

City of Columbus

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



Minutes - Final

Monday, June 14, 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. 34 OF COLUMBUS CITY COUNCIL,
JUNE 14, 2004 at 5:00 P.M. IN COUNCIL CHAMBERS.**

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

A motion was made by President Pro-Tem Boyce, seconded by Sensenbrenner, 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, JUNE 9, 2004:**

New Type: D2 permit # 64160890025
To: 918 Weber Inc
2530 W Broad St 1st Fl
Columbus Ohio 43204

New Type: C2 permit # 9555685
To: Westland T B Inc
DBA Tinder Box
5043 Tuttle Crossing Blvd
Columbus Ohio 43017

New Type: C1, C2 permit # 13702000125
To: Certified Oil Corp
DBA Certified 125
2385 S High St
Columbus Ohio 43207

New Type: D3 permit # 3337291
To: Graystone Wine Cellar LLC
DBA WM Graystone Winery
544 S Front St Bsmt
Columbus Ohio 43215

New Type: D1 permit # 70636190020
To: Premier Broadcasting
Company Inc
DBA Masseys Pizza
2970 Sullivant Ave
Columbus Ohio 43204

New Type: D3 permit # 2590982
To: Event Ventures Inc
DBA Hartman On Main
Entire 2nd Fl
150 E Main St
Columbus Ohio 43215

New Type: D3A permit # 2848720

To: 487 Park Inc
487 Park St
Columbus Ohio 43215

Transfer Type: C1, C2 permit # 4415980

To: Just Us Folks LLC
DBA Dotsons Market
160 Barthman Av 1st Fl
Columbus Ohio 43207

From: Julia Justice
DBA Dotsons Market
160 Barthman Av 1st Fl
Columbus Ohio 43207

Transfer Type: D5, D6 permit # 4490600

To: Karl Rd Entertainment Inc
4400 Karl Rd & Patio
Columbus Ohio 43224
From: Kim Note Corp
DBA C Note
4400 Karl Rd & Patio
Columbus Ohio 43224

Transfer Type: C1, C2, D6 permit # 8023870

To: Shajanand Swami Enterprises LLC
DBA Andys Carryout
2480 N High St
Columbus Ohio 43202
From: Irene S Lenhart
DBA Andys Carryout
2480 N High St
Columbus Ohio 43202

Transfer Type: D1, D3, D3A permit # 3107250

To: Genesee Capital Club LTD
DBA Costa Brava
1270 Morse Rd
Columbus Ohio 43229
From: Costa Brava Ltd
DBA Casa Fiesta
1270 Morse Rd.
Columbus Ohio 43229

Transfer Type: C1, C2 permit # 2485356

To: Elias One LLC
DBA Elias Convenient Food Mart
2185 W Mound St
Columbus Ohio 43223
From: Mound Inc
DBA Convenient Plus Foodmart 3
2185 W Mound St
Columbus Ohio 43223

Transfer Type: D1, D2, D3, D3A, D6 permit # 15753650001

To: Club Octagon Inc
DBA Madison Entertainment Ctr
72 N High St
Columbus Ohio 43215

From: Club Octagon Inc
504 N Park St Mezzanine & Patio
Columbus Ohio 43215

Transfer Type: D5 permit # 86974530001

To: Sunrise Shi Inc
DBA Taste of China Restaurant
2950 Hayden Rd
Columbus Ohio 43235

From: Sunrise Shi Inc
DBA Taste of China Restaurant
118 Graceland Blvd
Columbus Ohio 43214

Transfer Type: D1, D2, D3, D3A, D6 permit # 3018924

To: Gallos Tap Room LLC
5019-5021 Olentangy River Rd
Columbus Ohio 43214

From: RM 6115 Inc
DBA Spanks Pub
6115 E Livingston Av
Columbus Ohio 43232

Stock Type: D2, D2X, D3, D3A, D6 permit # 9688554

To: Windchimes Chinese Restaurant Inc
5742 Frantz Rd
Columbus Ohio 43017

ADVERTISE 06/19/04

RETURN 06/30/04

RESOLUTIONS OF EXPRESSION

Boyce

To recognize and congratulate the **Ohio High School Football Coaches Association** for bringing the fifty-ninth annual **Grange Insurance Ohio All-Star Classic Football Game** to Crew Stadium in Columbus, Ohio on Saturday June 19th, 2004.

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

To honor and celebrate Juneteenth Ohio 2004 and declare Saturday and Sunday, June 19-20, 2004, as Juneteenth Ohio weekend in the City of Columbus

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

TAVARES

To honor and congratulate Mr. & Mrs. Charles Johnson who have been called to relocate to Cedar Avenue Church of God, Sharon, Pennsylvania and serve as the Pastor and First Lady.

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

To recognize Dean J. Jackson who is being honored by the Alla Baba Temple #53, A.E.A.O.N.M.S. of North and South America and its Jurisdiction, Inc.

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

ADMINISTRATION: 0880-2004, 0950-2004

RECREATION & PARKS: 0966-2004

SAFETY & JUDICIARY: 0849-2004, 1002-2004

**PUBLIC SERVICE & TRANSPORTATION: 0826-2004, 0851-2004,
0860-2004, 0956-2004, 0957-2004**

UTILITIES: 0986-2004

FR FIRST READING OF 30-DAY LEGISLATION

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

FR

To accept the "Capital Improvements Program, 2004 - 2009," as described herein, as the primary guide for the Capital Improvements Budget ordinance.

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

- FR To authorize the Director of the Department of Finance to establish a purchase order with Resource One for the Transportation Division to purchase replacement computers and to authorize the expenditure of \$50,000.00 from the Department of Technology internal service fund, (\$50,000.00)

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

- FR To amend the Columbus Thoroughfare Plan to reflect the roadway network of the Interim Hayden Run Corridor Plan.
- FR To authorize the acceptance of a deed for one parcel of real estate to be held in the City's Land Bank for redevelopment (235-237 N. 20th Street).

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

- FR To authorize the Public Service Director to enter into an agreement for the Transportation Division with the Director of the Ohio Department of Transportation to grant consent and propose cooperation with the State of Ohio for a MORPC Enhancement Project to provide sidewalks in the vicinity of COTA bus stops. (\$0) REPEALED BY ORDINANCE 0199-2005 PASSED 03/07/05
- FR To accept the plat titled KEMPTON RUN, from KEMPTON RUN, LLC., an Ohio limited liability company, by RIVERWOOD PARTNERS, LLC., by JAMES D. SCHRIMM III, Member.
- FR To accept the plats titled OLENTANGY MEADOWS SECTION 2 PART 1 and OLENTANGY MEADOWS SECTION 2 PART 2, from DOMINION HOMES, INC., an Ohio corporation, by ROBERT A. MEYER JR., Senior Vice President.

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

- FR To authorize the Director of Public Utilities to modify the contract with Moody's of Dayton, Inc. dba GM Baker & Sons, Co., for the Dublin Road Water Plant Low Service Nos. 3, 4, and

Spare Pump Bowl/Suction Reconditioning, for the Division of Water, and to authorize the expenditure of \$5,980.25 from Water Systems Operating Fund. (\$5,980.25)

FR

To appropriate \$202,000.00 within the Special Income Tax Fund; to transfer this sum to the 1995, 1999 Voted Streets and Highways Fund and appropriate it there so the Sewerage and Drainage Division can expend the money to resurface and complete pavement renovation work within the Cassady Avenue storm sewer project area. (\$202,000.00)

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

FR

To grant a Variance from the provisions of Sections 3356.03, C-4 permitted uses, 3342.08, Driveway, and 3372.609, Setback requirements, for the property located at **866-874 SOUTH HIGH STREET (43206)**, to permit an 12-unit multi-family dwelling in the C-4, Commercial District (Council Variance # CV03-049).

FR

To rezone **5679 HARLEM ROAD (43054)**, being 3.53± acres located 330± feet west of Harlem Road and 1178± feet south of S.R. 161, **From:** R, Rural District, **To:** PUD-8, Planned Unit Development District (Rezoning # Z04-025).

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

FR

To amend Title 7 of the Columbus City Codes, 1959, by enacting new Chapter 715, which prohibits smoking in public places and places of employment.

CA CONSENT ACTIONS

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

CA

To authorize the Director of Public Safety to execute a contract modification with Kenneth W. Borror, for E-911 Consulting Services, for the Department of Public Safety, Division of Support Services, and to authorize the expenditure of \$28,779.00 from the Cable Fund. (\$28,779.00).

This Matter was Approved on the Consent Agenda.

CA To authorize and direct the transfer and appropriation of \$20,300.00 from the Fire Division General Fund Operating Budget to the Quarter Master Incentive Travel Fund.(\$20,300.00)

This Matter was Approved on the Consent Agenda.

CA To authorize and direct the Director of Public Safety to modify and extend the Contract with the Director of Highway Safety, State of Ohio, for the leasing of the LEADS terminals and LEADS interface for the Division of Police, to authorize the expenditure of \$49,479.00 from the General Fund. (\$49,479.00)

This Matter was Approved on the Consent Agenda.

DEVELOPMENT: O'SHAUGHNESSY, CHR. BOYCE TAVARES HABASH

CA To authorize the appropriation of \$114,810 from the Capital South Fund; to authorize the Director of the Department of Development to enter into an agreement with the Columbus Downtown Development Corporation; and to authorize the expenditure of \$114,810 from the Capital South Fund. (\$114,810.00)

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 agreement for professional engineering services with Stone Environmental Engineering and Science, Inc. to provide design engineering services for the Olentangy River Road Culvert Replacement and East Fifth Avenue Stormwater System Improvements Project for the Division of Sewerage and Drainage; to authorize the transfer, appropriation and expenditure of \$50,494.42 from the Storm Sewer System Reserve Fund to the Storm Sewer Bond Fund and to authorize the expenditure of \$50,494.42 within the Storm Sewer Bond Fund. (\$50,494.42)

This Matter was Approved on the Consent Agenda.

CA To authorize the Director of Public Utilities to enter into an agreement for professional engineering services with URS Corporation to provide design engineering services for the Southgate/Landers Area Stormwater System Improvements Project for the Division of Sewerage and Drainage; to authorize the transfer, appropriation and expenditure of \$60,500.60 from the Special Income Tax Fund to the Storm Sewer Bond Fund and to authorize the expenditure of \$60,500.60 within the Storm Sewer Bond Fund. (\$60,500.60)

This Matter was Approved on the Consent Agenda.

CA To authorize the Director of Finance to establish a purchase order with KE Rose Company for the purchase of three (3) utility bodies for the Division of Sewerage and Drainage, and to

authorize the expenditure of \$33,300.00 from the Sewerage System Operating Fund. (\$33,300.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Director of Public Utilities to enter into an agreement for professional engineering services with Moody-Nolan Ltd., Inc. to provide design engineering services for the Olentangy Boulevard & Amazon Place Stormwater System Improvements Project for the Division of Sewerage and Drainage; to authorize the transfer, appropriation and expenditure of \$94,285.00 from the Special Income Tax Fund to the Storm Sewer Bond Fund and to authorize the expenditure of \$94,285.00 within the Storm Sewer Bond Fund. (\$94,285.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Director of Public Utilities to enter into an agreement for professional engineering services with Korda/Nemeth Engineering, Inc. to provide design engineering services for the Clintonville Area Miscellaneous Stormwater System Improvements Project for the Division of Sewerage and Drainage; to authorize the transfer, appropriation and expenditure of \$82,557.45 from the Special Income Tax Fund to the Storm Sewer Bond Fund and to authorize the expenditure of \$82,557.45 within the Storm Sewer Bond Fund. (\$82,557.45)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Director of Public Utilities to enter into an agreement for professional engineering services with Barr Engineering to provide design engineering services for the Charleston Avenue Stormwater System Improvements Project for the Division of Sewerage and Drainage; to authorize the transfer, appropriation and expenditure of \$89,376.87 from the Special Income Tax Fund to the Storm Sewer Bond Fund and to authorize the expenditure of \$89,376.87 within the Storm Sewer Bond Fund. (\$89,376.87)

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 Janitorial Services.

This Matter was Approved on the Consent Agenda.

Passed The Consent Agenda

THE FOLLOWING ITEMS WERE TABLED FOR ONE WEEK

ADMINISTRATION: BOYCE, CHR. SENSENBRENNER, MENTEL, HABASH

To authorize the Public Service Director to enter into a contract for the Facilities Management Division with Systems by Rich Consulting, LLC, to develop custodial performance

specifications for the new Police Academy; to authorize the expenditure of \$40,000.00 from the General Fund; and to declare an emergency. (\$40,000.00)

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

To authorize the Director of the Department of Finance to modify and extend the contract with Maximus Inc. for the annual license renewal from the Department of Technology information services fund on behalf of Public Service Department, Fleet Management Division, to authorize the expenditure of \$63,130.00, and to declare an emergency. (\$63,130.00)

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

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

To authorize the Director of Recreation and Parks to enter into a contract with Evans, Merchwart, Hambleton and Tilton for professional services related to the demolition of structures and construction of a parking lot in the downtown riverfront area, to authorize an expenditure from the Recreation and Parks Grant Fund , and to declare an emergency. (\$98,855.00)

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

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

To authorize the City Attorney to file the necessary complaints for the appropriation of fee simple title and lesser interests in and to real estate necessary the Norton Road -Broad to Hall Road Project, and to declare an emergency.

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

To authorize and direct the Mayor of the City of Columbus to accept a subgrantee award through the Paul Coverdell National Forensic Sciences Improvement Act via the State of Ohio, Office of Criminal Justice Services, to authorize an appropriation of \$9,659.00 from the unappropriated balance of the General Government Grant Fund to the Division of Police to cover the costs of the training for forensic lab personnel project and to declare an emergency. (\$9,659.00)

A motion was made by President Habash, 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 authorize the transfer of \$100,000.00 between projects within the 1995, 1999 Voted Streets and Highways Fund; to authorize the City Attorney to contract for professional services and to acquire fee simple title and lesser interests for property needed for the Sidewalk Installation Program Phase V project for the Transportation Division; to authorize the expenditure of \$100,000.00 from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$100,000.00)

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

To authorize the transfer of \$6,000.00 between projects within the 1995, 1999 Voted Streets and Highways Fund; to authorize the City Attorney to contract for professional services relative to the acquisition of a permanent easement for traffic control equipment and appurtenances thereto at 8161 Sawmill Road; to expend \$6,000.00 or so much thereof as may be necessary from the 1995, 1999 Voted Streets and Highways Fund for acquisition-related costs and to declare an emergency. (\$6,000.00)

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

To appropriate and authorize the City Auditor to transfer \$70,000.00 from the Special Income Tax Fund to the 1995, 1999 Voted Streets and Highways Fund; to authorize the Director of Public Service to modify and increase the contract with Columbus Urban Growth Corporation for the preparation of construction plans for the Mound & Souder (West Edge) project for the Transportation Division; to authorize the expenditure of \$70,000.00 from the Voted 1995, Voted 1999 Streets and Highways Fund; and to declare an emergency. (\$70,000.00)

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

To authorize the Finance Director to establish a purchase order for the Fleet Management Division in accordance with the terms and conditions of a Universal Term Contract with Motorola Inc., for the purchase of fifty two (52) XTL5000 Motorola Radios for the Police Division, to authorize the expenditure of \$144,456.00 from the General Fund, and to declare an emergency. (\$144,456.00)

A motion was made by President Habash, 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 modify and extend the citywide contract for the option to purchase Hydraulic Hose and Hose Fittings, with Kaman Industrial Technologies, and to declare an emergency.

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

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

To authorize and direct the Finance Director to enter into one contract for the option to purchase Truck Washing Services for Refuse Collection Division with On Location Enterprises, 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 President Habash, seconded by Tavares, that this matter be Tabled to Certain Date. The motion carried by the following vote:

**THE MAJORITY OF TABLINGS THAT OCCURED IN THE
FOLLOWING SECTION WERE DONE IN MASS****EMERGENCY, TABLED AND 2ND READING OF 30-DAY
LEGISLATION****FINANCE: SENSENBRENNER, CHR. O'SHAUGHNESSY
TAVARES HABASH**

Authorizing the issuance and sale of special assessment bonds in the amount of \$83,487 for the Woodstream East Subdivision Street Light Assessment Project. (\$83,487).

Section 55(b) of the City Charter

A motion was made by Sensenbrenner, seconded by Tavares, 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:

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

To authorize the appropriation of \$3,000 from the unappropriated balance of the Special Purpose Fund, Smoke Detector Subfund, to the Office of City Council to provide funds for a fire safety awareness and outreach program; and to declare an emergency. (\$3,000)

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

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

To authorize and direct the Finance Director to enter into contract for the purchase of ADVANCED TASERS from Vance's Law Enforcement Sales for the Division of Police in accordance with the Sole Source procurement; to authorize the expenditure of \$229,658.20 from the Law Enforcement Contraband Seizure Fund. (\$229,658.20)

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

To authorize and direct the Safety Director to enter into an agreement for the training of canines for the Division of Police, to waive the City Code provision of competitive bidding, to authorize the expenditure of \$39,786.00 from the General Fund. (\$39,786.00)

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 City Attorney to settle the claim of Tina Brown, Administrator of the Estate of Willie Wagner, Jr., against the City of Columbus, and to authorize the expenditure of the sum of One Million Dollars (\$1,000,000.00) in settlement of this claim.

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

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

To adopt the Interim Hayden Run Corridor Plan.

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

To make a finding that the proposed new community district to be governed by The RiverSouth Authority will be conducive to the public health, safety, convenience, and welfare, and is intended to result in the development of a new community; to declare The RiverSouth Authority to be organized and a body politic and corporate; to designate the name of the new community authority; to define the boundary of the new community district; to provide the method of selecting the board of trustees of the new community authority; to appoint the four members of the board of trustees to be appointed by the city as citizen members and the one member of the board of trustees to be appointed by the City as the representative of local government; to fix the surety for the trustees' bonds; and to declare an emergency.

A motion was made by President Habash, seconded by Sensenbrenner, 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 and authorize the City Auditor to transfer \$340,226.34 from the Special Income Tax Fund to the 1995, 1999 Voted Streets and Highways Fund; to authorize the Public Service Director to modify and increase the contract with Complete General Construction Company for the Sancus Boulevard Improvement - Phase I project for the Transportation Division; to authorize the expenditure of \$340,226.34 from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$340,226.34)

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

To authorize and direct the Finance Director to issue purchase orders for credit card and bulk fuel deliveries for the Fleet Management Division, to authorize and direct the expenditure of \$2,000,000.00 from the Fleet Maintenance Fund, and to declare an emergency. (\$2,000,000.00)

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

To authorize and direct the Finance Director to issue various purchase orders for vehicle parts, supplies, accessories and repair services for the Fleet Management Division, to authorize the expenditure of \$800,000.00 from the Fleet Maintenance Fund, and to declare an emergency. (\$800,000.00)

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

To authorize an appropriation of \$3,040,042.38 within the County Auto License Tax Fund; to authorize the Public Service Director to expend said funds or so much thereof as may be needed for Franklin County Engineer-approved roadway construction and maintenance projects undertaken by the Transportation Division for the City of Columbus, and to declare an emergency. (\$3,040,042.38)

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

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

To authorize a supplemental appropriation for the twelve months ending December 31, 2004, for the Health Department Grants Fund, to the Department of Health in various projects and object level ones for the facilitation of grant close-outs, and to declare an emergency. (\$27,897)

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

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

To authorize the Director of Public Utilities to enter into a contract with Kokosing Construction Company, Inc. for the Hap Cremean Water Plant Lagoons Nos. 2 and 3 Sludge Removal and Lagoon Modifications, for the Division of Water, to authorize the expenditure of \$3,460,784.25 from the Waterworks Enlargement Voted 1991 Bonds Fund, and to declare an emergency. (\$3,460,784.25)

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

To appropriate and authorize the City Auditor to transfer \$3,460,784.25 from the Water System Reserve Fund to the Waterworks Enlargement Voted 1991 Bonds Fund for the purpose of funding the Hap Cremean Water Plant Lagoons Nos. 2 and 3 Sludge Removal and Lagoon Modifications, for the Division of Water, and to declare an emergency. (\$3,460,784.25)

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

To appropriate and authorize the City Auditor to transfer \$306,776.36 from the Water System Reserve Fund to the Waterworks Enlargement Voted 1991 Bonds Fund for the purpose of funding the Upground Reservoirs, for the Division of Water, and to declare an emergency. (\$306,776.36)

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

To authorize the Director of Public Utilities to enter into a contract with ms consultants, inc.

for the Upground Reservoirs, for the Division of Water, to authorize the expenditure of \$6,905,476.55 from the Waterworks Enlargement Voted 1991 Bonds Fund, to authorize the expenditure of \$678,806.13 from the Water Limited Fund, to authorize the expenditure of \$513,717.32 from the Water Permanent Improvement Fund, 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 City Auditor to transfer funds within the Water Limited Fund, to authorize the City Auditor to transfer funds within the Water Permanent Improvement Fund, and to declare an emergency. (\$8,098,000.00)

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

To authorize the Director of Public Utilities to enter into an agreement for professional engineering services with M E Companies to provide design engineering services for the Canyon Drive/Glenmont Avenue Area Stormwater System Improvements Project for the Division of Sewerage and Drainage; to authorize the transfer, appropriation and expenditure of \$102,170.02 from the Special Income Tax Fund to the Storm Sewer Bond Fund; to authorize the expenditure of \$102,170.02 within the Storm Sewer Bond Fund and to authorize an amendment to the 2003 Capital Improvements Budget. (\$102,170.02)

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 Public Utilities to enter into an agreement for professional engineering services with American Consulting, Inc. to provide design engineering services for the Eaton Avenue/Wharton Avenue Stormwater System Improvements Project for the Division of Sewerage and Drainage; to authorize the transfer, appropriation and expenditure of \$122,327.94 from the Special Income Tax Fund to the Storm Sewer Bond Fund; to authorize the expenditure of \$122,327.94 within the Storm Sewer Bond Fund and to authorize an amendment to the 2003 Capital Improvements Budget. (\$122,327.94)

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 Public Utilities to enter into an agreement for professional engineering services with E. P. Ferris & Associates to provide design engineering services for the Oakland Park Avenue Stormwater System Improvements Project for the Division of Sewerage and Drainage; to authorize the transfer, appropriation and expenditure of \$112,297.00 from the Special Income Tax Fund to the Storm Sewer Bond Fund; to authorize the expenditure of \$112,297.00 within the Storm Sewer Bond Fund and to authorize an amendment to the 2003 Capital Improvements Budget. (\$112,297.00)

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 Public Utilities to enter into a guaranteed maximum cost agreement, in accordance with Section 186 of the City Charter, with The Ohio State University, for the construction of the Franklin-Main Interceptor Relocation, OSU Area Project; to authorize the transfer and expenditure of \$751,218.00 from within the 1991 Voted Sanitary Bond Fund; for the Division of Sewerage and Drainage. (\$751,218.00)

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 \$378,667.72 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 reimbursement to the Division of Electricity for costs incurred for Streetlight Inspection/Betterments; to authorize the expenditure of \$378,667.72; and to declare an emergency. (\$378,667.72)

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

RULES & REFERENCE: HABASH, CHR. MENTEL SENSENBRENNER TAVARES

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.

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

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

To amend sections 3365.37, 3367.01 and 3367.31 of the Columbus City Codes in order to clarify that office uses are in fact a permitted use in the M-2 manufacturing district as they historically have been and to delete the erroneous mention of schools and churches in the code sections that allow for accessory child day care because schools and churches have never been permitted as a primary use in these districts.

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

To amend Title 7 of the Columbus City Codes, 1959, by enacting new Chapter 715, which prohibits smoking in public places and places of employment.

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

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

ADJOURNMENT

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