

City of Columbus

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Minutes - Final

Monday, February 9, 2004

5:00 PM

City Council Chambers, Rm 231

Columbus City Council

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

**REGULAR MEETING NO. 7 OF COLUMBUS CITY COUNCIL,
FEBRUARY 9, 2004 at 5:00 P.M. IN COUNCIL CHAMBERS.**

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

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

RESOLUTIONS OF EXPRESSION

TAVARES

To recognize and congratulate Dr. Deena J. Chisolm, Founding Secretary of the Alpha Sigma Omega Education Foundation, Inc.

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

To recognize and congratulate Dorothy D. Alexander, Founding At-Large Member of the Alpha Sigma Omega Education Foundation, Inc.

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

To recognize and congratulate Dr. Mary W. Claytor, Founding At-Large Member of the Alpha Sigma Omega Education Foundation, Inc.

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

To recognize and congratulate Ora L. White, Founding Vice-Chair of the Alpha Sigma Omega Education Foundation, Inc.

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

To recognize and congratulate Dr. Regina Randall Peal, Organizer and Founding Chair of the Alpha Sigma Omega Education Foundation, Inc.

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

To recognize and congratulate Tamika L. Walker, Developer and Founding Executive Director of the Alpha Sigma Omega Education Foundation, Inc.

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

To recognize and congratulate Veronica A. Carter, Founding Treasurer of the Alpha Sigma Omega Education Foundation, Inc.

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

To recognize and congratulate Thekla (Teckie) Shackelford the 2004 Champion of Children Award winner.

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

ADDITIONS OR CORRECTIONS TO THE AGENDA

THE FOLLOWING ORDINANCES WERE REMOVED FROM THE CONSENT AGENDA AND VOTED ON LATER IN THE MEETING

DEVELOPMENT: 0193-2004 AND 0194-2004

FR FIRST READING OF 30-DAY LEGISLATION

SAFETY & JUDICIARY: MENDEL, CHR. BOYCE THOMAS HABASH

FR To authorize and direct the Finance Director to sell to Officer Connie Louthen, for the sum of \$1.00, a police horse with the registered name of "K.R.W. Dream Catcher" (AKA BUBBA) which has no further value to the Division of Police and to waive the provisions of City Code-Sale of City-owned personal property.

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

FR To appropriate \$1,743.18 within the Special Purpose Fund for the Transportation Division's 2004 Employee Award Program, and to authorize the Public Service Director to expend these funds consistent with the program's award criteria. (\$1,743.18)

FR To authorize the Public Service Director to execute those documents required to grant

encroachment easements into North Front Street and School Alley to NWD Investments, LLC.

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

FR

To authorize and direct the City Auditor to transfer \$200,000 between object levels and programs within the Community Development Block Grant Fund. (\$200,000)

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

FR

To authorize the Director of Public Utilities to enter into a contract with McDaniel's Construction Corp., Inc. for Group Four Water Line Improvements for the Division of Water, to authorize the City Auditor to transfer funds within the Waterworks Enlargement Voted 1991 Bonds Fund, and to authorize the expenditure of \$1,027,000.36 for construction and \$123,239.64 for inspection services by the Transportation Division from the Water Works Enlargement Voted 1991 Bonds Fund. (\$1,150,240.00)

FR

To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release a City owned sanitary sewer easement, located in the vicinity of Slade Avenue and Godown Road, at the request of Angela Zeigler and Andrew Basista, in exchange for a replacement easement previously granted to the City of Columbus, Ohio.

FR

To authorize the Director of Public Utilities to make payment to Delaware County for sewer services provided, and to authorize an expenditure of \$1,200,000.00 from the Sewer System Operating Fund (\$1,200,000.00)

CA CONSENT ACTIONS

**ADMINISTRATION: BOYCE, CHR. SENSENBRENNER MENDEL
HABASH**

CA

To authorize and direct the City Auditor to appropriate \$101,417.25 within the Special Income Tax Fund for the Facilities Management Division; to authorize and direct the Public Service Director to renew a lease agreement for the Facilities Management Division with Viking Properties for the lease of warehouse and office space for the Fire Division, to authorize the expenditure of \$101,417.25 from the Special Income Tax Fund, and to declare an emergency. (\$101,417.25)

This Matter was Approved on the Consent Agenda.

**RECREATION & PARKS: BOYCE, CHR. SENSENBRENNER
THOMAS HABASH**

CA

To authorize and direct the Director of Recreation and Parks to modify and extend the contract with the Franklin County Board of Commissioners through December 31, 2004, in connection with the Congregate Housing Program for services to residents of four public housing facilities, to authorize the expenditure of \$48,000.00 from the Recreation and Parks Grant Fund, and to declare an emergency. (\$48,000.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize and direct the transfer of \$41,920.58 within the Voted 1995 and 1999 Parks and Recreation Bond Fund for the North Bank Park Issue - C2 Project, to direct the Director of Recreation and Parks to enter into contract with the Fox Mechanical Company for the same project, to authorize the expenditure of \$218,000.00 from various funds within the Recreation and Parks Department, and to declare an emergency. (\$218,000.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the transfer of \$48,187.66 within the Voted 1995 and 1999 Parks and Recreation Bond Fund and to authorize the expenditure of \$47,368.04 from the Voted 1995 and 1999 Parks and Recreation Bond Fund for various park and playground improvements, and to declare an emergency. (\$47,368.04)

This Matter was Approved on the Consent Agenda.

CA

To authorize and direct the Director of Recreation and Parks to modify the contract with Jones Stuckey Ltd. for additional professional services in conjunction with the Alum Creek Bikeway Design, to authorize an expenditure of \$27,947.00 within the Voted 1995 and 1999 Parks and Recreation Bond Fund, Park and Playgrounds, for various professional services, and to declare an emergency. (\$27,947.00)

This Matter was Approved on the Consent Agenda.

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

CA

To authorize the Department of Municipal Court Judges, through the Administrative/Presiding Judge to enter into the third year of a four-year contract with Asist Translation Services for provision of language interpreting services within the Municipal Court, to authorize the expenditure of \$90,000.00 from the General Fund and to declare an emergency (\$90,000.00).

This Matter was Approved on the Consent Agenda.

CA

To authorize and direct the Mayor of the City of Columbus to apply for and participate in the Bureau of Justice Assistance Bulletproof Vest Partnership FY2004 program. (\$181,200.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the transfer of \$115,000.00 from the 1995, 1999 Voted Streets and Highways Fund to the Streets and Highways Improvement Fund; to authorize the appropriation of \$115,000.00 within the Streets and Highways Improvement Fund; to authorize the City Attorney to procure professional services necessary to acquire fee simple title and lesser interests in and to property needed for the Norton Road project for the Transportation Division; to expend \$115,000.00 or so much thereof as may be needed from the Streets and Highways Improvement Fund and to declare an emergency. (\$115,000.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the City Attorney to file the necessary complaints for the appropriation of [construction and permanent easements](#) in and to real estate necessary for the **Francisco Road Ditch Improvements Project**, and to declare an emergency.

This Matter was Approved on the Consent Agenda.

CA

To authorize an appropriation of \$6,475.00 from the unappropriated balance of the Special Purpose Fund to the Division of Police, to provide partial funding for the costs associated with the Columbus Police Reserves Organization, and to declare an emergency. (\$6,475.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Franklin County Municipal Court, through the Administrative/Presiding Judge, to enter into a sixty (60) day contract extension with Willo Security, Inc., for the provision of security guard services in the Municipal Court Building, to authorize the expenditure of \$42,036.00 from the Municipal Court Special Projects Fund, and to declare an emergency (\$42,036.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the City Attorney to enter into a contract with Mark W. Ely to serve as the City Attorney's Office, Prosecutor Division, Stalking Investigator, to authorize the expenditure of an amount not to exceed \$46,450.00 for services rendered pursuant thereto, to waive the competitive procurement provisions of Chapter 329 of the Columbus City Codes, and to declare an emergency. (\$46,450.00)

This Matter was Approved on the Consent Agenda.

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

CA

To appropriate \$75,000.00 within the General Permanent Improvement Fund; to authorize the

Public Service Director to modify and increase an existing contract for the Transportation Division with Sverdrup Associates, Incorporated, for the design of the Roberts Road widening and reconstruction (Hilliard-Rome Road to Westbelt Drive) project to incorporate required plan revisions, to authorize the expenditure of \$75,000.00 from the General Permanent Improvement Fund, and to declare an emergency. (\$75,000.00)

This Matter was Approved on the Consent Agenda.

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

CA

To authorize the Board of Health to enter into a contract with Grant/Riverside Methodist Hospitals to provide laboratory testing services for various Health Department programs; to authorize the expenditure of \$134,000 from the Health Special Revenue Fund to pay the costs thereof; and to declare an emergency. (\$134,000)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Board of Health to enter into two revenue contracts with the City of Worthington for the provision of public health services in the amount of \$63,895.

This Matter was Approved on the Consent Agenda.

UTILITIES: THOMAS, CHR. MENTEL O'SHAUGHNESSY HABASH

CA

To authorize the Director of Public Utilities to enter into an reimbursement agreement with Dominion Homes for the construction of the Onyxbluff Lane Water Line and to authorize the expenditure of \$30,000.00 from the Water Works Enlargement Voted 1991 Bonds Fund for the Division of Water. (\$30,000.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Director of Public Utilities to enter into contract with K&W Roofing Inc. for the Sludge Concentration Building Roof Replacement for the Division of Sewerage and Drainage, to authorize the expenditure of \$252,173.90 from the Sewerage System Operating Fund. (\$252,173.90)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Finance Director to establish a purchase order with Victor Stanley, Incorporated, for the purchase of seventy (70) sidewalk litter receptacles per the terms and conditions of a citywide contract established for this purpose and to authorize the expenditure

of \$57,281.00 from the 1995, 1999 Voted Streets and Highways Fund. (\$57,281.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize and direct the Public Service Director to enter into a revenue contract with the Franklin County Board of Health for continued operation of the Solid Waste Anti-dumping Enforcement Program within the Refuse Collection Division; to appropriate \$66,880.00 within the General Government Grant Fund; to authorize the expenditure of \$66,880.00, and to declare an emergency. (\$66,880.00)

This Matter was Approved on the Consent Agenda.

Passed The Consent Agenda

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

FINANCE: SENSENBRENNER, CHR. O'SHAUGHNESSY TAVARES HABASH

To authorize the Human Resources Director to modify and extend the contract with Vision Service Plan to provide all eligible employees vision insurance coverage from February 1, 2004 through January 31, 2005, and to authorize the expenditure of \$1,062,401.00 from the Employee Benefits Insurance Fund or so much thereof as may be necessary to pay the cost of said contract; and to declare an emergency. (\$1,062,401.00)

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

To make appropriations from January 1, 2004 through December 31, 2004 for the funding of the Unemployment Benefit Program and to declare an emergency. (\$1,000,000)

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

To provide for the continuation of insurance benefits, including medical and prescription drug; and dental and vision, if eligible, for a period of 90 days beginning from the date of the insurance termination for certain full-time non-uniformed employees who were terminated through layoff during the months of January, February, March and April, 2004; and to declare an emergency.

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

To authorize the appropriation of up to \$14,000,000 within the Economic Stabilization Fund, to authorize and direct the City Auditor, in consultation with the Finance Director, to transfer the appropriate portion of this amount to the general fund, and to authorize the City Auditor,

in consultation with the Finance Director, to transfer up to an additional \$11,000,000 in SWACO revenue from the Economic Stabilization Fund to the General Fund in conjunction with the terms of Ordinance No. 0071-2004.

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

**ADMINISTRATION: BOYCE, SENSENBRENNER MENTEL
HABASH**

To authorize and direct the Director of the Office of Education to accept a grant in the amount of \$5,000.00 and enter into an agreement with The United Way of Central Ohio for funding to support community education through the Neighborhood Safety Academy, to authorize an appropriation of \$5,000.00 from the unappropriated balance of the Education Private Grant Fund No. 291 to the Office of Education, and to declare an emergency.(\$5,000.00)

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

**RECREATION & PARKS: BOYCE, CHR. SENSENBRENNER
THOMAS HABASH**

To authorize and direct the Director of Recreation and Parks to enter into a contract with Kathy Grace for the purpose of instructing ceramics classes at the Cultural Arts Center, to waive the necessary competitive bidding requirements, to authorize the expenditure of \$25,000.00 from the Recreation and Parks Operating Fund, and to declare an emergency. (\$25,000.00)

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

To authorize and direct the Director of Recreation and Parks to enter into a contract with Kristy Kloss for the purpose of instructing metal smith classes at the Cultural Arts Center, to waive the necessary competitive bidding requirements, to authorize the expenditure of \$30,720.00 from the Recreation and Parks Operating Fund, and to declare an emergency. (\$30,720.00)

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

To authorize the appropriation and transfer of \$768,248.63 from the Special Income Tax Fund to the Voted 1995 and 1999 Parks and Recreation Bond Fund, to authorize the Director of Recreation and Parks to enter into contract with RWS Building Company for the North Bank Park - Issue C1 Project, to authorize the expenditure of said funds as well as

\$802,751.37 from the Recreation and Parks Grant Fund, and to declare an emergency. (\$1,571,000.00)

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

To authorize and direct the Director of Recreation and Parks to enter into contract with Complete General Construction Company for the North Bank Park - Issue E Project, to authorize the expenditure of \$736,000.00 from the Voted 1995 and 1999 Street and Highway Bond Fund, and to declare an emergency. (\$736,000.00)

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

To authorize an appropriation of \$2,060,546.80 from the unappropriated balance of the Recreation and Parks Special Purpose Fund to the Recreation and Parks Department to continue various services during 2004, and to declare an emergency. (\$2,060,546.80)
AMENDED BY ORD NO. 2015-2004 (PASSED ON 11/29/2004)

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

SAFETY & JUDICIARY: MENDEL, CHR. BOYCE THOMAS HABASH

To authorize and direct the City Auditor to appropriate and transfer \$842,415.00 from the Special Income Tax Fund to Safety Bond Fund; to transfer said funds to the General Government Grant Fund to provide grant matching funds for the purchase of self contained breathing apparatus; to amend the 2003 Capital Improvement Budget, and to declare an emergency. (\$842,415.00)

A motion was made by President Mendel, seconded by Sensenbrenner, that this matter be Approved. The motion carried by the following vote:

To authorize the Department of Municipal Court Judges, through the Administrative Judge, to contract with the Franklin County Commissioners to provide legal counsel to indigent defendants in the Franklin County Municipal Court when the public defender has a conflict of interest; to authorize the expenditure of \$528,000.00 from the General Fund, and to declare an emergency. (\$528,000.00)

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

To authorize and direct the Finance Director to extend the contract for the renewal of hull and liability insurance for the Division of Police helicopters, to exercise the 2nd year option of the contract, to authorize the expenditure \$191,546.00 from the General Fund; and to declare an emergency. (\$191,546.00)

A motion was made by President Mendel, seconded by Sensenbrenner, that

this matter be Approved. The motion carried by the following vote:

**DEVELOPMENT: O'SHAUGHNESSY, CHR. BOYCE TAVARES
HABASH**

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

To authorize the City Clerk to sign the petition for the establishment of a new community district pursuant to Ohio Revised Code Chapter 349; and to declare an emergency.

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

CA

To authorize the Director of Development to modify the Economic Opportunity contract with the Columbus Compact Corporation by increasing the contract amount; to authorize the expenditure of \$198,053 from the General Government Grant Fund; and to declare an emergency. (\$198,053)

A motion was made by O'Shaughnessy, seconded by Tavares, that this matter be Tabled to Certain Date. The motion carried by the following vote:

CA

To authorize the Director of Development to modify the Neighborhood Life contract with the Columbus Compact Corporation by decreasing the contract amount; and to declare an emergency. (\$198,053)

A motion was made by O'Shaughnessy, seconded by Tavares, that this matter be Tabled to Certain Date. The motion carried by the following vote:

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

To appropriate \$2,750,000.00 from the unappropriated balance of the Municipal Motor Vehicle License Tax Fund for anticipated 2004 operating expenditures for the Transportation Division, Public Service Department, and to declare an emergency. (\$2,750,000.00)

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

To authorize the Public Service Director to execute those documents required to transfer a portion of the unimproved alley south of Gay Street from the alley west of Miami Avenue to its western terminus and a 12' wide strip of land contiguous to the 20' wide alley west of Miami Avenue, north of Avon Alley to Ohio Capital Corporation for housing and to waive the competitive bidding provisions of Columbus City Codes.

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

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

To authorize the Board of Health to enter into two contracts with Columbus AIDS Task Force and Licking County Coalition for Housing for the provision of eligible HOPWA services for the period of January 1, 2004 through December 31, 2004; to authorize the expenditure of \$610,190 from the General Government Grants Fund, and to declare an emergency. (\$610,190)

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

**UTILITIES: THOMAS, CHR. MENTEL O'SHAUGHNESSY
HABASH**

To authorize the Director of Public Utilities to enter into a contract with UCL, Inc. for the painting of two 2MG water tanks- Smoky Row Tankyard for the Division of Water to amend the 2003 C.I.B., to authorize the City Auditor to transfer funds within the Waterworks Enlargement Voted 1991 Bonds Fund, to authorize the expenditure of \$638,350.00 from the Water Works Enlargement Voted 1991 Bonds Fund. (\$638,350.00)

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

To authorize the Director of Public Utilities to pay \$78,500.00 from the Sewer System Operating Fund to the Treasurer of the State of Ohio from the Sewer System Operating Fund, for sanitary sewer overflows in accordance with the provision of the consent order executed between the City of Columbus and the Ohio Attorney General's Office, for the Division of Sewerage and Drainage, and to declare an emergency. (\$78,500.00)

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

To authorize the Director of Public Utilities to pay Water Pollution Control Loan Fund application fees to the Ohio Water Development Authority, for two Sewerage and Drainage Division projects; to authorize the expenditure of \$294,133.00; and to declare an emergency. (\$294,133.00)

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

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

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

**RULES & REFERENCE: HABASH, CHR. MENTEL
SENSENBRENNER TAVARES**

To amend various sections of Chapters 217, 501, 1941 and 2901 of the Columbus City Codes and to create the Division of Support Services within the Department of Public Safety.

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

ADJOURNMENT

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