

Columbus City Bulletin



Bulletin 47
November 22, 2003

Proceedings of City Council

Saturday, November 22, 2003



SIGNING OF LEGISLATION

Unless otherwise noted, all legislation listed in this bulletin was signed by Council President on the night of the Council meeting, by the Mayor on the following day, Tuesday, and attested by the Acting City Clerk prior to Bulletin publishing.

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 department.



City of Columbus
Journal - Final
Columbus City Council

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

***ELECTRONIC READING OF MEETING DOCUMENTS AVAILABLE DURING
COUNCIL OFFICE HOURS. CLOSED CAPTIONING IS AVAILABLE IN COUNCIL
CHAMBERS. ANY OTHER SPECIAL NEEDS REQUESTS SHOULD BE DIRECTED
TO THE CITY CLERK'S OFFICE AT 645-7380 BY FRIDAY PRIOR TO THE COUNCIL
MEETING.***

Monday, November 17, 2003

5:00 PM

Columbus City Council

**REGULAR MEETING NO. 47 OF COLUMBUS CITY COUNCIL, MONDAY,
NOVEMBER 17, 2003 at 5:00 P.M. IN COUNCIL CHAMBERS.**

ROLL CALL

Absent: 1 - Mr. Sensenbrenner

Present: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Ms. Thomas,
President Pro-Tem Mentel and President Habash

READING AND DISPOSAL OF THE JOURNAL

A motion was made by President Pro-Tem Mentel, seconded by Ms. Tavares, to Dispense with the reading of the Journal and Approve. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Ms. Thomas,
President Pro-Tem Mentel and President Habash

C0046-2003

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY CLERK'S OFFICE AS OF WEDNESDAY, NOVEMBER 12, 2003:

New Type: D1

To: Point Inc
530 Norton Rd Units 5460 5480
Columbus Ohio 43228

New Type: C1, C2

To: Double D Beverage Service LLC
DBA End Zone Beer & Wine Drive Thru
500 Riverview Dr.
Columbus Ohio 43202

Transfer Type: C1, C2

To: 1112 Barberry Lane Inc
DBA Shop N Go
3951 E Livingston Av
Columbus, Ohio 43227
From: 3951 E Livingston Inc
DBA Shop N Go
3951 E Livingston Av
Columbus Ohio 43227

Transfer Type: D5, D6
To: Miamo Inc
DBA Mulligans Sport Pub
8743 Smokey Row Rd
Columbus Ohio 43065
From: MHA Enterprises Inc
DBA Mulligans Sport Pub
8743 Smokey Row Rd
Columbus Ohio 43065

Transfer Type: C1, C2, D6
To: Wawi Inc
DBA Woodys Beverage Drive Thru
6733 Karl Rd
Columbus Ohio 43229
From: Warren Ellet Hogue
DBA Woodys Beverage Drive Thru
6733 Karl Rd
Columbus Ohio 43229

Transfer Type: D1, D3, D3A, D6
To: Dueces Wild Inc
1964 ½ Parsons Ave
Columbus Ohio 43207
From: La Club Panache Inc
DBA La Club Panache
6312 Busch Blvd
Columbus Ohio 43229
Maher Mahmoud

Transfer Type: D5, D6
To: 1880 North High Street Inc
1880 N High St
Columbus Ohio 43201
From: Xando COSI Inc
AKA COSI Inc
DBA COSI
6390 Sawmill Rd
Columbus Ohio 43235

Stock Type: D5
To: 346 S High St Inc
DBA Scores
346 S High St 1st Fl & Bsmt
Columbus Ohio 43215

Stock Type: D1, D2, D3, D3A
To: Sequoia Pro Bowl Inc
5501 Sandalwood Blvd
Columbus Ohio 43229

Stock Type: D5, D6

To: Aramark Sports & Entertainment
Services Inc
500 N High St & Patio
Columbus Ohio 43215

Stock Type: D5, D6
To: Aramark Sports & Entertainment
Services Inc
Battelle Hall/Convention Center
Executive Offices Excluded
400 N High St 3rd & 4th Fls & Patio
Columbus Ohio 43215

ADVERTISE 11/22/03
RETURN 12/04/03

RESOLUTIONS OF EXPRESSIONS

TAVARES

395X-2003

To congratulate Ron Pitts, of Ujima Theatre, for the Premier showing of "Love and Street Corner Harmony" on this 14th day of November, 2003.

Sponsors: Charleta B. Tavares

A motion was made by Ms. Tavares, seconded by Ms. Thomas, that this matter be Adopted. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Ms. Thomas, President Pro-Tem Mentel and President Habash

THOMAS

393X-2003

To recognize and congratulate Pastor Harold A. Hudson and First Lady Deborah Hudson on their 7th Pastoral Anniversary.

Sponsors: Patsy Thomas

A motion was made by Ms. Thomas, seconded by Ms. Tavares, that this matter be Adopted. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Ms. Thomas, President Pro-Tem Mentel and President Habash

ADDITIONS OR CORRECTIONS TO THE AGENDA

THE FOLLOWING ITEMS WERE REMOVED FROM THE CONSENT AGENDA

ADMINISTRATION: 2469-2003

SAFETY AND JUDICIARY: 2452-2003

PUBLIC SERVICE & TRANSPORTATION: 2433-2003, 2440-2003

HEALTH, HOUSING & HUMAN SERVICES: 2430-2003

2469-2003

To authorize the City Treasurer to modify a contract with Fifth Third Bank and its processing agent, Midwest Payment Systems, for the provision of credit card processing services, and to authorize the expenditure of \$3,550.00 from the Recreation and Parks Operating fund and to declare an

emergency. (\$3,550.00)

ADMINISTRATION: (TABLED UNTIL 11/24/03)

A motion was made by President Habash, seconded by Ms. Tavares, that this matter be Tabled to Certain Date. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner

Abstained: 1 - Ms. Thomas

Affirmative: 5 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, President Pro-Tem Mentel and President Habash

2452-2003

To authorize the Columbus Fire Chief to accept a grant award from Battelle for Bomb Squad training for the Division of Fire, to appropriate \$3,000.00 from the unappropriated balance of the Special Revenue Private Grants Fund, and to declare an emergency. (\$3,000.00)

SAFETY AND JUDICIARY (TABLED UNTIL 11/24/03)

A motion was made by President Habash, seconded by Ms. Tavares, that this matter be Tabled to Certain Date. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner

Abstained: 1 - Ms. Thomas

Affirmative: 5 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, President Pro-Tem Mentel and President Habash

2433-2003

To authorize the Public Service Director to reimburse American Electric Power Company for utility relocation costs incurred in conjunction with the Dublin - Frantz at Hayden Run Road Improvement project for the Transportation Division; to authorize the expenditure of \$67,200.00 for this purpose from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$67,200.00)

PUBLIC SERVICE & TRANSPORTATION (TABLED UNTIL 11/24/03)

A motion was made by President Habash, seconded by Ms. Tavares, that this matter be Tabled to Certain Date. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner

Abstained: 1 - Ms. Thomas

Affirmative: 5 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, President Pro-Tem Mentel and President Habash

2440-2003

To authorize the Public Service Director to pay Columbia Gas of Ohio and American Electric Power Company for utility relocation costs incurred in conjunction with the Polaris Parkway Widening Project for the Transportation Division; to authorize the expenditure of \$73,775.75 for this purpose from the 1995, 1999 Voted Streets and Highways Fund and to declare an emergency. (\$73,775.75)

PUBLIC SERVICE & TRANSPORTATION (TABLED UNTIL 11/24/02)

A motion was made by President Habash, seconded by Ms. Tavares, that this matter be Tabled to Certain Date. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner
Abstained: 1 - Ms. Thomas
Affirmative: 5 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, President
Pro-Tem Mentel and President Habash

FIRST READING OF 30-DAY LEGISLATION

ADMINISTRATION: BOYCE, CHR. SENSENBRENNER MENTEL HABASH

2470-2003 To authorize the City Auditor to transfer and increase, if necessary, appropriations within any of the various funds of the City to provide for payrolls, internal services, and other obligations for 2003 and to authorize the payment of payrolls and other obligations due in 2004 prior to the passage of the 2004 appropriation ordinances.

Read for the First Time

2428-2003 FR To authorize the Finance Director to enter into contract with Audsam Printing, Inc. for the production of 2003-2004 personalized income tax forms for the Department of the City Auditor, Division of Income Tax and to authorize the expenditure of \$59,478.70.

Read for the First Time

RECREATION & PARKS: BOYCE, CHR. SENSENBRENNER THOMAS HABASH

2348-2003 FR To authorize and direct the Director of Recreation and Parks to accept a grant in the amount of \$15,170.00 and enter into an agreement with the Ohio Arts Council for funding to support the 2004 Festival Latino, to authorize an appropriation of \$15,170.00 from the unappropriated balance of the Recreation and Parks Grant Fund to the Recreation and Parks Department. (\$15,170.00)

Read for the First Time

2352-2003 To authorize and direct the Director of Recreation and Parks to enter into contracts with thirty-four community agencies to provide social and nutrition services to older adults in Central Ohio during 2004 and to authorize the expenditure of \$5,491,734.00 from the Recreation and Parks Grant Fund, and to declare an emergency. (\$5,491,734.00)

Read for the First Time

2387-2003 FR To authorize and direct the Director of Recreation and Parks to submit a grant application to Franklin County Children Services in the amount of \$150,000.00 to assist family caregivers of children in Franklin County in connection with the Kinship Care Navigator Project.

Read for the First Time

2403-2003 FR To authorize and direct the Director of Recreation and Parks to modify the revenue generating contract with Anne U. Dempsey, dba Sun Shine Catering, for food concessions at Turnberry Golf Course.

Read for the First Time

DEVELOPMENT: O'SHAUGHNESSY, CHR. BOYCE TAVARES HABASH

- 2467-2003** FR To adopt the Olentangy River Road Urban Design Plan as a guide for future improvements, investments and actions within the area bounded by Riverside Methodist Hospital/Thomas Lane on the north, the Olentangy River on the east, Lane Avenue on the south, and the Chesapeake and Ohio railroad on the west.

Read for the First Time

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

- 2378-2003** FR To authorize the Public Service Director to enter into a contract for the Transportation Division with G & G Cement Contractors for construction of the Summit Street Corridor Improvements project; to authorize the expenditure of \$311,258.83 from the Voted 1995, Voted 1999 Streets and Highways Fund for the Transportation Division. (\$311,258.83)

Read for the First Time

- 2399-2003** FR To authorize the transfer of \$54,985.49 between projects within the 1995, 1999 Voted Streets and Highways Fund; to authorize the Public Service Director to reimburse the Sewerage and Drainage Division \$58,851.44 for costs incurred for the resurfacing of Binns Boulevard for the Transportation Division, and to authorize the expenditure of \$58,851.44 from the 1995, 1999 Voted Streets and Highways Fund. (\$58,851.44)

Read for the First Time

- 2441-2003** FR To authorize the Public Service Director to modify and increase the contract with Columbus Engineering Consultants, Inc. for the preparation of the construction plans for Group 10 Intersections project for the Transportation Division; to authorize the expenditure of \$50,000.00 from the 1995, 1999 Voted Streets and Highways Fund. (\$50,000.00)

Read for the First Time

- 2459-2003** FR To authorize the Public Service Director to execute those documents required to release the easterly 5 feet of an existing platted easement on Lot 27 of Asherton Woods (of record in Plat Book 102, Pages 94 and 95) in exchange for the dedication of a 5 foot wide easement along the east line of Reserve "A" of the same plat.

Read for the First Time

UTILITIES: THOMAS, CHR. MENTEL O'SHAUGHNESSY HABASH

- 2187-2003** FR To authorize the Director of Public Utilities to reimburse Dominion Homes, Inc. for the construction of the Big Run South Road water line, to authorize the City Auditor to transfer funds within the Water Limited Fund, and to authorize the expenditure of \$25,000.00 from the Water Limited Fund for the Division of Water. (\$25,000.00)

Read for the First Time

- 2342-2003** FR To authorize the Director of Public Utilities to modify and increase the contract with Critical Path Consultants, to assist us with strengthening management practices in order to improve Division-wide measures, for the Division of Water, and to authorize the expenditure of \$20,000.00 from Water Systems Operating Fund. (\$20,000.00)

Read for the First Time

2375-2003 FR To authorize the Director of Public Utilities to pay the annual Discharge Fees to the Ohio Environmental Protection Agency for the Division of Sewerage and Drainage; and to authorize the expenditure of \$82,800.00 from the Sewerage System Operating Fund. (\$82,800.00)

Read for the First Time

2395-2003 FR To authorize the Director of the Department of Public Utilities to enter into a pole attachment agreement with Citynet for the Division of Electricity.

Read for the First Time

RULES & REFERENCE: HABASH, CHR. MENDEL SENSENBRENNER TAVARES

2358-2003 FR To amend Chapter 1149 of the Columbus City Codes 1959, to enact new Stormwater fees effective January 1, 2004, and to repeal the existing Section being amended.

Sponsors: Patsy Thomas

Read for the First Time

2359-2003 FR To amend Chapter 1147 of the Columbus City Codes 1959, to enact new sanitary sewer service rates for the year beginning January 1, 2004, and to repeal the existing Section being amended

Sponsors: Patsy Thomas

Read for the First Time

2380-2003 FR To amend the Columbus City Codes, 1959, as it relates to 2004 water rates for customers of the Division of Water.

Sponsors: Patsy Thomas

Read for the First Time

2406-2003 FR To replace Chapter 921 of the Columbus City Codes to bring waterway codes up to date and to bring City of Columbus codes into closer compatibility with State waterway codes.

Sponsors: Kevin L. Boyce

Read for the First Time

**ZONING: MENDEL, CHR. BOYCE HABASH O'SHAUGHNESSY
SENSENBRENNER TAVARES THOMAS**

2094-2003 FR To rezone 24 WEST BRIGHTON ROAD (43202), being 0.12± acres located on the northwest corner of West Brighton Road and North High Street, From: C-4, Commercial Development District, To: CPD, Commercial Planned Development District. (Rezoning # Z03-028)

Read for the First Time

CONSENT ACTIONS

FINANCE: SENSENBRENNER, CHR. O'SHAUGHNESSY TAVARES HABASH

2454-2003 CA To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Folding Tables and Chairs, with Mity-Lite, Inc., and to declare an emergency.

This Matter was Approved on the Consent Agenda.

RECREATION & PARKS: BOYCE, CHR. SENSENBRENNER THOMAS HABASH

- 2376-2003** CA To authorize the Director of Recreation and Parks to enter into a contract with the Chiller at Easton, to authorize an expenditure from the Recreation and Parks Operating Fund in the amount of \$2,200.00 in conjunction with the Ice Hockey Program for the remainder of 2003 and through January 31, 2004, and to declare an emergency. (\$2,200.00)
This Matter was Approved on the Consent Agenda.
- 2405-2003** CA To authorize and direct the transfer of \$55,000.00 within the Recreation and Parks Operating Fund to complete a necessary expenditure regarding the Trask-Tyler case settlement, and to declare an emergency. (\$55,000.00)
This Matter was Approved on the Consent Agenda.
- 2420-2003** CA To authorize and direct the Finance Director to enter into a contract for an option to purchase Softballs, with A. D. Starr, to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)
This Matter was Approved on the Consent Agenda.
- 2434-2003** CA To authorize and direct the Director of Recreation and Parks to submit a grant application to the Ohio Department of Natural Resources/Division of Watercraft for the Navigational Aids Grant Program, and to declare an emergency.
This Matter was Approved on the Consent Agenda.
- 2463-2003** CA To authorize and direct the Director of Recreation and Parks to accept a grant in the amount of \$1,102.00 and enter into an agreement with the Ohio Department of Natural Resources for funding to support the Hooked on Fishing Not on Drugs program, to authorize an appropriation of \$1,102.00 from the unappropriated balance of the Recreation and Parks Grant Fund to the Recreation and Parks Department, and to declare an emergency. (\$1,102.00)
This Matter was Approved on the Consent Agenda.

SAFETY & JUDICIARY: MENTEL, CHR. BOYCE THOMAS HABASH

- 388X-2003** CA To declare the necessity and intent to appropriate permanent and construction easements in, over, under and through real estate in connection with the Big Walnut Sanitary Trunk Extension Part II, and to declare an emergency.
This Matter was Adopted on the Consent Agenda.

DEVELOPMENT: O'SHAUGHNESSY, CHR. BOYCE TAVARES HABASH

- 2491-2003** CA To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN03-035) of 1.01± Acres in Norwich Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.
This Matter was Approved on the Consent Agenda.
- 2495-2003** CA To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN03-039) of 42.7± Acres in Jefferson Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

This Matter was Approved on the Consent Agenda.

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

- 2107-2003** CA To authorize the Public Service Director to reimburse the Street Construction, Maintenance Repair Fund for force account alley rehabilitation work performed by and for the Transportation Division; to authorize the expenditure of \$203,132.10 from the 1995, 1999 Voted Streets and Highways Fund for this purpose and to declare an emergency. (\$203,132.10)

This Matter was Approved on the Consent Agenda.

UTILITIES: THOMAS, CHR. MENDEL O'SHAUGHNESSY HABASH

- 2322-2003** CA To authorize the Director of Public Utilities to modify the contract with Bale Contracting Inc., for the Group One Water Line Improvements Project for the Division of Water, to authorize the City Auditor to transfer funds within the Waterworks Enlargement Voted 1991 Bonds Fund, to authorize the expenditure of \$25,574.84 from the Waterworks Enlargement Voted 1991 Bonds Fund, and to declare an emergency. (\$25,574.84)

This Matter was Approved on the Consent Agenda.

- 2324-2003** CA To authorize the Director of Public Utilities to modify the contract for Corrosion Control Air Handling Equipment Maintenance Services with Cornerstone Services, for the Division of Sewerage and Drainage; and to authorize the expenditure of \$100,000.00. (\$100,000.00)

This Matter was Approved on the Consent Agenda.

- 2416-2003** CA To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release a certain sewer easement, located in the vicinity of 750 Stelzer Road and East Fifth Avenue, at the request of Kemp, Schaeffer, Rowe & Lardiere Co., L.P.A. in exchange for a replacement easement previously granted to the City of Columbus, Ohio and to declare an emergency.

This Matter was Approved on the Consent Agenda.

- 2458-2003** CA To authorize and direct the Finance Director to enter into a contract for an option to purchase Fine Bubble Air Diffusers & Parts, with Delaney and Associates, to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)

This Matter was Approved on the Consent Agenda.

Passed The Consent Agenda

A motion was made by President Pro-Tem Mentel, seconded by Ms. Tavares, including all the preceding items marked as having been approved on the Consent Agenda. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Ms. Thomas, President Pro-Tem Mentel and President Habash

EMERGENCY, TABLED AND 2ND READING OF 30-DAY LEGISLATION**ADMINISTRATION: BOYCE, CHR. SENSENBRENNER MENTEL HABASH**

2233-2003 To authorize and direct the Director of the Office of Education to accept a grant in the amount of \$40,000.00 and enter into an agreement with The Columbus Foundation for funding to support after school programming, to authorize an appropriation of \$40,000.00 from the unappropriated balance of the Education Private Grant Fund No. 291 to the Office of Education.(\$40,000.00)

A motion was made by Mr. Boyce, seconded by President Pro-Tem Mentel, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Ms. Thomas, President Pro-Tem Mentel and President Habash

2470-2003 To authorize the City Auditor to transfer and increase, if necessary, appropriations within any of the various funds of the City to provide for payrolls, internal services, and other obligations for 2003 and to authorize the payment of payrolls and other obligations due in 2004 prior to the passage of the 2004 appropriation ordinances.

A motion was made by Mr. Boyce, seconded by President Pro-Tem Mentel, that this matter be Waived the 2nd Reading. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Ms. Thomas, President Pro-Tem Mentel and President Habash

A motion was made by Mr. Boyce, seconded by President Pro-Tem Mentel, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Ms. Thomas, President Pro-Tem Mentel and President Habash

2469-2003 To authorize the City Treasurer to modify a contract with Fifth Third Bank and its processing agent, Midwest Payment Systems, for the provision of credit card processing services, and to authorize the expenditure of \$3,550.00 from the Recreation and Parks Operating fund and to declare an emergency. (\$3,550.00)

A motion was made by Mr. Boyce, seconded by Ms. Tavares, that this matter be Taken from the Table. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner

Abstained: 1 - Ms. Thomas

Affirmative: 5 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, President Pro-Tem Mentel and President Habash

A motion was made by Mr. Boyce, seconded by Ms. Tavares, that this matter be Amended to 30 day. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner
Abstained: 1 - Ms. Thomas
Affirmative: 5 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, President Pro-Tem Mentel and President Habash

A motion was made by Mr. Boyce, seconded by President Pro-Tem Mentel, that this matter be Waived the 2nd Reading. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner
Abstained: 1 - Ms. Thomas
Affirmative: 5 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, President Pro-Tem Mentel and President Habash

A motion was made by Mr. Boyce, seconded by President Pro-Tem Mentel, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner
Abstained: 1 - Ms. Thomas
Affirmative: 5 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, President Pro-Tem Mentel and President Habash

RECREATION & PARKS: BOYCE, CHR. SENSENBRENNER THOMAS HABASH

2436-2003 To authorize and direct the transfer of \$350,000.00 between Objects within the Special Purpose Fund 223, Various Park Improvements Sub-fund 025 to properly align appropriations in order to complete necessary expenditure corrections, and to declare an emergency. (\$350,000.00)

A motion was made by Mr. Boyce, seconded by President Pro-Tem Mentel, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner
Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Ms. Thomas, President Pro-Tem Mentel and President Habash

SAFETY & JUDICIARY: MENTEL, CHR. BOYCE THOMAS HABASH

2384-2003 To authorize and direct the transfer of \$477,000.00 from the Finance Director's Office to the Division of Fire General Fund Budget to provide funds for pharmaceutical and medical supplies purchases; and to declare an emergency. (\$477,000.00)

A motion was made by President Pro-Tem Mentel, seconded by Ms. Tavares, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner
Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Ms. Thomas, President Pro-Tem Mentel and President Habash

2362-2003 To authorize and direct the City Attorney to settle the lawsuit of Sandra Trask-Tyler, et al. v. Columbus City Recreation & Parks Department, et al., Court of Common Pleas of Franklin County, Ohio, Case No. 02 CVC 02-1791, to authorize the expenditure of \$55,000.00, and to declare an emergency.

A motion was made by President Pro-Tem Mentel, seconded by Ms. Tavares, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Ms. Thomas, President Pro-Tem Mentel and President Habash

2388-2003

To authorize the Mayor of the City of Columbus to accept United States Department of Justice, Community Oriented Policing Services (COPS) funding under the COPS Interoperable Communications Technology Grant Program of \$2,506,910.00, to authorize the appropriation of same, and to declare an emergency.

A motion was made by President Pro-Tem Mentel, seconded by Ms. Tavares, that this matter be Amended. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Ms. Thomas, President Pro-Tem Mentel and President Habash

A motion was made by President Pro-Tem Mentel, seconded by Ms. Tavares, that this matter be Approved as Amended. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Ms. Thomas, President Pro-Tem Mentel and President Habash

2404-2003

To authorize and direct the City Attorney to settle the lawsuit of Terence Tabaczynski v. The City of Columbus, et al., United States District Court Case No. C2-02-536, to authorize the expenditure of \$39,000.00, and to declare an emergency.

A motion was made by President Pro-Tem Mentel, seconded by Ms. Tavares, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Ms. Thomas, President Pro-Tem Mentel and President Habash

DEVELOPMENT: O'SHAUGHNESSY, CHR. BOYCE TAVARES HABASH

2414-2003

To authorize and direct the City Auditor to adjust appropriations and transfer \$358,538.00 within Department of Development, Development Services Fund; and to declare an emergency. (\$358,538.00)

A motion was made by Ms. O'Shaughnessy, seconded by President Pro-Tem Mentel, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Ms. Thomas, President Pro-Tem Mentel and President Habash

2442-2003

To authorize the Director of Development to enter into an agreement with the Greater Linden Development Corporation for a tax abatement of seventy-five percent (75%) for a period of ten (10) years in consideration of a proposed \$2.9 million investment in real property improvements and

furniture & fixtures and the creation of five (5) new jobs; and to declare it an emergency.

A motion was made by Ms. O'Shaughnessy, seconded by Ms. Tavares, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Ms. Thomas, President Pro-Tem Mentel and President Habash

2461-2003

To authorize & direct the Development Director to pay the attorney fees and court costs to J. Michael Murray Esq., as legal counsel in the case of Franklin Jefferson, Ltd, et al v. City of Columbus, United States District Court, Southern District of Ohio; to authorize the expenditure \$47,136.52 from the Development Services Fund; and to declare an emergency. (\$47,136.52)

A motion was made by Ms. O'Shaughnessy, seconded by Ms. Tavares, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Ms. Thomas, President Pro-Tem Mentel and President Habash

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

2430-2003

To authorize and direct the Board of Health to accept a contract from the Licking County Board of Health in the amount of \$30,238; to authorize the appropriation of \$30,238 from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency. (\$30,238.00)

A motion was made by Ms. Tavares, seconded by President Pro-Tem Mentel, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Ms. Thomas, President Pro-Tem Mentel and President Habash

UTILITIES: THOMAS, CHR. MENTEL O'SHAUGHNESSY HABASH

363X-2003

To authorize the Director of Public Utilities, on behalf of the Division of Electricity, to cause plans and specifications to be prepared for installing ornamental street lighting with underground wiring in the Madison Mills Subdivision under the assessment procedure.

A motion was made by Ms. Thomas, seconded by Ms. Tavares, that this matter be Adopted. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Ms. Thomas, President Pro-Tem Mentel and President Habash

2234-2003

To appropriate and authorize the City Auditor to transfer \$1,423,348.00 from the Special Income Tax Fund to the Voted 1995, 1999 Refuse Collection Fund; to authorize and direct the Finance Director to enter into contract with ESEC Corporation dba Columbus Peterbilt and Schodorf Truck Body and Equipment Company for the purchase of truck cabs and chassis and bodies, respectively, which collectively constitute nine (9) automated side loader refuse collection trucks for the Refuse Collection Division; to authorize the

expenditure of \$1,423,348.00 from the Voted 1995, 1999 Refuse Collection Fund, and to declare an emergency. (\$1,423,348.00)

A motion was made by Ms. Thomas, seconded by Ms. Tavares, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Ms. Thomas, President Pro-Tem Mentel and President Habash

2235-2003

To appropriate and authorize the City Auditor to transfer \$367,728.00 from the Special Income Tax Fund to the Voted 1995, 1999 Refuse Collection Fund; to authorize and direct the Finance Director to enter into contract with Graham Ford for the purchase of three (3) manual side loader refuse collection trucks for the Refuse Collection Division; to authorize the expenditure of \$367,728.00 from the Voted 1995, 1999 Refuse Collection Fund, and to declare an emergency. (\$367,728.00)

A motion was made by Ms. Thomas, seconded by Ms. Tavares, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Ms. Thomas, President Pro-Tem Mentel and President Habash

2236-2003

To appropriate and authorize the City Auditor to transfer \$1,606,744.00 from the Special Income Tax Fund to the Voted 1995, 1999 Refuse Collection Fund; to authorize and direct the Finance Director to enter into contract with ESEC Corporation dba Columbus Peterbilt and McNeilus Truck and Manufacturing Company for the purchase of truck cabs and chassis and bodies, respectively, which collectively constitute twelve (12) rear loading refuse collection trucks for the Refuse Collection Division; to authorize the expenditure of \$1,606,744.00 from the Voted 1995, 1999 Refuse Collection Fund and to declare an emergency. (\$1,606,744.00)

A motion was made by Ms. Thomas, seconded by Ms. Tavares, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Ms. Thomas, President Pro-Tem Mentel and President Habash

2324-2003

To authorize the Director of Public Utilities to modify the contract for Corrosion Control Air Handling Equipment Maintenance Services with Cornerstone Services, for the Division of Sewerage and Drainage; and to authorize the expenditure of \$100,000.00. (\$100,000.00)

A motion was made by Ms. Thomas, seconded by Ms. Tavares, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Ms. Thomas, President Pro-Tem Mentel and President Habash

2407-2003

To authorize the Director of the Department of Public Utilities to execute those documents necessary to release a certain portion of a water utility easement, located in the vicinity of Hamilton Road and Broadview Road, at the request of the Ben W. Hale, Jr., Trustee and to declare an emergency.

A motion was made by Ms. Thomas, seconded by Ms. Tavares, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Ms. Thomas, President Pro-Tem Mentel and President Habash

RULES & REFERENCE: HABASH, CHR. MENTEL SENSENBRENNER TAVARES

2431-2003

To modify Chapter 3372, "Planning Overlay", of the Columbus Zoning Code (Title 33) by renaming the 'Morse Road Planning Overlay' and 'High Street North of Morse Road Planning Overlay' with generic titles in order to facilitate their future application to additional corridors and/or areas, thereby creating a three-tiered structure of overlay districts.

Sponsors: Michael C. Mentel

A motion was made by President Pro-Tem Mentel, seconded by Ms. Tavares, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Ms. Thomas, President Pro-Tem Mentel and President Habash

DEVELOPMENT: O'SHAUGHNESSY, CHR. BOYCE TAVARES HABASH

2446-2003

An ordinance authorizing the City Clerk to execute and sign on behalf of the City of Columbus and the Columbus City Council the Petition for the creation of The RiverSouth Authority; and to declare an emergency.

A motion was made by Ms. O'Shaughnessy, seconded by President Pro-Tem Mentel, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Ms. Thomas, President Pro-Tem Mentel and President Habash

THE FOLLOWING THREE ITEMS WERE REMOVED FROM THE TABLE IN ONE MOTION

2452-2003

To authorize the Columbus Fire Chief to accept a grant award from Battelle for Bomb Squad training for the Division of Fire, to appropriate \$3,000.00 from the unappropriated balance of the Special Revenue Private Grants Fund, and to declare an emergency. (\$3,000.00)

SAFETY

A motion was made by President Habash, seconded by President Pro-Tem Mentel, that this matter be Taken from the Table. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner

Abstained: 1 - Ms. Thomas

Affirmative: 5 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, President Pro-Tem Mentel and President Habash

TABLED UNTIL (12/01/03)

A motion was made by President Habash, seconded by President Pro-Tem Mentel, that this matter be Tabled to Certain Date. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner
Abstained: 1 - Ms. Thomas
Affirmative: 5 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, President
Pro-Tem Mentel and President Habash

2433-2003

To authorize the Public Service Director to reimburse American Electric Power Company for utility relocation costs incurred in conjunction with the Dublin - Frantz at Hayden Run Road Improvement project for the Transportation Division; to authorize the expenditure of \$67,200.00 for this purpose from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$67,200.00)

PUBLIC SERVICE

A motion was made by President Habash, seconded by President Pro-Tem Mentel, that this matter be Taken from the Table. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner
Abstained: 1 - Ms. Thomas
Affirmative: 5 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, President
Pro-Tem Mentel and President Habash

TABLED UNTIL (12/01/02)

A motion was made by President Habash, seconded by President Pro-Tem Mentel, that this matter be Tabled to Certain Date. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner
Abstained: 1 - Ms. Thomas
Affirmative: 5 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, President
Pro-Tem Mentel and President Habash

2440-2003

To authorize the Public Service Director to pay Columbia Gas of Ohio and American Electric Power Company for utility relocation costs incurred in conjunction with the Polaris Parkway Widening Project for the Transportation Division; to authorize the expenditure of \$73,775.75 for this purpose from the 1995, 1999 Voted Streets and Highways Fund and to declare an emergency. (\$73,775.75)

PUBLIC SERVICE

A motion was made by President Habash, seconded by President Pro-Tem Mentel, that this matter be Taken from the Table. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner
Abstained: 1 - Ms. Thomas
Affirmative: 5 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, President
Pro-Tem Mentel and President Habash

TABLED UNTIL (12/01/03)

A motion was made by President Habash, seconded by President Pro-Tem Mentel, that this matter be Tabled to Certain Date. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner
Abstained: 1 - Ms. Thomas
Affirmative: 5 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, President Pro-Tem Mentel and President Habash

ADJOURNMENT

ADJOURNED: 6:20 P.M.

A motion was made by President Pro-Tem Mentel, seconded by Mr. Boyce, to adjourn this Regular Meeting. The motion carried by the following vote:

Absent: 1 - Mr. Sensenbrenner
Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Ms. Thomas, President Pro-Tem Mentel and President Habash



City of Columbus

Journal - Final

Zoning Committee

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

Monday, November 17, 2003

6:30 PM

Zoning Committee

REGULAR MEETING NO.48 OF CITY COUNCIL (ZONING), NOVEMBER 17, 2003 AT 6:30 P.M. IN COUNCIL CHAMBERS.

ROLL CALL

Absent: Sensenbrenner

Present: Chair Mentel: Mr. Boyce: President Habash: Ms. O'Shaughnessy:
Tavares and Thomas

READING AND DISPOSAL OF THE JOURNAL

**A motion was made by Chair Mentel, seconded by O'Shaughnessy, to
Dispense with the reading of the Journal and Approve. The motion
carried by the following vote:**

Absent: Sensenbrenner

Affirmative: Chair Mentel, Mr. Boyce, President Habash, Ms.
O'Shaughnessy, Tavares and Thomas

EMERGENCY, TABLED AND 2ND READING OF 30 DAY LEGISLATION

ZONING: MENDEL, CHR. BOYCE HABASH O'SHAUGHNESSY SENSENBRENNER TAVARES THOMAS

2155-2003

To grant a Variance from the provisions of Sections 3332.037, R-2F,
Residential District use; 3332.21, Building lines, Section 3332.26, Minimum
side yard permitted, 3342.28, Minimum number of parking spaces required
for property located at 774 MT. VERNON AVENUE (43203), to permit the
continued operation of a Fraternal organization.

**A motion was made by Chair Mentel, seconded by Tavares, that this
matter be Approved. The motion carried by the following vote:**

Absent: Sensenbrenner

Affirmative: Chair Mentel, Mr. Boyce, President Habash, Ms.
O'Shaughnessy, Tavares and Thomas

2338-2003

To rezone 345 WEST EIGHTH AVENUE (43201), being .228± acres located
on the south side of West Eighth Avenue, 71± feet east of Michigan Avenue,
From: I, Institutional District, To: R-4, Residential District (University Area
Commission; Z03-055).

**A motion was made by Chair Mentel that this matter be Approved. The
motion carried by the following vote:**

Absent: Sensenbrenner
Abstained: Thomas
Affirmative: Chair Mentel, Mr. Boyce, President Habash, Ms. O'Shaughnessy and Tavares

2356-2003

To rezone 1985 PAYNE AVENUE (43205), being 0.29± acres located on the south side of Payne Avenue, 64± feet west of Holtzman Avenue; From: AR-1, Apartment Residential District, To: M, Manufacturing District.

A motion was made by Chair Mentel, seconded by Tavares, that this matter be Approved. The motion carried by the following vote:

Absent: Sensenbrenner
Affirmative: Chair Mentel, Mr. Boyce, President Habash, Ms. O'Shaughnessy, Tavares and Thomas

2369-2003

To rezone 1116 EVANS WAY COURT (43228), being 0.79± acres located on the east side of Evans Way Court, 175± feet north of Fisher Road, From: C-4, Commercial Development District, To: CPD, Commercial Planned Development District. (Rezoning # Z03-068)

A motion was made by Chair Mentel, seconded by Tavares, that this matter be Amended to Emergency. The motion carried by the following vote:

Absent: Sensenbrenner
Affirmative: Chair Mentel, Mr. Boyce, President Habash, Ms. O'Shaughnessy, Tavares and Thomas

A motion was made by Chair Mentel, seconded by Tavares, that this matter be Amended. The motion carried by the following vote:

Absent: Sensenbrenner
Affirmative: Chair Mentel, Mr. Boyce, President Habash, Ms. O'Shaughnessy, Tavares and Thomas

A motion was made by Chair Mentel, seconded by Tavares, that this matter be Approved as Amended. The motion carried by the following vote:

Absent: Sensenbrenner
Affirmative: Chair Mentel, Mr. Boyce, President Habash, Ms. O'Shaughnessy, Tavares and Thomas

2112-2003

To rezone 2645 BETHEL ROAD (43220), being 1.02± acres located on the south side of Bethel Road, 106± feet east of Greystone Drive, From: R, Rural District, To: L-C-2, Limited Commercial District. (Rezoning # Z03-044)

A motion was made by Chair Mentel, seconded by O'Shaughnessy, that this matter be Amended. The motion carried by the following vote:

Absent: Sensenbrenner
Affirmative: Chair Mentel, Mr. Boyce, President Habash, Ms. O'Shaughnessy, Tavares and Thomas

A motion was made by Chair Mentel, seconded by Tavares, that this matter be Approved. The motion carried by the following vote:

Absent: Sensenbrenner

Affirmative: Chair Mentel, President Habash, Ms. O'Shaughnessy, Tavares and Thomas

Negative: Mr. Boyce

ADJOURNED: 6:50 P.M.

A motion was made by Tavares, seconded by Chair Mentel, to adjourn this Regular Meeting. The motion carried by the following vote:

Absent: Sensenbrenner

Affirmative: Chair Mentel, Mr. Boyce, President Habash, Ms.

O'Shaughnessy, Tavares and Thomas



City of Columbus

City Bulletin Report

File Number: 2107-2003

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

Introduced: 9/10/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Transportation Division work crews have performed alley rehabilitation work at the request of the Urban Infrastructure Recovery Fund program in the Argyle Park, North Linden, St. Mary's, Long and Mount Vernon, Krumm Park and Taylor Avenue neighborhoods (see attached area maps and listings of specific alleys). This work consists of surface grading and leveling, drainage improvements and selective repaving. Costs associated with these alley improvements have been tracked and totals \$203,132.10. This legislation authorizes reimbursing the Street Construction, Maintenance and Repair Fund, the division's operating fund, for this capital improvement work.

Funds for this alley work are budgeted in the Urban Infrastructure - Transportation project within the 1995, 1999 Voted Streets and Highways Fund.

Emergency legislation is requested in order to process payment prior to the close of the fiscal year.

To authorize the Public Service Director to reimburse the Street Construction, Maintenance Repair Fund for force account alley rehabilitation work performed by and for the Transportation Division; to authorize the expenditure of \$203,132.10 from the 1995, 1999 Voted Streets and Highways Fund for this purpose and to declare an emergency. (\$203,132.10)

WHEREAS, the Transportation Division has performed force account alley rehabilitation work at the request of the Urban Infrastructure Recovery Fund program; and

WHEREAS, it is necessary to reimburse the Street Construction, Maintenance and Repair Fund for the cost of this work; and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that it is immediately necessary to process this payment prior to the close of the calendar year, 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 hereby is authorized to reimburse the Street Construction, Maintenance and Repair Fund for force account alley rehabilitation work performed by the Transportation Division at the request of the Urban

Infrastructure Recovery Fund program.

SECTION 2. That for the purpose of paying for said alley rehabilitation work, the sum of \$203,132.10 is hereby 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 and Project 440005.

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.



City of Columbus
City Bulletin Report
File Number: 2112-2003

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

Introduced: 9/10/2003

Current Status: Passed

Version: 3

Matter Type: Ordinance

Rezoning Application Z03-044

APPLICANT: Dr. Khaled A. Farag; 733 Weston Park Drive; Powell, Ohio 43065.

PROPOSED USE: Office commercial uses.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on August 14, 2003.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The proposed L-C-2, Limited Commercial District is compatible with surrounding uses and is consistent with the land use recommendations of The Northwest Plan (1991), which recommends supporting multi-family and office uses as the most appropriate redevelopment uses.

To rezone 2645 BETHEL ROAD (43220), being 1.02± acres located on the south side of Bethel Road, 106± feet east of Greystone Drive, From: R, Rural District, To: L-C-2, Limited Commercial District. (Rezoning # Z03-044)

WHEREAS, application #Z03-044 is on file with the Building Services Division of the Department of Development requesting rezoning of 1.02± acres from R, Rural District, to L-C-2, Limited Commercial District respectively; 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 L-C-2, Limited Commercial District is compatible with surrounding uses and is consistent with the land use recommendations of The Northwest Plan (1991), which recommends supporting multi-family and office uses as the most appropriate redevelopment uses, 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:

2645 BETHEL ROAD (43220), being 1.02± acres located on the south side of Bethel Road, 106± feet east of Greystone Drive and being more particularly described as follows:

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

Being in Quarter Township 1, Township 1, United States Military Lands, and being part of a 28-acre tract conveyed by quit-claim deed of Earl H. Shoemaker et al. to Ross W. Shoemaker, and recorded in Deed Book 1471, Page 24, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at a spike in the center line of Bethel Road which bears South 86 deg. 30' East 1311.1 feet from the intersection of said center line with the west line of Quarter Township 1, said spike being at the northeast corner of the above mentioned 28-acre tract; thence South 2 deg. 42' West 400 feet to a point; thence North 86 deg. West 150 feet to a point; thence North 2 deg. 42' East 400 Feet to a point in the center line of Bethel Road; thence South 86 deg. 30' East 150 feet along said center line to the place of beginning; containing 1.375 acres, more or less. Subject to all legal highways.

EXCEPTING THEREFROM THE FOLLOWING:

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Township 1, Township 1, Range 19, United States Military Lands and being 0.172 acre of the Carroll P. and Dorothy B. Powell 1.375 acre tract of record in Deed Book 2264, Page 164, all reference being to those of record in the Recorder's Office, Franklin County, Ohio, and being more particularly bounded and described as follows:

Beginning at a point in the centerline of Bethel Road marking the northwest corner of said 1.375 acre tract and also marking the northeast corner of a 0.151 acre tract conveyed to the City of Columbus, by deed of record in Official Record 6519/E16;

thence South 87 degrees, 08'52" East, along the north line of said 1.375 ace tract and along the centerline of Bethel Road, a distance of 150.00 feet to the northeast corner of said Powell tract (said point also being in the westerly line of "C.P. SHOEMAKER SUBDIVISION", of record in Plat Book 23, Page 41);

thence leaving said centerline, South 2 degrees 01'55" West, along the easterly line of said Powell tract and the westerly line of said subdivision, a distance of 50.00 feet to a point;

thence leaving said property line and the line of said subdivision, North 87 degrees 08'52" West, parallel to and 50.00 feet southerly of, as measured at right angles, the centerline of Bethel Road, a distance of 150.00 feet to a point in the westerly line of said Powell tract and the southeasterly corner of said City of Columbus 0.151 acre

tract;

thence leaving said parallel line, North 2 degrees 01'55" East, along the line common to said tracts, a distance of 50.00 feet to the place of beginning and containing 0.172 acre of which the present right-of-way occupied 0.103 acre, leaving a next take of 0.069 acre, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

The bearings in the above description are based upon the centerline of Bethel Road as being south 87 degrees 08'52" East.

Also known as 2645 Bethel Road, Columbus, OH 43220
Being Parcel No.: 590-191437

Prior Instrument Reference: Deed Book 2264, Page 164, and Official Record 13887/HO6, Recorder's Office, Franklin County, Ohio.

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

SECTION 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved L-C-2, 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 TEXT", signed by Dr. Khaled A. Farag, Attorney for the Applicant, dated August 14, 2003, and reading as follows:

LIMITATION TEXT

APPLICATION: Z03-044

PROPOSED DISTRICT: L-C-2

PROPERTY ADDRESS: 2645 Bethel Road, Columbus, OH 43220
being 1.2± acres located on the south side of Bethel Road, 106± feet east of Greystone Drive.

OWNER: Dorothy Powell; 612 Orchard Court; Timperville, Ohio 43450

APPLICANTS: Dr. Khaled A. Farag; 733 Weston Park Drive; Powell, Ohio 43065.

DATE OF TEXT: August 14, 2003

1. INTRODUCTION: In this rezoning request, Owner and applicant desire to use the existing building as office and have the option to develop new office building with the following L-C-2 text.

2. PERMITTED USES: The permitted uses of the site will be those allowed by the C-2

zoning district, except that all drive through uses are excluded. Bill Boards, Cell transmission towers, nightclubs are excluded.

3. DEVELOPMENT STANDARDS: Unless otherwise indicated in this text, the applicable development standards of Chapter 3353 C-2 Office Commercial District of the Columbus City Codes shall apply.

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

1. Any new building shall be built to a setback equal to the average of the two existing residential structures to the west and east unless prohibited by the City of Columbus Zoning Code.
2. A drop off area and ADA compliant ramps may be placed in front of the existing building. All parking associated with the new structure shall be located on the side or behind the new building.

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

1. The existing entrance may be used only with the existing structure. The applicant agrees to construct a new entrance, against the eastern property line. The new entrance may be constructed and used with the existing structure. The existing access on Bethel Road will be closed to traffic and abandoned upon the construction of the new driveway and approach.

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

1. The site will be professionally landscaped with non-paved areas maintained as lawn or landscape.
2. Headlight screening to a height of 36", shall consist of evergreen plant material and/or mounding.
3. All trees and landscaping shall be well maintained. Dead items shall be replaced within six months or the next planting season, whichever occurs first.
4. All trees meet the following minimum size at the time of planting: Shade trees 2 1/2" caliper; Ornamental trees 1 1/2" caliper; Evergreen Trees 5 Feet in Height. Tree caliper is measured six (6) inches from the ground.

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

1. The building will have between 3/12 and 14/12 pitched roof with asphalt or fiberglass shingles.
2. The structure will employ materials including stucco, stucco stone, hardy plank,

wood, brick, Natural stone and glass. No vinyl or aluminum siding material will be incorporated on the east, west, and north sides of the new building. Garbage dumpster shall be located near the southwest corner of the new building.

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

1. The lighting of the parking shall be a maximum height of 18 feet utilizing down lighting.
2. The light poles will incorporate either pylon or concrete bases appropriate to the location on site, and shall be brown or black.
3. Lights shall have fully shielded, recessed lamps directed downward to prevent glare and shine above the horizontal plane. Additional external lighting of the existing structure and the proposed future building may be used to accent walkways and architectural design.
4. The external lighting will be shielded to prevent glare and off- premises illumination.

F. Graphics and/or Signage Commitments.

1. All signage and graphics shall conform to Article 15 of the Columbus Graphics Code. Any variance to these requirements will be submitted to the Columbus Graphics Commission for consideration.

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



City of Columbus

City Bulletin Report

File Number: 2155-2003

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

Introduced: 9/15/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

APPLICANT: John H. Bell Jr.; 2600 Saugus Circle; Columbus, Ohio 43224.

PROPOSED USE: Fraternal organization and social club.

NEAR EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicants seek a Council variance to continue operation a social club at the site. The applicants have operated at this location since 1982. Fraternal organizations are permitted only in the AR-3, Apartment Residential District, C-4, Commercial and M, Manufacturing Districts.

To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential District use; 3332.21, Building lines, Section 3332.26, Minimum side yard permitted, 3342.28, Minimum number of parking spaces required for property located at 774 MT. VERNON AVENUE (43203), to permit the continued operation of a Fraternal organization.

WHEREAS, by application No. CV02-061, the owner of property at 774 MT. VERNON AVENUE (43203), is requesting a Council variance to permit an existing social club in the R-2F, Residential District; and

WHEREAS, a Council variance is necessary to permit a fraternal organization or social club in the R-2F, Residential District; and

WHEREAS, Section 3332.037, R-2F Residential District, prohibits fraternal organizations and social clubs, while the applicant proposes to continue operation a fraternal organization that was established in 1982; and

WHEREAS, Section 3332.21, Building lines, requires a minimum building setback of twenty-five (25) feet from East Long Street, while the applicant proposes to maintain the building setback of zero (0) feet for the existing building; and

WHEREAS, Section 3332.26, Minimum side yard permitted, requires a side yard of no less than five feet, while the applicant proposes to maintain the location of the existing buildings within the required side yard; and

WHEREAS, Section 3342.28, Parking spaces required, requires a total of forty-three (43) parking spaces for the fraternal organization, while the applicant proposes no parking spaces; and

WHEREAS, the applicant has an agreement to share parking with the Shiloh Baptist Church which is located approximately sixty (60) feet north of the site; and

WHEREAS, the Near East Area Commission recommends approval; and

WHEREAS, City Departments recommend approval and note a hardship exists because the R-2F, Residential District does not permit a fraternal organization or social club, which is the way this property has been used since the applicant purchased it; and

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

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

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at 774 MT. VERNON AVENUE (43203), in using said property as desired; now, therefore:

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

Section 1. To grant a Variance from the provisions of Sections 3332.037, R-2F Residential District use; 3332.21, Building lines; 3332.26, Minimum side yard permitted; 3342.28, for property located at 774 MOUNT VERNON AVENUE (43203), being 0.08± acres located at the northeast corner of East Long Street and Garfield Avenue insofar as said sections prohibit a fraternal organizations or social club in the R-2F Residential District with reduced building lines, reduced side yard setbacks and reduced parking, being more particularly described as follows:

Situated in the County of Franklin in the State of Ohio and in the County of Franklin and being further described and located as follows:

Being the southerly part of Lot Number (2) of John Short's Subdivision of Outlot 9 of Robert Neil's Addition of Inlots and Outlots to the City of Columbus as the same is numbered and delineated upon the recorded plat thereof of record in Plat Book 1, page 246, Recorder's Office, Franklin County, Ohio., and more particularly described as follows: Beginning at an iron pipe in the southwest corner of said Lot Number Two (2); thence northerly on the west line of Lot Number Two (2) a distance of eighty-four (84) feet to an iron pipe; thence easterly on a line of said Lot Number Two (2); thence

southerly on the east line of said lot Lot Number (2) a distance of seventy-two (72) feet to an iron pipe in the south line of said Lot Number Two (2) said point being also the southeast corner of Lot Number Two (2); thence westerly along the south line of said Lot Number Two (2) to the place of beginning.

Commonly known as 772-774 Mt. Vernon Avenue Columbus, OH PARCEL #10-380004 Prior Instrument Reference: Vol. 047854 Page 09413D10-1 of the Deed Records of Franklin County, Ohio.

Section 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for operation of a fraternal organization or social club or those uses permitted in the R-2F, Residential District.

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

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



City of Columbus

City Bulletin Report

File Number: 2233-2003

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

Introduced: 9/26/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Background:

-This ordinance will enable the Director of the Office of Education to accept a grant, enter into an agreement with the Columbus Foundation, and provide for the appropriation of said funds to the Education Private Grant Fund No. 291.

-Private grant funding will be used in connection with after-school programming through the Office of Education

-The goals of the after-school programming are: (1) To provide leadership that encourages, coordinates, and finances the improved delivery of comprehensive out-of-school time youth programs; (2) to expand the number of elementary and middle school children served in out-of-school time programs; (3) to build a network of affordable, accessible, safe, and challenging out-of-school time youth programs; and, (4) to improve the quality of programs and focus on results for children.

To authorize and direct the Director of the Office of Education to accept a grant in the amount of \$40,000.00 and enter into an agreement with The Columbus Foundation for funding to support after school programming, to authorize an appropriation of \$40,000.00 from the unappropriated balance of the Education Private Grant Fund No. 291 to the Office of Education.(\$40,000.00)

WHEREAS, The Columbus Foundation has awarded the City of Columbus, Office of Education, a grant for after school programming; and

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

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Director of the Office of Education be and is hereby authorized and directed to accept a grant in the amounts of \$40,000.00 and enter into an agreement with The Columbus Foundation for after-school programming.

Section 2. That from the unappropriated monies in the Education Private Grant Fund No. 291, 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, 2004, the sum of \$40,000.00 is appropriated to the Office of Education

Department No.40-04, as follows:

Grant Title	Object Grant No. OCA Code	Level	Amount
After School Projects	400002	400002	2290 \$35,000.00
After School Projects	400002	400002	3336 \$ 5,000.00

Section 3. That the monies in the foregoing Section 2 shall be paid upon order of the Director of the Office of Education, 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.



City of Columbus

City Bulletin Report

File Number: 2234-2003

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

Introduced: 9/26/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Automated side loader collection vehicles are an integral part of the Refuse Collection Division's mechanized collection system. This ordinance authorizes the purchase of nine (9) automated side loader trucks to replace aging, high maintenance expense vehicles. Formal competitive bids were solicited and opened by the Purchasing Office on July 31, 2003 (solicitation #SA000481). Bids were received from the following (vendor/make and model/unit cost):

Cab and Chassis Bids

Graham Ford, Inc./Sterling Condor: \$88,671.00

Miami Valley International Trucks, Inc./International: \$89,546.00

ESEC Corporation dba Columbus Peterbilt/Peterbilt 320: \$90,227.00*

Great Lakes Service Center, Inc./Crane Carrier LCF-44: \$108,500.00

Great Lakes Service Center, Inc./Crane Carrier LET2-44: \$109,000.00

Body Bids

McNeilus Truck and Manufacturing Company/McNeilus: \$53,200.00

Wayne Engineering Corporation/Wayne CT24FE: \$54,855.00

Miami Valley International Trucks, Inc./Wayne CT24FE: \$54,855.00

Schodorf Truck Body and Equipment Company, Inc./Heil 7000: \$54,950.00*

*met bid specifications

The complete refuse collection truck consists of the cab, chassis, and body. The Refuse Collection Division recommends the purchase of the Peterbilt cab and chassis from ESEC Corporation (majority), contract compliance number 34-1285858 (expiring September 17, 2006), and the Heil body from Schodorf Truck Body and Equipment Company (majority), contract compliance number 31-4416487 (expiring February 14, 2005), as the lowest, best, most responsive, and most responsible bids. The total cost of the complete truck is \$158,149.78 per unit including these bid options:

Included Options (Cab and Chassis)

Telma braking system - \$8,495.00 per unit, \$76,455.00 total

Two (2) diagnostic laptop computers with software - \$4,400.00 per unit, \$8,800.00 total

Included Options (Body)

Hopper screen - \$650.00 per unit, \$5,850.00 total

Camera monitoring system - \$2,250.00 per unit, \$20,250.00 total

Python hydraulic arm with oil bath grabber gear box - \$600.00 per unit, \$5,400.00 total

The division expended \$1,300,257.00 in 2001 for the purchase of nine (9) automated side loader units (\$144,473.00/unit). The division expended \$2,917,062.01 in 2002 for the purchase of nineteen (19) automated side loader units (average \$153,529.58/unit).

This expense is budgeted within the Voted 1995, 1999 Refuse Collection Fund and is consistent with the division's scheduled collection vehicle replacement program. This ordinance also appropriates and transfers funding within the Special Income Tax Fund because all unencumbered cash within the Refuse Collection Fund has been exhausted. This method of funding is a temporary measure until the City sells notes or bonds for this acquisition.

Emergency action is requested to expedite the receipt of these new trucks that have a long delivery lead-time.

To appropriate and authorize the City Auditor to transfer \$1,423,348.00 from the Special Income Tax Fund to the Voted 1995, 1999 Refuse Collection Fund; to authorize and direct the Finance Director to enter into contract with ESEC Corporation dba Columbus Peterbilt and Schodorf Truck Body and Equipment Company for the purchase of truck cabs and chassis and bodies, respectively, which collectively constitute nine (9) automated side loader refuse collection trucks for the Refuse Collection Division; to authorize the expenditure of \$1,423,348.00 from the Voted 1995, 1999 Refuse Collection Fund, and to declare an emergency. (\$1,423,348.00)

WHEREAS, the Purchasing Office solicited formal competitive bids to acquire automated side loader refuse collection trucks on behalf of the Refuse Collection Division, and

WHEREAS, bids received for solicitation #SA000481 were opened on July 31, 2003, and

WHEREAS, the purchase of these vehicles constitutes part of this division's scheduled vehicle replacement program and is a budgeted expense within the division's 2003 capital improvement budget, and

WHEREAS, these trucks will replace aging and high maintenance expense vehicles, and

WHEREAS, it is necessary to appropriate monies within the Special Income Tax Fund and transfer the same to the 1995, 1999 Voted Refuse Collection Fund, and

WHEREAS, an emergency exists in the usual daily operation of the Refuse Collection Division, Public Service Department, in that it is immediately necessary to enter into contract for the purchase of these vehicles to ensure their timely delivery, 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 Special Income Tax Fund, Fund 430, and from the 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 \$1,423,348.00 be and hereby is appropriated to the City Auditor, Department No. 22-01, Object Level One Code 10, Object Level Three Code 5500, OCA Code 920023.

SECTION 2. That the City Auditor is hereby authorized to transfer said funds to the Voted 1995, 1999 Refuse Collection Fund, Fund 703, at such time as it is deemed necessary by the City Auditor and to expend said funds or so much thereof as may be necessary.

SECTION 3. That \$1,423,348.00 is hereby appropriated within the Voted 1995, 1999 Refuse Collection Fund, Fund 703, Department No. 59-02, Refuse Collection Division, Object Level One Code 06, Object Level Three Code 6652, OCA Code 644419, Project 520001 for the purchase of nine (9) automated side loader refuse collection trucks for the Refuse Collection Division.

SECTION 4. That upon obtaining other funds for this capital improvement, the City Auditor is hereby authorized to repay the Special Income Tax Fund the amount transferred under Section 2 above, and said funds are hereby deemed appropriated for such purpose.

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

SECTION 6. That the City intends that this ordinance constitute an official intent for purposes of Section 1.150-2(e) of the Treasury Regulations promulgated pursuant to the Internal Revenue Code of 1986, as amended.

SECTION 7. That the Finance Director be and hereby is authorized and directed to enter into contract for the purchase of nine (9) automated side loader refuse collection trucks for the Refuse Collection Division as follows:

Vendor / Item / Amount

ESEC Corporation dba Columbus Peterbilt/truck cabs and chassis: \$897,298.00

Schodorf Truck Body and Equipment Company/truck bodies: \$526,050.00

Total \$1,423,348.00

SECTION 8. That the expenditure of \$1,423,348.00 or so much thereof as may be needed be and hereby is authorized from the Voted 1995, 1999 Refuse Collection Fund, Fund 703, Department No. 59-02, Refuse Collection Division, Object Level One Code 06, Object Level Three Code 6652, OCA Code 644419, Project 520001 to pay the cost thereof.

SECTION 9. 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.



City of Columbus

City Bulletin Report

File Number: 2235-2003

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

Introduced: 9/26/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Manual side loader collection vehicles are an integral part of the Refuse Collection Division's mechanized collection system. This ordinance authorizes the purchase of three (3) 17 cubic yard manual side loader trucks to replace aging, high maintenance expense vehicles. Formal competitive bids were solicited and opened by the Purchasing Office on July 24, 2003 (solicitation #SA000484GRW). Bids were received from the following (vendor/make and model/unit cost):

Cab and Chassis Bid

Center City International/International: \$49,771.00

Body Bids

McNeilus Truck and Manufacturing Company/McNeilus 20 cubic yard: \$45,000.00

Best Equipment Company, Inc./body/LaBrie: \$52,163.00

Schodorf Truck Body and Equipment Company, Inc./body/Shu-Pak: \$69,101.00*

Combined Cab and Chassis and Body Bids

Graham Ford, Inc./Sterling Acterra and Shu-Pak: \$116,733.00

Ace Equipment Sales, Inc./Lodal EVO: \$138,300.00

*met bid specifications

The complete refuse collection truck consists of the cab, chassis, and body. The Refuse Collection Division recommends the purchase of the Sterling cab and chassis and the Shu-Pak body from Graham Ford (majority), contract compliance number 34-0901877 (expiring January 15, 2006), as the lowest, best, most responsive and most responsible bid. The total cost of the complete truck is \$122,576.00 per unit including these bid options:

Included Options (Cab and Chassis)

Right Hand floor heater, \$820.00 per unit, \$2,460.00 total

Included Options (Body)

Second Cart Dumper on Street Side, \$5,023.00 per unit, \$15,069.00 total

The division has not purchased manual side loaders for several years.

This expense is budgeted within the Voted 1995, 1999 Refuse Collection Fund and is

consistent with the division's scheduled collection vehicle replacement program. This ordinance also appropriates and transfers funding within the Special Income Tax Fund because all unencumbered cash within the Refuse Collection Fund has been exhausted. This method of funding is a temporary measure until the City sells notes or bonds for this acquisition.

Emergency action is requested to expedite the receipt of these new trucks that have a long delivery lead-time.

To appropriate and authorize the City Auditor to transfer \$367,728.00 from the Special Income Tax Fund to the Voted 1995, 1999 Refuse Collection Fund; to authorize and direct the Finance Director to enter into contract with Graham Ford for the purchase of three (3) manual side loader refuse collection trucks for the Refuse Collection Division; to authorize the expenditure of \$367,728.00 from the Voted 1995, 1999 Refuse Collection Fund, and to declare an emergency. (\$367,728.00)

WHEREAS, the Purchasing Office solicited formal competitive bids to acquire manual side loader refuse collection trucks on behalf of the Refuse Collection Division; and

WHEREAS, bids received for solicitation #SA000484GRW were opened on July 24, 2003; and

WHEREAS, the purchase of these vehicles constitutes part of this division's scheduled vehicle replacement program and is a budgeted expense within the division's 2003 capital improvement budget; and

WHEREAS, these trucks will replace aging and high maintenance expense vehicles; and

WHEREAS, it is necessary to appropriate monies within the Special Income Tax Fund and transfer the same to the 1995, 1999 Voted Refuse Collection Fund; and

WHEREAS, an emergency exists in the usual daily operation of the Refuse Collection Division, Public Service Department, in that it is immediately necessary to enter into contract for the purchase of these vehicles to assure their timely delivery, 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 Special Income Tax Fund, Fund 430, and from the 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 \$367,728.00 be and hereby is appropriated to the City Auditor, Department No. 22-01, Object Level One Code 10, Object Level Three Code 5500, OCA Code 920023.

SECTION 2. That the City Auditor is hereby authorized to transfer said funds to the Voted 1995, 1999 Refuse Collection Fund, Fund 703, at such time as it is deemed necessary by the City Auditor and to expend said funds or so much thereof as may be necessary.

SECTION 3. That \$367,728.00 is hereby appropriated within the Voted 1995, 1999 Refuse Collection Fund, Fund 703, Department No. 59-02, Refuse Collection Division, Object Level One Code 06, Object Level Three Code 6652, OCA Code 644419, Project 520001 for the purchase of three (3) manual side loader refuse collection trucks for the Refuse Collection Division.

SECTION 4. That upon obtaining other funds for this capital improvement, the City Auditor is hereby authorized to repay the Special Income Tax Fund the amount transferred under Section 2 above, and said funds are hereby deemed appropriated for such purpose.

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

SECTION 6. That the City intends that this ordinance constitute an official intent for purposes of Section 1.150-2(e) of the Treasury Regulations promulgated pursuant to the Internal Revenue Code of 1986, as amended.

SECTION 7. That the Finance Director be and hereby is authorized and directed to enter into contract with Graham Ford for the purchase of three (3) manual side loader refuse collection trucks for the Refuse Collection Division for \$367,728.00.

SECTION 8. That the expenditure of \$367,728.00 or so much thereof as may be needed be and hereby is authorized from the Voted 1995, 1999 Refuse Collection Fund, Fund 703, Department No. 59-02, Refuse Collection Division, Object Level One Code 06, Object Level Three Code 6652, OCA Code 644419, Project 520001 to pay the cost thereof.

SECTION 9. 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.



City of Columbus

City Bulletin Report

File Number: 2236-2003

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

Introduced: 9/26/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Rear loading collection vehicles are an integral part of the Refuse Collection Division's mechanized collection system. This ordinance authorizes the purchase of twelve (12) rear loading trucks to replace aging, high maintenance expense vehicles. Formal competitive bids were solicited and opened by the Purchasing Office on July 31, 2003 (solicitation #SA000485). Bids were received from the following (vendor/make and model/unit cost):

Cab and Chassis Bids

Graham Ford/cab and chassis/Sterling Condor: \$87,532.00
ESEC Corporation dba Columbus Peterbilt/Peterbilt 320: \$88,314.00*
Great Lakes Service Center, Inc./Crane Carrier LET2-46: \$107,500.00

Body Bids

McNeilus Truck and Manufacturing Company/McNeilus: \$42,448.00*
Schodorf Truck Body and Equipment Company, Inc./Heil DPF5000: \$44,486.00*
Best Equipment Company, Inc./Leach 2R-III: \$44,970.00
Ace Equipment Sales/New Way King Cobra: \$47,045.00
Holtz Industries, Inc./Loadmaster XL 25 yard: \$51,092.00

*met bid specifications

The complete refuse collection truck consists of the cab, chassis, and body. The Refuse Collection Division recommends the purchase of the Peterbilt cab and chassis from ESEC Corporation (majority), contract compliance number 34-1285858 (expiring September 17, 2006), and the McNeilus body from McNeilus Truck and Manufacturing Company (majority), contract compliance number 41-1314526 (expiring January 17, 2004), as the lowest, best, most responsive and most responsible bids. The total cost of the complete truck is \$133,895.33 per unit including these bid options:

Included Options (Cab and Chassis)

Two (2) diagnostic laptop computers with software - \$4,400.00 per unit, \$8,800.00 total

Included Options (Body)

Camera monitoring system - \$2,400.00 per unit, \$28,800.00 total

The division has not purchased rear loading trucks for many years, making expenditure comparisons with previous years difficult and complicated.

This expense is budgeted within the Voted 1995, 1999 Refuse Collection Fund and is consistent with the division's scheduled collection vehicle replacement program. This ordinance also appropriates and transfers funding within the Special Income Tax Fund because all unencumbered cash within the Refuse Collection Fund has been exhausted. This method of funding is a temporary measure until the City sells notes or bonds for this acquisition.

Emergency action is requested to expedite the receipt of these new trucks that have a long delivery lead-time.

To appropriate and authorize the City Auditor to transfer \$1,606,744.00 from the Special Income Tax Fund to the Voted 1995, 1999 Refuse Collection Fund; to authorize and direct the Finance Director to enter into contract with ESEC Corporation dba Columbus Peterbilt and McNeilus Truck and Manufacturing Company for the purchase of truck cabs and chassis and bodies, respectively, which collectively constitute twelve (12) rear loading refuse collection trucks for the Refuse Collection Division; to authorize the expenditure of \$1,606,744.00 from the Voted 1995, 1999 Refuse Collection Fund and to declare an emergency. (\$1,606,744.00)

WHEREAS, the Purchasing Office solicited formal competitive bids to acquire rear loading refuse collection trucks on behalf of the Refuse Collection Division, and

WHEREAS, bids received for solicitation #SA000485 were opened on July 31, 2003, and

WHEREAS, the purchase of these vehicles constitutes part of this division's scheduled vehicle replacement program and is a budgeted expense within the division's 2003 capital improvement budget, and

WHEREAS, these trucks will replace aging and high maintenance expense vehicles, and

WHEREAS, it is necessary to appropriate monies within the Special Income Tax Fund and transfer the same to the 1995, 1999 Voted Refuse Collection Fund, and

WHEREAS, an emergency exists in the usual daily operation of the Refuse Collection Division, Public Service Department, in that it is immediately necessary to enter into contract for the purchase of these vehicles to assure their timely delivery, 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 Special Income Tax Fund, Fund 430, and from the 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 \$1,606,744.00 be and hereby is appropriated to the

City Auditor, Department No. 22-01, Object Level One Code 10, Object Level Three Code 5500, OCA Code 920023.

SECTION 2. That the City Auditor is hereby authorized to transfer said funds to the Voted 1995, 1999 Refuse Collection Fund, Fund 703, at such time as it is deemed necessary by the City Auditor and to expend said funds or so much thereof as may be necessary.

SECTION 3. That \$1,606,744.00 is hereby appropriated within the Voted 1995, 1999 Refuse Collection Fund, Fund 703, Department No. 59-02, Refuse Collection Division, Object Level One Code 06, Object Level Three Code 6652, OCA Code 644419, Project 520001 for the purchase of twelve (12) rear loading refuse collection trucks for the Refuse Collection Division.

SECTION 4. That upon obtaining other funds for this capital improvement, the City Auditor is hereby authorized to repay the Special Income Tax Fund the amount transferred under Section 2 above, and said funds are hereby deemed appropriated for such purpose.

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

SECTION 6. That the City intends that this ordinance constitute an official intent for purposes of Section 1.150-2(e) of the Treasury Regulations promulgated pursuant to the Internal Revenue Code of 1986, as amended.

SECTION 7. That the Finance Director be and hereby is authorized and directed to enter into contract for the purchase of twelve (12) rear loading refuse collection trucks for the Refuse Collection Division as follows:

Vendor / Item / Amount

ESEC Corporation dba Columbus Peterbilt/truck cabs and chassis: \$538,176.00

McNeilus Truck and Manufacturing Company/truck bodies: \$1,068,568.00

Total \$1,606,744.00

SECTION 8. That the expenditure of \$1,606,744.00 or so much thereof as may be needed be and hereby is authorized from the Voted 1995, 1999 Refuse Collection Fund, Fund 703, Department No. 59-02, Refuse Collection Division, Object Level One Code 06, Object Level Three Code 6652, OCA Code 644419, Project 520001 to pay the cost thereof.

SECTION 9. 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.



City of Columbus

City Bulletin Report

File Number: 2322-2003

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

Introduced: 10/8/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: The Division of Water entered into a contract with Bale Contracting Inc., for the Group One Water Line Improvements Project on January 17, 2002 under the authority of Ordinance No. 1965-01 passed December 3, 2001.

CONTRACT AMOUNT:

Original Contract Amount	\$544,727.70
First Modification	\$190,000.00
This Modification	\$25,574.84
New Contract Amount	\$760,302.54

CONTRACT COMPLIANCE NUMBER: 31-0996994

EXPLANATION:

1. Amount of additional funds to be expended under this modification: \$25,574.84
2. Reasons additional goods/services could not be foreseen initially: This modification provides for changes in construction necessitated by actual field conditions and represents the final payment to the contractor for this project
3. Reasons other procurement processes are not used: The Standard Construction and Material Specifications of the City of Columbus (C.M.S.C.) provides for alterations in the Contract or character of work as specified in Section 104.02 of the C.M.S.C.
4. How cost increase was determined: The cost of this modification was determined as specified in Section 104.03 (Extra Work) and Section 104.04 (Modification of Contract) of the C.M.S.C.

The original contract provided for the Group One Water Line Improvements Project.

This modification provides for the additional quantities and pay items necessary to complete this water line rehabilitation job.

TOTAL AMOUNT OF MODIFICATION NO. 2	INCREASE
\$25,574.84	

FISCAL IMPACT: This project is included in the 2003 C.I.B. and funds are being transferred to provide the monies needed for this project.

EMERGENCY: Emergency legislation is being requested to allow for the timely payment to the contractor.

To authorize the Director of Public Utilities to modify the contract with Bale Contracting Inc., for the Group One Water Line Improvements Project for the Division of Water, to authorize the City Auditor to transfer funds within the Waterworks Enlargement Voted 1991 Bonds Fund, to authorize the expenditure of \$25,574.84 from the Waterworks Enlargement Voted 1991 Bonds Fund, and to declare an emergency. (\$25,574.84)

WHEREAS, Contract No. EA025186-002 was authorized by Ordinance No. 1965-01, passed December 3, 2001, was executed on January 17, 2002 and was approved by the City Attorney on February 1, 2002, and

WHEREAS, it is necessary to modify Contract No. EA025186-002 to provide monies for changes in construction necessitated by actual construction and field conditions, and

WHEREAS, an emergency exists in the usual daily operation of the Division of Water, Department of Public Utilities in that it is immediately necessary to authorize the Director of Public Utilities to modify Contract No. EA025186-002 in order to provide for the proper completion of the Group One Water Line Improvements Project 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 he is hereby authorized to modify Contract No. EA025186-002 with Bale Contracting Inc., 1247 Stimmel Road, Columbus, Ohio 43223 for the Group One Water Line Improvements Project, Division of Water, Contract No. 937, Project 690236 in accordance with the terms and conditions as shown on the modification on file in the office of the Division of Water.

Section 2. That this contract modification is in accordance with the requirements of Section 329.13 of the Columbus City Code.

Section 3. 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 4. That for the purpose expressed in Section 1 and 2 above, the expenditure of \$25,574.84 or as much thereof as may be needed be and the same is authorized from the Water Works Enlargement Voted 1991 Bonds Fund No. 606, Department 60, Division 09, OCA Code 642900, Object Level Three 6629, Object Level One 06, Project 690236.

Section 5. 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 6. That the City Auditor is hereby authorized and directed to transfer funds within the Waterworks Enlargement Voted 1991 Bonds Fund, Fund No. 606, Department of Public Utilities, Division of Water, as follows:

From:

690290	Distribution Improvements,	
	OCA Code 642900	\$16,232.08
690371	Fisher Road Booster Station,	
	OCA Code 690375	\$3,848.17
690450	Griggs Booster Station,	
	OCA Code 690450	\$4,450.00

To:

690236	Water line Rehabilitation,	
	OCA Code 642900	\$24,530.25

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



City of Columbus

City Bulletin Report

File Number: 2324-2003

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

Introduced: 10/8/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

1. BACKGROUND:

A. **Need.** This legislation authorizes the Director of Public Utilities to modify an existing contract for Corrosion Control Air Handling Equipment Maintenance Services for the Division of Sewerage and Drainage, in order to continue scheduled services to the Division.

B. **Contract History.** The existing contract was bid on July 26, 2000. The low bidder was Cornerstone Services of Plain City, Ohio. A contract with this entity was authorized by Ordinance No. 2172-00, passed October 17, 2000.

The

bid documents contemplated incremental funding of a multi-year contract. Ordinance No. 1538-02, passed October 28, 2002, authorized the first modification of this contract. It is now proposed to again modify the contract to provide funds to continue services, under the City's option.

C. **Contract Compliance No.** 311410535.

D. **Emergency Designation.** Emergency designation is not requested.

2. FISCAL IMPACT:

A. **Budget Information.** Funds for this project were budgeted in the amount of \$140,000.00 for FY2003.

B. **Contract Modification Information Pursuant to Section 329.16, CCC:**

1) **Amount of Additional Funds - This Modification.** \$100,000.00

2) **Why the Need for Additional Work Could Not Be Foreseen.** The need for contract continuance via modification to provide incremental funding was foreseen, and was included in the original procurement's specifications.

3) **Why Other Procurement Processes Would Not Be In the City's Best Interest.** This modification is deemed the most feasible and reasonable means of continuing to provide needed services.

4) How the Cost of the Modification Was Determined. The cost of the modification to this contract was based upon extension of prices in the current contract.

C. Historical Data: Amounts appropriated for these services in prior years are:

FY2002	\$170,000
FY2001	0
FY2000	120,000

[enter text here]

To authorize the Director of Public Utilities to modify the contract for Corrosion Control Air Handling Equipment Maintenance Services with Cornerstone Services, for the Division of Sewerage and Drainage; and to authorize the expenditure of \$100,000.00. (\$100,000.00)

WHEREAS, Ordinance No. 2172-00, passed October 17, 2000, authorized the Director of Public Utilities to enter into contract for Corrosion Control Air Handling Equipment Maintenance Services with Cornerstone Services, for the Division of Sewerage and Drainage; and,

WHEREAS, this contact was previously modified pursuant to Ordinance No. 1538-02, passed October 28, 2002; and,

WHEREAS, it is immediately necessary to authorize the Director of Public Utilities to modify the existing contract with Cornerstone Services, in order to provide for continuation of Corrosion Control Air Handling Equipment Maintenance Services; Now, Therefore,

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

Section 1. That the Director of Public Utilities be, and hereby is, authorized to modify Contract No. EL000829/EL000830 with Cornerstone Services, 10779 US Rt. 42, Plain City OH 43064, in order to continue and extend services, 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 expenditure of \$100,000.00, or so much thereof as may be needed, is hereby authorized from Sewerage System Operating Fund 650, Department 60-05, to pay the cost of the modification to Contract No. EL000829/EL000830, as follows:

OCA Code	Object Level 3	Amount
605063	3372	\$100,000.00
	Total -	\$100,000.00

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



City of Columbus
City Bulletin Report
File Number: 2338-2003

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

Introduced: 10/10/2003

Current Status: Passed

Version: 3

Matter Type: Ordinance

Rezoning Application Z03-055

APPLICANT: Buckeye Real Estate; c/o Donald Plank, Atty.; 145 East Rich Street; Columbus, Ohio 43215.

PROPOSED USE: Multi-family residential and pre-school use.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on September 11, 2003.

UNIVERSITY AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is located within an area south of the Ohio State University zoned almost exclusively within the R-4, Residential District and developed with single and multi-family dwellings. The applicant requests to rezone a house converted into a preschool use from the I, Institutional District to the R-4, Residential District. The requested district is consistent with the zoning pattern of the area.

To rezone **345 WEST EIGHTH AVENUE (43201)**, being .228± acres located on the south side of West Eighth Avenue, 71± feet east of Michigan Avenue, **From:** I, Institutional District, **To:** R-4, Residential District (University Area Commission; Z03-055).

WHEREAS, application #Z03-055 is on file with the Building Services Division of the Department of Development requesting rezoning of .228± acres from I, Institutional District, to R-4, Residential District; and

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

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

WHEREAS, the City Departments recommend approval of said zoning change because the site is located within an area south of the Ohio State University zoned almost exclusively within the R-4, Residential District and developed with single and multi-family dwellings. The applicant requests to rezone a house converted into a preschool use from the I, Institutional District to the R-4, Residential District. The requested district is consistent with the zoning pattern of the area, 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:

345 WEST EIGHTH AVENUE (43201), being .228± acres located on the south side of West Eighth Avenue, 71± feet east of Michigan Avenue and being more particularly described as follows:

LEGAL DESCRIPTION

0.228+ Acres

345 W. 8th Avenue, Columbus, OH

Situate in the State of Ohio, County of Franklin, City of Columbus and being Lot Numbers Sixty-Seven (67) and Sixty-Eight (68) of Elizabeth J. McMillen's Homestead Addition, as the same is numbered and delineated upon the recorded plat thereof, in Plat Book No. 4, Page 400, Recorder's Office, Franklin County, Ohio.

To Rezone From: from I, Institutional District,

To: R-4, Residential District

SECTION 2. That a Height District of Thirty-five (35) feet is hereby established on the R-4, 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 R-4, Residential District and Application among the records of the Building Services Division as required by Section 3370.03 of the Columbus City Codes.

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



City of Columbus

City Bulletin Report

File Number: 2356-2003

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

Introduced: 10/16/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Rezoning Application Z03-066

APPLICANT: Clyde E. Price; c/o Fred Hutchison, Arch; 1166 Bryden Road; Columbus, Ohio 43229.

PROPOSED USE: Office/warehouse.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on October 9, 2003.

NEAR EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The Applicant requests the M, Manufacturing District to construct an office-warehouse building. The site is located north of the Interstate 70 and Alum Creek Drive intersection in an area predominately developed with manufacturing uses.

To rezone 1985 PAYNE AVENUE (43205), being 0.29± acres located on the south side of Payne Avenue, 64± feet west of Holtzman Avenue; From: AR-1, Apartment Residential District, To: M, Manufacturing District.

WHEREAS, application #Z03-066 is on file with the Building Services Division of the Department of Development requesting rezoning of 0.29± acres from AR-1, Apartment Residential District, to M, Manufacturing District; and

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

WHEREAS, the Near East Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the Applicant requests the M, Manufacturing District to construct an office-warehouse building. The site is located north of the Interstate 70 and Alum Creek Drive intersection in an area predominately developed with manufacturing uses, and, 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:

1985 PAYNE AVENUE (43205), being 0.29± acres located on the south side of Payne Avenue, 64± feet west of Holtzman Avenue and being more particularly described as follows:

Legal Description

Commencing at the centerline intersection of Payne Avenue and Holtzman Avenue, and proceeding westward 77' along the centerline of Payne Avenue, then proceeding Southward 9' to Payne Avenue right of way, then proceeding westward 99' on the Payne Avenue right of way, then proceeding southward 127' to the alley right of way, then proceeding eastward 99' on the alley right of way, then proceeding northward 127' to the starting point on the Payne Avenue right of way; also known as lots 13, 14, 15, and 3 feet of the western portion of lot 16 of C.D. James Addition, and measuring .29 acres.

To Rezone From: AR-1, Apartment Residential District,

To: M, Manufacturing District

SECTION 2. That a Height District of Thirty-five (35) feet is hereby established on the M, Manufacturing 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 M, Manufacturing District and Application among the records of the Building Services Division as required by Section 3370.03 of the Columbus City Codes.

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



City of Columbus

City Bulletin Report

File Number: 2362-2003

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

Introduced: 10/16/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

This ordinance is submitted to settle the lawsuit known as Sandra Trask-Tyler, at al. v. Columbus City Recreation & Parks Department, et al., Court of Common Pleas of Franklin County, Ohio, Case No. 02 CVC 02-1791, in the amount of \$55,000.00. FISCAL IMPACT: Funds are available for this settlement that will cost \$55,000.00.

To authorize and direct the City Attorney to settle the lawsuit of Sandra Trask-Tyler, et al. v. Columbus City Recreation & Parks Department, et al., Court of Common Pleas of Franklin County, Ohio, Case No. 02 CVC 02-1791, to authorize the expenditure of \$55,000.00, and to declare an emergency.

WHEREAS, on February 17, 2000, at approximately 4:50 pm at Woodward Park Recreation Center, 5147 Karl Road, an incident occurred involving City of Columbus, Recreation & Parks Department, and Tia Tyler (a minor); and

WHEREAS, on that date and at that location Tia Tyler was involved in a Columbus Recreation and Parks soccer class when a ball was kicked which struck a gym ceiling light causing the light to break and the glass within the light to fall striking Tia Tyler in the face; and

WHEREAS, as a result of the incident Tia Tyler was injured by the falling glass; and

WHEREAS, Tia Tyler received emergency medical treatment involving repair of a facial laceration, and then ongoing medical care to monitor the progress of the injury. Ultimately Tia Tyler was diagnosed with a permanent facial scar which is not amenable to any further surgical repair; and

WHEREAS, a settlement in the amount of \$55,000.00 with Sandra Trask-Tyler and Marc Tyler, on behalf of themselves and as parents and next best friends of Tia Tyler, is deemed reasonable, along with a dismissal of the lawsuit by the Plaintiffs, and a release of Defendants from any further liability; and

WHEREAS, the amount of \$55,000.00 will be paid to Ringler Associates, which will disburse the settlement sum, and purchase annuities which will later be disbursed to Tia Tyler; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus, and that it is immediately necessary to pay this settlement 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 City Attorney be and hereby is authorized and directed to settle the lawsuit of Sandra Trask-Tyler, et al. v. Columbus City Recreation & Parks Department, al., Court of Common Pleas of Franklin County, Ohio, Case No. 02 CVC-02-1791, by the payment of \$55,000.00 to Ringler Associates Inc., as a reasonable and fair amount in the best interests of the City of Columbus. The Settlement Agreement and Release, which embodies these terms, will be presented for approval to the Franklin County Probate Court, and the release of the payment of \$55,000.00 to Ringler Associates Inc., is subject to that approval.

Section 2. That for the purposes of paying this settlement, there be and hereby is authorized to be expended by the City of Columbus, Department of Recreation & Parks, Division Number 51-02, OCA Code 510289, Object Level One 05, Object Level Three 5533, Fund No. 285.

Section 3. That the City Auditor be and is hereby authorized to draw a warrant upon the City Treasurer in the sum of \$55,000.00 to Ringler Associates Inc., upon approval by the City Attorney.

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.



City of Columbus

City Bulletin Report

File Number: 2369-2003

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

Introduced: 10/20/2003

Current Status: Passed

Version: 3

Matter Type: Ordinance

Rezoning Application: Z03-068

APPLICANT: McGlaughlin Oil Company; c/o Edward W. Erfurt, III, Atty.; 85 East Gay Street, Suite 508; Columbus, Ohio 43215.

PROPOSED USE: Car Wash.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on October, 9 2003.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The Applicant requests the CPD, Commercial Planned Development district to develop a car wash. The site is located adjacent the Interstate 70 and Hilliard-Rome Road interchange in an area developed with similar commercial land-uses. The proposed use is consistent with the land-use recommendations of the West Columbus Interim Development Concept: 1991.

To rezone 1116 EVANS WAY COURT (43228), being 0.79± acres located on the east side of Evans Way Court, 175± feet north of Fisher Road, From: C-4, Commercial Development District, To: CPD, Commercial Planned Development District and to declare an emergency. (Rezoning # Z03-068)

WHEREAS, application #Z03-068 is on file with the Building Services Division of the Department of Development requesting rezoning of 0.79± acres from C-4, Commercial District to CPD, Commercial Planned Development 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 construct the carwash in order that construction can commence before the winter sets in 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 the CPD, Commercial Planned Development district to develop a car wash. The site is located adjacent the Interstate 70 and Hilliard-Rome

Road interchange in an area developed with similar commercial land-uses. The proposed use is consistent with the land-use recommendations of the West Columbus Interim Development Concept: 1991, 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:

1116 EVANS WAY COURT (43228), being 0.79± acres located on the east side of Evans Way Court, 175± feet north of Fisher Road and being more particularly described as follows:

DESCRIPTION OF THE PARCEL OF LAND TO BE RE-ZONED TO CPD:
Situated in the State of Ohio, County of Franklin, City of Columbus, and being more particularly described as follows:

Beginning at the northeast corner of the Fas Lube tract, thence along the north line of said tract North 83°04'09" West a distance of 285.15 feet to a point;

Thence North 6°55' 51" West a distance of 120.00 feet to a point;

Thence North 83°04'09" East a distance of 285.15 feet to a point;

Thence South 6°55' 51" East a distance of 120.00 feet to the place of beginning, and containing .7855 acres, more or less.

To Rezone From: C-4, Commercial District,

To: CPD, Commercial Planned Development District.

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

SECTION 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Building Services Division as required by Section 3311.12 of the Columbus City Codes; said plans being titled, "NEW CAR WASH FOR MCGLAUGHLIN OIL", signed by Steve Theodor, Applicant, and dated October 16, 2003 and text titled, "CPD TEXT", signed by Steve Theodor, Applicant, and dated October 8, 2003, and the text reading as follows:

CPD Text

PROPOSED DISTRICT: CPD Commercial Planned Development
PROPERTY ADDRESS: 1116 Evans Way Court
OWNER: McGlaughlin Oil Company
APPLICANT: Same as owner
DATE OF TEXT: October 8 November 17, 2003
APPLICATION NUMBER: Z03-068

1. INTRODUCTION: The purpose of this rezoning is to modify Ordinance 1531-87 to permit a car wash.

2. PERMITTED USES: Permitted uses shall be those as governed by Chapter 3355, C-5, Commercial District, City of Columbus Zoning Code, except that drive-through carry-outs and adult bookstores/entertainment/motion picture, and billboards shall be prohibited.

3. DEVELOPMENT STANDARDS: Except as otherwise noted, the applicable development standards of Chapter 3355 shall apply.

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

1. Setbacks: Setbacks are as shown on the site plan.

2. Density: Lot coverage for structures and paved areas may not exceed eighty-five per cent (85%) of net usable area (gross zoned acreage excluding publicly dedicated streets). Sidewalks and paved plazas at building entrances shall not be considered a part of lot coverage.

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

1. Traffic Access: Access to this parcel will be via a shared ingress/egress drive between this parcel and the parcel to the south.

2. Loading: The loading/service area shall not face Evans Way Court.

3. Parking: The number of parking spaces are shown on the site plan.

4. Stacking: Vehicle stacking will be 4 per bay for a total of 12, and vehicle drying spaces are not required.

B. Buffering, Landscaping, Open Spaces, and/or Screening Commitments:

1. All parking areas adjacent to Evans Way Court shall have headlight screening of 30 inches minimum height along and parallel to the site frontage as measured from the elevation of the nearest section of the adjacent parking areas. Landscaping with a fence, hedge, and/or earth-formed berm treatment shall be required parallel and adjacent to Evans Way Court within the parking and maneuvering setback area, for at least 50% of the frontage of the site. Landscaping shall be installed and maintained as shown on the Landscape Plan.

-
2. Tree plantings shall be required at a density of one per forty lineal feet of frontage at a minimum distance of 10 feet from and parallel to Evans Way Court.
 3. All trees and landscaping shall be well-maintained. Dead items shall be replaced within six months or the next planting season, whichever occurs first.
 4. All trees shall meet the following size requirements at the time of planting: Shade trees- 2-1/2 inch caliper, Ornamental trees- 1-1/2 inch caliper, Evergreen trees-5 feet in height. Tree caliper is measured six inches from the ground.

C. Building Design and/or Interior-Exterior Treatment Commitments:

1. Building materials shall be brick, stone, split face block, fluted block, stucco, or glass, individually or in combination thereof. In addition, painted wood or vinyl siding as an accent material may be used, not to exceed 40% in area of each façade.
2. Pitched Roof: The building shall have a pitched roof with a slope of 5:12 minimum.

D. 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 to prevent off-site spillage.
3. All external outdoor fixtures to be used shall be from the same or similar manufacturer's type to insure compatibility.
4. Accent lighting shall be permitted providing such light source is concealed.
5. All light poles and standards shall be black, brown, or bronze in color, and shall not exceed 22 feet in height.
6. In front of the building at the portico there shall be space to display vending machines. The space shall be 6'-8" feet deep and 12 feet wide. This area shall contain only those items normally and customarily sold by this type of facility, including, but not limited to: washing and drying cloths, fragrances, other car care products, soft drink machines, and change machines.

E. Graphics and/or Signage Commitments:

1. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code and any variance to those requirements shall be submitted to the Columbus Graphics Commission for consideration.

F. Variances Requested:

Stacking spaces as shown on site plan.

CPD REQUIREMENTS

A. Natural Environment

The property is located at the southwest corner of Hilliard-Rome Road and I-70. The site is essentially flat. It lies between two already developed parcels, one containing a Bob Evans Restaurant, and the other a Fas-Lube automobile oil changing facility. The property is zoned C-4.

B. Existing Land Use:

The existing land is used for commercial purposes.

C. Transportation and Circulation

Evans Way Court and the ingress/egress roadway have already been constructed.

D. Visual Form of the Environment

The site is generally flat but has an area for landscaping along Evans Way Court. There are no trees or other landscaping on the site.

E. View and Visibility

In the development of the subject property and in the location of the building, consideration has been given to the visibility and safety of the motorists and pedestrians. This new building will enhance the area.

F. Proposed Development

The applicant shall comply with the current city requirements regarding storm water runoff and sanitary sewers. Storm drainage has been accounted for on CC-13118.

G. Behavior Patterns

The subject property is at a location where traffic volumes already exist. The proposed development will emphasize existing behavior patterns. The shared ingress/egress drive will moderate turning traffic.

H. Emissions

The site is bordered by a restaurant on the north and an oil changing facility on the south. Odors will be comparable to those from these existing facilities. Outside noise should not increase noticeably with the addition of the automatic car washing machines and the self-service machines and vacuum cleaners. Trash will be placed in a dumpster contained in an enclosure complying with the requirements of Section 3342.09. There does not appear to be any threat of any unusual emissions from this facility.

The subject site shall be developed in accordance with the site plan. The site plan may be slightly adjusted to reflect engineering, topographical or other site data developed at the time of development and engineering plans are completed. Any slight adjustment to the plan shall be reviewed and may be approved by the Director of the Department of Development or his designee upon submission of the appropriate data regarding the proposed adjustment.

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



City of Columbus

City Bulletin Report

File Number: 2376-2003

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

Introduced: 10/20/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Background:

This ordinance will authorize the Director of Recreation and Parks to enter into a contract with the Chiller at Easton (Fed. ID# 31-1535747/002) and provide adequate funding for expenditures in conjunction with Ice Hockey Program for the remainder of 2003 and through January 31, 2004.

Expenditures include costs for ice rental time at the Chiller at Easton and for introductory ice skating trips.

Emergency legislation is requested to enable the Hockey Program to operate during November and December of 2003 and through January 2004.

Fiscal Impact:

\$2,200.00 is required and budgeted from the Recreation and Parks Operating Fund to meet the financial obligation of this expenditure.

To authorize the Director of Recreation and Parks to enter into a contract with the Chiller at Easton, to authorize an expenditure from the Recreation and Parks Operating Fund in the amount of \$2,200.00 in conjunction with the Ice Hockey Program for the remainder of 2003 and through January 31, 2004, and to declare an emergency. (\$2,200.00)

WHEREAS, it is necessary to to enter into a contract with the Chiller at Easton and to pay expenses associated with the Ice Hockey Program for the remainder of 2003 and through January 31, 2004; and

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

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

SECTION 1. That the Columbus Recreation and Parks Department is hereby authorized to pay expenses associated with the Ice Hockey Program for the remainder of 2003 and through January 31, 2004.

SECTION 2. That the expenditure of \$2,200.00, or so much thereof as may be necessary, be and is hereby authorized from the Recreation and Parks Operating Fund, Department No. 51-01, as follows, to pay the cost thereof.

Fund Type	Fund	Object Project Title	OCA Level 3	Code	Amount
Operating	285	Youth Ice Hockey Program at the Chiller		3336 510297	\$2,200.00

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 monies paid except by voucher, the form of which shall be approved by the City Auditor.

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



City of Columbus

City Bulletin Report

File Number: 2384-2003

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

Introduced: 8/12/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND This ordinance authorizes the transfer of \$477,000.00 from Object 10 of the Finance Director's Office to Object 02 of the Division of Fire to provide funds for pharmaceutical and medical supplies purchases. Funds were set aside under Object 10 specifically for these purchases.

Bid Information: N/A

Contract Compliance: N/A

Emergency Designation: This legislation is to be considered an emergency measure since it is imperative that additional funds be provided in Object 02 so that the Division of Fire can purchase the aforementioned supplies.

FISCAL IMPACT: There is sufficient appropriation within Object 10 of the Finance Director's Office to accommodate this transfer of funds.

To authorize and direct the transfer of \$477,000.00 from the Finance Director's Office to the Division of Fire General Fund Budget to provide funds for pharmaceutical and medical supplies purchases; and to declare an emergency. (\$477,000.00)

WHEREAS, funds were set aside under Object 10 of the Finance Director's Office for the purchase of pharmaceutical and medical supplies for the Division of Fire; and

WHEREAS, these funds need to be transferred from Object 10 of the Finance Director's Office to the Fire Division's Object 02 where they can be expended for the aforementioned purpose; 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 transfer funds 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 City Auditor be and is hereby authorized and directed to transfer \$477,000.00 within the General Fund, Fund 010, as follows:

Transfer From Dept./Div. #45-01 Finance Director; General Fund 010; Object Level 1 10; Object Level 3 5501; OCA 904508; \$477,000.00.

Transfer To Dept./Div. #30-04 Fire Division; General Fund 010; Object Level 1 02;
Object Level 3 2207; OCA 301531; \$477,000.00.

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.



City of Columbus

City Bulletin Report

File Number: 2388-2003

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

Introduced: 10/22/2003

Current Status: Passed

Version: 2

Matter Type: Ordinance

BACKGROUND: The City of Columbus, Department of Public Safety, Division of Communications, has been awarded grant funds through the United States Department of Justice, Community Oriented Policing Services (COPS), under the Interoperable Communications Technology Grant Program for:

- I. Radio consoles for the Police and Fire Communications Center, which allows connecting City and County talk groups at the dispatcher level for interoperability between City and County Systems;
- II. Radio System interconnect device and associated peripheral equipment which allows connecting disparate radio systems; and
- III. 140 Portable Radios, given to surrounding counties for interoperability after the recipients provide the required 25% matching funds.

FISCAL: There will be no impact to the general fund. The associated 25% grant match of \$835,637 will be funded through bond proceeds within the Public Safety Department.

EMERGENCY DESIGNATION: Emergency designation is needed to ensure the grant time frames (one year from September 1, 2003) are met for the completion of the project.

To authorize the Mayor of the City of Columbus to accept United States Department of Justice, Community Oriented Policing Services (COPS) funding under the COPS Interoperable Communications Technology Grant Program of \$2,506,913.00, to authorize the appropriation of same, and to declare an emergency.

Whereas, The City of Columbus, Department of Public Safety, Division of Communications was awarded funding from the United States Department of Justice, Community Oriented Policing Services (COPS) funding under COPS Interoperable Communications Technology Grant Program; and,

Whereas, funding is needed for radio consoles for the Police and Fire Communications Center, a radio system interconnect device, and portable radios.

WHEREAS, an emergency exists in the daily operations of the Department of Public Safety, Division of Communications, in that it is immediately necessary to authorize the Mayor to accept the United States Department of Justice, Community Oriented Policing Services (COPS) funding, 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 the Mayor of the City of Columbus be and is hereby authorized and directed to accept a United States Department of Justice, Community Oriented Policing Services (COPS) funding grant, under the COPS Interoperable Communications Technology Grant Program; and,

Section 2. That from the unappropriated monies in the General Government Grant Fund and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the project award period the sum of \$2,506,913.00 is appropriated as follows:

Div 3002 Fund 220 OBJ#2 Obj #3 6644 OCA #324001 Grant #324001
Amount \$2,506,913.00

Section 3. That the monies appropriated in the foregoing 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 reasons stated in the preamble, hereto, which is 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 of ten days after passage if the Mayor neither approves nor vetoes the same.



City of Columbus
City Bulletin Report
File Number: 2404-2003

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

Introduced: 10/24/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: This ordinance is submitted to settle the lawsuit known as Terence Tabaczynski v. The City of Columbus, et al., United States District Court Case No. C2-02-536, in the amount of \$39,000.00.

FISCAL IMPACT: Funds are available for this settlement that will cost \$39,000.00.

To authorize and direct the City Attorney to settle the lawsuit of Terence Tabaczynski v. The City of Columbus, et al., United States District Court Case No. C2-02-536, to authorize the expenditure of \$39,000.00, and to declare an emergency.

WHEREAS, there was a burglary at the Dairy Queen located at 811 Park Road in Columbus on October 3, 2001, in which the telephone lines and burglar alarm wires outside the building were cut ; and

WHEREAS, a fingerprint was lifted from an outside utility box near where the lines and wires had been cut, and the fingerprint was that of Terence Tabaczynski; and

WHEREAS, a warrant for the arrest of Mr. Tabaczynski was issued and he spent two nights in jail, when his fingerprint was on the utility box because he was the Ameritech repairman who repaired the damage after the burglary; and

WHEREAS, it is in the best interests of the City to settle this case for a total of \$39,000.00;

WHEREAS, by reason of the foregoing an emergency exists in the usual daily operations of the City and it would be to the City's best interest to compromise and settle this matter and for further preservation of the public health, peace, property, safety and welfare, now, therefor:

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

Section 1. That the City Attorney be and hereby is authorized and directed to settle the lawsuit of Terence Tabaczynski v. The City of Columbus, et al., United States District Court, Southern District of Ohio, Eastern Division, Case No. C2-02-536, by the payment of \$39,000.00, as a reasonable and fair amount in the best interests of the City of Columbus.

Section 2. That for the purposes of paying this settlement, there be and hereby is authorized to be expended by the Department of Public Safety, Division of Police,

Division No. 30-03, OCA Code 301382, Object Level One 05, Object Level Three 5539, Fund No. 010the sum of \$39,000.00.

Section 3. That the City Auditor be and is hereby authorized to draw a warrant upon the City Treasurer in the sum of \$39,000.00 payable to Terence Tabaczynski and his attorney, James McNamara upon receipt of a voucher and a release approved by the City Attorney.

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.



City of Columbus

City Bulletin Report

File Number: 2405-2003

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

Introduced: 10/24/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND:

This legislation will authorize the transfer of \$55,00.00 within the Recreation and Parks Operating Fund to have monies in the proper account to meet the necessary expenditure regarding the Trask-Tyler case settlement.

This ordinance is submitted as an emergency 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. Additionally, emergency legislation is necessary to allow funding to be available for necessary expenditure.

FISCAL IMPACT:

\$55,000.00 is being transferred within the Recreation and Parks Operating Fund, as shown in Section 2 of this ordinance.

To authorize and direct the transfer of \$55,000.00 within the Recreation and Parks Operating Fund to complete a necessary expenditure regarding the Trask-Tyler case settlement, and to declare an emergency. (\$55,000.00)

WHEREAS, funds from reimbursable expenses of general funds are being transferred to meet the necessary expenditure regarding the Trask-Tyler case; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to appropriate and transfer 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 amount of \$55,000.00 is hereby authorized to be transferred within the Recreation and Parks Operating Fund, as follows:

SECTION 2. That the transfer of \$55,000.00 within the Recreation and Parks Operating Fund be and is hereby authorized to provide funds to complete a necessary expenditure regarding the Trask-Tyler case settlement, as follows:

FROM:

Object				
Fund No.	Dept. No.	OCA Code	Level 3	Amount
285	51-01	510297	2206	\$25,000.00
285	51-01	510297	2212	11,000.00
285	51-01	510255	2217	19,000.00

TOTAL \$55,000.00

TO:

Fund Type	Dept.	Fund	Object	Level 3	OCA Code	Amount
Operating	51-01	285	5533	510289		\$55,000.00

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



City of Columbus

City Bulletin Report

File Number: 2407-2003

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

Introduced: 10/24/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Background: The City of Columbus, Ohio holds title to an easement by virtue of a recorded deed of easement. The subject real property, which is more fully described in the body of this legislation, is located in the vicinity of Hamilton Road and Broadview Road. Ben W. Hale, Jr., Trustee, has requested that a portion of said easement be released. After investigation, it has been determined by the Division of Water, that the release of easement will not adversely affect the City and therefore should be granted. The following legislation authorizes the Director of the Department of Public Utilities to execute those instruments necessary to release a portion of the aforementioned water easement.

Fiscal Impact: There is no charge for this release of easement because the water line was relocated at the expense of the property owner.

Emergency Justification: Emergency Justification is requested by the Real Estate Division to as not to the delay the property owner in developing the property through which the existing easement runs.

To authorize the Director of the Department of Public Utilities to execute those documents necessary to release a certain portion of a water utility easement, located in the vicinity of Hamilton Road and Broadview Road, at the request of the Ben W. Hale, Jr., Trustee and to declare an emergency.

WHEREAS, the City of Columbus, Department of Public Utilities, is the owner of a water easement, located in the vicinity of Hamilton Road and Broadview Road, more fully described in the body of this legislation; and

WHEREAS, Ben W. Hale, Jr., Trustee, has requested that a portion of the aforementioned water easement be released; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus, that it is immediately necessary to authorize the Director of Public Utilities to execute those instruments prepared by the Real Estate Division, Department of Law, necessary to release a certain portion of a City owned water utility easement 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 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 portion of a water easement in the following described real property:

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 4, Township 2, Range 17, United States Military Lands and being a portion of an existing easement as granted to the City of Columbus of record in Official Records Vol. 9515, E-13 (all deed references refer to records of the Recorder's Office, Franklin County, Ohio) and described as follows:

Beginning for reference at the centerline of Hamilton Road with Relocated Broadview Road (Plat Book 93, Pages 595 and 596;

Thence N 03° 18' 12" E, with the centerline of said Hamilton Road, a distance of 683.34 feet to a point;

Thence N 86° 41' 48" W, a distance of 60.00 feet to the southeasterly corner of said Easement, in the westerly right-of-way line of Hamilton Road at the True Point Of Beginning for this description;

Thence N 86° 27' 02" W, with the southerly line of said existing Easement, a distance of 1399.61 feet to a point on a curve in the easterly right-of-way line of Chilmark Drive;

Thence with said easterly right-of-way line the following courses:

With a curve to the right having a central angle of 18° 47' 41", a radius of 20.00 feet and a chord bearing and distance of N 20° 43' 02" E, 6.53 feet to a point of tangency;

N 30° 06' 52" E, a distance of 9.80 feet to a point in the northerly line of said existing Easement;

Thence S 86° 27' 02" E, with said northerly line, a distance of 1393.24 feet to the northeasterly corner thereof, in the westerly right-of-way line of said Hamilton Road;

Thence S 03° 28' 48" W, with said westerly right-of-way line, a distance of 15.00 feet to the True Point Of Beginning, and containing 0.481 acre of land, more or less.

EMH&T, Inc., Clark E. White, R.S. #7868, 8/28/03.

Prior Instrument Reference: O.R. Vol. 9515, Pg. E-13,

Recorder's Office, Franklin County, Ohio.

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



City of Columbus
City Bulletin Report
File Number: 2414-2003

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

Introduced: 10/27/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: This ordinance adjusts appropriations and transfers funds within the Department of Development, Development Service Fund, to enable recovery of non-general fund personnel expenses and provide for increased costs for Fleet, banking services, settlements and replacement equipment. Emergency action is requested in order to meet current year obligations.

FISCAL IMPACT: Funds are available within current year appropriated balances.

To authorize and direct the City Auditor to adjust appropriations and transfer \$358,538.00 within Department of Development, Development Services Fund; and to declare an emergency. (\$358,538.00)

Whereas, the Department of Development needs to recover non-General Fund costs of operations; and

Whereas, with said non-General Fund costs can and should be attributed to activities funded through the Development Services fund budget for the Department; and

Whereas, the unanticipated settlements, increases in fuel costs, banking services and replacement equipment needs have created shortages in other areas; and

Whereas, an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to adjust appropriations and transfer funds thereby preserving the public peace, health, 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 adjust appropriations and transfer \$358,538.00 within the Department of Development, Development Services Fund 240, as follows:

FROM:

Division Number	Object Level One	Object Level Three	OCA Code	Amount
44-06	01	1101	440653	\$ 13,274.00
44-06	01	1143	440653	\$ 2,140.00
44-06	01	1150	440653	\$ 4,935.00
44-06	01	1160	440653	\$ 3,435.00
44-06	01	1169	440653	\$ 376.00
44-03	02	2201	440371	\$ 16,000.00
44-03	02	2201	440376	\$ 6,000.00
44-03	02	2201	440377	\$ 5,000.00
44-03	02	2201	440379	\$ 2,553.00
44-03	01	1101	440374	\$165,000.00
44-03	01	1101	440380	\$ 75,000.00
44-03	01	1101	440382	\$ 14,825.00
44-03	01	1141	440370	50,000.00
				\$358,538.00

TO:

Division Number	Object Level One	Object Level Three	OCA Code	Amount	
44-01	01	1000	440859	\$ 89,618.00	
44-01	01	1000	440110	\$ 133,038.00	
44-06	02	2193	440653	\$ 18,670.00	
44-03		06	6649	440371	\$ 4,148.00
44-03	03	3348	440371	\$ 10,587.00	
44-03		03	3380	440385	\$ 25,000.00
44-03		05	5561	440372	\$ 77,477.00
				\$ 358,538.00	

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.



City of Columbus

City Bulletin Report

File Number: 2416-2003

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

Introduced: 10/27/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Background: The City of Columbus, Ohio is the owner of a certain sanitary easement, located in the vicinity of 750 Stelzer Road and East Fifth Avenue, by virtue of recorded deeds of easement. Kemp, Schaeffer, Rowe & Lardiere Co., L.P.A., has requested the City release a portion of the aforementioned sewer easement in exchange for a previously granted replacement easement. After investigation, it has been determined that the proposed exchange of easements will not adversely affect the City and therefore should be granted. The following legislation authorizes the Director of the Department of Public Utilities to execute those instruments necessary to release a portion of the aforementioned sewer easement, fully described in the body of this legislation, in exchange for a previously granted replacement easement. **Fiscal Impact:** N/A **Emergency Justification:** The City has already been granted replacement easements for the subject easements to be released, emergency action is requested to allow the development of the tract encumbered with this easement to continue without delay.

To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release a certain sewer easement, located in the vicinity of 750 Stelzer Road and East Fifth Avenue, at the request of Kemp, Schaeffer, Rowe & Lardiere Co., L.P.A. in exchange for a replacement easement previously granted to the City of Columbus, Ohio and to declare an emergency.

WHEREAS, the City of Columbus, Department of Public Utilities, is the owner of a certain sanitary sewer easement, located in the vicinity of 750 Stelzer Road and East Fifth Avenue, as recorded in Deed Book Volume 2739, Page 104 of the Franklin County Recorders Office; and

WHEREAS, Kemp, Schaeffer, Rowe & Lardiere Co., L.P.A has requested that a certain portion of the aforementioned sewer easement 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 easement rights will not adversely affect the operations of the City of Columbus;

WHEREAS, an emergency exists in the usual daily operation of The Department of Public Utilities, Division of Sewerage and Drainage, that it is immediately necessary to

authorize the Director of Public Utilities to execute those documents necessary to release certain portions of the subject easement to allow for the continued development of the real property encumbered with this easement 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 the Department of Public Utilities be, and hereby is authorized to execute those documents, prepared and/or approved by the Department of Law, Real Estate Division, necessary to release a certain portion of a sanitary easement in the following described real property, to wit:

DESCRIPTION OF A 10.00-FOOT WIDE EASEMENT

SITUATE in the State of Ohio, County of Franklin, City of Columbus, and being part of a 10.00-foot wide sanitary sewer easement of record in Deed Book 2739, Page 104, and in Deed Book 2788, Page 522, both deed books being in the Recorders Office, Franklin County, Ohio said part being more particularly described as follows: Beginning at the southeast corner of said easement, said corner being on the south line of a 5.443 acre tract conveyed to Sierra Hospitality Group LLC by deed of record in Instrument 200101220013717, said corner being South 86 ° 15' 49" East, a distance of 192.7 feet from a southwest corner of said 5.443 acre tract, and 5.00 feet west of the original centerline of Osbourne Avenue; thence with said south line, North 86° 15'49" West, a distance of 10.00 feet to the Southwest Corner of said easement; thence across said 5.443 acre tract with the west line of said easement, North 04°55'11" East, a distance of 295.17 feet to a point on the south line of a 20.00 foot wide sanitary sewer easement of record in Deed Book 3095, Page 295; thence with the south line of said 20.00 foot wide easement, South 86°15'17" East, a distance of 10.00 feet to appoint on the east line of said 10.00 foot wide easement; thence with the east line of said 10.00 foot wide easement, South 04°55'11" West, a distance of 295.17 feet to the point of beginning, containing 2951 square feet or 0.068 acre. All Deed Books, and Instruments mentioned are those found in the Recorders Office, Franklin County, Ohio. Bearings are based on the south line of said 5.443 acre tract of record in Instrument 200101220013717, of North 86°15'49" West. This description was prepared by Robert G. Watts, Reg. Prof. Surveyor # 4138.

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 passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.



City of Columbus

City Bulletin Report

File Number: 2420-2003

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

Introduced: 10/27/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: For the option to purchase Softballs for the Recreation and Parks Department, the largest user. The term of the proposed option contract would be three years.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA000500). Forty-nine (MAJ:45, MBE:3, FBE:1) bids were solicited; three (MAJ:3) bids received.

The Purchasing Office is recommending award of a contract to the low bidder:
A. D. Starr, MAJ, CC#25-1821175
Estimated Annual Expenditure: \$46,831.20

This ordinance is being submitted as an emergency because, without emergency action, no less than 37 days will be added to this procurement cycle and the efficient delivery of valuable public services will be slowed.

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Purchasing Contract Account. The Recreation and Parks Department will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

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

WHEREAS, the Purchasing Office advertised and solicited formal bids on August 28, 2003 and selected the lowest bid; and

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

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into a contract for an option to purchase Softballs, 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 Softballs in accordance with Solicitation No. SA000500 as follows:

A. D. Starr, Item(s) 1, 2, and 3, in the amount of \$1.00

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

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



City of Columbus

City Bulletin Report

File Number: 2430-2003

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

Introduced: 10/28/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: The Board of Health has been awarded a contract from the Licking County Board of Health. The contract provides funds for residential and school radon testing and outreach activities. This ordinance is needed to accept and appropriate \$30,238 awarded to fund the Indoor Radon Project. The Indoor Radon program will enable the Health Department to offer radon testing in homes and schools within the service areas of the City of Columbus and Worthington to document the extent of the environmental problem and to fulfill a responsibility to reduce radon health hazards. This contract is for the period October 1, 2003 through September 30, 2004.

Emergency action is requested 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.

FISCAL IMPACT: This contract is entirely funded by the Licking County Board of Health and is budgeted in the 2003 Health Department Grants Fund. This project will not generate revenue or require a City match.

To authorize and direct the Board of Health to accept a contract from the Licking County Board of Health in the amount of \$30,238; to authorize the appropriation of \$30,238 from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency. (\$30,238.00)

WHEREAS, \$30,238 has been made available through the Licking County Board of Health for the Indoor Radon program; and,

WHEREAS, this ordinance is submitted as an emergency so as to allow the financial transaction to be posted in the City's accounting system as soon as possible. Up to date financial posting promotes accurate accounting and financial management; and,

WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to accept this contract from the Licking County Board of Health and to appropriate these funds to the Health Department for the immediate preservation of the public health, peace, property, safety and welfare; Now, therefore,

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

SECTION 1. That the Board of Health is hereby authorized and directed to accept a

contract award of \$30,238 from the Licking County Board of Health for the Indoor Radon program for the period October 1, 2003 through September 30, 2004.

SECTION 2. That from the monies in the Fund known as 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 December 31, 2003, the sum of \$30,238 is hereby appropriated to the Health Department, Department No. 50-01, as follows:

Object Level One	OCA Code	Purpose	Amount
01	504056	Personnel Services	\$18,778
02	504056	Supplies-Operation & Maintenance	\$ 2,625
03	504056	Services-Operation & Maintenance	\$ 8,835
Total for Grant No. 504056			\$30,238

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

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



City of Columbus

City Bulletin Report

File Number: 2431-2003

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

Introduced: 10/28/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: Two planning overlays, unique to Morse Road and a portion of North High Street, were developed and approved in 2002. Though named for specific geographies, the 'Morse Road Planning Overlay' and 'High Street North of Morse Road Planning Overlay' contain provisions that may be applicable to other roadways and corridors. To avoid the proliferation of unique, geography-specific names as additional overlay districts are created, the Planning Division is seeking to rename the overlays with generic titles: 'Regional Commercial Overlay' and 'Community Commercial Overlay'. In addition, the language within the text of each overlay will be made generic to simplify the application and enforcement of the overlay provisions, enable future overlay areas to be created and ensure consistency in the zoning code.

FISCAL IMPACT: No funding is required for this legislation.

To modify Chapter 3372, "Planning Overlay", of the Columbus Zoning Code (Title 33) by renaming the 'Morse Road Planning Overlay' and 'High Street North of Morse Road Planning Overlay' with generic titles in order to facilitate their future application to additional corridors and/or areas, thereby creating a three-tiered structure of overlay districts.

WHEREAS, the Columbus City Council adopted Urban Commercial Overlay legislation in 1999 to protect, re-establish and retain the unique aesthetic and architectural characteristics of urban commercial corridors; and

WHEREAS, the Columbus City Council subsequently adopted the Morse Road Planning Overlay and High Street North of Morse Road Planning Overlay in 2002 to sustain and promote pedestrian-friendly, safe and aesthetically pleasing development along Morse Road and a portion of North High Street; and

WHEREAS, all three overlays contain provisions that are applicable to additional roadway corridors and/or intersections; and

WHEREAS, the Morse Road Planning Overlay and High Street North of Morse Road Planning Overlay, unlike the Urban Commercial Overlay, contain specific references to geographic areas in their titles and codified text; and

WHEREAS, removing the specific geographic references contained in the Morse Road

Planning Overlay and High Street North of Morse Road Planning Overlay will enable the Planning Division to apply the overlays to additional districts, simplify the application and enforcement of the overlay provisions and ensure consistency in the zoning code; now, therefore,

ORDAINING LANGUAGE CONTAINED IN ATTACHMENT (ORD 2431-2003
OVERLAY VERBAGE.DOC)

2431-2003

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

Section 1. That the existing Section 3372.601 of the Columbus City Codes, 1959, is hereby amended to read as follows:

Building Frontage: "Building frontage" means the side, or facade, of a building closest to and most nearly parallel to an abutting street.

Building Frontage, Primary: "Primary building frontage" means a building frontage that abuts a street listed as a primary street in the applicable Overlay Areas subsection of this chapter ~~in the Columbus Thoroughfare Plan.~~

Building Frontage, Secondary: "Secondary building frontage" means a building frontage that abuts an alley or a street not listed as a primary street in the applicable Overlay Areas subsection of this chapter ~~in the Columbus Thoroughfare Plan.~~

Building Rear: "Building rear" means the wall or plane opposite the primary building frontage. For a building on a corner lot, the building rear is the wall or plane opposite the wall or plane containing the principal building entrance.

Drive-Thru: "Drive-thru" means a building or portion thereof that, by design, permits ~~of a building designed for~~ customers to receive goods or services while remaining in a motor vehicle.

Parking Lot: "Parking lot" means any off-street public or private area, under or outside of a building or structure, designed and used for the temporary storage of motor vehicles.

Principal Building: "Principal building" means a building in which the principal use of the property is conducted. All parcels containing at least one building shall be deemed to have a principal building. A parcel may contain more than one principal building.

Public-Private Setback Zone: "Public-private setback zone" means an area between a principal building and a public street right-of-way line utilized for seating, outdoor dining, public art and/or other pedestrian amenities.

Reconstruction: "Reconstruction" means the replacement or rebuilding of a building, premises or structure.

Setback: "Setback" means the distance between a lot line or right-of-way line and a building, structure, defined outdoor area serving as the primary activity, parking lot, or vehicular circulation area ~~building, structure or parking lot and any lot line or street right-of-way line.~~

Section 2. That the existing Section 3372.603 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3372.603 Purpose.

The purpose of the Urban Commercial Overlay (UCO), consisting of Columbus City Code Sections 3372.601 through 3372.699, inclusive, is to regulate development in specifically designated areas in order to protect, re-establish and retain the unique architectural and aesthetic characteristics of older, urban commercial corridors. Such corridors are typically characterized by pedestrian-oriented architecture, building setbacks ranging from 0-10 feet, rear parking lots, commercial land uses, a street system that incorporates alleys and lot sizes smaller than 0.5 acre. The provisions of the UCO are intended to encourage pedestrian-oriented development featuring retail display windows, reduced building setbacks, rear parking lots, and other pedestrian-oriented site design elements. Where applied, UCO standards generally require full compliance for new construction, partial compliance for exterior building additions and alterations and minimal or no compliance for routine maintenance and the replacement in-kind of materials.

Section 3. That the existing Section 3372.605 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3372.605 Overlay Areas. ~~Designated Areas.~~

The boundaries of designated UCO areas are part of the Official Zoning Map and described in separate sections beginning with C.C. 3372.650 and ending with C.C. 3372.699. For the purposes and requirements of an Urban Commercial Overlay area, the term "primary street" means:

Third Avenue
Fourth Street
Fifth Avenue
Fifth Street
Broad Street
Cleveland Avenue
Front Street
Indianola Avenue
High Street
Hudson Street

Lane Avenue
Livingston Avenue
Long Street
Main Street
Mt. Vernon Avenue
Parsons Avenue
Summit Street

Section 4. That the subchapter entitled “High Street: North of Morse Road Planning Overlay”, codified as part of Chapter 3372, “Planning Overlay” of the Columbus Zoning Code (Title 33), be re-titled to “Community Commercial Overlay”.

Section 5. That the existing Section 3372.800 of the Columbus City Codes, 1959, is hereby repealed.

Section 6. That the existing Section 3372.801 of the Columbus City Codes, 1959, is hereby repealed.

Section 7. That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.801, which reads as follows:

3372.801 Definitions.

Building Frontage: “Building frontage” means the side, or facade, of a building closest to and most nearly parallel to an abutting street.

Building Frontage, Primary: “Primary building frontage” means a building frontage that abuts a street listed as a primary street in the applicable Overlay Areas subsection of this chapter.

Building Frontage, Secondary: “Secondary building frontage” means a building frontage that abuts an alley or a street not listed as a primary street in the applicable Overlay Areas subsection of this chapter.

Drive-Thru: “Drive-thru” means a building or portion thereof that, by design, permits customers to receive goods or services while remaining in a motor vehicle.

Setback: “Setback” means the distance between a lot line or right-of-way line and a building, structure, defined outdoor area serving as the primary activity, parking lot, or vehicular circulation area.

Section 8. That the existing Section 3372.802 of the Columbus City Codes, 1959, is hereby repealed.

Section 9. That the existing Section 3372.803 of the Columbus City Codes, 1959, is hereby repealed.

Section 10. That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.803, which reads as follows:

3372.803 Purpose.

The Community Commercial Overlay is established to apply additional and specific standards germane to the development pattern and community directions for certain commercial corridors. Such corridors are typically characterized by pedestrian-oriented and/or vehicular-oriented architecture, building setbacks ranging from 20-40 feet, commercial land uses and lot widths of at least 50 feet.

The overlay standards are intended to achieve the following objectives:

Establish, reinforce and enhance the character and pedestrian-oriented development patterns of quasi-urban commercial corridors;

Implement appropriate building and parking setback standards that accommodate redevelopment and establish continuity and consistency along the corridors; and

Promote development that features landscaping, façade transparency, rear parking lots, user-friendly access, and appropriately scaled lighting and signage.

Section 11. That the existing Section 3372.804 of the Columbus City Codes, 1959, is hereby repealed.

Section 12. That the existing Section 3372.805 of the Columbus City Codes, 1959, is hereby repealed.

Section 13. That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.805, which reads as follows:

3372.805 Overlay Areas.

The boundaries of the Community Commercial Overlay areas are part of the Official Zoning Map and shall be described in separate sections beginning with C.C. 3372.850 and ending with C.C. 3372.899. For the purposes and requirements of a Community Commercial Overlay area, the term "primary street" means:

High Street

Section 14. That the existing Section 3372.806 of the Columbus City Codes, 1959, is hereby repealed.

Section 15. That the existing Section 3372.807 of the Columbus City Codes, 1959, is hereby repealed.

Section 16. That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.807, which reads as follows:

3372.807 Applicability and Extent

(A) Routine maintenance and in-kind replacement of materials are exempt from the provisions herein.

(B) The placement or replacement, construction or reconstruction, of a building is subject to all the provisions herein.

(C) The expansion of a building's gross floor area by more than fifty (50) percent is subject to all the provisions herein.

(D) The extension or expansion of a building towards a public street is subject to all the provisions herein.

(E) The exterior alteration, enhancement, or reconfiguration of a building frontage, other than that listed above, is subject to all applicable provisions that the director determines can reasonably be met.

(F) The construction or installation of a parking lot, graphic, exterior lighting, fence, or other accessory structure is subject to all the applicable provisions herein.

Section 17. That the existing Section 3372.808 of the Columbus City Codes, 1959, is hereby repealed.

Section 18. That the existing Section 3372.809 of the Columbus City Codes, 1959, is hereby repealed.

Section 19. That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.809, which reads as follows:

3372.809 Setback Requirements.

(A) Along a primary street, the setback for a building or structure shall be twenty-five (25) feet, plus or minus two (2) feet; however, a maximum of one-third (1/3) the overall width of such building or structure may be located up to five (5) feet in advance of and/or up to fifteen (15) feet beyond the twenty-five (25) foot line.

(B) Along a street that is not a primary street, the setback for a building or structure shall be a minimum of ten (10) feet and a maximum of twenty-five (25) feet.

(C) The setback for a building or structure from an interior lot line shall be a maximum of fifty (50) feet at the front building line.

(D) The setback for a parking lot along a primary street shall be a minimum of twenty-five (25) feet and a minimum of five (5) feet along any other public way.

(E) The setback for any vehicular circulation area, such as a drop-off drive, along a primary street shall be a minimum of ten (10) feet.

(F) When the primary activity occurs predominantly outside of a structure, such as a car sales lot, miniature golf facility, or mulch sales, the setback for such activity shall be a minimum of twenty-five (25) feet along a primary street; and a minimum of ten (10) feet along any other public way or along a lot line that borders (disregarding alleyways) a residentially-zoned or used property. In lieu of the tree planting requirement of section C.C.3372.807(A), such setback area shall be landscaped and planted with at least one (1) shade tree and three (3) evergreen shrubs per thirty (30) lineal feet, or fraction thereof.

Section 20. That the existing Section 3372.810 of the Columbus City Codes, 1959, is hereby repealed.

Section 21. That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.810, which reads as follows:

3372.810 Accessibility.

(A) A minimum five (5) foot wide public sidewalk shall be provided along each street (excluding alleys) and extending the breadth of the lot and connecting to the sidewalks on adjacent properties, with the interior edge of a sidewalk along a primary street being located at least eight (8) feet from the curb.

(B) A pedestrian walkway shall be provided from the public sidewalk to a primary entrance.

(C) A primary building frontage shall incorporate a primary operable pedestrian entrance door that provides access to the users.

(D) A pedestrian walkway shall be provided from a parking lot to a building entrance.

(E) Additional curb cuts along a primary street will not be permitted unless the director of public service determines that a new curb cut is the only means available to provide vehicular access to the site and that the proposed curb cut location meets all city standards and requirements.

Section 22. That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.811, which reads as follows:

3372.811 Design Standards.

(A) A principal building shall be oriented to face and nearly parallel a primary street.

(B) The width of a principal building(s), including any significant architectural appurtenances thereto, along a primary building frontage shall be a minimum of sixty (60) percent of the lot width; except for a building serving a primary activity that occurs predominantly outside a structure.

(C) The height of a building shall be a minimum of sixteen (16) feet above grade.

(D) A building frontage that exceeds a width of fifty (50) feet shall incorporate articulation and offset of the wall plane to inhibit a large expanse of blank wall and add interest to the façade.

(E) For a primary building frontage of a commercial use, a minimum of forty (40) percent of the area between the height of two (2) feet and ten (10) feet above grade shall be in clear window glass that permits a full, unobstructed view of the interior to a depth of at least four (4) feet. For the secondary building frontage, the pattern of window glass shall continue from the primary building frontage a minimum distance of ten (10) feet.

(F) Any drive-thru pickup window or canopy shall be attached to the principal building and be located at the rear or side of the building.

(G) Any roof-mounted mechanical equipment shall be screened from public view to the height of the equipment. The design, colors and materials used in screening must be architecturally compatible with the rooftop and the aesthetic character of the building.

(H) Backlit awnings are not permitted.

Section 23. That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.812, which reads as follows:

3372.812 Landscaping and Screening.

(A) The front yard shall be planted with live vegetation and a shade tree(s), except for paved areas expressly designed for vehicular and pedestrian use. The number of shade trees required is determined by the rate of one (1) tree per fifty (50) lineal feet, or fraction thereof, of frontage.

(B) Screening shall be provided along a lot line that borders (disregarding alleyways) a residentially-zoned or used property. A screen, such as a fence or evergreen plants, shall maintain a minimum seventy-five (75) percent opacity and permanently obstruct the view to a height of six (6) feet.

(C) A parking lot or vehicular circulation area shall be screened from all abutting public streets with a decorative wall or fence (excluding chain link), or a continuous row of shrubs to a minimum height of three (3) foot high (two (2) feet at time of planting) and a maximum height of five (5) feet. Screening must be maintained to provide opacity of not less than seventy-five (75) percent. Mounding may be used in conjunction with landscaping provided the slope is no greater than a four to one (4:1) ratio. In general, the standards for parking lot screening in section C.C.3342.17(c), applies.

(D) In addition to other landscaping requirements, shade trees shall be provided in and around a parking lot at a rate of one (1) tree for every ten (10) parking spaces, or fraction thereof. For parking lots of over forty (40) spaces, at least half the trees shall be located within the interior of the parking lot. A minimum soil area of one-hundred (100) square feet shall be provided for each tree.

(E) At the time of planting, a new shade tree shall have a minimum two (2) inch caliper trunk and new shrubs for screening shall have a minimum height of two (2) feet. All plants and landscaped areas shall be maintained in a neat and healthy condition. Replacement plants must be planted no later than the next planting season; and shall also meet the size requirements herein.

(F) Any dumpster or ground-mounted mechanical equipment shall be located at the rear of the building and screened from public view to the height of the dumpster/equipment.

Section 24. That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.814, which reads as follows:

3372.814 Lighting.

(A) Exterior lighting shall be designed, located, constructed, and maintained to minimize light and reflected light trespass and spill over off the subject property. Area lighting fixtures shall direct light downwardly, i.e. cut-off type fixtures.

(B) The average horizontal illumination level on the ground shall not exceed two (2) footcandles. The light level along a property line adjacent to a residentially-zoned or used property shall not exceed an average intensity of one-half (1/2) footcandle.

(C) The height of any source of exterior area lighting shall not exceed eighteen (18) feet above grade.

(D) For pedestrian, architectural, or period type fixtures, low light levels shall be used and the height of the fixture shall not exceed fourteen (14) feet above grade.

(E) Exterior building illumination shall be from concealed sources. Strobe or flashing lights are not permitted. Lighting fixtures shall not generate excessive light levels, cause glare, or direct light beyond the façade onto neighboring property, streets, or the night sky. The maximum illumination of any vertical surface or angular roof surface shall not exceed four (4) footcandles.

(F) Security lighting shall be from full cut-off type fixtures, shielded and aimed so that illumination is directed to the designated areas with the lowest possible illumination level to effectively allow surveillance.

(G) Lighting fixtures used to illuminate the area below a freestanding canopy shall be recessed so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy. However, indirect lighting may be used where a shielded source of light is beamed upward and then reflected down from the underside of the canopy.

Section 25. That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.815, which reads as follows:

3372.815 Parking and Circulation.

(A) A parking lot or stacking space is not permitted between the principal building and a public street right-of-way line.

(B) A parking lot shall be located at the rear of the principal building; however, up to half the number of parking spaces provided may be located at the side of the building.

(C) The director may reduce the required number of off-street parking spaces by up to fifty (50) percent after giving due consideration to the following factors:

- (1) Type of land use/development;
- (2) Hours of operation;
- (3) Pedestrian traffic and accessibility;
- (4) Availability of transit service;
- (5) Opportunities for shared parking;
- (6) Availability of on street parking;
- (7) Availability of other public parking;
- (8) Elimination of arterial curb cuts; and
- (9) Recommendation from the area commission.

(D) The director may reduce the required number of loading spaces after giving due consideration to the following factors:

- (1) Frequency and time of deliveries;
- (2) Necessary size and nature of delivery vehicles;
- (3) Impact on adjoining streets or alleys; and
- (4) Neighborhood character.

Section 26. That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.816, which reads as follows:

3372.816 Graphics.

(A) In addition to all other code provisions, any new graphic or sign, other than a like-kind replacement for maintenance reasons, is subject to all the provisions of this section.

(B) The following types of signs are not permitted: projecting, roof-mounted, monopole, co-op, rotating, signs with flashing messages or bare bulbs, changeable copy signs, signs on backlit awnings, off-premise signs, billboards, and bench signs.

(C) A graphic or sign for a commercial use shall comply with provisions, in particular the Table of Elements, as they pertain to a Commercial Planned Development District (CPD); i.e. using a mass factor of two (2) to determine the allowable graphic area.

(D) Ground Sign. Only one ground sign is permitted per development parcel; however it may include the names of all the major tenants of that parcel. Only a monument type ground sign is permitted. The sign base shall be integral to the overall sign design and compliment the design of the building and landscape. The setback for a ground sign shall be a minimum of fifteen (15) feet. The height of a ground sign shall not exceed six (6) feet above grade.

(E) Wall Sign. Multiple wall signs, including those for individual tenants, are permitted on the primary building frontage provided the aggregate graphic area does not exceed the allowable graphic area for its building frontage. Each tenant is permitted a wall sign of a size determined by the wall area corresponding to its individual frontage provided the aggregate graphic area of all individual tenant signs does not exceed the allowable graphic area for its corresponding building frontage. For a use fronting on more than one (1) street, a wall sign with a maximum area of thirty (30) square feet is permitted on the secondary building frontage.

(F) The following signs are permitted in addition to the uses' primary sign:

(1) Drive-thru menu board(s) with a total graphic area not to exceed twenty (20) square feet;

(2) Temporary window signs with a total graphic area not to exceed ten (10) square feet provided they are not displayed for more than twenty (20) consecutive days and no more than five (5) times within a period of a year; and

(3) Signs associated with identifying the sale of gasoline with a graphic area not to exceed five (5) square feet.

(G) When indirectly lighting a ground sign, the light source shall be screened from motorist view.

Section 27. That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.860, which reads as follows:

3372.860 High Street Community Commercial Overlay

The provisions of the Community Commercial Overlay shall apply to properties that front along High Street from Morse Road/Rathbone Avenue north to the City of Worthington corporation line.

Section 28. That the subchapter entitled "Morse Road Planning Overlay", codified as part of Chapter 3372, "Planning Overlay" of the Columbus Zoning Code (Title 33), be re-titled to "Regional Commercial Overlay".

Section 29. That the existing Introduction to the subchapter entitled "Morse Road Planning Overlay", of the Columbus City Codes, 1959, is hereby repealed.

Section 30. That the existing Section 3372.900 of the Columbus City Codes, 1959, is hereby repealed.

Section 31. That the existing Section 3372.901 of the Columbus City Codes, 1959, is hereby repealed.

Section 32. That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.901, which reads as follows:

3372.901 Definitions.

Building Frontage: "Building frontage" means the side, or facade, of a building closest to and most nearly parallel to an abutting street.

Building Frontage, Primary: "Primary building frontage" means a building frontage that abuts a street listed as a primary street in the applicable Overlay Areas subsection of this chapter.

Building Frontage, Secondary: "Secondary building frontage" means a building frontage that abuts an alley or a street not listed as a primary street in the applicable Overlay Areas subsection of this chapter.

Drive-Thru: "Drive-thru" means a building or portion thereof that, by design, permits customers to receive goods or services while remaining in a motor vehicle.

Setback: “Setback” means the distance between a lot line or right-of-way line and a building, structure, defined outdoor area serving as the primary activity, parking lot, or vehicular circulation area.

Section 33. That the existing Section 3372.902 of the Columbus City Codes, 1959, is hereby repealed.

Section 34. That the existing Section 3372.903 of the Columbus City Codes, 1959, is hereby repealed.

Section 35. That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.903, which reads as follows:

3372.903 Purpose.

The purpose of the Regional Commercial Overlay is to create a safe, aesthetically pleasing, economically viable, and pedestrian friendly atmosphere along certain commercial corridors. Such corridors are typically characterized by vehicular-oriented architecture, large off-street parking lots, building setbacks greater than 30 feet, strip-commercial land uses, a street system that incorporates frontage roads and lot sizes greater than 0.5 acre.

The Regional Commercial Overlay is established to meet the following objectives:

A. To establish consistent and appropriate setbacks to improve the traffic safety and aesthetics of the corridor.

B. To reduce the amount and improve the visual quality of surface parking adjacent to public right-of-ways.

C. To create safe pedestrian access on and between lots and to public right-of-ways.

D. To establish safe access to lots and encourage adequate internal circulation, through shared access and appropriate spacing between entrances.

E. To create a defined "edge" along public right-of-ways through consistent screening of adjacent surface parking lots and to provide landscaping in the interior of parking lots.

F. To provide non-hazardous lighting of lots.

Section 36. That the existing Section 3372.904 of the Columbus City Codes, 1959, is hereby repealed.

Section 37. That the existing Section 3372.905 of the Columbus City Codes, 1959, is hereby repealed.

Section 38. That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.905, which reads as follows:

3372.905 Overlay Areas.

The boundaries of the Regional Commercial Overlay areas are part of the Official Zoning Map and shall be described in separate sections beginning with C.C. 3372.950 and ending with C.C. 3372.999. For the purposes and requirements of a Regional Commercial Overlay area, the term “primary street” means:

Morse Road

Section 39. That the existing Section 3372.906 of the Columbus City Codes, 1959, is hereby repealed.

Section 40. That the existing Section 3372.907 of the Columbus City Codes, 1959, is hereby repealed.

Section 41. That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.907, which reads as follows:

3372.907 Applicability and Extent.

A. Applicability: The standards contained in the Regional Commercial Overlay apply as follows:

1. The placement, construction, or reconstruction of a building is subject to all provisions herein.

2. The expansion of a building’s gross floor area by more than fifty (50) percent is subject to all provisions herein.

3. The construction or installation of a parking lot or exterior lighting is subject to any provisions herein that are directly applicable to the specific improvements.

4. Routine maintenance and in-kind replacement of materials are exempt from the provisions herein.

B. Extent:

The standards contained in the Overlay are in addition to the regulations of the underlying zoning districts and the general requirements contained in the Columbus Zoning Code. Where a specific Overlay standard is imposed, it is to be followed in lieu of a general provision of the Zoning Code; where the Overlay does not address a required standard and it is otherwise contained in the Zoning Code, the Zoning Code standard must be followed.

C. Variances:

The Board of Zoning Appeals (BZA) may approve a variance to any of the standards contained herein.

Section 42. That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.908, which reads as follows:

3372.908 Site Redevelopment.

A. For sites that contain more than one (1) lot, with each lot being ten acres or more and developed under common standards for signage, lighting, landscaping, parking, access and/or circulation, a master plan must be submitted to, and approved by, the Columbus Development Commission. The master plan must address the standards and requirements described in Sections 3372.909 through 3372.915. For sites along Morse Road, master plan must also address the standards contained in the Morse Road Design Study.

Section 43. That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.909, which reads as follows:

3372.909 Setback Requirements.

A. The setback for building or structure along a primary street shall be a minimum of 20 feet when a parking lot is not located in front of the building. The front yard must be live vegetation, but may include pedestrian access and signs.

B. The setback for a parking lot along a primary street shall be a minimum of (10) feet. Parking lot setbacks are measured from abutting service roads when a service road is not part of the street right-of-way.

C. A lot or premises of two (2) acres or less, which has a single use, is limited to two (2) rows of parking spaces and one (1), two (2)-way maneuvering aisle in front of a building. The remaining parking must be located behind the front building façade.

D. A lot or premises of more than two (2) acres must be designed and organized to create shared parking opportunities and clearly define pedestrian circulation. Parking must be minimized in front of buildings.

Section 44. That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.910, which reads as follows:

3372.910 Accessibility.

A. Access points, curb cuts, shared driveways, parking layouts, and adjustments to the spacing requirements denoted in this Section must receive approval from the director of public service.

B. A pedestrian walkway must be provided along the front of a building that contains multiple tenants.

C. A pedestrian walkway must be provided from a public sidewalk to a building's primary entrance.

D. A pedestrian walkway must be provided from a parking lot to a building entrance.

E. A minimum of two hundred fifty (250) feet must be provided between curb cuts on separate lots or to public streets, as measured from pavement edge to pavement edge.

F. Curb cuts on isolated corner lots must be one hundred twenty-five (125) feet from major intersections, as measured from pavement edge to pavement edge. A corner lot is considered isolated if due to property size, minimum spacing standards cannot be achieved and where joint access that meets minimum spacing standards cannot be obtained or is undesirable in terms of conflicting land uses or traffic volumes. When joint access becomes available that addresses these concerns, then the property owner must close the permitted driveway.

G. A lot may be permitted two (2) curb cuts, when the curb cuts are spaced a minimum of six hundred (600) feet apart as measured from pavement edge to pavement edge, and when minimum spacing standards from adjacent access or public streets are met.

H. A lot that contains a building with drive-thru service may have two (2), one (1)-way curb cuts depending on site layout, location of adjacent access, and whether adjacent access is available and may be shared.

I. A lot that cannot be accessed from a service road or which cannot meet the provisions of subsections (E) or (F) or cannot be accommodated by shared access may be allowed one (1) curb cut.

J. Direct access and curb cuts to a street for an out lot developed within a shopping center under the same ownership will not be allowed unless otherwise approved by the director of public service.

K. As new development or redevelopment occurs shared curb cuts with adjoining lots must be provided, unless otherwise approved by the director of public service.

Section 45. That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.912, which reads as follows:

3372.912 Landscaping and Screening.

The intent of the requirements contained below is to provide adequate screening of parking lots, to create a defined "edge" along streets within the overlay boundaries, and to provide interior parking lot landscaping.

Tree plantings, landscaping, and screening are required along street frontages and in the interior of parking lots; the following standards are required:

A. Species must be installed and maintained as follows:

1. Deciduous trees must be a minimum of two and one-half (2.5) inches in caliper, as measured four (4) feet from top of soil level;

2. Ornamental trees must be a minimum of two (2) inches in caliper, as measured four feet from top of soil level;

3. Tree canopies must be maintained at a minimum of eight (8) feet from the ground;

4. Hedges and shrubs may be deciduous or evergreen but must be a minimum of twenty-four (24) inches in height and width with an expected height of thirty-six (36) inches within three (3) years; and

5. All plants and landscaped areas must be maintained in a neat and healthy condition. Replacement plants must be planted no later than the next planting season; and must also meet the size requirements herein.

B. A surface parking lot of six thousand (6,000) square feet or more or which contain twenty (20) or more parking spaces, must include five (5) percent of the parking lot in interior landscaping.

C. Landscaped islands must be installed within the interior of a parking lot in accordance with the following standards:

1. One landscape island is required for every twenty (20) parking spaces. If a site, due to its size and configuration, cannot meet this standard, two (2) landscape peninsulas may be substituted for one (1) landscape island;

2. All landscaped islands must have a minimum width of five (5) feet; and

3. Landscaped islands do not need to be uniformly spaced, but must be contained within and dispersed throughout the interior of a parking lot. Landscaped islands that define a main entranceway and separate parking areas can count towards the required five (5) percent interior landscaping.

D. A tree must be planted within the interior of a parking lot at a ratio of one (1) tree for every ten (10) parking spaces. All trees must be planted within a landscape island or peninsula.

E. A minimum three (3)-foot high continuous row of planted shrubs must be planted to screen surface parking lots from a public street to an overall opacity of seventy-five (75) percent when in leaf. Ornamental plantings, in addition to the above requirement, are not prohibited. Such row of shrubs cannot exceed two hundred (200) lineal feet without incorporating one or more of the following changes in treatment:

1. A different species of shrub;

2. A masonry pier with a minimum height of forty-eight (48) inches. The "Morse Road Stone" (Native Ohio Limestone, horizontally coursed with flush raked mortar joints. Any caps on walls or piers should be continuous natural stone caps.) must be used as the masonry material;

3. A three-foot masonry wall. The "Morse Road Stone" (Native Ohio Limestone, horizontally coursed with flush raked mortar joints. Any caps on walls or piers should be continuous natural stone caps) must be used as the masonry material; or

4. Access drive, that is compliant with all standards herein.

The following shrub species are recommended. They have been selected based on their aesthetic appearance, mature height and hardiness.

<u>Scientific Name</u>	<u>Common Name</u>
<u>Berberis thunbergii atropurpurea 'rose glow'</u>	<u>Rosey Glow Barberry</u>
<u>Cornus sericea 'kelseyi'</u>	<u>Compact Redosier Dogwood</u>
<u>Euonymus alata 'Compacta'</u>	<u>Dwarf Burningbush</u>
<u>Juniperus chinensis 'Sea Green'</u>	<u>Sea Green Juniper</u>
<u>Myrica pensylvanica</u>	<u>Northern Bayberry</u>
<u>Viburnum carlesii</u>	<u>Koreanspice Viburnum</u>
<u>Viburnum x juddii</u>	<u>Judd Viburnum</u>
<u>Viburnum x burkwoodii 'Mohawk'</u>	<u>Mohawk Viburnum</u>
<u>Spiraea x bumalda 'Anthony Waterer'</u>	<u>Anthony Waterer Spiraea</u>
<u>Syringa meyeri 'Palibin'</u>	<u>Miss Kim Lilac</u>

F. An auto dealership* is not required to landscape, plant trees, or otherwise screen areas used solely for new and used automobile display and inventory areas, but must maintain perennial plantings or a minimum twenty-four (24) inch high continuous hedge or shrub on any perimeter, which faces or abuts a public street. Employee and customer parking must be landscaped, planted and screened to the standards of this section. Areas used for the storage of cars awaiting repair must be screened to the standards of this section if they abut a public street. All display, inventory, parking, and storage areas must be clearly delineated on a site plan.

* Means the use of any building, lot, or other premise for the display and sale of new or used automobiles generally but may include light trucks or vans, and which may include any vehicle preparation or repair work conducted as an accessory use.

G. Loading areas that are visible from a public right-of-way must be fully screened by structures and/or landscaped to a minimum height of six (6) feet and to a minimum of ninety (90) percent opacity.

H. A dumpster must be fully screened on three sides to a minimum height of six (6) feet or a height equal to that of the dumpster, which ever is greater and must maintain a minimum ninety (90) percent opacity. The open side must not be viewable from a public right-of-way or be oriented toward a contiguous residential use or district. All measurements are from established grade.

Section 46. That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.914, which reads as follows:

3372.914 Lighting.

A. For general lighting, including parking lots, cut-off down lighting is required. For less intense pedestrian lighting, globe lighting may be used provided the level is no more than four thousand (4,000) lumens per fixture. All lights must be directed or shielded so as to avoid off-site light spillage.

B. All external outdoor lighting fixtures, which are being used for the same purpose, within a given development must be from the same or similar manufacturer's type to insure aesthetic compatibility.

C. Parking lot lighting must be in accordance with the following standards:

1. Light fixtures must not exceed twenty (20) feet above grade when located on a lot or premise of two (2) acres or less;
2. Light fixtures must not exceed twenty-eight (28) feet above grade when located on a lot or premise of more than two (2) acres;
3. When located within twenty-five (25) feet of a residential district the height of a light fixture must not exceed fourteen (14) feet above grade; and
4. In parking lots, lights must be placed in parking lot islands or on a solid base to protect both lights and vehicles from possible damage.

D. All on-site utilities, within a new development or a fifty (50) percent or greater expansion of a building's gross floor area, must be underground.

E. Gasoline service station canopy lighting must be recessed within a canopy and use an opaque shield around the sides of a light.

F. Searchlights are prohibited.

Section 47. That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.950, which reads as follows:

3372.970 Morse Road Regional Commercial Overlay

The provisions of the Regional Commercial Overlay shall apply to all properties indicated on Exhibit A. "Boundary of the Morse Road Planning Overlay", as contained in Ordinance No. 1535-02.

In addition to the standards and requirements imposed by the RCO, development and redevelopment within the Morse Road Regional Commercial Overlay must also adhere to the standards and requirements of the Morse Road Design Study.

Section 48. That this ordinance shall take effect and be in force from and after the earliest period provided by law.



City of Columbus

City Bulletin Report

File Number: 2434-2003

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

Introduced: 10/28/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Background:

This ordinance will authorize the Director of Recreation and Parks to submit a grant application to the Ohio Department of Natural Resources/Division of Watercraft for the Navigational Aids Grant Program.

The Navigational Aids Grant Program supplies buoys and signs at no charge to mark Ohio's waterways. The buoys and signs are provided at no expense to the Columbus Recreation and Parks Department.

Emergency action is requested to ensure the grant application can be submitted by the deadline.

Fiscal Impact: N/A

To authorize and direct the Director of Recreation and Parks to submit a grant application to the Ohio Department of Natural Resources/Division of Watercraft for the Navigational Aids Grant Program, and to declare an emergency.

WHEREAS, the Ohio Department of Natural Resources/Division of Watercraft is accepting applications for a Navigational Aids Program grant; and

WHEREAS, the Recreation and Parks Department wishes to apply for said grant for buoys and signs to mark waterways; and

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

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

SECTION 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to submit a grant application to the Ohio Department of Natural Resources/Division of Watercraft for the Navigational Aids Grant Program.

SECTION 2. That this ordinance authorizes an application only and is not a commitment to expend City funds.

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.



City of Columbus
City Bulletin Report
File Number: 2436-2003

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

Introduced: 10/28/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Background:

This ordinance will transfer \$350,000.00 between Objects within the Special Purpose Fund 223, Various Park Improvements Sub-fund 025 to properly align appropriations in order to complete necessary expenditure corrections.

This ordinance is submitted as an emergency 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. Additionally, emergency action is required to have funding available for necessary expenditure corrections.

Fiscal Impact:

\$350,000.00 is being transferred between Objects within the Special Purpose Fund 223, Various Park Improvements Sub-fund 025, as shown in Section 1 of this ordinance.

To authorize and direct the transfer of \$350,000.00 between Objects within the Special Purpose Fund 223, Various Park Improvements Sub-fund 025 to properly align appropriations in order to complete necessary expenditure corrections, and to declare an emergency. (\$350,000.00)

WHEREAS, it is necessary to properly align appropriations in order to complete necessary expenditure corrections; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to transfer 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 transfer of \$350,000.00 between Objects within the Special Purpose Fund/Various Park Improvements be and is hereby authorized to properly align appropriations in order to complete necessary expenditure corrections, as follows:

FROM:

Fund No.	Sub-fund	OCA Code	Object Level 1	Object Level 3	Amount
----------	----------	----------	----------------	----------------	--------

223	025	511220	06	6602	
\$350,000.00					

TO:

Fund No.	Sub-fund	OCA Code	Object Level 1	Object Level 3	Amount
223	025	511220	02	2260	\$
15,000.00					
223	025	511220	02	2260	
65,000.00					
223	025	511220	02	2272	
45,000.00					
223	025	511220	03	3385	
90,000.00					
223	025	511220	03	3302	
62,000.00					
223	025	511220	03	3389	
11,000.00					
223	025	511220	03	3405	
13,000.00					
223	025	511220	03	3390	
49,000.00					
		TOTAL	\$350,000.00		

SECTION 2. 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 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.



City of Columbus

City Bulletin Report

File Number: 2442-2003

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

Introduced: 10/30/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: The need exists to enter into an Enterprise Zone Agreement with Greater Linden Development Corporation. The Ohio Enterprise Zone law O.R.C. Section 5709.62 (3) requires the City to enter into a Council-approved agreement between the City and participating companies.

Greater Linden Development Corporation plans to build a 21,000 square foot facility. The project will include an investment of \$2.9 million and the creation of 5 (five) full-time jobs.

The Department of Development recommends a 75%/10 year tax abatement on real property improvements and furniture & fixtures. The proposal is consistent with Columbus Tax Incentive Policy under Central City Area projects.

The Columbus Public School District has been advised of this project.

FISCAL IMPACT: No funding is required for this legislation.

To authorize the Director of Development to enter into an agreement with the Greater Linden Development Corporation for a tax abatement of seventy-five percent (75%) for a period of ten (10) years in consideration of a proposed \$2.9 million investment in real property improvements and furniture & fixtures and the creation of five (5) new jobs; and to declare it an emergency.

WHEREAS, the Columbus City Council authorized the designation of the Enterprise Zone by legislation, Ordinance Number 779-85, dated April 22, 1985; and

WHEREAS, the Ohio Development Department approved this designation under State of Ohio Enterprise Law, by letter dated June 12, 1985; and

WHEREAS, Greater Linden Development Corporation plans to build a 21,000 square foot facility to accommodate construction; and

WHEREAS, the expansion will add approximately \$2.9 million in investment within the City; and

WHEREAS, the project will create 5 (five) new full time jobs; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to enter an Enterprise Zone Agreement in order to preserve 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 Development is hereby authorized to enter into an Enterprise Zone Agreement with Greater Linden Development Corporation and to provide therewith an exemption of seventy-five percent (75%) on real property improvements and furniture & fixtures for a term of ten (10) taxable years in association with the project's proposed \$2.9 million investment.

Section 2. That for reasons stated in the preamble hereto, which is hereby made a part hereof the 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 the passage if the Mayor neither approves nor vetoes the same.



City of Columbus

City Bulletin Report

File Number: 2446-2003

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

Introduced: 10/31/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: This ordinance authorizes the City Clerk to execute and sign a Petition to initiate the creation of The RiverSouth Authority. The petition is required in order to create a new community authority as provided under Ohio Revised Code Chapter 349.

RiverSouth encompasses several square blocks in the core of Columbus' downtown generally bounded by State Street on the North, Third Street on the East, Mound Street on the South and the Scioto River on the West, all to be developed and redeveloped as part of an area characterized by well-balanced and diversified land use patterns to provide facilities for the conduct of commercial, residential, cultural, educational and recreational activities.

FISCAL IMPACT: No funding is required for this legislation.

An ordinance authorizing the City Clerk to execute and sign on behalf of the City of Columbus and the Columbus City Council the Petition for the creation of The RiverSouth Authority; and to declare an emergency.

WHEREAS, in order to create or preserve jobs and employment opportunities and to improve the economic welfare of the people of the City of Columbus, Ohio (the "City"), the Columbus City Council desires to provide for the redevelopment and revitalization of a certain area situated within the corporate limits of the City, being generally the area of the City's downtown bounded by State Street on the North, Third Street on the East, Mound Street on the South and the Scioto River on the West (the "RiverSouth Area"); and

WHEREAS, in October 2000, the City commissioned a study (the "Study") of the Columbus downtown area to identify redevelopment opportunities and the Ohio General Assembly appropriated \$ 1.3 million to pay for that Study; and

WHEREAS, based on the results of the Study, Capitol South Redevelopment Corporation ("Capitol South") initiated the process to develop a Strategic Business Plan for Downtown Columbus (the "Downtown Plan"); and

WHEREAS, as part of the process for developing the Downtown Plan, the Columbus Mayor formed a Downtown Task Force (the "Downtown Task Force ") and that Task

Force held public hearings for the Downtown Plan; and

WHEREAS, the Downtown Task Force and Capitol South submitted the final proposed Downtown Plan to City Council in May 2002; and

WHEREAS, the Columbus City Council on June 17, 2002 enacted Ordinance No. 122X-02 approving the Downtown Plan and the creation of the Columbus Downtown Development Corporation ("CDDC") to implement the Downtown Plan; and

WHEREAS, the CDDC and its designees have performed the necessary analyses to produce a viable, market-based development program for the area in furtherance of stated revitalization goals; and

WHEREAS, a "developer" within the meaning of O.R.C. Section 349.01(E) (the "Developer") will carry out a "new community development program" for the RiverSouth Area within the meaning of O.R.C. Section 349.01(B); and

WHEREAS, a proposed petition (the "Petition") to create a new community authority under O.R.C. Chapter 349 will be presented to the City Clerk; and

WHEREAS, an emergency exists in that it is immediately necessary to authorize the City Clerk to execute and sign the aforementioned Petition so that the new community authority may proceed to creation expeditiously in order to permit commencement of improvements and provide financing therefor, all to serve the RiverSouth Area and its future residents and improve the economic health and vitality of that Area and the City's downtown, said immediate approval being in the interest of the City in order to preserve, enhance and protect 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 Clerk be and hereby is authorized to execute and sign on behalf of the City of Columbus and the Columbus City Council the Petition for the purpose of filing that Petition pursuant to O.R.C. Chapter 349 to create as a new community authority The RiverSouth Authority. The Clerk's signature on that Petition shall indicate the approval of that Petition by the "proximate city" (within the meaning of O.R.C. Section 349.01(M)).

Section 2. That this ordinance is declared to be an emergency measure that 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.



City of Columbus

City Bulletin Report

File Number: 2454-2003

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

Introduced: 11/3/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: To modify and extend the existing city-wide contract for the option to purchase Folding Tables and Chairs for the Purchasing Office to and including December 31, 2004. Formal bids were opened by the Purchasing Office on December 6, 2001. The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06. (Proposal No. SA000118HJB). FL001080, with Mity-Lite, Inc. was established in accordance with bids received. Their contract compliance number is 87-0652595 .

1. Amount of additional funds: The estimated annual expenditure for the contract is \$54,754.10. Each agency must obtain approval to expend from their own budgeted funds for their estimated expenditures.
2. Reason additional needs were not foreseen: Needs were foreseen, an extension is provided for in the original contract.
3. Reason other procurement processes not used: GSA pricing was offered by Mity-Lite, Inc. and the Recreation and Parks Department does not foresee using this contract much in 2004, so there would be economy of sale if they were to rebid.
4. How cost was determined: GSA pricing is the lowest the company can provide.

FISCAL IMPACT: No funding is required to extend the option contracts. Each agency must set aside their own funding for their estimated expenditures.

In order to provide uninterrupted service and supply, this ordinance is being submitted as an emergency.

To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Folding Tables and Chairs, with Mity-Lite, Inc., and to declare an emergency.

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

WHEREAS, vendor has agreed to extend FL001080 at current prices and conditions to and including December 31, 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 FL001080 for an option to purchase Folding Tables and Chairs 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 FL001080 with Mity-Lite, Inc. to and including December 31, 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.



City of Columbus

City Bulletin Report

File Number: 2458-2003

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

Introduced: 11/3/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: For the option to purchase Fine Bubble Air Diffusers & Parts for the Sewerage and Drainage Division, the largest user. The term of the proposed option contract would be two years with an option to renew for one (1) additional year if mutually agreed.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA000555BGB). One hundred forty-five (MAJ:140, MBE:2, FBE:2, MBR:1) bids were solicited; three (MAJ:3) bids received.

The Purchasing Office is recommending award of a contract to the lowest bidder: Delaney and Associates, MAJ, CC#61-1046665
Estimated Annual Expenditure: \$75,000.00

The company is not debarred according to the Excluded Party Listing System of the Federal Government on November 3, 2003. This ordinance is being submitted as an emergency because, without emergency action, no less than 37 days will be added to this procurement cycle and the efficient delivery of valuable public services will be slowed.

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Purchasing Contract Account. The Sewerage and Drainage Division will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

To authorize and direct the Finance Director to enter into a contract for an option to purchase Fine Bubble Air Diffusers & Parts, with Delaney and Associates, to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)

WHEREAS, the Purchasing Office advertised and solicited formal bids on October 23, 2003 and selected the lowest bid; and

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

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office

in that it is immediately necessary to enter into a contract for an option to purchase Fine Bubble Air Diffusers & Parts, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

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

SECTION 1. That the Finance Director be and is hereby authorized and directed to enter into a contract for an option to purchase Fine Bubble Air Diffusers & Parts in accordance with Solicitation No. SA000555BGB as follows:

Delaney and Associates, Items: 3.3.1, 3.3.2, 3.3.3, 3.3.4, 3.3.5, 3.3.6 and 3.3.7,
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 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.



City of Columbus

City Bulletin Report

File Number: 2461-2003

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

Introduced: 11/3/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: This Ordinance authorizes the payment of attorney fees and court costs to J. Michael Murray Esq., as legal counsel in the case of Franklin Jefferson, Ltd., et al v. City of Columbus, United States District Court, Southern District of Ohio, Case No. 2:02cv55.

FISCAL IMPACT: There are sufficient funds in the 2003 Building Services Division, Development Services Fund budget to cover these costs.

Emergency action is required achieve prompt resolve of this matter before fiscal year-end closing.

To authorize & direct the Development Director to pay the attorney fees and court costs to J. Michael Murray Esq., as legal counsel in the case of Franklin Jefferson, Ltd, et al v. City of Columbus, United States District Court, Southern District of Ohio; to authorize the expenditure \$47,136.52 from the Development Services Fund; and to declare an emergency. (\$47,136.52)

WHEREAS, Franklin Jefferson, Ltd. et al filed suit against the City of Columbus in Case No. 2:02cv55 in the United States District Court for the Southern District of Ohio, seeking relief from Ordinance 1425-01 which regulated adult business in the City; and

WHEREAS, the Court granted a preliminary injunction enjoining enforcement of Ordinance 1425-01 on May 6, 2002; and

WHEREAS, on February 13, 2003, the Court granted Plaintiffs Summary Judgment and permanently enjoined the City from enforcing Ordinance 1425-01; and

WHEREAS, the Court granted Plaintiff's application for attorney fees in the amount of Forty-one thousand nine hundred eighty-five dollars; and

WHEREAS, the Plaintiff requested and received from the court reimbursement of expenses and costs in the amount of Five thousand one hundred fifty-one dollars and 52 cents; and

WHEREAS, by reason of the foregoing, an emergency exists in the usual daily operations of the City and for further 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 Development Director be and hereby is authorized and directed to pay the attorney fees and court costs in Case No. 2:09cv55, in the United States District Court for the Southern District of Ohio, by the payment of Forty-seven thousand one hundred thirty-six dollars and 52 cents (\$47,136.52) to J. Michael Murray, Esq.

Section 2. That for the purposes of paying this award, there be and hereby is authorized to be expended by the Development Department, Building Services Division, Division No. 44-03, OCA Code 440372, Object Level One 05, Object Level Three 5539, Development Services Fund No. 240, the sum of Forty-seven thousand one hundred thirty-six dollars and 52 cents (\$47,136.52).

Section 3. That the City Auditor be and is hereby authorized to draw a warrant upon the City Treasurer in the sum of Forty-seven thousand one hundred thirty-six dollars and 52 cents (\$47,136.52) payable to J. Michael Murray, Attorney.

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.



City of Columbus

City Bulletin Report

File Number: 2463-2003

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

Introduced: 11/3/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND:

This ordinance will enable the Director of Recreation and Parks to accept a grant, enter into an agreement with the Ohio Department of Natural Resources, and provide for the appropriation of said funds to the Recreation and Parks Grant Fund.

Grant funding will be used for the Hooked on Fishing Not on Drugs Program.

This ordinance is submitted as an emergency 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. Emergency action is also necessary to have funding available for necessary expenditures.

FISCAL IMPACT:

\$1,102.00 in grant funding will be used for the Hooked on Fishing Not on Drugs Program.

The fiscal impact of this ordinance will be to reduce the Recreation and Parks Grant Fund's unappropriated balance by \$1,102.00.

The expenditure of \$1,102.00 is budgeted in the Recreation and Parks Grant Fund.

To authorize and direct the Director of Recreation and Parks to accept a grant in the amount of \$1,102.00 and enter into an agreement with the Ohio Department of Natural Resources for funding to support the Hooked on Fishing Not on Drugs program, to authorize an appropriation of \$1,102.00 from the unappropriated balance of the Recreation and Parks Grant Fund to the Recreation and Parks Department, and to declare an emergency. (\$1,102.00)

WHEREAS, the Ohio Department of Natural Resources has awarded the City of Columbus, Recreation and Parks Department, a grant for the Hooked on Fishing Not on Drugs Program; and

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

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to accept and appropriate said

grant funds for the preservation of public health, peace, property and safety; now, therefore

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

SECTION 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to accept a grant in the amount of \$1,102.00 and enter into an agreement with the Ohio Department of Natural Resources for the Hooked on Fishing Not on Drugs Program.

SECTION 2. That from the unappropriated monies in the Recreation and Parks Grant Fund No. 286, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2003, the sum of \$1,102.00 is appropriated to the Recreation and Parks Department, Department No. 51-01, as follows:

Grant Title	OCA Grant No.	Object Code	Level 3	Amount
Angler Education - 2003	513008	513008	2269	\$ 552.00
Angler Education - 2003	513008		513008 3336	550.00
	Total	\$1,102.00		

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

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



City of Columbus
City Bulletin Report
File Number: 2469-2003

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

Introduced: 11/4/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: Credit card payments are accepted for payments at the Department of Recreation & Parks. Current year usage necessitates a need to increase the appropriation level to accommodate projected transaction through December 31, 2003.

FISCAL IMPACT: Funds are available in the Recreation & Parks budget to cover this expense.

To authorize the City Treasurer to modify a contract with Fifth Third Bank and its processing agent, Midwest Payment Systems, for the provision of credit card processing services, and to authorize the expenditure of \$3,550.00 from the Recreation and Parks Operating fund and to declare an emergency. (\$3,550.00)

WHEREAS, the City Treasurer has entered into a contract with Fifth Third Bank and it's processing agent, Midwest Payment Systems, for credit card processing services; now therefore:

WHEREAS, as an emergency exists in the usual daily operation of the Recreation and Parks Department, and it is immediately necessary to increase the existing contract between the City Treasurer and Fifth Third Bank and its processing agent, Midwest Payment Systems for the processing of credit card payments, now therefore;

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

SECTION 1. That the City Treasurer is authorized to increase the contract between the City of Columbus and Fifth Third Bank, and its processing agent, Midwest Payment Systems, for the processing of credit cards in the amount of \$3,550.00.

SECTION 2. That the expenditure of \$3,550.00 is authorized as follows:

Department 51-01
Fund 285
OCA 510628
Amount \$500.00

Department 51-01
Fund 285
OCA 511139
Amount \$2,000.00

Department 51-01
Fund 285
OCA 511535
Amount \$150.00

Department 51-01
Fund 285
OCA 510396
Amount \$900.00

SECTION 3 That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency 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.



City of Columbus

City Bulletin Report

File Number: 2470-2003

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

Introduced: 11/4/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

The following ordinance is similar to ordinances submitted annually by this office. It gives the Auditor the ability to transfer and increase, if necessary, appropriations within each fund to ensure that final costs of 2003 can be met.

The ordinance also authorizes the payment of payrolls and other obligations due prior to the passage of the 2004 appropriation ordinances.

Fiscal Impact

Possibly no net impact. Some increases, however, in appropriations may occur, but only to the extent as described herein.

To authorize the City Auditor to transfer and increase, if necessary, appropriations within any of the various funds of the City to provide for payrolls, internal services, and other obligations for 2003 and to authorize the payment of payrolls and other obligations due in 2004 prior to the passage of the 2004 appropriation ordinances.

Whereas, the last pay period of fiscal year 2003 will end on December 20, 2003 and will be paid on December 24, 2003, and

Whereas, it may be necessary to make various budget transfers and or encumbrance cancellations within appropriated funds and to increase appropriations, if necessary, to meet said payroll, bills for internal services and other obligations for 2003, and

Whereas, pay periods may elapse in 2004 before the 2004 annual appropriation ordinances will be approved by Council; now, therefore,

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

Section 1. That the City Auditor is hereby authorized to transfer appropriations within any fund, if necessary, and to cancel encumbrances, if necessary, to provide for City payrolls for the pay period ending December 20, 2003, unpaid internal services and other obligations from any object level one with available funds to the appropriate object level one.

Section 2. That the City Auditor is hereby authorized and directed to honor and pay all properly presented payrolls, related items and other obligations for periods prior to passage of the annual appropriation ordinances for fiscal year 2004.

Section 3. Sufficient appropriations necessary to pay such costs referred to in Sections 1 and 2 of this ordinance are hereby authorized.

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



City of Columbus

City Bulletin Report

File Number: 2491-2003

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

Introduced: 11/6/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

AN03-035BACKGROUND: This ordinance is being submitted to set forth the municipal services and zoning conditions the city of Columbus will provide upon annexation of a territory located in Norwich Township. This ordinance is required by the Ohio Revised Code as enacted by the General Assembly of the State of Ohio. Notice of the annexation request was received from Franklin County. The ordinance must be passed before the annexation meeting takes place before the Board of County Commissioners of Franklin County. Information to determine the municipal services that would be available was compiled following the receipt of the notice. This process takes a minimum of two weeks to complete. Preparation of the ordinance and submission to the City Clerk in order to have a timely hearing before City Council requires a minimum additional time of two weeks. All of the above creates the necessity for emergency legislation in order to meet the hearing deadline. **FISCAL IMPACT:** The statement of municipal services and zoning conditions for a proposed annexation area has no fiscal impact. However, provision of the stated services does represent cost to the city. The annexation of land also has the potential to create revenue to the city.

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN03-035) of 1.01± Acres in Norwich 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 Norwich Township was duly filed by First Community Church on November 5, 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 1.01± acres in Norwich 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 30, 3200 Sullivant Avenue, 6 Personnel/ 3 Paramedics.
Apparatus responding: Paramedic/Engine, and Medic.
Time: 2.0 minutes.

Second response from: Station 17, 1096 West Broad Street, 12 Personnel/ 7 Paramedics.
Apparatus responding: Paramedic/Engine, Rescue, Medic, Battalion Chief, and EMS Supervisor.
Time: 15.0 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 12 inch main located in Fishinger Road.

Sewer:

Sanitary Sewer:

This site can be served by an existing sewer located about 875 feet from the site. Mainline sewer extension is required at the expense of the developer.

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 owners/developers at their own cost and expense with no cost to the city.

Section 2. If this 1.01 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 Norwich 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 Norwich 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.



City of Columbus

City Bulletin Report

File Number: 2495-2003

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

Introduced: 11/6/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

AN03-039BACKGROUND: This ordinance is being submitted to set forth the municipal services and zoning conditions the city of Columbus will provide upon annexation of a territory located in Jefferson Township. This ordinance is required by the Ohio Revised Code as enacted by the General Assembly of the State of Ohio. Notice of the annexation request was received from Franklin County. The ordinance must be passed before the annexation meeting takes place before the Board of County Commissioners of Franklin County. Information to determine the municipal services that would be available was compiled following the receipt of the notice. This process takes a minimum of two weeks to complete. Preparation of the ordinance and submission to the City Clerk in order to have a timely hearing before City Council requires a minimum additional time of two weeks. All of the above creates the necessity for emergency legislation in order to meet the hearing deadline. **FISCAL IMPACT:** The statement of municipal services and zoning conditions for a proposed annexation area has no fiscal impact. However, provision of the stated services does represent cost to the city. The annexation of land also has the potential to create revenue to the city.

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN03-039) of 42.7± Acres in Jefferson 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 Jefferson Township was duly filed by M. I. Homes of Central Ohio, L. L. C. on November 5, 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 42.7± acres in Jefferson 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 5, 211 McNaughten Road, 7 Personnel/4 Paramedics.
Apparatus responding: Paramedic/Engine, EMS supervisor, and Medic.
Time: 8 minutes.

Second response from: Station 23, 4451 East Livingston Avenue, 10 Personnel/3 Paramedics.
Apparatus responding: Paramedic/Engine, Ladder, and Medic.
Time: 17.5 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 30 inch main located in Waggoner Road.

Sewer:

Sanitary Sewer:

This site is tributary to an existing 66 inch subtrunk which is stubbed approximately 1.5 miles southwest of the site. The City plans to extend this sewer to the vicinity of Taylor Road And Reynoldsburg-New Albany Road by 2007. Mainline extension from that point will be the responsibility of the developer.

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 owners/developers at their own cost and expense with no cost to the city.

Section 2. If this 42.7 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 Jefferson 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 Jefferson 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.



City of Columbus
City Bulletin Report
File Number: 363X-2003

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

Introduced: 9/30/2003

Current Status: Passed

Version: 1

Matter Type: Resolution

BACKGROUND: This resolution authorizes plans and specifications to be prepared for a high pressure sodium street lighting system under the assessment procedure. Property owners have submitted a petition for a high pressure sodium street lighting system with ornamental poles and underground wiring in the Madison Mills Subdivision, including: Marsha Drive, Wintercross Court, Millrace Road, Chaney Place, Barley Circle, Bonne Circle, Bayberry Circle, Briarbush Drive, Briarbush Court, Poppyseed Court, Buggy Whip Lane, Moonlight Lane, Planters Court, Buckwheat Court, Plateau Street, Oldentime Court, Springtime Court, Wintertime Drive, Bartle Drive, Four Seasons Drive, Millview Drive, Millview Court, Acres Drive, Thimbleberry Road, Greenery Drive and Millstone Road from Williams Road to Millview Drive. This petition has been submitted to Columbus City Council through the City Clerk's Office.

To authorize the Director of Public Utilities, on behalf of the Division of Electricity, to cause plans and specifications to be prepared for installing ornamental street lighting with underground wiring in the Madison Mills Subdivision under the assessment procedure.

WHEREAS, property owners owning over 60% of the assessable property in the Madison Mills Subdivision, including: Marsha Drive, Wintercross Court, Millrace Road, Chaney Place, Barley Circle, Bonne Circle, Bayberry Circle, Briarbush Drive, Briarbush Court, Poppyseed Court, Buggy Whip Lane, Moonlight Lane, Planters Court, Buckwheat Court, Plateau Street, Oldentime Court, Springtime Court, Wintertime Drive, Bartle Drive, Four Seasons Drive, Millview Drive, Millview Court, Acres Drive, Thimbleberry Road, Greenery Drive and Millstone Road from Williams Road to Millview Drive, have submitted a petition for ornamental street lighting with underground wiring; now, therefore,

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

SECTION 1. That the Director of Public Utilities be and is hereby authorized to cause plans, specifications and estimate of cost to be prepared for a high pressure sodium street lighting system with ornamental poles and underground wiring in the Madison Mills Subdivision, including: Marsha Drive, Wintercross Court, Millrace Road, Chaney Place, Barley Circle, Bonne Circle, Bayberry Circle, Briarbush Drive, Briarbush Court, Poppyseed Court, Buggy Whip Lane, Moonlight Lane, Planters Court, Buckwheat Court, Plateau Street, Oldentime Court, Springtime Court, Wintertime Drive, Bartle

Drive, Four Seasons Drive, Millview Drive, Millview Court, Acres Drive, Thimbleberry Road, Greenery Drive and Millstone Road from Williams Road to Millview Drive.

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



City of Columbus
City Bulletin Report
File Number: 388X-2003

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

Introduced: 10/31/2003

Current Status: Passed

Version: 1

Matter Type: Resolution

Background: The following is a resolution to declare the necessity and intent to appropriate permanent and construction easements in, over, under and through real estate in connection with the Big Walnut Sanitary Trunk Extension Part II. Fiscal Impact: N/A Emergency Justification:

To declare the necessity and intent to appropriate permanent and construction easements in, over, under and through real estate in connection with the Big Walnut Sanitary Trunk Extension Part II, and to declare an emergency.

WHEREAS, the City of Columbus is engaged in the Big Walnut Sanitary Trunk Extension Part II; 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 declare the necessity and intent to appropriate permanent and construction easements in, over, under and through the hereinbefore described real estate necessary for the aforementioned project so that there will be no delay in the project thereby preserving the public health, peace, property, safety, and welfare; now, therefore:

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

Section 1. That this Council hereby declares the necessity and intent to appropriate permanent and construction easements in, over, under and through the following described real estate necessary for the Big Walnut Sanitary Trunk Extension Part II, Project #650033, pursuant to and in accordance with the Charter of the City of Columbus, Columbus City Code (1959) Revised, Chapter 909, the Constitution of the State of Ohio and Ohio Revised Code, Chapter 719; to-wit:

1ST

Subterranean Tunnel Easement

Johan L. Hellebrekers

Subterranean Tunnel (Subsurface) Easement No. 1 - EXTENDING VERTICALLY BETWEEN NAVD 88 ELEVATIONS 805.5 AND 840.5:

Situated in the State of Ohio, County of Franklin, Township of Plain, being located in Quarter Township 2, Township 2, Range 16, United States Military Lands and being

a permanent subsurface easement twenty (20.00) feet in width and thirty-five (35.00) feet in height within Lots 4 and 5 of Hickory Point Subdivision conveyed to Johan L. Hellebrekers of record in Plat Book 54, Page 100 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Commencing for reference at the northwesterly corner of said Lot 4, in the easterly line of a 1.290 acre tract conveyed to Michael and Loraine S. Koelbl of record in Official Record 24446-J04, and in the southerly right-of-way of Lee Road;

Thence along the southerly right-of-way of Lee Road, with a curve to the right having a radius of 5699.18 feet, a central angle of 00°06'37", and a chord that bears North 33°55'10" East a chord distance of 10.96 feet to the True Point of Beginning;

Thence continuing along the southerly right-of-way of Lee Road, with a curve to the right having a radius of 5699.18 feet, a central angle of 00°26'34", and a chord that bears North 34°11'46" East a chord distance of 44.05 feet to a point;

Thence crossing through said Lot 4, with a curve to the left having a radius of 690.00 feet, a central angle of 05°22'12", and a chord that bears South 06°07'24" West a chord distance of 64.65 feet to a point;

Thence crossing through said Lot 4 at first and then crossing through said Lot 5, South 03°26'18" West a distance of 558.56 feet to the southerly line of said Lot 5;

Thence along the southerly line of said Lot 5, North 87°29'31" West a distance of 20.00 feet to a point, said point being South 87°29'31" East from the southwesterly corner of said Lot 5;

Thence crossing through said Lot 5 at first and then said Lot 4, North 03°26'18" East a distance of 558.88 feet to a point;

Thence crossing through said Lot 4, with a curve to the right having a radius of 710.00 feet, a central angle of 02°09'26", and a chord that bears North 04°31'01" East a chord distance of 26.73 feet to the True Point of Beginning;

Said easement contains a volume of 422,870 cubic feet, more or less, and the area of the horizontal plane at elevation 805.5 contains 0.277 acres (12082 square feet), more or less.

The bearings are based on the Ohio State Plane Coordinate System, South Zone, North American Datum 1983 (1986) as derived from a survey occupying Franklin County Monuments "FCGS 0008", "FCGS 5568", "FCGS 8824", and "FCGS 8825".

The above description was prepared by DLZ Ohio, Inc., Columbus, Ohio from available records and an actual field survey.

A drawing of the above description is attached hereto and made a part hereof.

DLZ Ohio, Inc. Robert A. Bosworth, P.S. 7750 Date

2ST-1, ST-2, P

Permanent, Temporary, and Subterranean Tunnel Easements at Shaft 5

Harold J. and Hazel A. Gardner

Permanent Easement

Situated in the State of Ohio, County of Franklin, Township of Plain, being located in Section 6, Township 2, Range 16, United States Military Lands and being 0.100 acres within a 1.0 acre tract conveyed to Harold J. and Hazel A. Gardner of record in

Deed Book 2860, Page 430 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning in the northerly line of said 1.0 acre tract, the southerly line of a 7.040 acre tract conveyed to Harold J. and Hazel A. Gardner of record in Deed Book 2860, Page 432 and being in the westerly right-of-way of Lee Road;

Thence along the westerly right-of-way of Lee Road, South 35°04'12" West a distance of 120.00 feet to a point;

Thence crossing through said 1.0 acre tract, North 35°27'20" West a distance of 46.16 feet to a point;

Thence continuing crossing through said 1.0 acre tract, North 35°03'51" East a distance of 80.00 feet to the northerly line of said 1.0 acre tract and the southerly line of said 7.040 acre tract;

Thence along the northerly line of said 1.0 acre tract and the southerly line of said 7.040 acre tract, South 84°24'42" East a distance of 50.00 feet to the True Point of Beginning and containing 0.100 acres, more or less.

Temporary Easement

Situated in the State of Ohio, County of Franklin, Township of Plain, being located in Section 6, Township 2, Range 16, United States Military Lands and being 0.600 acres within a 1.0 acre tract conveyed to Harold J. and Hazel A. Gardner of record in Deed Book 2860, Page 430 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Commencing for reference in the northerly line of said 1.0 acre tract, the southerly line of a 7.040 acre tract conveyed to Harold J. and Hazel A. Gardner of record in Deed Book 2860, Page 432 and being in the westerly right-of-way of Lee Road;

Thence along the westerly right-of-way of Lee Road, South 35°04'12" West a distance of 120.00 feet to the True Point of Beginning;

Thence continuing along the westerly right-of-way of Lee Road, South 35°04'12" West a distance of 224.84 feet to a point;

Thence continuing along the westerly right-of-way of Lee Road, with a curve to the left having a radius of 5759.17 feet, a central angle of 00°12'14", and a chord that bears South 34°58'05" West a chord distance of 20.49 feet to the westerly line of said 1.0 acre tract;

Thence along a jog in the right-of-way of Lee Road at first, then along the easterly line of Lot 7 of Cautela Subdivision conveyed to Joseph P. and Elizabeth A. Czekanski of record in Plat Book 60, Page 99, and further along the easterly line of a 33 acre tract conveyed to Harold J. and Hazel A. Gardner of record in Deed Book 2860, Page 430, North 03°26'33" East a distance of 318.28 feet to the northwesterly corner of said 1.0 acre tract;

Thence along the northerly line of said 1.0 acre tract, South 84°24'42" East a distance of 141.69 feet to the westerly line of above described permanent easement;

Thence along the westerly line of above described permanent easement, South 35°03'51" West a distance of 80.00 feet to the southwesterly corner of above described permanent easement;

Thence along the southerly line of said above described permanent easement, South 35°27'20" East a distance of 46.16 feet to the True Point of Beginning and

containing 0.600 acres, more or less.

**Subterranean Tunnel (Subsurface) Easement No. 1 - EXTENDING VERTICALLY
BETWEEN NAVD 88 ELEVATIONS 806.5 AND 841.5:**

Situated in the State of Ohio, County of Franklin, Township of Plain, being located in Section 6, Township 2, Range 16, United States Military Lands and being a permanent subsurface easement twenty (20.00) feet in width and thirty-five (35.00) feet in height within a 1.0 acre tract conveyed to Harold J. and Hazel A. Gardner of record in Deed Book 2860, Page 430 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Commencing for reference in the westerly line of said 1.0 acre tract and being in the westerly right-of-way of Lee Road;

Thence along the westerly right-of-way of Lee Road, with a curve to the right having a radius of 5759.17 feet, a central angle of 00°12'14", and a chord that bears North 34°58'05" East a chord distance of 20.49 feet to the True Point of Beginning;

Thence crossing through said 1.0 acre tract, with a curve to the right having a radius of 710.00 feet, a central angle of 16°34'41", and a chord that bears North 26°24'21" East a chord distance of 204.72 feet to the southerly line of the above described permanent easement;

Thence along the southerly line of the above described permanent easement, South 35°27'20" East a distance of 21.30 feet to a point;

Thence crossing through said 1.0 acre tract, with a curve to the left having a radius of 690.00 feet, a central angle of 09°12'01", and a chord that bears South 29°29'39" West a chord distance of 110.68 feet to the westerly right-of-way of Lee Road;

Thence along the westerly right-of-way of Lee Road, South 35°04'12" West a distance of 85.12 feet to the True Point of Beginning;

Said easement contains a volume of 113,050 cubic feet, more or less, and the area of the horizontal plane at elevation 806.5 contains 0.074 acres (3230 square feet), more or less.

**Subterranean Tunnel (Subsurface) Easement No. 2 - EXTENDING VERTICALLY
BETWEEN NAVD 88 ELEVATIONS 807.5 AND 842.5:**

Situated in the State of Ohio, County of Franklin, Township of Plain, being located in Section 6, Township 2, Range 16, United States Military Lands and being a permanent subsurface easement twenty (20.00) feet in width and thirty-five (35.00) feet in height within a 7.040 acre tract conveyed to Harold J. and Hazel A. Gardner of record in Deed Book 2860, Page 432 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning in the northerly line of said 7.040 acre tract, the southerly line of a 1.447 acre tract conveyed to George E. and Francyl L. Greenlee of record in Deed Book 2722, Page 56 and being in the westerly right-of-way of Lee Road;

Thence along the westerly right-of-way of Lee Road, South 35°04'12" West a distance of 136.58 feet to a point;

Thence crossing through said 7.040 acre tract, South 36°06'15" West a distance

507.59 feet to the northerly line of the above described permanent easement;

Thence along the northerly line of the above described permanent easement, North 84°24'42" West a distance of 23.22 feet to a point;

Thence crossing through said 7.040 acre tract, North 36°06'15" East a distance 655.60 feet to the northerly line of said 7.074 acre tract and the southerly line of said 1.447 acre tract;

Thence along the northerly line of said 7.074 acre tract and the southerly line of said 1.447 acre tract, South 54°59'55" East a distance of 17.54 feet to the True Point of Beginning;

Said easement contains a volume of 449,050 cubic feet, more or less, and the area of the horizontal plane at elevation 807.5 contains 0.295 acres (12830 square feet), more or less.

The bearings are based on the Ohio State Plane Coordinate System, South Zone, North American Datum 1983 (1986) as derived from a survey occupying Franklin County Monuments "FCGS 0008", "FCGS 5568", "FCGS 8824", and "FCGS 8825".

The above description was prepared by DLZ Ohio, Inc., Columbus, Ohio from available records and an actual field survey.

A drawing of the above descriptions is attached hereto and made a part hereof.
DLZ Ohio, Inc. Robert A. Bosworth, P.S. 7750 Date

3ST

Subterranean Tunnel Easement

George E. and Francyl L. Greenlee

Subterranean Tunnel (Subsurface) Easement- EXTENDING VERTICALLY BETWEEN NAVD 88 ELEVATIONS 808 AND 843:

Situated in the State of Ohio, County of Franklin, Township of Plain, being located in Section 6, Township 2, Range 16, United States Military Lands and being a permanent subsurface easement thirty-five (35.00) feet in height within a 1.447 acre tract conveyed to George E. and Francyl L. Greenlee of record in Deed Book 2722, Page 56 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning in the southerly line of said 1.477 acre tract, in the northerly line of a 7.040 acre tract conveyed to Harold J. and Hazel A. Gardner of record in Deed Book 2860, Page 432, and in the westerly right-of-way of Lee Road;

Thence along the southerly line of said 1.477 acre tract and the northerly line of said 7.040 acre tract, North 54°59'55" West a distance of 17.54 feet to a point;

Thence crossing through said 1.447 acre tract, North 36°06'15" East a distance of 100.06 feet to the northerly line of said 1.447 acre tract and the southerly line of a 10.9056 acre tract conveyed to Paula J. Gummer of record in Official Record 32887-107;

Thence along the northerly line of said 1.447 acre tract and the southerly line of said 10.9056 acre tract, South 54°56'12" East a distance of 15.73 feet to the westerly right-of-way of Lee Road;

Thence along the westerly right-of-way of Lee Road, South 35°04'12" West a distance of 100.02 feet to the True Point of Beginning;

Said easement contains a volume of 58,240 cubic feet, more or less, and the area

of the horizontal plane at elevation 808 contains 0.038 acres (1664 square feet), more or less.

The bearings are based on the Ohio State Plane Coordinate System, South Zone, North American Datum 1983 (1986) as derived from a survey occupying Franklin County Monuments "FCGS 0008", "FCGS 5568", "FCGS 8824", and "FCGS 8825".

The above description was prepared by DLZ Ohio, Inc., Columbus, Ohio from available records and an actual field survey.

A drawing of the above description is attached hereto and made a part hereof.
DLZ Ohio, Inc. Robert A. Bosworth, P.S. 7750 Date

4ST

Subterranean Tunnel Easement

Paula J. Gummer

Subterranean Tunnel (Subsurface) Easement- EXTENDING VERTICALLY BETWEEN NAVD 88 ELEVATIONS 808.5 AND 843.5:

Situated in the State of Ohio, County of Franklin, Township of Plain, being located in Section 6, Township 2, Range 16, United States Military Lands and being a permanent subsurface easement thirty-five (35.00) feet in height within a 10.9056 acre tract conveyed to Paula J. Gummer of record in Official Record 32887-107 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning in the southerly line of said 10.9056 acre tract, in the northerly line of a 1.447 acre tract conveyed to George E. and Francyl L. Greenlee of record in Deed Book 2722, Page 56, and in the westerly right-of-way of Lee Road;

Thence along the southerly line of said 10.9056 acre tract and the northerly line of said 1.447 acre tract, North 54°56'12" West a distance of 15.73 feet to a point;

Thence crossing through said 10.9056 acre tract, North 36°06'15" East a distance of 324.87 feet to the northerly line of said 10.9056 acre tract and the southerly line of a 1.447 acre tract conveyed to Fauzi Tayim of record in Official Record 1403-J14;

Thence along the northerly line of said 10.9056 acre tract and the southerly line of said 1.447 acre tract, South 55°16'58" East a distance of 9.87 feet to the westerly right-of-way of Lee Road;

Thence along the westerly right-of-way of Lee Road, South 35°04'12" West a distance of 324.88 feet to the True Point of Beginning;

Said easement contains a volume of 145,530 cubic feet, more or less, and the area of the horizontal plane at elevation 808.5 contains 0.095 acres (4158 square feet), more or less.

The bearings are based on the Ohio State Plane Coordinate System, South Zone, North American Datum 1983 (1986) as derived from a survey occupying Franklin County Monuments "FCGS 0008", "FCGS 5568", "FCGS 8824", and "FCGS 8825".

The above description was prepared by DLZ Ohio, Inc., Columbus, Ohio from available records and an actual field survey.

A drawing of the above description is attached hereto and made a part hereof.
DLZ Ohio, Inc. Robert A. Bosworth, P.S. 7750 Date

5ST

Subterranean Tunnel Easement

From: Fauzi Tayim

Subterranean Tunnel (Subsurface) Easement- EXTENDING VERTICALLY BETWEEN NAVD 88 ELEVATIONS 809 AND 844:

Situated in the State of Ohio, County of Franklin, Township of Plain, being located in Section 6, Township 2, Range 16, United States Military Lands and being a permanent subsurface easement thirty-five (35.00) feet in height within a 1.447 acre tract conveyed to Fauzi Tayim of record in Official Record 1403-J14 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning in the southerly line of said 1.447 acre tract, in the northerly line of a 10.9056 acre tract conveyed to Paula J. Gummer of record in Official Record 32887-I07, and in the westerly right-of-way of Lee Road;

Thence along the southerly line of said 1.447 acre tract and the northerly line of said 10.9056 acre tract, North 55°16'58" West a distance of 9.87 feet to a point;

Thence crossing through said 1.447 acre tract, North 36°06'15" East a distance of 383.97 feet to the northerly line of said 1.447 acre tract and the southerly line of a 1.533 acre tract conveyed to Clyde N. and Gail C. Merrell of record in Official Record 19913-E20;

Thence along the northerly line of said 1.447 acre tract and the southerly line of said 1.533 acre tract, South 86°05'51" East a distance of 6.09 feet to the westerly right-of-way of Lee Road;

Thence along the westerly right-of-way of Lee Road, with the arc of a curve to the left having a radius of 2894.59, a central angle of 02°16'08", and a chord that bears South 36°12'16" West a chord distance of 114.62 feet to a point;

Thence continuing along the westerly right-of-way of Lee Road, South 35°04'12" West a distance of 272.40 feet to the True Point of Beginning;

Said easement contains a volume of 89,110 cubic feet, more or less, and the area of the horizontal plane at elevation 809 contains 0.058 acres (2546 square feet), more or less.

The bearings are based on the Ohio State Plane Coordinate System, South Zone, North American Datum 1983 (1986) as derived from a survey occupying Franklin County Monuments "FCGS 0008", "FCGS 5568", "FCGS 8824", and "FCGS 8825".

The above description was prepared by DLZ Ohio, Inc., Columbus, Ohio from available records and an actual field survey.

A drawing of the above description is attached hereto and made a part hereof.

DLZ Ohio, Inc. Robert A. Bosworth, P.S. 7750 Date

6ST

Subterranean Tunnel Easement

Clyde N. and Gail C. Merrell

Subterranean Tunnel (Subsurface) Easement- EXTENDING VERTICALLY BETWEEN NAVD 88 ELEVATIONS 809.5 AND 844.5:

Situated in the State of Ohio, County of Franklin, Township of Plain, being located

in Section 6, Township 2, Range 16, United States Military Lands and being a permanent subsurface easement thirty-five (35.00) feet in height within a 1.533 acre tract conveyed to Clyde N. and Gail C. Merrell of record in Official Record 19913-E20 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning in the southerly line of said 1.533 acre tract, in the northerly line of a 1.447 acre tract conveyed to Fauzi Tayim of record in Official Record 1403-J14, and in the westerly right-of-way of Lee Road;

Thence along the southerly line of said 1.533 acre tract and the northerly line of said 1.447 acre tract, North 86°05'51" West a distance of 6.09 feet to a point;

Thence crossing through said 1.447 acre tract, North 36°06'15" East a distance of 165.52 feet to a point;

Thence crossing through said 1.447 acre tract, with the arc of a curve to the right having a radius of 610.00, a central angle of 11°39'41", and a chord that bears North 41°58'22" East a chord distance of 123.94 feet to the westerly right-of-way of Lee Road;

Thence along the westerly right-of-way of Lee Road, South 37°37'12" West a distance of 271.47 feet to a point;

Thence continuing along the westerly right-of-way of Lee Road with the arc of a curve to the left having a radius of 2894.59, a central angle of 00°16'52", and a chord that bears South 37°28'46" West a chord distance of 14.20 feet to the True Point of Beginning;

Said easement contains a volume of 70,980 cubic feet, more or less, and the area of the horizontal plane at elevation 809.5 contains 0.047 acres (2028 square feet), more or less.

The bearings are based on the Ohio State Plane Coordinate System, South Zone, North American Datum 1983 (1986) as derived from a survey occupying Franklin County Monuments "FCGS 0008", "FCGS 5568", "FCGS 8824", and "FCGS 8825".

The above description was prepared by DLZ Ohio, Inc., Columbus, Ohio from available records and an actual field survey.

A drawing of the above description is attached hereto and made a part hereof.
DLZ Ohio, Inc., Robert A. Bosworth, P.S. 7750 Date

7ST

Subterranean Tunnel Easement

Trustees of the Union Grave Yard

Subterranean Tunnel (Subsurface) Easement- EXTENDING VERTICALLY BETWEEN NAVD 88 ELEVATIONS 810 AND 845:

Situated in the State of Ohio, County of Franklin, Township of Plain, being located in Section 6, Township 2, Range 16, United States Military Lands and being a permanent subsurface easement twenty (20.00) feet in width and thirty-five (35.00) feet in height within a 1.0 acre tract conveyed to Trustees of the Union Grave Yard of record in Deed Book 3434, Page 927, Deed Book 223, Page 397, and Deed Book 247, Page 435 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Commencing for reference in the easterly line of said 1.0 acre tract, in a westerly line of a 38.5 acre tract conveyed to Robert N. Phillips of record in Deed Book 3434,

Page 927, and in the southerly right-of-way of Walnut Street;

Thence along the easterly line of said 1.0 acre tract and the westerly line of said 38.5 acre tract, South 03°45'40" West a distance of 9.34 feet to the True Point of Beginning;

Thence continuing along the easterly line of said 1.0 acre tract and the westerly line of said 38.5 acre tract, South 03°45'40" West a distance of 20.91 feet to a point;

Thence crossing through said 1.0 acre tract, with the arc of a curve to the left having a radius of 590.00, a central angle of 17°23'33", and a chord that bears South 67°46'13" West a chord distance of 178.41 feet to the easterly right-of-way of Lee Road;

Thence along the easterly right-of-way of Lee Road, with the arc of a curve to the left having a radius of 316.46, a central angle of 05°45'20", and a chord that bears North 21°15'22" East a chord distance of 31.78 feet to a point;

Thence crossing through said 1.0 acre tract, with the arc of a curve to the right having a radius of 610.00, a central angle of 15°37'06", and a chord that bears North 69°14'29" East a chord distance of 165.77 feet to the True Point of Beginning;

Said easement contains a volume of 120,505 cubic feet, more or less, and the area of the horizontal plane at elevation 810 contains 0.079 acres (3443 square feet), more or less.

The bearings are based on the Ohio State Plane Coordinate System, South Zone, North American Datum 1983 (1986) as derived from a survey occupying Franklin County Monuments "FCGS 0008", "FCGS 5568", "FCGS 8824", and "FCGS 8825".

The above description was prepared by DLZ Ohio, Inc., Columbus, Ohio from available records and an actual field survey.

A drawing of the above description is attached hereto and made a part hereof.
DLZ Ohio, Inc., Robert A. Bosworth, P.S. 7750 Date

8P, T
Permanent and Temporary Easement at Shaft 6
Robert N. Phillips

Permanent Easement

Situated in the State of Ohio, County of Franklin, Township of Plain, being located in Section 6, Township 2, Range 16, United States Military Lands and 0.138 acres within a 38.5 acre tract conveyed to Robert N. Phillips of record in Deed Book 3434, Page 927 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning in a westerly line of said 38.5 acre tract, in the easterly line of a 1.0 acre tract conveyed to Trustees of the Union Graveyard of record in Deed Book 3434, Page 927, Deed Book 223, Page 397, and Deed Book 247, Page 435 and in the southerly right-of-way of Walnut Street;

Thence along the southerly right-of-way of Walnut Street, South 86°16'40" East a distance of 120.00 feet to a point;

Thence crossing through said 38.5 acre tract, South 03°45'40" West a distance of 50.00 feet to a point;

Thence crossing through said 38.5 acre tract, North 86°14'40" West a distance of 120.00 feet to the westerly line of said 38.5 acre tract and the easterly line of said 1.0 acre tract;

Thence along the westerly line of said 38.5 acre tract and the easterly line of said 1.0 acre tract, North 03°45'40" East a distance of 50.00 feet to the True Point of Beginning and containing 0.138 acres, more or less.

Temporary Easement

Situated in the State of Ohio, County of Franklin, Township of Plain, being located in Section 6, Township 2, Range 16, United States Military Lands and 0.826 acres within a 38.5 acre tract conveyed to Robert N. Phillips of record in Deed Book 3434, Page 927 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Commencing for reference in a westerly line of said 38.5 acre tract, in the easterly line of a 1.0 acre tract conveyed to Trustees of the Union Graveyard of record in Deed Book 3434, Page 927, Deed Book 223, Page 397, and Deed Book 247, Page 435 and in the southerly right-of-way of Walnut Street;

Thence along the southerly right-of-way of Walnut Street, South 86°16'40" East a distance of 120.00 feet to the True Point of Beginning;

Thence continuing along the southerly right-of-way of Walnut Street, South 86°16'40" East a distance of 90.00 feet to a point;

Thence crossing through said 38.5 acre tract, South 03°45'40" West a distance of 200.00 feet to a point;

Thence crossing through said 38.5 acre tract, North 86°14'40" West a distance of 210.00 feet to a westerly line of said 38.5 acre tract and the easterly line of said 1.0 acre tract;

Thence along a westerly line of said 38.5 acre tract and the easterly line of said 1.0 acre tract, North 03°45'40" East a distance of 150.00 feet to the southerly line of said above described permanent easement;

Thence along the southerly line of said above described permanent easement, South 86°16'40" East a distance of 120.00 feet to the southeasterly corner of said above described permanent easement;

Thence along the easterly line of said above described permanent easement, North 03°45'40" East a distance of 50.00 feet to the True Point of Beginning and containing 0.826 acres, more or less.

The bearings are based on the Ohio State Plane Coordinate System, South Zone, North American Datum 1983 (1986) as derived from a survey occupying Franklin County Monuments "FCGS 0008", "FCGS 5568", "FCGS 8824", and "FCGS 8825".

The above description was prepared by DLZ Ohio, Inc., Columbus, Ohio from available records and an actual field survey.

A drawing of the above descriptions is attached hereto and made a part hereof.
DLZ Ohio, Inc. , Robert A. Bosworth, P.S. 7750 Date

Section 2. That the City Attorney be and hereby is authorized to cause a written notice of the adoption of this resolution to be served upon the owners, persons in possession of or persons having a real or possible interest of record in the above

described premises in the manner provided by law.

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



City of Columbus

City Bulletin Report

File Number: 393X-2003

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

Introduced: 11/10/2003

Current Status: Passed

Version: 1

Matter Type: Ceremonial Resolution

[enter text here]

To recognize and congratulate Pastor Harold A. Hudson and First Lady Deborah Hudson on their 7th Pastoral Anniversary.

To recognize and congratulate Pastor Harold A. Hudson and First Lady Deborah Hudson on their 7th Pastoral Anniversary.

WHEREAS, Pastor Harold A. Hudson is the recipient of a Master of Religious Education Degree as well as he will receive a Doctorate of Ministry Degree in December, 2003; and

WHEREAS, Pastor Harold A. Hudson's seven years of exemplary leadership to Calvary Tremont Missionary Baptist Church is responsible for a new educational wing, a youth summer day camp, a food and clothing bank, a partnership with Trevitt Elementary School, the Charles Drew blood drive with the American Red Cross, and health related projects with Riverside Methodist Hospital and the American Cancer Society; and

WHEREAS, Pastor Harold A. Hudson has received numerous citations and awards, however the most notable of all his accomplishments are the number of souls won to Christ; now therefore

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

That this Council does hereby recognize and applaud Pastor Harold A. Hudson and First Lady Deborah Hudson for 7 years of faithful service to the Calvary Tremont Missionary Baptist Church congregation for being a shepherd and leader to both their congregation and the City of Columbus.



City of Columbus

City Bulletin Report

File Number: 395X-2003

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

Introduced: 11/14/2003

Current Status: Passed

Version: 1

Matter Type: Ceremonial Resolution

To congratulate Ron Pitts, of Ujima Theatre, for the Premier showing of "Love and Street Corner Harmony" on this 14th day of November, 2003.

WHEREAS, Mr. Pitts wrote, produced, and directed this critically important production of "Love and Street Corner Harmony" to remind us of a time when music was music and people gathered in harmony on the street corners of America simply to have a good time and to fellowship; and

WHEREAS, education has always been a priority of Ujima Theatre, this production is timely, as it seeks to teach and reflect a historical period between the 1960's thru 1980's that is in danger of losing its significance among those born into the 1980's and beyond; and

WHEREAS, "Love and Street Corner Harmony," will send audiences home with an indelible learning experience that will enhance their appreciation for this remarkable period of American history; now, therefore,

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

That we hereby congratulate Ron Pitts, founder and CEO, of Ujima Theatre for this production of "Love and Street Corner Harmony."

THE CITY BULLETIN
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 corporation, the name and address of the President and Secretary.

EQUAL OPPORTUNITY CLAUSE: Each responsive bidder shall submit, with its bid, a contract compliance certification number or a completed application for certification. Compliance with the provisions of Article I, Title 39, is a condition of the contract. Failure to comply with this Article may result in 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

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

BID OPENING DATE - November 26, 2003 3:00 pm

SA000566 - SOUTHERLY ROOF REPLACEMENT PROJECT

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

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 26, 2003 and publicly opened and read at that hour and place for the following project:

City of Columbus
Division of Sewerage and Drainage
Southerly Wastewater Treatment Plant

Sludge Concentration Building Roof Replacement

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 Sludge Concentration Building roofing system located at the Southerly Wastewater Treatment Plant, 6977 S. High Street, Lockbourne, Ohio 43137. The new roof shall be modified asphalt multi-ply built up construction. 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 Southerly Wastewater Treatment Plant, 6977 South High Street, Lockbourne, Ohio 43137.

CONTACTS: For information regarding the detailed specifications or project details, please contact Art Gibson, Maintenance Manager (614) 645-3248. 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
Southerly Wastewater Treatment Plant
Sludge Concentration Building Roof Replacement

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 (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 (100%) 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

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

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 12, 2003 at 3:00 PM (EST) in the Administration Building conference room at the Southerly Wastewater Treatment Plant, 6977 South High Street, Lockbourne, Ohio 43137.

Note: Attendance at the Pre-Bid Conference is NOT required for Bid consideration. However vendors are responsible for obtaining any 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.

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

- (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.)

PREVAILING WAGES

Prevailing Rates of Wages

The attention of the bidder is directed to the Provisions of Chapter 4115 of the Ohio Revised Code which require the Contractor to whom the award is made, and all of its subcontractors, to pay not less than the prevailing rates of wages, in the locality where the work is to be performed, for the classes of work called for by this public improvement.

The Contractor shall inform itself fully as to these provisions, particularly those of Section 4115.05 which provides, in effect, that the wages to be paid on public improvements shall be not less than those ascertained by the Department of Industrial Relations as prevailing in a given locality at the date a contract is made.

Section 4115.07 of the Revised Code of the State of Ohio provides that all Contractors or Subcontractors falling within or affected by Section 4115.03 to 4115.14, inclusive, of the Ohio Revised Code, shall keep full and accurate payroll records covering all disbursements of wages to their employees to whom they are required to pay not less than the minimum prevailing rates of wages, as set forth in the Contract. Such payroll records shall not be destroyed or removed from the State for a period of one (1) year following the completion of the Contract in connection with which records are made.

At any time during the life of the Contract, the City may demand that the Contractor and/or its subcontractors submit an affidavit stating that wages have been paid for the pay period or periods in question in conformance with the minimum rates set forth in the contract. Such affidavit must be supported by the certified copy of his detailed payroll records and shall show the individuals by name, classification and pay rate on the Contractor's payroll each day of the period, together with the deductions which may have been made. The City may withhold payments of any estimate pending the submission of the affidavit and certified payroll records. If minimum wage requirements have not been met in accordance with the terms of the Contract, payment of estimate may be withheld until the Contractor and/or Subcontractor has complied.

UPON COMPLETION OF THE WORK AND PRIOR TO THE PAYMENT OF THE FINAL ESTIMATE, THE CONTRACTOR SHALL SUBMIT AN AFFIDAVIT STATING THAT WAGES HAVE BEEN PAID IN CONFORMANCE WITH THE MINIMUM RATE SET FORTH IN THE CONTRACT.

The affidavit must be executed and sworn to by the Officer or Agent of the contractor or subcontractor who supervises the payment of employees, before the City will release the Surety and/or make final payment due under the terms of the Contract.

The following schedule of prevailing rates of wages in Franklin County, Ohio, as ascertained and determined by the Department of Industrial Relations on the date indicated on the following page is hereby made a part of this contract as required by the Ohio Revised Code.

Cheryl Roberto, Interim Director of the Department of Public Utilities

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Division of Sewerage & Drainage ATTN: JOE LOMBARDI at, (614) 645-5424 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 910 Dublin Road, 4th Floor, Columbus OH 43215.
ORIGINAL PUBLISHING DATE: October 24, 2003

BID OPENING DATE - December 3, 2003 3:00 pm

SA000577 - Franklin Main Interceptor Relocation

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

PUBLIC BID ADVERTISEMENT

Sealed bids will be received by the Board of Trustees of The Ohio State University, addressed to The Ohio State University Business and Finance, c/o Office of Facilities Planning and Development, 4th Floor Central Classroom Building, 2009 Millikin Road, Columbus, Ohio 43210 until Wednesday, December 3, 2003 at 3:00 p.m. Local Time and opened immediately thereafter for the following project:

Biomedical Research Tower/Lab Animal Facilities
OSU No. 315-1999-940/315-2002-038
Bid Package Three
Franklin Main Interceptor Relocation
City of Columbus Capital Improvement Project No. 600.9
The Ohio State University
Columbus, Ohio

This is anticipated to be a joint project between the Ohio State University and the City of Columbus. The City of Columbus project number is CIP 600.9, drawing number CC-13482. The City of Columbus's contact person for this project is Miriam C. Siegfried, P.E. of the Sewerage and Drainage Division, Sewer System Engineering Section, (614) 645-6290.

The work for which proposals are invited consists of installation of approximately 1500 LF of 30" diameter sanitary sewer and approximately 200 LF each of 24" and 12" HDPE sanitary sewer siphon utilizing directional drilling techniques and ancillary manholes and siphon chambers. Work also includes abandonment of existing brick sanitary sewer and manholes and bypass pumping and dewatering activities necessary to perform the work.

A pre-bid conference will be held on Thursday, November 20, 2003 at 10:00 a.m. in the Office of Facilities Planning and Development, 410 Central Classroom, 2009 Millikin Road, Columbus, Ohio.

A contract performance and payment bond of 100 percent, expressed in dollars and cents, of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio will be required to assure the faithful performance of the work.

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

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification.

The work under this contract shall be completed in a manner acceptable to the City as follows:

1. Completion of Work excluding Deflection Testing and Pavement Repair: 70 calendar days after the effective date of the Notice to Proceed.
2. Completion of Permanent Paving: June 1, 2004
3. Completion of Total Contract: July 31, 2004

Contract Documents are available from Key Blue Prints, Inc., phone 614-228-3285, fax 614-228-0687, and repro@keycompanies.com by Bidders only, by placing a refundable deposit of \$100.00 per set payable to Karlsberger Companies. The Bidder's deposit will be refunded in full only if the bidder submitted a bona fide bid and returns the Contract Documents in good condition within ten (10) days after the bid opening. No more than three (3) sets will be provided on a refundable basis to a Bidder. Additional copies may be purchased without refund for the same cost. Subcontractors and Suppliers are required to pay the cost of printing and shipping Contract Documents, and are not eligible to receive documents on a deposit/refund basis. Documents may be examined at The Ohio State University Office of Facilities Planning and Development, Columbus, Ohio, Builders Exchange/F.W. Dodge, Columbus, Ohio, Read Construction Data, Columbus, Ohio and Dodge/SCAN, Cleveland, Ohio.

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

The Board of Trustees of The Ohio State University reserves the right to waive any informalities or to reject any or all bids.

The Ohio State University
William J. Shkurti
Senior Vice President for Business & Finance
ORIGINAL PUBLISHING DATE: November 11, 2003

BID OPENING DATE - December 4, 2003 11:00 am

SA000576 - FLEET/AUTO-TRUCK SPRING REPAIR

1.1 Scope: It is the intent of the City of Columbus, Fleet Management Division to obtain formal bids to establish a UTC for the repair of Automotive / Truck Springs on city vehicles to begin November 1, 2003 through October 31,2005.

1.2 Classification: Bidder shall provide percentage discount and labor rates for front, single and tandem axle vehicles as per proposal page of bid packet as well as provide price list for parts to be provided.

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: November 07, 2003

SA000581 - Technology/Operations/Folder gluer

1.1 Scope: It is the intent of the City of Columbus, Department of Technology to obtain formal bids to establish a purchasing agreement for the purchase of a machine that folds, glues, seals and perforates paper for use within the Department of Technology for replacement of the aging Standard Register model 404, which is needed immediately.

1.2 The City of Columbus, Department of Technology is seeking to purchase a machine that converts laser printed cut sheet paper into a self-mailer. The machine shall fold, glue, seal and perforate standard 8 1/2" X 11" and 8 1/2" X 14" cut sheet paper. The machine must be able to handle paper weighs from 24 pound to 28 pound and it will replace existing equipment currently being used. Delivery is needed within 30 days after bid award.

The lowest bidder will provide a demo of the machine prior to bid award, if a local demonstration is unavailable, a demo can be a video tape of the machine in operation. The winning bidder will deliver the machine to 90 West Broad St, room B36 within 30 days after bid award.

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: November 14, 2003

BID OPENING DATE - December 10, 2003 3:00 pm

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA000572 - PROFESSIONAL SERVICES WATER PROJECTS

Professional Services- Water Projects

REQUEST FOR STATEMENTS OF QUALIFICATIONS FOR PROFESSIONAL SERVICES FOR VARIOUS WATER PROJECTS AND FOR GENERAL ENGINEERING SERVICES 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 various water projects and general engineering services for the Department of Public Utilities, Division of Water. The selected professional service firm for each project will provide all office and field services necessary to prepare technical reports and design documents for construction bidding. The projects are identified as:

A. East Columbus Area Water Main Improvements, Project Number 690236, Contract Number 1054(3 locations of 6-inch water main, approximately 2,200 linear feet; 1 location of 12-inch water main, approximately 900 linear feet; 2 locations of service transfers, approximately 8,900 linear feet.)

B. Far East Columbus Water Main Improvements, Part II, Project Number 690236, Contract Number 1055(4 locations of 6-inch water main, approximately 7,800 linear feet; 1 location of 12-inch water main, approximately 2,100 linear feet.)

C. Cleveland Avenue Area Water Main Improvements, Project Number 690236, Contract Number 1056(3 locations of 6-inch water main, approximately 1,350 linear feet; 2 locations of 8-inch water main, approximately 1,850 linear feet; 1 location of 12-inch water main, approximately 3,100 linear feet; 2 locations of service transfers, approximately 10,100 linear feet).

D. Case Road 6-Inch Water Main- from Estates Place to Walford Avenue/Lehner Road 8-Inch Water Main- from Dresden Street to Cleveland Avenue, Project Number 690236, Contract Number 1057(Approximately 3,200 linear feet of 6-inch water main; Approximately 4,100 linear feet of 8-inch water main).

E. Champion Avenue 24-Inch Water Main- from Maryland Avenue to Long Street/Champion Avenue 20-Inch Water Main- from Long Street to Main Street, Project Number 690403, Contract Number 1058(Approximately 3,400 linear feet of 24-inch water main; Approximately 3,700 linear feet of 20-inch water main).

F. Morse Road 36-Inch Water Main- from Morse Road Booster Station to Johnstown Road, Project Number 690474, Contract Number 1059(Approximately 6,000 linear feet of 36-inch water main).

G. Sheridan Avenue 24-Inch Water Main- from Mound Street to Livingston Avenue/Livingston Avenue 24-Inch Water Main- from Sheridan Avenue to Hampton Road, Part II, Project Number 690404, Contract Number 1060 (Approximately 8,700 linear feet of 24-inch water main).

H. General Engineering Services, Project Number 690446, Contract Number 1061.

I. Morse/Hamilton Road Booster Station, Project Number 690480, Contract Number 1062(New Booster Station on existing Morse Road tank site).

J. Taylor Road 2MG Water Storage Tank, Project Number 690426, Contract Number 1063(New 2 MG tank on existing Taylor Road 1 MG tank site).

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. Written notification of the "short list" sent to all offerors.

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

5. The Committee shall request complete technical proposals from each of the offerors selected for further consideration.
6. Proposals submitted by the "short listed" offerors.
7. The Committee may also request that all offerors selected for further consideration make a presentation to the Committee to elaborate on their technical proposals, SOQ's, cost estimates, and/or any other pertinent information.
8. The Committee shall rank all remaining offerors based upon the quality and feasibility of their proposals and any revisions thereto.
9. The Department shall enter into contract negotiations with the offerors in the order of rank, and written notification of the selection sent to remaining offerors.

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 Charles M. Turner, P.E., Distribution Engineering Manager, Division of Water, 2nd floor, Utilities Complex, 910 Dublin Road, Columbus, Ohio 43215, or by fax (614-645-6165), or by e-mail (cmtturner@columbus.gov). There is NO additional information package for this RFSOQ.

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.

The firm shall indicate on which of the listed projects they wish to be considered, which may include any or all projects listed. Submit only one set of five SOQ's regardless of the number of projects for which you apply.

Final date for submission of SOQ's will be no later than 3:00 p.m. December 10, 2003. Any submittals received after that time will not be considered.

Submissions will be evaluated by the Department 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: October 30, 2003

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

BID OPENING DATE - December 11, 2003 11:00 am

SA000580 - FINANCE LOAN SERVICING RFP

Scope of Services: Loan Servicing of HUD-based Mortgages for the City of Columbus

The City of Columbus intends to enter into a contract with a qualified loan servicing agent (Servicer/ Contractor) who will collect monthly payments on behalf of the city from present and future mortgages; discharge the debt obligation of the mortgagor; and manage and maintain all related documents and files.

The City of Columbus receives grant funds from the U.S. Dept. of Housing and Urban Development primarily to fund housing and economic development projects. The City of Columbus received primarily Community Development Block Grant (CDBG), HOME Investment Partnership Fund (HOME), Rental Rehabilitation, and Housing Opportunities for People Everywhere (HOPE) grants. Each grant fund has its own set of regulatory requirements.

The contractor will be responsible for issuing notice of payment, collecting daily receipts of principal and interest on loans, creating and managing a file on each mortgage, and maintaining mortgage notes and mortgage deeds in a secure and safe location.

The contract will commence on February 1, 2004 and end January 31, 2006. The second year of the contract is subject to the approval and appropriation of funds.

The contract may be extended for three two-year terms, subject to the approval of both parties and the approval of the annual appropriation of funds.

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: November 14, 2003

BID OPENING DATE - December 16, 2003 2:00 pm

SA000578 - CRPD NORTH BANK PARK ISSUE C

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ADVERTISEMENT FOR BIDS

Sealed proposals will be received by the Recreation and Parks Commission of the City of Columbus, Ohio, at its office at 200 Greenlawn Ave., until 2:00 p.m. on Tuesday, December 16, 2003, and publicly opened and read immediately thereafter for:
North Bank Park - Issue C

The work for which proposals are invited consists of (3) Three prime contractor bids and /or (1) combination bid package including: (C1) - General Trades, (C2) - HVAC, Plumbing and Limited Area Sprinkler, (C3) Electrical for the pavilion building, the restroom facility and the storage structure and related canopies. Issue C2 also includes the plumbing work for the fountain in the river park. Issue C3 also includes the electrical work for the urban park interior, the river park interior and the fountain electrical work in the river park. A combination bid for bid packs C1, C2, and C3 will also be accepted.

Copies of the Project Manual/Specifications and the plans will be on file and available to prospective bidders on November 18, 2003 at Recreation and Parks Department Office at 200 Greenlawn Avenue, Columbus, Ohio 43223 (614) 645-5765 upon a non-refundable payment of \$50.00 per package.

Proposals must be submitted on the proper forms contained in the Project Manual/Specifications and the ENTIRE Project Manual/Specifications containing the Proposal must be submitted in a sealed envelope marked "North Bank Park Issue C."

PRE-BID CONFERENCE

A Pre-bid Conference will be held Tuesday, November 25, 2003 at 2:00 p.m. at Recreation and Parks Commission of the City of Columbus, Ohio, at its office at 200 Greenlawn Ave. Bidders are strongly urged to attend. Failure to attend will not disqualify a bidder. However, bidders shall comply with and be responsible for the bid specifications and information discussed at the pre-bid conference

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 be expressed in dollars and cents and shall not be less than ten (10) percent of the bid, including all alternates submitted which increase the bid. A certified copy of the authority to act must accompany all bonds signed by an agent.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements 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 will be required to assure the faithful performance of the work. Bonds shall be with a surety or sureties licensed to conduct business in the State of Ohio, according to Section 103.5 of the City of Columbus Construction and Materials Specifications, latest edition.

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 the Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., Room 301, 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. Any questions or inquiries concerning this should be directed to the Equal Business Opportunities Commission Office, 109 N. Front Street, 4th Floor, Columbus, Ohio 43215 (614) 645-4764.

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

BID CANCELLATION AND REJECTIONS

The right is reserved by the Executive Director of Recreation and Parks of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, and/or to advertise for new proposals, when it is in the best interests of the City.

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.

OSHA/EPA/ADA REQUIREMENTS

Contractors are subject to all applicable federal, state and local laws, ordinances, rules and regulations pertaining to services or products to be provided under this requirement.

Jerry Saunders, President
Recreation and Parks Commission

Wayne A. Roberts, Executive Director
Recreation & Parks Department

CITY BULLETIN DATES:

- 1) November 15, 2003
- 2) November 22, 2003
- 3) November 29, 2003

ORIGINAL PUBLISHING DATE: November 12, 2003

BID OPENING DATE - December 18, 2003 2:00 pm

SA000579 - CRPD NORTH BANK PARK ISSUE D AND E

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ADVERTISEMENT FOR BIDS

Sealed proposals will be received by the Recreation and Parks Commission of the City of Columbus, Ohio, at its office at 200 Greenlawn Ave., until 2:00 p.m. on Thursday, December 18, 2003, and publicly opened and read immediately thereafter for:
North Bank Park - Issue D and E

The work for which proposals are invited consists of (2) Two prime contractor bids and /or (1) combination bid package including: Issue (D) - Site Work (including Grading, UG Utilities, Concrete Footings and Walls, Concrete Walks, Bases and Paving, Fountain basin in the river park), Issue (E) - Masonry (including Stone Veneer @ walls, pre-cast caps and steps. A combination bid for bid packs D and E will also be accepted.

Copies of the Project Manual/Specifications and the plans will be on file and available to prospective bidders on November 19, 2003 at Recreation and Parks Department Office at 200 Greenlawn Avenue, Columbus, Ohio 43223 (614) 645-5765 upon a non-refundable payment of \$50.00 per package.

Proposals must be submitted on the proper forms contained in the Project Manual/Specifications and the ENTIRE Project Manual/Specifications containing the Proposal must be submitted in a sealed envelope marked "North Bank Park Issue D (or E) (or Combination D & E)" whichever is appropriate.

PRE-BID CONFERENCE

A Pre-bid Conference will be held Wednesday, November 26, 2003 at 2:00 p.m. at Recreation and Parks Commission of the City of Columbus, Ohio, at its office at 200 Greenlawn Ave. Bidders are strongly urged to attend. Failure to attend will not disqualify a bidder. However, bidders shall comply with and be responsible for the bid specifications and information discussed at the pre-bid conference

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 be expressed in dollars and cents and shall not be less than ten (10) percent of the bid, including all alternates submitted which increase the bid. A certified copy of the authority to act must accompany all bonds signed by an agent.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements 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 will be required to assure the faithful performance of the work. Bonds shall be with a surety or sureties licensed to conduct business in the State of Ohio, according to Section 103.5 of the City of Columbus Construction and Materials Specifications, latest edition.

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 the Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., Room 301, 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. Any questions or inquiries concerning this should be directed to the Equal Business Opportunities Commission Office, 109 N. Front Street, 4th Floor, Columbus, Ohio 43215 (614) 645-4764.

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

BID CANCELLATION AND REJECTIONS

The right is reserved by the Executive Director of Recreation and Parks of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, and/or to advertise for new proposals, when it is in the best interests of the City.

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.

OSHA/EPA/ADA REQUIREMENTS

Contractors are subject to all applicable federal, state and local laws, ordinances, rules and regulations pertaining to services or products to be provided under this requirement.

Jerry Saunders, President
Recreation and Parks Commission

Wayne A. Roberts, Executive Director
Recreation & Parks Department

CITY BULLETIN DATES:

- 1) November 15, 2003
- 2) November 22, 2003
- 3) November 29, 2003

ORIGINAL PUBLISHING DATE: November 12, 2003

PUBLIC NOTICES

Title: Proposed Amended Guidelines for Architectural Review Commissions (Brewery District, German Village, Victorian Village, Italian Village and Historic Resources)

Contact Name: Brenda G. Moore

Contact Telephone: 645-8620

Contact Email: 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 www.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.

From: 11/8/03 To: 11/29/03

Title: PUBLIC HEARING – MAYOR’S PROPOSED 2004 OPERATING BUDGET

Contact Name: Wyatt Kingseed

Contact Telephone: 645-8023

Contact Email: wakingseed@columbus.gov

City Council will hold public hearings on the Mayor’s Proposed 2004 Operating Budget to conduct the affairs of the City. The purpose of these public hearings is to provide an opportunity to learn about the proposed budget and to provide an opportunity for you to give feedback and share your ideas regarding this budget proposal.

Each hearing will take place at City Hall beginning at 5:30 pm in Council Chambers. Speaker slips will be taken beginning at 8:00 a.m. on the day of the public hearing. Everyone is encouraged and welcome to attend.

Director's Presentations:

Date: Thursday, December 3, 2003

Time: 5:30 PM

Place: Council Chambers in City Hall, 90 West Broad Street

Public Comments (Speaker Slips taken 8:00 a.m. - 5:30 p.m.)

Date: Thursday, December 11, 2003

Time: 5:30 PM

Place: Council Chambers in City Hall, 90 West Broad Street

Public Comments (Speaker Slips taken 8:00 a.m. - 5:30 p.m.)

Date: Thursday, December 18, 2003

Time: 5:30 PM

Place: Council Chambers in City Hall, 90 West Broad Street.

Free parking is available in the City Hall parking lot, which can be accessed via Gay or Front Streets. The garage attendant will direct you to the designated visitor parking area. If you have any questions, concerns or need special accommodations or directions to City Hall, please contact the Aaron Atkinson at 645-7380.

If you would like to review a copy of the 2004 Operating Budget, you may pick up a copy from the City's Finance department or visit City Council’s Mayor’s Proposed 2004 Operating Budget Web Page: <http://www.columbuscitycouncil.org/mayorproposed2004budget/>

From: 11/22/03 To: 12/20/03

Title: Zoning Committee Agenda - Final

Contact Name: Office of City Clerk

Contact Telephone: 614-645-7380

Contact Email: www.columbuscitycouncil.org

Monday, November 24, 2003 6:30 PM City Council Chambers

REGULAR MEETING NO. 50 OF CITY COUNCIL (ZONING), NOVEMBER 24, 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: MENTEL, CHR. BOYCE HABASH O'SHAUGHNESSY SENSENBRENNER TAVARES THOMAS

2094-2003 To rezone 24 WEST BRIGHTON ROAD (43202), being 0.12± acres located on the northwest corner of West Brighton Road and North High Street, From: C-4, Commercial Development District, To: CPD, Commercial Planned Development District. (Rezoning # Z03-028)

From: 11/22/03 To: 11/29/03

Title: APPLICATION FOR DEPOSIT OF PUBLIC MONEY

Contact Name: CITY TREASURER

Contact Telephone: (614) 645-7729

Contact Email: <http://www.columbus-treasurer.com/>

Notice is hereby given in accordance with Chapter 321 of the Columbus City Codes, 1959 to all banks, building and loan or savings associations or companies located in Franklin County, Ohio duly organized under the laws of the State of Ohio or of the United States, that application for deposit of public money for fiscal year 2004 will be accepted by the Columbus Depository Commission at the Office of the Columbus City Auditor, Secretary of said Commission, until 2:00 p.m., December 9, 2003.

Said application shall determine the eligibility of the applicant to receive active and inactive deposits from the Columbus City Treasurer for the period beginning January 1, 2004 and ending December 31, 2004. Said application shall be in such a form prescribed by the Commission and shall contain such information, as the Commission shall require.

Applications may be obtained from the Office of: Thomas M. Isaacs, City Treasurer, 90 West Broad Street, Columbus, Ohio 43215, and 645-7729.

All information and statements contained on said application shall be verified by affidavit.

Address envelope containing application to: Hugh J. Dorrian, Secretary, Columbus Depository Commission, City Hall, 90 West Broad Street, Columbus, Ohio 43215.

By the order of the Columbus Depository Commission.

Thomas M. Isaacs, Chairperson

Hugh J. Dorrian, Secretary

Joel Taylor, Member

From: 11/22/03 To: 12/13/03