

City of Columbus

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



Minutes - Final

Monday, December 13, 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. 70 OF COLUMBUS CITY COUNCIL,
MONDAY, DECEMBER 13, 2004 at 5:00 P.M. IN COUNCIL
CHAMBERS.**

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

A motion was made by President Habash, seconded by President Pro-Tem Boyce, 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, DECEMBER 8, 2004:

New Type: D5J
To: Cotter Restaurant LLC
DBA Cotters
200 W Nationwide Blvd
Columbus, Ohio 43215
permit # 1756240

Transfer Type: C1
To: Sergio R Gonzalez
DBA Las Maravillas
233 W 5th Ave
Columbus, Ohio 43201
From: Donna K Gonzalez
DBA Las Maravillas
233 W 5th Ave
Columbus, Ohio 43201
permit # 32740710005

Transfer Type: D5, D6
To: Corsar Investments Inc
1420 Presidential Dr & Patio
Columbus, Ohio 43212
From: Tobar Properties LLC
DBA Blackhorse Inn
1420 Presidential Dr & Patio
Columbus, Ohio 43212
permit # 1753215

Transfer Type: D1, D3
To: Asian Star of Dublin Inc
DBA Asian Star Restaurant
5891 Karris Square Dr
Columbus, Ohio 43017
From: Vuong K Nguyen
DBA Pho Cafe
1244 Morse Rd

Columbus, Ohio 43229
permit # 02989250010

Advertise 12/18/04
Return 1/02/05

RESOLUTIONS OF EXPRESSION

BOYCE

To honor, recognize and celebrate the Brookhaven Bearcats for winning the first-ever city league title in football

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

TAVARES

To acknowledge the 56th Anniversary of the Universal Declaration of Human Rights, adopted by the General assembly of the United Nations on December 10, 1948.

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

THOMAS

To recognize and honor the Nigerian Friendship Association in celebration of their 11th Annual Banquet.

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

To commend and thank Carla Norris for her 30 outstanding years of service to the City of Columbus.

A motion was made by Thomas, seconded by Tavares, 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. MENTEL HABASH

FR

To authorize the Public Service Director to enter into contract for the Facilities Management Division with Hopewell Constructors, Inc., for the renovation of kitchens at Fire Stations 5, 6, 7, 13, 26, and 27 and to authorize the expenditure of \$714,000.00 from the Safety Voted Bond Fund. (\$714,000.00)

FR

To authorize the Public Service Director to enter into contract for the Facilities Management Division with Commercial Flooring Solutions for flooring renovations in various Police Division buildings and to authorize the expenditure of \$28,305.00 from the Safety Voted Bond Fund. (\$28,305.00)

JOBS AND ECONOMIC DEVELOPMENT: HUDSON, CHR.

FR

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)

DEVELOPMENT: O'SHAUGHNESSY, CHR. BOYCE TAVARES HABASH

FR

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.

FR

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.

FR

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.

FR

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

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

FR

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)

FR

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)

FR

To authorize the Public Service Director to execute those documents required to transfer a twenty foot wide strip of excess right-of-way off the north side of Frankfort Street to Aria Alaudini for \$9,737.00 and to waive the competitive bidding provisions of Columbus City Codes.

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

FR

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)

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

FR

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)

FR

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.

CA CONSENT ACTIONS

ADMINISTRATION: BOYCE, CHR. MENTEL HABASH

CA

To authorize the appropriation of \$10,000.00 within the General Permanent Improvement Fund; to authorize a transfer of \$10,000.00 between projects in the General Permanent Improvement Fund; to authorize the Public Service Director to modify a contract for the Facilities Management Division with Simplex Grinnell LP for the repair of fire alarm deficiencies; to authorize the expenditure of \$10,000.00 from the General Permanent Improvement Fund, and to declare an emergency. (\$10,000.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the appropriation of \$200.00 from the unappropriated balance of the Special Purpose Fund, Historic Light Fixture Restoration Subfund, to the Public Service Department, Facilities Management Division, to provide funding for the restoration and replacement of glass panels of historic City Hall light fixtures; and to declare an emergency. (\$200.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Public Service Director to enter into contract for the Facilities Management Division with Advanced Engineering Associates for professional engineering services related to the renovation of the air conditioning cooling tower at 1393 East Broad Street; to authorize the appropriation of \$5,900.00 from the unappropriated balance of the General Permanent Improvement Fund; to authorize the expenditure of \$5,900.00 from the General Permanent Improvement Fund; and to declare an emergency. (\$5,900.00).

This Matter was Approved on the Consent Agenda.

CA

To authorize the Technology Director to modify of a contract with Roscor Corporation to purchase a video digital encoder; to authorize the expenditure of \$1,500.00 from the Department of Technology, Cable Communication funds; and to declare an emergency. (\$1,500.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Department of Technology Director to modify and extend a contract with Veritas Software Global, LLC, for software maintenance and support; to authorize the expenditure of \$65,710.00 from the Department of Technology, information services fund; and to declare an emergency (\$65,710.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Public Service Director to enter into contract for the Facilities Management

Division with Axiom Mechanical Services for the renovation of the HVAC system at 333 West Town Street; to authorize the expenditure of \$17,845.00 from the Safety Voted Bond Fund, and to declare an emergency. (\$17,845.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize and direct the Finance Director to modify a purchase order with Affordable Choice Electric to pay for electrical services performed; to expend \$9,384.42 from the Department of Technology's internal service fund; and to declare an emergency. (\$9,384.42)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Public Service Director to renew a contract for the Facilities Management Division with Winnsapes for snow removal services for various city facilities, to authorize the expenditure of \$25,181.25 from the General Fund; and to declare an emergency. (\$25,181.25)

This Matter was Approved on the Consent Agenda.

RECREATION & PARKS: BOYCE, CHR. THOMAS HABASH

CA

To authorize and direct the transfer of \$88,000.00 between Objects within the Recreation and Parks Operating Fund 285 to properly align appropriations in order to complete necessary expenditures pertaining to utility and technology expenses through the end of 2004, and to declare an emergency. (\$88,000.00)

This Matter was Approved on the Consent Agenda.

SAFETY & JUDICIARY: MENDEL, CHR. BOYCE THOMAS HABASH

CA

To authorize and direct the Director of Finance to issue a purchase order to Medtronic Physio-Control Corporation for the purchase of LifePak defibrillator/monitor/pacemakers w/battery support systems in accordance with sole source procurement provisions; to expend \$184,527.04 from the Safety Bond Fund, and to declare an emergency.(\$184,527.04)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Finance Director to establish a purchase order to purchase three (3) prisoner transport vehicles for the Police Division from Bob McDorman Chevrolet, to authorize the expenditure of \$152,681.73 from the Fleet Management Division's General Fund vehicle allocation, and to declare an emergency. (\$152,681.73)

This Matter was Approved on the Consent Agenda.

CA

To declare the necessity and intent to appropriate fee simple title and lesser interests in and to

real estate in connection with the **Maize/Morse Project Stormwater System Improvement Project (Cooke Road Phase)**, and to declare an emergency.

This Matter was Adopted 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 **McDannald Estates Stormwater System Improvement Project**, and to declare an emergency.

This Matter was Approved on the Consent Agenda.

CA

To authorize and direct the Finance Director to enter into contract with Roy Tailors Uniform Company of Columbus, Inc. to purchase police uniforms for the Division of Police from an existing UTC, to authorize the expenditure of \$125,000.00 from the General Fund; and to declare an emergency. (\$125,000.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize and direct the Director of Public Safety to enter into a contract with the Association for Psychotherapy, Inc. for The Division of Police for police applicant psychological screenings, to authorize the expenditure of \$37,850.00 from the General Fund; and to declare an emergency. (\$37,850.00).

This Matter was Approved on the Consent Agenda.

CA

To authorize the City Attorney to file the necessary complaints for the appropriation of construction easements in and to real estate necessary for the **Maize/Morse Project Stormwater System Improvement Project**, and to declare an emergency.

This Matter was Approved on the Consent Agenda.

CA

To authorize the City Attorney to accept a grant in the total amount \$117,325.00 from the Columbus City School District for the Project S.M.A.R.T. program, to appropriate the grant funds for that purpose and to declare an emergency (\$117,325.00).

This Matter was Approved on the Consent Agenda.

CA

To authorize a supplemental appropriation of \$80,000.00 from the Indigent Drivers Alcohol Treatment Fund to the Franklin County Municipal Court Judges, pursuant to the requirements of ORC 4511.191 (N); and to declare an emergency. (\$80,000.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Finance Director to purchase of one (1) GMC HD2500 pick-up truck from

Haydocy Pontiac GMC in accordance with the pricing, terms and conditions of the City of Columbus Light Truck Universal Term Contract established for that purpose for the Fire Division, to expend \$40,000.00 from the Safety Voted Bond Fund, and to declare an emergency. (\$40,000.00)

This Matter was Approved on the Consent Agenda.

DEVELOPMENT: O'SHAUGHNESSY, CHR. BOYCE TAVARES HABASH

CA

To authorize the appropriation of \$120,777.04 from the Crewville TIF Fund; to authorize and direct the payment of \$120,777.04 to Crewville, LP in accordance with the Tax Increment Financing and Economic Development Agreement; to authorize the expenditure of \$120,777.04 from the Crewville TIF Fund; and to declare an emergency. (\$120,777.04)

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 (AN04-028) of 320.02± Acres in Washington & Brown 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

CA

To authorize the City Auditor to effect the intra-fund transfer of \$212,000.00 within the Municipal Motor Vehicle License Tax Fund to make monies available for the purchase of critical street maintenance commodities for the Transportation Division; to authorize the Finance Director to establish purchase orders for the purchase of emulsified asphalt, winter hot mix, cold mix, winter patch, crushed limestone and liquid calcium chloride per the terms and conditions of applicable existing and/or pending citywide universal term contracts; to authorize the expenditure of \$212,000.00 from the Municipal Motor Vehicle License Tax Fund, and to declare an emergency. (\$212,000.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the City Auditor to transfer \$135,000.00 between expenditure categories within the Street Construction, Maintenance and Repair Fund and within and between the Transportation and Refuse Collection Divisions in order to provide sufficient resources for operations for the balance of 2004 consistent with the third quarter financial review, and to declare an emergency. (\$135,000.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the City Auditor to transfer \$10,725.00 within the Development Services Fund from the Transportation Division to the Public Service Director's office in order to provide sufficient resources for operations for the balance of 2004 consistent with the Third Quarter Financial Review, and to declare an emergency. (\$10,725.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Finance Director to enter into a contract with Snow Equipment Sales, Incorporated, for the purchase of an overhead spray system for the Transportation Division; to authorize the expenditure of \$31,291.25 from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$31,291.25)

This Matter was Approved on the Consent Agenda.

CA

To authorize the City Attorney to file the necessary complaints for the appropriation of permanent easements in and to real estate necessary for the **Sidewalk Easement at Sunbury & Stelzer Roads Project**, to authorize the expenditure of \$115.00 from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$115.00).

This Matter was Approved on the Consent Agenda.

CA

To authorize and direct the Finance Director to issue various purchase orders for vehicle parts, supplies and accessories for the Fleet Management Division, to authorize the expenditure of \$65,000.00 from the Fleet Maintenance Fund, and to declare an emergency. (\$65,000.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the City Auditor to transfer \$66,824.67 between projects within the 1988 Voted Streets and Traffic Fund; to authorize the City Auditor to transfer \$66,824.67 from this Fund and \$18,714.39 from the General Permanent Improvement Fund to the Local Transportation Improvement Program Fund; to authorize the Public Service Director to expend \$52,739.06 and \$32,800.00 for construction inspection services incurred in connection with the Resurfacing 2003 Project 1 - OPWC and Resurfacing 2003 Project 2 - OPWC projects, respectively, for the Transportation Division; to authorize the expenditure of \$85,539.06 from the Local Transportation Improvement Program Fund, and to declare an emergency. (\$85,539.06)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Finance Director to enter into a contract for the purchase of one front-end loader from The McLean Company; to authorize the expenditure of \$88,800.00 from the 1995, 1999 Voted Streets and Highways Fund for the Transportation Division, and to declare an emergency. (\$88,800.00)

This Matter was Approved on the Consent Agenda.

CA

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

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 Liquid Calcium Chloride with Bonded Chemicals, 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)

This Matter was Approved on the Consent Agenda.

CA

To authorize the City Attorney's Office, Real Estate Division, to contract for professional services relative to the acquisition of permanent and temporary easements necessary for the installation of a traffic signal at the intersection of Sullivant Avenue and Wedgewood Drive and negotiate with the property owner for the necessary right-of-way; to expend \$6,000.00 from the 1995, 1999 Voted Streets and Highways Fund for acquisition-related costs for the Transportation Division, and to declare an emergency. (\$6,000.00)

This Matter was Approved on the Consent Agenda.

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

CA

To authorize and direct the Columbus Health Department to accept a grant from the Ohio Department of Health in the amount of \$115,331; to authorize the appropriation of \$115,331 from the unappropriated balance of the Health Department Grants Fund; and to declare an emergency. (\$115,331)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Board of Health to enter into contract with Enviro-Flow Companies for construction and renovation services; to authorize the expenditure of \$8,890.00 from the Voted 1999 Health Renovation Fund; and to declare an emergency. (\$8,890.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize and direct the Board of Health to modify and increase a contract for translation/interpretation services with Community Refugee and Immigration Services, to authorize the expenditure of \$25,000.00 from the Health Special Revenue Fund, and to declare an emergency. (\$25,000.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize and direct the appropriation of \$172,335.19 from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency.
(\$172,335.19)

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 to execute those instruments necessary to release certain City held sewer easements, located in the vicinity of Winchester Crossing and Hamilton Road, at the request of Triangle Real Estate Services, Inc.

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 at the request of the Triangle Real Estate Services, Inc. in exchange for replacement easements previously granted to the City of Columbus, Ohio, and to declare an emergency.

This Matter was Approved on the Consent Agenda.

APPOINTMENTS

CA

Reappointment of Warren Motts, 5761 Ebright Road, Groveport, Ohio 43125 to serve on the Veterans Advisory Board with a new term expiration date of January 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**

JOBS AND ECONOMIC DEVELOPMENT: HUDSON, CHR.

To authorize the Director of Development to enter into an agreement with Gideon Development Partners, LLC for a tax abatement of seventy-five percent (75%) for a period of ten (10) years in consideration of a proposed \$6,235,000 investment in real property improvements and the creation of 3 (three) new jobs; and to declare an emergency.

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

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

To authorize the Director of Development to convey a 0.48 acre parcel of real property located at 742 East Long Street to Gideon Development Partners, LLC for \$32,000.00; to authorize the Director of Public Safety to execute an office lease with Gideon Development Partners, LLC for office space in a new office building to be constructed by Gideon Development Partners LLC at 742 East Long Street, to waive the competitive bidding procedures of Chapter 329 of the Columbus City Codes, to authorize the appropriation and expenditure of \$1,056,293 from the special income tax fund and Public Safety's capital improvement fund, and to declare an emergency. (Amended by Ordinance 0920-2005 passed 06/06/05)

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

ADMINISTRATION: BOYCE, CHR. MENTEL, HABASH

To authorize the Director of the Office of Education to enter into contract with Communities in Schools for after school program services; to authorize the expenditure of \$239,999.16; and to declare an emergency.

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

JOB AND ECONOMIC DEVELOPMENT: HUDSON CHR.

To authorize the Director of Development to consent to the transfer and assignment of the Spiegel Drive LLC/Safety Today, Inc. Enterprise Zone Agreement to Meritex Columbus, LLC; and to declare an emergency.

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

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

A motion was made by President Mentel, seconded by President Pro-Tem Boyce, to Motion to Reconvene the Regular Meeting. The motion carried by

the following vote:

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

To authorize and direct the Finance Director to issue a purchase order to Sutphen Corporation, for the purchase of custom tilt cab engines; to authorize the expenditure of \$3,534,102.00 from the Safety Bond Fund; and to declare an emergency. (\$3,534,102.00)

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

To authorize and direct the City Attorney to settle the claim of Matthew Tomko against the City of Columbus, Division of Transportation, to authorize the expenditure of the sum of Seventy-Five Thousand and 00/100 Dollars (\$75,000.00) in settlement of this claim **and to declare an emergency.**

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

To object to the renewal of the liquor permit for Hetzel Inc., dba Body Shop, 891-3 West Broad Street, Columbus, Ohio 43222 and to declare an emergency.

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

To object to the renewal of the liquor permit for Muiny Inc., dba Tobacco International, 18 E 13th Avenue, Columbus, Ohio 43201 and to declare an emergency.

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

To object to the renewal of the liquor permit for MEA Group LLC, dba Roxy/Old School, 2159 N High Street, Columbus, Ohio 43201 and to declare an emergency.

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

To object to the renewal of the liquor permit for H & F Inc., dba Foxy Lady, 3277-79 West Broad Street, Columbus, Ohio 43204 and to declare an emergency.

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

To object to the renewal of the liquor permit for Sasho Inc., dba The Green Room, 2545

Petzinger Road, Columbus, Ohio 43209 and to declare an emergency.

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

To object to the renewal of the liquor permit for Krager Entertainment, dba Krome/Fahrenheit, 283 E Spring Street, Columbus, Ohio 43215 and to declare an emergency.

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

To object to the renewal of the liquor permit for 6065 Inc., dba Rachel's, 6065 Channingway Blvd, Columbus, Ohio 43232 and to declare an emergency.

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

To object to the renewal of the liquor permit for M&M Grill, Inc., dba M&M Grill, 2197 Parkwood Avenue, Columbus, Ohio 43211 and to declare an emergency.

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

To authorize and direct the Director of Public Safety to enter into a contract with the Ohio State University for the Division of Police for pre-employment physical examinations, to authorize the expenditure of \$33,131.50 from the General Fund; and to declare an emergency. (\$33,131.50).

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

To authorize the City Attorney to enter into a contract with Fireproof Records Center, to authorize the expenditure of Thirteen Thousand Five Hundred Dollars (\$13,500.00), to waive the provisions of competitive bidding, and to declare an emergency.

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

To authorize and direct the Finance Director to modify the citywide contract for the option to purchase Turnout Gear for the Division of Fire, the largest user; to waive the provisions of competitive bidding and to declare an emergency.

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

ADMINISTRATION: BOYCE, CHR. MENTEL HABASH

To authorize the Director of the Department of Technology to modify and extend a

contract with Oracle Corporation for the purchase of additional license products, software maintenance support, upgrades and consulting services associated with the City's 311 project, in accordance with sole source provisions of the Columbus City Codes; to authorize the expenditure of \$40,731.12 from the Technology Department information services fund; and to authorize the expenditure of \$28,012.00 from the information services capital projects fund; and to declare an emergency. (\$68,743.12)

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 Department of Technology Director to enter into contract with Ohio State University for consulting services associated with the City's ColumbusStat project; to authorize the expenditure of \$87,000.00 from Department of Technology's information services capital fund; to amend the Capital Improvement Budget; and to declare an emergency. (\$87,000.00)

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 amend the Facilities Management Division's 2004 Capital Improvement Budget; to authorize the City Auditor to transfer funds between projects in the Facilities Management Capital Improvement Fund; to authorize the Public Service Director to enter into contracts for the Facilities Management Division for the renovation of the HVAC controls at the Health Department, 240 Parsons Avenue; to authorize the expenditure of \$120,000.00 from the Facilities Management Capital Improvement Fund, to waive the competitive bidding provisions of the Columbus City Codes; and to declare an emergency. (\$120,000.00)

A motion was made by President Pro-Tem Boyce, seconded by Hudson, 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 American Federation of State, County and Municipal Employees (AFSCME), Ohio Council 8, Local 1632, which amends the Collective Bargaining Contract, April 1, 2002 through March 31, 2005; and to declare an emergency.

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 #2004-06 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 Tavares, that this matter be Approved. The motion carried by the following vote:

To accept Memorandum of Understanding #2004-07 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 Tavares, that this matter be Approved. The motion carried by the following vote:

To authorize the City Auditor to appropriate \$6,300,000.00 from within the Employee Benefits Fund; To authorize the Human Resources Director to modify and extend the contract with United Health Care Services, Inc. to provide all employees with medical insurance coverage through January 31, 2005, and to authorize the expenditure of \$6,300,000.00 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. (\$6,300,000)

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 Public Service Director to enter into contract for the Facilities Management Division with Hopewell Constructors, Inc., for the renovation of kitchens at Fire Stations 5, 6, 7, 13, 26, and 27 and to authorize the expenditure of \$714,000.00 from the Safety Voted Bond Fund. (\$714,000.00)

A motion was made by President Pro-Tem Boyce, seconded by Tavares, that this matter be Waived the 2nd Reading. The motion carried by the following vote:

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 Public Service Director to enter into contract for the Facilities Management Division with Commercial Flooring Solutions for flooring renovations in various Police Division buildings and to authorize the expenditure of \$28,305.00 from the Safety Voted Bond Fund. (\$28,305.00)

A motion was made by President Pro-Tem Boyce, seconded by Hudson, that this matter be Waived the 2nd Reading. The motion carried by the following vote:

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

RECREATION & PARKS: BOYCE, CHR. THOMAS HABASH

To authorize and direct the Director of Recreation and Parks to modify the contract with Complete General Construction for additional construction services related to renovations of North Bank Park: Issue J, to authorize the expenditure of \$849,291.00 from various funds, to authorize the transfer of Funds within Voted 1995 and 1999 Street and Highways Fund 704, to amend the 2004 Capital Improvements Budget, and to declare an emergency. (\$849,291.00)

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

To authorize and direct the transfer and appropriation \$644,144.00 from the General Fund to the Recreation and Parks Operating Fund to meet payroll and service expenses through the end of 2004, and to declare an emergency. (\$644,144.00)

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

To authorize and direct the Director of Recreation and Parks to enter into contract with Environmental Design Group for the Smith Farm Park Development Project, to authorize the expenditure of \$410,000.00 from the Voted 1995 and 1999 Parks and Recreation Bond Fund, and to declare an emergency. (\$410,000.00)

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

To authorize an appropriation in the amount of \$3,052,418.00 from the unappropriated balance of the Recreation and Parks Grant Fund to the Recreation and Parks Department for continued operation of the Central Ohio Area Agency on Aging during 2004 and 2005, and to declare an emergency. (\$3,052,418.00)

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 Director of Development to convey to the Columbus Urban Growth Corporation by quit claim deed certain specified portions of City-owned property formerly known as Northland Mall under the terms and conditions of this ordinance; and to declare an emergency.

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

DEVELOPMENT: O'SHAUGHNESSY, CHR. BOYCE TAVARES HABASH

To accept the application (AN04-009) of Cypress Wesleyan Church for the annexation of certain territory containing 55.9 ± Acres in Prairie Township.

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 accept the application (AN04-009) of Cypress Wesleyan Church for the annexation of certain territory containing 55.9 ± Acres in Prairie Township.

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

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

To request that the Director of the Ohio Department of Transportation lower the speed limit on Cooper Road from the Columbus Corporation Limit south of Shady Ridge Drive, south to Westerville Road, to forty (40) mph from the posted speed of forty-five (45) mph, and to repeal any and all previous speed limit ordinances and resolutions on Cooper Road from the Columbus Corporation Limit south of Shady Ridge Drive, south to Westerville Road.

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

To request the Director of the Ohio Department of Transportation (ODOT) to lower the speed limit on Port Road between Alum Creek Drive and London-Groveport Road to forty-five (45) mph from the posted speed of fifty-five (55) mph, and to repeal any and all previous speed limit ordinances and resolutions on Port Road between Alum Creek Drive and London-Groveport Road.

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

To request that the Director of the Ohio Department of Transportation lower the speed limit on Spindler Road from the Columbus Corporation Limit north of Hickory Hill Drive, north to Roberts Road, to forty-five (45) mph from the posted speed of fifty (50) mph and to repeal any and all previous speed limit ordinances and resolutions on Spindler Road from the Columbus Corporation Limit north of Hickory Hill Drive, north to Roberts Road.

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

To authorize the transfer of \$262,000.00 from the 1995, 1999 Voted Streets and Highways Fund to the Federal State Highway Engineering Fund; to appropriate \$1,310,000.00 within

the Federal State Highway Engineering Fund; to authorize the City Attorney's Office, Real Estate Division, to expend \$1,310,000.00 for land acquisition-related expenses for the Norton Road Improvement project from the Federal-State Highway Engineering Fund for the Transportation Division, and to declare an emergency. (\$1,310,000.00)

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

To authorize and direct the Finance Director to issue blanket purchase orders for various automotive equipment services for the Fleet Management Division, to authorize the expenditure of \$10,000.00 from the Fleet Maintenance Fund, to waive the competitive bidding requirements of the Columbus City Codes, and to declare an emergency. (\$10,000.00)

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

To authorize the Finance Director to enter into various contracts and to authorize the Public Service Director to incur various expenses associated with the renovation of the Transportation Division's Central Outpost at 650 West Nationwide Boulevard; to authorize the expenditure of \$75,193.54 from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$75,193.54)

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 make any and all appropriate accounting adjustments to properly account for capital project fund transfers, appropriations and expenditures for several capital improvement projects for the Transportation Division as detailed within the body of this ordinance, and to declare an emergency. (\$8,143,242.04)

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 a twenty foot wide strip of excess right-of-way off the north side of Frankfort Street to Aria Alaudini for \$9,737.00 and to waive the competitive bidding provisions of Columbus City Codes 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 authorize the Public Service Director to execute those documents required to transfer a twenty foot wide strip of excess right-of-way off the north side of Frankfort Street to Aria Alaudini for \$9,737.00 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 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 \$355,963; to authorize the appropriation of \$355,963 from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency. (\$355,963.00)

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

To authorize the Director of the Department of Development to accept an Empowerment Zone grant of \$994,100 from the U.S. Department of Housing and Urban Development; to authorize the appropriation of \$994,100 from the General Government Grant Fund to the Department of Development; to authorize the Director of the Department of Development to enter into contract with the Columbus Compact Corporation to implement the Columbus Empowerment Zone's Strategic Plan; to authorize the expenditure of \$929,247 from the General Government Grant Fund; and to declare an emergency. (\$994,100)

A motion was made by Tavares, seconded by Hudson, 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 modify an existing contract for the Division of Electricity with ABB, Inc. for the Italian Village Substation to change the GIS bus runs from overhead to underground; to authorize the expenditure of \$89,100.00 from the Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund; and to declare an emergency. (\$89,100.00)

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

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

To authorize the Director of Public Utilities to modify the agreement with EMA, Inc., for professional engineering services for the Maintenance Management Program Upgrade, for the Division of Sewerage and Drainage; to appropriate and authorize the transfer of funds from the Sewerage System Reserve Fund to the 1991 Sanitary Bond Fund; and to authorize the expenditure of \$1,300,000.00 from the 1991 Sanitary Bond Fund. (\$1,300,000.00)

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

To authorize the Director of Public Utilities to enter into a contract with Affordable Choice Electric Inc. for Distribution Improvements Pressure Regulating Valve Installations on

Olentangy River Road for the Division of Water, to amend the 2004 C.I.B., to authorize the City Auditor to transfer funds within the Waterworks Enlargement Voted 1991 Bonds Fund, to authorize the expenditure of \$331,823.80 from the Water Works Enlargement Voted 1991 Bonds Fund, and to declare an emergency. (\$331,823.80)

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

To authorize the Director of Public Utilities to enter into a contract with U.S. Utility Contractor Company for an Overhead Line Construction Labor and Equipment contract for the Division of Electricity; to authorize the expenditure of \$150,000.00 from the Division of Electricity Operating Fund; and to declare an emergency. (\$150,000.00)

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

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

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

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

To authorize the Director of Public Utilities to enter into an agreement with H. R. Gray & Associates, Inc. for construction management services in connection with the Southerly Wastewater Treatment Plant New Headworks Project; to authorize the expenditure of \$3,064,574.00 from the Ohio Water Pollution Control Loan Fund; and to declare an emergency. (\$3,064,574.00)

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

To authorize the Director of Public Utilities to modify the contract for professional engineering design and technical project services with Pomeroy & Associates, Ltd. for the Cassady Avenue Area Stormwater System Improvements Project for the Division of Sewerage and Drainage; to authorize the transfer of \$13,600.00 within the Storm Sewer Bond Fund; to authorize the expenditure of \$13,600.00 within the Storm Sewer Bond Fund; to authorize an amendment to the 2004 Capital Improvements Budget; and to declare an emergency. (\$13,600.00)

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

To authorize the Director of Public Utilities to execute a construction contract with the Complete General Construction Company, in connection with four sanitary sewer relief projects located within the North Linden community; to authorize the appropriation and the expenditure of \$3,644,157.38 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. (\$3,644,157.38)

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

To authorize the Director of Public Utilities to execute a construction contract with Nickolas Savko & Sons, Inc.; to provide for payment of inspection, material testing and related services to the Transportation Division for the Francisco Road Stormwater System Improvements Project; to authorize the transfer of \$1,645,206.00 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 \$1,645,206.00 within the Storm Sewer Bond Fund; and to declare an emergency. (\$1,645,206.00)

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

To authorize the Director of Finance to establish a Blanket Purchase Order for Heating Oil from an established Cooperative Purchase Contract with BP Products North America Inc. for the Division of Sewerage and Drainage, to authorize the expenditure of \$310,000.00 from the Sewerage System Operating Fund, and to declare an emergency (\$310,000.00)

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

To authorize the Director of Public Utilities to enter into a contract with Reynolds, Inc. for the Parsons Avenue Water Plant Miscellaneous Improvements - Rehabilitation of Collector Wells 101, 103, 104 & 115, for the Division of Water, to authorize the expenditure of \$1,381,485.00 from the Waterworks Enlargement Voted 1991 Bonds Fund, to authorize the City Auditor to transfer funds within the Waterworks Enlargement Voted 1991 Bonds Fund, to amend the 2004 C.I.B. and to declare an emergency. (\$1,381,485.00)

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

To authorize the Director of Public Utilities to enter into a modification of the Water Contracts with the City of Gahanna, Ohio. (\$0)

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

To authorize the Finance Director to purchase transformers from Reed City Power Line Supply for the Division of Electricity; to waive the competitive bidding procedures of the Columbus City Code; to authorize the expenditure of \$116,067.00 from the Division of Electricity Operating Fund; and to declare an emergency. (\$116,067.00)

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

To appropriate \$300,000.00 within the Special Income Tax Fund; to authorize the Public Service Director to modify and increase an existing encumbrance established to pay 2004 refuse tipping fees to the Solid Waste Authority of Central Ohio for the Refuse Collection Division pursuant to an existing lease agreement; to authorize the expenditure of \$300,000.00 or so much thereof as may be necessary from the Special Income Tax Fund; to waive the competitive bidding requirements of the City Code, and to declare an emergency. (\$300,000.00)

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

RULES & REFERENCE: HABASH, CHR. MENTEL TAVARES

To amend Sections 3305.01, 3385.04 and 3385.08 of the Columbus Zoning Code, Title 33, dealing specifically with minor changes requested by the Ohio Department of Natural Resources as part of the City of Columbus' participation in the National Flood Insurance Program.

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