

City of Columbus

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



Minutes - Final

Monday, July 11, 2005

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. 41 OF COLUMBUS CITY COUNCIL,
JULY 11, 2005 at 5:00 P.M. IN COUNCIL CHAMBERS.**

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

A motion was made by Thomas, 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, JULY 6, 2005:

New Type: D5J
To: Facility Concession
Services Inc
DBA Spectrum Catering
& Concessions
230 W Nationwide Blvd
Columbus, Ohio 43215
permit # 26109460005

New Type: D2
To: Billy Goat Tavern Ltd
DBA Billy Goat Tavern
5940 New Albany Rd W
Columbus, Ohio 43054
permit # 0717798

Transfer Type: D5
To: South Campus Gateway LLC
1550 N High St
Columbus, Ohio 43201
From: Fenway LLC
DBA Senior Garcias
5727 Chantry Dr
Columbus, Ohio 43232
permit # 8394877

Transfer Type: D1, D2, D3, D3A, D6
To: CHC Inc
660 Harrisburg Pike
Columbus, Ohio 43223
From: CHC Inc
1034 Perry St 1st Fl Bsmt & Patio
Columbus, Ohio 43201
permit # 14031250001

Transfer Type: C1, C2
To: Barnyard Sub Inc
DBA Mavericks Carryout

2995 Morse Rd
Columbus, Ohio 43231
From: Zack of Ohio Inc
DBA Beer & Wine Emporium
2995 Morse Rd
Columbus, Ohio 43231
permit # 0463386

Transfer Type: D1, D3, D3A, D6
To: Rality Productions Ltd
2550 S Hamilton Rd & Patio
Columbus, Ohio 43232
From: Chuckles Deli & Bar Inc
DBA Metros on Hamilton Restaurant & Bar
2550 S Hamilton Rd & Patio
Columbus, Ohio 43232
permit # 7177533

Transfer Type: C1, C2
To: Bajwa LLC
DBA Howards Sunoco
726 W Broad St
Columbus, Ohio 43222
From: Toshiko G Inc
DBA Howards Sunoco
726 W Broad St
Columbus, Ohio 43222
permit # 0382705

Stock Type: C1, C2
To: 2825 Olentangy Inc
DBA OSU Citgo
2825 Olentangy River Rd
Columbus, Ohio 43202
permit # 9115462

Stock Type: D1, D3, D3A
To: Dannys Diamond Fox Inc
DBA Magic City
2063 E Livingston Av & Patio
Columbus, Ohio 43209
permit # 1924958

Stock Type: D2, D2X
To: Matt Damon Entertainment LLC
DBA Studio 35 Cinema
3055 Indianola Av
Columbus, Ohio 43202
permit # 5634969

Advertise 7/16/05
Return 7/20/05

RESOLUTIONS OF EXPRESSION

MENTEL

To declare September as Ovarian Cancer Awareness Month.

A motion was made by President Mentel, 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 PORTION OF THE AGENDA AND VOTED ON LATER
IN THE MEETING**

DEVELOPMENT: 1254-2005, 1260-2005

HEALTH HOUSING & HUMAN SERVICES: 1216-2005

FR FIRST READING OF 30-DAY LEGISLATION

**JOBS AND ECONOMIC DEVELOPMENT: HUDSON, CHR.
O'SHAUGHNESSY THOMAS HABASH**

FR

To adopt the West Broad Street Economic Development Strategy as a blueprint for the revitalization of West Broad Street from Highland to Terrace avenues in the Hilltop community.

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

FR

To assess certain properties for the cost for demolishing structures found to be public nuisances.

FR

To authorize the acceptance of a deed for a parcel of land to be included in the Land Bank inventory (1096 McAllister Avenue).

FR

A Resolution declaring the necessity of improvement of public streets and easements by improving the approaches and intersection of Lancaster Avenue and East Broad Street and constructing a collector road between Lancaster Avenue and East Broad Street by excavating, grading, paving and installing traffic signalization, street lighting, conduit, traffic pavement markings, street signs, loop detectors, and controllers together with all necessary and related appurtenances under the assessment procedure. (\$0)

FR

An Ordinance assessing the cost of the improvement of public streets and easements by improving the approaches and intersection of Lancaster Avenue and East Broad Street and constructing a collector road between Lancaster Avenue and East Broad Street by excavating, grading, paving and installing traffic signalization, street lighting, conduit, traffic pavement markings, street signs, loop detectors, and controllers together with all necessary and related appurtenances under the assessment procedure. (\$0)

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

FR

To authorize the Public Service Director, on behalf of the Transportation Division, to declare the necessity of constructing the Clintonville Streetscape Improvement project under the assessment procedure. (\$-0-)

FR

To accept the plat titled MCCUTCHEON PLACE SUBDIVISION, from RAY E. ROBINSON, Director of LIFE EMPOWERMENT DEVELOPMENT CENTER.

FR

To accept the plats titled ALUM CREEK VILLAGE SECTION 2 PART 1 and ALUM CREEK VILLAGE SECTION 2 PART 2, from BEAZER HOMES INVESTMENTS, LLC, a Delaware limited liability company, by Jeff L. Logsdon, Division President

FR

To vacate the first alley east of Summit Street from Seventh Avenue to its southern terminus as requested by Columbus Public Schools, and to waive Land Review Commission and the competitive bidding provisions of the Columbus City Codes.

FR

To authorize the Public Service Director to execute those documents required to transfer the unimproved right-of-way identified as that portion of Basswood Road from Eighth Street (aka Lee Ellen Place) to its western terminus to The Board of Education of the Columbus City School District in exchange for a deed to the Columbus Public Schools property currently improved with that roadway identified as Lee Ellen Place; and to waive the Land Review Commission and the competitive bidding provisions of Columbus City Codes.

FR

To accept the plat titled UPPER ALBANY WEST SECTION 2, from M/I HOMES OF

CENTRAL OHIO, LLC, an Ohio limited liability company, by STEPHEN M. CAPLINGER, Vice President Land Operations.

FR

To accept the plat titled WALKER CORNERS, from E. L. WALKER & ASSOCIATES, by ERNEST L. WALKER, General Manager.

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

FR

To authorize the Finance Director to establish a Blanket Purchase Order, for GPS Equipment, from an established Universal Term Contract with Mapsync, for the Division of Water in the amount of \$66,865.00, to authorize the expenditure of \$66,865.00 from the Water Works Enlargement Voted 1991 Bonds Fund. (\$66,865.00)

FR

To authorize the Director of Public Utilities to enter into a contract with Telvent USA, Inc. for the Dublin Road Water Plant Automation Upgrade, for the Division of Water, to authorize the expenditure of \$1,314,359.00 from the Waterworks Enlargement Voted 1991 Bonds Fund, to amend the 2004 C.I.B. and to authorize the City Auditor to transfer funds within the Waterworks Enlargement Voted 1991 Bonds Fund. (\$1,314,359.00)

FR

To authorize the Finance Director, on behalf of the Department of Public Utilities, Division of Operational Support, to issue a blanket purchase order for the purchase of replacement computers from an existing universal term contract with Resource One; and to authorize the expenditure of \$56,000.00 from the Electricity Operating Fund, \$97,000.00 from the Sewerage System Operating Fund, and \$22,000.00 from the Water Systems Operating Fund. (\$175,000.00)

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

FR

To rezone **3642 AGLER ROAD (43219)**, being 7.2± acres located on the north side of Agler Road, 340± feet west of Stelzer Road, **From:** L-C-4, Limited Commercial District, **To:** L-C-4, Limited Commercial District (Z04-096).

FR

To rezone **1903 STELZER ROAD (43219)**, being 10.65± acres located on the west side of Stelzer Road, 300± feet south of City Gate Drive, **From:** R, Rural District, **To:** L-M, Limited Manufacturing and CPD, Commercial Planned Development Districts (Z04-080).

FR

To grant a Variance from the provisions of Sections 3356.03, C-4, Permitted Uses and 3372.609, Setback requirements of the Columbus City Code, for the property located at **858**

SOUTH HIGH STREET (43206), to permit an existing two-family dwelling with reduced development standards in the C-4, Commercial District (Council Variance # CV05-010)

FR

To rezone **2635 BILLINGSLEY ROAD (43235)**, being 5.0± acres located on the south side of Billingsley Road, 620± feet east of Sawmill Road, **From:** R, Rural District, **To:** L-C-4, Limited Commercial District (Rezoning # Z05-016).

FR

To grant a Variance from the provisions of Section 3363.01, M, Manufacturing District, for the property located at **1280 WILLIAMS ROAD (43207)**, to permit an existing single-family dwelling in the M, Manufacturing District (Council Variance # CV05-023).

FR

To grant a Variance from the provisions of Section 3363.01, M, Manufacturing District, for the property located at **1240 WILLIAMS ROAD (43207)**, to permit an existing single-family dwelling in the M, Manufacturing District (Council Variance # CV05-026).

FR

To rezone **868 WEST LANE AVENUE (43221)**, being 0.83± acres located at the northeast corner of West Lane Avenue and Kenny Road, **From:** R, Rural District, **To:** CPD, Commercial Planned Development District. (Rezoning # Z05-017)

FR

To grant a Variance from the provisions of Sections 3356.03, C-4, Permitted Uses of the Columbus City Codes for the property located at **499 DERRER ROAD (43204)**, to permit storage associated with a contractor's office in the C-4, Commercial District (Council Variance # CV05-015).

FR

To rezone **1400 FRANCISCO ROAD (43220)**, being 11.12± acres located at the northwest corner of Francisco Road and Rossmoor Place, **From:** R-1, Residential District, **To:** L-R-2, Limited Residential District. (Rezoning # Z05-030)

FR

To grant a Variance from the provisions of Sections 3332.039, R-4, Residential District use; 3332.15, Area District requirements; 3332.19, Fronting on a public street; 3332.26, Minimum side yard permitted; 3332.27, Rear yard; 3332.28, Side or rear yard obstruction; 3332.33, Private access and parking requirements; 3342.24, Surface and 3342.28, Minimum number of parking spaces required; of the City of Columbus codes, for the property located at **410 NACE AVENUE (43223)**, to permit two existing single-family dwellings on one lot with reduced development standards in the R-4, Residential District. (Council Variance # CV05-013)

FR

To rezone **2895 SOUTH HIGH STREET (43207)**, being 0.53± acres located at the southwest corner of South High Street and Dolby Drive, **From:** R-3, Residential District, **To:** C-3, Commercial District. (Rezoning # Z05-025).

FR

To grant a Variance from the provisions of Sections 3332.029, SR Suburban residential district; 3332.035, R-3, Residential district; 3342.08, Driveway; 3342.17, Parking lot

screening; 3342.28, Minimum number of parking spaces required; 3356.03, C-4 Permitted Uses; and 3356.05, C-4 District Development Limitations, of the Columbus City Codes for the property located at **1463 COLLEGE AVENUE (43209)**, to permit two (2) 4-unit dwellings in the C-4, Commercial; SR, Suburban residential; and R-3, Residential Districts.

FR

To grant a Variance from the provisions of Section 3356.03, C-4 permitted uses, for the property located at **6867 EAST BROAD STREET (43213)**, to permit motor vehicle fuel sales on a lot zoned in the L-C-4, Limited Commercial District (Council Variance CV05-025).

CA CONSENT ACTIONS**ADMINISTRATION: BOYCE, CHR. MENDEL HUDSON HABASH**

CA

To authorize and direct the Finance Director to modify the universal term contract purchase order and future purchase orders with Thomas W. Ruff and to declare an emergency.

This Matter was Approved on the Consent Agenda.

CA

To authorize the Human Resources Director enter into a contract with Gates McDonald & Company to provide Workers' Compensation actuarial and cost containment services from August 1, 2005 through July 31, 2006 and to authorize the expenditure of \$50,000.00, or so much thereof as may be necessary to pay the cost of said contract (\$50,000.00); and to declare an emergency.

This Matter was Approved on the Consent Agenda.

SAFETY & JUDICIARY: MENDEL, CHR. BOYCE THOMAS HABASH

CA

To authorize and direct the Finance Director to enter into a contract for the option to purchase ViewSonic Monitors with JPK Micro Supply, Inc., to authorize the expenditure of \$1.00 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 an appropriation from the DNA-No Suspect (FY2003) Grant Account and to authorize the Director of Public Safety of the City of Columbus to reimburse the State Bureau of Criminal Identification and Investigation and to declare an emergency. (\$16,000.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Director of Public Safety to modify the current contract with Public Safety Systems Incorporated (PSSI) for the purchase of user licenses for the Division of Fire's EMBRS Records Management System; to authorize the expenditure of \$42,500.00 from the General Fund; and to declare an emergency. (\$42,500.00)

This Matter was Approved on the Consent Agenda.

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

CA

To authorize the Director of Department of Development to execute any and all necessary agreements and deeds for conveyance of title of one parcel of real property held in the Land Bank pursuant to the Land Reutilization Program. (5700 Livingston Avenue)

This Matter was Approved on the Consent Agenda.

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

CA

To authorize the City Auditor to transfer \$6,933.00 between projects within the 1995, 1999 Voted Streets and Highways Fund; to authorize the Finance Director to enter into a contract with Nations Rent USA, Incorporated, for the purchase of two vibratory rollers with trailers for the Transportation Division; to authorize the expenditure of \$86,833.00 from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$86,833.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize and direct the Finance Director to issue purchase orders for vehicle parts, supplies, and accessories for the Fleet Management Division, to authorize and direct the expenditure of \$580,000.00 from the Fleet Management Services Fund, and to declare an emergency. (\$580,000.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the City Auditor to make any and all appropriate accounting adjustments to properly account for General Government Grant Fund transfers, appropriations and expenditures for several grant programs within the Public Service Department, Transportation and Refuse Collection Divisions, as detailed within the body of this ordinance and to declare an emergency. (\$170,919.35)

This Matter was Approved on the Consent Agenda.

CA

To authorize and direct the Finance Director to enter into two contracts for the option to purchase LED Pedestrian Signal Equipment with Path Master, Inc., and Traffic Control Products, to authorize the expenditure of two dollars to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$2.00).

This Matter was Approved on the Consent Agenda.

CA

To dedicate new right-of-way for alley purposes necessary to accommodate the construction of Fire Station #18 at 1628 Cleveland Avenue; to vacate a portion of the existing north south alley that bisects this site and to the extent that they may apply to waive the Land Review Commission and the competitive bidding provisions of Columbus City Codes.

This Matter was Approved on the Consent Agenda.

CA

To authorize the Director of the Public Service Department to execute those documents required to release the utility easements granted to the City of Columbus by Sunbury Hills, Inc., in a Deed of Easement of record in Deed Book 2730, Page 213 of the Franklin County, Ohio, Recorder's Office.

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 Truck Tire Retreading with D & D Retreading Inc. and to declare an emergency.

This Matter was Approved on the Consent Agenda.

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

CA

To authorize and direct the Columbus Health Department to accept this grant from the Ohio Department of Health in the amount of \$155,000; to authorize the appropriation of \$155,000 from the unappropriated balance of the Health Department Grants Fund; and to declare an emergency. (\$155,000)

This Matter was Approved on the Consent Agenda.

CA

To authorize and direct the Board of Health to enter into a contract with the Ohio Hispanic Coalition for the provision of interpretation services for the Health Department's Perinatal Program, to authorize a total expenditure of \$57,700 from the Health Department Grants Fund and the Health Special Revenue Fund, and to declare an emergency. (\$57,700)

This Matter was Approved on the Consent Agenda.

CA

To authorize and direct the Columbus Health Department to accept grant funds from the Ohio Department of Health in the amount of \$173,417, to authorize the appropriation of \$173,417 from the Health Department Grants Fund, and to declare an emergency. (\$173,417)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Director of the Department of Development to enter into contract with the Mid -Ohio Board for an Independent Living Environment, Inc. (MOBILE) to support its Community Education Program; to authorize the expenditure of \$58,201.00 from the General

Fund; and to declare an emergency. (\$58,201.00)

This Matter was Approved on the Consent Agenda.

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

CA

To authorize the Director of Public Utilities to enter into a sole-source contract with the Operator Training Committee of Ohio (OTCO), for utility operations and maintenance training, in accordance with the sole source provisions of the Columbus City Code, for the Division of Water, and to authorize the expenditure of \$45,000.00 from Water Systems Operating Fund. (\$45,000.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Director of Public Utilities to enter into an reimbursement agreement with Dominion Homes for the construction of the Powell Road 12" Water Main and to authorize the expenditure of \$9,768.42 from the Water Works Enlargement Voted 1991 Bonds Fund for the Division of Water. (\$9,768.42)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Director of Public Utilities to enter into a contract with Downing Construction Company for North Columbus Fire Hydrant Repairs for the Division of Water, to authorize the expenditure of \$169,400.00 from the Water Works Enlargement Voted 1991 Bonds Fund, and to declare an emergency. (\$169,400.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release certain sewer easements rights in and to real property, located in the vicinity of Winchester Crossing Boulevard and Weurful Drive, in exchange for replacement easements previously granted to the City of Columbus, Ohio.

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 Fairbanks Morse Pump Parts and Service, with Fairbanks Morse Pump Service Group, and to declare an emergency.

This Matter was Approved on the Consent Agenda.

CA

To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release certain sewer easements, located in the vicinity of Reliance Street and Dearborn Drive, at the request of Mettler-Toledo, Inc. in exchange for a replacement

easement previously granted to the City of Columbus, Ohio.

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 Wallace and Tiernan Parts with BNR, Inc., to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00) **AMENDED BY ORD.#1541-2006 PASSED 09/11/06**

This Matter was Approved on the Consent Agenda.

CA

To authorize the Director of the Department of Public Utilities to execute a quitclaim deed of easement and any ancillary documents necessary to accept certain sanitary sewers rights, as granted from the State of Ohio, over that real property commonly known as 5220 N. High Street, Columbus, Ohio (Blind & Deaf School), and to declare an emergency.

This Matter was Approved on the Consent Agenda.

RECREATION & PARKS: HABASH, CHR. BOYCE MENTEL THOMAS

CA

To authorize the appropriation and transfer of \$50,000.00 from the Special Income Tax Fund to the Voted 1995 and 1999 Parks and Recreation Bond Fund and to authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services, and to expend \$50,000.00 from the Voted 1995/1995 Recreation and Parks Bond Fund for costs in connection with the **FRA Olentangy Trail Bridge Project (State Job 465874)**, and to declare an emergency. (\$50,000.00).

This Matter was Approved on the Consent Agenda.

APPOINTMENTS

CA

Appointment of Luanne Carlton, 426 Midgard Road, Columbus, OH 43202, to serve on the German Village Commission replacing Laura Shinn with a new term expiration date of June 30, 2008 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

CA

Reappointment of Jon Ingwersen to serve on the Development Commission. His new term expiration date would be July 31, 2008. (Resume attached)

This Matter was Read and Approved on the Consent Agenda.

Passed The Consent Agenda

THE FOLLOWING ITEMS WILL BE TABLED FOR ONE WEEK

ADMINISTRATION: 0603-2005

To authorize a transfer of \$17,043.00 from the unallocated balance of the Recreation and Parks Permanent Improvement Fund to the Facility Renovations project, to authorize the Public Service Director to enter into contracts for the Facilities Management Division with Physical Planning Technologies for software, licensing, and training, and for professional engineering services necessary to develop a Comprehensive Municipal Capital Planning and Asset Management System, to authorize the expenditure of \$480,070.00 from the Facilities Management Capital Improvement Fund, to authorize the appropriation and expenditure of \$17,043.00 from the Recreation and Parks Permanent Improvement Fund, and to declare an emergency. (\$497,113.00).

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

To authorize a transfer of \$17,043.00 from the unallocated balance of the Recreation and Parks Permanent Improvement Fund to the Facility Renovations project, to authorize the Public Service Director to enter into contracts for the Facilities Management Division with Physical Planning Technologies for software, licensing, and training, and for professional engineering services necessary to develop a Comprehensive Municipal Capital Planning and Asset Management System, to authorize the expenditure of \$480,070.00 from the Facilities Management Capital Improvement Fund, to authorize the appropriation and expenditure of \$17,043.00 from the Recreation and Parks Permanent Improvement Fund, and to declare an emergency. (\$497,113.00).

A motion was made by President Mentel, seconded by Hudson, that this matter be Tabled to Certain Date TABLED UNTIL 07/18/05 The motion carried by the following vote:

RECREATION & PARKS: 1125-2005

To authorize the Director of Recreation and Parks to enter into a revenue generating contract with Made From Scratch, Inc., to provide catering and special event services for the North Bank Park Pavilion and various other sites, to waive the necessary competitive bidding requirement, and to declare an emergency.

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

A motion was made by President Mentel, seconded by Hudson, that this matter be Tabled to Certain Date TABLED UNTIL 07/18/05 The motion carried by the following vote:

DEVELOPMENT: 1191-2005

To authorize the Director of the Department of Development to enter into a pre-annexation agreement with Dominion Homes, Inc. (AN04-028); and to declare an emergency.

A motion was made by Tavares, seconded by Thomas, that this matter be Tabled to Certain Date TABLED UNTIL 07/18/05 The motion carried by the following vote:

To accept the application (AN04-029) of Dominion Homes, Inc. for the annexation of certain territory containing 3.8 ± Acres in Washington Township.

A motion was made by Tavares, seconded by Thomas, that this matter be Tabled to Certain Date TABLED UNTIL 07/18/05 The motion carried by the following vote:

UTILITIES: 1075-2005, 1111-2005

To authorize the Director of Public Utilities to modify a contract with the Kokosing Construction Company for the Bulen Avenue/Sycamore St. Sewer Replacement Project; to authorize the transfer and expenditure of \$48,638.00 from within the Sewer System Permanent Improvements Fund; to amend the 2004 Capital Improvements Budget; for the Division of Sewerage and Drainage, and to declare an emergency. (\$48,638.00)

A motion was made by Tavares, seconded by Hudson, that this matter be Tabled to Certain Date TABLED UNTIL 07/15/05 The motion carried by the following vote:

To authorize the Director of Public Utilities to enter into contract with Reynolds, Inc., for the construction of the Adena Brook Ravine Area Sanitary Sewer Improvements Project; to authorize the appropriation and expenditure of \$2,051,575.20 from the Ohio Water Pollution Control Loan Fund; to amend the 2004 Capital Improvements Budget; for the Division of Sewerage and Drainage; and to declare an emergency. (\$2,051,575.20)

A motion was made by Tavares, seconded by Hudson, that this matter be Tabled to Certain Date TABLED UNTIL 07/18/05 The motion carried by the following vote:

ADMINISTRATION: 1114-2005, 1123-2005

To amend the Management Compensation Plan, Ordinance No. 2944-99, by enacting and amending certain sections in Section 5(E), effective August 28, 2005.

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 City Auditor to provide for the transfer of \$788,740 between various objects and divisions within the general fund, \$35,524 within the print services fund and any unencumbered balances within the Facilities Management Division to reflect realignment of departmental responsibilities with respect to the management of city assets and to transfer administrative authority for all contracts and agreements associated with the departmental realignment to the Director of the Department of Finance and Management (\$824,264).

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:

JOBS & ECONOMIC DEVELOPMENT: 1245-2005

To authorize the appropriation of \$138,000 within the Jobs Growth Fund to the Development Department; to authorize the Director of the Department of Development to enter into a contract with the Columbus Chamber of Commerce to provide a master plan for a proposed Columbus research corridor; to authorize the expenditure of \$138,000 from the Jobs Growth Fund; and to declare an emergency. (\$138,000)

A motion was made by President Habash, seconded by Tavares, that this matter be Tabled to Certain Date TABLED UNTIL 07/18/05 The motion carried by the following vote:

UTILITIES: 1013-2005

To authorize the Director of Public Utilities to modify the contract with Malcolm Pirnie, Inc., for Professional Engineering Services for the Dublin Road Water Plant Chlorine Storage Improvements, for the Division of Water, and to authorize the expenditure of \$1,107,000.00 from Waterworks Enlargement Voted 1991 Bonds Fund. (\$1,107,000.00)

A motion was made by President Habash, seconded by Thomas, that this matter be Tabled to Certain Date TABLED UNTIL 07/18/05 The motion carried by the following vote:

RULES & REFERENCE: 1102-2005

To enact, amend, and repeal various sections of the Columbus City Codes, 1959, to create a new department of finance and management, to create a new division of financial management within the new department, to create an office of real estate management within the new department, to create an office of purchasing within the new department, to move the facilities management division from the public service department to the new department, to make the new department responsible for real property activities related to city operations not involving rights-of-way and utility easements, to confirm the responsibility of the department of human resources for risk management, and to reflect the impact of the reorganization and department name changes in all affected sections of the Columbus City Codes.

A motion was made by President Habash, seconded by Thomas, that this matter be Tabled to Certain Date TABLED UNTIL 07/18/05 The motion carried by the following vote:

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

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

To establish a new authorized strength ordinance for various city divisions; to repeal ordinance 0484-2005, and to declare an emergency.

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

JOB AND ECONOMIC DEVELOPMENT: HUDSON, CHR. O'SHAUGHNESSY THOMAS HABASH

To authorize the Director of Development, upon the conveyance of approximately 11 acres of the former Northland Mall site, to execute a Restrictions and Cross Easement Agreement among the City of Columbus, Columbus Urban Growth Corporation and Home Depot U.S.A. Inc.; and to declare an emergency.

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

To approve the Discovery Special Improvement District of Columbus, Inc. Petition and Articles of Incorporation and the inclusion of the properties owned by the City of Columbus in said district; and to declare an emergency.

A motion was made by Hudson, seconded by President Mentel, that this matter be Tabled to Certain Date TABLED UNTIL 07/18/05 The motion carried by the following vote:

SAFETY & JUDICIARY: MENDEL, CHR. BOYCE THOMAS HABASH

To authorize and direct the transfer of \$50,000.00 within the General Fund and to authorize and direct the Division of Neighborhood Services to enter into an agreement with Maryhaven., to support the Safe Pathways program; to authorize the expenditure of \$50,000.00 from the General Fund; and to declare an emergency. (\$50,000.00)

A motion was made by President Mentel, seconded by Tavares, that this matter be Tabled to Certain Date TABLED UNTIL 07/18/05 The motion carried by the following vote:

To authorize an amendment to the Airport Operation and Use Agreement between the City of Columbus and the Columbus Airport Authority and to authorize the latter to exercise all powers available to a port authority under Chapter 4582, Ohio Revised Code, and to declare an emergency.

A motion was made by President Mentel, seconded by O'Shaughnessy, that

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

RULES & REFERENCE:

To amend Sections 2323.11, 2323.31 and 2323.32 and enact new Section 2323.33 of the Columbus City Codes, 1959, to define assault weapons and to prohibit the unlawful possession or sale of assault weapons.

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

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

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

To amend Sections 2323.11, 2323.31 and 2323.32 and enact new Section 2323.33 of the Columbus City Codes, 1959, to define assault weapons and to prohibit the unlawful possession or sale of assault weapons.

A motion was made by President Mentel, seconded by Hudson, that this matter be Amended as submitted to the Clerk. The motion carried by the following vote:

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

A motion was made by President Habash, seconded by President Mentel, to Motion to Recess the Regular Meeting RECESSED: 6:20 P.M. The motion carried by the following vote:

A motion was made by President Mentel, seconded by Tavares, to Motion to Reconvene the Regular Meeting. The motion carried by the following vote:

DEVELOPMENT: O'SHAUGHNESSY, CHR. HUDSON TAVARES HABASH

To accept the application (AN04-028) of Lloyd J. Kurtz, et al. for the annexation of certain territory containing 322.41 ± Acres in Washington & Brown Townships.

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 Tabled to Certain Date TABLED UNTIL 07/18/05 The motion carried by the following vote:

To accept the application (AN05-002) of Timothy S. Davidheiser for the annexation of certain territory containing 10.4 ± Acres in Plain Township.

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

To accept the application (AN04-025) of Elmer R. Duritzky, et al for the annexation of certain territory containing 9.616 ± Acres in Plain Township.

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

To accept the application (AN05-003) of Friendship Village of Dublin, Ohio, Inc. for the annexation of certain territory containing 1.219 ± Acres in Perry Township.

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

To accept the application (AN05-001) of Olympus Communities, LTD for the annexation of certain territory containing 14.5 ± Acres in Orange Township.

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 Greater Columbus Chamber of Commerce; to authorize the expenditure of \$34,020 from the General Fund; and to declare an emergency. (\$34,020)

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

An ordinance creating three tax increment financing incentive districts pursuant to Section 5709.40(C) of the Revised Code; creating two TIF areas pursuant to Section 5709.40(B) of the Revised Code; declaring improvements to the real property located in the incentive districts and TIF areas to be a public purpose; exempting from real property taxation 100 percent of those improvements; requiring the owners thereof to make service payments in lieu of taxes; establishing municipal public improvements tax increment equivalent funds for the deposit of the service payments collected from the incentive district and TIF area property owners; protecting the school districts serving the incentive districts and TIF areas against any loss of tax revenue as a result of the exemptions granted by this Ordinance; describing the public infrastructure improvements to be made within the incentive districts and TIF areas; and authorizing the execution of a tax increment financing agreement with respect to the incentive districts and TIF areas (\$0).

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

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN05-008) of 9.5± Acres in Plain Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

A motion was made by O'Shaughnessy, seconded by Tavares, that this matter be Tabled to Certain Date TABLED UNTIL 07/18/05 The motion carried by the following vote:

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN05-009) of 12.6± Acres in Washington Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

A motion was made by O'Shaughnessy, seconded by Tavares, that this matter be Tabled to Certain Date TABLED UNTIL 07/18/05 The motion carried by the following vote:

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

To amend the 2004 Capital Improvements Budget; to authorize and direct the City Auditor to appropriate and transfer \$725,000.00 from the Special Income Tax Fund to the Fleet Management Services Fund, to authorize the Public Service Director to enter into a professional services contract with DLZ for the design modification for the new fleet maintenance facility for the Fleet Management Division, to authorize the expenditure of \$725,000.00 from the Fleet Management Services Fund, to waive the competitive bidding requirements of the Columbus City Codes, ~~and to declare an emergency.~~ (\$725,000.00)

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

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

A motion was made by O'Shaughnessy, seconded by Tavares, that this matter be Tabled to Certain Date TABLED UNTIL 07/18/05 The motion carried by the following vote:

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

A motion was made by O'Shaughnessy, seconded by Tavares, that this matter be Amended to 30 day. The motion carried by the following vote:

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

To amend the 2004 Capital Improvements Budget; to authorize and direct the City Auditor to appropriate and transfer \$725,000.00 from the Special Income Tax Fund to the Fleet Management Services Fund, to authorize the Public Service Director to enter into a professional services contract with DLZ for the design modification for the new fleet maintenance facility for the Fleet Management Division, to authorize the expenditure of \$725,000.00 from the Fleet Management Services Fund, to waive the competitive bidding

requirements of the Columbus City Codes, and to declare an emergency. (\$725,000.00)

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

To amend the 2004 Capital Improvements Budget; to authorize the transfer of \$117,975.00 between projects within the 1995, 1999 Voted Streets and Highways Fund; to authorize the Finance Director to enter into a contract with Air Equipment Rental Corporation for the purchase of two skid steer loaders for the Transportation Division; to authorize the expenditure of \$117,975.00 from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$117,975.00)

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 appropriation of \$2,900,000.00 within the County Auto License Tax Fund; to authorize the Public Service Director to expend said monies 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. (\$2,900,000.00)

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

To accept the plats titled **OLENTANGY MEADOWS SECTION 4 PART 1, OLENTANGY MEADOWS SECTION 4 PART 2, OLENTANGY MEADOWS SECTION 4 PART 3 and OLENTANGY MEADOWS SECTION 4 PART 4, from ROBERT A. MEYER, JR., Senior Vice President of DOMINION HOMES INC., an Ohio corporation.**

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

To authorize the Public Service Director to execute those documents required to transfer the unimproved right-of-way immediately south of Roads End Road off of College Avenue to Creative Housing, Inc., for \$12,792.00, and to waive the competitive bidding provisions of Columbus City Codes.

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

To authorize the City Auditor to transfer \$170,000.00 between projects within the 1995, 1999 Voted Streets and Highways Fund; to authorize the City Auditor to transfer \$170,000.00 from the 1995, 1999 Voted Streets and Highways Fund to the Federal-State Highway Engineering Fund; to authorize the appropriation of \$170,000.00 within the Federal-State Highway Engineering Fund; to authorize the City Attorney's Office, Real Estate Division, to continue to acquire fee simple title and lesser interests in and to property needed for the Hard Road Phase C Improvement project for the Transportation Division; to authorize the expenditure of an additional \$850,000.00 from the Federal-State Highway Engineering Fund for acquisition related-costs for this project, and to declare an emergency. (\$850,000.00)

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 extend the existing agreement with the Director of the Ohio Department of Transportation for the Freeway Management System Grant Program for one year (2005-2006) for the Transportation Division; to authorize the appropriation of \$175,000.00 within the General Government Grant Fund; to authorize the expenditure of \$175,000.00 or so much thereof as may be needed from the General Government Grant Fund for the continued operation of this program and to declare an emergency. (\$175,000.00)

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

To accept the plat titled UPPER ALBANY WEST SECTION 2, from M/I HOMES OF CENTRAL OHIO, LLC, an Ohio limited liability company, by STEPHEN M. CAPLINGER, Vice President Land Operations and to declare an emergency.

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

To accept the plat titled UPPER ALBANY WEST SECTION 2, from M/I HOMES OF CENTRAL OHIO, LLC, an Ohio limited liability company, by STEPHEN M. CAPLINGER, Vice President Land Operations.

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

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

To authorize and direct the Columbus Health Department to accept a grant from the Ohio Department of Health in the amount of \$1,061,703; to authorize the appropriation of \$1,061,703 from the unappropriated balance of the Health Department Grants Fund; and to declare an emergency. (\$1,061,703)

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

To authorize and direct the Board of Health to enter into a contract with Children's Hospital for the provision of comprehensive pediatric care for the perinatal program; to authorize the expenditure of \$350,000 from the Health Department Grants Fund; to waive the provisions for competitive bidding; and to declare an emergency. (\$350,000)

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

To authorize the Board of Health to enter into a contract with The Ohio State University - Division of Internal Medicine, acting through its practice plan, OSU Internal Medicine, LLC, for physician services for the Ben Franklin Tuberculosis Clinic, to authorize the expenditure of \$26,000 from the Health Department Grants Fund to pay the costs thereof, to waive provisions of competitive bidding, and to declare an emergency. (\$26,000)

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

A motion was made by Tavares, seconded by O'Shaughnessy, that this matter be Tabled to Certain Date TABLED UNTIL 07/18/05 The motion carried by the following vote:

To authorize and direct the Columbus Health Department to accept a grant from the U.S. Department of Health and Human Services in the amount of \$750,000; to authorize the appropriation of \$750,000 from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency. (\$750,000)

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

To authorize the appropriation of \$50,000 from the unappropriated balance of the Emergency Human Services Capital Fund to the Department of Development; to authorize the Director of the Department of Development to enter into contract with The Homeless Families Foundation; to authorize the expenditure of \$ 50,000.00 from the Emergency Human Services Capital Fund; and to declare an emergency. (\$ 50,000.00)

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

UTILITIES: THOMAS, CHR. MENTEL O'SHAUGHNESSY HABASH

To authorize the Director of Public Utilities to enter into a professional engineering services contract with Burgess & Niple, Inc., for the preparation of construction plans and specifications for the West Side Sanitary Sewer Rehabilitation Project; to authorize the appropriation, transfer and expenditure of \$512,981.48 from the Sewer System Reserve Fund to the Ohio Water Pollution Control Loan Fund; to amend the 2004 Capital Improvements Budget; for the Division of Sewerage and Drainage, and to declare an emergency. (\$512,981.48)

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 for the Sharon Woods Collector Streets under the assessment procedure.

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

To authorize the Director of Public Utilities to execute a construction contract with Storts Excavation, Inc.; to provide for payment of inspection, material testing and related services to the Transportation Division for the Westside Storm Sewer Improvements Phase 1 Project; to authorize the transfer of \$168,105.20 within the Storm Sewer Bond Fund; to authorize an amendment to the 2004 Capital Improvements Budget; for the Division of Sewerage and Drainage; to authorize the expenditure of \$168,105.20 within the Storm Sewer Bond Fund; and to declare an emergency. (\$168,105.20)

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

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

To amend the 2004 Capital Improvements Budget, to authorize the City Auditor to transfer \$133,048.20 within the Voted Street Lighting and Electricity Distribution Improvements Fund; to authorize the Director of Public Utilities to enter into a contract with Vaughn Industries, LLC for the installation of federally mandated Spill Prevention Control and Countermeasures Systems; to waive the provisions of Columbus City Codes for awarding construction service contracts; to authorize the expenditure of \$624,998.70 from the Voted Street Lighting and Electricity Distribution Improvements Fund; and to declare an emergency. (\$624,998.70)

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 levy a special assessment upon the lots and lands benefited by the installation of a street lighting system with underground wiring and ornamental poles in the Berwick I area, and to declare an emergency.

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

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

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

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

To authorize the Director of Public Utilities to modify the contract with ms consultants, inc., for Professional Engineering Services for the Hap Cremean Water Plant Lagoons Nos. 1, 2, and 3 Sludge Removal, for the Division of Water, and to authorize the expenditure of \$850,556.01 from Waterworks Enlargement Voted 1991 Bonds Fund, and to declare an emergency. (\$850,556.01)

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

To authorize the City Attorney to acquire fee simple title and lesser interests; to contract for professional services; to authorize the transfer and expenditure of \$15,000.00 from the Voted Sanitary Bond Fund in connection with the Clinton Heights Area Sanitary Improvements Project; to amend the 2004 Capital Improvements Budget for the Division of Sewerage and Drainage; and to declare an emergency. (\$15,000.00)

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

To amend the 2004 Capital Improvements Budget; to transfer \$108,463.00 within the Voted Street Lighting and Electricity Distribution Improvements Fund; to authorize capital expenditures for the purchase of materials and services required for the construction of circuits for the Italian Village Substation up to an amount not to exceed \$130,000.00 from the Voted Street Lighting and Electricity Distribution Improvements Fund; and to declare an emergency. (\$130,000.00)

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

ADJOURNMENT

A motion was made by President Mentel, seconded by Thomas, to adjourn this Regular Meeting ADJOURNED:8:13 P.M. The motion carried by the following vote: