insurance agencies with bilingual Spanish capabilities to 350 across the country; and,

Whereas, the Hispanic Satellite program has increased efforts in many areas to hire bilingual employees to better serve customers and claimants; and,

Whereas, Nationwide Insurance is bringing the Hispanic Satellite Program to Columbus with the opening of Su Agencia Hispana; now therefore

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

That we do hereby recognize and congratulate Nationwide Insurance for opening Su Agencia Hispana in the City of Columbus on October 17, 2003.

Adopted October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

RES NO. 378X-2003

To recognize and congratulate Friends of The Homeless on their 20th Anniversary this 15th day of October, 2003.

WHEREAS, Friends of The Homeless have provided 20 years of dedicated service to the Columbus Community Through their advocacy they have informed and educated the community on issues of homelessness and the factors which cause and perpetuate it; and

WHEREAS, there are citizens in this community who do not have a place to call home due to socioeconomic factors such as limited availability of Single Room Occupancy housing, the high cost of rental housing, the prevalence of mental illness, substance abuse and unemployment; and

WHEREAS, our city has made great strides to eliminate homelessness through supportive housing development, the funding of critical health, mental health and drug abuse programs, and the use of available federal and state funding, there remain many families and children who still define themselves as homeless; and

WHEREAS, we commend Friends of the Homeless their leadership and we will continue to support your efforts to aid our community in the fight to break the cycle of homelessness by providing housing solutions, now, therefore,

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

That this Council does hereby recognize and congratulate Friends of The Homeless for their commitment to ensuring that all of our citizens have adequate housing

Adopted October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

RES NO. 379X-2003

To proclaim the week of October 19th -25th, 2003 as Little Kids Big Plans week in the City of Columbus

WHEREAS, Columbus City Council has partnered with Action for Children to promote municipal support for early care and education as a fundamental aspect of a healthy community; and

WHEREAS, the National League of Cities has urged local officials across the country to join a national campaign to promote early childhood success; and

WHEREAS, the city of Columbus believes that supporting young children (ages birth - five) is fundamentally important to the future success of the community; now, therefore

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

That this Council does hereby proclaim the week of October 19th -25th, 2003 as Little Kids Big Plans week in the City of Columbus and urge all citizens of Columbus to join together in support of our children and the organizations who nurture them.

Adopted October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

BIDS WANTED – PURCHASING OFFICE AND OTHER DIVISIONS

CITY OF COLUMBUS FORMAL BID OPPORTUNITIES ARE UPDATED DAILY AT:
<http://finance.ci.columbus.oh.us/purchasing/openbids/sabids.html>

Each proposal shall contain the full name and address of every person, firm or corporation interested in the same, and if a 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 1, Title 39, is a condition of the contract. Failure to comply with this Article may result in 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 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 PROPOSALS CALL THE LISTED DIVISION

BID OPENING DATE - October 29, 2003 3:00 pm

SA000542 - JP SLUDGE BUILDING HVAC PROJECT

Sealed proposals will be received by the Director of Public Utilities of the City of Columbus, Ohio at the office of the Director of Public Utilities, 910 Dublin Road, Room 4105, until 3:00 P.M., local Time, on Wednesday October 29, 2003 and publicly opened and read at that hour and place for the following project: City of Columbus, Division of Sewerage and Drainage, Jackson Pike Wastewater Treatment Plant, Sludge Control Building HVAC Replacement, Project PIP 241

The work for which proposals are invited consists of, but is not limited to, the following:

- Item 01 Remove and dispose of the existing Sludge Control Building, 20 ton, roof mounted HVAC Unit.
- Item 02 Furnish and install a new, roof mounted, HVAC System with a gas fired furnace for heating and an air conditioning unit for cooling.
- Item 03 Furnish and install an air filtering and cleaning device upstream from air intake of the HVAC equipment.
- Item 04 Furnish and install the equipment and controls necessary for a thermostatically controlled four (4) zone system with one independent thermostat in each zone.
- Item 05 The existing ductwork shall be reused and modified, as required, to adapt to the new HVAC unit and the four zone control.

The work is to be performed at the Jackson Pike Wastewater Treatment Plant, 2104 Jackson Pike, and Columbus, Ohio 43223.

CONTACTS: Questions regarding the project details or specification details need to be addressed to Robert M. Smith, P.E., Jackson Pike Wastewater Treatment Plant, (614) 645-0309. Copies of the Contract Documents are on file at the offices of the Division of Sewerage and Drainage, 910 Dublin Road, 4th floor, Room 4019, Columbus, Ohio 43215, and are available, at no cost, through the Division of Sewerage and Drainage, Fiscal Office (614) 645-6031.

Proposals must be submitted on the proper forms contained in the Bid Submittal Documents. The Bid Submittal Documents must be submitted, in their entirety, in a sealed envelope marked: Bid for, City of Columbus, Division of Sewerage and Drainage, Jackson Pike Wastewater Treatment Plant, Sludge Control Building HVAC Replacement, Project PIP 241

Any unauthorized conditions, limitations, or provisions attached to the Bid Submittal Documents may render a bid non-responsive and result in its rejection. Bidders are invited to be present at the Bid Opening.

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting of either a Proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements which are included in the Bid Submittal Documents regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction & Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Materials Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., 3rd Floor, Columbus, Ohio 43215 (614) 645-8290, at the offices of The Construction Inspection Division, 1800 E. 17th Avenue, Columbus, Ohio 43219 (614) 645-3182, and at the office of the Director of Public Utilities, 910 Dublin Rd., 4th Floor, Columbus, Ohio 43215 (614) 645-6141.

CONTRACT COMPLIANCE REQUIREMENTS

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification. Compliance with the provisions of Article I, Title 39, as defined in the Columbus City Code 3901.01, is a condition of this contract. Failure or refusal of a contractor or subcontractor to comply with this Article may result in the cancellation of the Contract. Applications for the Columbus Contract Compliance Certification Number can be obtained by calling (614) 645-4764 or downloaded from the city web site ci.columbus.oh.us.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Public Utilities of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, to hold bids for a period of 180 days after the bid opening, and/or to advertise for new proposals, when it is in the best interests of the City.

CREDITABLE FACTORS

In determining the lowest bid for purposes of awarding a contract, the creditable factors, noted in the TIER II section of the proposal forms shall apply.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state.

SUBSURFACE DATA

Subsurface data was not obtained for project design purposes. If obtained, copies of the report are available upon execution of the subsurface information release form.

PRE-BID CONFERENCE

A pre-bid conference for this project will be held on Wednesday October 8, 2003 at 10:00 AM in Trailer 4, at the Jackson Pike Wastewater Treatment Plant, 2104 Jackson Pike, Columbus, Ohio, 43223. Note: Attendance at the Pre-Bid Conference is required for Bid consideration.

CONTRACT COMPLETION

The contract completion time is 120 calendar days after the date of notice to proceed.

EQUAL OPPORTUNITY CLAUSE:

(1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to, the following: employment up grading, demotion, or termination; rates of pay or other forms of compensation; and selection for training. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices summarizing the provision of this Equal Opportunity Clause.

(2) The contractor will, in all solicitations of advertisements for employees placed by or on behalf of the contractor; state that the contractor is an equal-opportunity employer.

(3) It is the policy of the City of Columbus that business concerns owned and operated by minority and female persons shall have the maximum practicable opportunity to participate in the performance of contracts awarded by the City.

(4) The contractor shall permit access to any relevant and pertinent reports and documents by the Executive Director for the sole purpose of verifying compliance with this Article, and with the regulations of the Contract Compliance Office. All such materials provided to the Executive Director by the contractor shall be considered confidential.

(5) The contractor will not obstruct or hinder the Executive Director or his deputies, staff and assistants in the fulfillment of the duties and responsibilities imposed by Article I, Title 39.

(6) The contractor and each subcontractor will include a summary of this Equal Opportunity Clause in every subcontract. The contractor will take such action with respect to any subcontractor as is necessary as a means of enforcing the provisions of the Equal Opportunity Clause.

(7) The contractor agrees to refrain from subcontracting any part of this contract or contract modification thereto to a contractor not holding a valid certification number as provided for in Article I, Title 39.

(8) Failure or refusal of a contractor or subcontractor to comply with the provisions of Article I, Title 39, may result in cancellation of this contract. (Ord. 1178-95.)

Cheryl Roberto, Interim Director of the Department of Public Utilities

ORIGINAL PUBLISHING DATE: October 15, 2003

SA000553 - JACKSON PIKE ROOF REPLACEMENT PROJECT

Sealed proposals will be received by the Director of Public Utilities of the City of Columbus, Ohio at the office of the Director of Public Utilities, 910 Dublin Road, Room 4105, until 3:00 P.M., local Time, on Wednesday October 29, 2003 and publicly opened and read at that hour and place for the following project: City of Columbus, Division of Sewerage and Drainage, Jackson Pike Wastewater Treatment Plant, Parts Storage Building Roofing Replacement, Project PIP 242

The work for which proposals are invited consists of, but is not limited to, the following:

The work for which proposals are invited consists of the removal, disposal, and replacement of the Parts Storage Building roofing system at the Jackson Pike Wastewater Treatment Plant. The work includes the replacement of and/or addition of the roofing materials necessary to the project. This would include, but not be limited to substrate, insulation, membrane, and roof penetration and curb flashings. The work shall include such other work as may be necessary to complete the contract in accordance with the specifications, provisions and documentation included herewith.

The work is to be performed at the Jackson Pike Wastewater Treatment Plant, 2104 Jackson Pike, and Columbus, Ohio 43223.

CONTACTS:

For information regarding this project or question about the detailed specifications please contact Robert M. Smith, P.E. at (614) 645-0309. For copies of the Contract Documents please contact the Division of Sewerage and Drainage, Fiscal Office 910 Dublin Road, 4th floor, Room 4019, Columbus, Ohio 43215, at no cost or call (614) 645-6031.

Proposals must be submitted on the proper forms contained in the Bid Submittal Documents. The Bid Submittal Documents must be submitted, in their entirety, in a sealed envelope marked: Bid for, City of Columbus, Division of Sewerage and Drainage, Jackson Pike Wastewater Treatment Plant, Parts Storage Building Roofing Replacement, Project PIP 242.

Any unauthorized conditions, limitations, or provisions attached to the Bid Submittal Documents may render a bid non-responsive and result in its rejection. Bidders are invited to be present at the Bid Opening.

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting of either a Proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements which are included in the Bid Submittal Documents regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction & Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Materials Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., 3rd Floor, Columbus, Ohio 43215 (614) 645-8290, at the offices of The Construction Inspection Division, 1800 E. 17th Avenue, Columbus, Ohio 43219 (614) 645-3182, and at the office of the Director of Public Utilities, 910 Dublin Rd., 4th Floor, Columbus, Ohio 43215 (614) 645-6141.

CONTRACT COMPLIANCE REQUIREMENTS

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification. Compliance with the provisions of Article I, Title 39, as defined in the Columbus City Code 3901.01, is a condition of this contract. Failure or refusal of a contractor or subcontractor to comply with this Article may result in the cancellation of the Contract. Applications for the Columbus Contract Compliance Certification Number can be obtained by calling (614) 645-4764 or downloaded from the city web site ci.columbus.oh.us.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Public Utilities of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, to hold bids for a period of 180 days after the bid opening, and/or to advertise for new proposals, when it is in the best interests of the City.

CREDITABLE FACTORS

In determining the lowest bid for purposes of awarding a contract, the creditable factors, noted in the TIER II section of the proposal forms shall apply.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state.

SUBSURFACE DATA

Subsurface data was not obtained for project design purposes. If obtained, copies of the report are available upon execution of the subsurface information release form.

PRE-BID CONFERENCE

A pre-bid conference for this project will be held on Wednesday, October 15, 2003 at 10:00 am in Trailer 4, at the Jackson Pike Wastewater Treatment Plant, 2104 Jackson Pike, Columbus, Ohio, 43223.

Note: Attendance at the Pre-Bid Conference is not required for Bid consideration. However vendors who do not attend are responsible to contact Project Engineer for information discussed at the Pre-Bid Conference.

CONTRACT COMPLETION

The contract completion time is 120 calendar days after the date of notice to proceed.

EQUAL OPPORTUNITY CLAUSE:

(1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to, the following: employment up grading, demotion, or termination; rates of pay or other forms of compensation; and selection for training. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices summarizing the provision of this Equal Opportunity Clause.

(2) The contractor will, in all solicitations of advertisements for employees placed by or on behalf of the contractor, state that the contractor is an equal-opportunity employer.

(3) It is the policy of the City of Columbus that business concerns owned and operated by minority and female persons shall have the maximum practicable opportunity to participate in the performance of contracts awarded by the City.

(4) The contractor shall permit access to any relevant and pertinent reports and documents by the Executive Director for the sole purpose of verifying compliance with this Article, and with the regulations of the Contract Compliance Office. All such materials provided to the Executive Director by the contractor shall be considered confidential.

(5) The contractor will not obstruct or hinder the Executive Director or his deputies, staff and assistants in the fulfillment of the duties and responsibilities imposed by Article I, Title 39.

(6) The contractor and each subcontractor will include a summary of this Equal Opportunity Clause in every subcontract. The contractor will take such action with respect to any subcontractor as is necessary as a means of enforcing the provisions of the Equal Opportunity Clause.

(7) The contractor agrees to refrain from subcontracting any part of this contract or contract modification thereto to a contractor not holding a valid certification number as provided for in Article I, Title 39.

(8) Failure or refusal of a contractor or subcontractor to comply with the provisions of Article I, Title 39, may result in cancellation of this contract. (Ord. 1178-95.)

ORIGINAL PUBLISHING DATE: October 03, 2003

BID OPENING DATE - October 30, 2003 11:00 am
SA000539 - RAIN GAUGE EQUIPMENT

SCOPE: The City of Columbus, Division of Sewerage and Drainage, Sewer Maintenance Operations Center, 1250 Fairwood Avenue, is seeking bids for Rain Gauge Equipment. Rain Gauge Equipment will replace existing equipment and expand the current reporting area.

Total purchases for the first year are expected to be approximately \$40,000.00.

CLASSIFICATION: This contract will be in effect for two (2) years from the date of execution to and including December 31, 2005 with the option of renewal for a third year upon the mutual agreement by both parties and approval of the Columbus City Council and certification of funding by the City Auditor. Other terms and conditions of the contract shall remain unchanged.

This equipment will be used with existing equipment. Due to the proprietary nature of this equipment and the reporting software to be compatible with the National Weather Service Integrated Flood Observation and Warning System (IFLOWS) standards, only the manufacturer and models listed in section 3.0 of the detailed specifications will be considered for this bid.

ORIGINAL PUBLISHING DATE: October 08, 2003

SA000544 - MUNI COURT JUDGES SECURITY GUARD SERVICE
1.1_ Scope of Services

The Franklin County Municipal Court Judges have a need to contract for Unarmed, Uniformed Court Security Guard Services with special qualifications as stated in the bid. The contractor must have a minimum capability of presently providing 366 staff hours weekly of guard services. Guards must hold a state Peace Officer's Training Academy Certificate or a Military Police Officer Certificate. The contractor must have a local office that is located in Franklin or a contiguous county.

1.2 Classification

Security guards will be required to cover second and third shifts on weekdays and twenty-four hours on weekends and holidays for an estimated weekly of 344 hours. The services will commence at 11:00 p.m. on January 31, 2004 at Franklin County Municipal Courthouse, 375 South High Street, Columbus, Ohio 43215. The contract shall be in effect from February 1, 2004 to and including January 31, 2007, with the option to renew for one addition year.

A pre-bid meeting will be held on Tuesday, October 14, 2003 from 11:30 a.m.- 1:00 p.m. local time at the Franklin County Municipal Court, Courtroom 10B, 375 South High Street, Columbus, Ohio 43215. A walk-through will be conducted immediately following the pre-bid meeting. Any interested bidder is strongly urged to attend. Failure to attend the pre-bid meeting will not disqualify a bidder, however, **BIDDERS SHALL COMPLY WITH AND BE RESPONSIBLE FOR THE SPECIFICATIONS AND INFORMATION DISCUSSED AT THE PRE-BID MEETING REGARDLESS OF WHETHER OR NOT THEY ATTEND.**

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215

ORIGINAL PUBLISHING DATE: September 24, 2003

SA000554 - FLEET/AUTOMOTIVE LIGHTING PARTS

1.1 Scope: It is the intent of the City of Columbus, Fleet Management to obtain formal bids to establish a UTC for the purchase of Vehicle Lighting, Alarms, Mirror Parts, Supplies, & Accessories for use of maintaining of City vehicles through January 31, 2006.

1.2 Classification: Bids are to be submitted on a discount basis.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215

ORIGINAL PUBLISHING DATE: October 07, 2003

SA000556 - PURCHASE OF WEARING APPAREL UTC
1.0 SCOPE AND CLASSIFICATION

1.1 Scope: The City of Columbus, Recreation and Parks Department is obtaining bids to establish a Universal Term Contract for the purchase of various recreation wearing apparel for its employees and the Community Recreation and Youth Sports participants. The contract will be from date of execution up to and including 12/31/06. Items will be delivered to any City of Columbus agency.

1.2 Classification: Items to be bid on include: t-shirts, polo shirts, sweat shirts, tank tops, and uniform sets for basketball, soccer, baseball and wrestling. Silk-screening or embroidery will be included on most items.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215.

ORIGINAL PUBLISHING DATE: October 08, 2003

SA000562 - FIRE - PURCHASE OF GENESIS RESCUE TOOLS
1.0 SCOPE & CLASSIFICATION

1.1 SCOPE: The City of Columbus, Division of Fire is obtaining bids to establish a contract to purchase Genesis Brute Vario Combination Rescue Tools and related equipment. The contract will consist of a one-time purchase and will be delivered to 2028 Williams Road, Columbus, Ohio 43207 within 60 days of contract implementation.

1.2 CLASSIFICATION: This purchase will consist of four (4) Genesis Brute Vario Combination Rescue Tools; four (4) Mach III Compact Tool Simo Power Units; and five (5) sections (20 ft. in length) of extension hose.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215.

ORIGINAL PUBLISHING DATE: October 16, 2003

BID OPENING DATE - October 31, 2003 3:00 pm
SA000545 - DRWP RAW WATER INTAKE IMPROVEMENTS
REQUEST FOR STATEMENTS OF QUALIFICATIONS FOR PROFESSIONAL SERVICES FOR DUBLIN ROAD WATER PLANT RAW WATER INTAKE IMPROVEMENTS FOR THE CITY OF COLUMBUS

The City of Columbus, Ohio is soliciting Statements of Qualifications (SOQ's) from experienced professional consulting/engineering firms to provide full-service assistance to the City for design of improvements to the raw water intake and screen facility at the Dublin Road Water Plant for the Department of Public Utilities, Division of Water. The selected professional service firm will provide all office and field services necessary to prepare technical reports and design documents for construction bidding, and provide technical and administrative services and field project representation during construction. The project is identified as Dublin Road Water Plant Raw Water Intake Improvements, Project Number 690278, Contract Number 1052.

The existing facility has been in continuous service since 1951. It is anticipated this project will include but not be limited to replacement of the bar screens, a new and improved leaf removal system and debris barrier, a multiple chemical feed line system, and erosion control along the Scioto River bank.

SOQ's shall include a brief summary of extensive experience in the evaluation, planning, design, construction phase engineering, operations evaluations and training, and start-up assistance for new and upgraded raw water intake and screen facilities for existing water plants ranging in size from 10 to 100 million gallons per day.

Selection of professional services shall be in accordance with Section 329.13 of Columbus City Codes, 1959, utilizing the Department of Public Utilities Request for Qualifications (RFQ), prequalification process. This process is generally as follows:

1. RFQ prepared and advertised by the Department.
2. SOQ's submitted by offerors prior to the deadline.
3. "Short listing" by the Department Evaluation Committee based upon the evaluation criteria specified herein.
4. The Committee shall request complete technical proposals from each of the offerors selected for further consideration.
5. Proposals submitted by the "short listed" offerors.
6. Interviews of offerors by the Department Evaluation Committee.
7. The Committee shall rank all remaining offerors based upon the quality and feasibility of their proposals and any revisions thereto.

8. The Department shall enter into contract negotiations with the offerors in the order of rank.

Any agreement or contract entered into, will be in accordance with the provisions of Chapter 329 of Columbus City Codes, 1959, the standard agreements for professional services of the Division of Water, and all other applicable rules and regulations.

All offerors, and their proposed subcontractors, shall have valid City of Columbus Contract Compliance Numbers (CCCN). SOQ's shall include these numbers, or copies of completed, submitted applications for certification. Applications for certification may be obtained from the City of Columbus website (www.columbus.gov), or from: City of Columbus, Equal Business Opportunity Commission Office, 109 North Front Street, 4th Floor, Columbus, Ohio 43215-9020, (614-645-4764)

All questions shall be submitted in writing to Roger C. Huff, P.E., Technical Support Manager, Supply Group, Division of Water, 910 Dublin Road, Columbus, Ohio 43215, or by fax (614-645-6165), or by e-mail (RCHuff@columbus.gov).

There is NO additional information package for this RFSSOQ.

A site tour will be held October 15, 2003 at 10:00 a.m. at the Dublin Road Water Plant, 940 Dublin Road, Columbus, Ohio 43215. Five (5) copies of the SOQ's shall be submitted in a sealed envelope (or envelopes) to Jeffrey A. Hubbard, P.E., Administrator, Division of Water, 3rd floor, Utilities Complex, 910 Dublin Road, Columbus, Ohio 43215. The envelopes shall be clearly marked on the exterior to denote both the names of the submitting firm and the particular professional services contract for which the qualifications are offered. Final date for submission of SOQ's will be no later than 3:00 p.m. October 31, 2003. Any submittals received after that time will not be considered.

Submissions will be evaluated by the evaluation committee based on the following criteria and rating values:

- 20 Points - Specific qualifications of the primary staff who will manage, supervise and provide services, including past experience on similar projects; general current workload and availability of necessary personnel.
- 20 Points - Specialized experience required for the work, along with the ability to manage, control and schedule sub-consultants (if applicable).
- 15 Points - Professional qualifications of the firm.
- 20 Points - Past performance on similar projects.
- 15 Points - Demonstrated abilities to meet schedules and budgets.
- 10 Points - Location of the staff that will perform this work (including sub-consultants, if applicable).

CHERYL ROBERTO, INTERIM DIRECTOR, Department of Public Utilities,

ORIGINAL PUBLISHING DATE: September 24, 2003

BID OPENING DATE - November 5, 2003 3:00 pm
SA000546 - O'SHAUGHNESSY HYDRO BREAKER REPLACEMENT

Sealed proposals will be received by the Director of Public Utilities of the City of Columbus, Ohio, at the office of the Director of Public Utilities, 910 Dublin Road, 4th Floor, Columbus, Ohio 43215, until 3:00 p.m. local time, on Wednesday, November 5, 2003 and publicly opened and read at that hour and place for the following project: O'SHAUGHNESSY HYDRO BREAKER REPLACEMENT AND SWITCHGEAR MODIFICATIONS

The work for which proposals are invited consists of the retrofitting of a new 34.5KV circuit breakers into existing switchgear along with all ancillary equipment and bus modifications necessary to complete the contract in accordance with the plans and specifications. Copies of the contract documents and the plans are on file in the office of the Division of Electricity, 3568 Indianola Avenue, Columbus, Ohio 43214. The first set is available to prospective bidders at no cost.

Proposals must be submitted on the proper forms contained in the Bid Submittal Documents and the Bid Submittal Documents containing the Proposal must be submitted IN THEIR ENTIRETY in a sealed envelope marked BID FOR O'SHAUGHNESSY HYDRO BREAKER REPLACEMENT AND SWITCHGEAR MODIFICATIONS. PROPOSAL GUARANTY

The Bidder is required to submit a Proposal Guaranty, consisting of either a Proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the

Treasurer - City of Columbus, Ohio. The amount of the guaranty shall not be less than ten percent (10%) of the bid including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Attention of the Bidder is called to the special requirements, which are included in the Bid Submittal Documents regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction and Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Materials Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 West Broad Street, 3rd Floor, Columbus, Ohio 43215 (614) 645-8290; and at the offices of The Construction Inspection Division, 1800 East 17th Avenue, Columbus, Ohio 43219 (614) 645-3182.

CONTRACT COMPLIANCE REQUIREMENTS

Each responsive Bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification.

QUALIFICATIONS AND RESOURCE FACTORS FORM AND AFFIDAVIT OF BIDDER

Each responsive bidder shall submit with its bid a completed Qualification and Resource Factors Form and a completed and notarized Affidavit of Bidder.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Public Utilities of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, to hold bids for a period of 120 days after the bid opening, and/or to advertise for new proposals, when it is in the best interest of the City.

CONTRACT COMPLETION

The work under this contract shall be completed in a manner acceptable to the City within 120 calendar days after the effective date of the Notice to Proceed.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state.

PRE-BID CONFERENCE (MANDATORY)

A pre-bid conference for this subject will be held on October 15, 2003 at 10:00 a.m. at 3568 Indianola Avenue, Columbus, Ohio 43214. Attendance is mandatory by manufacturer's representative in order to bid.

ORIGINAL PUBLISHING DATE: September 25, 2003

BID OPENING DATE - November 6, 2003 11:00 am

SA000559 - CLOSED CAPTIONING SERVICES ITB

1.1 Scope: It is the intent of the City of Columbus, Department of Technology, Government Television Channel 3 (GTC- 3) to obtain formal bids to establish a contract to provide real-time closed captioning services for selected video programming to air on Channel 3 of all cable systems operating in the City of Columbus. The contract commencement date will be February 1, 2004. The first cable broadcast will be February 2, 2004.

1.2 Classification: The City estimates 175 hours of real-time closed captioning services of live programming will be required per year. Personnel engaged in the real-time captioning process must be certified by the National Court Reporters Association as certified real-time reporters.

If you have an interest in receiving this bid, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing. Specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215

ORIGINAL PUBLISHING DATE: October 16, 2003

BID OPENING DATE - November 12, 2003 3:00 pm

SA000557 - JACKSON PIKE STORAGE TANK COVERS PROJECT

Sealed proposals will be received by the Director of Public Utilities of the City of Columbus, Ohio at the office of the Director of Public Utilities, 910 Dublin Road, Room 4105, until 3:00 P.M., local Time, on WEDNESDAY NOVEMBER 12, 2003 and publicly opened and read at that hour and place for the following project: City of Columbus, Division of Sewerage and Drainage, Jackson Pike Wastewater Treatment Plant, Sludge Storage Tanks SS1 and SS4 Cover Replacement, Project PIP 214

The work for which proposals are invited consists of, but is not limited to, the following:

A. Tank Pump Out

ITEM 1 Pump sludge out of both tanks through the existing City of Columbus Contract.

B. Tank Clean Out

ITEM 2a Power wash walls, pipes and fixtures (both tanks);

ITEM 2b Clean out residue (both tanks)

C. Demolition: ITEM 3a Remove and dispose of the existing cover and appurtenances from sludge storage tank SS4;

ITEM 3b Remove and dispose of unused and abandoned piping, supports, appurtenances and fixtures (both tanks).

E. Piping:

ITEM 4a Modify and repair Fill and Discharge piping, supports, appurtenances and fixtures (both tanks);

ITEM 4b Provide and Install level sensing piping, supports, fixtures and appurtenances (both tanks).

F. Instrumentation:

ITEM 5 Provide, Install, and test level sensing system and equipment, appurtenances and fixtures (both tanks).

G. Concrete Testing

ITEM 6a Test and evaluate concrete walls (both tanks)

ITEM 6b Provide structural analysis of concrete walls (both tanks).

H. Cover Support System Design

ITEM 7 Detailed Design of dome mounting piers, curbs, anchors, fixtures and appurtenances (both tanks).

I Cover Support System Provision

ITEM 8 Provide and Install concrete cover supports, curbs, anchors, fixtures, and appurtenances (both tanks).

J. Concrete Repair(both tanks).
ITEM 9a Patch and seal concrete tank wall penetrations, area around piping penetrations, and leaks in piping gallery

ITEM 9b Repair and seal exterior tank walls in piping gallery (both tanks)

ITEM 9c Repair exterior tank walls, above ground from, and including, top to ground level (both tanks)

ITEM 9d Seal tank exterior walls, from and including, top to ground level with tinted sealer (both tanks)

ITEM 9e Repair and seal interior tank walls (both tanks)

K. Dome Cover

ITEM 10a Provide and install aluminum dome type cover (both tanks).

ITEM 10b Test to insure proper installation and operation (both tanks).

L. Site Restoration

ITEM 11 Site Restoration.

Each of the above Sections can be bid separately or in combination with others. However, an individual cost shall be required for each Section. The services, equipment and costs for all of the items listed under a Section shall be included with that Section.

The work is to be performed at the Jackson Pike Wastewater Treatment Plant, 2104 Jackson Pike, Columbus Ohio, 43223. CONTACTS: Questions regarding the project details or specification details need be addressed to Robert M. Smith, P.E. at (614) 645-0309 Copies of the Contract Documents are on file at the offices of the Division of Sewerage and Drainage, 910 Dublin Road, 4th floor, Room 4019, Columbus, Ohio, 43215, and are available, at no cost, through the Division of Sewerage and Drainage (614) 645-6031.

Proposals must be submitted on the proper forms contained in the Bid Submittal Documents. The Bid Submittal Documents must be submitted, in their entirety, in a sealed envelope marked: Bid for, City of Columbus, Division of Sewerage and Drainage, Jackson Pike Wastewater Treatment Plant, Sludge Storage Tanks SS1 and SS4 Cover Replacement, Project PIP 214

Any unauthorized conditions, limitations, or provisions attached to the Bid Submittal Documents may render a bid non-responsive and result in its rejection. Bidders are invited to be present at the Bid Opening.

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting of either a Proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements which are included in the Bid Submittal Documents regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction & Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Materials Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., 3rd Floor, Columbus, Ohio 43215 (614) 645-8290, at the offices of The Construction Inspection Division, 1800 E. 17th Avenue, Columbus, Ohio 43219 (614) 645-3182, and at the office of the Director of Public Utilities, 910 Dublin Rd., 4th Floor, Columbus, Ohio 43215 (614) 645-6141.

CONTRACT COMPLIANCE REQUIREMENTS

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification. Compliance with the provisions of Article I, Title 39, as defined in the Columbus City Code 3901.01, is a condition of this contract. Failure or refusal of a contractor or subcontractor to comply with this Article may result in the cancellation of the Contract. Applications for the Columbus Contract Compliance Certification Number can be obtained by calling (614) 645-4764 or downloaded from the city web site www.ci.columbus.oh.us.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Public Utilities of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, to hold bids for a period of 180 days after the bid opening, and/or to advertise for new proposals, when it is in the best interests of the City.

CREDITABLE FACTORS

In determining the lowest bid for purposes of awarding a contract, the creditable factors, noted in the TIER II section of the proposal forms shall apply.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state.

SUBSURFACE DATA

Subsurface data was not obtained for project design purposes. If obtained, copies of the report are available upon execution of the subsurface information release form.

PRE-BID CONFERENCE

A pre-bid conference for this project will be held on WEDNESDAY OCTOBER 29, 2003 at 10:00 AM in Trailer 4, at the Jackson Pike Wastewater Treatment Plant, 2104 Jackson Pike, Columbus Ohio 43223.

Note: Attendance at the Pre-Bid Conference is not required for Bid consideration. However, vendors that do not attend the Pre-Bid are responsible for contact the Project Engineer to obtain the information from the Pre-Bid Conference.

CONTRACT COMPLETION

The contract completion time is 120 calendar days after the date of notice to proceed.

EQUAL OPPORTUNITY CLAUSE:

(1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to, the following: employment up-grading, demotion, or termination; rates of pay or other forms of compensation; and selection for training. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices summarizing the provision of this Equal Opportunity Clause.

(2) The contractor will, in all solicitations of advertisements for employees placed by or on behalf of the contractor, state that the contractor is an equal-opportunity employer.

(3) It is the policy of the City of Columbus that business concerns owned and operated by minority and female persons shall have the maximum practicable opportunity to participate in the performance of contracts awarded by the City.

(4) The contractor shall permit access to any relevant and pertinent reports and documents by the Executive Director for the sole purpose of verifying compliance with this Article, and with the regulations of the Contract Compliance Office. All such materials provided to the Executive Director by the contractor shall be considered confidential.

(5) The contractor will not obstruct or hinder the Executive Director or his deputies, staff and assistants in the fulfillment of the duties and responsibilities imposed by Article I, Title 39.

(6) The contractor and each subcontractor will include a summary of this Equal Opportunity Clause in every subcontract. The contractor will take such action with respect to any subcontractor as is necessary as a means of enforcing the provisions of the Equal Opportunity Clause.

(7) The contractor agrees to refrain from subcontracting any part of this contract or contract modification thereto to a contractor not holding a valid certification number as provided for in Article I, Title 39.

(8) Failure or refusal of a contractor or subcontractor to comply with the provisions of Article I, Title 39, may result in cancellation of this contract. (Ord. 1178-95.)

Cheryl Roberto, Interim Director, Department of Public Utilities

ORIGINAL PUBLISHING DATE: October 08, 2003

SA000560 - GROUP FOUR WATER LINE IMPROVEMENTS

Sealed proposals will be received by the Director of Public Utilities of the City of Columbus, Ohio, at the office of the Director of Public Utilities, 910 Dublin Road, 4th Floor, Columbus, Ohio 43215, until 3:00 p.m. local time, on Wednesday, November 12, 2003 and publicly opened and read at that hour and place for the following project: **GROUP FOUR WATER LINE IMPROVEMENTS**

The work for which proposals are invited consists of the installation of a water line and appurtenances and such other work as may be necessary to complete the contract in accordance with the plans and specifications. Copies of the contract documents and the plans are on file in the office of the Distribution Design Engineer, Utilities Complex, 2nd Floor, 910 Dublin Road, Columbus, Ohio, 43215, and are available to prospective bidders through the office of ms consultants, inc., 2221 Schrock Road, Columbus, Ohio 43229, beginning Monday, October 27, 2003. The cost of each set of Contract Documents is \$40.00 (Forty Dollars), for which said amount will be refunded for one (1) complete set returned in good and unmarked condition.

Proposals must be submitted on the proper forms contained in the Bid Submittal Documents and the Bid Submittal Documents containing the Proposal must be submitted **IN THEIR ENTIRETY** in a sealed envelope marked **BID FOR GROUP FOUR WATER LINE IMPROVEMENTS PROPOSAL GUARANTY**

The Bidder is required to submit a Proposal Guaranty, consisting of either a Proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall not be less than ten percent (10%) of the bid including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Attention of the Bidder is called to the special requirements, which are included in the Bid Submittal Documents regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction and Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Materials Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 West Broad Street, 3rd Floor, Columbus, Ohio 43215 (614) 645-8290; and at the offices of The Construction Inspection office of the Transportation Division, 1800 East 17th Avenue, Columbus, Ohio 43219 (614) 645-3182.

CONTRACT COMPLIANCE REQUIREMENTS

Each responsive Bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification.

QUALIFICATIONS AND RESOURCE FACTORS FORM AND AFFIDAVIT OF BIDDER

Each responsive bidder shall submit with its bid a completed Qualification and Resource Factors Form and a completed and notarized Affidavit of Bidder.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Public Utilities of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, to hold bids for a period of 60 days after the bid opening, and/or to advertise for new proposals, when it is in the best interest of the City.

CONTRACT COMPLETION

The work under this contract shall be completed in a manner acceptable to the City within 120 calendar days after the effective date of the Notice to Proceed.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state.

CONTACT PERSON:

Charles M. Turner, P.E., Division of Water, Engineer's Office, 910 Dublin Road, 2nd Floor, Columbus, Ohio, 43215, (614) 645-7677.

ORIGINAL PUBLISHING DATE: October 16, 2003

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| BID OPENING DATE - November 13, 2003 11:00 am |
|--|

SA000563 - FLEET/AUTO TRANSMISSION REPAIR

1.1 Scope: It is the intent of the City of Columbus, Fleet Management to obtain formal bids to establish a UTC for the purchase of Automatic Transmission Repairs for City of Columbus Vehicles through December, 2006.

1.2 Classification: Vendors are requested to bid different categories of vehicles as illustrated in the bid document. Successful supplier shall provide service to city vehicles between 8:00 am and 4:00 pm, Monday through Friday.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215

ORIGINAL PUBLISHING DATE: October 18, 2003

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| BID OPENING DATE - November 19, 2003 3:00 pm |
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SA000561 - WHITTIER ST. TANK SITE IMPROVEMENTS

ADVERTISEMENT FOR BIDS

Sealed proposals will be received by the Director of Public Utilities of the City of Columbus, Ohio at the office of the Director of Public Utilities, 910 Dublin Road, Room 4105, until 3:00 P.M., local Time, on Wednesday November 19, 2003 and publicly opened and read at that hour and place for the following project: City of Columbus, Division of Sewerage and Drainage, Jackson Pike Wastewater Treatment Plant, Whittier Street Storm Tanks Site Improvements, Project PIP 236

The work for which proposals are invited consists of, but is not limited to, the following:

The purpose of Project PIP-236 is to improve the Whittier Street Storm Tank Site at 155 West Whittier Street in Columbus Ohio. The majority of the work will be involved with concrete repair. The project will include the repair and re-surfacing of the top slab of the Olentangy-Scioto Intercepting Sewer, The repair of the West Levee Stairways, crack and chip repair on the Storm Tank Platform, Sluice Gate Manhole and Water Meter Vault chip repair, Curb and Gutter Inlet repair along the South Roadway, and the patching and sealing of the site's Asphalt Roadway and Turnaround.

The work is to be performed at the Whittier Street Storm Standby Tanks, 155 W. Whittier Street, Columbus, Ohio.

CONTACTS: For information regarding the detailed specifications or the project details, please contact Robert Smith, P.E. at (614) 645-0309 For Copies of the Contract Documents are on file at the offices of the Division of Sewerage and Drainage, 910 Dublin Road, 4th floor, Room 4019, Columbus, Ohio, 43215, and are available, at no cost, through the Division of Sewerage and Drainage (614) 645-6031. Proposals must be submitted on the proper forms contained in the Bid Submittal Documents. The Bid Submittal Documents must be submitted, in their entirety, in a sealed envelope marked: Bid for, City of Columbus, Division of Sewerage and Drainage, Jackson Pike Wastewater Treatment Plant, Whittier Street Storm Tanks Site Improvements, Project PIP 236

Any unauthorized conditions, limitations, or provisions attached to the Bid Submittal Documents may render a bid non-responsive and result in its rejection. Bidders are invited to be present at the Bid Opening.

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting of either a Proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements which are included in the Bid Submittal Documents regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction & Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Materials Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., 3rd Floor, Columbus, Ohio 43215 (614) 645-8290, at the offices of The Construction Inspection Division, 1800 E. 17th Avenue, Columbus, Ohio 43219 (614) 645-3182, and at the office of the Director of Public Utilities, 910 Dublin Rd., 4th Floor, Columbus, Ohio 43215 (614) 645-6141.

CONTRACT COMPLIANCE REQUIREMENTS

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification. Compliance with the provisions of Article I, Title 39, as defined in the Columbus City Code 3901.01, is a condition of this contract. Failure or refusal of a contractor or subcontractor to comply with this Article may result in the cancellation of the Contract. Applications for the Columbus Contract Compliance Certification Number can be obtained by calling (614) 645-4764 or downloaded from the city web site ci.columbus.oh.us.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Public Utilities of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, to hold bids for a period of 180 days after the bid opening, and/or to advertise for new proposals, when it is in the best interests of the City.

CREDITABLE FACTORS

In determining the lowest bid for purposes of awarding a contract, the creditable factors, noted in the TIER II section of the proposal forms shall apply.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state.

SUBSURFACE DATA

Subsurface data was not obtained for project design purposes. If obtained, copies of the report are available upon execution of the subsurface information release form.

PRE-BID CONFERENCE

A pre-bid conference for this project will be held on Wednesday November 5, 2003 at 10:00 am (EST) in Trailer 4, at the Jackson Pike Wastewater Treatment Plant, 2104 Jackson Pike, Columbus Ohio 43223.

CONTRACT COMPLETION

The contract completion time is 90 calendar days after the date of notice to proceed.

EQUAL OPPORTUNITY CLAUSE:

(1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to, the following: employment up-grading, demotion, or termination; rates of pay or other forms of compensation; and selection for training. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices summarizing the provision of this Equal Opportunity Clause.

(2) The contractor will, in all solicitations of advertisements for employees placed by or on behalf of the contractor, state that the contractor is an equal-opportunity employer.

(3) It is the policy of the City of Columbus that business concerns owned and operated by minority and female persons shall have the maximum practicable opportunity to participate in the performance of contracts awarded by the City.

(4) The contractor shall permit access to any relevant and pertinent reports and documents by the Executive Director for the sole purpose of verifying compliance with this Article, and with the regulations of the Contract Compliance Office. All such materials provided to the Executive Director by the contractor shall be considered confidential.

(5) The contractor will not obstruct or hinder the Executive Director or his deputies, staff and assistants in the fulfillment of the duties and responsibilities imposed by Article I, Title 39.

(6) The contractor and each subcontractor will include a summary of this Equal Opportunity Clause in every subcontract. The contractor will take such action with respect to any subcontractor as is necessary as a means of enforcing the provisions of the Equal Opportunity Clause.

(7) The contractor agrees to refrain from subcontracting any part of this contract or contract modification thereto to a contractor not holding a valid certification number as provided for in Article I, Title 39.

(8) Failure or refusal of a contractor or subcontractor to comply with the provisions of Article I, Title 39, may result in cancellation of this contract. (Ord. 1178-95.)

Cheryl Roberto, Interim Director of the Department of Public Utilities

ORIGINAL PUBLISHING DATE: October 16, 2003

BID OPENING DATE - November 20, 2003 11:00 am

SA000515 - COMMUNICATION/PBX REPLACEMENT W/TRADE-IN

1.1 Scope

1.1.1 The Division of Communications is seeking bids for the purchase and installation of two PBX telephone systems with trade-in of existing equipment. The systems must meet or exceed the specifications stated and or referred to in the List of Requirements section of this document. Both systems are connected to each other as well as to an NEC Neax 1400. The Neax 1400 will remain and the new PBX systems must interface with it. All three systems are located in separate facilities owned by the City of Columbus and are connected via T1 circuits. One of the new PBX systems must integrate with a voice mail system, (that all three systems use). The other new PBX system also supports the E911 call center and must interface with other systems peculiar to the city's current emergency call center.

1.2 Classification

1.2.1 The City of Columbus Ohio, Department of Public Safety, Division of Communications will be replacing two NEC Neax 2400 MDS, telephone systems. One system supports the City of Columbus E911 call center and the other supports the internal voice network for the City of Columbus Fire Department. The E911 system features Automatic Call Distribution with multiple Splits and Agent Groups. Both NEC systems support the City of Columbus, Department of Public Safety voice network as well. Both systems have performed exemplary over the years and now need replaced due to outdated and non supported electronics. The Division of Communications expects the new systems to incorporate current technology and provide, at a minimum, the same level of stability as achieved by the current equipment in service.

1.2.2 All applications and features contained in this bid specification are based on our current NEC Neax 2400 telephone equipment. Bidder must maintain, at a minimum, the same features and functionally that these systems currently provide to the Department of Public Safety.

1.2.3 It is imperative that no interruption of E911 service will occur during the installation of the new PBX systems. The successful bidder must clearly understand the importance of keeping the E911 system active during the new equipment installation. The successful bidder must document how this requirement will be accomplished.

1.2.4 Because of the need for a quick response time to service related requests, the city will only consider proposals from those suppliers located within a 3 hour driving radius of the City of Columbus.

1.2.5 A performance bond in the amount equal to a minimum of 10% of the gross total amount of the bid.

1.2.6 Pre-bid site visits will be conducted on November 4th, 5th and 6th and 7th. Site visits must scheduled two (2) days in advance.

1.2.7 There will be a Pre-Bid Conference held Monday November 10th, 2003 at 10:00 am at the Division of Communications. 220

Greenlawn Ave. 2nd floor conference room.

ORIGINAL PUBLISHING DATE: October 16, 2003

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| PUBLIC NOTICES |
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**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, 6th 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.columbus.gov.

(01/2003; 12/2003)

**BOARD OF REVIEW
OF GENERAL AND LIMITED
SIGN ERECTORS
MEETING SCHEDULE**

MEETING TIME: 1ST Tuesday of each month (except May & November) November through April 3:00 p.m. and May through October at 3:30, 757 Carolyn Avenue, Hearing Room E.

CUT-OFF TIME FOR APPLICATIONS: One week prior to the meeting

Questions: Dave Reiss: 645-7973

| CUT-OFF DATES | MEETING DATES |
|----------------------|----------------------|
| January 28 | February 4 |
| February 25 | March 4 |
| March 25 | April 1 |
| May 6 | May 13 |
| May 27 | June 3 |
| June 24 | July 1 |
| July 29 | August 5 |
| August 26 | September 2 |
| September 24 | October 7 |
| November 4 | November 11 |
| November 26 | December 2 |

(01/25/03; 12/27/03)

**BOARD OF REVIEW OF
WARM AIR & HYDRONICS CONTRACTORS
MEETING SCHEDULE
2003**

MEETING TIME: 2nd Tuesday of each month, 5:00 pm at 757 Carolyn Avenue, Hearing Room D.

CUT-OFF TIME FOR APPLICATIONS: One week prior to the meeting

Questions: Cheryl Roahrig: 645-3270

| CUT-OFF DATES | MEETING DATES |
|----------------------|----------------------|
| February 6 | February 11 |
| March 4 | March 11 |
| April 1 | April 8 |
| May 6 | May 13 |
| June 3 | June 10 |
| July 1 | July 8 |
| August 5 | August 12 |
| September 2 | September 9 |
| October 7 | October 14 |
| November 4 | November 11 |
| December 2 | December 9 |

(01/25/03; 12/27/03)

**BOARD OF REVIEW OF
ELECTRICAL CONTRACTORS
MEETING SCHEDULE
2003**

MEETING TIME: 2nd Wednesday of each month, 5:00 pm at 757 Carolyn Avenue, Hearing Room E.

CUT-OFF TIME FOR APPLICATIONS: One week prior to the meeting

Questions: Jerry Tudor: 645-6076

| CUT-OFF DATES | MEETING DATES |
|---------------|---------------|
| February 7 | February 12 |
| March 5 | March 12 |
| April 2 | April 9 |
| May 7 | May 14 |
| June 4 | June 11 |
| July 2 | July 9 |
| August 6 | August 13 |
| September 3 | September 10 |
| October 1 | October 8 |
| November 5 | November 12 |
| December 3 | December 10 |

(01/25/03; 12/27/03)

**BOARD OF REVIEW
OF REFRIGERATION CONTRACTORS
MEETING SCHEDULE**

MEETING TIME: 1ST Wednesday of each month at 5:00 pm at 757 Carolyn Avenue, Hearing Room H.

CUT-OFF TIME FOR APPLICATIONS: One week prior to the meeting

Questions: Cheryl Roahrig: 645-3270

| CUT-OFF DATES | MEETING DATES |
|---------------|---------------|
| January 29 | February 5 |
| February 26 | March 5 |
| March 26 | April 2 |
| April 30 | May 7 |
| May 28 | June 4 |
| June 25 | July 2 |
| July 30 | August 6 |
| August 27 | September 3 |
| September 24 | October 1 |
| October 29 | November 5 |
| November 26 | December 3 |

(01/25/03; 12/27/03)

**BOARD OF REVIEW OF
PLUMBING CONTRACTORS
2003 BOARD MEETING
SCHEDULE**

MEETING TIME: 3rd Wednesday of each month at 5:00 p.m.

CUT-OFF TIME FOR APPLICATIONS: 1 week prior to the meeting

QUESTIONS: Larry Caito: 645-6340

| CUTOFF DATES | MEETING DATES |
|--------------|---------------|
| February 12 | February 19 |
| March 12 | March 19 |
| April 9 | April 16 |
| May 14 | May 21 |
| June 11 | June 18 |
| July 9 | July 16 |
| August 13 | August 20 |
| September 10 | September 17 |
| October 8 | October 15 |
| November 12 | November 19 |
| December 10 | December 17 |

(01/25/03; 12/27/03)

**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 exercises 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 8:30 a.m. on the following dates and locations (unless otherwise posted):

- Wednesday, January 8, 2003- Operations Complex, 420 W Whittier Street
- Wednesday, February 12, 2003 - Operations Complex, 420 W Whittier Street
- Wednesday, March 12, 2003-Operations Complex, 420 W Whittier Street
- Wednesday, April 9, 2003-Operations Complex, 420 W Whittier Street
- Wednesday, May 14, 2003 - Walnut Hill Golf Course, 6001 E. Livingston Avenue
- Wednesday, June 11, 2003 - Goodale Shelterhouse, 120 W Goodale Boulevard

Wednesday, July 9, 2003 - Gillie Recreation Center, 2100 Morse Road
 August Recess - No meeting
 Wednesday, September 10, 2003-Whetstone Park of Roses Shelterhouse, 4015 Olentangy Boulevard
 Wednesday, October 8, 2003- Davis Youth Complex (Franklin Park), 1755 E. Broad Street
 Wednesday, November 12, 2003 - Operations Complex, 420 W Whittier Street
 Wednesday, December 10, 2003 - Operations Complex, 420 W Whittier Street

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).
(02/01/03 thru 12/13/03)

**CITY BULLETIN NOTICE
 MEETING SCHEDULE
 CITY OF COLUMBUS RECORDS COMMISSION**

The regular meetings of the City of Columbus Records Commission for the calendar year 2004 are scheduled as follows:

**Monday, February 2, 2004
 Monday, May 10, 2004
 Monday, September 27, 2004**

These meetings will take place at: City Hall, 90 West Broad Street, 2nd Floor, Mayor's Conference Room. They will begin promptly at 10:00 am.

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 the meeting date, time and locations or to obtain agenda information, contact the Office of the City of Columbus Records Commission Coordinator at (614) 645-7293.
(10/2003 to 10/2004)

LEGAL NOTICE - SALE OF MISCELLANEOUS EQUIPMENT

In accordance with Columbus City Codes Section 329.30, sealed bids for the Sale of Miscellaneous Equipment will be received by the Purchasing Office, 50 W. Gay Street, 1st Floor, Columbus, OH 43215, until THURSDAY OCTOBER 30, 2003, 11:00AM LOCAL TIME and at that time will publicly be opened and read. Bids received after the time for opening of bids will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

Envelopes must be plainly marked: BID FOR SALE OF: Miscellaneous Equipment/Fleet Management Division PROPOSAL
 NUMBER: 2867 CRD

Specifications are on file in the Purchasing Office. For information regarding the bidding process, please contact Charlotte Derifield, Purchasing Office 614/645-1492. For information regarding the specifications, please contact Fleet Management, Darby Williamson 614/645-8281.
 Joel Taylor, Finance Director

(10/11/03; 10/18/03; 10/25/03)

**AGENDA
 BOARD OF ZONING ADJUSTMENT
 CITY OF COLUMBUS, OHIO
 OCTOBER 28, 2003**

The Columbus Board of Zoning Adjustment will hold a public hearing on the following applications on **TUESDAY, OCTOBER 28, 2003 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.

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., AFTER ANY APPEAL(S):

- | | | |
|-----------|---------------------------|---|
| 1. | ODS No.: | 03310-00060 |
| | Location: | 3872 SHATTUCK AVENUE (43220) , located on the east side of Shattuck Avenue, 220± feet south of Highland Drive. |
| | Area Comm./Civic: | None |
| | Existing Zoning: | RRR, Restricted Rural Residential District |
| | Request: | Variance(s) to Section(s): |
| | | 1. 3332.38, Private garage To increase the allowable lot area devoted to private garage from 720 square feet to 1,200 square feet. |
| | | 2. 3332.38, Private garage To increase the maximum height of a detached private garage from 15 feet to 24 feet. |
| | Proposal: | To construct a 720 square foot detached garage in addition to having a 480 square foot attached garage. |
| | Applicant(s): | Stephen L. & Rhonda S. Loretz, 3872 Shattuck Av., Columbus, OH 43220 |
| | Property Owner(s): | Applicants |
| | Case Planner: | Denise Powers, 645-1788 |

2. **ODS No.:** **03310-00061**
Location: **2431 NEIL AVENUE (43202)**, located on the west side of Neil Avenue, 80± feet south of Blake Avenue.
Area Comm./Civic: University Area Commission
Existing Zoning: R-2F, Residential District
Request: Variance(s) to Section(s):
1. 3332.14, R-2F Area District requirements
To reduce the required lot area from 6,000 square feet to not less than 2,650 square feet for each of two proposed lots.
2. 3332.19, Fronting
To allow a dwelling on a lot not fronting upon a public street.
3. 3342.24, Surface
To allow parking spaces to remain gravel.
Proposal: To allow an existing on a lot to be split from a portion of the parcel that fronts Blake Avenue.
Applicant(s): Brian Lucey c/o Jill Stemen Tangeman, Atty., 600 S. High St., Columbus, OH 43215
Property Owner(s): Applicant
Case Planner: Denise Powers, 645-1788
3. **ODS No.:** **03310-00062**
Location: **3048 WOODBINE PLACE (43202)**, located on the east side of Woodbine Place, 425± feet north of Weber Road.
Area Comm./Civic: Clintonville Area Commission
Existing Zoning: R-3, Residential District
Request: Variance(s) to Section(s):
1. 3332.38, Private garage
To increase the maximum height of a detached private garage from 15 feet to not more than 19 feet.
Proposal: To construct a two-car detached garage with loft storage space.
Applicant(s): William Eichenberger & Anna Moore, 3048 Woodbine Pl., Columbus, OH 43202
Property Owner(s): Applicants
Case Planner: Denise Powers, 645-1788
4. **ODS No.:** **03310-00063**
Location: **6400 SAWMILL ROAD (43235)**, located northeast of the Dublin-Granville Rd. and Sawmill Rd. intersection.
Area Comm./Civic: Far Northwest Coalition
Existing Zoning: CPD, Commercial Planned Development District
Request: Variance(s) to Section(s):
1. 3342.19, Parking Space
To reduce minimum width of 3 parking spaces from 9 feet to 7.4 feet on the Burger King site and from 9 feet to 1.6 feet on the Cosi site.
2. 3342.15, Maneuvering
To not provide sufficient maneuvering area to access parking and loading spaces.
3. 3342.06, Aisle
To reduce the minimum width of an aisle serving a parking lot from 20 feet to 10 feet.
4. 3342.08, Driveway
To reduce the minimum width of a driveway from 20 feet to 10 feet.
Proposal: To allow a lot split.
Applicant(s): George V. Fischer, 400 E. Town Street, Suite 210, Columbus, Ohio 43215
Property Owner(s): BK CC LLC, 2810 N. Nellis, Las Vegas, Nevada 89115,
Case Planner: Dave Reiss, 645-7973
5. **ODS No.:** **03310-00064**
Location: **38 BINNS BOULEVARD (43204)**, located on the east side of Binns Boulevard, 260± feet south of West Broad Street.
Area Comm./Civic: Greater Hilltop Area Commission
Existing Zoning: R-4, Residential District
Request: Variance(s) to Section(s):
1. 3332.38, Private garage
To increase the maximum height of a detached private garage from 15 feet to not more than 20 feet.
Proposal: To raze a one-car detached garage and rebuild a two-car detached garage.
Applicant(s): Richard Buchsieb, Jr., Architect, 2445 Kensington Dr., Columbus, OH 43221
Property Owner(s): Robert Colgan, 38 Binns Bl., Columbus, OH 43204,
Case Planner: Denise Powers, 645-1788
6. **ODS No.:** **03311-00005**
Location: **4050 MORSE CROSSING (43219)**, located at the northeast corner of Gramercy St. and Morse Crossing.
Area Comm./Civic: Northeast Area Commission
Existing Zoning: CPD, Commercial Planned Development District
Request: Special Permit(s) to Section(s):
1. 3389.131, Temporary parking lot.
To establish a temporary parking lot and renew the permits for 2 existing temporary parking lots.

- Proposal:** To permit the creation of a temporary parking lot in the Easton development.
Applicant(s): Morso Holding Co.; c/o David L. Hodge, 37 W. Broad St., Suite 725, Columbus, Ohio 43215
Property Owner(s): Morso Holding Co., 3 Limited Pkwy., Columbus, Ohio 43216
Case Planner: Jamie Freise, 645-6350
7. **ODS No.:** 03311-00006
Location: 2657 NORTH HIGH STREET (43202), located Southwest corner of High and Dodridge
Area Comm./Civic: University Area Commission
Existing Zoning: C-4, Commercial District
Request: Special Permit(s) to Section(s):
 1. 3389.03, Field, park or arcade.
 To permit the establishment of up to 14 coin or token operated devices and/or attractions.
- Proposal:** To permit the establishment of arcade game machines as an ancillary use to a pizza parlor.
Applicant(s): Todd H. Neuman, 2733 W. Dublin-Granville Rd., Columbus, Ohio 43235
Property Owner(s): Salim Ailabouni, 4054 Reed Rd., Columbus, Ohio 43220
Case Planner: Jamie Freise, 645-6350
8. **ODS No.:** 02310-00094
Location: 5037 NORTH HIGH STREET (43214), located on the west side of N. High St., approximately 310 ft. north of Leland Ave.
Area Comm./Civic: Clintonville Area Commission
Existing Zoning: Variance(s) to Section(s):
 1. 3372.804, Setback.
 To increase the maximum allowable building setback from 25 ft. (± 2 ft.) to a minimum of 40 ft. (proposed to be approximately 196 ft. for storerooms facing High St. and approximately 270 ft. for the first building west of the High St.-fronting building that will face north).
 To reduce the required parking setback from 25 ft. to 4 ft. (21 ft.).
 2. 3372.806, Building design.
 To reduce the required width of a principal building along High St. from 60% of the lot width to 0%.
 3. 3372.808, Lighting.
 To permit exterior lighting to extend beyond 18 ft., be up to 28 ft. above grade (10 ft.) only beyond the first 200 ft. of the right-of-way and north of any building location.
 4. 3372.809, Parking.
 To permit parking in front of the building between the building and the right-of-way instead of behind the building and to not be required to provide parking behind the building.
 5. 3372.807, Landscaping and screening.
 To be exempt from the requirement to install 1 tree for every 10 parking spaces or to install at least half of the trees within the interior of the parking lot.
 To provide the required number of shade trees in portions of paved areas of the parking lot instead of all being in the front yard of the shopping center.
 To not be required to provide at least half of the required trees on the interior of the parking lot beyond 200 ft. from the right-of-way. (All trees will be within 200 ft. of the right-of-way and none will be required beyond that distance on the interior of the lot.)
 To reduce the minimum required soil area for trees from 100 sq. ft. to 25 sq. ft.
 6. 3372.805(A), Accesssibility.
 To reduce the minimum width of a public sidewalk from 5 ft. to 4.5 ft. (to retain existing walks).
 7. 3342.19, Parking space.
 To modify the dimensions of parking spaces to allow for the necessary tree plantings that are required. (Some parking spaces will not meet the minimum dimensions of 9'x18'.) Minimum dimensions shall substantially meet the code minimum.
- Proposal:** To raze portions of an existing shopping center and re-build with other retail stores, at or near the same location.
Applicant(s): John Miller; c/o Graceland Shoppers Limited Partnership, 209 E. State Street, Columbus, Ohio 43215
Property Owner(s): Applicant.
Case Planner: Dave Reiss, 645-7973

ZONING COMMITTEE

AGENDA - FINAL

MONDAY, OCTOBER 27, 2003 6:30 PM CITY COUNCIL CHAMBERS

REGULAR MEETING NO. 43 OF CITY COUNCIL (ZONING), OCTOBER 27, 2003 AT 6:30 P.M. IN COUNCIL CHAMBERS.

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

EMERGENCY, TABLED AND 2ND READING OF 30 DAY LEGISLATION

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

- 1776-2003** To rezone 2881 OLENTANGY RIVER ROAD (43202), being 12.29± acres located on the west side of Olentangy River Road, 580± feet north of Ackerman Road, From: C-4, Commercial District, To: CPD, Commercial Planned Development District. (Rezoning # Z03-002)
- 2225-2003** To Rezone 4501 NORTH HIGH STREET (43214), being 2.46± acres located on the west side of North High Street, 200± feet south of Weisheimer Road, From: R-3, Residential, P-1, Parking, and C-4, Commercial Districts, To: CPD, Commercial Planned Development District. (Rezoning # Z03-057)

**Proposed Amended Guidelines for Architectural Review Commissions
(Brewery District, German Village, Victorian Village, Italian Village and Historic Resources)**

Brenda G. Moore; 645-8620; bgmoore@columbus.gov

In accordance with Columbus City Code 3116.03 (A-F), all proposed amendments are now available for public review and comment between the hours of 8 a.m. and 5 p.m. on the ground floor of 109 N. Front Street at the City of Columbus Historic Preservation Office and on the HPO website at columbus.gov.

The amended guidelines will be formally voted on and adopted at the regularly scheduled hearing of the five (5) Architectural Review Commissions, during the months of October and November. For more information, please call the Historic Preservation Office at 645-8620.

Post till: 11/29/03

Public Notice Department of Public Utilities -- Industrial Wastewater Discharge Permits

Daniel Rossi; 614/645-0360; dlr@smoc.cmhmetro.net

The Administrator of the Division of Sewerage and Drainage announces intent to issue Wastewater Discharge Permits to the below listed companies on November 10, 2003. The Draft Permit(s) will be available for review at: City of Columbus, Pretreatment Section, 1250 Fairwood Ave. Room 186, FAX (614) 645-0227, Columbus, Ohio 43206-3372 on weekdays between the hours of 7:30 a.m. to 4:30 p.m. beginning Monday, October 27, 2003. The Administrator will accept written comments on the proposed Permit(s) until 5:00 p.m., Sunday, November 9, 2003 at the above location. This Notice is made pursuant to specifications in the Columbus City Code, 1145.44(B).

| COMPANY | ADDRESS | | |
|----------------------------|----------------------|--------------|-------|
| Columbus Show Case | 4401 Equity Drive, | Columbus, OH | 43228 |
| ISG Columbus Coatings Inc. | 1800 Watkins Road | Columbus, OH | 43229 |
| Masterfoods, USA | 5115 Fisher Road, | Columbus, OH | 43228 |
| Metatec Inc. | 7001 Metatec Blvd. | Dublin, OH | 43017 |
| Worthington Steel | 1127 Dearborn Drive, | Columbus, OH | 43085 |

Post till: 10/25/03

Meeting Notice - Brewery District Commission

Brenda G. Moore; 645-8620; bgmoore@columbus.gov

The regular meeting of the Brewery District Commission will be held on Thursday, November 6, 2003, at 6:15 p.m. in the Community Training Center, 109 N. Front Street, ground floor. Copies of the agenda may be obtained by calling 645-8620. A Sign Language Interpreter, to "sign" this meeting, will be made available for anyone with a need for this service, provided the Neighborhood Services Division is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule an interpreter, please call 645-8620 or TDD 645-6802.

Post till: 11/01/03

Meeting Notice - German Village Commission

Brenda G. Moore; 645-8620; bgmoore@columbus.gov

The regular meeting of the German Village Commission will be held Tuesday, *November 11, 2003 at 4:00 p.m. at the German Village Meeting Haus, 588 S. Third Street. Copies of the agenda may be obtained by calling 645-8620. A Sign Language Interpreter, to "sign" this meeting, will be made available for anyone with a need for this service, provided the Neighborhood Services Division is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule an interpreter, please call 645-8620 or TDD 645-6802.

*Meeting Date is changed due to holiday or Election Day

Post till: 11/08/03

Meeting Notice - Victorian Village Commission

Brenda G. Moore; 645-8620; bgmoore@columbus.gov

The next meeting of the Victorian Village Commission will be held on Thursday, November 13, 2003 at 6:15 p.m. in the Community Training Center, 109 N. Front Street, ground floor. The meeting will begin at 6:15 p.m.

A copy of the agenda may be obtained by calling 645-8620. A Sign Language Interpreter, to "sign" this meeting, will be made available for anyone with a need for this service, provided the Neighborhood Services Division is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule an interpreter, please call 645-8620 or TDD 645-6802.

Post till: 11/08/03

Meeting Notice - Italian Village Commission

Brenda G. Moore; 645-8620; bgmoore@columbus.gov

The regular meeting of the Italian Village Commission will be held Tuesday, November 18, 2003 at 6:15 p.m. at 109 N. Front in the first floor Community Training Center. Copies of the agenda may be obtained by calling 645-8620. A Sign Language Interpreter, to "sign" this meeting, will be made available for anyone with a need for this service, provided the Historic Preservation Office is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule an interpreter, please call 645-8620 or TDD 645-6802.

Post till: 11/15/03

Meeting Notice -Historic Resources Commission

Brenda G. Moore; 645-8620; bgmoore@columbus.gov

The regular meeting of the Historic Resources Commission will be held on Thursday, November 20, 2003 at 6:15 p.m. in the Community Training Center, 109 N. Front Street, ground floor. Copies of the agenda may be obtained by calling 645-8620, or by e-mail at bgmoore@columbus.gov. A Sign Language Interpreter, to "sign" this meeting, will be made available for anyone with a need for this service, provided the Neighborhood Services Division is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule an interpreter, please call 645-8620 or TDD 645-6802.

Post till: 11/15/03

Special Meeting Notice - Board of Commission Appeals

name: Monica Kuhn; telephone: 645-8635; email: mlkuhn@columbus.gov;

A special meeting of the Board of Commission Appeals will be held on Thursday, October 30, 2003 at 9:00 a.m. at 109 N. Front in the first floor Community Training Center. This is a special meeting to hear appeals filed by The New Victorians Inc. regarding denials of Certificates of Appropriateness by the Italian Village Commission.

Copies of the agenda may be obtained by calling 645-8620. A Sign Language Interpreter, to "sign" this meeting, will be made available for anyone with a need for this service, provided the Historic Preservation Office is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule an interpreter, please call 645-8620 or TDD 645-6802.

end date: 10/25/03

**PUBLIC NOTICE
OFFICIAL NOTICE
BY ORDER OF THE DIRECTOR OF PUBLIC UTILITIES
October 14, 2003**

Pursuant to Ordinance No. 1700-02 "To Enact An Ordinance By Initiative Petition Enacting A Two-Year Moratorium Prohibiting Extension Of Columbus City Sewer And Water Pipelines Into The Big Darby Watershed" and Director's Regulation 03-003, the Director of Public Utilities hereby provides notice that Samuel M. Baker has applied for a discretionary variance from the Big Darby Moratorium for 973 Galloway Road (21.86 acres on the extreme eastern edge of the Big Darby Watershed). A Hearing on this application will be held on Wednesday, November 5, 2003, 2:00 p.m. at Public Utilities Complex, 910 Dublin Road, First Floor Auditorium. At that time, the Director or her designee will take testimony and evidence from interested parties relative to the merits of the application. In lieu of attending and participating in the hearing, written comments may also be submitted for consideration no later than 5:00 p.m. the day before the hearing to: RE: Samuel M. Baker Application for Variance, Department of Public Utilities, 910 Dublin Road, Columbus, Ohio 43215, Telefax: 614/645-8019

- 3. Contact Name: Sharon Smith
- 4. Contact Telephone Number: 645-3956
- 5. Contact Email Address: slsmith@columbus.gov

Start Date: 10/25/03; End Date: 11/08/03

Placement of Traffic Control Devices as recommended by the Transportation Division

Whereas, an emergency exists in the usual daily operation of the Department of Public Service, Transportation Division, in that certain traffic control devices must be authorized immediately in order to preserve the public health, peace, property, and safety; now, therefore,

Under the power vested in me by Chapters 2105 and 2155 of the Traffic Code of Columbus, Ohio, I hereby determine that based on studies conducted by and recommendations made by the Transportation Division, that the following traffic regulations are necessary and I hereby authorize on the effective date of this order, or as soon thereafter as practical, the installation and/or removal of appropriate traffic control devices as follows:

SECTION 2105.06 TRAFFIC CONTROL SIGNALS

Traffic control signals shall be installed at the following locations:

STELZER RD at SUNBURY RD

(Approved by the Traffic and Transportation Commission on 7/10/01)

SECTION 2105.08 STOP AND YIELD INTERSECTIONS

Yield signs shall be installed at intersections as follows:

JUDSON CT shall yield to JUDSON RD

Stop signs shall be removed from intersections as follows:

STELZER RD shall no longer stop for SUNBURY RD

SECTION 2105.09 TURNS AT INTERSECTIONS

Mandatory turn lanes shall be established as follows:

STELZER RD at SUNBURY RD

The southbound traffic in the lane second from the west curb shall turn left.

Restrictions applied: All Times - All Days

SECTION 2105.11 THROUGH TRUCKS

Through trucks shall be prohibited as follows:

On HARDY PKWY ST between GANTZ RD and FEDDERN AVE

SECTION 2105.12 CROSSWALKS

Crosswalks shall be removed at:

STELZER RD at SUNBURY RD across the south leg

SECTION 2105.18 TRAFFIC LANES - NO PASSING

Mandatory lanes shall be established as follows:

The westbound lane first from the south curb of GAY ST shall proceed straight at FRONT ST

Mandatory lanes shall be removed as follows:

The westbound lane first from the south curb of GAY ST shall turn right at FRONT ST

PARKING REGULATIONS

The parking regulations on the 272 foot long block face along the E side of FIFTH ST from KOSSUTH ST extending to COLUMBUS ST shall be

| Range in feet | Code Section | Regulation |
|------------------|-----------------|--------------------------------|
| 0 - 272 | 2151.01 | (STATUTORY RESTRICTIONS APPLY) |

The parking regulations on the 597 foot long block face along the N side of FOURTH AVE from PERRY ST extending to MICHIGAN AVE shall be

| Range in feet | Code Section | Regulation |
|---------------|--------------|--------------------------------|
| 0 - 47 | 2105.17 | NO STOPPING ANYTIME |
| 47 - 439 | 2151.01 | (STATUTORY RESTRICTIONS APPLY) |
| 439 - 461 | 2105.17 | NO STOPPING ANYTIME |
| 461 - 477 | | (NAMELESS ALLEY) |
| 477 - 501 | 2105.17 | NO STOPPING ANYTIME |
| 501 - 570 | 2151.01 | (STATUTORY RESTRICTIONS APPLY) |
| 570 - 597 | 2105.17 | NO STOPPING ANYTIME |

The parking regulations on the 301 foot long block face along the W side of LINWOOD AVE from SYCAMORE ST extending to DENTON ALLEY shall be

| Range in feet | Code Section | Regulation |
|---------------|--------------|--------------------------------|
| 0 - 43 | 2105.17 | NO STOPPING ANYTIME |
| 43 - 146 | 2151.01 | (STATUTORY RESTRICTIONS APPLY) |
| 146 - 170 | 2105.03 | HANDICAPPED PARKING ONLY |
| 170 - 215 | 2151.01 | (STATUTORY RESTRICTIONS APPLY) |
| 215 - 261 | 2105.03 | HANDICAPPED PARKING ONLY |
| 261 - 301 | 2151.01 | (STATUTORY RESTRICTIONS APPLY) |

The parking regulations on the 202 foot long block face along the N side of MOUND ST from GRANT AVE extending to WALDO ALLEY shall be

| Range in feet | Code Section | Regulation |
|---------------|--------------|-------------------------------------|
| 0 - 50 | 2105.17 | NO STOPPING ANYTIME |
| 50 - 177 | 2105.17 | TWO HOUR PARKING 8AM - 6PM WEEKDAYS |
| 177 - 202 | 2105.17 | NO STOPPING ANYTIME |

The parking regulations on the 356 foot long block face along the N side of MOUND ST from WALDO ALLEY extending to MARSHALL ALLEY shall be

| Range in feet | Code Section | Regulation |
|---------------|--------------|-------------------------------------|
| 0 - 29 | 2105.17 | NO STOPPING ANYTIME |
| 29 - 132 | 2105.17 | TWO HOUR PARKING 8AM - 6PM WEEKDAYS |
| 132 - 237 | 2105.17 | NO STOPPING ANYTIME |
| 237 - 322 | 2105.17 | TWO HOUR PARKING 8AM - 6PM WEEKDAYS |
| 322 - 356 | 2105.17 | NO STOPPING ANYTIME |

The parking regulations on the 508 foot long block face along the N side of MOUND ST from MARSHALL ALLEY extending to WASHINGTON AVE shall be

| Range in feet | Code Section | Regulation |
|---------------|--------------|-------------------------------------|
| 0 - 283 | 2151.01 | (STATUTORY RESTRICTIONS APPLY) |
| 283 - 473 | 2105.17 | TWO HOUR PARKING 8AM - 6PM WEEKDAYS |
| 473 - 508 | 2105.17 | NO STOPPING ANYTIME |

The parking regulations on the 174 foot long block face along the S side of MOUND ST from GRANT ST extending to WALDO ALLEY shall be

| Range in feet | Code Section | Regulation |
|---------------|--------------|-------------------------------------|
| 0 - 30 | 2105.17 | NO STOPPING ANYTIME |
| 30 - 120 | 2105.17 | TWO HOUR PARKING 8AM - 6PM WEEKDAYS |
| 120 - 174 | 2105.17 | NO STOPPING ANYTIME |

The parking regulations on the 908 foot long block face along the S side of MOUND ST from WALDO ALLEY extending to WASHINGTON AVE shall be

| Range in feet | Code Section | Regulation |
|---------------|--------------|-------------------------------------|
| 0 - 5 | 2105.17 | NO STOPPING ANYTIME |
| 5 - 50 | 2105.17 | TWO HOUR PARKING 8AM - 6PM WEEKDAYS |
| 50 - 106 | 2105.17 | NO STOPPING ANYTIME |
| 106 - 622 | 2105.17 | TWO HOUR PARKING 8AM - 6PM WEEKDAYS |
| 622 - 693 | 2105.17 | NO STOPPING ANYTIME |
| 693 - 787 | 2105.17 | TWO HOUR PARKING 8AM - 6PM WEEKDAYS |
| 787 - 848 | 2105.17 | NO PARKING ANY TIME |
| 848 - 868 | 2105.17 | TWO HOUR PARKING 8AM - 6PM WEEKDAYS |
| 868 - 908 | 2105.17 | NO STOPPING ANYTIME |

The parking regulations on the 310 foot long block face along the E side of OAKWOOD AVE from SIEBERT ST extending to REINHARD AVE shall be

| Range in feet | Code Section | Regulation |
|---------------|--------------|--------------------------------|
| 0 - 171 | 2151.01 | (STATUTORY RESTRICTIONS APPLY) |
| 171 - 194 | 2105.03 | HANDICAPPED PARKING ONLY |
| 194 - 242 | 2151.01 | (STATUTORY RESTRICTIONS APPLY) |
| 242 - 265 | 2105.03 | HANDICAPPED PARKING ONLY |
| 265 - 310 | 2151.01 | (STATUTORY RESTRICTIONS APPLY) |

The parking regulations on the 380 foot long block face along the W side of PARK ST from SPRUCE ST extending to GOODALE ST shall be

| Range in feet | Code Section | Regulation |
|---------------|--------------|---|
| 0 - 30 | 2105.17 | NO STOPPING ANYTIME |
| 30 - 125 | 2105.17 | NO STOPPING 3AM - 10PM EVERYDAY - TAXI ZONE OTHER TIMES |
| 125 - 166 | 2155.03 | 2 HR PARKING METERS 8AM - 8PM EXCEPT SUNDAYS AND HOLIDAYS |
| 125 - 166 | 2105.17 | NO STOPPING 3AM - 6AM WEEKDAYS |
| 166 - 198 | 2105.17 | NO STOPPING ANYTIME |
| 198 - 211 | | (NAMELESS ALLEY) |
| 211 - 234 | 2105.17 | NO STOPPING ANYTIME |
| 234 - 320 | 2155.03 | 2 HR PARKING METERS 8AM - 8PM EXCEPT SUNDAYS AND HOLIDAYS |
| 234 - 320 | 2105.17 | NO STOPPING 3AM - 6AM WEEKDAYS |
| 320 - 380 | 2105.17 | NO STOPPING ANYTIME |

The parking regulations on the 409 foot long block face along the N side of STEWART AVE from WASHINGTON AVE extending to PARSONS AVE shall be

| Range in feet | Code Section | Regulation |
|---------------|--------------|--------------------------------|
| 0 - 59 | 2151.01 | (STATUTORY RESTRICTIONS APPLY) |
| 59 - 82 | 2105.03 | HANDICAPPED PARKING ONLY |
| 82 - 257 | 2151.01 | (STATUTORY RESTRICTIONS APPLY) |
| 257 - 273 | | (NAMELESS ALLEY) |
| 273 - 375 | 2151.01 | (STATUTORY RESTRICTIONS APPLY) |
| 375 - 409 | 2105.17 | NO STOPPING ANYTIME |

Any existing traffic restrictions, prohibitions or traffic control devices which conflict with these orders shall be declared null and void and shall be removed.

BY ORDER OF: Linda K. Page, Public Service Director

**GENERAL RULES AND REGULATIONS
DEPARTMENT OF PUBLIC UTILITIES
CITY OF COLUMBUS, OHIO**

SUBJECT: JOINT USE OF UTILITY POLES

EFFECTIVE DATE: April 23, 2003

RULE:

When Required: No Person shall use, occupy, construct, own, or operate any structure or facility in, on, or in the safety space of any of the City's electrical facilities unless a fully executed agreement is on file with the Division and said Person is in full conformity with the requirements set forth therein.

REGULATIONS INDEX

SECTION/DESCRIPTION

1 General Provisions

- 1.1 Authority
- 1.2 When Required
- 1.3 Definitions

2 Conditions of Operations

- 2.1 Obtaining Agreements
- 2.2 Execution of Agreement
- 2.3 Commencement of Operations
- 2.4 Approvals Required
 - 2.4.1 Permits Required
 - 2.4.2 Final Approval
- 2.5 Term of Agreement
- 2.6 Priority of the City of Columbus
- 2.7 Provide Reasonable Access
 - 2.7.1 Access to Underground Facilities
- 2.8 Street Lighting and Transmission Poles
- 2.9 Single Point of Business Contact

- 2.10 Twenty-four Hour Emergency Contact
 - 2.10.1 No Contact Available
- 2.11 Maintenance of Permits
- 2.12 No Transfer of Permissions
 - 2.12.1 Subcontracting
 - 2.12.1.1 Licensure of Subcontractors
- 2.13 Fees and Costs
 - 2.13.1 Advance Payment
 - 2.13.2 Estimated Costs
 - 2.14.2 Engineering Fees
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 - 3.13 Graffiti Removal
 - 3.14 Indemnity and Save Harmless

REGULATIONS

1 General Provisions

- 1.1 Authority: Chapter 221, Columbus City Code.
- 1.2 When Required: No Person shall use, occupy, construct, own, or operate any structure or facility in, on, or in the safety space of any of the City's facilities unless a fully executed agreement is on file with the Division of Electricity and said Person is in full conformity with the requirements set forth therein.
- 1.3 Definitions: In setting forth these Rules and Regulations as provided for within Section 1161.01 of the Columbus City Code, the Director of Public Utilities may occasionally find it necessary to define terms for the purpose of clarification. Additional definitions, as they apply to these Rules and Regulations, include the following:
 - "Agreement" means a signed fully executed contract between the City of Columbus, Division of Electricity and any person wishing to have contact with the Divisions facilities.
 - "Attachment" means any material, cable, or apparatus affixed or attached to one pole owned by the Division, or, if the context so indicates, to the facilities and safety devices attached to the pole.
 - "Chapter" means Chapter 1161 of the Codified Ordinances of the City, as amended from time to time, and any Regulations adopted hereunder.
 - "City" means the City of Columbus, Ohio.
 - "Contact" means any attachment to any pole or to any wire, cable, line, or any equipment of any sort which in any way enters into or is attached to any structure.
 - "Contractee" means any person who has an executed Agreement with the Division.
 - "Department" shall refer to the Department of Public Utilities.
 - "Director" means the Director of Public Utilities.
 - "Division" means the Division of Electricity.
 - "Facility" means all poles, equipment, property, structure, cable, line, guy, conduit, or any other item used by the Division in the operation and maintenance of its electrical distribution business.

"Force Majeure" means a strike, act of God, act of public enemy, order of any kind of a government of the United States of America or of the State of Ohio or any of their departments, agencies or political subdivisions: riot, epidemic, landslides, lightning, earthquake, fire, tornado, storm, flood, civil disturbance, explosion, partial or entire failure of a utility or any other cause or event not reasonably within the control of the party disabled by such Force Majeure, but only to the extent such disabled party notifies the other party as soon as practicable regarding such Force Majeure and then for only so long as and to the extent that, the Force Majeure prevents compliance or causes non-compliance with the provisions hereof.

"Governmental purposes" means those purposes classified as governmental under Ohio law, as well as street lighting, electrical utility service, or any other City utility service.

"Mid-span Tap" means any distribution line or other line extending to any service(s) from any point on a cable between where that cable is attached to the poles.

"Overlashing," means any operation whereby new or additional wire or cable is physically tied to other wires or wire guys already existing and physically secured to utility poles or structures.

"Licensee" means any firm, corporation, and individual having facilities attached to, inside of, or in any way occupying the Divisions facilities as agreed to under a contract with the Division.

"Permittee" means any firm, corporation, or individual having facilities attached to, inside of, or in any way occupying the Divisions facilities pursuant to an easement, consent, or otherwise, but not operating under a contract with the Division.

"Person" means any natural person or any association, firm, partnership, joint venture, corporation, or other legally recognized entity, whether for-profit or not-for-profit.

"Pole" means poles used for the purpose of providing power, lighting, or communications.

"Safety Space" means the space surrounding any facility that, pursuant to the National Electrical Safety Code or any other codes that may be applicable, is required as a clearance.

2 Conditions of Operations

- 2.1 Obtaining Agreements: Persons wishing to obtain an Agreement may do so by requesting copies of the Agreement from the Joint Use Coordinator for the Division of Electricity, Engineering Section at 3568 Indianola Avenue. Said request may be made by mail, by telephone, or in person.
- 2.2 Execution of Agreement: Two copies of the Agreement, each with an original signature, shall be delivered to the Joint Use Coordinator. Additionally two completed copies of Exhibit A shall be submitted with the Agreement. The Division will then submit to the Columbus City Council a request to approve legislation authorizing the Director to enter into the Agreement. Upon receipt of such authorization the Director will, at his or her discretion, affix his (her) signature to said Agreement. The signed Agreement will then be sent to the City Attorney for a final legal review. Upon the approval of the City Attorney the Person will be notified by having the executed Agreement returned.
- 2.3 Commencement of Operations: Upon receipt of the executed Agreement, but prior to the commencement of operations, the contractee shall provide the following:
 - (A) The name, address, telephone number, fax number, and e-mail address of a designated single point of business contact as further specified in section 2.9 of these rules and regulations;
 - (B) Twenty-four hour emergency contact telephone number(s) as further specified in section 2.10.
 - (C) Complete engineering specifications of the nature and type of facilities the contractee wishes to place in the facilities of the Division.
 - (D) Insurance information as specified in section 2.14.
 - (E) Copy of approved Right-of-Way permit.
- 2.4 Approvals Required: The Exhibit A(s) and the engineering specifications will be reviewed by the Division to ensure compliance with all applicable codes. Any changes required due to code or engineering requirements will be communicated to the Person. The Person then will make any necessary modifications to their plans in order to meet said codes or engineering requirements and re-submit them to the Division.
 - 2.4.1 Permits Required: Along with the Right-of-Way permit the Person shall submit any additional permits as may be required by Local, State, or Federal requirements. Failure to submit said permits can, at the discretion of the Division, cause the approval of the Agreement to be delayed or denied.
 - 2.4.2 Final Approval: Upon final approval the Person will be notified in writing that they may commence work and operations.
- 2.5 Term of Agreement: The term of all Agreements shall be no longer than two years, unless the Director specifically authorizes an alternate term. Such authorization shall be in writing. The person requesting such an extended agreement shall notify the Joint Use Coordinator when requesting copies of the agreement so that said copies may be modified accordingly prior to delivery. The Joint Use Coordinator will obtain a copy of the written permission from the Director for verification.
- 2.6 Priority of the City of Columbus: All Persons requesting the use of the City's facilities shall be given equal consideration and accommodation. When it is not possible to accommodate all requests for access to the Divisions facilities priority for access is established, in the order indicated, as follows:
 - (A) The City for Governmental Purposes;
 - (B) Another governmental entity for Governmental Purposes with the City's concurrence, or other governmental use as required by law;
 - (C) Existing users already occupying the facilities;
- 2.7 Provide Reasonable Access: Unless physical access to above ground Facilities is physically impossible or otherwise contravenes existing local, state, or federal codes, such access shall not be unreasonably denied. In the event that existing facilities require replacement, movement, or any other modification for any reason due to the Persons request for access any and all costs shall be borne solely by the Person making the request.
 - 2.7.1 Access to Underground Facilities: Generally the Division will not allow any person to utilize its underground facilities. Exceptions may be made, on a case-by-case basis, for those situations where it is physically impossible for the person to route its facilities by any other manner or method and where such inability to route said facilities would prove to be severely injurious to the Persons commercial activities.

Any Person wishing to access the Divisions underground facilities shall demonstrate, in writing, why it is impossible to route its facilities in any other manner or method and how such failure to access will impact its commercial operations. Upon review of said demonstration the Administrator of the Division, at his or her sole discretion, may decide if access is to be allowed. In all cases the decision of the Administrator shall be final.

- 2.8 Street Lighting and Transmission Poles: Poles used for the sole purpose of Street Lighting or Transmission of power shall not be attached to for any reason unless prior written authorization is provided by the Administrator, division of Electricity for each and every individual attachment.

- 2.9 Single Point of Business Contact: As specified in 2.3 of these Rules the Person entering into the Agreement must provide a Single Point of Business Contact. Said Contact shall be responsible for the coordination of all business issues relative to the Persons facilities, both proposed and existing, which are in contact with the Divisions facilities. Said designation shall include the name, title, business address, telephone, and fax numbers. If possible it should also include an e-mail address. Each Person shall keep the Division, through the Joint Use Coordinator, advised in writing of any changes in this information. The responsibilities of this position shall include, when and as appropriate:
- (A) Participation in joint planning, construction, and or in advance of any work done on the Divisions facilities or work done in the Right-of-Way
 - (B) Internal distribution of plans and specifications from the City, its Contractors, and Consultants;
 - (C) Attendance at City or Division meetings to discuss project coordination;
 - (D) Notification by the Division to remove or relocate facilities;
 - (E) Temporary movement of facilities;
- Participation may not be limited to the above circumstance. The single point of contact may choose a designee to attend planning session/meetings as needed.
- 2.10 Twenty-Four Hour Emergency Contact: Each Person entering into an agreement with the Division shall provide the Division with an emergency business telephone number(s), which is manned by live operators twenty-four hours a day, 365 days a year. Should no such number exist, the Person shall provide the names, titles, business phone number, resident phone numbers, pager numbers, and/or mobile phone numbers of a minimum of two individuals responsible for twenty-four hour, 365 day per year emergency contact. Any changes to the 24-hour emergency contact number(s) shall be brought to the attention of the Division immediately, in writing.
- 2.10.1 No Contact Available: In the event that the Division has need to utilize said 24-hour emergency contact number(s) and finds that no response is available from these numbers, the Division shall proceed as it deems necessary to correct or repair any problems associated with the Persons facilities. All costs incurred in relation to such repairs shall be borne solely by the Person and shall be due and payable upon demand.
- 2.11 Maintenance of Permits: Any Person entering into an Agreement with the Division shall, at all times, maintain any and all Permits as required by the Division or any other Governmental Agency operating within the jurisdiction of the City of Columbus, Ohio. Failure to maintain such permit(s) shall, at the discretion of the Division, be proper grounds for the revocation of said Agreement and/or any other just remedy as the Division deems proper.
- 2.12 No Transfer of Permissions: Any permissions granted to the Person pursuant to the Agreement or through the normal course of business shall in no way be deemed to be transferable to any other Person for any reason whatsoever.
- 2.12.1 Subcontracting: Should the Person desire to utilize contractors or subcontractors to perform work in said Persons name and under said Persons direction the Person shall bear sole responsibility for the actions, performance, and work of the contractor or subcontractor. This shall in no way be construed as restricting or impinging upon the Divisions just and equitable legal remedies against any such contractors or subcontractors as provided for by law.
- 2.12.1.1 Licensure of Subcontractors: Any Person desiring to utilize contractors or subcontractors to perform work in the Persons name shall ensure, and bear sole responsibility for assuring the said contractor or subcontractor maintains in current effect all necessary permits and permissions as may be required by law.
- 2.13 Fees and Costs: All fees and costs associated with the use of the Divisions Facilities shall be set by the Director. The Person operating under Agreement with the Division agrees to pay all such fees and costs upon demand and in accordance with all conditions as established by the Division.
- 2.13.1 Advance Payment: All fees and costs necessary for the maintenance, repair, and operation of the Persons Facilities shall be payable in advance to the Division under the terms specified by the Division.
- 2.13.2 Estimated Costs: From time to time it may be necessary to estimate costs, including Engineering, for future work to be done. The Division shall require advance payment towards the estimated costs of such work. If the actual costs of such work exceed the advance payment made, the Division may require full payment of the remainder of said costs within 30 calendar days. In the event that the actual costs of such work are less than the advance payment made, the overpayment shall be refunded to the Person making the advance payment within 30 calendar days.
- 2.13.3 Engineering Fees: Engineering fees shall be established by the Director and may be adjusted from time to time as is necessary.
- 2.14 Insurance:
- 2.14.1 Insurance Provisions: Any Person executing an Agreement with the Division shall be required to, at their own cost and expense, obtain, and maintain during the term of said Agreement a liability insurance policy or policies naming the City as an additional insured. A Certificate of Insurance regarding such policies shall be furnished to the Director at or prior to the execution of the Agreement. The insurance company issuing such policy shall carry a financial rating of not less than "A" in the latest edition of "Bests Key Rating Guide", published by A.M. Best Guide, and shall be duly licensed to do business in the State of Ohio. Such policy or policies shall also be maintained for such other period of time during which the Person operates or is engaged in the removal of the facilities. Each such liability insurance policy shall contain the following endorsement:

"It is hereby understood and agreed that this policy may not be canceled nor the intention not to renew be stated until thirty (30) days after receipt by the City, by registered mail, of a written notice of such intent to cancel or not to renew."

Within thirty (30) days after receipt by the City of said notice, and in no event later than five (5) days prior to said cancellation, the operator shall obtain and furnish to the Director a Certificate of Insurance evidencing replacement insurance policies.

- 2.14.1.1 Comprehensive General Liability Insurance: Comprehensive general liability insurance to cover liability, bodily injury, and property damage must be maintained. Coverage must be written on an occurrence basis, with the following limits of liability and provisions, or their equivalent:
- (A) Bodily Injury
 - 1. Each Occurrence \$1,000,000
 - 2. Annual Aggregate \$3,000,000
 - (B) Property Damage
 - 1. Each Occurrence \$1,000,000
 - 2. Annual Aggregate \$3,000,000
 - (C) Personal Injury
 - 1. Annual Aggregate \$3,000,000
 - (D) Completed Operations and Products Liability shall be maintained for two years after the termination of the Person or completion of the work for the Person (in the case of a contractor or subcontractor).
 - (E) Property Damage Liability Insurance shall include coverage for the following hazards: E – explosion, C – collapse, U – underground (only necessary in the event the Person maintains underground facilities).
- 2.14.1.2 Comprehensive Auto Liability Insurance: Comprehensive auto liability insurance to cover owned, hired, and non-owned vehicles must be maintained. Coverage must be written on an occurrence basis, with the following limits of liability and provision, or their equivalent.
- (A) Bodily Injury
 - 1. Each Occurrence \$1,000,000
 - 2. Annual Aggregate \$3,000,000
 - (B) Property Damage
 - 1. Each Occurrence \$1,000,000
 - 2. Annual Aggregate \$3,000,000
- 2.14.1.3 Additional Insurance: The City reserves the right to require any other additional insurance coverage it deems necessary after the review of any Proposal submitted by the Person.
- 2.14.1.4 Self Insurance: Those Persons maintaining a net book value in excess of ten million dollars (\$10,000,000) may submit a statement requesting to self-insure. This statement shall include:
- (A) Audited financial statement for the previous year.
 - (B) A description of the Person's self-insurance program.
- 2.14.1.5 Annual Proof of Coverage: The Person shall provide annually a certificate of proof of insurance as issued by the insurance company underwriting the policy.
- 2.15 Plant Mapping: The Person operating facilities under an Agreement with the Division shall provide, within sixty days of final construction of and/or commencement said facilities, detailed plant maps of such facilities. Such mapping shall include, at a minimum, the nature, location, construction details, planned spacing, and clearances of facilities operated or constructed. Said maps shall be prepared by a Registered Professional Engineer with such registration in the State of Ohio.
- 2.15.1 Annual Reports: After the initial submission of plant maps the Person shall submit by January 15th of each subsequent year an Annual Report of its facilities. Such reports shall include, at a minimum:
- (A) A total inventory of poles, conduits, or any other such structures, or appurtenance belonging to the City to which the Person is attached.
 - (B) The location of such items attached to, either through the use of the Division's unique identifying number or, if such number is not available, the actual physical address.
 - (C) The type and number of such attachments to each item.
 - (D) All attachments made or removed in the preceding year including the information specified in A, B, and C above.
- 2.15.2 Failure to Provide: Failure to provide the required annual report may, at the discretion of the Division, result in the Person being disallowed to make any additional attachments, suspension or revocation of the Agreement, and/or removal of the Persons attachments from any facility belonging to the City.
- 2.16 Registration With Underground Reporting Service: Any Person desiring to utilize the City's facilities through the Agreement, and where the Person's facilities at any point require any underground installation whatsoever, shall be registered with the Ohio Utilities Protection Service (OUPS) and shall provide their registration number with the Division. If not already registered the Person shall provide to the Division proof of registration within thirty (30) days after entering into the Agreement.
- 2.17 Violations: Any Person entering into an Agreement with the Department shall adhere to all obligations and stipulations provided for in said Agreement and to all provisions of these Rules and Regulations. Said Person shall also ensure the compliance with all the aforementioned terms by any and all contractors or subcontractors it may choose to employ for performing work of any nature on any facility covered under the Agreement or herein.
- 2.17.1 Remedies: Any person who violates these Rules and Regulations, or while party to an Agreement violates the provisions and conditions of said Agreement shall be subject to any such remedies as the Director deems fit. Such remedies may include, at the discretion of the Director fees, fines, suspension of the Agreement, revocation of the Agreement, and temporary or permanent removal of some or all of the Persons facilities. However, nothing herein shall in any way limit the City's right to pursue any just and equitable legal remedies.
- 2.18 Termination of Agreement: The Agreement entered into between the Division and the Person, may be terminated by either party at any time upon six months written notice to the other party, provided that just cause for such termination exists. Upon such termination all licenses and permissions issued pursuant to said Agreement shall be terminated. The City may, at any time, require the removal, upon thirty (30) days written notice of any facilities of the Person that are not constructed, operated, or maintained in the manner specified by these Rules and/or the Agreement.

- 2.18.1 Just Cause: As used in the preceding paragraph, the term "just cause" shall be deemed to include, but shall not be limited to, any breach of the provisions of these Rules and Regulations, including non-payment of fees or costs, or of any Agreement entered into; or a determination of Ordinance of the Council of the City of Columbus, that the best interests of the City of Columbus require the termination of the Agreement and any permission issued thereunder.
- 2.18.2 Termination for Safety Reasons: the City may require that the Agreement be terminated, or some or all facilities be removed immediately when, in the City's best determination, the safety of any person or persons, or property may require.
- 2.18.3 Removal of Facilities: Upon termination of the Agreement, the Person shall at his own cost remove all facilities belonging to said Person which are contacting the City's facilities. The City shall then return any pro rata payments made for the unexpired term of the Agreements provided that the Person is not liable for any fines or fees which may be owing to the City. In such event, any unused pro rata payments shall be applied towards said fines or fees.
- 2.18.4 Force Majeure: Any Person may be excused for violations of this Chapter and its Rules and Regulations due to Force Majeure.
- 3 Obligations of Contractees
- 3.1 Best Efforts of Cooperation: The Person shall use it's best efforts to cooperate with other Persons and the City for the best, most efficient, most aesthetic, and least obtrusive use of facilities, consistent with safety, and to minimize traffic and other disruptions including street cutting.
- 3.2 Joint Planning: The Person shall participate in joint planning, construction, and advance notification of work on facilities, excepting such work performed in an emergency provided the Person use it's best efforts to contact the City at the earliest possible time after beginning any such work. Such joint planning shall not require the exchange or provision of trade secrets or competitively sensitive materials or information.
- 3.3 Facility Ownership Responsibility: Persons having facilities located in the Right-of-Way and/or in any way utilizing the City's facilities shall have responsibility for the removal or relocation of said facilities if required, and shall coordinate the removal or relocation of it's facilities with other Person's and/or the City utilizing that same Right-of-Way or facilities. Person's refusing or neglecting to cooperate in a timely fashion with the facility owner in such removal or relocation shall be deemed to be in violation of Section 910.06(A4) of the Columbus City Code.
- 3.4 Good Engineering Practices: The Person or any contractor or subcontractor doing work at the direction of the Person shall perform all work, construction, maintenance or removal of structures attached to, or contained in, the City's facilities, including tree trimming, in accordance with good engineering and construction practices including any applicable safety codes and in accordance with the Regulations and use it's best efforts to replace any street, curb, or other portion of the Right-of-Way, or structure or facilities located therein, to a condition to be determined by the Director to be adequate under current standards and not less than materially equivalent to its condition prior to such work and to do so in a manner which minimizes any inconveniences to the City, the Public, other Permittees, or persons all in accordance with the Regulations adopted hereunder or under chapter 903.
- 3.5 Safety Requirements: The Person operating, installing, maintaining, or removing any facilities shall at all times stringently adhere to any and all Federal, State, and Local safety requirements that may be applicable. All work performed shall be in full compliance with the National Electrical Safety Code. Failure to comply with all applicable Codes and Regulations shall, at the discretion of the Director, be grounds for the immediate revocation of any Agreement the Person has executed, or for any other actions the Director deems necessary, provided such actions are not contrary to the Law.
- 3.6 Rearrangements for Construction: Upon reasonable written notice of not less than sixty (60) days, except in an emergency threatening the public health, safety, or welfare, and at the direction of the Director and at the Persons sole cost, promptly remove or rearrange its facilities as necessary during any repair or modifications of the City's facilities or other public improvements or if an additional or subsequent use by the City or public use of Right-of-Way is inconsistent with the current use by the Person of the City's Facilities.
- 3.7 Maintenance of Facilities: the Person bears sole responsibility for the maintenance of it's facilities in good operating condition, using good engineering practices, and in full and strict compliance with any and all Laws, Codes, and Regulations as may apply. If the Director deems that the maintenance of the Persons facilities does not meet said requirements, he (she) may direct the Person to perform any necessary actions as the Director deems necessary, provided such direction is not unreasonable or contrary to Law. All costs arising from such direction shall be the sole responsibility of the Person.
- 3.8 Modifying Facilities: Should the Person have need to modify it's existing facilities, as previously agreed to between the Person and the City, for any reason whatsoever, said modifications must have the prior approval of the Division. For the purposes of this paragraph, modification shall be defined as; Any material change in the nature or location of any line, wire, cable, guy wire, cross arm, attachment device, structure, conduit, or any other facility or item attached to, contained in, or otherwise utilizing the Divisions facilities, provided that this definition in no way contravenes any other provision or intent of the City's Rules and Regulations, codes, ordinances, or in any Agreement executed between the City and the Person.
Requests for modifications shall be accompanied by sufficient data and/or technical specification to allow the Division to perform an engineering study of the impact of said modifications upon its facilities. Simple maintenance, repair or replacement of existing facilities with the same, or substantially the same materials by the Person shall require no prior approval by the Division.
- 3.9 Removal of Facilities: Any Person that intends to discontinue use of and abandon any of its facilities which are covered under the Agreement shall, in addition to any requirements imposed under Chapter 910 of the Columbus City Code, submit to the Division written notice describing the facilities to be discontinued and abandoned, any plan for securing the same and the proposed date of abandonment. Said date shall not be more than sixty (60) days from the date such notice is submitted to the Division. The Person shall not abandon such facilities without such notice.
- 3.9.1 Pole Abandonment: The Person abandoning such facilities shall bear sole responsibility for the entire cost of removal of such facilities and any work necessary for the restoration of the City's facilities pursuant to Section 3.4 of these regulations, 910.06 of Columbus City Code, and all other such codes or regulations as may apply.
- 3.10 Field identification of Facilities: Person's shall field identify their facilities and structures located in the Right-of-Way or in any way utilizing the City's facilities. All visible structures, cabinets, poles, and visible conduits shall be marked in such a manner as to clearly identify the Person responsible for such facilities. All cables, wires, or lines that are above ground shall be marked every fourth pole or 500 feet, whichever is the lesser distance.
- 3.11 Overlashing: Any Person desiring to perform any overlash of its existing facilities shall obtain written authorization prior to the commencement of such operations. The Person shall provide the Division with sufficient engineering information on the nature and type of materials to be used in the overlash operation to allow the Division to perform necessary engineering studies on the impact of said overlash upon the Divisions facilities. The Division shall then perform said engineering studies.

- 3.11.1 Engineering Costs: The Person requesting to make such overlash shall pay all fees and costs associated with such engineering studies. In the event that the City must modify or replace its facilities in order to accommodate said overlash all fees and costs for such replacements or modifications shall be paid by the Person.
- 3.11.2 Third Party Overlash: Overlash by the Person or caused by the Person to be done for the purpose of providing any services whatsoever, on a for fee basis, to any and all third parties shall not be permitted by the City unless the City has a signed agreement with each and every third party served by said overlash. For the purposes of this paragraph, third party shall refer to business entities only and not to individual consumers.
- 3.12 Emergency Repairs: The Person shall immediately notify the Division of any emergency situation that involves its facilities and will have any impact upon the City's facilities. The Person then may take whatever actions are necessary to respond to the emergency so long as such actions relate to securing the site and the public from imminent danger. Upon securing the site from imminent danger, all other provisions of Columbus City Code and these or other Rules and Regulations shall apply.
- 3.13 Graffiti Removal: Within 14 days after notice from the City, the Person shall remove any graffiti on any of its facilities. If the Person fails to do so the City may remove the graffiti and bill the Person for the cost thereof.
- 3.14 Indemnity and Save Harmless: All Persons, or contractors and subcontractors performing work for the Person, shall indemnify and save harmless the City from any and all loss resulting from damage or injury to any and all people and property arising out of, resulting from, or in any manner caused by the presence, use or maintenance, or removal of said facilities, or by acts or omissions of the Persons employees, contractors or subcontractors while engaged in the work of placing, maintaining, operating, repairing, or removing such facilities. Such loss shall include all costs, charges, expenses, and attorney's fees incurred in connection with such loss.

The City shall not be liable to the Person for any delay, interruption to or interference with the Person's business or with the operation of it's facilities for any reason, or for any claims for loss, damage, or expense incurred by the Person, it's customers, the public, and/or it's employees. The Person shall indemnify and save harmless the City from all such claims.

CHANGES IN YOUR 1959 COLUMBUS CITY CODE**ORD NO. 1540-2003**

To amend Section 321.081 of the Columbus City Codes, 1959, in order to change optional pledging requirements for City depositories in order to comply with changes in optional pledging requirements as promulgated by Sub H.B. 473 to Ohio Revised Code Chapter 135

WHEREAS, the Columbus City Council passed Ordinance No.321-96 on March 4, 1996; and

WHEREAS, Section 321.081 of the Columbus City Codes, 1959, requires amendment due to changes made by Sub H.B. 473 to the Ohio Revised Code in optional pledging requirements for City depositories. Now therefore
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That Columbus City Code Section 321.081 be amended and corrected as follows:

321.081 Optional pledging requirements-- Trustee for safekeeping of securities--Sale upon default.

(A) As used in this section:

(1) "Public depository" means that term as defined in Ohio R.C. 135.01, but also means an institution which receives or holds any public deposits as defined in Ohio R.C. 135.31.

(2) "Public deposits," "public moneys," and "treasurer" mean those terms as defined in Ohio R.C. 135.01, but also have the same meanings as are set forth in Ohio R.C. 135.31.

(3) "Subdivision" means that term as defined in Ohio R.C. 135.01, but also includes a county and the city of Columbus.

(B) In lieu of the pledging requirements prescribed in Section 321.08 of the Columbus City Codes. an institution designated as a public depository at its option may pledge a single pool of eligible securities to secure the repayment of all public moneys deposited in the institution and not otherwise secured pursuant to law, provided that at all times the total value of the securities so pledged, based on the valuations prescribed in division (C) of this section, is at least equal to ~~one hundred ten (110) one hundred five percent~~ of the total amount of all public deposits to be secured by the pooled securities, including the portion of such deposits covered by any federal deposit insurance. Each such institution shall carry in its accounting records at all times a general ledger or other appropriate account of the total amount of all public deposits to be secured by the pool, as determined at the opening of business each day, and the total value of securities pledged to secure such deposits.

(C) The following securities, at the specified valuations, shall be eligible as collateral for the purposes of division (B) of this section, provided no such securities pledged as collateral are at any time in default as to either principal or interest:

(1) Obligations of or fully insured or fully guaranteed by the United States or any federal government agency: at face value;

(2) Obligations partially insured or partially guaranteed by any federal government agency: at face value;

(3) Obligations of or fully guaranteed by the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation: at face value;

(4) Obligations of any state, county, municipal corporation, or other legally constituted authority of any state, or any instrumentality of any state, county, municipal corporation, or other authority, which are secured as to the payment of principal and interest by the holding in escrow of obligations of the United States for which the full faith and credit of the United States is pledged: at face value;

(5) Obligations of this state, or any county or other legally constituted authority of this state. or any instrumentality of this state. or such county or other authority: at face value;

(6) Obligations of any other state: at ninety (90) percent of face value;

(7) Obligations of any county, municipal corporation, or other legally constituted authority of any other state, or any instrumentality of such county, municipal corporation, or other authority: at eighty (80) percent of face value;

(8) Notes representing loans made to persons attending or planning to attend eligible institutions of education and to their parents, and insured or guaranteed by the United States or any agency, department, or other instrumentality thereof, or guaranteed by' the Ohio Student Aid Commission pursuant to Ohio R.C. 3351.05 to 3351.14: at face value;

(9) Any other obligations the treasurer of state approves: at the percentage of face value he prescribes;

(10) Shares of no-load money market mutual funds consisting exclusively of obligations described in division (C)(1), (2), or (3) of this section and repurchase agreements secured by such obligations: at face value.

(D) The state and each subdivision shall have an undivided security interest in the pool of securities pledged by a public depository pursuant to division (B) of this section in the proportion that the total amount of the state's or

subdivision's public moneys secured by the pool bears to the total amount of public deposits so secured.

(E) An institution designated as a public depository shall designate a qualified trustee and deposit with the trustee for safekeeping the eligible securities pledged pursuant to division (B) of this section. The institution shall give written notice of the qualified trustee to any treasurer or treasurers depositing public moneys for which such securities are pledged. The treasurer shall accept the written receipt of the trustee describing the pool of securities so deposited by the depository, a copy of which also shall be delivered to the depository.

(F) Any federal reserve bank or branch thereof located in this state, without compliance with Ohio R.C. 1109.03, 1109.04, 1109.17, and 1109.18 and without becoming subject to Ohio R.C. 1109.15 or any other law of this state relative to the exercise by corporations of trust powers generally, is qualified to act as trustee for the safekeeping of securities, under this section. Any institution mentioned in Ohio R.C. 135.03(A) or 135.32(A) which holds a certificate of qualification issued by the Superintendent of Financial Institutions or any institution complying with Ohio R.C. 1109.03, 1109.04, 1109.17, and 1109.18 is qualified to act as trustee for the safekeeping of securities under this section, other than those belonging to itself or to an affiliate as defined in Ohio R.C. 1101.01(A). Upon application to him in writing by any such institution, the Superintendent shall investigate the applicant and ascertain whether or not it has been authorized to execute and accept trusts in this state and has safe and adequate vaults and efficient supervision thereof for the storage and safekeeping of such securities. If the Superintendent finds that the applicant has been so authorized and does have such vaults and supervision thereof, he shall approve the application and issue a certificate to that effect, the original or any certified copy of which shall be conclusive evidence that the institution named therein is qualified to act as trustee for the purposes of this section with respect to securities other than those belonging to itself or to an affiliate.

(G) The public depository at any time may substitute, exchange, or release eligible securities deposited with a qualified trustee pursuant to this section, provided that such substitution, exchange, or release does not reduce the total value of the securities, based on the valuations prescribed in division (C) of this section, to an amount that is less than ~~one hundred ten (110)~~ one hundred five (105) percent of the total amount of public deposits as determined pursuant to division (B) of this section.

(H) Notwithstanding the fact that a public depository is required to pledge eligible securities in certain amounts to secure deposits of public moneys, a trustee shall have no duty or obligation to determine the eligibility, market value, or face value of any securities deposited with the trustee by a public depository. This applies in all situations including, but not limited to, a substitution or exchange of securities, but excluding those situations effectuated by division (I) of this section in which the trustee is required to determine face and market value.

(I) If the public depository fails to pay over any part of the public deposits made therein as provided by law and secured pursuant to division (B) of this section, the treasurer shall give written notice of this failure to the qualified trustee holding the pool of securities pledged against public moneys deposited in the depository, and at the same time shall send a copy of this notice to the depository. Upon receipt of such notice, the trustee shall transfer to the treasurer for public sale such of the pooled securities as may be necessary to produce an amount equal to the deposits made by the treasurer and not paid over, less the portion of such deposits covered by any federal deposit insurance, plus any accrued interest due on such deposits; however, such amount shall not exceed the state's or subdivision's proportional security interest in the market value of the pool as of the date of the depository's failure to pay over the deposits, as such interest and value are determined by the trustee. The treasurer shall sell at public sale any of the bonds or other securities so transferred. Thirty (30) days' notice of such sale shall be given in a newspaper of general circulation at Columbus, in the case of the treasurer of state, and at the county seat of the county in which the office of the treasurer is located, in the case of any other treasurer. When a sale of bonds or other securities has been so made an upon payment to the treasurer of the purchase money, the treasurer shall transfer such bonds or securities whereupon the absolute ownership of such bonds or securities shall pass to the purchasers. Any surplus after deducting the amount due the state or subdivision and expenses of sale shall be paid to the public depository.

(J) Any charges or compensation of a designated trustee for acting as such under this section shall be paid by the public depository and in no event shall be chargeable to the state or subdivision or to the treasurer or to any officer of the state or subdivision. Such charges or compensation shall not be a lien or charge upon the securities deposited for safekeeping prior or superior to the rights to and interests in such securities of the state or subdivision or of the treasurer. The treasurer and his bondsmen or surety shall be relieved from any liability to the state or subdivision or to the public depository for the loss or destruction of any securities deposited with a qualified trustee pursuant to this section.

(K) In lieu of placing its unqualified endorsement on each security, a public depository pledging securities pursuant to division (B) of this section that are not negotiable without its endorsement or assignment may furnish to the qualified trustee holding the securities an appropriate resolution and irrevocable power of attorney authorizing the trustee to assign the securities. The resolution and power of attorney shall conform to such terms and conditions as the trustee prescribes. (L) Upon request of a treasurer no more often than four (4) times per year, a public depository shall report the amount of public moneys deposited by the treasurer and secured pursuant to division (B) of this section, and the total value, based on the valuations prescribed in division (C) of this section, of the pool of securities pledged to secure public moneys held by the depository, including those deposited by the treasurer. Upon request of a treasurer no more often than four (4) times per year, a qualified trustee shall report such total value of the pool of securities deposited with it by the

depository and shall provide an itemized list of the securities in the pool. These reports shall be made as of the date the treasurer specifies. The city treasurer shall request the public depository and the qualified trustee to provide the information detailed in Section 321.08 1(L) not less than four (4) times per year and on a quarterly basis. The public depository and the qualified trustee are required to comply and provide the information detailed in Section 321.081(L). (Ord. 321-96.)

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

Passed October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 2181-2003

To amend section 2551.09 (a) "Hazardous Materials Transportation" of the City of Fire Prevention Code (Title Twenty-five), to establish a fee for issuing a hazardous materials transportation permit, and to declare an emergency. (NFI)

Whereas, Ordinance 136-85 established Chapter 2551.09 "Hazardous Materials Transportation" to regulate the transportation of hazardous materials in and through the City of Columbus; and

Whereas, a procedure was established for the Division of Fire to grant a permit to operate in exception to the regulations; and

Whereas, no specific dollar amount was specified as the required fee for processing the application; Now, therefore,

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Safety, Division of Fire, in that it is immediately necessary to make said code changes 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 Section 2551.09 of the Columbus City Code, 1959, is hereby amended to read as follows:

The following procedure shall apply to the granting of permits to operate in exception to the regulations set forth herein:

(a) Application for a permit shall be made to the Fire Chief on the forms provided and accompanied by ~~the a fee required herein.~~ of one hundred fifty dollars (\$150.00) plus ten dollars (\$10.00) per each vehicle listed on the application. All applications shall be acted on within 30 days of submission to the Fire Chief and timely notice of approval or denial shall be given to the applicant

A single permit shall be granted to a transporter (carrier, trucking company, etc.) for the hazardous materials identified in Section 2551.05.

(b) Permits denied by the Fire Chief shall be subject to review by a hearing before the Director of Public Safety on approval by the applicant made to said Director within 30 days of the receipt of notice of denial.

(c) Permits will be granted only where the following criteria are met as determined by the Fire Chief (1) Compelling need is shown, that is, the applicant must show that delivery or pick-up of the hazardous material identified in Section 2551.05 can be made only by entering the area defined by Section 2551.06(e) during the time period identified in Section 2551.06(d).

(2) Transportation of the hazardous material is in the public interest.

(d) Permits issued shall set forth conditions such as routes and other special precautions as determined by the Fire Chief.

(e) Permits shall be granted for a period of one (1) year and be ~~automatically~~ renewed upon application unless revoked for cause after a hearing before the Director of Public Safety.

(f) Permits shall be revocable and nontransferable. (Ord. 136-85.)

Section 2. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared 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 October 20, 2003, Matthew D. Habash, President of Council / Approved October 21, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

**TABLE OF CHANGES IN YOUR 1959
COLUMBUS CITY CODE**

| Code | Ordinance | 2002 | Page | Subject |
|--|------------------|-------------|-------------|---|
| To create a Chapter 135, "Board of Health and the Health Commissioner" | 1058-2003 | 24 | 3759 | To create a Chapter 135, "Board of Health and the Health Commissioner" consisting of six (6) sections oddly numbered 135.01 through 135.99 of the Columbus City Codes, 1959, in order to maintain the authority of the Board of Health and the Health Commissioner to promulgate rules and regulations needed to ensure the public health, safety, and welfare. |
| To amend Chapter 1105 of the Columbus City Codes | 1033-2003 | 25 | 3800 | To amend Chapter 1105 of the Columbus City Codes, 1959, regarding terminology located within the Yard Restoration portion of the Code. |
| To amend Section 2903.01 of the Columbus City Code | 0810-2003 | 26 | 3838 | To amend Section 2903.01 of the Columbus City Code to provide for the necessary modification of inspection fees for weighing and measuring devices used commercially in the City of Columbus and to declare an emergency. |
| To amend sections, and to repeal sections of the Columbus City Codes | 0868-2003 | 26 | 3839 | To amend sections 501.09, 501.10, 501.14, 501.16, 505.06, 515.02, 517.04, 517.05, 523.06, 525.07, 525.21, 535.06, 540.04, 540.07, 545.03, 545.07, 549.03, 551.03, 551.10, 555.05, 559.12, 563.01, 573.06, 587.05, 587.08, 587.09, 587.13, 589.01, 589.10, 593.03, 593.06, 593.07, 593.21, 594.05, 594.22, 597.97, 2111.03, 2534.03 and to repeal sections 511.03, 519.04, 525.23, 537.07, 549.035, 557.01, 559.10, 563.03, 571.03, 587.04, 589.12, 594.16 of the Columbus City Codes, 1959, to increase various licensing fees. |
| To establish new Chapter 336 of the Columbus City Codes | 1591-2003 | 27 | 3897 | To establish new Chapter 336 of the Columbus City Codes, 1959, to be titled Disposition of Unclaimed Funds. |
| To enact new Sections 2133.01 and 2133.99 of the Columbus City Codes | 1675-2003 | 27 | 3897 | To enact new Sections 2133.01 and 2133.99 of the Columbus City Codes, 1959, to reflect recent changes in the Ohio Revised Code with respect to prohibited blood alcohol concentration levels while operating a motor vehicle, minimum penalties associated with such blood alcohol concentration levels as well as other traffic moving violation penalties; to repeal existing Sections 2133.01 and 2133.99; and to declare an emergency. |
| To enact Section 3101.11 | 1741-2003 | 30 | 4099 | To enact Section 3101.11 in Title 31, Planning and Platting, and Section 3303.055 in Title 33, Zoning, in order to provide for the expiration of applications for variances, rezonings or other administrative relief that have been held without action for an extended period of time. |
| To amend Chapters 4105 and 4111 of the Columbus City Codes | 1691-2003 | 31 | 4201 | To amend Chapters 4105 and 4111 of the Columbus City Codes, 1959, by modifying Sections 4105.02 and 4111.99 by adding text that requires strict liability to be the standard used for enforcement of violations of the Columbus Building Code (Title 41). |
| To modify Sections 3116.012, 3116.05 and 3116.23 in Title 31 | 1869-2003 | 31 | 4201 | To modify Sections 3116.012, 3116.05 and 3116.23 in Title 31, "Planning and Platting", of the Columbus City Codes, 1959, in order to allow staff of the Historic Preservation Office to grant certificates of appropriateness for otherwise minor work that is limited in scope and regulated by the respective historic architectural review commission. |
| To amend Chapter 1105 of the Columbus City Codes | 1804-2003 | 39 | 4417 | To amend Chapter 1105 of the Columbus City Codes, 1959, regarding the age at which a person may be considered an "eligible senior consumer". |
| To amend ordinance number 0868-2003 | 1984-2003 | 39 | 4417 | To amend ordinance number 0868-2003 by reinstating section 525.23 of the Columbus City Codes, 1959; and to declare an emergency. |
| To amend Chapter 1105 of the Columbus City Codes | 1621-2003 | 40 | 4485 | To amend Chapter 1105 of the Columbus City Codes, 1959, by adding a special charge for hydrant flow tests |
| To amend Columbus Building Code (Title 41) Chapters 4113 and 4117 of the Columbus City Codes, 1959 | 2141-2003 | 41 | 4533 | To amend Columbus Building Code (Title 41) Chapters 4113 and 4117 of the Columbus City Codes, 1959, by repealing and reenacting a section of Chapter 4113 and enacting a new section Chapter 4117 that clarifies the requirements under the Ohio Building Code concerning the posting of occupancy load signs in places of assembly and education. |
| To amend Section 321.081 of the Columbus City Codes | 1540-2003 | 43 | 4621 | To amend Section 321.081 of the Columbus City Codes, 1959, in order to change optional pledging requirements for City depositories in order to comply with changes in optional pledging requirements as promulgated by Sub H.B. 473 to Ohio Revised Code Chapter 135 |
| To amend section 2551.09 of the City of Fire Prevention Code | 2181-2003 | 43 | 4623 | To amend section 2551.09 (a) "Hazardous Materials Transportation" of the City of Fire Prevention Code (Title Twenty-five), to establish a fee for issuing a hazardous materials transportation permit, and to declare an emergency. (NFI) |