

City of Columbus

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



Minutes - Final

Monday, April 19, 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. 20 OF COLUMBUS CITY COUNCIL,
APRIL 19, 2004 at 5:00 P.M. IN COUNCIL CHAMBERS.**

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

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

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY CLERK'S OFFICE AS OF WEDNESDAY, APRIL 14, 2004:

New Type: D5
To: Daniel L Pizzurro
DBA Westside Bar
2422 W Broad St
Columbus Ohio 43223

New Type: C1, C2
To: Hilltop Marketplace LLC
DBA Hilltop Marketplace
2865 W Broad St
Columbus Ohio 43204

New Type: C1, C2
To: Tamarkin Co
DBA Giant Eagle 6513
6867 E Broad St
Columbus Ohio 43213

Transfer Type: D2, D2X, D3, D3A, D6
To: 5019 Olentangy River Road Inc
DBA Half Time Tavern
1532 Bethel Rd
Columbus Ohio 43220
From: 5019 Olentangy River Road Inc
DBA Half Time Tavern
5019 Olentangy River Rd
Columbus Ohio 43214

Transfer Type: C1, C2, D6
To: Shurad LTD
DBA Circle Mart
1876 Tamarack Circle South
Columbus Ohio 43229
From: Circle Mart Inc
DBA Circle Mart
1876 Tamarack Circle South
Columbus Ohio 43229

Transfer Type: D2, D2X
To: Donatos Pizzeria LLC
DBA Donatos Pizza
1891 Tamarack Cir N
Columbus Ohio 43229
From: Donatos Pizzeria Corp
DBA Donatos Pizza
1891 Tamarack Cir N
Columbus Ohio 43229

Transfer Type: D1
To: Donatos Pizzeria LLC
DBA Donatos Pizza
1730 Hilliard Rome Rd
Columbus Ohio 43026
From: Donatos Pizzeria Corp
DBA Donatos Pizza
1730 Hilliard Rome Rd
Columbus Ohio 43206

Transfer Type: D1
To: Donatos Pizzeria LLC
DBA Donatos Pizza
6965 E Broad St
Columbus Ohio 43213
From: Donatos Pizzeria Corp
DBA Donatos Pizza
6965 E Broad St
Columbus Ohio 43213

Transfer Type: D1
To: Donatos Pizzeria LLC
DBA Donatos Pizza
4055 Morse Crossing
Columbus Ohio 43219
From: Donatos Pizzeria Corp
DBA Donatos Pizza
4055 Morse Crossing
Columbus Ohio 43219

Transfer Type: D1
To: Donatos Pizzeria LLC
DBA Donatos Pizza
2800 E Main St
Columbus Ohio 43209
From: Donatos Pizzeria Corp
DBA Donatos Pizza
2800 E Main St
Columbus Ohio 43209

Transfer Type: D1, D2
To: Donatos Pizzeria LLC
DBA Donatos Pizza

350 Norton Rd
Columbus Ohio 43228
From: Donatos Pizzeria Corp
DBA Donatos Pizza
350 Norton Rd
Columbus Ohio 43228

Transfer Type: D1
To: Donatos Pizzeria LLC
DBA Donatos Pizza
2522 Bethel Rd
Columbus Ohio 43220
From: Donatos Pizzeria Corp
DBA Donatos Pizza
2522 Bethel Rd
Columbus Ohio 43220

Transfer Type: D5
To: Donatos Pizzeria LLC
DBA Donatos Pizza
2084 N High St 1st Fl & Bsmt
Columbus Ohio 43201
From: Donatos Pizzeria Corp
DBA Donatos Pizza
2084 N High St 1st Fl & Bsmt
Columbus Ohio 43201

Transfer Type: D1
To: Baja Fresh Westlake Village Inc
DBA Baja Fresh Mexican Grill #74
771 Bethel Rd #160
Columbus Ohio 43214
From: Baja Col 1 LLC
DBA Baja Fresh Mexican Grill
771 Bethel Rd #160
Columbus Ohio 43214

Transfer Type: D5, D6
To: West Vine LLC
DBA Brickyard
165 W Vine St & Patio
Columbus Ohio 43215
From: Columbus Brickyard LTD
DBA Brickyard
165 W Vine St & Patio
Columbus Ohio 43215

Transfer Type: D1, D2, D3, D6
To: Sodexho Management Inc
Columbus Crew Stadium
1 Black & Gold Blvd
Columbus Ohio 43211
From: Aramark Food Service Corp
Columbus Crew Stadium

1 Black & Gold Blvd
Columbus Ohio 43211
Quota Exempt HB152 430329ORC

Transfer Type: D2, D2X, D3, D6

To: Sparta 2004 Inc
DBA Taverna OPA
1st & 2nd Flrs & Bsmt & Patio
961 S High St
Columbus Ohio 43206
From: Jim & George Inc
DBA Old Swiss House
1st & 2nd Fls & Bsmt & Patio
961 S High St
Columbus Ohio 43206

Transfer Type: C1, C2

To: H & P Holdings Inc
DBA Pats Hague & Steele Mkt
154 N Hague Av
Columbus Ohio 43204
From: Patrick D Wilt
154 N Hague Av
Columbus Ohio 43204

CORRECTION TO COMMUNICATIONS ON COUNCIL AGENDA MONDAY, APRIL 5, 2004:

The Columbus City Clerk's Office received a request from the Ohio Department of Commerce, Division Control to disregard the following notice as it was sent in error. The following entity is not applying for a permit:

Permit #: 89482260010, D5, Transfer
TMT Operations
1st FL & BSMT & PATIO
2201 E Livingston Av
Columbus OH 43209

ADVERTISE 04/24/04
RETURN 04/29/04

RESOLUTIONS OF EXPRESSION

TAVARES

The City of Columbus in partnership with Lifeline of Ohio hereby proclaim the month of April as Organ and Tissue Donation Awareness Month.

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

To proclaim Saturday, April 17, 2004 and Sunday April 18, 2004 as the Bill Pickett Invitational Rodeo weekend in the City of Columbus.

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

THOMAS

To acknowledge and congratulate The City of Columbus' Keep Columbus Beautiful for its service to the Columbus community and to declare April 2004 Keep Columbus Beautiful's Great American Cleanup™ Month.

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

HABASH

To declare April 18th to 24th, 2004 American Home Week in Columbus, Ohio.

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

To Honor and Recognize Patrick D. Rossetti's service to the Columbus Community as Principal of St. Francis DeSales High School.

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

ADDITIONS OR CORRECTIONS TO THE AGENDA

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

DEVELOPMENT: 0384-2004

FR FIRST READING OF 30-DAY LEGISLATION

ADMINISTRATION: BOYCE, CHR. SENSENBRENNER MENTEL HABASH

FR

To authorize the Public Service Director to modify and extend a contract for the Facilities Management Division with SimplexGrinnell LLP for annual inspection, testing, and reporting for all smoke and fire alarm systems under the purview of the Facilities Management Division; and to authorize the expenditure of \$24,135 from the General Fund. (\$24,135.00)

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

FR

To authorize and direct the Director of Public Safety to enter into a contract with Motorola C & E for backup maintenance service required for continued operation of the Fire and Police 800 MHz Radio, Wireless PA, and Mobile Data RF Communication Systems in accordance with the provisions of sole source procurement, to authorize the expenditure of **\$87,310.68**, or so much thereof as needed, from the Division of Support Services' Cable Fund. **(\$87,310.68)**.

FR

To authorize an appropriation of \$15,000.00 from the unappropriated balance of the General Government Grant Fund to the Division of Police to cover the costs associated with the S.T.O.P. program. (\$15,000.00)

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

FR

To authorize the Director of the Department of Development to enter into contract with the Columbus Technology Leadership Council; and to authorize the expenditure of \$152,464.00 from the General Fund. (\$152,464.00)

FR

An Ordinance declaring the improvement to certain parcels of real property to be a public purpose, requiring the owners thereof to make service payments in lieu of taxes, providing for the payment to the Columbus City School District of its portion of those service payments, and establishing a municipal public improvement tax equivalent fund for the deposit of the remainder of those service payments with the City. (\$0)

FR

An ordinance declaring improvements to certain parcels of real property within the area known as the former AC Humko site, to be a public purpose, requiring the owners thereof to make service payments in lieu of taxes, establishing an urban redevelopment tax increment equivalent fund for the deposit of such service payments, and describing the improvements to be made. (\$0) AMENDED BY ORDINANCE #1842-2005 PASSED 12/12/05

FR

To authorize and direct the payment of \$22,428.01 to CMS Communications in accordance with the Downtown Office Incentive Program agreement; and to authorize the expenditure of \$22,428.01 from the General Fund. (\$22,428.01)

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

FR

To accept the plats titled CANAL CROSSING SECTION 3 and CANAL CROSSING SECTION 4, from CENTEX HOMES, a Nevada general partnership, by CENTEX REAL ESTATE CORPORATION, a Nevada corporation, Managing Partner, by WAYNE ZILL, Division President.

FR

To authorize the Public Service Director to execute those documents required to grant an encroachment easement into Wall Street to NTK Hotel Group, LLC.

FR

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

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

FR

To authorize the Finance Director to establish an additional Blanket Purchase Order, for telephone services, from an established Universal Term Contract, with SBC, for the Division of Water, and to authorize the expenditure of \$158,000.00 from Water Systems Operating Fund. (\$158,000.00)

FR

To authorize the Finance Director to establish an additional Blanket Purchase Order, for computer servers, from an established Universal Term Contract, with Smart Solutions Inc., for the Division of Water, and to authorize the expenditure of \$80,000.00 from the Water Systems Operating Fund. (\$80,000.00)

FR

To authorize the Director of Public Utilities to increase the contract with Moling & Associates, Inc., for security guard services at the Public Utilities Complex, for the Division of Water, and to authorize the expenditure of \$25,000.00 from Water Systems Operating Fund. (\$25,000.00)

FR

To authorize the Director of Public Utilities to modify the contract for Janitorial Services with K&M Kleening Service, Inc. for the Division of Sewerage and Drainage; and to authorize the expenditure of \$155,668.50 from the Sewerage System Operating Fund. (\$155,668.50)

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

FR

To amend Chapter 1105 of the Columbus City Codes, 1959, regarding special charges for meter related work.

FR

To amend sections of the Columbus Building Code, Title 41, in Chapter 4101 in order to correct references to the adopted model codes and to specify by adding new definitions and other code clarifications in Chapter 4113 that potable water piping is part of the building services plumbing equipment system.

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

FR

To rezone **4184 HAMILTON SQUARE BOULEVARD (43125)**, being 4.03± acres located at the northwest corner of Hamilton Square Boulevard and Lakeview Crossing, **From:** L-AR-12, Limited Apartment Residential District **To:** L-M, Limited Manufacturing District. (Rezoning # Z03-112)

FR

To rezone **6079 BLAZER PARKWAY (43213)**, being 1.0± acres located at the northwest corner of Blazer Parkway and Tuttle Crossing Boulevard, **From:** L-C-4, Limited Commercial District, **To:** CPD, Commercial Planned Development District. (Rezoning # Z03-115)

FR

To rezone **8999 TABERNASH DRIVE (43240)**, being 10.0± acres located 250± feet north of Fashion Mall Parkway, at the terminus of Tabernash Drive, **From:** R, Rural District, **To:** L-C-4, Limited Commercial District. (Rezoning # Z03-088)

FR

To rezone **4930 REED ROAD (43220)**, being 0.51± acres located at the southeast corner of Reed Road and Marshlyn Court, **From:** L-C-2, Limited Commercial District, **To:** L-C-2, Limited Commercial District. (Rezoning # Z03-015)

FR

To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential District, 3309.14, Height Districts; 3332.21, Building lines, 3333.18, Building lines, 3342.18(b)(c), Parking setback line and 3342.28(A), Minimum number of parking spaces required, of the Columbus City Codes; for the property located at **1100 EAST BROAD STREET (43205)**, to permit multi-family residential development for senior citizens in the R-2F, Residential and

AR-O, Apartment Residential / Office Districts with reduced development standards.

FR

To grant a variance from the provisions of Sections 3333.04, Permitted uses; 3333.18, Building lines; 3333.24, Rear yard; 3342.08, Driveway; 3342.17, Parking lot screening; 3342.18, Parking setback line; and 3342.28, Minimum number of parking spaces required, for the property located at **1054 EAST BROAD STREET (43205)** to permit a restaurant with a drive-thru and reduced development standards in the AR-O, Apartment Residential-Office District (Variance CV03-046).

CA CONSENT ACTIONS

**FINANCE: SENSENBRENNER, CHR. O'SHAUGHNESSY
TAVARES HABASH**

CA

To authorize the Director of the Department of Finance to enter into contract with Panorama Business Views, Inc. for the purchase and implementation of a performance management software system, to authorize the expenditure of \$139,816.00 from the Department of Finance general permanent improvement fund and to declare an emergency. (\$139,816.00)
AMENDED BY ORD NO. 0794-2004 PASSED 5/3/2004

This Matter was Approved on the Consent Agenda.

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

CA

To authorize the Director of the Department of Technology to modify a contract with EMC Corporation for maintenance support services; to authorize the expenditure of \$24,399.76 from the Information Services Fund, and to declare an emergency (\$24,399.76)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Director of the Department of Technology to enter into a contract for the renewal of an annual license with Gyrus Systems from the Department of Technology information service fund on behalf of the Human Resources Department, to authorize the expenditure of \$24,575.77, and to declare an emergency. (\$24,575.77)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Public Service Director to assign to LVR, Inc., all present and future City of Columbus business with All Star Limited Partnership, and to declare an emergency. (\$-0-)

This Matter was Approved on the Consent Agenda.

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

CA

To declare the necessity and intent to appropriate fee simple title and lesser interests in and to real estate in connection with the **Hague Avenue Stormwater System Improvement Project**, and to declare an emergency.

This Matter was Adopted on the Consent Agenda.

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

CA

To authorize the Director of the Department of Development to enter into a contract with Northland Alliance, Inc. to support the group's revitalization efforts within the Northland Community; to authorize the expenditure of \$38,270 from the General Fund; and to declare an emergency. (\$38,270.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of 7 parcels of real property held in the Land Bank pursuant to the Land Reutilization Program.

This Matter was Approved on the Consent Agenda.

CA

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN04-007) of 6.70± Acres in Plain 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.

CA

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN04-010) of 2.63± Acres in Madison 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**

CA

To authorize the Public Service Director to enter into a contract for the Transportation Division for a professional services contract with Columbus Engineering Consultants, Inc., for engineering services of the Holtzman-Main project; to authorize the expenditure of \$250,000.00 from the 1995, 1999 Voted Streets and Highways Fund. (\$250,000.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Finance Director to establish a purchase order for the purchase of Chevrolet Impalas from Byers Chevrolet in accordance with the terms and conditions of Universal Term Contracts for the Fire Division, to authorize the expenditure of \$162,370.00 from the Fleet Management Division's General Fund vehicle allocation, and to declare an emergency. (\$162,370.00)

This Matter was Approved on the Consent Agenda.

CA

To appropriate and authorize the City Auditor to transfer \$187,904.00 from the Special Income Tax Fund to the 1995, 1999 Voted Streets and Highways Fund; to authorize the Finance Director to establish purchase orders for the purchase of traffic signposts, traffic signal controllers and school flashers for the Transportation Division per the terms and conditions of existing citywide universal term contracts with five vendors; to authorize the expenditure of \$187,904.00 from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$187,904.00)

This Matter was Approved on the Consent Agenda.

CA

To appropriate and authorize the City Auditor to transfer \$200,000.00 from the Special Income Tax Fund to the 1995, 1999 Voted Streets and Highways Fund; to authorize the Public Service Director to enter into a contract with Jones-Stuckey Limited for professional engineering services associated with the Sidewalk Installation Program Phase VI project for the Transportation Division; to authorize the expenditure of \$200,000.00 or so much thereof as may be needed from the 1995, 1999 Voted Streets and Highways Fund and to declare an emergency. (\$200,000.00)

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 the Capital Area Humane Society to provide licensed humane agents to conduct animal cruelty investigations within the City of Columbus for the protection of at-risk animals in the community, to authorize the expenditure of \$25,000 from the Health Special Revenue Fund, and to declare an emergency. (\$25,000)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Director of Finance to establish a purchase order with Gen-Probe for the purchase of chlamydia and gonorrhea test kits for the Board of Health in accordance with sole source provisions; to authorize the expenditure of \$120,000 from the Health Special Revenue Fund and the Health Department Grants Fund; and to declare an emergency. (\$120,000)

This Matter was Approved on the Consent Agenda.

CA

To authorize and direct the Columbus Health Department to accept a grant from the Osteopathic Heritage Foundation in the amount of \$20,000.00; to authorize the appropriation of \$20,000.00 from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency. (\$20,000.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the appropriation of \$3000.00 from the Area Commission Fund to the Department of Development in order to reimburse the German Village Commission for 2003 miscellaneous expenses; and to declare an emergency. (\$3000.00)

This Matter was Approved on the Consent Agenda.

UTILITIES: THOMAS, CHR. MENDEL O'SHAUGHNESSY HABASH

CA

To authorize the transfer of \$28,300.00 from the General Fund to the General Government Grant Fund as the required city match for a "Recycle, Ohio!" grant received from the Ohio Department of Natural Resources for continued operation of the Keep Columbus Beautiful program within the Refuse Collection Division, Public Service Department; to appropriate these funds within the General Government Grant Fund; to authorize the Public Service Director to expend \$28,300.00 from the General Government Grant Fund, and to declare an emergency. (\$28,300.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize and direct the City Auditor to transfer \$109,834.00 from the Special Income Tax Fund to the Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund; to authorize the appropriation of said funds; to authorize the Director of Public Utilities to enter into a contract with Square D Company to provide O'Shaughnessy Hydro Breaker Replacement and Switchgear Modifications for the Division of Electricity; to authorize the expenditure of \$109,834.00 from the Voted Street Lighting and Electricity Distribution Improvements Fund; and to declare an emergency. (\$109,834.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Director of Public Utilities to modify and extend an existing contract for Security Guard Services with U.S. Security Associates, Inc for the Division of Sewerage and

Drainage, to authorize the expenditure of \$119,600.00 from the Sewerage System Operating Fund and to declare an emergency. (\$119,600.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Director of the Department of Public Utilities, on behalf of the Division of Electricity, to declare the necessity of installing ornamental street lighting with underground wiring in the Madison Mills Subdivision under the assessment procedure, and to declare an emergency.

This Matter was Adopted on the Consent Agenda.

CA

To authorize the City Auditor to transfer \$266,564.68 from the Special Income Tax Fund to the Voted Street Lighting and Electricity Distribution Improvements Fund; to authorize the appropriation of said funds; to authorize the Director of Public Utilities to enter into contract with Vaughn Industries, LLC to install an overhead street lighting system in the area known as Glenbrook; to authorize payment to the Transportation Division for inspection services provided to the Division of Electricity for said project; to authorize the expenditure \$266,564.68 from the Voted Street Lighting and Electricity Distribution Improvements Fund; and to declare an emergency. (\$266,564.68)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Director of Public Utilities to modify and extend a contract with Dreier and Maller Incorporated for Catch Basin and Inlet Cleaning Services, to authorize the expenditure of \$100,000.00 from the Sewerage System Operating Fund and to declare an emergency. (\$100,000.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize and direct the Finance Director to enter into a contract for an option to purchase Erosion Control Materials, with Johnson-Morehouse Dickey Company, 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.

CA

To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Large Lamps from W. W. Grainger, Inc. and to declare an emergency

This Matter was Approved on the Consent Agenda.

CA

To authorize the Director of the Department of Public Utilities, on behalf of the Division of Electricity, to declare the necessity of installing ornamental street lighting with underground wiring in the Berwick Phase III Area under the assessment procedure, and to declare an emergency.

This Matter was Adopted 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 and direct the Finance Director to modify the citywide contract for the option to lease/purchase 55 cpm/ppm Digital Copiers /Printers, with MT Business Technologies Inc., to waive competitive bidding requirements 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:

An ordinance providing for the issuance and sale of not to exceed \$35,000,000 tax increment financing bonds of the City of Columbus, Ohio (the "Issuer"), in two or more series (collectively, the "Bonds"), for the purpose of providing (i) a portion of the funds necessary to refund the Issuer's Adjustable Rate Tax Increment Financing Bonds (Lyra/Gemini/Polaris Project) (the "2001 Bonds"), and (ii) funds to pay the costs of certain Public Improvements; authorizing a Trust Agreement to secure the Bonds hereafter authorized; authorizing Bond Purchase Contracts and Official Statements appropriate for the offering and sale of the Bonds; authorizing the acquisition of municipal bond insurance, letters of credit, and other credit facilities to secure the Bonds or portions of the Bonds; and providing for the redemption of the 2001 Bonds. (\$35,000,000)

Section 55(B) of the City Charter.

A motion was made by Sensenbrenner that this matter be Waived the 2nd Reading. The motion carried by the following vote:

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

SAFETY & JUDICIARY: MENDEL, CHR. BOYCE THOMAS HABASH

FROM THE FLOOR

MENDEL/BOYCE

Be it resolved by the Council of the City of Columbus to strongly urge the Ohio General Assembly to immediately amend HB 12 to extend the ban on concealed carry weapons to public parks to protect the safety of families and residents.

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

To authorize the transfer of \$13,000.00 between projects within the 1995, 1999 Voted Streets and Highway Fund; to authorize the City Attorney's Office to expend \$13,000.00 from the 1995, 1999 Voted Streets and Highway Fund to pay Oasis Investments, Incorporated, court-ordered reimbursement for attorney fees and expenses relating to the abandonment of the eminent domain acquisition of Parcel 5 WD, T of the Group 10 (Hudson and North High) Improvement project for the Transportation Division, and to declare an emergency. (\$13,000.00).

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

To authorize and direct the Finance Director to contract for Centrex phone services with SBC for the Division of Police, to authorize the expenditure of \$300,000.00 from the General Fund; and to declare an emergency. (\$300,000.00)

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

To authorize an appropriation of \$1,030,233.49 from the unappropriated balance of the Law Enforcement Contraband Seizure Fund to the Division of Police, to purchase equipment, supplies, and services; and to declare an emergency. (\$1,030,233.49)

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

To authorize and direct the City Attorney to extend contracts with Scoliere & Associates and Capital Recovery Systems, Inc., to authorize the appropriation of One Hundred Thousand and no/100 Dollars (\$100,000.00), to authorize the City Attorney to expend up to Five Hundred Thousand and no/100 Dollars (\$500,000.00) for services rendered pursuant thereto, to waive the competitive procurement provisions of Chapter 329 of the Columbus City Codes and to declare an emergency (\$500,000.00)

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

To authorize and direct the Finance Director to enter into agreement with Kwan Software Engineering, Inc. for the purchase of the Veripic digital photography software application, in accordance with the sole source procurement for the Division of Police, to authorize the expenditure of \$45,953.00 from the Local Law Enforcement Block Grant Fund; and to declare an emergency. (\$45,953.00)

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

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

An ordinance adopting the *Harrison West / A.C. Humko Economic Development Plan* as a guide for future economic development and in support of a tax increment financing district.

A motion was made by O'Shaughnessy, seconded by President Mentel, that this matter be Taken from the Table. The motion carried by the following vote:

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

To authorize the Director of the Department of Development to acquire fee simple title, contract for professional services, to authorize the appropriation and to authorize the City Auditor to transfer \$500,000 from the Special Income Tax Fund to the Northland and Other Acquisition Fund for costs in connection with the King Lincoln District Acquisition Project; to authorize the expenditure of \$500,000; and to declare an emergency (\$500,000).

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

To authorize the Director of the Department of Development to enter into a Columbus Downtown Office Incentive Program agreement with Gates McDonald & Company as provided in Columbus City Council Resolution 075X-2004, adopted March 29, 2004.

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

To adopt the *Harrison West Economic Development Plan* as a guide for future economic development and in support of a tax increment financing district; 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:

To authorize the Director of the Department of Development to allow the City to accept title to certain property generally known as the former AC Humko site and to transfer the property back to the original owners; and to declare an emergency. (\$0)

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

To authorize the Director of the Department of Development to enter into a grant agreement

with the Clean Ohio Council for a \$3 million Clean Ohio program grant for brownfield remediation at the former AC Humko site; to authorize the appropriation of \$3,000,000 from the General Government Grant Fund; and to declare an emergency. (\$3,000,000.00)

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 Director of the Department of Development, in accordance with Section 186 of the Columbus City Charter, to enter into a guaranteed maximum reimbursement contract for \$3,000,000 with Royal Tallow Holdings Ltd. for purposes of brownfield site clean up under a Clean Ohio grant at the former AC Humko site; to authorize the City Auditor to pay directly contractor(s) of Royal Tallow Holdings Ltd.; to waive provisions of competitive bidding; and to declare an emergency. (\$3,000,000.00)

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 Director of the Department of Development to enter into a contract with the North Market Development Authority; to authorize the expenditure of \$22,962 from the General Fund; and to declare an emergency. (\$22,962)

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

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

To repeal any and all previous speed limit ordinances and resolutions on Vine Street and to raise the speed limit on Vine Street between Neil Avenue and the Michigan Avenue Connector to 40 miles per hour from the posted speed limit of 35 miles per hour.

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

To authorize the Public Service Director to enter into a Guaranteed Maximum Cost Agreement with Capitol South Community Urban Redevelopment Corporation for design development and budgeting for future streetscape improvements on Gay Street from Front Street to Fourth Street for the Transportation Division; to waive the competitive bidding requirements of the Columbus City Code, 1959, and to authorize the expenditure of \$20,000.00 from the 1995, 1999 Voted Streets and Highways Fund. (\$20,000.00)

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 City Auditor to transfer \$500,000.00 from the Special Income Tax Fund to the 1995, 1999 Voted Streets and Highways Fund; to appropriate \$500,000.00 within the 1995, 1999 Voted Streets and Highways Fund; to authorize the City Attorney to contract for professional services and acquire fee simple title and lesser interests in and to property needed for the McKinley Avenue Improvement project for the Transportation Division; to expend \$500,000.00 from the 1995, 1999 Voted Streets and Highways Fund for acquisition-related costs for this project, and to declare an emergency. (\$500,000.00)

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 Finance Director to establish a purchase order to purchase thirty-nine patrol cruisers for the Police Division from Springfield Ford, to authorize the expenditure of \$785,382.00 from the Fleet Management Division's General Fund vehicle allocation , and to declare an emergency. (\$785,382.00)

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

To authorize the Director of the Public Service Department, in accordance with Section 186 of the Columbus City Charter, to enter into a guaranteed maximum reimbursement contract for \$400,000 with Royal Tallow Holdings Ltd. for the purpose of roadwork construction at the former AC Humko site; to authorize the appropriation and transfer of \$400,000 from the Special Income Tax Fund to the Voted 95, Voted 99 Streets and Highways Fund; to authorize the City Auditor to pay directly contractor(s) of Royal Tallow Holdings Ltd.; to waive provisions of competitive bidding; to authorize the expenditure of \$400,000; and to declare an emergency. (\$400,000)

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

To appropriate \$27,600,000.00 within the Special Income Tax Fund and authorize the transfer thereof to the City Auditor-designated and approved Polaris Interchange Capital Fund; to appropriate \$27,600,000.00 within the Polaris Interchange Capital Fund to provide for reconstruction of the Interstate 71 and Polaris Parkway Interchange and construction of a new interchange at Interstate 71 and Fashion Mall Parkway; to authorize the use of a portion of the proceeds of bonds of the City to be issued for such purposes to reimburse such funds for monies advanced therefor and to declare an emergency. (\$27,600,000.00)

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 an agreement with the Ohio Department of Transportation; NP Limited Partnership, an Ohio Limited Partnership; and Polaris

Ventures IV, Limited, to provide for reconstruction of the Interstate 71 and Polaris Parkway Interchange and construction of a new interchange at Interstate 71 and Fashion Mall Parkway; to authorize the Public Service Director to execute certain quit claim deeds in connection therewith and to waive the provisions of Chapters 328 and 329 of the Columbus City Code pertaining to such transfers; to authorize the expenditure of \$27,600,000.00 or so much thereof as may be necessary to the Ohio Department of Transportation for this purpose from the Polaris Interchange Capital Fund and to declare an emergency. (\$27,600,000.00)

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 a contract with the Central Ohio Poison Center at Children's Hospital for the provision of poison treatment and prevention services, to authorize the expenditure of \$75,000 from the Health Special Revenue Fund, and to declare an emergency. (\$75,000)

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

To authorize the Development Director to enter into contracts with various contractors for grass mowing and litter control services during the 2004 season; to authorize the expenditure of \$137,390.00 from the General Fund; to authorize the expenditure of \$140,000 from the Community Development Block Grant Fund; to authorize the expenditure of \$85,684 from the Recreation and Parks Operating Fund; and to declare an emergency. (\$363,074.00)

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

To amend the 2000-2004 Consolidated Plan and the 2004 HOME Investment Partnerships (HOME) Action Plan Budget; to enable the City of Columbus to receive \$727,047 of HOME grant funds for the American Dream Downpayment Initiative; to authorize the filing of these amendments with the U.S. Department of Housing and Urban Development (HUD); and to declare an emergency.

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

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

To authorize the Director of Public Utilities to execute a construction contract with Miller Pavement Maintenance, Inc. in connection with the Binns Boulevard Stormwater System Improvements Project; to provide for the payment of construction inspection and prevailing wage coordination services; to authorize the transfer and expenditure of \$236,131.62 from the Storm Sewer Bond Fund for the Division of Sewerage and Drainage; and to declare an

emergency. (\$236,131.62)

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 execute a construction contract with Nickolas Savko & Sons, Inc., in connection with the Rundell Ditch Enclosure Stormwater System Improvements Project; to provide for the payment of construction inspection and prevailing wage coordination services; to authorize the transfer and expenditure of \$237,911.60 from the Storm Sewer Bond Fund for the Division of Sewerage and Drainage; and to declare an emergency. (\$237,911.60)

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 execute a construction contract modification with the Complete General Construction Company for the Norwood Street Drainage Improvements Project; to authorize the transfer and expenditure of \$84,408.04 from the Storm Sewer Bond Fund; for the Division of Sewerage and Drainage; to amend the 2003 Capital Improvements Budget, and to declare an emergency. (\$84,408.04)

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 guaranteed maximum cost agreement in accordance with Section 186 of the City Charter, with the Graceland Shoppers Limited Partnership, in connection with the Leland Ave. Ditch Storm Sewer Project; to authorize the transfer, appropriation and expenditure of \$702,327.00 from the Storm Sewer System Reserve Fund to the Storm Sewer Bond Fund; to amend the 2003 Capital Improvements Budget; and to declare an emergency.

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 execute a construction contract with Columbus Asphalt Paving, Inc.; to provide for payment of construction inspection and related services to the Transportation Division for the Foster Street Stormwater System Improvements Project; to authorize the transfer, appropriation, and expenditure of \$535,549.10 from the Storm Sewer System Reserve Fund to the Storm Sewer Bond Fund; to authorize an amendment to the 2003 Capital Improvements Budget; for the Division of Sewerage and Drainage; and to declare an emergency. (\$535,549.10)

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

To authorize and direct the Finance Director to enter into a contract for an option to purchase Grit Collector Parts, with Envirex Inc., dba US Filter, Envirex Products, to waive the formal competitive sealed bidding provisions of the Columbus City Code, to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)

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 the Department of Public Utilities, on behalf of the Division of

Electricity, to declare the necessity of installing ornamental street lighting with underground wiring in the Berwick Phase II Area under the assessment procedure, and to declare an emergency.

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

RULES & REFERENCE: HABASH, CHR. MENTEL SENSENBRENNER TAVARES

To supplement the Columbus City Codes, 1959, by the enactment of new sections in Chapter 3372, Planning Overlay, to create the *Noe-Bixby Road Urban Scenic Byway Overlay* for that portion of Noe-Bixby Road north of East Main Street and south of East Broad Street; to create an Urban Scenic Byway designation in the Columbus Thoroughfare Plan; and to recognize Noe-Bixby as the first Urban Scenic Byway in the City of Columbus.

A motion was made by O'Shaughnessy, 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 Tavares, to adjourn this Regular Meeting. The motion carried by the following vote: