

# City of Columbus

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



## Minutes - Final

Monday, October 18, 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. 54 OF COLUMBUS CITY COUNCIL,  
MONDAY, OCTOBER 18, 2004 at 5:00 P.M. IN COUNCIL  
CHAMBERS.**

**ROLL CALL**

**READING AND DISPOSAL OF THE JOURNAL**

**A motion was made by President Mentel, seconded by President Pro-Tem Boyce, 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, OCTOBER 13, 2004

New Type: D3  
To: Fire Dance LLC  
DBA Garretts Saloon  
1071 Parsons Av  
Columbus, Ohio 43206  
permit # 2738270

New Type: D1  
To: Donatos Pizzeria Corp  
DBA Donatos Pizza  
920 N High St  
Columbus, Ohio 43201  
permit # 22506600295

New Type: D2  
To: Udipi Cafe Inc  
DBA Udipi Cafe  
2001 E Dublin Granville Rd  
Columbus, Ohio 43229  
permit # 9135802

Transfer Type: C1, C2  
To: Beverage Ventures Inc  
2995 Morse Rd  
Columbus, Ohio 43231  
From: Zack of Ohio Inc  
DBA Beer & Wine Emporium  
2995 Morse Rd  
Columbus, Ohio 43231  
permit # 06791480005

Transfer Type: D5, D6  
To: Thomas A Snow LLC  
DBA Chatterbox Bar  
554 E Whittier St 1st Fl & Bsmt  
Columbus, Ohio 43206

From: LSS Design Company Inc  
DBA Chatterbox Bar  
554 E Whittier St 1st Fl & Bsmt  
Columbus, Ohio 43206  
permit # 8871574

Transfer Type: C1, C2  
To: L A Arikat Inc  
1223 E Main St 1st Fl  
Columbus, Ohio 43205  
From: Hisa Inc  
DBA MW Mart  
1223 E Main St 1st Fl  
Columbus, Ohio 43205  
permit # 4957130

Transfer Type: D5  
To: High Five Inc  
1227-29 N High St & Patio  
Columbus, Ohio 43201  
From: Jennifer Olejownik  
1227-29 N High St & Patio  
Columbus, Ohio 43201  
permit # 3831421

Transfer Type: D1, D3, D3A, D6  
To: Moes Southwest Grill  
Ohio State LLC  
1980 N High St A  
Columbus, Ohio 43201  
From: Campus Quarters LLC  
DBA Quarters  
16 W Lane Ave 1st Floor Bsmt & Patio  
Columbus, Ohio 43221  
permit # 6081180

Transfer Type: D1  
To: Chipotle Mexican Grill  
of Colorado LLC  
DBA Chipotle  
6079 Blazer Pkwy  
Columbus, Ohio 43017  
From: Minellis Pizza Inc  
1189 N Wilson Rd  
Columbus, Ohio 43204  
permit # 14374150360

Stock Type: D1, D3, D3A, D6  
To: Chang Family Inc  
DBA Min Ga Korean Restaurant  
800 Bethel Rd  
Columbus, Ohio 43214  
permit # 1389511

**NOTICE:**

TO THE COUNCIL OF THE CITY OF COLUMBUS, OHIO:

The undersigned, a Board of Revision, appointed and acting in the pursuance of Resolution No. 196X-2004 adopted on the 13th day of September, 2004, respectfully approve the estimated assessment of the cost and expense of improving Heatherbrook Street Lighting Assessment, as made by the Division of Electricity, and hereby adopts said report as its own.

Walter R. Cates, Sr., Chair  
Darrin Wasniewski  
Fred K. Parker

**NOTICE:**

TO THE COUNCIL OF THE CITY OF COLUMBUS, OHIO:

The undersigned, a Board of Revision, appointed and acting in the pursuance of Resolution No. 196X-2004 adopted on the 13th day of September, 2004, respectfully approve the estimated assessment of the cost and expense of improving Raspberry Run Street Lighting Assessment, as made by the Division of Electricity, and hereby adopts said report as its own.

Walter R. Cates, Sr., Chair  
Darrin Wasniewski  
Fred K. Parker

**NOTICE:**

TO THE COUNCIL OF THE CITY OF COLUMBUS, OHIO:

The undersigned, a Board of Revision, appointed and acting in the pursuance of Resolution No. 196X-2004 adopted on the 13th day of September, 2004, respectfully approve the estimated assessment of the cost and expense of improving Madison Mills Street Lighting Assessment, as made by the Division of Electricity, and hereby adopts said report as its own.

Walter R. Cates, Sr., Chair  
Darrin Wasniewski  
Fred K. Parker

Advertise 10/23/04  
Return 10/29/04

**RESOLUTIONS OF EXPRESSION**

**HUDSON**

To recognize and congratulate Columbus' Dr. Kathryn Sullivan, the first American woman

to walk in space, on the 20th anniversary of her historic Space Shuttle mission, October 11th, 2004.

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

## **O'SHAUGHNESSY**

To recognize Dr. Siobhán Geraghty, presenter of the Irish American Cultural Institute's Fall 2004 Perceptions Series 'Irish Graveyards: Full of Life.'

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

## **TAVARES**

To proclaim Saturday, October 9, 2004 as a celebration of "Islamic Day in Ohio," within 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:**

To declare October 15, 2004, as National Latino AIDS Awareness Day.

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

## **THOMAS**

To commend and recognize the City of Columbus, Department of Public Utilities, Division of Water, Women's Tapping Team consisting of: Claudine Pekula, Jaime Shaner, Kathy Taylor & Don Lathem on their recent victory at the State American Water Works Association (AWWA) Water Main Tapping Contest held September 15, 2004, in Toledo, Ohio.

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

To commend and recognize the City of Columbus, Department of Public Utilities, Division of Water, Top Operators Team consisting of: Kevin Gleich, Chuck Norris & Doug Surratt on their recent victory at the State American Water Works Association (AWWA) Top Ops Contest held September 15, 2004, in Toledo, Ohio.

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

To commend and recognize the City of Columbus, Department of Public Utilities, Division of Water, Men's Tapping Team consisting of: Patrick Crumley, Bruce Farley, Mike Spriggs & Chris Scott on their recent victory at the State American Water Works Association (AWWA) Water Main Tapping Contest held September 15, 2004, in Toledo, Ohio.

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

**HABASH**

To recognize and honor Battelle on the occasion of their 75th Anniversary.

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

**SAFETY & JUDICIARY: 1609-2004**

**DEVELOPMENT: 1794-2004**

**PUBLIC SERVICE & TRANSPORTATION: 1680-2004,1785-2004**

**UTILITIES: 1491-2004**

**FIRST READING OF 30-DAY LEGISLATION**

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

FR

To authorize the Director of the Civil Service Commission to establish a blanket certificate for the purpose of administering the uniformed examinations of the Department of Safety, and to authorize the expenditure of \$78,000.00 from the General Fund. (\$78,000.00)

FR

To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Computer Consulting from Compuware Corporation.

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

FR

To authorize the acceptance of deeds for two parcels of land to be held in the Land Bank for redevelopment.

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

FR

To authorize the Director of Public Utilities to enter into an reimbursement agreement with Intrust Land Development for the construction of the Rathmell Road Water Line and to authorize the expenditure of \$107,000.00 from the Water Works Enlargement Voted 1991 Bonds Fund for the Division of Water. (\$107,000.00)

FR

To authorize the Director of Public Utilities to modify the contract with JBS Associates, Inc. for professional engineering services for a comprehensive water audit, for the Division of Water, and to authorize the expenditure of \$32,530.14 from the Water Works Enlargement Voted 1991 Bond Fund. (\$32,530.14)

FR

To authorize the Director of Public Utilities to enter into a contract with McDaniel's Construction Corp., Inc. for Marion Franklin Area Water Line Improvements for the Division of Water and to authorize the expenditure of \$2,771,273.53 for construction and \$332,726.47 for inspection services by the Transportation Division from the Water Works Enlargement Voted 1991 Bonds Fund. (\$3,104,000.00)

FR

To authorize the Director of Public Utilities to enter into an reimbursement agreement with Homewood Corporation for the construction of the Refugee Road Water Line and to authorize the expenditure of \$7,300.00 from the Water Works Enlargement Voted 1991 Bonds Fund for the Division of Water. (\$7,300.00)

FR

To authorize the Finance Director to enter into a contract with Fyda Freightliner Columbus, Inc. for the purchase of two Panel Vans for the Division of Electricity and to authorize the expenditure of \$137,774.00 from the Division of Electricity Operating Fund. (\$137,774.00)

FR

To authorize the Director of Finance to establish a blanket purchase order to purchase Wire and Cable for the Division of Electricity, in accordance with the terms and conditions of the universal term contract with Consolidated Electrical Distributors, Inc., and to authorize the

expenditure of \$165,134.00 from the Division of Electricity Operating Fund. (\$165,134.00)

**RULES & REFERENCE: HABASH, CHR. MENDEL TAVARES**

FR To amend Section 2107.06 of the Columbus City Codes, 1959, pertaining to impounding fees and storage charges.

**ZONING: MENDEL, CHR. BOYCE HABASH HUDSON  
O'SHAUGHNESSY TAVARES THOMAS**

FR To grant a Variance from the provisions of Section 3363.01, M-Manufacturing district of the Columbus City codes for the property located at **1345 LONDON-GROVEPORT ROAD (43137)**, to conform an existing single-family dwelling in the M, Manufacturing District (Council Variance # CV04-024).

**CA CONSENT ACTIONS**

**ADMINISTRATION: BOYCE, CHR. MENDEL HABASH**

CA To authorize the Public Service Director to enter into contract for the Facilities Management Division with Axiom Mechanical Services for the replacement of the boiler at Fire Station #13, 309 Arcadia Avenue; to authorize the expenditure of \$23,715.00 from the Safety Bond Fund; and to declare an emergency. (\$23,715.00)

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

CA To authorize the Public Service Director to enter into contract for the Facilities Management Division with Carrier Commercial Service to replace a chiller at the Police Academy located at 2609 McKinley Avenue; to authorize the expenditure of \$45,318.00 from the Safety Bond Fund; and to declare an emergency. (\$45,318.00)

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

CA To authorize the City Treasurer to modify and increase the current contract with First Data Merchant Services to provide credit card processing services for the Parking Violations Bureau; and to authorize the expenditure of \$10,000.00 from the General Fund. (\$10,000.00)

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

CA To authorize the City Treasurer to modify and increase the current contract with ACS State and Local Solutions to provide parking violation processing services; and to authorize the expenditure of \$50,000.00 from the General Fund. (\$50,000.00)

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



CA

To authorize and direct the Finance Director to modify past, present and future purchase orders with U.S. Traffic Corporation and to declare an emergency.

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

CA

To authorize and direct the Finance Director to modify the citywide contract for the option to purchase Specialty, Industrial and Medical Gases with Airgas Great Lakes and to modify past, present and future purchase orders with Airgas Great Lakes and to declare an emergency.

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

CA

To authorize and direct the Finance Director to modify past, present and future purchase orders with Ready Wire Electrical Contractors, LLC and to declare an emergency.

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

CA

To authorize an appropriation of \$66,668.00 from the unappropriated balance of the Urban Development Action Grants Fund, to the Department of Finance, and to authorize the expenditure of \$66,668.00 from the Urban Development Action Grants Fund, to provide for the immediate and long term maintenance of the Ohio Theatre, and to declare an emergency. (\$66,668.00)

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

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

CA

To authorize the expenditure of \$30,000.00 for UIRF improvements from the Voted 1995 and 1999 Parks and Recreation Bond Fund, and to declare an emergency. (\$30,000.00)

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

CA

To authorize the Director of Recreation and Parks to enter into contract with Tiffin Scenic Studios for Columbus Performing arts stage and drapery project, to authorize the expenditure of \$58,211.00 from CIP Bond fund within the Recreation and Parks Department, and to declare an emergency. (\$58,211.00)

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

CA

To authorize the expenditure of \$100,000.00 for various park and playground improvements from the Voted 1995 and 1999 Parks and Recreation Bond Fund, and to declare an emergency. (\$100,000.00)

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

CA

To authorize the expenditure of \$100,000.00 for various facilities improvements from the Voted 1995 and 1999 Parks and Recreation Bond Fund, and to declare an emergency.

(\$100,000.00)

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

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

CA

To authorize the Mayor of the City of Columbus to accept a FY03 Project Safe Neighborhoods Grant Award, to authorize an appropriation of \$100,000.00 from the unappropriated balance of the General Government Grant Fund to the Division of Police to cover the costs of Project Safe Neighborhoods (2004A) and to declare an emergency. (\$100,000.00).

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

CA

To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Supplemental Uniforms, with Roy Tailors Uniform Company of Columbus, Inc., and to declare an emergency.

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

CA

To authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services, and to expend \$100,000.00 from the Storm Sewer Bonds Fund for costs in connection with the **Leland Ditch Storm Sewer Project**, and to declare an emergency. (\$100,000.00).

**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 **Livingston Avenue Sewer Improvements Project**, and to declare an emergency.

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

CA

To declare the necessity and intent to appropriate fee simple title and lesser interests in and to real estate in connection with the **Henderson Road (S. R. 315 to High Street) Improvement Project**, and to declare an emergency.

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

CA

To authorize and direct the Finance Director to enter into two contracts for an option to purchase Self-Contained Breathing Apparatus (SCBA) equipment, supplies, maintenance and repair parts with Scott Health & Safety and Finley Fire Equipment Co., Inc., to authorize the expenditure of two dollars to establish contracts from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$2.00)

**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 those documents necessary to release certain restrictive covenants, which prohibit the separate sale of two abutting lots, located at 248 West and 250 West Fourth Avenue.

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

CA To amend Ordinance No. 1361-2004 to reduce the amount of the contract between the Department of Development and the Neighborhood Design Center for oversight of the Rickenbacker-Woods project; 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 (AN04-030) of 0.51± Acres in Jefferson 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 enter into an agreement with the Director of the Ohio Department of Transportation to grant consent and propose cooperation with the State of Ohio for the US33 Urban Paving Project for the Transportation Division. (\$0)

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

CA To authorize the Finance Director to enter into a contract for the purchase of two aerial sign trucks from Dueco, Incorporated, for the Transportation Division; to authorize the expenditure of \$228,796.00 from the 1995, 1999 Voted Streets and Highways Fund and to declare an emergency. (\$228,796.00)

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

CA To authorize the Finance Director to enter into a contract with Dueco, Incorporated, for the purchase of two 54' aerial bucket trucks for the Transportation Division; to authorize the expenditure of \$225,237.00 from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$225,237.00)

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

CA

To authorize the Finance Director to enter into a contract with Ohio Underground, Incorporated, for the purchase of a conduit layer and trailer for the Transportation Division; to authorize the expenditure of \$86,900.00 from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$86,900.00)

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

CA

To repeal Ordinance 0393-2004 and to accept the plat titled LONGWOOD SECTION 3 from M/I HOMES OF CENTRAL OHIO, a limited liability company, by STEPHEN M. CAPLINGER, Vice President Land Operations.

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

CA

To authorize the Director of the Public Service Department to execute those documents required to release a portion of the vehicular access restriction to Harlem Road as shown on the plat titled "The New Albany Country Club Section 2" of record in Plat Book 74, Page 67 of the Franklin County, Ohio, Recorder's Office for the purpose of granting two vehicular access points onto Harlem Road from that property identified as Lot 52 of said subdivision.

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

CA

To authorize and direct the Finance Director to modify and extend the citywide contracts for the option to purchase OEM Truck Parts, with center City International Trucks Inc., Schodorf Truck Body & Equipment Company, Inc., Best Equipment Company, Inc., Southeastern Equipment company, Inc., Columbus Equipment Company, Cummins Bridgeway, LLC, Brom Truck Inc., Noble's, Inc., Horton Emergency Vehicles, ESEC Corporation dba Columbus Peterbilt, Byers Chevrolet, LLC, Finley Fire Equipment Company, Inc., Holtz Industries, Inc., McNeilus Truck & Manufacturing, Inc., Performance Parts Express and to declare an emergency.

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

CA

To authorize a supplemental appropriation of \$132,416.32 from the unappropriated balance of the Health Department Grants Fund for the Child & Family Health Services (CFHS) grant program, and to declare an emergency. (\$132,416.32)

**This Matter was Approved on the Consent Agenda.****UTILITIES: THOMAS, CHR. MENTEL O'SHAUGHNESSY  
HABASH**

CA

To authorize the Director of Public Utilities, on behalf of the Division of Electricity, to cause plans and specifications to be prepared for installing ornamental street lighting with underground wiring in the Westerford Village Subdivision under the assessment procedure.

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

CA

To authorize the Director of Public Utilities to modify the contract for professional engineering design and technical project services with Evans, Mechwart, Hambleton & Tilton, Inc. for the McKinley Avenue Stormwater System Improvements Project for the Division of Sewerage and Drainage; to authorize the expenditure of \$31,887.00; and to declare an emergency. (\$31,887.00)

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

CA

To authorize the Director of Public Utilities to enter into a contract with Dynamix Engineering Ltd. for the Hap Cremean Water Plant Asbestos Hazard Abatement and Heating System Replacement, for the Division of Water, to authorize the expenditure of \$258,905.00 from the Waterworks Enlargement Voted 1991 Bonds Fund. (\$258,905.00)

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

CA

To authorize the Director of Public Utilities to reimburse the Pennsylvania Railroad Holding Company for the inspection fees they paid the Transportation Division associated with the construction of a 12" water main along James Road for the Division of Water, to authorize the expenditure of \$18,832.00 from the Water Works Enlargement Voted 1991 Bonds Fund, and to declare an emergency (\$18,832.00)

**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 \$48,560.00 from the Sewerage System Operating Fund, and to declare an emergency. (\$48,560.00)

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

CA

To authorize the Director of Public Utilities to modify and increase a purchase order with Technical Construction Specialties Inc. Inc. for the Sludge Storage Tank Cover Replacement for the Division of Sewerage and Drainage, to authorize the expenditure of \$38,800.00 from the Sewerage System Operating Fund, and to declare an emergency. (\$38,800.00)

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

CA

To authorize the Director of Finance to establish a purchase order with The Henry P. Thompson Company for the purchase of Submersible Mechanical Mixers for the Division of

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Sewerage and Drainage, to authorize the expenditure of \$41,965.00 from the Sewerage System Operating Fund and to declare an emergency. (\$41,965.00)

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

CA

To authorize the Director of Finance to establish a purchase order with Midwest Municipal Instrumentation Inc for the purchase of Equipment Controllers and Flow Transmitters for the Division of Sewerage and Drainage, to authorize the expenditure of \$53,314.00 from the Sewerage System Operating Fund and to declare an emergency. (\$52,314.00)

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

CA

To declare the determination of City Council to proceed with the construction of the sanitary sewer improvements associated with the Strimple, Kilbourne, and Minerva Avenues Assessment Project, in accordance with the assessment procedures set forth by Columbus City Charter, for the Division of Sewerage and Drainage; and to declare an emergency. (\$0.00)

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

## APPOINTMENTS

CA

Appointment of James N. Turner, 164 Thurman Avenue, Columbus, OH 43206, to serve on the Board of Commission Appeals replacing Charles Kuhlman with a new term expiration date of May 15, 2007 (resume attached).

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

CA

Reappointment of Judy Manley, 140 Haldy Avenue, Columbus, OH 43204, to serve on the Greater Hilltop Area Commission with a new term expiration date of June 30, 2007 (bio attached).

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

CA

Appointment of Mark Potts, 330 Guernsey Avenue, Columbus, OH 43204 to serve on the Greater Hilltop Area Commission replacing Chris Perry with a new term expiration date of June 30, 2007 (resume attached).

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

CA

**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 HABASH

To authorize the Public Service Director to contract for the Facilities Management Division with Fox Mechanical Company for the renovation of the plumbing in the Municipal Court building located at 375 South High Street; to authorize the expenditure of \$33,600.00 from the Facilities Management Capital Fund; to waive the competitive bidding provisions of the City Codes; and to declare an emergency. (\$33,600.00)

**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 Mayor's Office of Education to accept funding from the Franklin County Board of Commissioners and to authorize an appropriation of \$471,540.83 from the unappropriated balance of the General Government Grant Fund to the Office of Education to cover costs associated with after school programming and to declare an emergency.

**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:**

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

To authorize a supplemental appropriation in the amount of \$327,253.00 from the unappropriated balance of the Recreation and Parks Grant Fund to the Recreation and Parks Department for the operation of various grant programs administered by the Central Ohio Area Agency on Aging, and to declare an emergency. (\$327,253.00)

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

To authorize and direct the transfer of \$519,469.48 within the Voted 1995 and 1999 Parks and Recreation Bond Fund for the Columbus Performing Arts Project, to direct the Director of Recreation and Parks to enter into contract with Hopewell Constructors for the same project, to authorize the expenditure of \$1,208,677.00 from various funds within the Recreation and Parks Department, and to declare an emergency. (\$1,208,677.00)

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

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

To authorize and direct the Finance Director to issue a blanket purchase order for fire fighting/safety supplies with The Fire House, and to authorize the expenditure of \$10,000.00 from the General Fund. (\$10,000.00)

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

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

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

To authorize and direct the City Attorney to settle the claim of Terry Travis against the City of Columbus, Division of Sewers and Drains, in the amount of Fifty-four Thousand and 00/100 (\$54,000.00); **and to declare an emergency**

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

To authorize and direct the Finance Director to issue a purchase order to Marion Body Works for the purchase of a hazardous materials response vehicle; to authorize the expenditure of \$499,300.00 from the General Government Grant Fund; and to declare an emergency. (\$499,300.00)

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

To authorize and direct the Finance Director to issue a purchase order for telephone services from an existing Universal Term Contract established for such purpose by the Purchasing Office with SBC, and to authorize the expenditure of \$20,000.00 from the General Fund. (\$20,000.00)

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

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

To accept the application (AN04-017) of Kevin G. Smith, et al. for the annexation of certain territory containing 0.413 ± 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 authorize the Director of the Department of Development to enter into a short term lease agreement to lease city owned property at 777 East Long Street to Columbus Housing Partnership and Stenson Powell Partnership for \$1.00 per month commencing September 13, 2004 through March 12, 2005; 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 execute any and all necessary agreements and deeds for conveyance of title to two (2) parcels of real property (1298, 1316-1336 Summit Street) 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 Approved. The motion carried by the following vote:**

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

To authorize the Public Service Director to enter into an agreement with the Mid-Ohio Regional Planning Commission to undertake the I-270 West Outerbelt / US 33 Major Investment Study (MIS) to develop a strategic plan for Northwest area freeways and supporting arterial roads, and alternative modes; and to authorize the expenditure of \$100,000.00 from the 1995, 1999 Voted Streets and Highways Fund. (\$100,000.00)

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

To authorize the Finance Director to enter into a contract for the purchase of three 3-wheeled street sweepers from Jack Doheny Supplies Ohio, Incorporated, for the Transportation Division; to authorize the expenditure of \$358,062.00 from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$358,062.00)

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

To authorize the Finance Director to enter into a contract for the purchase of two 4-wheel sweepers from the McLean Company for the Transportation Division; to authorize the expenditure of \$299,898.00 from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$299,898.00)

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

To authorize the Public Service Director to enter into an agreement with the Director of the Ohio Department of Transportation and the Executive Director of the Mid-Ohio Regional Planning Commission for the 2005-2007 *Paving The Way* program for the Transportation Division; to authorize the transfer of \$150,000.00 from the Street Construction, Maintenance and Repair Fund to the General Government Grant Fund; to appropriate \$750,000.00 within the General Government Grant Fund; to authorize the expenditure of \$750,000.00 or so much thereof as may be needed from the General Government Grant Fund, and to declare an emergency. (\$750,000.00)

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

To authorize the transfer of \$234,186.49 within the 1995, 1999 Voted Streets and Highways Fund; to authorize the transfer of this amount to the State Issue II Street Projects Fund; to authorize the appropriation of this amount within that Fund; to authorize the Public Service Director to modify and increase the existing contract with Kokosing Construction Company, Incorporated, for the construction of the Greenlawn Avenue Improvement - OPWC project

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for the Transportation Division; to authorize the expenditure of \$234,186.49 from the State Issue II Street Projects Fund, and to declare an emergency. (\$234,186.49)

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

To authorize and direct the Finance Director to modify and extend the citywide contracts for the option to purchase OEM Truck Parts, with center Franklin Tractor Sales Inc., Sutphen Corporation, W.W. Williams Midwest, Inc., Schodorf Truck Body & Equipment Company, Nortrax, Performance Parts Express, The McLean Company, and to declare an emergency.

**A motion was made by O'Shaughnessy, seconded by President Pro-Tem Boyce, 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 enter into a contract with Fireproof Records Center for records storage, retrieval and destruction services for the Health Department; to authorize the expenditure of \$20,000 from the Health Special Revenue Fund; to waive the provisions of competitive bidding, and to declare an emergency. (\$20,000)

**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 enter into a contract with the YWCA to aid in the financing of the development of the YWCA Family Center; to authorize the expenditure of \$300,000 from the 2004 Community Development Block Grant Fund; and to declare an emergency (\$300,000).

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

To adopt the Consolidated Submission for Community Planning and Development Programs including the Consolidated Plan, the related Citizen Participation Plan, the Community Development Service Area Designation, and the Action Plan; to authorize the filing of the Consolidated Submission with the U.S. Department of Housing and Urban Development; 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 adopt the Action Plan budget items presented in the attachment as part of the Consolidated Submission for Community Planning and Development Programs consisting of the Consolidated Plan, the Citizen Participation Plan, the CDBG Service Area Designation, and

the Action Plan; 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. MENDEL O'SHAUGHNESSY  
HABASH**

To authorize the Finance Director to enter into a contract with Century Equipment, for batwing mowers, for the Division of Water, and to authorize the expenditure of \$77,151.20 from Water Systems Operating Fund. (\$77,151.20)

**A motion was made by Thomas, seconded by Tavares, that this matter be Taken from the Table. 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:**

To authorize the Director of Public Utilities to modify the contract for professional engineering design and technical project services with Pomeroy & Associates, Ltd. for the Midland/Eakin Stormwater System Improvements Project for the Division of Sewerage and Drainage; to authorize the transfer of \$59,525.49 within the Storm Sewer Bond Fund; to authorize the expenditure of \$79,525.49 within the Storm Sewer Bond Fund; to authorize an amendment to the 2004 Capital Improvements Budget; and to declare an emergency. (\$79,525.49)

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

To authorize the City Auditor to make an intra-subfund transfer of \$600,000.00 within the Storm Sewer Bonds Fund; to authorize an amendment to the 2004 Capital Improvements Budget; to transfer \$600,000.00 from the Storm Sewer Bonds Fund to the Scioto River West Floodwall Fund; to appropriate said monies within the Scioto River West Floodwall Fund; to make payment from the Scioto River West Flood Wall Fund to the United States of America, Department of the Army, in the amount of \$600,000.00, for the City's share of the total project cost required for the 2005 Federal fiscal year for construction of the West Columbus Local Protection Project (WCLPP), in accordance with the Project Cooperation Agreement between the City and the Army Corps of Engineers, for the Division of Sewerage and Drainage; and to declare an emergency. (\$600,000.00)

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

To authorize the Director of Public Utilities to execute a construction contract with Darby Creek Excavating, Inc.; to provide for payment of inspection, material testing and related services to the Transportation Division for the Olive/Westgate Area Stormwater System Improvements Project; to authorize the transfer of \$533,516.19 within the Storm Sewer Bond Fund; to authorize an amendment to the 2004 Capital Improvements Budget; for the Division

of Sewerage and Drainage; to authorize the expenditure of \$533,516.19 within the Storm Sewer Bond Fund; and to declare an emergency. (\$533,516.19)

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

To authorize the Director of Public Utilities to execute a construction contract with Darby Creek Excavating, Inc.; to provide for payment of inspection, material testing and related services to the Transportation Division for the Wicklow Road Stormwater System Improvements Project; to authorize the transfer of \$186,599.73 within the Storm Sewer Bond Fund; to authorize an amendment to the 2004 Capital Improvements Budget; for the Division of Sewerage and Drainage; to authorize the expenditure of \$186,599.73 within the Storm Sewer Bond Fund; and to declare an emergency. (\$186,599.73)

**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 a construction contract with Complete General Construction Company to provide for payment of inspection, material testing and related services to the Transportation Division for the Cassady Avenue Area Stormwater System Improvements Project; to authorize the transfer of \$181,498.88 within the Storm Sewer Bond Fund; to authorize an amendment to the 2004 Capital Improvements Budget; for the Division of Sewerage and Drainage; to authorize the expenditure of \$2,481,498.88 within the Storm Sewer Bond Fund; and to declare an emergency. (\$2,481,498.88)

**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 \$2,880.81 within the Voted 1988 Street Lighting and Electricity Distribution Improvements LBS 11/92; to authorize the transfer of \$5,510.86 within the Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund; to authorize the reimbursement to the Division of Electricity for labor and equipment costs incurred in the installation of various street lighting projects; to authorize the expenditure up to an amount not to exceed \$69,694.66; and to declare an emergency. (\$69,694.66)

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

To increase the appropriation in the Stormwater Utility Fund by \$2,900,000, to increase the appropriation in the Street Construction Maintenance and Repair Fund by \$2,900,000, to repeal Section 2 of Ordinance No. 0872-01 as of January 1, 2004, to authorize and direct the City Auditor, in consultation with the Finance Director, to pay up to \$700,000 in voted electricity debt service from Special Income Tax Fund in 2004, and to declare an emergency (\$6,500,000).

**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 a contract with Nickolas Savko & Sons, Inc. for Sunbury Road Area Water Line Improvements for the Division of Water and to authorize the expenditure of \$1,729,039.45 for construction and \$207,960.55 for inspection services by the Transportation Division from the Water Works Enlargement Voted 1991

Bonds Fund, and to declare an emergency. (\$1,937,000.00)

**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 contract for HVAC Specialty Maintenance Services with Cornerstone Services, for the Division of Sewerage and Drainage; and to authorize the expenditure of \$89,000.00. (\$89,000.00)

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

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

To amend the Management Compensation Plan, Ordinance No. 2944-99, as amended, by amending Section 10, Special Leave With Pay, to enact (H), Precinct Election Official Leave Program, to allow employees paid time off at the discretion of their appointing authority to work as a poll worker on Election Day, and to declare an emergency.

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

To amend Chapter 3118 of the Columbus City Codes, 1959, by enacting new Section 3118.041 which provides for the appointment of substitute members to the Board of Commission Appeals in the event of a conflict of interest and by amending Sections 3118.05 and 3118.09 to clarify the standard of review utilized by the Board of Commission Appeals in considering appeals before it; 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 amend Chapter 3327 of the Columbus City Codes, 1959, to clarify the definition of quorum in the context of meetings of the Italian Village Commission and to establish the circumstances under which a certificate of appropriateness must be issued by the Italian Village Commission as the result of inaction on a completed application; and to declare an emergency.

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

## **ADJOURNMENT**

**A motion was made by Tavares, seconded by President Pro-Tem Boyce, to adjourn this Regular Meeting. The motion carried by the following vote:**