

# City of Columbus

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



## Minutes - Final

Monday, July 31, 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. 40 OF COLUMBUS CITY COUNCIL,  
JULY 31, 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, JULY 26, 2006:

New Type: D3  
To: Cazuela Grill Authentic Mexican Cuisine  
2247 North High St  
Columbus, Ohio 43201  
permit # 1347601

Transfer Type: C1  
To: True North Energy LLC  
DBA True North #160  
2800 Bethel Rd  
Columbus, Ohio 43220  
From: Convenience Management Services Inc  
DBA CMSI 3084  
2800 Bethel Rd  
Columbus, Ohio 43220  
permit # 90739950660

Transfer Type: C1, C2, D6  
To: True North Energy LLC  
DBA True North #611  
5340 Tuttle Crossing  
Columbus, Ohio 43016  
From: Convenience Management Services Inc  
DBA CMSI 3086  
5340 Tuttle Crossing  
Columbus, Ohio 43016  
permit # 90739950665

Transfer Type: C1  
To: True North Energy LLC  
DBA True North #609  
6790 Sawmill Rd  
Columbus, Ohio 43235  
From: Convenience Management Services  
DBA CMSI 3083  
6790 Sawmill Rd  
Columbus, Ohio 43235

permit # 90739950655

Transfer Type: C1, C2, D6  
To: True North Energy LLC  
DBA True North #676  
3975 Ridge Mill Dr  
Columbus, Ohio 43026  
From: Convenience Management Services Inc  
DBA CMSI 3085  
3975 Ridge Mill Dr  
Columbus, Ohio 43026  
permit # 90739950685

Transfer Type: C1  
To: True North Energy LLC  
DBA True North #608  
1500 Hilliard Rome Rd  
Columbus, Ohio 43228  
From: Convenience Management Services Inc  
DBA CMSI 3082  
1500 Hilliard Rome Rd  
Columbus, Ohio 43228  
permit # 90739950650

Transfer Type: C1  
To: True North Energy LLC  
DBA True North #606  
1195 Morse Rd  
Columbus, Ohio 43229  
From: Convenience Management Services Inc  
DBA CMSI 3095  
1195 Morse Rd  
Columbus, Ohio 43229  
permit # 90739950645

Transfer Type: C1, C2, D6  
To: True North Energy LLC  
DBA True North #612  
631 S High St  
Columbus, Ohio 43215  
From: Convenience Management Services Inc  
DBA CMSI 3093  
631 S High St  
Columbus, Ohio 43215  
permit # 90739950670

Transfer Type: C1  
To: True North Energy LLC  
DBA True North #677  
Excluding Food Prep Area  
2441 Lockbourne Rd  
Columbus, Ohio 43207  
From: Convenience Management Services Inc  
DBA CMSI 3088

Excluding Food Prep Area  
2441 Lockbourne Rd  
Columbus, Ohio 43207  
permit # 90739950690

Transfer Type: C1, C2  
To: True North Energy LLC  
DBA True North  
1937 E Livingston Av  
Columbus, Ohio 43209  
From: Convenience Management Services Inc  
DBA CMSI 3096  
1937 E Livingston Av  
Columbus, Ohio 43209  
permit # 90739950675

Transfer Type: C1  
To: True North Energy LLC  
DBA True North #675  
1955 Polaris Pkwy  
Columbus, Ohio 43240  
From: Convenience Management Services Inc  
DBA CMSI 3089  
1955 Polaris Pkwy  
Columbus, Ohio 43240  
permit # 90739950680

Transfer Type: C1  
To: True North Energy LLC  
DBA True North #605  
5989 E Main St  
Columbus, Ohio 43213  
From: Convenience Management Services Inc  
DBA CMSI 3094  
5989 E Main St  
Columbus, Ohio 43213  
permit # 90739950640

Transfer Type: C1, C2, D6  
To: JR & CC LLC  
DBA Metro Beer & Wine Drive Thru  
2157 Hilliard Rome Rd  
Columbus, Ohio 43026  
From: Central City Beverage Inc  
DBA Metro Beer & Wine Drive Thru  
2157 Hilliard Rome Rd  
Columbus, Ohio 43026  
permit # 4403799

Stock Type: D5, D6  
To: Bravo Development Inc  
DBA Bravo Cucina Italiana  
3000 Hayden Rd & Patio  
Columbus, Ohio 43235

permit # 09273140025

Stock Type: D5J, D6  
To: Bravo Development Inc  
DBA Bon Vie  
4089 The Strand E & Patios  
Columbus, Ohio 43219  
permit # 09273140005

Stock Type: D5, D6  
To: Bravo Development Inc  
DBA Lindeys Restaurant & Bar  
Polaris Fashion Center  
1500 Polaris Pkwy Suite 200 & Patio  
Columbus, Ohio 43240  
permit # 09273140001

Stock Type: D5J, D6  
To: Bravo Development Inc  
DBA Brio Tuscan Grille  
3993 Easton Station & Patios  
Columbus, Ohio 43219  
permit # 09273140010

Stock Type: D5, D6  
To: Bravo Development Inc  
DBA Bravo Cucina Italiana  
7470 Vantage Dr & Patios  
Columbus, Ohio 43235  
permit # 09273140020

Advertise 8/05/06  
Return 8/21/06

## **ADDITIONS OR CORRECTIONS TO THE AGENDA**

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

**HEALTH, HOUSING & HUMAN SERVICES: 1413-2006,  
1414-2006**

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

**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**

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

**FR**

To authorize the Director of the Department Finance and Management to execute those documents, as prepared by the Department of Law, Real Estate Division, necessary to release all restrictions that may be in effect by virtue of the Dennison Avenue Conservation Area Project, Ohio R-10, Urban Renewal Project, for the property located at 964 and 970 Neil Avenue.

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

**FR**

To repeal the current Building Services Division Fee Schedule, adopted by Ordinance 2176-01, effective January 1, 2002, and all amendments thereto, and to adopt a new Building Services Fee Schedule based on the consolidated "One-Stop Shop" initiative and as a result of the yearly review of fees related to the development process.

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

**FR**

To authorize the Director of Finance and Management to establish a purchase order with Byers Chevrolet for the purchase of one (1) Tandem Axle Dump Truck for the Division of Sewerage and Drainage, and to authorize the expenditure of \$99,674.00 from the Sewerage System Operating Fund. (\$99,674.00)

**FR**

To authorize the Director of Finance and Management to establish a purchase order with Southeastern Equipment Company for the purchase of a Flusher Truck for the Division of Sewerage and Drainage, and to authorize the expenditure of \$100,860.00 from the Sewerage System Operating Fund. (\$100,860.00)

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

**FR**

To amend Chapter 3390, "Temporary Uses," of the Columbus Zoning Code, Title 33, in order to update definitions and to enhance implementation and enforcement of code standards relating to on-demand, portable storage.

**CA     CONSENT ACTIONS****RESOLUTIONS OF EXPRESSION****TAVARES****CA**

To recognize and congratulate Mrs. Bernice Amanda Jeffers on her 100th Birthday on August 9, 2006.

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

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

To authorize and direct the Finance and Management Director to modify and extend the UTC for the option to purchase Integrated Pest Management with Orkin Commercial and to declare an emergency.

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

**CA**

To authorize the Finance and Management Director to contract for the Facilities Management Division with K&M Kleening Service, Inc. for custodial services at the Health Department at 240 Parsons Avenue; to authorize the expenditure of \$297,743.00 from the General Fund. (\$297,743.00)

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

**CA**

To authorize the Director of Finance and Management to establish a contract with Roscor Corporation for the purchase of Video Recording Equipment for the Department of Technology, Information Services Division, and to authorize the expenditure of \$22,243.00 from the Technology Department Information Services Fund; and to declare an emergency. (\$22,243.00)

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

**CA**

To authorize and direct the Finance and Management Director to modify and extend the UTC for the option to purchase Liquefied Petroleum Gas (Propane) with Ferrellgas and to declare an emergency.

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

CA

To authorize the Director of Development to execute the amendment of the City's Project Acquisition Agreement dated February 1, 2004 with National Church Residences; and to declare an emergency.

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

CA

To authorize the City Auditor and the Director of the Department of Finance and Management to issue statements of official intent to issue reimbursement obligations and to declare an emergency.

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

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

CA

To authorize and direct the Director of the Columbus Department of Development to apply to the Ohio Department of Development Roadwork Development Account for grant assistance in an amount up to \$270,000 for the installation of a new traffic signal at New Albany Road and Walton Parkway.

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

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

CA

To authorize the Finance and Management Director on behalf of the Division of Support Services, to purchase Five (5), Dual Core laptop computers from Resource One, to be used as part of essential test equipment for servicing emergency communication radios and computers used by the divisions of Police and Fire; to authorize the expenditure of \$7,792.55 from the Public Safety Capital Improvement Fund and to declare an emergency. (\$7,792.55)

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

CA

To authorize and direct the Director of Finance and Management to establish a purchase order with Sound Communications Inc., to purchase an upgraded Audio Digital Communications Recording System for the Police and Fire Communications System, to authorize the appropriation and expenditure of \$204,733.60 from the Public Safety's Capital Improvement Fund, and to declare an emergency. (\$204,733.60).

**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 the purchase of training and patient care equipment for the Division of Fire, to appropriate \$3,500.00 from the unappropriated balance of the General Government Grant Fund, and to declare an emergency. (\$3,500.00)



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

- CA** To authorize and direct the Director of Finance and Management to enter into a contract with Vance Outdoors, Inc. for the purchase of firearms parts for the Division of Police, to authorize the expenditure of \$26,441.35 from the Law Enforcement Seizure Fund; and to declare an emergency. (\$26,441.35)

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

- CA** To authorize and direct the Finance and Management Director to contract for Centrex phone services with AT&T for the Division of Police, to authorize the expenditure of \$196,000.00 from the General Fund; and to declare an emergency. (\$196,000.00)

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

- CA** To authorize the City Attorney to modify an existing contract with McNees Wallace & Nurick LLC to act as special counsel to represent the City regarding certain Seams Elimination Cost Allocation (SECA) purchase power issues, and other necessary specialized legal services, and to authorize the expenditure of \$35,000.00 from the Division of Electricity Operating Fund and to declare an emergency. (\$35,000.00)

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

- CA** To authorize and direct the Director of the Department of Finance and Management on behalf of the Franklin County Municipal Court Clerk to enter into contract with Maximus, Inc. for the CourtView 2000 software support; to authorize the expenditure of \$62,587.00 from the Clerk's computer fund; to declare an emergency. (\$62,587.00)

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

- CA** To authorize a supplemental appropriation of \$195,000.00 from the unappropriated balance of the Clerk's collection fund; to authorize and direct the Franklin County Municipal Court Clerk to enter into the first year of a three year contract with Linebarger, Goggan, Blair & Sampson, LLP and Dana & Pariser L.P.A. for the provision of the Clerk's accounts receivables collection services; to authorize an expenditure up to \$355,000.00 from the Clerk's collection fund appropriations; and to declare an emergency. (\$355,000.00)

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

- CA** To authorize and direct the Public Safety Director to execute those documents necessary for the acquisition of protective window film utilizing the Homeland Security Grant; to enter into contract with Pentagon Protection United States for protective window film; and to declare an emergency.

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

- CA** To authorize and direct the Finance & Management Director to modify past, present and future purchase orders with ARCH WIRELESS and to declare an emergency.

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

CA

To authorize a supplemental appropriation of \$80,000.00 from the unappropriated balance of the Clerk's collection fund; authorize and direct the Franklin County Municipal Court Clerk to amend and increase the Court's receivables contract with Capital Recovery Systems, Inc.; to authorize an additional expenditure up to \$80,000.00 from the Clerk's collection fund appropriations; and to declare an emergency. (\$80,000.00)

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

CA

To declare the necessity and intent to appropriate permanent and construction easements in, over, under and through real estate in connection with the **McKinley Avenue 36" Water Main**, and to declare an emergency.

**This Matter was Adopted on the Consent Agenda.****DEVELOPMENT: O'SHAUGHNESSY, CHR. HUDSON TAVARES  
HABASH**

CA

To authorize the Director of Development to enter into a second contract modification to the Whittier Site Assessment Contract with Burgess and Niple, Incorporated, by extending the term of the existing contract, expanding the scope, and increasing the total contract amount; to authorize the City Auditor to transfer \$200,000 from the Special Income Tax Fund to the Northland and Other Acquisitions Fund; and to authorize the expenditure of \$200,000. (\$200,000)

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

CA

To authorize the appropriation and expenditure of \$4,200 from the Miranova TIF Fund - City Riverfront Vision Account in order to pay the filing fee to submit a Conditional Letter of Map Revision for the Whittier Peninsula development area with the Federal Emergency Management Agency. (\$4,200)

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

CA

To authorize and direct the transfer of \$150,000 within the Development Department, General Fund between object levels to provide additional funds for the demolition of unsafe structures; and to declare an emergency. (\$150,000)

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

CA

To authorize the Director of Development to modify the Empowerment Zone Community Values & Cultural Life, Economic Opportunity and Neighborhood Life contracts with the

Columbus Compact Corporation by extending the term of the contracts; 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 director of Public Service to enter into a contract for the Transportation Division with Gaddis & Son, Inc. for construction of the Gay Street Phase 1 Project; to authorize the expenditure of \$309,312.00 from the 1995, 1999, 2004 Voted Street and Highway Funds for the Transportation Division; and to declare an emergency. (\$309,312.00).

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

**CA** To authorize the City Attorney to file the necessary complaints for the appropriation of permanent easements in and to real estate **Agler Road and Cassady Avenue Intersection Improvement Project**, to authorize the expenditure of \$2,620.00 from the General Permanent Improvement Fund and to declare an emergency.

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

**CA** To authorize the Director of Public Service to modify and increase the contract with ms consultants, inc. for the Gay Street Traffic Calming General Engineering project for the Transportation Division; to authorize the expenditure of \$20,000.00 from the Waterworks Enlargement Voted 1991 Bonds Fund; and the transfer and expenditure of \$197,429.73 from within the Voted Sanitary Bond Fund; and to declare an emergency (\$217,429.73).

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

**CA** To authorize the City Auditor to transfer \$163,000.00 within and from the 1995, 1999, 2004 Voted Streets and Highways Fund to the Federal State Highway Engineering Fund; to appropriate \$163,000.00 within the Federal State Highway Engineering Fund; to authorize the Public Service Director to modify and increase the existing design contract with URS Corporation for the Hard Road Phase C project by \$163,000.00; to authorize the expenditure of \$163,000.00 or so much thereof as may be needed from the Federal State Highway Engineering Fund; and to declare an emergency. (\$163,000.00)

**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 **Riverview Drive Improvement Project**, to authorize the expenditure of \$19,633.00 from the 1995, 1999, 2004 Voted Streets and Highways Fund Fund, and to declare an emergency. (\$19,633.00).

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

**CA**

To accept the plat titled LYRA DRIVE, PART 4, from NP Limited Partnership, an Ohio limited partnership, owner, by KEW Investment Company, an Ohio General Partnership, its general partner, by Robert J. Weiler, General Partner of Star-Weiler Limited Partnership, an Ohio Limited partnership, Partner of KEW Investment Company; and to declare an emergency.

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

**CA**

To authorize the Public Service Director to modify and increase the existing design contract with R. D. Zande and Associates, Incorporated, for the Alum Creek Drive Improvement project for the Transportation Division; to authorize the expenditure of \$202,855.00 from the 1995, 1999, 2004 Streets and Highways Fund and to declare an emergency. (\$202,855.00)

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

**CA**

To authorize and direct the Finance and Management Director to modify and extend the citywide contract for the option to purchase Vehicle Washing Services with Custom Detailing Inc. and to declare an emergency.

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

**CA**

To authorize the Public Service Director to levy a special assessment upon the lots and lands benefited by the construction of streetscape enhancements on North High Street from Arcadia Avenue to Torrence Road for the Transportation Division and to declare an emergency. (\$-0-)

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

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

**CA**

To authorize and direct the Columbus Health Department to accept a grant from the Ohio Department of Health in the amount of \$201,808.00; to authorize the appropriation of \$201,808.00 from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency. (\$201,808.00)

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

**CA**

To authorize and direct the Finance and Management Director on behalf of the Board of Health to enter into lease contracts with four property owners for the lease of clinic space for the WIC program, for the period of October 1, 2006 through September 30, 2007; to authorize a total expenditure of \$139,089 from the Health Department Grants Fund; and to

declare an emergency. (\$139,089)

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

**CA**

To authorize the Board of Health to modify a contract with the Franklin County Sheriff's Office to conduct saturation patrols and sobriety checkpoints for the OVI Task Force grant program; to authorize the expenditure of \$13,988.00 from the Health Department Grant Funds to pay the cost thereof, and to declare an emergency, (13,988.00)

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

**CA**

To authorize the cancellation of an existing contract with the Salvation Army; to execute a grant agreement with the Salvation Army of Greater Columbus; to appropriate and expend \$23,150.60 from the Emergency Human Services Fund; and to declare an emergency (\$23,150.60).

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

**CA**

To authorize the Director of the Department of Development to enter into a contract with the Clintonville Resources Center for the Chores Program; to authorize the expenditure of \$30,000 from the Community Development Block Grant Fund; and to declare an emergency. (\$30,000.00)

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

**CA**

To authorize the Director of the Department of Development to enter into a contract with the Economic Community Development Institute for the Chores Program; to authorize the expenditure of \$32,000 from the Community Development Block Grant Fund; and to declare an emergency. (\$32,000.00)

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

**CA**

To authorize the Director of the Department of Development to modify the truancy intervention program contract with the YMCA of Central Ohio to extend the contract for an additional year; and to declare an emergency.

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

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

To authorize the Public Utilities Director to enter into a planned modification of the contract with the State of Ohio for water supply from Alum Creek Reservoir.

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

**CA**

To grant the Director of Public Utilities authority to execute, on behalf of the City of Columbus, all new or renewal utility easement agreements that the Director has determined must be obtained from the State of Ohio and/or The Ohio State University, as necessary for the construction, operation or maintenance of such utilities.

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

**CA**

To authorize the Director of Public Utilities to enter into contract with PDT Communications Ltd for installation, upgrade and support of the Customer Interaction Center for the Division of Operational Support, to authorize the expenditure of \$115,234.00 from the Water Operating Fund, and to declare an emergency. (\$115,234.00)

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

**CA**

To authorize the Director of Finance and Management to establish a purchase order with Smart Solutions Inc for the purchase of Computer Hardware for the Division of Operational Support, to authorize the expenditure of \$15,120.00 from the Sewerage System Operating Fund, \$3,240.00 from the Storm Water Operating Fund, \$6,480.00 from the Electricity Operating Fund, \$11,160.00 from the Water Operating Fund and to declare an emergency. (\$36,000.00)

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

**CA**

To authorize the Director of Public Utilities to enter into a service agreement with Perkin Elmer Instruments LLC for software maintenance and support of equipment located at the Surveillance Laboratory within the Division of Sewerage and Drainage in accordance with the provisions of sole source procurement of the Columbus City Code, to authorize the expenditure of \$25,356.00 from the Sewerage System Operating Fund and to declare an emergency. (\$25,356.00)

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

**CA**

To authorize the City Auditor to create and maintain a Storm Sewer System Permanent Improvement Fund.

**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 \$300,000.00 from the Special Income Tax Fund to the Health Voted Bond Fund; to authorize the Finance and Management Director to enter into contract for the Facilities Management Division with Design Group, Inc. for professional services related to the construction of a new West Side Family Health Center, to authorize the expenditure of \$800,000.00 from the Health Voted Bond Fund, to authorize the expenditure of \$271,100.00 from the Facilities Management Capital Improvement Fund, and to declare an emergency. (\$1,071,100.00).

**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 and direct the City Auditor to transfer \$1,800,000.00 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 Mull & Weithman Architects, Inc. for professional services related to the construction of a new impound lot, to authorize the expenditure of \$1,800,000.00 from the Facilities Management Capital Improvement Fund, and to declare an emergency. (\$1,800,000.00).

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

**RULES & REFERENCE: HABASH CHR. BOYCE MENTL  
TAVARES**

To enact new Section 223.09 and to amend Section 223.03 of the Columbus City Codes, 1959, to create a new office of construction management within the department of finance and management which will be responsible for supervision and management of contracts for the design, construction, renovation, or repair of buildings or structures used in city operations.

**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 a Columbus Downtown Office Incentive Program agreement with Exesite LLC as provide in Columbus City Council Resolution 075X-2004 adopted March 29, 2004.

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

To authorize the Director of the Department of Development to enter into a Columbus Downtown Office Incentive Program agreement with Hexion Specialty Chemical, Inc. as provide in Columbus City Council Resolution 075X-2004 adopted March 29, 2004.

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

To authorize and request that Capitol South Community Urban Redevelopment Corporation make a grant of \$1,150,000 to Campus-Seneca Management, Inc. from accumulated ground rents that are payable to the City for the abatement and remediation of asbestos containing materials for the Seneca Hotel Housing Project.

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

To authorize the Director of Development to enter into an agreement with Action Group, Inc. for a Jobs Creation Tax Credit of 60% for a period of six years in consideration of a proposed \$1,385,000 investment, the retention of 69 new full-time jobs and the creation of 25 new full-time jobs.

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

To authorize the Director of Development to amend the Enterprise Zone Agreement with Shonac Corporation to reflect the company's new name of DSW, Inc. and to transfer 195 retained jobs to the new proposed corporate facility; and to repeal Ordinance 2445-2003, passed December 8, 2003.

**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 Development to enter into an Enterprise Zone Agreement with ADS Alliance Data Systems, Inc. and Duke Realty Corporation for a tax abatement of 100% for a period of ten years and to also enter into a Jobs Creation Tax Credit Agreement with ADS Alliance Data Systems, Inc. for 65% for a period of 15 years; 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 increase an existing Auditor's Certificate by \$850,000.00 for the Greater Parsons Avenue Area Vision Plan; to authorize the City Auditor to transfer \$850,000 from the Special Income Tax Fund to the Northland and Other Acquisition Bond Fund; to authorize the expenditure; and to declare an emergency. (\$850,000.00)

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

To amend the 2006 Capital Improvement Budget; to authorize the City Auditor to transfer \$1,750,000 from the Special Income Tax Fund to the Northland and Other Acquisitions Fund 735; to authorize the Director of Development to enter into a Guaranteed Maximum Price Reimbursement Agreement with MORSO Holding Co. for up to \$1,750,000 to design and construct a portion of a new roadway called Easton Square Place, and related utilities; to waive the provisions of Chapter 329 of Columbus City Code; to authorize the expenditure of \$1,750,000 from Fund 735; and to declare an emergency. (\$1,750,000)

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

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

To withdraw the objection to renewal of the 2006-2007 renewal application filed by JGWT, LLC for its D5, D6 liquor permit, and to declare an emergency.

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

To withdraw the objection to renewal of the 2006-2007 renewal application filed by ~~JGWT~~ IGWT, LLC for its D5, D6 liquor permit, and to declare an emergency.

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

To authorize the City Attorney to enter into a special counsel agreement for legal services with a committee of attorneys and law firms (collectively known as the City of Columbus Litigation Group) which includes: Motley Rice, LLC; Crabbe Brown & James LLP; Jon L. Gelman, Esq.; O'Shea & Associates Co., LPA; Lipton Law LLC; and Gerken Law Office to advise and represent the City in matters relating to claims which the City has, or may have, against others relating to the presence of and effects from lead paint in the City of Columbus; and to declare an emergency.

**A motion was made by President Mentel, seconded by Hudson, that this**

**matter be Approved. The motion carried by the following vote:**

To adopt a 457 deferred compensation plan for the Fraternal Order of Police of the City of Columbus; and to declare an emergency.

**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 Public Safety Director to enter into a contract with Air Flite for the sale of a helicopter; and to waive the relevant provisions of Chapter 329 of the Columbus City Codes, 1959, pertaining to the sale of city-owned personal property; and to declare an emergency.

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

To authorize the City Attorney to enter into a special counsel agreement with Rendigs, Fry, Kiely & Dennis, LLP for the purpose of advising the City Attorney on matters relating to taxation and litigation as it pertains to the City's hotel/motel tax ordinance; and to declare an emergency.

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

## **RULES & REFERENCE: HABASH, C;HR. MENTEL HUDSON TAVARES**

To amend Section 2321.51 of the Columbus City Codes, 1959, to create the offense of impersonating a federal law enforcement officer.

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

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

To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of ten parcels of real property (Monroe Avenue cluster) held in the Land Bank pursuant to the Land Reutilization Program; and to declare an emergency.

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

To authorize the Director of the Department of Development to execute any and all necessary

agreements and deeds for conveyance of title of ten parcels of real property **known as the Monroe Avenue cluster** currently ~~(Monroe Avenue cluster)~~ held in the Land Bank; **to authorize the sale of said parcels for Thirty-Eight Thousand Dollars (\$38,000); to waive the provisions of Section 329.29 of the Columbus City Codes, 1959, pursuant to the Land Reutilization Program;** and to declare an emergency.

**A motion was made by O'Shaughnessy, seconded by Tavares, that this matter be Amended as submitted to the Clerk. 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 authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of nineteen parcels of real property held in the Land Bank, commonly known as the Whitney Young site, pursuant to the Land Reutilization Program; and to declare an emergency.

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

To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of nineteen parcels of real property **known as the Whitney Young site** currently held in the Land Bank; ~~commonly known as the Whitney Young site,~~ **to authorize the sale of said parcels for fifteen thousand dollars (\$15,000); to waive the provisions of Section 329.29 of the Columbus City Codes, 1959; pursuant to the Land Reutilization Program;** and to declare an emergency.

**A motion was made by O'Shaughnessy, seconded by Tavares, that this matter be Amended as submitted to the Clerk. 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 agree to the adjustment of the boundaries between the City of Columbus and the City of Upper Arlington by consenting to the transfer from the City of Columbus to the City of Upper Arlington of one parcel of land consisting of approximately 0.292 acre currently located within the northeasterly boundary line of Columbus.

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

**To adopt the Big Darby Accord Watershed Master Plan.**

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

**vote:**

To adopt the Big Darby Accord Watershed Master Plan.

**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 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 (50 N. 17th St.) held in the Land Bank pursuant to the Land Reutilization Program; and to declare an emergency.

**A motion was made by O'Shaughnessy, seconded by Tavares, that this matter be Amended as submitted to the Clerk. 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 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 (2800 Bulen Avenue) held in the Land Bank pursuant to the Land Reutilization Program; to authorize the acceptance of a deed for one parcel of land (882 Ellsworth Avenue) into the Land Bank; and to declare an emergency.

**A motion was made by O'Shaughnessy, seconded by Tavares, 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 execute any and all necessary agreements and deeds for conveyance of title of one parcel of real property (2800 Bulen Avenue) held in the Land Bank pursuant to the Land Reutilization Program; to authorize the acceptance of a deed for one parcel of land (882 Ellsworth Avenue) into the Land Bank; and to declare an emergency.

**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 express support for the Big Darby Accord Memorandum of Understanding by the Mayor and City Council; and to declare an emergency.

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

To repeal the current Building Services Division Fee Schedule, adopted by Ordinance 2176-01, effective January 1, 2002, and all amendments thereto, and to adopt a new Building Services Fee Schedule based on the consolidated "One-Stop Shop" initiative and as a result of the yearly review of fees related to the development process.

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

To repeal the current Building Services Division Fee Schedule, adopted by Ordinance 2176-01, effective January 1, 2002, and all amendments thereto, and to adopt a new Building Services Fee Schedule based on the consolidated "One-Stop Shop" initiative and as a result of the yearly review of fees related to the development process; **and to declare an emergency.**

**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:**

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

To amend Chapter 3390, "Temporary Uses," of the Columbus Zoning Code, Title 33, in order to update definitions and to enhance implementation and enforcement of code standards relating to temporary uses and on-demand, portable storage.

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

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

To amend Chapter 3390, "Temporary Uses," of the Columbus Zoning Code, Title 33, in order to update definitions and to enhance implementation and enforcement of code standards relating to on-demand, portable storage.

**A motion was made by O'Shaughnessy, seconded by Tavares, that this matter be Waived the 2nd Reading. The motion carried by the following vote:**

**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 Public Service Director to write off as uncollectible unpaid amounts totaling \$64,125.31 that were invoiced by and owed to the Public Service Department, Transportation Division, for traffic calming services rendered in connection with the 2001, 2002 and 2003 Heritage Festivals.

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

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

To authorize the Public Service Director to modify and increase two existing contracts with Ralph and Curl Engineers (~~\$115,000.00~~ 65,000.00) and Righter Company, Incorporated, (~~\$1,111,532.06~~ 1,197,947.41) for design and construction, respectively, of the Short North Arch project for the Transportation Division; to authorize the expenditure of \$15,145.60 to the city Water and Power Division for installation of power transformers; to authorize the expenditure of \$1,278,093.01 from the General Permanent Improvement Fund (\$1,208,126.70) and from the 1995, 1999, 2004 Voted Streets and Highways Fund (~~\$33,550.96~~ 69,966.31) and to declare an emergency. (~~\$1,241,677.66~~ 1,278,093.01)

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

To authorize the Public Service Director to modify and increase two existing contracts with Ralph and Curl Engineers (~~\$115,000.00~~ 65,000.00) and Righter Company, Incorporated, (~~\$1,111,532.06~~ 1,197,947.41) for design and construction, respectively, of the Short North Arch project for the Transportation Division; to authorize the expenditure of \$15,145.60 to the city Water and Power Division for installation of power transformers; to authorize the expenditure of \$1,278,093.01 from the General Permanent Improvement Fund (\$1,208,126.70) and from the 1995, 1999, 2004 Voted Streets and Highways Fund (~~\$33,550.96~~ 69,966.31) and to declare an emergency. (~~\$1,241,677.66~~ 1,278,093.01)

**A motion was made by O'Shaughnessy, seconded by Tavares, that this matter be Amended as submitted to the Clerk. 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 authorize the Public Service Director to enter into an agreement with the Director of the Ohio Department of Transportation and to grant consent and propose cooperation with the State of Ohio for this Civic Center Drive Project from 355 feet north of Broad Street to Town Street for the Transportation Division. (\$0)

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

To authorize the Public Service Director to enter into a contract with Evans, Mechwart, Hambleton and Tilton, Incorporated (EMH&T) for professional services associated with the

development of the Franklinton Community Mobility Plan for the Transportation Division; to authorize the expenditure of \$300,000.00 or so much thereof as may be needed from the 1995, 1999, 2004 Voted Streets and Highways Fund; and to declare an emergency. (\$300,000.00)

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

To appropriate \$253,000.00 within the State Issue Two Street Projects Fund; to authorize the City Attorney to expend an additional \$253,000.00 for acquisition activities for the Lane Avenue Improvement project from the Issue Two Street Projects Fund for the Transportation Division and to declare an emergency. (\$253,000.00)

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

To amend the 2006 Capital Improvements Budget; to authorize and direct the City Auditor to appropriate and transfer \$7,000,000.00 from the Special Income Tax Fund to the Fleet Management Services Fund; to authorize the transfer of \$925,000.00 within the Public Safety Voted Bond Fund, to authorize the Public Service Director to enter into contract with Messer Construction Company for construction of the new fleet maintenance facility for the Fleet Management Division, to authorize the Public Service Director to enter into a professional services contract for construction management services based upon formal proposals on file with the Public Service Department, to authorize the expenditure of \$25,815,000.00 from the Fleet Management Services Fund and \$925,000.00 from the Public Safety Voted Bond Fund; and to declare an emergency. (\$26,740,000.00)

**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 Board of Health to modify a contract with JABR Software to enhance the current appointment system for the Healthy Start grant program; to authorize the expenditure of \$3,525 from the Health Department Grant Funds to pay the cost thereof, to waive the provisions of competitive bidding (See attachment ORD1261-2006bidwaiver.doc) and to declare an emergency, (\$3,525)

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

To authorize the appropriation of \$18,581.00 from the unappropriated balance of the Emergency Human Services Fund to the Department of Development; to approve a grant application to EnterpriseWorks which is seeking financial assistance to address an emergency human service need pursuant to Section 371.02(c) of the Columbus City Codes, 1959; to

authorize the Director of the Department of Development to provide grant assistance to EnterpriseWorks; to authorize the expenditure of \$18,581.00 from the Emergency Human Services Fund; and to declare an emergency. (\$18,581.00)

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

To authorize the appropriation of \$15,000 from the unappropriated balance of the Emergency Human Services Fund to the Department of Development; to approve the grant application of the Community Shelter Board seeking financial assistance to address an emergency human service need pursuant to Section 371.02(c) of the Columbus City Codes, 1959; to authorize the Director of the Department of Development to provide grant assistance to the Community Shelter Board and authorize the expenditure of \$15,000 from the Emergency Human Services Fund; and to declare an emergency. (\$15,000)

**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 release the recorded interest of the City of Columbus in the property located at 905 Heyl Avenue that secures an outstanding balance on a loan made by the City's Department of Development to borrower Merle F. Tomlinson; and to declare an emergency.

**A motion was made by Tavares, seconded by Thomas, 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 release 65% of the recorded interest of the City of Columbus in the property located at 363 Clarendon Avenue that secures an outstanding balance on a loan made by the Department of Development to borrower Herbert L. and Burnice S. Newman; and to declare an emergency.

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

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

To authorize the Director of Public Utilities to execute a construction contract with Complete General Construction Co. in the amount of \$2,485,987.80; to provide for payment of inspection, material testing and related services to the Transportation Division in the amount of \$374,000.00; for the Refugee Rd. Underpass Pump Station Replacement; to authorize the transfer of \$1,459,987.80 within the Storm Sewer Bond Fund; to authorize an amendment to the 2006 Capital Improvements Budget; for the Division of Sewerage and Drainage; and to



authorize the expenditure of \$2,859,987.80 within the Storm Sewer Bond Fund. (\$2,859,987.80)

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

To Authorize the Director of Public Utilities to enter into contract with the Complete General Construction Company, for the construction of the Sanitary System Rehabilitation-Downtown Small Diameter Sanitary Sewer Improvements Project, to authorize the appropriation, transfer and expenditure of \$1,314,375.90 from the Sewer System Reserve Fund to the Voted Sanitary Bond Fund for the Division of Sewerage and Drainage. (\$1,314,375.90)

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

To Authorize the Director of Public Utilities to enter into contract with the Complete General Construction Company, for the construction of the Sanitary System Rehabilitation-Downtown Small Diameter Sanitary Sewer Improvements Project, to authorize the appropriation, transfer and expenditure of \$1,314,375.90 from the Sewer System Reserve Fund to the Voted Sanitary Bond Fund for the Division of Sewerage and Drainage. (\$1,314,375.90)

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

To authorize and direct the Finance and Management Director to enter into a UTC contract for the option to purchase Carbon Dioxide with BOC Gases to authorize the expenditure of one dollar to establish the contract from the Universal Term Contract Fund, and to declare an emergency. (\$1.00).

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

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

To authorize the Director of the Recreation and Parks Department of Recreation and Parks, to enter into a purchase agreement with Blauser Capital, LLC., for 30.1 acres  $\pm$  of certain real property located in the vicinity of West Broad Street and Darby Creek Road to be purchased for park development and for a future recreation center, to expend \$1,910,000.00 from the Recreation and Parks Bond Fund; to authorize the transfer of \$490,305.68 within the Voted 1999/2004 parks and Recreation Bond Fund, and to declare an emergency.

**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:**

To authorize the Director of Recreation and Parks to enter into an agreement providing for the conveyance to Columbus Firefighters Union Local #67 of a portion of, and certain interests in the property situated generally at the southwest corner of Broad and Starling Streets and for the establishment of a small, adjacent public park honoring fire fighting and firefighters in Columbus, to execute a quit claim deed conveying such property and interests, to execute other pertinent documents and, to the extent applicable, to waive the competitive bidding and Land Review Commission requirements of the Columbus City Codes (1959).

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:

**(THE NEXT SCHEDULED COUNCIL MEETING WILL BE HELD  
MONDAY, SEPTEMBER 11, 2006)**

**ADJOURNMENT**

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