

# City of Columbus

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



## Minutes - Final

Monday, March 8, 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. 13 OF COLUMBUS CITY COUNCIL,  
MARCH 8, 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 Sensenbrenner, to Dispense with the reading of the Journal and Approve. The motion carried by the following vote:

**RESOLUTIONS OF EXPRESSION**

**HABASH**

To acknowledge and celebrate the 125th anniversary of Columbus College of Art & Design

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

**ADDITIONS OR CORRECTIONS TO THE AGENDA**

**FR FIRST READING OF 30-DAY LEGISLATION**

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

**FR**

To authorize the City Clerk to enter into a contract with the Greater Columbus Chamber of Commerce for economic development activities associated with business relocation, expansion, and retention as well as other activities related to the City's continued interest in workforce development, marketing, entrepreneurship, and infrastructure; and to authorize the expenditure of \$114,852 from the General Fund. (\$114,852)

A motion was made by President Habash, seconded by President Habash, that this matter be Read for the First Time. The motion carried by the following vote:

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

**FR**

To authorize and direct the Director of Recreation and Parks to enter into contract with M & D Blacktop Sealing Company for the Hilliard Green & Jefferson Woods Park Improvement

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Project and to authorize the expenditure of \$138,875.00 from the Recreation and Parks Special Purpose Fund. (\$138,875.00)

FR

To authorize and direct the Director of Recreation and Parks to grant consent to various organizations to apply for permission to sell alcoholic beverages at the following 2004 events: Columbus Arts Festival; Thunder Alley; Party on Pearl; Festival Latino; Comfest; Pride Holiday; Red, White & Boom; Short North Independence Day Hop; Jazz & Rib Festival; Varsity Club Block Party; Hineygate; Short North Via Colori; Hot Times Community Music & Arts Festival; and Columbus Italian Festival.

FR

To waive the appropriate section of the Columbus City Codes, and to authorize the Director of Recreation and Parks to issue a Block Party Permit for the 2004 Columbus Arts Festival, and the 2004 Center of Science and Industry's (COSI) Large Machinery Exhibit for more than five (5) consecutive days.

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

FR

To authorize and direct the City Attorney to settle the claims brought by Don Roy against the City of Columbus and individual police officers in the United States District Court for the Southern District of Ohio, Eastern Division, Case No. C2-02-702 and to authorize the expenditure of the sum of sixty thousand dollars (\$60,000.00) in settlement of this lawsuit

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

FR

An ordinance determining that the petition for the creation of The RiverSouth Authority complies with the requirements of Chapter 349.03(A) of the Ohio Revised Code and fixing the time and place for a hearing on the establishment of The RiverSouth Authority.

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

FR

To name the unnamed right-of-way located east of Ninth Street from Livingston Avenue south to South Lane Street as Dutch Alley.

FR

To authorize the Public Service Director to enter into an agreement with the Director of the Ohio Department of Transportation to grant consent and propose cooperation with the State of Ohio for a project to rehabilitate the existing bridge on Interstate Route 70 over the Scioto River for the Transportation Division. ( \$0.00 )

FR

To accept the plat titled LONGWOOD SECTION 3, from MVI SCHOTTENSTEIN HOMES, INC., an Ohio corporation, by STEPHEN M. CAPLINGER, Vice President Land Operations. REPEALED BY ORD NO. 1682-2004 (PASSED ON 10/18/2004)

FR

To authorize the Public Service Director to execute those documents required to transfer a portion of the 20 foot wide alley west of Kirby Avenue, north of Wharton Avenue to Raymond G. and Betty S. Ramagasse and to waive the competitive bidding provisions of Columbus City Codes.

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

FR

To authorize the Director of the Department of Development to enter into contract with the Community Development Collaborative of Greater Columbus; and to authorize the expenditure of \$45,000 from the 2004 Community Development Block Grant Fund. (\$45,000.00)

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

FR

To authorize the Director of Public Utilities to enter into contract with Duke's Root Control Inc for Root Control Services for the Division of Sewerage and Drainage, to authorize the expenditure of \$287,000.00 from the Sewerage System Operating Fund. (\$287,000.00)

FR

To authorize the Director of Finance to establish a Blanket Purchase Order for Sludge Grinder Equipment Repair Parts from a Universal Term Contract with JWC Environmental; to authorize the expenditure of \$100,000.00 from the Sewerage System Operating Fund (\$100,000.00).

FR

To authorize the Finance Director to establish Blanket Purchase Orders for Replacement Pump Parts from established Universal Term Contracts with Moyno, Inc., and Westcoast Rotor, Inc., for the Division of Sewerage and Drainage; to authorize the expenditure of \$125,000.00 from the Sewerage System Operating Fund. (\$125,000.00)

FR

To authorize the Finance Director to establish a Blanket Purchase Order for Woodchips from an established Universal Term Contract with The Garick Corporation, for the Division of Sewerage and Drainage; to authorize the expenditure of \$80,000.00 from the Sewerage System Operating Fund. (\$80,000.00)

FR

To authorize the Director of Public Utilities to modify and increase the service agreement with Marion Electric Motor Service and McNaughton-McKay Electric Company for Electric Motor Repair Services for the Division of Sewerage and Drainage, and to authorize the expenditure of \$110,000.00 from the Sewerage System Operating Fund. (\$110,000.00)

FR

To authorize the Director of Finance to issue a Blanket Purchase Order for the purchase of Polymer from an established Universal Term Contract with Polydyne Inc., for the Division of Sewerage and Drainage; to authorize the expenditure of \$414,000.00 from the Sewerage System Operating Fund. (\$414,000.00)

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

FR

To amend various sections of the City of Columbus Fire Prevention Code (Title Twenty-five), relating to the fees charged for inspections, and other services.

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

FR

FR

FR

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FR

**CA CONSENT ACTIONS**

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

CA

To authorize the Public Service Director to enter into a contract for the Facilities Management Division with Winnsapes for mowing and snow removal services for various city facilities, to authorize the expenditure of \$36,000.00 from the General Fund; and to declare an emergency. (\$36,000.00)

**This Matter was Approved on the Consent Agenda.**

- CA To amend and extend an agreement with Weaver and Short Consulting for accounting and reporting services and to authorize the expenditure of \$65,000 from the General Fund and to declare an emergency (\$65,000)

**This Matter was Approved on the Consent Agenda.**

- CA To authorize the Public Service Director to extend a contract for the Facilities Management Division with AA Programmed Janitorial and Building Maintenance for custodial services at the Fire Training Academy and Fire Administration Building; to authorize the expenditure of \$99,000.00 from the General Fund, and to declare an emergency. (\$99,000.00)

**This Matter was Approved on the Consent Agenda.****RECREATION & PARKS: BOYCE, CHR. SENSENBRENNER  
THOMAS HABASH**

- CA To authorize an appropriation of \$30,000.00 from the unappropriated balance of the Recreation and Parks Special Purpose Fund to the Recreation and Parks Department to continue various services during 2004 related to the Columbus Park of Roses, and to declare an emergency. (\$30,000.00)

**This Matter was Approved on the Consent Agenda.****SAFETY & JUDICIARY: MENDEL, CHR. BOYCE THOMAS  
HABASH**

- CA To authorize and direct the City Auditor to transfer \$200,000.00 from the Special Income Tax Fund to the Safety Bond Fund ; to authorize the appropriation of said funds; and to authorize and direct the Director of Public Safety to expend \$200,000.00 for miscellaneous renovations of various Division of Fire facilities from the Safety Bond Fund.(\$200,000.00)

**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 Greenhill Acres Storm Sewer Improvement Project, to authorize the expenditure of \$1,232.00 from the Storm Sewer Bond Fund and to declare an emergency. (\$1,232.00)

**This Matter was Approved on the Consent Agenda.****DEVELOPMENT: O'SHAUGHNESSY, CHR. BOYCE TAVARES  
HABASH**

- CA

To authorize the appropriation of \$57,000 from the unappropriated balance of the Land Management Fund to the Department of Development to provide funds for the administration of Land Management projects; and to declare an emergency. (\$57,000)

**This Matter was Approved on the Consent Agenda.**

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

CA

To accept the plat titled AMBERFIELD AT BIG WALNUT PART 2, from M. H. MURPHY DEVELOPMENT COMPANY, an Ohio corporation, by STEVEN J. FULKERT, Vice President.

**This Matter was Approved on the Consent Agenda.**

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

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 Raspberry Run Subdivision under the assessment procedure, and to declare an emergency.

**This Matter was Adopted 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 Heatherbrook Subdivision under the assessment procedure, and to declare an emergency.

**This Matter was Adopted on the Consent Agenda.**

CA

To authorize and direct the Director of Public Utilities to enter into a service agreement with JWC Environmental for the refurbishing of Sludge Grinders in accordance with the provisions of sole source procurement of the Columbus City Code; Section 329.07, to authorize the expenditure of \$50,000.00 from the Sewerage System Operating Fund and to declare an emergency. (\$50,000.00)

**This Matter was Approved on the Consent Agenda.**

CA

**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 and direct the Finance Director to modify and extend the city-wide contracts for the option to purchase Office Chairs, with Thomas W. Ruff & Company, Boise Workspace, Continental Office Environments, and Office Depot, to waive formal competitive bidding requirements, and to declare an emergency.

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

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

To authorize the Public Service Director to modify and extend a contract for the Facilities Management Division with Dove Building Services for custodial services at the Franklin County Municipal Court Building; to authorize the expenditure of \$275,879.26 from the General Fund, and to declare an emergency. (\$275,879.26)

**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 appropriate \$1,034,990.00 within the Special Income Tax Fund for the Facilities Management Division; to authorize the Public Service Director to renew seven lease agreements for the Facilities Management Division with various landlords for the lease of office and warehouse space for the Departments of Public Safety and Development, to authorize the expenditure of \$1,034,990.00 from the Special Income Tax Fund, and to declare an emergency. (\$1,034,990.00 )

**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 City Clerk to contract with The Greater Columbus Arts Council, Inc. for the promotion of cultural services for the enrichment of the Columbus community; to authorize the expenditure of \$3,263,729 from the Hotel/Motel Excise Tax Fund; and to declare an emergency. (\$3,263,729)

**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 City Clerk to contract with Experience Columbus for promoting and publicizing the City of Columbus, Ohio; to authorize the expenditure of 1.5% (presently estimated at \$3,480,000) of the combined rates of 5.1% of the Hotel/Motel Excise Tax; and to authorize the expenditure of \$420,570 from the General Fund; and to declare an emergency. (\$3,900,570)

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

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

To authorize the transfer of \$390,900.00 within the Voted 1995 and 1999 Street and Highway Bond Fund, to authorize and direct the Director of Recreation and Parks to enter into contract with Complete General Construction Company, to authorize the expenditure of \$1,152,000.00 from the Voted 1995 and 1999 Street and Highway Bond Fund, and to declare an emergency. (\$1,152,000.00)

**A motion was made by President Pro-Tem Boyce, seconded by Thomas, 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 Attorney to pay the settlement amount to James McNamara, counsel for Plaintiff Robert Woda, in the case of Robert Woda v. City of Columbus, et al., United States District Court Case No. C2-99-479, to authorize the expenditure of the sum of One Thousand Seventy-Five Thousand Dollars (\$175,000.00), and to declare an emergency.

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

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

To authorize the transfer of \$175,000.00 from the Department of Finance General Fund to the Division of Police, for payment of settlement in the case of Robert Woda v. City of Columbus, et al., United States District Court Case No. C2-99-479, and to declare an emergency. (\$175,000.00)

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

To authorize and direct the City Auditor to transfer \$1,574,586.00 from the Special Income Tax Fund to the Fire Safety Bond Fund ; to authorize the appropriation of said funds; to authorize and direct the Finance Director to modify and extend the current contract with and issue a purchase order to Horton Emergency Vehicles for the purchase of medium duty medics; to amend the 2003 Capital Improvement Budget; to authorize the expenditure of \$1,574,586.00 from the Safety Voted Bond Fund; and to declare an emergency. (\$1,574,586.00)

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

To authorize and direct the Director of Public Safety to modify and increase the amount of the current contract with Metropolitan Towing and Storage, Inc. for the purpose of towing vehicles from city streets as requested by the Division of Police; to authorize the expenditure of \$469,820.00 from the General Fund; and to declare an emergency. (\$469,820.00)

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

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

To resolve to declare the Jeffrey Place New Community Authority organized as a body politic and corporate, within the new community district, along with its associated Board of Trustees and to post notice of the Jeffrey Place New Community Authority's creation in the City Bulletin and notify the Board of County Commissioners of Franklin County; and to declare an emergency.

**A motion was made by O'Shaughnessy, seconded by President Mentel, 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 Columbus Downtown Office Incentive Program agreement with the Eye Center of Columbus, LLC as provided in Columbus City Council Resolution 144X-02 adopted July 22, 2002.

**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 Director of the Department of Development to enter into a Columbus Downtown Office Incentive Program agreement with ComDoc Inc. as provided in Columbus City Council Resolution 144X-02 adopted July 22, 2002.

**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 contracts with the Columbus Urban Growth Corporation; to authorize the expenditure of \$172,215 from the General Fund; to authorize the expenditure of \$225,000 from the Community Development Block Grant Fund; and to declare an emergency. (\$397,215.00).

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

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

To authorize the Public Service Director to modify and increase a contract for the Transportation Division with Decker Construction Company for the Utility Cut & Restoration Project- 2002; to appropriate and authorize the expenditure of \$200,000.00 from the General Permanent Improvement Fund; and authorize the expenditure of \$200,000.00 from the Sanitary Operating Fund; and to declare an emergency. (\$400,000.00)

**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 transfer of \$20,000.00 between projects within the Development Fund; to authorize the Public Service Director to enter into a guaranteed maximum reimbursement contract for \$300,000.00 with Jeffrey Place Development LLC for purposes of road work construction at Jeffrey Place in accordance with Section 186 of the City Charter; to authorize the City Auditor to directly pay the contractor(s) of Jeffrey Place Development LLC; to authorize the expenditure of \$280,000.00 from the 1995, 1999 Voted Streets and Highways Fund and \$20,000.00 from the Development Fund; to waive the formal competitive bidding provisions of the City Code, and to declare an emergency. (\$300,000.00)

**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 Public Service Director to enter into a guaranteed maximum reimbursement contract for \$500,000.00 with Jeffrey Place Development LLC for purposes of road work construction at Jeffrey Place in accordance with Section 186 of the City Charter; to authorize the City Auditor to directly pay the contractor(s) of Jeffrey Place Development LLC; to authorize the expenditure of \$500,000.00 from the General Government Grant Fund; to waive the formal competitive bidding provisions of the City Code, and to declare an emergency. (\$500,000.00)

**A motion was made by O'Shaughnessy, 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 nineteen (19) Water Pollution Control Loan Fund Agreements with the Ohio Water

Development Authority and the Ohio Environmental Protection Agency, for the financing of 19 Sewerage and Drainage Division projects.

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

To authorize the Director of Public Utilities to enter into an agreement with Parsons Brinckerhoff Construction Services, Inc. for construction management services in connection with the Southerly Wastewater Treatment Plant New Headworks Project; to authorize the appropriation, transfer and expenditure of \$2,810,584.28 from the Sewer System Reserve Fund to the Ohio Water Pollution Control Loan Fund; and to declare an emergency. (\$2,810,584.28)

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

To authorize the Director of Finance to issue blanket purchase orders for plant industrial and hardware supplies, parts and accessories for the Division of Sewerage and Drainage, to authorize the expenditure of \$124,000.00 from the Sewerage System Operating Fund, to waive the competitive bidding requirements of the Columbus City Codes, and to declare an emergency (\$124,000.00)

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

To authorize the Finance Director to establish Blanket Purchase Orders, for water meters and appurtenances, from established Universal Term Contracts with Badger Meters Inc., AMCO Water Metering Systems Inc., Hersey Meters/Div. of Mueller Co., and Ohio Water & Waste Supply, for the Division of Water, and to authorize the expenditure of \$990,000.00 from Water Systems Operating Fund. (\$990,000.00)

**A motion was made by Thomas, 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 Sensenbrenner, to adjourn this Regular Meeting. The motion carried by the following vote:**