

City of Columbus

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



Minutes - Final

Monday, January 10, 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. 1 OF COLUMBUS CITY COUNCIL,
MONDAY, JANUARY 10, 2005 at 5:00 P.M. IN COUNCIL
CHAMBERS.**

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

A motion was made by Tavares, seconded by Thomas, 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, JANUARY 5, 2005:

New Type: D3, D3A
To: 1714 High Street Inc
DBA Paninis
1714-16 N High St
Columbus, Ohio 43201
permit # 6548843

Transfer Type: C1, C2
To: Realty Commerce Group LLC
DBA New York Pizza Oven & Grocery
2166 London Groveport Rd
Columbus, Ohio 43125
From: Andrea & Donald Coyan
DBA Nay Nays Pizza & Carry Out
2166 London Groveport Rd
Columbus, Ohio 43215
permit # 7233674

Transfer Type: D5
To: Cubes Inc
DBA Taste of Bali
2548 Bethel Rd
Columbus, Ohio 43220
From: Astro Coney Island Inc
747 N High St
Columbus, Ohio 43215
permit # 1844008

Transfer Type: D5, D6
To: Easvon Java Inc
DBA Cup Of Joe & Mojoe Lounge
600 N High St
Columbus, Ohio 43215
From: Ch Inc
DBA Cup Of Joe & Mojoe Lounge
600 N High St
Columbus, Ohio 43215

permit # 2383781

Advertise 1/15/05

Return 1/22/05

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**

APPOINTMENT: A0005-2005

DEVELOPMENT: 2206-2004, 2209-2004, 2215-2004

HEALTH HOUSING & HUMAN SERVICES: 2135-2004

FR FIRST READING OF 30-DAY LEGISLATION

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

FR

To accept the application (AN04-024) of LDK Land, LLC for the annexation of certain territory containing 13.08 ± Acres in Plain Township.

FR

To rezone certain portions of the Southern Orchards neighborhoods from R4 Residential, AR1 Apartment Residential, C4 Commercial, and LC4 Limited Commercial to R2F Residential.

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

FR

To authorize the Director of Public Utilities to enter into a contract with D. J. Wheeler Hydro Electric Services, Inc. for O'Shaughnessy Hydro Governor Replacement, and to authorize the expenditure of \$184,783.00 from the Waterworks Enlargement Voted 1991 Bonds Fund. (\$184,783.00)

CA CONSENT ACTIONS**ADMINISTRATION: BOYCE, CHR. MENTEL HABASH**

CA To authorize the City Auditor to request advance payments of property and estate taxes from the Franklin, Fairfield and Delaware County Auditors during 2005 and to declare an emergency.

This Matter was Adopted on the Consent Agenda.

CA To authorize the Human Resources Director to enter into a contract with Aetna Life Insurance Company to provide all eligible employees COBRA continuation insurance coverage from February 1, 2005 through January 31, 2006 and to authorize the expenditure of \$24,040 from the Employee Benefits Fund, or so much thereof as may be necessary to pay the costs of said contract; and to declare an emergency. (\$24,040)

This Matter was Approved on the Consent Agenda.

CA To authorize the Human Resources Director to modify and extend the contract with Mercer Human Resource Consulting, to provide professional employee benefits consulting services from February 1, 2005 through January 31, 2006; and to authorize the expenditure of \$101,000.00, or so much thereof as may be necessary to pay the costs of said contract; and to declare an emergency. (\$101,000.00)

This Matter was Approved on the Consent Agenda.

SAFETY & JUDICIARY: MENTEL, CHR. BOYCE THOMAS HABASH

CA To authorize and direct the Mayor of the City of Columbus to accept a subgrantee award and enter into a contract with the Franklin County Board of Commissioners via the Justice Programs Unit for the FY04 DV Unit Violence Against Women Act (VAWA) Grant, to authorize an appropriation of \$8,516.00 from the unappropriated balance of the General Government Grant Fund to the Division of Police for the purchase of specialized film for the Domestic Violence Unit activities and to declare an emergency. (\$8,516.00).

This Matter was Approved on the Consent Agenda.

CA To authorize and direct the Mayor of the City of Columbus to accept a subgrantee award and enter into a contract with the Franklin County Board of Commissioners via the Justice Programs Unit for a FY2004 Title II Juvenile Justice and Delinquency Prevention grant, to authorize an appropriation of \$17,460.00 from the unappropriated balance of the General Government Grant Fund to the Division of Police to cover the costs of the Truancy Deterrence Program and to declare an emergency. (\$17,460.00)

This Matter was Approved on the Consent Agenda.

DEVELOPMENT: O'SHAUGHNESSY, CHR. BOYCE TAVARES HABASH

CA

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN04-026) of 44.7± Acres in Washington Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

This Matter was Approved on the Consent Agenda.

CA

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN04-033) of 50.6± Acres in Blendon Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

This Matter was Approved on the Consent Agenda.

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

CA

To authorize the Public Service Director to enter into a contract with McDaniel's Construction Company, Incorporated, for the Bridge Cleaning and Sealing - 2004 project for the Transportation Division and to authorize the expenditure of \$50,000.00 from the 1995, 1999 Voted Streets and Highways Fund. (\$50,000.00)

This Matter was Approved on the Consent Agenda.

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

CA

To authorize the Board of Health to enter into contracts with ES Architecture & Development, Inc. for architectural services (\$10,000) and KNS Services, Inc. for electrical services (\$7,183); to authorize the expenditure of \$17,183.00 from the Voted 1999 Health Renovation Fund; and to declare an emergency. (\$17,183.00)

This Matter was Approved on the Consent Agenda.

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

CA

To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release certain City held sewer easements, located in the vicinity of Marcum Road and Mariposa Street, at the request of Lifestyle Communities, in exchange for replacement easements previously granted to the City.

This Matter was Approved on the Consent Agenda.

APPOINTMENTS

CA

Reappointment of Judith Theiss, 3115 Parsons Avenue, Columbus, Ohio 43207-3705 to serve on the Veterans Advisory Board with a new term expiration date of February 28, 2007 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

CA Reappointment of Mark Howard, 1921 Shallowford Avenue, Columbus, Ohio 43235 to serve on the Board of the Sinking Fund Trustees with a new term expiration date of January 31, 2009 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

CA Reappointment of Joseph Kasberg, 9906 Long Road, Canal Winchester, OH 43110 to serve on the Joint Columbus & Franklin County Housing Advisory Board with a new term expiration date of December 31, 2007 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

CA Reappointment of Kenneth Danter, Danter Company, 30 Spruce Street, Columbus, OH 43215 to serve on the Joint Columbus & Franklin County Housing Advisory Board with a new term expiration date of December 31, 2007 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

CA Reappointment of George A. Skestos, Homewood Corporation, 750 Northlawn Drive, Columbus, Ohio 43214 to serve on the Columbus Regional Airport Authority Board with a new term expiration date of December 31, 2008 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

CA Reappointment of Louise Drake White, 995 E. Broad Street, Columbus, Ohio 43205 to serve on the Veterans Advisory Board with a new term expiration date of February 28, 2007 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

CA Reappointment of David Lauer, The Ohio State University, Office of Health Sciences, 218 Meiling Hall, 370 West 9th Avenue, Columbus, Ohio 43210-1238 to serve on the Franklin County Convention Facilities Authority with a new term expiration date of December 31, 2008 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

CA Reappointment of Michael Rankin, Attorney at Law, 545 E. Town St., Columbus, Ohio 43215 to serve on the Mid-Ohio Regional Planning Commission with a new term expiration date of December 31, 2007 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

Passed The Consent Agenda

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

ADMINISTRATION: BOYCE, CHR. MENTEL HABASH

To authorize the Human Resources Director to enter into a contract with Standard Insurance to provide all eligible employees life insurance coverage from February 1, 2005, through January 31, 2006, and to authorize the expenditure of \$949,520.00 from the Employee Benefits Fund, or so much thereof as may be necessary to pay the costs of said contract; and to declare an emergency. (\$949,520.00)

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

To make appropriations for the 12 months ending January 31, 2006 for the funding of the City employee insurance programs, and to declare an emergency. (\$68,277,019.00)

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 make appropriations from January 1, 2005 through December 31, 2006 for the funding of the Unemployment Compensation Program and to declare an emergency. (\$700,000.00)

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

To authorize the Human Resources Director to enter into a contract with Vision Service Plan to provide all eligible employees vision insurance coverage from February 1, 2005 through January 31, 2006 and to authorize the expenditure of \$944,217.00 from the Employee Benefits Fund, or so much thereof as may be necessary to pay the costs of said contract; and to declare an emergency. (\$944,217.00)

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 the Human Resources Director to modify the current contract with UHC to allow the City to receive guaranteed prescription drug rebates; and to maintain the monthly prescription drug administrative fee to \$.69 per employee per month from February 1, 2005 through January 31, 2006; to authorize the extension of the prescription drug employee insurance contracts, to waive the competitive bidding requirements of the Columbus City Code; and to authorize the expenditure of \$14,905,475. from the Employee Benefits Insurance Fund, or so much thereof as may be necessary to pay the costs of said contract; and to declare an emergency. (\$14,905,475.)

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 the Human Resources Director to modify and extend the current contract with UHC to allow the City to receive higher provider discounts along with a penalty if the target discount is not met; and to modify the monthly medical administrative fee to \$39 per employee per month from February 1, 2005 through January 31, 2006; to authorize the extension of the medical employee insurance contracts; to waive the competitive bidding requirements of the Columbus City Code; to authorize the expenditure of \$42,728,673.00; and to declare an emergency. (\$42,728,673.00)

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 accept Memorandum of Understanding #2004-05 executed between representatives of the City of Columbus and Columbus Municipal Association of Government Employees (CMAGE/CWA), Local 4502, which amends the Collective Bargaining Contract, August 24, 2002 through August 23, 2005; and to declare an emergency.

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

JOBS AND ECONOMIC DEVELOPMENT: HUDSON, CHR.

To authorize the City Auditor to transfer \$2,000,000 between projects within the Voted 1995, 1999 Streets and Highways Fund; to authorize the Directors of the Public Service Department and Department of Development to contribute Two Million Dollars (\$2,000,000.00) to the Gateway Area Revitalization Initiative for the design and construction of the Gateway Area Public Improvements Work; and to authorize the expenditure of \$2,000,000.00 from the Voted 1995, 1999 Streets and Highways Fund. (\$2,000,000)

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

DEVELOPMENT: O'SHAUGHNESSY, CHR. BOYCE TAVARES HABASH

To accept the application (AN04-023) of Hector M. and Brenda K. Ramos for the annexation of certain territory containing 2.25 ± 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 rezone certain portions of the Merion Village and Hungarian Village neighborhoods from R4 Residential and C4 Commercial to R2F Residential.

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:

To rezone certain portions of the Merion Village and Hungarian Village neighborhoods from R4 Residential and C4 Commercial to R2F Residential.
(Amended by Ordinance 0690-2005 passed 05/02/05)

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 Hudson, that this matter be Reconsidered. The motion carried by the following vote:

To rezone certain portions of the Merion Village and Hungarian Village neighborhoods from R4 Residential and C4 Commercial to R2F Residential.

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

To authorize the Director of Development to execute those documents necessary to pay off the outstanding mortgage and obtain a release/satisfaction of mortgage for that real property included in the Land Bank inventory and known as 879 East Long Street, Columbus, Ohio, in order to make the property available for redevelopment; to authorize the expenditure of \$71,000.00 or so much thereof as may be necessary from the King Lincoln District Acquisition Fund; and to declare an emergency. (\$71,000)

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

CA

To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of one parcel of real property (83 N. 17th Street) held in the Land Bank pursuant to the Land Reutilization Program.

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

CA

To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of one parcel of real property (828 Atcheson Street) held in the Land Bank pursuant to the Land Reutilization Program.

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

CA

To authorize the acceptance of a deed for one parcel of land (1320 East Livingston Avenue) to be held in the Land Bank.

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

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

To authorize the City Auditor to transfer \$3,280,921.71 from the 1995, 1999 Voted Streets and Highways Fund to the Local Transportation Improvement Fund; to appropriate \$3,401,029.34 within the Local Transportation Improvement Fund; to authorize the Public Service Director to enter into contract with Strawser Paving Company, Incorporated, for the Resurfacing 2004 Project 4 (OPWC) project for the Transportation Division and to authorize

the expenditure of \$3,401,029.34 or so much thereof as may be necessary from the Local Transportation Improvement Fund. (\$3,401,029.34)

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

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

To make appropriation for the twelve months ending December 31, 2005, for the Health Department Grants Fund, to the Department of Health, in various projects and object level ones, for the continued operations of grant programs, and to declare an emergency. (\$828,729)

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 Battelle and to authorize the expenditure of \$49,996 from the Health Department Grants Fund. (\$49,996)

A motion was made by Tavares 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 enter into contract with Concrete Restoration Specialist LLC in connection with the Sanitary System Rehabilitation-Clinton No. 2 Aerial Support Project, to authorize the transfer and expenditure of \$334,400.00 from the 1991 Voted Sanitary Bond Fund; to amend the 2004 Capital Improvements Budget; for the Division of Sewerage and Drainage. (\$334,400.00)

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

To authorize the Director of Public Utilities to execute the Sixth Modification to the Transfer Agreement and modification of the Lease Agreement for the Solid Waste Reduction Facility between the City of Columbus and the Solid Waste Authority of Central Ohio, and to declare an emergency.

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

RULES & REFERENCE: HABASH, CHR. MENDEL TAVARES

To make appropriations for the 12 months ending December 31, 2005 for the Sinking Fund - Bond Note Retirement Funds, and to declare an emergency.

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

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

To make appropriations for the 12 months ending December 31, 2005, for selected other funds for various divisions, to authorize the City Auditor to make transfers as may be necessary, and to declare an emergency.

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

Reappointment of Charleta Tavares, Columbus City Council, City Hall, 90 W. Broad Street, Columbus, Ohio 43215 to serve on the Joint Columbus & Franklin County Housing Advisory Board with a new term expiration date of December 31, 2007 (per Mugsy Reynolds no resume is necessary).

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

RECESS

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

RECONVENED MEETING #1 JANUARY 20, 2005

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

To make appropriations for the 12 months ending December 31, 2005, for each of the several Object Level 1s for which the City of Columbus has to provide from the monies known to be in the treasury of said City of Columbus, in the fund known as the General Fund during the said 12 months from the collection of all taxes and from other sources of revenue, and to declare an emergency. (\$560,628,365.00)

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

To make appropriations for the 12 months ending December 31, 2005, for each of the several Object Level 1s for which the City of Columbus has to provide from the monies known to be in the treasury of said City of Columbus, in the fund known as the General Fund, **and as amended by City Council per the attachment herein**, during the said 12 months from the

collection of all taxes and from other sources of revenue, and to declare an emergency.
(~~\$560,628,365.00~~) (\$561,365,175.00)

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

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

To make appropriations for the 12 months ending December 31, 2005, for other funds for various divisions, to authorize the City Auditor to make transfers as may be necessary, and to declare an emergency.

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

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

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:

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