

opposing the rate increase of Columbia Gas of Ohio, Inc. (\$6,000.00)

Whereas, contract number 3708 was authorized by Ordinance No. 2637-81 and executed by the City Auditor for the Department of Energy and Telecommunication to contract for professional consulting services in assisting the Director of Energy and Telecommunication in opposing the rate increase filed by Columbia Gas Company, Inc; and

Whereas, the important issues to be addressed in the case are as follows: an attrition allowance, cost of service and method of allocations, customer charge, rate of return and gas cost recovery (GCR); and

Whereas, it has been determined to make certain changes to the contract to include the preparation and presentation of expert testimony by Rothey, Bell and Taub, Inc., on behalf of the City of Columbus in connection therewith in said proceedings before the Public Utilities Commission of Ohio or other regulatory authority or Court; and

Whereas, this Council in the exercise of its sound discretion deems such expenditure to be in the public interest; now, therefore,

Be it ordained by the Council of the City of Columbus:

Section 1. That the City Auditor be and he is hereby authorized and directed to modify and increase contract number 3708 with Rothey, Bell and Taub, Inc., in the amount of \$6,000.00.

Section 2. That the expenditure of \$6,000.00 be and is hereby authorized from the Department of Energy and Telecommunication. Subfund number 01-100, Department number 42-01, Index Code 420133, and Minor Object 336, to pay the additional cost of contract number 3708 as herein authorized.

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

Passed January 25, 1982.

M. D. PORTMAN, President of Council.

Approved January 25, 1982.

TOM MOODY, Mayor.

Attest: VINCENT C. TUMEO, Acting City Clerk.

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- (a) Maintain the improvement in accordance with the provisions of the statutes relating thereto and make ample financial and other provisions for such maintenance; and
- (b) Maintain the right-of-way and keep it free of obstructions in a manner satisfactory to the State of Ohio and hold said right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the right-of-way limits; and
- (c) Place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the improvement in compliance with the provisions of Section 4511.11 and related sections of the Ohio Revised Code; and
- (d) Prohibit parking within the limits of the improvement.

Section 6. That the following provisions with regard to right-of-way, utility rearrangement and saving the State of Ohio harmless of damages shall apply herein:

(a) That all existing street and public way right-of-way within the City, which is necessary for the aforesaid improvement, shall be made available therefor.

(b) That the State of Ohio will acquire any additional right-of-way required for the construction of the aforesaid improvement.

(c) That arrangements have been or will be made with and agreements obtained from all public utility companies whose lines or structures will be affected by the said improvement and said companies have agreed to make any and all necessary plant removals or rearrangements in such a manner as to be clear of any construction called for by the plans of said improvement and said companies have agreed to make such necessary rearrangements immediately after notification by said City or the Department of Transportation.

(d) That it is hereby agreed that the City shall, at its own expense, make all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers or other municipally owned utilities and/or any appurtenances thereto, which do not comply with the provisions of Directive 28-A, whether inside or outside the corporate limits as may be necessary to conform to the said improvement and said rearrangements shall be done at such time as requested by the Department of Transportation Engineer.

(e) That the construction, reconstruction, and/or rearrangement of both publicly and privately owned utilities, referred to in subsections (c) and (d) above, shall be done in such a manner as not to interfere unduly with the operation of the contractor constructing the improvement and all backfilling of trenches made necessary by such utility rearrangements shall be performed in accordance with the provisions of the Ohio Department of Transportation Construction and Material Specifications and shall be subject to approval by the State.

(f) That the installation of all utility facilities on the right-of-way shall conform with the requirements of the Federal Highway Administration Policy and Procedure Memorandum 30-4 "Utility Relocations and Adjustments" and the Department of Transportation's rules on Utility Accommodation.

(g) That the City agrees to accept responsibility for any and all damages or claims for which it is legally liable arising from the negligence of its officers, employees or agents in the performance of the City's obligations made or agreed to in Sections (a), (b), (c), (d), (e) and (f) hereinabove. Likewise, the State agrees to accept responsibility for any and all damages or claims for which it is legally liable arising from the negligence of its officers, employees or agents in the performance of the State's obligations made or agreed to in Sections (a), (b), (c), (d), (e) and (f) hereinabove.

Section 7. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

I Francine C. Ryan, as Clerk of the City of Columbus, Ohio, do hereby certify that the foregoing is a true and correct copy of ordinance passed by the Council of the City on the _____ day of _____, 19____, that the publication of such ordinance has been made and certified of record according to law; that no proceedings looking to a referendum upon such ordinance have been taken; and that such ordinance and certificate of publication thereof are of record in Ordinance Record No. _____, Page _____.

IN WITNESS WHEREOF, I have hereunto subscribed by name and affixed my official seal, this _____ day of _____, 19____.

CLERK

CITY OF COLUMBUS, OHIO

The foregoing is accepted as a basis for proceeding with the improvement herein described.

FOR THE CITY OF COLUMBUS, OHIO

ATTEST: Director of Public Service
Date: _____
FOR THE STATE OF OHIO

ATTEST: Director of Transportation
Date: _____

Passed January 25, 1982.

M. D. PORTMAN,
President of Council.

Approved January 25, 1982.

TOM MOODY, Mayor.

Attest: VINCENT C. TUMEO,
Acting City Clerk.

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ORD. No. 100-82—To grant consent, propose cooperation, and authorize and direct the Director of Public Service to enter into agreements necessary with the State of Ohio for the improvement of the eastbound portion of the S.R. 161 Bridge over Alum Creek (Bridge No. FRA-161-1509).

Whereas, the Director of Transportation is considering improving a portion of the public highway which is described as follows: Repair and rehabilitate the deck of Bridge No. FRA-161-1509 (2509091), eastbound portion, and place modified concrete overlay thereon; and

Whereas, consent and cooperation by the City of Columbus are hereby needed in order that this project may take place in a timely manner; now, therefore,

Be it ordained by the Council of the City of Columbus:

Section 1. That is declared to be in the public interest that the consent of the City be and is hereby given to the Director of Transportation to construct the portion of the above described improvement within the City of Columbus, in accordance with plans, specifications and estimates as approved by the Director.

Section 2. That the City proposes to cooperate with the State of Ohio, in the cost of the above described improvement, as follows: Consent only — No financial participation required.

Section 3. That the Director of Public Service of the City of Columbus is hereby authorized and directed on behalf of the City to enter into agreements with the Director of Transportation necessary to complete the planning and construction of this improvement.

Section 4. That traffic control signals will not be installed on the project without prior approval by the State.

Section 5. That upon completion of said improvement, the City will thereafter keep said highway open to traffic at all times, and:

CERTIFICATE OF COPY

STATE OF OHIO

City of Columbus

County of Franklin

SS

ORD. No. 102-82—To vacate the alley west of Parsons Avenue, between specified limits, subject to the retention of easement rights for various utilities.

Whereas, a request has been received by the Office of the City Engineer to vacate this alley, between the points specified below; and

Whereas, after investigation, it has been determined that this vacation will have no detrimental effects on surrounding properties and should be granted; and

Whereas, the responses from Columbus & Southern Ohio Electric Company and Sewerage and Drainage Division indicate the presence of utility facilities within this alley, thus reservations for utility access must be made; now, therefore,

Be it ordained by the Council of the City of Columbus:

Section 1. That the alley west of Parsons Avenue, from the north line of Capital Street to the south line of East Broad Street, be and the same is hereby vacated.

Section 2. That the City of Columbus reserves the right to operate and maintain any

and all sewers, water lines, and any other public utilities owned by the City; and that the right is reserved to operate and maintain any other public utilities now existing on or in said alley hereby vacated; and it shall have the right to enter thereon at any time for the purpose of constructing, installing, replacing, operating and maintaining the same.

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

Passed January 25, 1982.
M. D. PORTMAN,
 President of Council.
 Approved January 25, 1982.
TOM MOODY, Mayor.

Attest:
VINCENT C. TUMEO,
 Acting City Clerk.

ORD. No. 103-82—To accept Quit-Claim Deeds from Dollar Land Development Corporation; and to name premises so deeded and dedicated Davidson Road, Hayden Run Road and Dublin Road.

Be it ordained by the Council of the City of Columbus:

Section 1. That the Quit-Claim Deeds from Dollar Land Development Corporation, dated December 11, 1981, recorded in Official Records Volume 01445E18-E20 and F01 thru F03, for real estate as described in the attached deeds, be and the same are hereby accepted and the premises so deeded be and the same are hereby dedicated to public use for roadway purposes.

Section 2. That the premises so deeded and dedicated be and the same are hereby named Davidson Road, Hayden Run Road and Dublin Road.

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

Passed January 25, 1982.
M. D. PORTMAN,
 President of Council.
 Approved January 25, 1982.
TOM MOODY, Mayor.

Attest:
VINCENT C. TUMEO,
 Acting City Clerk.

ORD. 104-82—To accept a Warranty Deed from Buckeye Federal Savings and Loan Association for a service road.

Be it ordained by the Council of the City of Columbus:

Section 1. That the Warranty Deed from Buckeye Federal Savings and Loan Association, dated November 24, 1981, recorded in Official Records Volume 01435A01 and A02, for real estate as described in the attached deed, be and the same is hereby accepted and the premises so deeded be and the same are hereby dedicated to public use for additional right-of-way to be used for a future service road, located south and east of the intersection of McFadden Road and Almont Drive, and north of Morse Road.

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

Passed January 25, 1982.
M. D. PORTMAN,
 President of Council.
 Approved January 25, 1982.
TOM MOODY, Mayor.

Attest:
VINCENT C. TUMEO,
 Acting City Clerk.

ORD. No. 172-82—To authorize an appropriation of \$74,395.00 from the unappropriated balance of the EOPP Fund, Subfund No. 09-199, to the Community Services Department, Division No. 41-09, in various characters, to provide sufficient funds for final costs of the program, and to declare an emergency. (\$74,395)

Whereas, an emergency exists in the usual daily operations of the City in that it is immediately necessary to appropriate EOPP funds, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

Be it ordained by the Council of the City of Columbus:

Section 1. That an appropriation in the amount of \$74,395 is hereby authorized and directed from the EOPP Fund, Subfund No. 09-199, and from any and all sources estimated to come into said fund during the fiscal year ending December 31, 1982, as designated below:

Division No. 41-09—Employment Opportunity Pilot Program Administration

Character	Purpose	Amount
01	Personnel Services	\$66,395
02	Materials and Supplies	5,000
03	Services for Operation and Maintenance	3,000
Total Appropriation		\$74,395

Section 2. That the monies appropriated in the foregoing Section shall be paid upon the order of the Community Services Director and that no order shall be drawn except by voucher, the form of which shall be approved by the City Auditor.

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

Passed January 25, 1982.
M. D. PORTMAN,
 President of Council.
 Approved January 25, 1982.
TOM MOODY, Mayor.

Attest:
VINCENT C. TUMEO,
 Acting City Clerk.

ORD. No. 173-82—To authorize and direct the transfer of \$23,250 within the General Fund, Subfund No. 01-100, Mayor's Office, Division No. 40-01, from Character 05 to various characters for the Columbus Volunteer Corps, and to declare an emergency. (\$23,250)

Whereas, funds are needed to establish a budget for the Columbus Volunteer Corps; and

Whereas, an emergency exists in the usual daily operations of the Mayor's Office in that it is immediately necessary to transfer said funds 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 make the following transfer within the General Fund, Subfund No. 01-100, Mayor's Office, Division No. 40-01:

Transfer From:

Character	Purpose	Amount
05	Other Disbursements	\$23,250
Total Transfer From:		\$23,250

Transfer To:

Character	Purpose	Amount
01	Personnel Services	\$19,950
02	Materials and Supplies	2,000
03	Services for Operation	1,300
Total Transfer To:		\$23,250

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

Passed as amended January 25, 1982.
M. D. PORTMAN,
 President of Council.
 Approved as amended January 25, 1982.
TOM MOODY, Mayor.

Attest:
VINCENT C. TUMEO,
 Acting City Clerk.

ORD. No. 174-82—To authorize the Finance Director to expend \$5,000.00 or so much thereof as may be necessary from the General Revenue Sharing Fund, Subfund No. 02-172, Entitlement Period XIII, Department No. 43-01, Character 03, for the payment of property taxes, and to declare an emergency. (\$5,000)

Whereas, the City is required to pay property taxes on parcels of non-taxable status; and

Whereas, the City is now obligated to pay the 1981 first-half tax payment; and

Whereas, an emergency exists in the daily operation of the Department of Finance in that it is immediately necessary to expend \$5,000.00 for the payment of property taxes, 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 is hereby authorized and directed to expend \$5,000.00 or so much thereof as may be necessary for the payment of property taxes from the General Revenue Sharing Fund, Subfund No. 02-172, Entitlement Period XIII, Department of Finance, Department No. 43-01, Index 43010, Major Object 340, Character 03.

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

Passed January 25, 1982.
M. D. PORTMAN,
 President of Council.
 Approved January 25, 1982.
TOM MOODY, Mayor.

Attest:
VINCENT C. TUMEO,
 Acting City Clerk.

ORD. No. 175-82—To authorize and direct the Finance Director to expend \$135,000.00 or so much thereof as may be necessary from the General Revenue Sharing Fund, Subfund No. 02-172, Entitlement Period XIII, Department No. 43-01, Character 03, for the payment of property taxes, and to declare an emergency. (\$135,000)

Whereas, the Financial Agreement existing between the City of Columbus and the Capitol South Community Urban Redevelopment Corporation provides for the City to advance, on behalf of Capitol South, the payment of property taxes in the project area so requested; and

Whereas, Capitol South CURC has requested that the City make the 1981 first-half tax payment on their behalf; and

Whereas, the Financial Agreement provides for the City to be reimbursed with interest for such advance; and

Whereas, an emergency exists in the daily operation of the Department of Finance in that it is immediately necessary to expend \$135,000.00 for the payment of property taxes, 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 is hereby authorized and directed to expend \$135,000.00 or so much thereof as may be necessary for the payment of property taxes from the General Revenue Sharing Fund, Subfund No. 02-172, Entitlement Period XIII, Department of Finance, Department No. 43-01, Index 43010, Major Object 340, Character 03.

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

Passed January 25, 1982.
M. D. PORTMAN,
 President of Council.