

City of Columbus

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



Minutes - Final

Monday, November 14, 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. 61 OF COLUMBUS CITY COUNCIL,
NOVEMBER 14, 2005 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, NOVEMBER 9, 2005:

New Type: D1
To: 1776 Parsons Avenue Inc
1776 Parsons Av
Columbus, Ohio 43207
permit # 8003651

New Type: D1
To: LKK 2542 Corp
2542 W Broad St
Columbus, Ohio 43204
permit # 4951150

New Type: C1, C2
To: Hudson & Joyce Drive-Thru Inc
DBA Hudson & Joyce Dri-Thru
1821 E Hudson St
Columbus, Ohio 43211
permit # 4044926

Transfer Type: D5, D6
To: Muirmont Management Group LLC
DBA Thoms on Grandview
1474 Grandview Av 1st Fl & Patio
Columbus, Ohio 43212
From: Braddock Investments LLC
DBA Braddocks Grandview
1474 Grandview Av 1st Fl & Patio
Columbus, Ohio 43212
permit # 6220574

Transfer Type: C1, C2
To: Fifth Ave Gas Station Inc
DBA Certified
955 E Fifth Av
Columbus, Ohio 43201
From: Fuel Plus Inc
DBA Certified

955 E Fifth Av
Columbus, Ohio 43201
permit # 2714473

Transfer Type: D1, D2
To: Zen Inc
505 N High St
Columbus, Ohio 43081
From: Imobilaire III Inc
Larry McClatchey Trustee in Bankruptcy
Patio & Volleyball Court
6150 Sunbury Rd Unit A
Columbus, Ohio 43081
permit # 99165650005

Transfer Type: D2, D2X, D3, D3A, D6
To: Vintage Restaurant Promotions Inc
DBA 94th Aero Squadron
5030 Sawyer Rd & Patio
Columbus, Ohio 43219
From: 94th Aero Squadron of Columbus Inc
DBA 94th Aero Squadron
5030 Sawyer Rd & Patio
Columbus, Ohio 43219
permit # 9282573

Stock Type: D5
To: Point Inc
Mary Lou Callander Executor
Norton Center Unit 5460-5480
530 Norton Rd
Columbus, Ohio 43228
permit # 6980799

Advertise 11/19/05
Return 12/04/05

RESOLUTIONS OF EXPRESSION

MENTEL

To celebrate the 26th consecutive year City Auditor Hugh J. Dorrian was awarded the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association.

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

O'SHAUGHNESSY

To recognize the North Market as it celebrates 129 years in Downtown Columbus and its tenth year at 59 Spruce Street.

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

TAVARES

To recognize and honor the collective efforts of the Central Ohio Hurricane Katrina response team comprised of the Community Shelter Board (CSB), The Ohio State University College of Social Work, FIRSLINK, the Columbus Federation of Settlements, the Ohio Housing Finance Agency (OHFA), and the Columbus Metropolitan Housing Authority (CMHA).

A motion was made by Tavares, seconded by President Pro-Tem Boyce, 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: 1817-2005

DEVELOPMENT: 1866-2005

PUBLIC SERVICE & TRANSPORTATION: 1835-2005, 1836-2005

FR FIRST READING OF 30-DAY LEGISLATION

ADMINISTRATION: BOYCE, CHR. MENDEL HUDSON HABASH

FR

To authorize and direct the Director of the Department of Technology to establish a purchase order with Software House International, for various Microsoft software products and licenses; to authorize and direct the City Auditor to transfer \$83,681.93 between object levels within the Department of Technology, information services fund; to authorize the expenditure of \$161,857.00 or so much as may be needed from the information services fund.

(\$161,857.00)

- FR** To authorize the Director of the Department of Finance and Management, on behalf of the Department of Technology, to issue purchase orders for computer products and equipment on behalf of various city agencies from a pre-established universal term contract (UTC), which expires March 31, 2006 with Smart Solutions and Resource One; to authorize and direct the City Auditor to transfer \$102,979.00 between object levels within the Department of Technology, Internal Service Fund; to authorize the expenditure of \$151,013.39 from the Department of Technology Internal Service Fund. (\$151,013.39)

CA CONSENT ACTIONS

ADMINISTRATION: BOYCE, CHR. MENDEL HUDSON HABASH

- CA** To authorize the Director of the Department of Finance and Management , on behalf of the Department of Technology, to establish a purchase order from an existing universal term contract with Software House International Inc. for software license and maintenance support, to authorize the expenditure of \$101,360.00 from the information services fund, and to declare an emergency. (\$101,360.00)

This Matter was Approved on the Consent Agenda.

- CA** To authorize the Director of the Civil Service Commission to establish a blanket certificate for the purpose of administering the uniformed examinations of the Department of Safety, and to authorize the expenditure of \$80,000.00 from the General Fund. (\$80,000.00)

This Matter was Approved on the Consent Agenda.

- CA** To authorize the City Auditor to transfer \$50,000 within the General Fund within the Office of City Council for the purchase of equipment necessary to better archive City records for the future and to enhance communications capabilities, and to declare an emergency. (\$50,000.00)

This Matter was Approved on the Consent Agenda.

SAFETY & JUDICIARY: MENDEL, CHR. BOYCE THOMAS HABASH

- CA** To authorize and direct the Mayor of the City of Columbus to accept a FY2005 DNA Capacity Enhancement Program grant award from the National Institute of Justice, to authorize Crime Lab Manager Jami St. Clair as the official city representative to act in connection with this grant and to authorize an appropriation of \$100,000.00 from the unappropriated balance of the General Government Grant Fund to the Division of Police to cover the costs of the FY05 DNA Capacity Enhancement Grant activities and acquisitions. (\$100,000.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize and direct the Finance and Management Director to enter into a contract for the option to purchase Jet Aviation Fuel with Arrow Energy 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 and direct the Finance and Management Director to enter into two contracts for an option to purchase Riot Control Munitions with Standard Law Enforcement Supply Co. and Vance Outdoors, Inc., to authorize the expenditure of two dollars to establish the contracts from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$2.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the City Attorney to accept a grant from the State of Ohio, Office of the Attorney General in the amount of \$106,123.00 for the continued funding of the VOCA Domestic Violence Advocates; to authorize appropriation of said funds; to authorize the transfer and appropriation of matching funds required by the acceptance of this grant in the amount of \$35,374.00; and to declare an emergency. (\$137,376.00)

This Matter was Approved on the Consent Agenda.

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

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 held in the Land Bank pursuant to the Land Reutilization Program. (526 East 2nd Avenue (Rear))

This Matter was Approved on the Consent Agenda.

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

CA

To authorize and direct the Finance and Management Director to enter into four (4) contracts for the option to purchase OEM Truck Parts with Sutphen Corporation, Franklin Tractor Sales Inc., Columbus Peterbilt, and Southeastern Equipment Co. Inc. to authorize the expenditure of four (4) dollars to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$4.00).

This Matter was Approved on the Consent Agenda.

CA To appropriate \$222,387.98 within the General Permanent Improvement Fund; to authorize the City Auditor to transfer \$64,627.02 between projects within the 1995, 1999 Voted Streets and Highways Fund; to authorize the Finance and Management Director to modify and increase existing purchase orders for the purchase of traffic signal controllers, street name sign brackets and overhead school flashers for the Transportation Division per the terms and conditions of five existing citywide universal term contracts with four vendors; to authorize the expenditure of \$222,387.98 or so much thereof as may be necessary from the General Permanent Improvement Fund and \$64,627.02 or so much thereof as may be necessary from the 1995, 1999 Voted Streets and Highways Fund and to declare an emergency. (\$287,015.00)

This Matter was Approved on the Consent Agenda.

CA To appropriate \$10,000.00 within the General Permanent Improvement Fund; to authorize the City Attorney to expend \$10,000.00 from this Fund for any remaining expenses for the North High Street Bridge Enhancement ("Cap") project for the Transportation Division and to declare an emergency. (\$10,000.00)

This Matter was Approved on the Consent Agenda.

CA To accept the plat titled HARRISON PARK, from BRIAN R. BARRETT, member of HARRISON PARK DEVELOPMENT LTD. and ROYAL TALLOW HOLDINGS, LTD., both Ohio limited liability companies.

This Matter was Approved on the Consent Agenda.

CA To accept the plat titled LEHMAN MEADOWS SUBDIVISION, from ROCKFORD HOMES, INC., an Ohio corporation, by DONALD R. WICK, Vice President.

This Matter was Approved on the Consent Agenda.

CA To accept the plat titled TURNBERRY FARMS SECTION 8, from HOMEWOOD CORPORATION, an Ohio corporation, by JOHN H. BAIN, Chief Executive Officer.

This Matter was Approved on the Consent Agenda.

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

CA To authorize and direct the Finance and Management Director to enter into a contract for an option to Purchase Geologic Borings & Monitoring Wells with Moody's of Dayton, 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.

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

CA

To authorize and direct the Director of Recreation and Parks to submit a grant application to the Ohio Department of Natural Resources/Division of Watercraft for the Navigational Aids Grant Program, and to declare an emergency.

This Matter was Approved on the Consent Agenda.

Passed The Consent Agenda**EMERGENCY, TABLED AND 2ND READING OF 30-DAY
LEGISLATION****ADMINISTRATION: BOYCE, CHR. MENTEL HUDSON HABASH**

To authorize and direct the City Auditor to transfer \$546,200.00 from the Special Income Tax Fund to the Facilities Management Capital Improvement Fund, to authorize the Finance and Management Director to enter into contract for the Facilities Management Division with VEC Systems for the renovation of the roof at 750 Piedmont Road, to authorize the expenditure of \$546,200.00 from the Facilities Management Capital Improvement Fund, and to declare an emergency. (\$546,200.00)

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 the transfer and appropriation of \$35,810.00 between objects within the Civil Service Commission General Fund; to authorize the Executive Director of the Civil Service Commission to enter into contract with Sigma Data Systems, Inc. to upgrade existing applicant tracking and test development software in accordance with the sole source provisions of the Columbus City Code, to authorize the expenditure of \$35,810.00 from the General Fund, and to declare an emergency. (\$35,810.00)

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 City Auditor to appropriate and transfer \$15,000 within the general permanent improvement fund; to authorize the City Auditor to modify contract EL005506 for \$15,000 with Tier Technologies, Inc. for incorporation of the contract compliance application process into the citywide internet-based electronic procurement solution (V.GOV), in accordance with the sole source provisions of the Columbus City Code; and to declare an emergency. (\$15,000.00)

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 accept the proposed collective bargaining contract between the City of Columbus and

Columbus Municipal Association of Government Employees/Communication Workers of America, Local 4502 (CMAGE/CWA), August 24, 2005 - August 23, 2008, to provide for wages, hours and other terms and conditions of employment for employees in the bargaining unit as provided in Attachment A attached hereto; 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:

To amend Ordinance No. 2944-1999, as amended, by enacting Section 5(E)-P118, the classification of Personnel Analyst II; 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 Treasurer to modify a contract with Fifth Third Bank and its processing agent, Fifth Third Processing Solutions, for the provision of credit card processing services, to authorize a transfer of \$45,000 within the Development Services Fund; and to authorize the expenditure of \$45,000 from the Development Services Fund, \$12,000 from the Electricity Operating Fund and \$14,500 from the Golf Special Revenue Fund and to declare an emergency. (\$71,500)

A motion was made by President Pro-Tem Boyce, seconded by President Mentel, 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 the Department of Development to enter into an agreement with DeCrane Aircraft for a Jobs Creation Tax Credit of sixty percent (60%) for a period of seven (7) years; 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:

To authorize the Director of the Department of Development to enter into a 10 year/75% Enterprise Zone Agreement on real and personal property and a 60%/10 year Jobs Creation Tax Credit Agreement with General Products Corporation; 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:

To authorize the Director of Development to enter into an agreement with Intellinetics for a

Jobs Creation Tax Credit of sixty percent (60%) for a period of six (6) years; 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:

To authorize the Director of the Department of Development to allow the City to accept title to certain property to comprise part of the project to redevelop the AC Humko site and to transfer the property back to the current owners; 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:

To create the AC Humko Community Reinvestment Area; to authorize real property tax exemptions up to 75% for a term of 10 years on the construction of new single-family residences as established by Sections 3735.65 through 3735.70 of the Ohio Revised Code; and to declare an emergency. (AMENDED BY ORDINANCE 1913-2008 PASSED 12/08/08)

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

To create the AC Humko Community Reinvestment Area; to authorize real property tax exemptions up to 75% for a term of 10 years on the construction of new single-family residences as established by Sections 3735.65 through 3735.70 of the Ohio Revised Code; and to declare an emergency.

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

To authorize the Columbus Urban Growth Corporation, on behalf of and as agent for the City as the fee owner of the property at the former Northland Mall site, to sign a petition for the creation and implementation of the Morse Road Special Improvement District; 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. HUDSON TAVARES
HABASH**

To accept the application (AN05-011) of Riverside Bible Church for the annexation of certain territory containing 4.085 ± Acres in Sharon Township.

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

To accept the application (AN05-008) of William & Phyllis Snedegar for the annexation of certain territory containing 9.5 ± Acres in Plain Township.

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

To accept the application (AN05-010) of Charles and Stella Schulz, et al. for the annexation of certain territory containing 11.1 ± Acres in Jackson Township.

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

To accept the application (AN05-009) of Joseph S. and Angelo J. Dallas III for the annexation of certain territory containing 12.6 ± Acres in Washington Township.

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

To authorize the Director of the Development Department to execute an Affidavit on Facts Relating to Title and any ancillary documents necessary to consider the remainder real property, after the taking by the City for the purpose of the Norton Road Improvement Project, as "non-conforming but legal", and to declare an emergency.

A motion was made by O'Shaughnessy, seconded by Tavares, that this matter be Tabled to Certain Date TABLED UNTIL 11/21/05 The motion carried by the following vote:

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN05-022) of 4.251± Acres in Perry Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

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

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

To authorize the City Auditor to transfer \$428,040.27 between projects within the 1995, 1999 Voted Streets and Highways Fund and \$148,862.71 between projects within the Streets and Highways Improvement Fund; to authorize the Public Service Director to reimburse the Street Construction, Maintenance and Repair Fund \$795,000.00 for costs incurred in connection with the 2005 installation and/or construction of traffic signs, traffic signals, school flashers and permanent pavement markings that can be capitalized for the Transportation Division; to authorize the expenditure of \$568,196.00 from the 1995, 1999 Voted Streets and Highways Fund and \$226,804.00 from the Streets and Highways Improvement Fund for this purpose and to declare an emergency. (\$795,000.00)

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 Director of the Public Service Department to execute those documents required to transfer those rights of way identified as portions of Friendship Drive and Biretta Avenue to Wonderland Community Church for \$5,645.00, and to waive the competitive bidding provisions of Columbus City Codes.

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

To authorize and direct the Finance and Management Director to enter into one (1) contract for the option to purchase OEM Truck Parts with W.W. William Midwest Inc., to authorize the expenditure of one (1) dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00).

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 and Management Director to enter into one (1) contract for the option to purchase OEM Truck Parts with Nortrax-Great Lakes Inc., to authorize the expenditure of one (1) dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00).

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 adopt the 2006 Action Plan Budget which implements the "Consolidated Plan" for the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Shelter Grant (ESG) and Housing Opportunities for Persons with AIDS (HOPWA) programs; to authorize the filing of the plan application with the U.S. Department of Housing and Urban Development; and to declare an emergency.

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

To adopt the 2006 Action Plan Budget which implements the "Consolidated Plan" for the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Shelter Grant (ESG) and Housing Opportunities for Persons with AIDS (HOPWA) programs; to authorize the filing of the plan application with the U.S. Department of Housing and Urban Development; and to declare an emergency.

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

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

UTILITIES: THOMAS, CHR. MENTEL O'SHAUGHNESSY HABASH

To authorize and direct the City Attorney to write off, as uncollectible, unpaid rent, due the City of Columbus, Department of Public Utilities, Division of Water, in the amount of Twenty-Two Thousand, Five Hundred Twenty-Two and 50/100. (\$22,522.50)

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

To authorize the City Attorney to acquire fee simple title and lesser interests; to contract for professional services; to authorize the transfer and expenditure of \$200,000.00 from within the Waterworks Enlargement Voted 1991 Bonds Fund for the HCWP Raw Water Line project; to amend the 2005 Capital Improvement Budget for the Division of Water; and to declare an emergency. (\$200,000.00)

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. MENTEL HUDSON TAVARES

To repeal Chapter 711 of the Columbus City Codes, 1959, which currently authorizes the Development Department to enforce provisions dealing with the sanitary boarding of certain animals and animal related issues.

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

ADJOURNMENT

A motion was made by Thomas, seconded by Hudson, to adjourn this Regular Meeting ADJOURNED: 6:07 P.M. The motion carried by the following vote: