

City of Columbus

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



Minutes - Final

Monday, September 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.47 OF COLUMBUS CITY COUNCIL,
MONDAY, SEPTEMBER 13, 2004 at 5:00 P.M. IN COUNCIL
CHAMBERS.**

**COUNCILMEMBER TAVARES MOVES TO APPOINT MARY JO
HUDSON TO REPLACE RICHARD W. SENSENBRENNER
SECONDED BY KEVIN BOYCE.**

**THE MOTION WAS PASSED WITH THE FOLLOWING VOTE:
BOYCE, MENDEL, O'SHAUGHNESSY, TAVARES , THOMAS
AND PRESIDENT HABASH , AFFIRMATIVE.**

ROLL CALL

To amend Chapter 111 of the Columbus City Codes, 1959, as it relates to the Standing Committees of Council; and to declare an emergency.

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

READING AND DISPOSAL OF THE JOURNAL

A motion was made by President Mendel, seconded by President Pro-Tem Boyce, to Dispense with the reading of the Journal and Approve. The motion carried by the following vote:

New Type: C1, C2
To: Fresh Market Inc
DBA Fresh Market of Ohio
1920 W Henderson Rd
Columbus, Ohio 43220
permit # 2918544

Transfer Type: D1, D2, D3, D3A, D6
To: Table for One LLC
DBA Singles
2894 E Main St
Columbus, Ohio 43209
From: Lung Shin Yu Inc
2894 E Main St
Columbus, Ohio 43209
permit # 8775035

Transfer Type: D2, D2X, D3, D6
To: Darbar Inc
2321 N High St
Columbus, Ohio 43202
From: Casa Di Pasta Inc

2321 N High St 1st Fl Bsmt
& Patio
Columbus, Ohio 43202
permit # 1928572

Transfer Type: D5, D6
To: A G Entertainment Inc
DBA AGS Bar & Billiards
2545 Petzinger Rd Suites A & B
Columbus, Ohio 43209
From: Sasho Inc
DBA Green Room
2545 Petzinger Rd Suites A & B
Columbus, Ohio 43209
permit # 0083997

Transfer Type: C1, C2
To: Abu Amer Inc
DBA Lockbourne Smoke Shop
1730 Lockbourne Rd
Columbus, Ohio 43207
From: Abo Fayeg II Inc
DBA Daily Mart
1730 Lockbourne Rd
Columbus, Ohio 43207
permit # 0036887

Advertise: 9/18/04
Return: 10/3/04

RESOLUTIONS OF EXPRESSION

O'SHAUGHNESSY

To declare September 22, 2004 Car Free Day in Columbus.

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 congratulate the 11th Annual "Women Coming Together"

Conference for Bridging Cultures, Communities, and Health.

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

To recognize and congratulate the WrightChoice Intern Program on their Inaugural Golf Classic being held on October 14, 2004.

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 congratulate Hosack Street Baptist Church on their 93rd Church Anniversary.

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 Barbara Frasier Reese for her distinguished 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

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

APPOINTMENT: A0109-2004

FR FIRST READING OF 30-DAY LEGISLATION

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

FR

To authorize and direct the Finance Director to enter into a contract with Air BP for purchase of jet fuel for the Division of Police; to authorize the expenditure of \$150,000.00 from the General Fund. (\$150,000.00)

FR

To authorize and direct the Finance Director to contract for the 2nd year option for the lease of copy machines for the Division of Police with Xerox Corporation, to authorize the expenditure of \$96,254.04 from the General Fund budget. (\$96,254.04)

FR

To authorize and direct the Finance Director to contract for the rental of parking spaces for the Division of Police, to authorize the expenditure of \$141,091.00 from the General Fund. (\$141,091.00)

DEVELOPMENT: O'SHAUGHNESSY, CHR. BOYCE TAVARES HABASH

FR

To accept the application (AN04-010) of Barefoot Grass Lawn Service, Inc. for the annexation of certain territory containing 2.63 ± Acres in Madison Township.

FR

To accept the application (AN04-008) of The New Albany Company LLC for the annexation of certain territory containing 2.3 ± Acres in Plain Township.

FR

To accept the application (AN04-011) of The Linh Son Pagoda of Ohio for the annexation of certain territory containing 0.75 ± Acres in Clinton Township.

FR

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

FR

To accept the application (AN04-016) of Donnie Ross, et al. for the annexation of certain territory containing 5.06 ± Acres in Franklin 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 (530 Miller Avenue) 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 3 parcels of real property (Condon Drive) 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 two parcels of real property 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 a parcel of real property (E. 25th Avenue, Lot 105) 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 a parcel of real property (234 S. Highland Avenue) 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 4 parcels of real property held in the Land Bank pursuant to the Land Reutilization Program.

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

FR

To accept the plat titled LINDSEY WOODS, from BIGLER COMPANY, LTD., an Ohio limited liability company, by PATRICK G. BIGLER, Member.

FR

To authorize the Public Service Director to execute those documents required to grant an encroachment easement into Neilston Avenue to Dwain Lee Architects, Inc.

FR

To accept the plat titled NEW NORTHLAND CROSSING, NORTHLAND PARK AVENUE RETAIL VENTURES BOULEVARD DEDICATION AND EASEMENTS.

FR

To accept the plat PRESERVE AT ALBANY WOODS SECTION 1, from THE PRESERVE AT ALBANY WOODS, LLC, an Ohio limited liability company, by VILLAGE COMMUNITIES CORPORATION, an Ohio corporation, Managing Member, by ROWLAND S. GILLER III, President.

FR

To accept the plat titled THE RESIDENCES AT ITALIAN VILLAGE, from NEW VICTORIANS INC., by JOSEPH ARMENI, President and COLLIN MK PROPERTIES LLC, by STEVE KLEMA.

FR

To accept the plat titled BRANDYWINE MEADOWS SECTION 10 (a resubdivision of

Lots 411-416 and Reserve "A" of BRANDYWINE MEADOWS SECTION 8), from HOMEWOOD CORPORATION, an Ohio corporation, by JOHN BAIN, C.E.O..

FR

To authorize the Director of the Public Service Department to execute those documents required to transfer the alley east of Kerr Street, from Russell Street to I-670, to Kerr Street Place, Ltd., at no charge; and to waive the competitive bidding provisions of Columbus City Codes (1959) Revised.

FR

To accept the plat titled THE LAKES OF WORTHINGTON SECTION 1, from M/I HOMES OF CENTRAL OHIO, LLC, an Ohio limited liability company, by STEPHEN M. CAPLINGER, Vice President Land Operations.

FR

To accept the plat titled GREAT OAK SECTION 1, from DOMINION HOMES INC., an Ohio corporation, by ROBERT A. MEYER, JR., Senior Vice President.

FR

To authorize the Director of Public Utilities to execute four (4) Water Pollution Control Loan Fund Agreements with the Ohio Water Development Authority and the Ohio Environmental Protection Agency, for the financing of four Sewerage and Drainage Division projects.

FR

To authorize the Director of Public Utilities to establish an encumbrance to pay operating license fees for our three water treatment plants, based on the State of Ohio House Bill 152, payable to the Treasurer, State of Ohio, Ohio Environmental Protection Agency, for the Division of Water, and to authorize the expenditure of \$201,393.92 from the Water Systems Operating Fund. (\$201,393.92)

FR

To authorize the Director of Public Utilities to execute a construction contract with Kokosing Construction Company, Inc., in connection with the Columbus/Kossuth Streets Sewer Replacement Project; to authorize the appropriation of \$4,030,569.23 and the expenditure of \$3,722,000.32 from the Ohio Water Pollution Control Loan Fund; and to amend the 2004 Capital Improvements Budget; for the Division of Sewerage and Drainage. (\$3,722,000.32)

FR

To authorize the Director of Finance to establish a purchase order with Alto U.S. Inc for the purchase of an Industrial Sweeper Scrubber for the Division of Sewerage and Drainage, and to authorize the expenditure of \$35,371.78 from the Sewerage System Operating Fund. (\$35,371.78)

CA CONSENT ACTIONS

ADMINISTRATION: BOYCE, CHR. MENTEL HABASH

CA

To authorize the City Auditor to reimburse Franklin County for the City's portion of

the PERS and financial representation costs related to State ex rel Mallory v. Pub. Emp. Retirement Bd. (1998), in the amount of Sixty Eight Thousand Four Hundred Forty and 22/100 Dollars; to authorize the transfer of \$68,440.22 from the Finance citywide account to the City Auditor's Office; to authorize the expenditure of same, and to declare an emergency. (\$68,440.22)

This Matter was Approved on the Consent Agenda.

CA

To authorize the transfer of \$50,000.00 within the Department of Technology's information services fund 2004 appropriations; to authorize the Director of the Department of Technology to enter into contract with Compuware Corporation for consulting and application development services on behalf of the Transportation Division, for the integrated project management system (IPMS); to authorize the expenditure of \$50,000.00 from the Department of Technology, information services fund, and to declare an emergency. (\$50,000.00)

This Matter was Approved on the Consent Agenda.

SAFETY & JUDICIARY: MENTEL, CHR. BOYCE THOMAS HABASH

CA

To authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services, and to expend \$147,750.00 from the Storm Sewer Bond Fund for costs in connection with the **Maize/Morse Project**, and to declare an emergency. (\$147,750.00).

This Matter was Approved on the Consent Agenda.

CA

To authorize the Columbus Fire Chief to accept a grant award from the State of Ohio Division of EMS for a Priority 1, Training and Equipment grant for the Division of Fire, to appropriate \$2,000.00 from the unappropriated balance of the General Government Grant Fund, and to declare an emergency. (\$2,000.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the City Attorney to file the necessary complaints for the appropriation of fee simple title and lesser interests in and to real estate necessary the **Norton Road -Broad to Hall Road Project**, and to declare an emergency

This Matter was Approved on the Consent Agenda.

DEVELOPMENT: O'SHAUGHNESSY, CHR. BOYCE TAVARES HABASH

CA

To authorize the Director of the Department of Development to execute deeds for conveyance of title of one parcel of real property (1431 Cleveland Avenue) held in the Land Bank pursuant to the Land Reutilization Program; and to declare an emergency.

This Matter was Approved on the Consent Agenda.

CA

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN04-027) of 0.813± Acres in Jackson Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

This Matter was Approved on the Consent Agenda.

CA

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN04-024) of 13.08± 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.

CA

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN04-023) of 2.25± Acres in Orange Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

This Matter was Approved on the Consent Agenda.**PUBLIC SERVICE & TRANSPORTATION: O'SHAUGHNESSY,
CHR. TAVARES HABASH**

CA

To authorize the Public Service Director to modify and extend an agreement with the Mid-Ohio Regional Planning Commission for continued undertaking of the downtown traffic study through December 31, 2004, and to declare an emergency. (\$0.00)

This Matter was Approved on the Consent Agenda.**HEALTH, HOUSING & HUMAN SERVICES: TAVARES, CHR.
BOYCE THOMAS HABASH**

CA

To authorize and direct the City Auditor to transfer \$105,000 within the Health Special Revenue Fund, to properly align appropriation with projected expenses for the continued operations of Health Department, and to declare an emergency. (\$105,000)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Columbus Health Department to accept a grant from the Columbus Compact Corporation in the amount of \$57,000; to authorize the appropriation of \$57,000 from the unappropriated balance of the Health Department Private Grants Fund, and to declare an emergency. (\$57,000)

This Matter was Approved on the Consent Agenda.

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

To authorize the Director of Public Utilities to enter into contract with Alloyd Insulation Company, for Mold Remediation and Pipe Insulation Replacement for the Division of Sewerage and Drainage, to authorize the expenditure of 37,521.00.00 from the Sewerage System Operating Fund, and to declare an emergency. (\$37,521.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Director of Public Utilities to modify and increase a purchase order with the Righter Company Inc. for the Sludge Storage Tank Cover Replacement for the Division of Sewerage and Drainage, to authorize the expenditure of \$14,344.00.00 from the Sewerage System Operating Fund, and to declare an emergency. (\$14,344.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Public Utilities Director to modify and increase the contract with K&M Kleening Service, Inc., for janitorial services at the Public Utilities Complex, for the Division of Water, to authorize the expenditure of \$190,419.02, from Water Systems Operating Fund, and to declare an emergency. (\$190,419.02)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Director of Public Utilities to modify the contract with Invensys Systems Inc. for the Maintenance Manager Service Agreement for the Foxboro I/A System in accordance with the sole source provisions of the Columbus City Code; to authorize the expenditure of \$43,252.00 from the Sewerage System Operating Fund, and to declare an emergency (\$43,252.00).

This Matter was Approved on the Consent Agenda.

CA

To authorize the Finance Director to establish a Blanket Purchase Order, for computer programming services, from an established Universal Term Contract with Compuware Corporation, for the Division of Sewerage and Drainage, and to authorize the expenditure of \$25,000.00 from Sewerage System Operating Fund and to declare an emergency. (\$25,000.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Director of Public Utilities to enter into the second modification of the contract with Blue Heron Consulting, for additional services needed to complete the management, analysis, design, implementation, testing, and maintenance of our Water and Sewer Information Management System (WASIMS), for the Division of Water, to authorize the expenditure of \$19,000.00 from Water Systems Operating Fund, and to declare an

emergency. (\$19,000.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Director of Finance to establish a purchase order with Cenweld Corp. for the purchase of Truck Bodies for the Division of Sewerage and Drainage, to authorize the expenditure of \$30,849.00 from the Sewerage System Operating Fund, and to declare and emergency. (\$30,849.00)

This Matter was Approved on the Consent Agenda.

APPOINTMENTS

CA

Reappointment of Kathy Espy, 1350 Brookwood Place, Columbus, Ohio, 43209 to serve on the Recreation and Parks Commission with a new term expiration date of December 31, 2008.

This Matter was Approved on the Consent Agenda.

CA

Reappointment of Frank Casto, 896 Augusta Glen Drive, Columbus, Ohio, 43235 to serve on the Recreation and Parks Commission with a new term expiration date of December 31, 2008.

This Matter was Approved on the Consent Agenda.

CA

Re-appointment of Joyce B. Link, 100 South Third Street, Columbus, Ohio 43215, to serve Community Shelter Board with a new term expiration date of June 30, 2007.
(resume attached)

This Matter was Approved on the Consent Agenda.

CA

Appointment of Richard P. Fahey , Vorys, Sater, Seymour and Pease, LLP, 52 East Gay Street, Columbus, Ohio, 43215 to serve on the Sewer and Water Advisory Board replacing Edward Hauenstein with a new term expiration date of September 13th, 2008.

This Matter was Approved on the Consent Agenda.

CA

Appointment of Joseph Maskovyak, Legal Aide Society of Columbus, 40 West Gay Street, Columbus, Ohio 43215, to serve on the Sewer and Water Advisory Board replacing Alvin Hadley with a new term expiration date of September 13, 2008 (resume attached).

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 HABASH

To accept Memorandum of Understanding #2004-02 executed between representatives of the City of Columbus and Columbus Municipal Association of Government Employees (CMAA/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 #2004-04 executed between representatives of the City of Columbus and 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 Thomas, that this matter be Approved. The motion carried by the following vote:

To accept Memorandum of Understanding #2004-03 executed between representatives of the City of Columbus and CMAA/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:

RECREATION & PARKS: BOYCE, CHR. THOMAS HABASH

To authorize and direct the Director of Recreation and Parks to enter into contract with M & D Blacktop Sealing Company for asphalt renovations at various locations, to authorize the expenditure of \$444,200.00 from the Voted 1995 and 1999 Parks and Recreation Bond Fund, and to declare an emergency. (\$444,200.00)

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

SAFETY & JUDICIARY: MENDEL, CHR. BOYCE THOMAS HABASH

To authorize the City Attorney to enter into a contract with the law firm of Porter, Wright, Morris and Arthur, LLP for legal services in connection with labor relations matters within the Department of Public Utilities, to waive the competitive bidding provisions of the Columbus City Codes, to authorize the expenditure of Two Hundred Thousand Dollars (\$200,000.00), and to declare an emergency.

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

To authorize and direct the Director of Finance to establish a purchase order for the replacement of the "6 GHz Microwave Radio System", to authorize the expenditure of \$799,568 from the Grant Fund and to declare an emergency. (799,568.00).

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

To authorize and direct the Director of Finance, on behalf of the Division of Support Services, to establish a purchase order with J & S Power Solutions, Inc., to purchase an online Uninterruptible Power System (UPS) with installation, for the Police and Fire Dispatch Facility located at 1250 Fairwood Avenue and to declare an emergency. (\$219,549.00).

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 pay the settlement amount to Mark A. DiBlasio and Rex Elliot, COOPER & ELLIOT, L.L.C., counsel for Plaintiff, in the case of Mark A. DiBlasio v. John P. Shoopman, et al., Case No. C2-02-349 in the United States District Court for the Southern District of Ohio, Eastern Division, to authorize the transfer of One Hundred Thousand Dollars (\$100,000.00) within the general fund from the Department of Finance to the Department of Public Safety, Division of Police, to authorize expenditure of the sum of One Hundred Thousand Dollars (\$100,000.00), and to declare an emergency.

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

To authorize and direct the City Attorney to settle the claims Dorothy J. Toki, Brandi Michelle Toki, and Albert Travis Toki in the case of *Dorothy J. Toki, et al., v. City of Columbus, et al.*, Case No. 02CVC-11-12181 in the Franklin County Court of Common Pleas, to authorize the transfer of One Hundred Eighty Thousand Dollars (\$180,000.00) within the general fund from the Department of Finance to the Department of Public Safety, Division of Fire, and to authorize the expenditure of the sum of One Hundred Eighty Thousand Dollars (\$180,000.00) 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 and direct the City Attorney settle the lawsuit of *Rae Laufenburger v. City of Columbus*, Franklin County Court of Common Pleas Case No. 03CVC-05-5193, to authorize the transfer of Fifty Five Thousand Dollars (\$55,000.00) within the general fund from the Department of Finance to the Department of Public Safety, Division of Fire, to authorize the expenditure of the sum of Fifty-five Thousand Dollars (\$55,000.00), and to declare an emergency.

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

To accept Memorandum of Understanding #2004-01 executed between representatives of the City of Columbus and IAFF, Local 67, which amends the Collective Bargaining Contract, June 1, 2001 through May 31, 2004; 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 a continuation of military leave with pay to City employees who have and/or will be called to active military duty in connection with ongoing Homeland Security efforts for up to one (1) year; to allow for the continuation of City-provided group health and life insurance, under the same terms and conditions currently in effect, to City employees and their beneficiaries; 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 execute those documents necessary to enter into agreements, severally, with individual appraisers Henry Halas, Edwin Merrell, and Brian Barnes for professional services necessary to the Hard Road Phase C Improvement Project, and to the extent it may be applicable, to waive the process for awarding professional service contracts exceeding twenty thousand dollars, but not exceeding fifty thousand dollars, as relates to this transaction only and to declare an emergency. (City Code 329.11).

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

To accept Memorandum of Understanding #2004-01 executed between representatives of the City of Columbus and FOP, Capital City Lodge No. 9, which amends the Collective Bargaining Contract, December 9, 2002 through December 8, 2005; 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:

DEVELOPMENT: O'SHAUGHNESSY, CHR. BOYCE TAVARES HABASH

To authorize and direct the City Auditor to adjust appropriations and transfer \$224,050.00 within the Department of Development, Development Services Fund; and to declare an emergency. (\$224,050.00)

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:

To authorize the Director of the Department of Development to enter into an Enterprise Zone Agreement with Hopkins Printing for a tax abatement of sixty percent (60%) for a period of six (6) years in consideration of a proposed \$2.5 million investment in new machinery & equipment, the retention of 103 full-time permanent jobs, and the creation of six (6) new full-time permanent jobs; 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:

To authorize the Director of the Department of Development to enter into an agreement with Greenlawn Realty Co. for a tax abatement of sixty percent (60%) for a period of six (6) years in consideration of a proposed \$1,800,000 investment in real property improvements, the retention of 23 (twenty-three) full-time permanent jobs, the relocation/retention of 19 (nineteen) full-time permanent jobs that will be new to Columbus and the creation of 2 (two) full-time permanent jobs; and to declare an emergency.

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

To authorize the Director of the Department of Development to apply to the Ohio Department of Development Clean Ohio Council for assistance grant funding in an amount of up to \$300,000.00 for a Phase II environmental assessment at the former Auld site at 1209 North Fifth Street; 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. TAVARES HABASH

To authorize the Public Service Director to execute those documents required to transfer the following portions of City owned right-of-way: 1) the alley east of Kenney Road from the alley north of Preston Avenue to a point 120 feet north of said alley, 2) Wood Avenue from the alley north of Preston Avenue to its northern terminus, 3) the alley east of Wood Avenue from the alley north of Preston Avenue to its northern terminus, and 4) the alley east of Kenney Road from Legg Avenue to Preston Avenue to The State of Ohio for the use of The Ohio State University for the negotiated value of \$91,425.00; 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 Approved. The motion carried by the following vote:

To authorize a transfer of \$975,000 within the general fund; to authorize a supplemental appropriation of \$975,000 within the fleet management services fund; and to declare an emergency. (\$975,000.00)

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

To accept the plat titled LINDSEY WOODS, from BIGLER COMPANY, LTD., an Ohio limited liability company, by PATRICK G. BIGLER, Member.

A motion was made by O'Shaughnessy, seconded by Tavares, that this matter be Amended to Emergency. 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 accept the plat PRESERVE AT ALBANY WOODS SECTION 1, from THE PRESERVE AT ALBANY WOODS, LLC, an Ohio limited liability company, by VILLAGE COMMUNITIES CORPORATION, an Ohio corporation, Managing Member, by ROWLAND S. GILLER III, President.

A motion was made by O'Shaughnessy, seconded by Tavares, that this matter be Amended to Emergency. 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 accept the plat titled BRANDYWINE MEADOWS SECTION 10 (a resubdivision of Lots 411-416 and Reserve "A" of BRANDYWINE MEADOWS SECTION 8), from HOMEWOOD CORPORATION, an Ohio corporation, by JOHN BAIN, C.E.O..

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

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

To accept the plat titled THE LAKES OF WORTHINGTON SECTION 1, from M/I HOMES OF CENTRAL OHIO, LLC, an Ohio limited liability company, by STEPHEN M. CAPLINGER, Vice President Land Operations.

A motion was made by O'Shaughnessy, seconded by Tavares, that this matter be Amended to Emergency. 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:

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

To authorize the Board of Health to enter into contract with KNS Services, Inc., for the purchase and installation of electronic surveillance equipment, to authorize the expenditure of \$141,651 from the Voted 1999 Health Renovation Fund, and to declare an emergency. (\$141,651)

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

To authorize the Board of Health to enter into contract with Matrix Systems, Inc., for the purchase and installation of electronic access security equipment, to waive competitive bidding provisions of the City Code, to authorize the expenditure of \$7,500 from the Voted 1999 Health Renovation Fund, and to declare an emergency. (\$7,500)

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

FROM THE FLOOR:

RULES & REFERENCE: HABASH, CHR. MENTEL TAVARES

To amend Chapter 111 of the Columbus City Codes, 1959, as it relates to the Standing Committees of Council; and to declare an emergency.

To authorize the Director of Finance to establish a purchase order with SBC, Inc., for the purchase of local telephone service in accordance with the terms and conditions of a universal term contract, to authorize the expenditure of \$150,000 from the Health Special Revenue Fund, and to declare an emergency. (\$150,000)

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

UTILITIES: THOMAS, CHR. MENTEL O'SHAUGHNESSY HABASH

To establish a Board of Revision to hear the objections to the Heatherbrook, Raspberry Run and the Madison Mills Area assessments for underground street lighting systems, and to declare an emergency.

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

To establish a Board of Revision to hear the objections to the Berwick Phase II & Berwick Phase III Area assessments for underground street lighting systems, and to declare an emergency.

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

To authorize the Finance Director to establish an additional Blanket Purchase Order, for powdered activated carbon, from an established Universal Term Contract, with Envirotrol Inc., for the Division of Water, to authorize the expenditure of \$742,500.00 from Water Systems Operating Fund, and to declare an emergency. (\$742,500.00)

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

To authorize the Director of Finance to establish a Blanket Purchase Order for the Rental of Construction Equipment with Operator from a Universal Term Contract with Travco Construction Co., for the Division of Sewerage and Drainage; to authorize the expenditure of \$400,000.00 from the Sewerage System Operating Fund, and to declare an emergency. (\$400,000.00)

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

To amend the 2004 Capital Improvements Budget; to authorize the transfer of \$2,726.75 within the Voted Street Lighting and Electricity Distribution Improvements Fund; to authorize the Director of Public Utilities to enter into contract with U.S. Utility Contractor Co., Inc. for the installation of an overhead street lighting system in the area known as Berwyn-East; to authorize payment to the Transportation Division for inspection services provided to the Division of Electricity for said project; to authorize the expenditure of \$112,726.75 from the Voted Street Lighting and Electricity Distribution Improvements Fund; and to declare an emergency. (\$112,726.75)

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

To authorize the Director of Public Utilities to enter into the seventh modification of the contract with Decker Construction Company, for the Utility Cut and Restoration Project, for the Division of Water, to authorize the expenditure of \$302,000.00 from Water Systems Operating Fund, and to declare an emergency. (\$302,000.00)

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

To authorize the Director of Finance to establish a purchase order with Jack Doheny Supplies Ohio Inc. for the purchase of Two (2) Tandem Axle Sewer Cleaners for the Division of Sewerage and Drainage, to authorize the expenditure of \$498,000.00 from the Sewerage System Operating Fund, and to declare an emergency. (\$498,000.00)

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

To authorize the Director of Public Utilities to execute four (4) Water Pollution Control Loan Fund Agreements with the Ohio Water Development Authority and the Ohio Environmental Protection Agency, for the financing of four Sewerage and Drainage Division projects.

A motion was made by Thomas, seconded by Tavares, that this matter be

Waived the 2nd Reading. The motion carried by the following vote:

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

APPOINTMENTS

Appointment of Jason S Sudy, 880 Hamlet Street, Apt. C, Columbus, OH 43201, to serve on the Italian Village Commission replacing Steven Hurtt with a new term expiration date of June 30, 2007.

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

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

Appointment of Michael Anson Wilkos, 63 East Gay Street, #2, Columbus, OH 43215-3103, to serve on the Italian Village Commission replacing Larry Brown with a new term expiration date of June 30, 2005.

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

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

Appointment of James Bowman, National Affordable Housing Trust, 4573 Hayden Run Rd., Columbus, OH 43221 to serve on the Sewer and Water Advisory Board replacing Marcus Molea with a new term expiration date of September 13, 2008 (resume attached).

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

ADJOURNMENT

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