

City of Columbus

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



Minutes - Final

Monday, January 9, 2006

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. 2 OF COLUMBUS CITY COUNCIL,
JANUARY 9, 2006 at 5:00 P.M. IN COUNCIL CHAMBERS.**

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

A motion was made by President Mentel, seconded by Hudson, 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 4, 2006:

New Type: D3
To: Schmidt Hospitality Concepts Inc
3860 Trabue Rd
Columbus, Ohio 43228
permit # 78470990005

New Type: D3
To: Juergens Inc
DBA Juergens
1st Fl & Bsmt
525 S Fourth St
Columbus, Ohio 43206
permit # 44060620005

New Type: D2
To: Fire Dance LLC
DBA Garretts Saloon
1071 Parsons Av
Columbus, Ohio 43206
permit # 2738270

Transfer Type: C1, C2
To: Abrham Tesfamarian
DBA Morse & Cleveland Shell
4431 Cleveland Av
Columbus, Ohio 43231
From: John M Kirkland
DBA Morse & Cleveland Shell
4431 Cleveland Av
Columbus, Ohio 43231
permit # 8853295

Transfer Type: C1, C2
To: Central Ohio Champion Inc
DBA Champion Market
1130 E Main St
Columbus, Ohio 43205

From: Alhadid Inc
DBA Champion Market
1130 E Main St
Columbus, Ohio 43205
permit # 1360604

Transfer Type: C2
To: Bonnie Segel
DBA Baskets by Bonnie
2171 Citygate Dr
Columbus, Ohio 43219
From: Bonnie Segel
DBA Baskets by Bonnie
721 N High St 1st Fl & Bsmt
Columbus, Ohio 43215
permit # 79584620002

Transfer Type: D5, D6
To: Sushiko of Ohio Inc
122 Hutchinson Ave
Columbus, Ohio 43235
From: Soon Bae Corporation
DBA Sushi Ko
122 Hutchinson Ave
Columbus, Ohio 43235
permit # 8709999

Advertise 1/14/06
Return 1/29/06

RESOLUTIONS OF EXPRESSION

TAVARES

To honor the Mentoring Center of Central Ohio and declare January 2006
National Mentoring Month.

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

THOMAS

To acknowledge and congratulate the City of Columbus' Keep Columbus Beautiful program
for winning two national awards from *Keep America Beautiful* at its 52nd National
Conference.

**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

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

ADMINISTRATION: 2135-2005, 0003X-2006

FR FIRST READING OF 30-DAY LEGISLATION

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

FR

To accept the plats titled **VILLAGE AT STONE CLIFF SECTION 2 PART 1, VILLAGE AT STONE CLIFF SECTION 2 PART 2 and VILLAGE AT STONE CLIFF SECTION 2 PART 3** from **DOMINION HOMES INC.**, an Ohio corporation, by **JOSEPH A. SUGAR, III**, Vice President-Land Operations.

FR

To authorize the Director of the Public Service Department to execute those documents required to release 4 feet off the north side of a 10 foot wide platted easement along the south side of Lots 1 through 20, both inclusive, of Waggoner Trace, Section 1, of record in Plat Book 105, Pages 73 and 74 of the Franklin County, Ohio Recorder's Office.

FR

To accept the plat titled **DEDICATION PLAT FOR REYNOLDS CROSSING DRIVE EXTENSION AND EASEMENTS**, from **DOMINION HOMES, INC.**, an Ohio corporation, by **JOSEPH A. SUGAR III**, Vice President - Land Acquisition.

FR

To change the name of that right-of-way currently identified as Holly River Drive on the plat titled Hayden Farms, Section 1 to Holly River Avenue.

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

FR

To accept the application (AN05-016) of Larry Worthington et al for the annexation of certain territory containing 9.8 ± Acres in Prairie Township.

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

FR

To authorize the Director of Public Utilities to enter into contract with The Righter Company, Inc. for the Replacement of Air Filtration Units at the Jackson Pike Wastewater Treatment Plant for the Division of Sewerage and Drainage; and to authorize the expenditure of \$ 209,400.00 from the Sewerage System Operating Fund. (\$ 209,400.00)

FR

To authorize the Director of Finance and Management to establish a contract with CEM Corporation for the purchase of Microwave Sample Preparation System and Accessories with Trade-In for the Division of Sewerage and Drainage, and to authorize the expenditure of \$21,858.00 from the Sewerage System Operating Fund. (\$21,858.00)

CA CONSENT ACTIONS

RESOLUTIONS OF EXPRESSION

BOYCE

CA

In Memory of Pastor E.A. Parham

This Matter was Adopted on the Consent Agenda.

HUDSON

CA

To recognize the Greater Hilltop Area League for the Arts on 15 years of promoting the arts in the Greater Hilltop neighborhood.

This Matter was Adopted on the Consent Agenda.

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

CA

To authorize the Administrative and Presiding Judge of the Franklin County Municipal Court to modify the contract with L3 Communications Security and Detection Systems, Inc. for the lease of security screening equipment for the Franklin County Municipal Court Judges; and to declare an emergency.

This Matter was Approved on the Consent Agenda.

**DEVELOPMENT: O'SHAUGHNESSY, CHR. HUDSON 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 (AN05-020) of 6.5± Acres in Plain 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. HUDSON TAVARES HABASH**

- CA** To authorize the Public Service Director to enter into a contract for the Transportation Division with G & G Cement Contractors for construction of the Long Street, Burt Street, Curb and Walk Replacement project; to authorize the expenditure of \$477,118.07 from the Voted 1995, Voted 1999 Streets and Highways Fund for the Transportation Division. (\$477,118.07).

This Matter was Approved on the Consent Agenda.

- CA** To authorize the Public Service Director to enter into a contract for the Transportation Division with G & G Cement Contractors for construction of the Lincoln Street project; to authorize the expenditure of \$122,392.45 from the Voted 1995, Voted 1999 Streets and Highways Fund for the Transportation Division. (\$122,392.45)

This Matter was Approved on the Consent Agenda.

- CA** To authorize the Public Service Director to reimburse the Sewerage and Drainage Division for costs incurred for curb and gutter renovation work within the Bliss Run Relief Trunk Sewer Improvement, Phase 2 on Brownlee Avenue for the Transportation Division and to authorize the expenditure of \$50,108.40 from the 1995, 1999 Voted Streets and Highways Fund. (\$50,108.40)

This Matter was Approved on the Consent Agenda.

- CA** To authorize the Public Service Director to establish encumbrances to pay construction inspection and pre-engineering charges related to 2006 ADA-compliant Ramp Installation and 2006 Resurfacing projects that will be undertaken by the Transportation Division and to authorize the expenditure of \$250,000.00 from the 1995, 1999 Voted Streets and Highways Fund. (\$250,000.00)

This Matter was Approved on the Consent Agenda.

- CA** To authorize and direct the Finance and Management Director to modify and extend the citywide contract for the option to purchase Automotive Lighting Parts with D & M Distributors Inc. and Parr Public Safety Equipment Inc., and to declare an emergency.

This Matter was Approved on the Consent Agenda.

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

CA

To authorize the Director of Finance and Management to enter into a contract with Cues Incorporated for Telemonitoring Self-Propelled Transporter and Cameras for the Division of Sewerage and Drainage and to authorize the expenditure of \$148,000.00 from the Sewerage System Operating Fund. (\$148,000.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the City Attorney to acquire fee simple title and lesser interests; to contract for professional services; to authorize the appropriation, transfer and expenditure of \$252,000.00 from within the Voted Sanitary Bond Fund in connection with three sanitary infrastructure capital improvement projects; to amend the 2005 Capital Improvements Budget for the Division of Sewerage and Drainage; and to declare an emergency. (\$252,000.00)

This Matter was Approved on the Consent Agenda.

RECREATION & PARKS: HABASH, CHR. BOYCE MENTEL THOMAS

CA

To authorize the Director of the Department of Public Utilities and Director of Recreation and Parks to execute and grant a quitclaim deed of easement Real Property Developers, LLC under and across that City owned property known as Hoover Nature Preserve, and to the extent they may be applicable, to waive the competitive bidding and Land Review Commission requirements of the Columbus City Codes (1959) Revised, and to declare an emergency.

This Matter was Approved on the Consent Agenda.

CA

To repeal ordinance 0744-2005, to authorize the Director of Recreation and Parks to execute those documents necessary for the short term rental agreements for the ballroom and related areas of the Lincoln Theater, and to declare an emergency.

This Matter was Approved on the Consent Agenda.

APPOINTMENTS

CA

Appointment of Andrew Eribo, Ribway Engineering Group, 350 E Broad St Columbus, Ohio, 43215 to serve on the Mid-Ohio Regional Planning Commission replacing Kay Onwukwe with a new term expiration date of February 1, 2009 (resume attached).

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

Passed The Consent Agenda

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

ADMINISTRATION: BOYCE, CHR. MENDEL HUDSON HABASH

To authorize and direct the Finance and Management Director to establish a Universal Term Contract (UTC) with Corporate Express for the option to purchase Office Paper in the amount of \$1.00 from the Purchasing/Contract Operation Fund, to waive formal competitive bidding requirements, and to declare an emergency. (\$1.00)

A motion was made by President Mentel, seconded by Tavares, that this matter be Tabled to Certain Date TABLED UNTIL 01/23/06 The motion carried by the following vote:

To authorize and direct the Finance and Management Director to enter into three contracts for the option to purchase Re-Manufactured Toner Cartridges and Printer Maintenance with US Laser, 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).

A motion was made by President Mentel, seconded by Tavares, that this matter be Tabled to Certain Date TABLED UNTIL 01/23/06 The motion carried by the following vote:

To authorize the City Auditor to request advance payments of property and estate taxes from the Franklin, Fairfield and Delaware County Auditors during 2006 and to declare an emergency.

A motion was made by President Mentel, seconded by Tavares, that this matter be Tabled to Certain Date TABLED UNTIL 01/23/06 The motion carried by the following vote:

To authorize the City Auditor to appropriate \$3 million from within the unappropriated balance of the Employee Benefits Fund; to authorize the Human Resources Director to modify and extend the contract with United Health Care to provide all employees with medical insurance coverage through January 31, 2006, and to authorize the expenditure of \$3 million 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. (\$3,000,000.00)

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

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

To authorize the Director of Development to enter into a Guaranteed Maximum Price Reimbursement Agreement under Section 186 of the Columbus City Charter with Columbus Urban Growth Corporation for pre-remediation activities of brownfield clean up at Gowdy Field; to authorize the City Auditor to transfer \$780,000 from the Special Income Tax Fund to the Northland and Other Acquisitions Fund; to waive the competitive bidding provisions of Chapter 329 of the Columbus City Codes; to amend the 2005 Capital Improvements Budget; and to authorize the expenditure of \$780,000. (\$780,000)

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

To authorize the Director of the Department of Development to enter into a Guaranteed Maximum Price Reimbursement Agreement pursuant to Section 186 of the Columbus City Charter with Columbus Urban Growth Corporation for up to \$2,710,000 to design and construct off-site improvements to Gowdy Field; to waive the provisions of Chapter 329 of Columbus City Code; and to authorize the expenditure of \$2,710,000 from the Capital Fund. (\$2,710,000) (AMENDED BY ORDINANCE 2221-2006 PASSED 12/11/06)

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

To authorize the Director of the Department of Development to enter into a grant agreement with the Columbus Regional Airport Authority for up to \$2,000,000 to design and construct a public roadway to an intermodal facility; to authorize the expenditure of \$2,000,000 from the Capital Fund; and to declare an emergency. (\$2,000,000)

A motion was made by Hudson, seconded by Tavares, that this matter be Tabled to Certain Date TABLED UNTIL 01/23/06 The motion carried by the following vote:

SAFETY & JUDICIARY: MENTEL, CHR. BOYCE THOMAS HABASH

To authorize the City Attorney to settle a claim against the Department of Public Safety, Division of Fire, to authorize the expenditure of Thirty Nine Thousand Dollars (\$39,000.00), and to declare an emergency. (\$39,000.00)

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

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

To authorize the Public Service Director to reimburse American Electric Power Company, the city Electricity Division, SBC, Insight, Wide Open West and other utility companies for utility relocation costs incurred in conjunction with the Morse Road Phase 2, Karl Road to Cleveland Avenue project for the Transportation Division; to authorize the expenditure of \$920,000.00 or so much thereof as may be necessary from the 1995, 1999 Voted Streets and Highways Fund. (\$920,000.00)

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 City Attorney's Office, Real Estate Division, to contract for professional services relative to the acquisition of fee simple title and lesser interests in and to property needed for the Morse Road Improvement Phase 2 project for the Transportation Division, negotiate with the property owners and expend \$1,000,000.00 from the 1995, 1999 Voted Streets and Highways Fund for acquisition-related costs. (\$1,000,000.00)

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 enter into a contract for the Transportation Division for a professional services contract with Columbus Engineering Consultants, Inc., for engineering services needed for the Urban Infrastructure Recovery Fund program; to authorize the expenditure of \$500,000.00 from the 1995, 1999 Voted Streets and Highways Fund. (\$500,000.00)

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 enter into a contract for the Transportation Division with Complete General Construction Company for construction of the Newton Street project; to authorize the expenditure of \$1,432,423.34 from the Voted 1995, Voted 1999 Streets and Highways Fund for the Transportation Division. (\$1,432,423.34)

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 \$117,378.64 within and from the 1995, 1999 Voted Streets and Highways Fund; to authorize the appropriation of \$565,770.14 within the Federal State Highway Engineering Fund; to authorize the Public Service Director to enter into a contract with Kokosing Construction Company, Incorporated, for the Schrock Road Resurfacing (FRA-710-1.87) project and to authorize the expenditure of \$565,770.14 from the Federal State Highway Engineering Fund for the Transportation Division. (\$565,770.14)

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

To appropriate \$3,314,000.00 from the unappropriated balance of the Municipal Motor Vehicle License Tax Fund for anticipated 2006 operating expenditures for the Transportation Division, Public Service Department, and to declare an emergency. (\$3,314,000.00)

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 and Management Director to establish a purchase order with American Rock Salt Company, LLC, in the amount of \$1,000,000.00 for the purchase of rock salt in accordance with the terms and conditions of an existing citywide term contract for the Transportation Division; to authorize the expenditure of \$1,000,000.00 or so much thereof as may be needed from the Municipal Motor Vehicle License Tax Fund and to declare an emergency. (\$1,000,000.00)

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

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

To authorize the City Attorney and the City Auditor to enter into an Escrow Agreement with Dominion Homes, Inc., an Ohio corporation, to facilitate the acquisition of certain sewer easements underneath certain real property owned by Conrail, necessary for the extension of the Upper Scioto West S.S.S. Hayden Road Area, Vicinity of Railroad, to authorize the City Auditor to act as Escrow Agent for this account. ~~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:

**(THERE WILL BE NO CITY COUNCIL MEETING ON MONDAY,
JANUARY 16, 2006 IN OBSERVANCE OF MARTIN LUTHER
KING DAY HOLIDAY. THE NEXT SCHEDULED CITY COUNCIL
MEETING WILL BE MONDAY, JANUARY 23, 2006)**

ADJOURNMENT

A motion was made by President Mentel, seconded by Hudson, to adjourn this Regular Meeting ADJOURNED: 6:40 p.m. The motion carried by the following vote: