

# City of Columbus

Office of City Clerk  
90 West Broad Street  
Columbus OH 43215-9015  
[columbuscitycouncil.org](http://columbuscitycouncil.org)



## Minutes - Final

Monday, May 8, 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. 23 OF COLUMBUS CITY COUNCIL,  
MAY 8, 2006 at 5:00 P.M. IN COUNCIL CHAMBERS.**

**ROLL CALL**

**READING AND DISPOSAL OF THE JOURNAL**

**A motion was made by President Pro-Tem Boyce, seconded by President Mentel, 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, MAY 3, 2006:

New Type: D1  
To: Caffè Apropos LLC  
DBA Cafe Apropos  
443 W Third Av 1st Fl only  
Columbus, Ohio 43201  
permit # 1178955

New Type: C2  
To: Serendipity Wine Shop LLC  
4588 Kenny Rd Ste 101  
Columbus, Ohio 43220  
permit # 7985491

New Type: D3  
To: Uncle Mickeys Old Timers Bar Inc  
2758 Sullivant Av  
Columbus, Ohio 43204  
permit # 59175720020

New Type: D4  
To: D & S  
DBA Club Members  
1699 Parsons Av  
Columbus, Ohio 43207  
permit # 1883151

New Type: D1  
To: Art Auctions Inc  
DBA Boston Soul  
2882 E Main St  
Columbus, Ohio 43209  
permit # 02740000005

New Type: C1, C2  
To: Kroger Co  
3700 Fishinger Blvd  
Columbus, Ohio 43026

permit # 488508900566

Transfer Type: D5  
To: Roy G Biv Corp  
782 N High St  
Columbus, Ohio 43215  
From: China Paradise Inc  
DBA China Paradise  
2702 Brice Rd  
Columbus Reynoldsburg, Ohio 43068  
Atty Mark S Gutentag  
permit # 75629620015

Transfer Type: C1, C2  
To: One Ola Inc  
DBA Sunbury Fish & Grocery Mkt  
1485 Sunbury Rd  
Columbus, Ohio 43219  
From: Zena Ke Inc  
DBA Sunbury Fish & Grocery Mkt  
1485 Sunbury Rd  
Columbus, Ohio 43219  
permit # 65487000005

Transfer Type: D5  
To: Maxx Inc  
50 E Long St  
Columbus, Ohio 43215  
From: Smith Place Inc  
DBA Applause Catering Div  
4996-98 Lindora Dr  
Columbus, Ohio 43232  
Jackie Hendrix  
permit # 5656047

Transfer Type: D5, D6  
To: Trattoria Latavola LLC  
6125 Riverside Dr & Patio  
Columbus, Ohio 43017  
From: Blue River Associates LLC  
6125 Riverside Dr & Patio  
Columbus, Ohio 43017  
permit # 90332170005

Advertise 5/13/06  
Return 5/26/06

## RESOLUTIONS OF EXPRESSION

**MENTEL**

To declare May 14 - 20, 2006 as National Emergency Medical Services (EMS) Week.

**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 45th Annual Tour of the Scioto River Valley.

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

**TAVARES**

To declare May 14-May 20, 2006 as Homeless Awareness Week in the City of Columbus.

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

**THOMAS**

To recognize the team of heroes who performed CPR and used an AED to save the life of Ted Barclay, and whose lifesaving efforts are encouraging more AED placement and CPR/AED training throughout the Central Ohio community.

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

**HABASH**

To recognize Alan McKnight for being selected to receive the 2006 Ohio Chapter Medal from the Ohio Chapter of the American Society of Landscape Architects.

**A motion was made by President Habash, 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**

**SAFETY & JUDICIARY: MENTEL, CHR. BOYCE THOMAS  
HABASH, 0824-2006**

**A MOTION WAS MADE BY COUNCILMEMBER BOYCE,  
SECONDED BY COUNCILMEMBER TAVARES TO WAIVE THE  
READING OF THE TITLES OF FIRST READING LEGISLATION.  
THE MOTION CARRIED THE FOLLOWING VOTE:  
AFFIRMATIVE: 7 NEGATIVE: 0**

**FR FIRST READING OF 30-DAY LEGISLATION**

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

**FR**

To authorize and direct the payment of \$23,496.53 to Virginia Homes, Ltd. in accordance with the Downtown Office Incentive agreement; and to authorize the expenditure of \$23,496.53 from the General Fund. (\$23,496.53)

**RULES & REFERENCE: HABASH, CHR. MENTEL HUDSON  
TAVARES**

**FR**

To amend various sections of Chapter 329 of the Columbus City Codes, 1959 to provide for the purchase of materials, supplies, equipment, construction and services from environmentally preferable bidders or offerors.

**CA CONSENT ACTIONS**

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

**CA**

To authorize and direct the Director of Public Safety to modify and extend the Contract with the Director of Highway Safety, State of Ohio, for the leasing of the LEADS terminals and LEADS interface for the Division of Police, to authorize the expenditure of \$48,000.00 from the General Fund. (\$48,000.00)

**This Matter was Approved on the Consent Agenda.**

- CA** To authorize the Director of Public Safety to modify the current contract with Public Safety Systems Incorporated (PSSI) for the purchase of user licenses for the Division of Fire's Computer Aided Dispatching (CAD) System; to authorize the expenditure of \$64,500.00 from the General Government Grant Fund; and to declare an emergency. (\$64,500.00)

**This Matter was Approved on the Consent Agenda.**

- CA** To authorize the Columbus Fire Chief to accept a grant award from Scott Schiff for three rescue manikins for use by the Division of Fire for fire rescue training, 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 Finance and Management Director to establish a purchase order with K. E. Rose Truck Equipment Company for \$14,665.00 for the purchase of a pre-marking utility truck body for the Transportation Division; to authorize the Public Service Director to reimburse the Street Construction, Maintenance and Repair Fund for the purchase of a pre-marking truck cab and chassis that can be capitalized and to authorize the expenditure of \$33,277.10 from the 1995, 1999, 2004 Voted Streets and Highways Fund. (\$33,277.10)

**This Matter was Approved on the Consent Agenda.**

- CA** To authorize the Public Service Director to enter into a contract with Shelly and Sands, Incorporated, for construction of the Watkins Road Sidewalks Improvement project for the Transportation Division; to authorize the expenditure of \$265,921.00 or so much thereof as may be needed from the 1995, 1999, 2004 Voted Streets and Highways; and to declare an emergency. (\$265,921.00)

**This Matter was Approved on the Consent Agenda.**

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

- CA** To amend the 2005 CIB, to authorize the Director of Public Utilities to enter into a contract with U.S. Utility Contractor Company to install a street lighting system in the Thurber Village neighborhood; to authorize payment to the Transportation Division for inspection services provided to the Division of Electricity for said project; to authorize the expenditure of \$263,758.98 from Voted Street Lighting and Electricity Distribution Improvements Fund; and to declare an emergency. (\$263,758.98)

**This Matter was Approved on the Consent Agenda.**

CA

To authorize the Director of Finance and Management to issue a Blanket Purchase Order for the purchase of Polymer from a Universal Term Contract with Polydyne Inc., for the Division of Sewerage and Drainage; to authorize the expenditure of \$500,000.00 from the Sewerage System Operating Fund and to declare an emergency. (\$500,000.00)

**This Matter was Approved on the Consent Agenda.**

CA

To authorize the Director of Public Utilities to subscribe with the Water Environment Research Foundation for Fiscal Year 2006 for use of the Utility Subscription Program for the Division of Sewerage and Drainage, in accordance with the sole source provisions of the Columbus City Code, and to authorize the expenditure of \$57,920.00 from the Sewerage System Operating Fund and to declare an emergency. (\$57,920.00)

**This Matter was Approved on the Consent Agenda.**

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

CA

To authorize an appropriation in the amount of \$98,381.00 from the unappropriated balance of the Recreation and Parks Grant Fund to the Recreation and Parks Department for the Central Ohio Area Agency on Aging, in connection with the Senior Farmer's Market Nutrition Program, and to declare an emergency. (\$98,381.00)

**This Matter was Approved on the Consent Agenda.**

## **APPOINTMENTS**

CA

Appointment of Elfi DiBella, Huntington Bank, 41 South High Street, Columbus, Ohio 43215 to serve on the Community Relations Commission replacing Lewis Smoot, Sr with a new term expiration date of December 31, 2006 (resume attached).

**This Matter was Read and Approved on the Consent Agenda.**

CA

Appointment of Tykiah Wright, WrightChoice, 6230 Busch Blvd., Suite 101, Columbus, Ohio 43229 to serve on the Community Relations Commission replacing Robert McCallum with a new term expiration date of December 31, 2008 (resume attached).

**This Matter was Read and Approved on the Consent Agenda.**

## **Passed The Consent Agenda**

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

## **ADMINISTRATION: BOYCE, CHR. MENTEL HUDSON HABASH**

To authorize the Director of the Office of Education to accept, appropriate and expend monies from the Jobs Growth Fund from the Department of Development, \$100,000; from

the Public Service Department Community Development Block Grant fund, \$155,287.00; and to authorize the appropriation of \$473,810.00 to the Office of Education within the Jobs Growth Fund as allocated by City Council; to accept and appropriate \$282,000 grant from COWIC; to authorize the expenditure and enter into contract with 3 agencies to support summer employment programs for Columbus youth from June 1-August 31, 2006; and to declare an emergency. (\$1,011,097.00).

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

To authorize and direct the Finance and Management Director to modify and extend the two (2) existing citywide contracts for the option to obtain Specialty, Industrial and Medical Gases with Airgas Great Lakes and Valley National Gases, to waive formal competitive bidding requirements, 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 the 2005 Capital Improvements Budget; to authorize the transfer of cash between projects in the Facilities Management Capital Improvement Fund; to authorize the Finance and Management Director to enter into contract for the Facilities Management Division with Carrier Commercial Service for the replacement of the chillers at the Municipal Court, to authorize the expenditure of \$563,058.00 from the Facilities Management Capital Improvement Fund, and to declare an emergency. (\$563,058.00)

**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 authorize the appropriation of \$15,000 to the Department of Human Resources within the Jobs Growth Fund; to authorize the Director of the Department of Human Resources to contract with the Columbus Area Labor Management Committee; to authorize the expenditure of \$15,000 from the Jobs Growth Fund; and to declare an emergency. (\$15,000.00)

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

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

To authorize and direct the Finance Director to issue a purchase order for communications equipment from an existing Universal Term Contract established for such purpose by the Purchasing Office with Motorola, Inc., to authorize the expenditure of \$1,070,870.00 from the General Government Grant Fund, and to declare an emergency. (\$1,070,870.00)

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

To authorize and direct the Administrative Judge of the Franklin County Municipal Court to



accept grant awards from the Franklin County Office of Homeland Security and Justice Programs for \$24,570 and from the Alcohol, Drug and Mental Health Board of Franklin County for \$8,190 to provide crime prevention support for the Court's mental health docket; to appropriate \$32,760 from the unappropriated balance of the general government grant fund to the Franklin County Municipal Court Judges, and to declare an emergency. (\$32,760.00)

**A motion was made by President Mentel, seconded by Hudson, that this matter be Amended to 30 day. The motion carried by the following vote:**

To authorize and direct the Administrative Judge of the Franklin County Municipal Court to accept grant awards from the Franklin County Office of Homeland Security and Justice Programs for \$24,570 and from the Alcohol, Drug and Mental Health Board of Franklin County for \$8,190 to provide crime prevention support for the Court's mental health docket; to appropriate \$32,760 from the unappropriated balance of the general government grant fund to the Franklin County Municipal Court Judges, ~~and to declare an emergency.~~ (\$32,760.00)

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

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

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

To accept the application (AN05-024) of Christopher and Marlene Blackburn, et al. for the annexation of certain territory containing 11.2 ± Acres in Jefferson 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 (AN05-023) of Jerry and Evelyn Cline, et al. for the annexation of certain territory containing 5.355 ± Acres in Orange 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 enter into contract with The Ransom Company for the demolition of structures determined to be unsafe and public nuisances under the Demolition Program; to authorize the expenditure of \$100,000.00 from the General Fund; and to declare an emergency. (\$100,000.00)

**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 authorize the Director of the Department of Development to enter into contract with the

Community Shelter Board to support the Rebuilding Lives program; to authorize the expenditure of \$369,581.00 from the FY 2006 General Fund; and to declare an emergency. (\$369,581.00)

**A motion was made by Tavares, 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 enter into contract with the Community Shelter Board to support the Homeless Prevention and Transition Programs; to authorize the expenditure of \$420,000.00 from the 2006 Community Development Block Grant Fund; and to declare an emergency. (\$420,000.00)

**A motion was made by Tavares, 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 enter into contract with City Year Columbus for the program City Year Capital Kids at Linmoor Middle School; to authorize the expenditure of \$53,400.00 from the General Fund; and to declare an emergency. (\$53,400.00)

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

To authorize the Director of the Department of Development to enter into contract with City Year Columbus for the program City Year Capital Kids ~~at Linmoor Middle School~~ **as a pilot project at a Columbus Public School**; to authorize the expenditure of \$53,400.00 from the General Fund; and to declare an emergency. (\$53,400.00)

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

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

To authorize the Director of Public Utilities to enter into an agreement with Malcolm Pirnie, Inc., for the Wet Weather Management Plan Professional Program Management Project in the amount of \$7,000,000.00; to authorize the appropriation of \$164,003.80; the transfer and expenditure of \$4,276,598.86 within the Voted Sanitary Bond Fund; to authorize the transfer and appropriation of \$2,723,401.14 from the Sewer System Reserve Fund to the Voted Sanitary Bond Fund; to amend the 2005 Capital Improvements Budget; for the Division of Sewerage and Drainage; and to declare an emergency. (\$7,000,000.00)

**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 modify the professional engineering services

contract with Brown & Caldwell Ohio, LLC for the Sanitary Sewer Overflow Elimination Project; to authorize the transfer of \$2,337,710.37; and the expenditure of \$3,197,107.48 from within the Voted Sanitary Bond Fund; to amend the 2005 Capital Improvements Budget, for the Division of Sewerage and Drainage; and to declare an emergency. (\$3,197,107.48)

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

**(THE NEXT REGULAR CITY COUNCIL MEETING WITH  
LEGISLATION BEING HEARD, WILL BE MONDAY, MAY 22,  
2006 AT 5:00 P.M. IN CITY COUNCIL CHAMBERS)**

#### **ADJOURNMENT**

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