

City of Columbus

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



Minutes - Final

Monday, January 12, 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. 2 OF COLUMBUS CITY COUNCIL,
JANUARY 12, 2004 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 Sensenbrenner, to Dispense with the reading of the Journal and Approve. The motion carried by the following vote:

RESOLUTIONS OF EXPRESSIONS

TAVARES

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

TAVARES, THOMAS

To honor and recognize Douglas Moore, the Coalition of Black Trade Unionists' Labor Award recipient for the 2004 Labor's Salute to Dr. Martin Luther King, Jr.

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

To honor and recognize Arthur Calloway, the Coalition of Black Trade Unionists' Community Service Award recipient for the 2004 Labor's Salute to Dr. Martin Luther King, Jr.

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

To honor and recognize Jessica Michelle Brookins, the Coalition of Black Trade Unionists' Scholarship Award recipient for the 2004 Labor's Salute to Dr. Martin Luther King, Jr.

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

To honor and recognize Richard C. Pfeiffer, Jr., the Coalition of Black Trade Unionists' Special Recognition Award recipient for the 2004 Labor's Salute to Dr. Martin Luther King, Jr.

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

ADDITIONS OR CORRECTIONS TO THE AGENDA

THE FOLLOWING ORDINANCES WERE REMOVED FROM THE CONSENT AGENDA AND VOTED ON LATER IN THE MEETING

FINANCE: 2679-2003

FR FIRST READING OF 30-DAY LEGISLATION

DEVELOPMENT: O'SHAUGHNESSY, CHR. BOYCE TAVARES HABASH

FR

To accept the application (AN03-029) of Ruth Ames for the annexation of certain territory containing 4.794 ± Acres in Franklin & Jackson Townships.

FR

To accept the application (AN03-028) of Jennifer Grooms, et al. for the annexation of certain territory containing 171.0 ± Acres in Prairie & Pleasant Townships.

FR

To accept the application (AN03-036) of Community Housing Network, Inc. for the annexation of certain territory containing 2.904 ± Acres in Franklin Township.

FR

To accept the application (AN03-026) of Sharon L. Goodburn, et al. for the annexation of certain territory containing 10.912 ± Acres in Orange Township.

FR

An ordinance adopting the *Harrison West / A.C. Humko Economic Development Plan* as a guide for future economic development and in support of a tax increment financing district.

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

FR

To accept the plat titled **OLDSTONE CROSSING SECTION 1, from VIRGINIA HOMES, LTD., an Ohio limited liability company, by CHARLES E. RUMA, Vice**

President.**FR**

To authorize the Director of the Public Service Department to execute those documents required to grant an encroachment easement into the east side of North Sixth Street between Grove Street and Buckingham Street.

FR

To authorize the Director of the Public Service Department to execute those documents required to grant encroachment easements into East Main Street, Washington Avenue, Cherry Street and the alley west of Washington Avenue to 4MX Partners, LLC.

FR

To authorize the Director of the Public Service Department to execute those documents required to transfer the 10 foot wide unimproved alley west of 936 Spring Street to David C. Fleisher and Charles W. Jett, II, and to waive the competitive bidding provisions of Columbus City Codes.

FR

To authorize the Public Service Director to execute those documents required to grant encroachment easements into Nationwide Boulevard and John H. McConnell Boulevard to NWD 225 Nationwide, LLC.

FR

To authorize the Public Service Director to execute those documents required to transfer a portion of Worthington Road, north of Polaris Parkway, to NP Limited Partnership; and to waive the Land Review Commission and the competitive bidding provisions of Columbus City Codes.

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

To grant an exception from the street lighting requirements of Chapter 1165 of the Columbus City Codes, 1959, to The Ohio State University for Lane Avenue from Pearl Alley to the east side of the Lane Avenue/Olentangy bridge structure and from the west side of the Lane Avenue Olentangy bridge structure to approximately 900' west; and to authorize the Director of Public Utilities to enter into an agreement with The Ohio State University for the maintenance of said lighting. (\$0)

FR

To authorize the Director of Public Utilities to modify contracts with the Superior Electric Company and Camp Dresser and McKee, Inc. in connection with the Wastewater Treatment Facilities Instrumentation and Control System Upgrade Project; to authorize the appropriation, transfer and expenditure of \$2,288,711.00 from the Sewerage System Reserve Fund to the Ohio Water Pollution Control Loan Fund; and to amend the 2003 Capital Improvements Budget, for the Division of Sewerage and Drainage. (\$2,288,711.00)

FR

To authorize the Director of Public Utilities to modify the contract with Darby Creek Excavating Inc., for Fire Hydrant Upgrades - 2002 for the Division of Water, to authorize the City Auditor to transfer funds within the Waterworks Enlargement Voted 1991 Bonds Fund, and to authorize the expenditure of \$140,000.00 from the Waterworks Enlargement Voted

1991 Bonds Fund. (\$140,000.00)

CA CONSENT ACTIONS

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

CA To authorize an increase to an existing Auditor's Certificate by \$183,000.00 from the Recreation and Parks Grant Fund for the provision of services to older adults and to declare an emergency. (\$183,000.00)

This Matter was Approved on the Consent Agenda.

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

CA To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Mobile Computing Units, with Data911, and to declare an emergency.

This Matter was Approved on the Consent Agenda.

CA To authorize the Columbus Fire Chief to accept a grant award from the Public Utilities Commission of Ohio to provide hazardous materials technician and technician refresher courses to fire service personnel, to appropriate \$5,325.00 from the unappropriated balance of the General Government Grant Fund to the Division of Fire and to declare an emergency. (\$5,325.00)

This Matter was Approved on the Consent Agenda.

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

CA To authorize the acceptance of a deed for a parcel of land to be held in the City's Land Bank inventory until a redevelopment project is identified.

This Matter was Approved on the Consent Agenda.

CA To authorize the Director of Department of Development to execute deeds and all other necessary agreements required for conveyance of title of one parcel of real property held in the Land Bank pursuant to the Land Reutilization Program.

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 (AN03-040 RF) of 2.58± 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. SENSENBRENNER TAVARES HABASH**

CA

To authorize the Director of the Public Service Department to execute those documents required to release the ten foot wide platted easement along the lot line common to Lots 6 and 7 of Brookside Business Park, Section 1, of record in Plat Book 63, Pages 50 and 51, in the offices of the Recorder, Franklin County, Ohio.

This Matter was Approved on the Consent Agenda.

APPOINTMENTS

CA

This Matter was Approved on the Consent Agenda.

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Passed The Consent Agenda

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

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

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

FINANCE:SENSENBRENNER, CHR. O'SHAUGHNESSY TAVARES HABASH

To make appropriations for the 12 months ending December 31, 2004 for the Sinking Fund - Bond Note Retirement Funds, and to declare an emergency.

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

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

To make appropriations for the 12 months ending December 31, 2004, for selected other funds for various divisions, to authorize the City Auditor to make transfers as may be necessary, and to declare an emergency.

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

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

To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Rental of Uniforms and Building Maintenance Supplies with Cintas Corporation, to waive formal competitive bidding requirements, and to declare an emergency.

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

CA

To authorize and direct the Finance Director to modify and extend the city-wide contracts for the option to purchase Building Electrical Products, with Wesco Distribution Inc, Loeb Electric Company, Edco Tool & Supply, Consolidated Electrical, Becker Electric Supply, Rexel Elgee Inc., Electrical Mechanics and McNaughton-McKay Electric, and to declare an emergency.

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

**ADMINISTRATION: BOYCE, CHR. SENSENBRENNER MENTEL
HABASH**

To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Cisco Products and Services, with Resource One, to waive formal competitive bidding requirements, and to declare an emergency.

A motion was made by President Pro-Tem Boyce, seconded by Sensenbrenner, that this matter be Approved. 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 2004 and to declare an emergency.

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

To authorize and direct the Public Service Director to enter into a contract for the Facilities Management Division for critical electrical repairs at Fire Station 10, to authorize the expenditure not to exceed \$100,000 from the Public Safety Voted Bond Fund, Fire Facility Renovation Project; and to declare an emergency. (\$100,000)

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:

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

To authorize the transfer of funds within the City Attorney's budget , to authorize the City Attorney to contract with Orville L. Reed, III for legal services in connection with Azzarella v. Frank Messer & Sons, et al., Case No. CV 2000-03-1499 in the Summit County Court of Common Pleas, to waive the competitive bidding provisions of the Columbus City Codes, to authorize the expenditure of One Hundred Thousand Dollars (\$100,000.00), and to declare an emergency.

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

To authorize and direct the Director of Public Safety to modify and increase a contract with the Franklin County Board of Commissioners for the housing of prisoners: to authorize the expenditure of \$940,000 from the General Fund and to declare an emergency. (\$940,000)

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 pay the settlement amount to Plaintiff William Anderson and James McNamara as his counsel, in the case of William Anderson v. City of Columbus, et al., United States District Court Case No. C2-01-791, to authorize the expenditure of the sum of Twenty-three Thousand, Five Hundred Dollars (\$23,500.00), 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 the City Attorney to enter into a professional services agreement with Lighting Technologies and Services, Inc. , to authorize the expenditure of Twenty-Five Thousand Dollars and 00/100 (\$25,000.00), to waive competitive bidding and to declare an emergency. (\$25,000.00)

A motion was made by President Mentel, 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 (AN03-025) of Rockford Homes, Inc. for the annexation of certain territory containing 15.0 ± Acres in Jefferson Township.

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

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

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

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

To authorize an appropriation of \$13,474,645 in various divisions and object levels of the Community Development Block Grant Fund, to provide funding for approved programs, and to declare an emergency. (\$13,474,645)

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

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

To authorize the transfer of \$373,844 (cash only) from the CDBG subfund known as the "revolving loan fund" to the CDBG subfund known as the "entitlement fund" to provide

resources for all approved 2004 CDBG program activities, and to declare an emergency.
(\$373,844)

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

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

UTILITIES: THOMAS, CHR. MENTEL O'SHAUGHNESSY HABASH

To authorize the Director of Public Utilities to execute a modification to the sewerage service agreement on behalf of the City of Columbus with the Village of Shawnee Hills, Ohio, for the Division of Sewerage and Drainage. (\$0.00)

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 modification to the sewerage service agreement on behalf of the City of Columbus with the City of Upper Arlington, Ohio, for the Division of Sewerage and Drainage. (\$0.00)

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

To authorize the Department of Public Utilities, Division of Electricity, to proceed with the installation of a high pressure sodium street lighting system with ornamental poles and underground wiring on Longview Avenue from High Street to Calumet Street under the assessment procedure.

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 SENSENBRENNER TAVARES

To amend various sections of Chapter 329 of the Columbus City Codes, 1959 by establishing distinct provisions for specific services procurement, including additional quality factors for City agency directors to consider when making a contract award, and renumbering various other sections as required.

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

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

To amend section 111.12 of Columbus City Codes 1959, speaking before city council, and to declare an emergency.

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

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

ADJOURNMENT

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