

City of Columbus

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



Minutes - Final

Monday, June 27, 2005

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. 39 OF COLUMBUS CITY COUNCIL,
JUNE 27, 2005 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 Tavares, 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, JUNE 22, 2005:

Stock Type: D1
To: Donatos Pizzeria LLC
DBA Donatos Pizza
4055 Morse Crossing
Columbus, Ohio 43219
permit # 22506630150

Stock Type: D1
To: Donatos Pizzeria LLC
DBA Donatos Pizza
1730 Hilliard Rome Rd
Columbus, Ohio 43026
permit # 22506630195

Stock Type: D1
To: Donatos Pizzeria LLC
DBA Donatos Pizza
6965 E Broad St
Columbus, Ohio 43213
permit # 22506630130

Stock Type: D1
To: Donatos Pizzeria LLC
DBA Donatos Pizza
2522 Bethel Rd & Patio
Columbus, Ohio 43220
permit # 22506630125

Stock Type: D2, D2X
To: Donatos Pizzeria LLC
DBA Donatos Pizza
1891 Tamarack Cir N
Columbus, Ohio 43229
permit # 22506630155

Stock Type: D1
To: Donatos Pizzeria LLC

DBA Donatos Pizza
2800 E Main St
Columbus, Ohio 43209
permit # 22506630145

Stock Type: D1, D2
To: Donatos Pizzeria LLC
DBA Donatos Pizza
350 Norton Rd
Columbus, Ohio 43228
permit # 22506630140

Stock Type: D5
To: Donatos Pizzeria LLC
DBA Donatos Pizza
2084 N High St 1st Fl & Bsmt
Columbus, Ohio 43201
permit # 22506630135

Advertise 7/02/05
Return 7/13/05

RESOLUTIONS OF EXPRESSION

BOYCE

To honor and celebrate Juneteenth Ohio 2005 June 18-19, 2005

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

To welcome to Columbus the play, "Young Black Men," and to commend Mr. James H. Chapmyn for sharing this message with our community

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

HUDSON

To recognize the "Goodguys Rod & Custom Association's Hot Rod Week" at the Ohio Expo Center, July 8th through 10th, attracting over 75,000 attendees and \$12.5 million in visitor spending to Columbus.

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

TAVARES

To recognize Homes on the Hill (HOTH) for their commitment to increasing homeownership as we celebrate National Homeownership Month in June of 2005.

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

MENTEL

To Honor and Recognize Justin Boggs for being the recipient of the 2005 Jefferson Award.

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

ADDITIONS OR CORRECTIONS TO THE AGENDA

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

UTILITIES: 1028-2005

FR FIRST READING OF 30-DAY LEGISLATION

ADMINISTRATION: BOYCE, CHR. MENTEL HUDSON HABASH

FR To amend the Management Compensation Plan, Ordinance No. 2944-99, by enacting and amending certain sections in Section 5(E), effective August 28, 2005.

FR To authorize and direct the City Auditor to provide for the transfer of \$788,740 between various objects and divisions within the general fund, \$35,524 within the print services fund and any unencumbered balances within the Facilities Management Division to reflect realignment of departmental responsibilities with respect to the management of city assets and to transfer administrative authority for all contracts and agreements associated with the departmental realignment to the Director of the Department of Finance and Management (\$824,264).

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

FR

To accept the application (AN05-002) of Timothy S. Davidheiser for the annexation of certain territory containing 10.4 ± Acres in Plain Township.

FR

To accept the application (AN04-029) of Dominion Homes, Inc. for the annexation of certain territory containing 3.8 ± Acres in Washington Township.

FR

To accept the application (AN04-025) of Elmer R. Duritzky, et al for the annexation of certain territory containing 9.616 ± Acres in Plain Township.

FR

To accept the application (AN05-003) of Friendship Village of Dublin, Ohio, Inc. for the annexation of certain territory containing 1.219 ± Acres in Perry Township.

FR

To accept the application (AN05-001) of Olympus Communities, LTD for the annexation of certain territory containing 14.5 ± Acres in Orange Township.

FR

To authorize the Director of Department of Development to execute any and all necessary agreements and deeds for conveyance of title of one parcel of real property held in the Land Bank pursuant to the Land Reutilization Program. (5700 Livingston Avenue)

FR

An ordinance creating three tax increment financing incentive districts pursuant to Section 5709.40(C) of the Revised Code; creating two TIF areas pursuant to Section 5709.40(B) of the Revised Code; declaring improvements to the real property located in the incentive districts and TIF areas to be a public purpose; exempting from real property taxation 100 percent of those improvements; requiring the owners thereof to make service payments in lieu of taxes; establishing municipal public improvements tax increment equivalent funds for the deposit of the service payments collected from the incentive district and TIF area property owners; protecting the school districts serving the incentive districts and TIF areas against any loss of tax revenue as a result of the exemptions granted by this Ordinance; describing the public infrastructure improvements to be made within the incentive districts and TIF areas; and authorizing the execution of a tax increment financing agreement with respect to the incentive districts and TIF areas (\$0).

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

FR

To accept the plat titled HAYDEN FARMS SECTION 2, from M/I HOMES OF

CENTRAL OHIO, LLC, an Ohio limited liability company, by STEPHEN M. CAPLINGER, Vice President Land Operations.

FR

To dedicate new right-of-way for alley purposes necessary to accommodate the construction of Fire Station #18 at 1628 Cleveland Avenue; to vacate a portion of the existing north south alley that bisects this site and to the extent that they may apply to waive the Land Review Commission and the competitive bidding provisions of Columbus City Codes.

FR

To authorize the Director of the Public Service Department to execute those documents required to release the utility easements granted to the City of Columbus by Sunbury Hills, Inc., in a Deed of Easement of record in Deed Book 2730, Page 213 of the Franklin County, Ohio, Recorder's Office.

FR

To accept the plats titled OLENTANGY MEADOWS SECTION 4 PART 1, OLENTANGY MEADOWS SECTION 4 PART 2, OLENTANGY MEADOWS SECTION 4 PART 3 and OLENTANGY MEADOWS SECTION 4 PART 4, from ROBERT A. MEYER, JR., Senior Vice President of DOMINION HOMES INC., an Ohio corporation.

FR

To authorize the Public Service Director to execute those documents required to transfer the unimproved right-of-way immediately south of Roads End Road off of College Avenue to Creative Housing, Inc., for \$12,792.00, and to waive the competitive bidding provisions of Columbus City Codes.

UTILITIES: THOMAS, CHR. MENDEL O'SHAUGHNESSY HABASH

FR

To authorize the Director of Public Utilities to enter into a sole-source contract with the Operator Training Committee of Ohio (OTCO), for utility operations and maintenance training, in accordance with the sole source provisions of the Columbus City Code, for the Division of Water, and to authorize the expenditure of \$45,000.00 from Water Systems Operating Fund. (\$45,000.00)

FR

To authorize the Director of Public Utilities to enter into an reimbursement agreement with Dominion Homes for the construction of the Powell Road 12" Water Main and to authorize the expenditure of \$9,768.42 from the Water Works Enlargement Voted 1991 Bonds Fund for the Division of Water. (\$9,768.42)

FR

To authorize the Director of the Department of Public Utilities, on behalf of the Division of Electricity, to declare the necessity of installing ornamental street lighting with underground wiring for the Sharon Woods Collector Streets under the assessment procedure.

FR

To authorize the Director of Public Utilities to modify the contract with Malcolm Pirnie, Inc., for Professional Engineering Services for the Dublin Road Water Plant Chlorine Storage Improvements, for the Division of Water, and to authorize the expenditure of \$1,107,000.00 from Waterworks Enlargement Voted 1991 Bonds Fund. (\$1,107,000.00)

FR

To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release certain sewer easements rights in and to real property, located in the vicinity of Winchester Crossing Boulevard and Weurful Drive, in exchange for replacement easements previously granted to the City of Columbus, Ohio.

FR

To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release certain sewer easements, located in the vicinity of Reliance Street and Dearborn Drive, at the request of Mettler-Toledo, Inc. in exchange for a replacement easement previously granted to the City of Columbus, Ohio.

RULES & REFERENCE: HABASH, CHR. MENDEL HUDSON TAVARES

FR

To enact, amend, and repeal various sections of the Columbus City Codes, 1959, to create a new department of finance and management, to create a new division of financial management within the new department, to create an office of real estate management within the new department, to create an office of purchasing within the new department, to move the facilities management division from the public service department to the new department, to make the new department responsible for real property activities related to city operations not involving rights-of-way and utility easements, to confirm the responsibility of the department of human resources for risk management, and to reflect the impact of the reorganization and department name changes in all affected sections of the Columbus City Codes.

CA CONSENT ACTIONS

ADMINISTRATION: BOYCE, CHR. MENDEL HUDSON HABASH

CA

To authorize the Public Service Director to modify a contract for the Facilities Management Division for flooring renovations of various areas in Police Division buildings with Commercial Flooring Solutions, and to authorize the expenditure of \$70,000.00 from the Safety Voted Bond Fund. (\$70,000.00)

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 General Maintenance and Engineering Company, for the renovation of the roof at 333 West Town Street and to authorize the expenditure of \$30,893.00 from the Safety Voted Bond Fund, and to declare an emergency. (\$30,893.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Director of the Office of Education to accept, appropriate and expend a donation of \$60,000.00 from the Lowe's Corporation for the purchase of new computers, software and other educational and technology equipment for the four Capital Kids After School program pilot sites; and to declare an emergency.

This Matter was Approved on the Consent Agenda.**SAFETY & JUDICIARY: MENDEL, CHR. BOYCE THOMAS
HABASH**

CA

To authorize and direct the Finance Director to issue a purchase order to Center City International in the amount of \$91,485.00, for the purchase of a mobile maintenance vehicle for the Fire Division, to authorize the expenditure of \$91,485.00 from the Safety Bond Fund, and to declare an emergency. (\$91,485.00)

This Matter was Approved on the Consent Agenda.

CA

To declare the necessity and intent to appropriate fee simple title in and to real estate in connection with the **Idlewild Drive Storm Sewer Project**, and to declare an emergency.

This Matter was Adopted on the Consent Agenda.

CA

To authorize the Administrative and Presiding Judge of the Franklin County Municipal Court to accept a grant award from the State of Ohio, Department of Rehabilitation and Correction, for enhanced probationary services with two probation officers, to appropriate \$146,205.00 from the unappropriated balance of the general government grant fund, and to declare an emergency. (\$146,205.00)

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

CA

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 held in the Land Bank pursuant to the Land Reutilization Program. (160 North Monroe Avenue)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Director of Department of Development to execute any and all necessary agreements and deeds for conveyance of title of one parcel of real property held in the Land Bank pursuant to the Land Reutilization Program; and to declare an emergency. (2402 Palmetto Street)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Director of Department of Development to execute any and all necessary agreements and deeds for conveyance of title of one parcel of real property held in the Land Bank pursuant to the Land Reutilization Program; and to declare an emergency. (2913 Grasmere Avenue)

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 (AN05-011) of 4.085± Acres in Sharon 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. HUDSON TAVARES HABASH**

CA

To authorize and direct the Finance Director to enter into three contracts for the option to purchase Traffic Signal Detection Equipment with Path Master, Inc., General Highway Products, Inc., and Traffic Control Products, to authorize the expenditure of three dollars to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$3.00).

This Matter was Approved on the Consent Agenda.

CA

To accept a GENERAL WARRANTY DEED from ORLEANS VILLAGE, LTD., an Ohio limited liability company, and to dedicate and name the premises so deeded EDWARDS FARMS ROAD and to accept the plat titled EDWARDS FARMS ROAD EXTENSION DEDICATION PLAT, from BRITTANY PLACE, L.P., an Ohio limited partnership.

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 Children's Trust Fund in the amount of \$82,371, to authorize the appropriation of \$82,371 from the Health Department Grants Fund, and to declare an emergency. (\$82,371)

This Matter was Approved on the Consent Agenda.

CA

To authorize and direct the Columbus Health Department to accept additional grant monies from the Ohio Department of Health in the amount of \$11,000, to authorize the appropriation of \$11,000 from the Health Department Grants Fund, and to declare an emergency. (\$11,000)

This Matter was Approved on the Consent Agenda.

CA

To authorize and direct the Finance Director to enter into a contract for an option to purchase PHS Pharmaceuticals, with Capital Wholesale Drug Co., to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)

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

CA

To authorize the Director of Public Utilities to enter into a contract with Wachs Utility Services for South Columbus Fire Hydrant Repairs for the Division of Water, to authorize the expenditure of \$138,463.00 from the Water Works Enlargement Voted 1991 Bonds Fund, and to declare an emergency. (\$138,463.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release certain sewer easements rights, located in the vicinity of Dewey Avenue and Joyce Avenue, at the request of Unico Alloy and Metals, Inc. in exchange for a replacement easement previously granted to the City of Columbus, Ohio.

This Matter was Approved on the Consent Agenda.

CA

To authorize the Finance Director to enter into blanket purchase orders for Electrical Monitoring and Repair Services for the Division of Electricity in accordance with the universal term contract with Dymax Service, Inc.; to authorize the expenditure of \$100,000.00 from the Voted Electricity and Street Lighting Improvements Fund and \$25,000.00 from Division of Electricity Operating Fund; and to declare an emergency. (\$125,000.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Director of Public Utilities to modify the contract with Moody's of Dayton, Inc., for the Dublin Road Water Plant Low Service Spare Pump Bowl Reconditioning project, for the Division of Water, and to authorize the expenditure of \$7,986.00 from the Water System Operating Fund, and to declare an emergency. (\$7,986.00)

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 \$20,208.00 from the Sewerage System Operating Fund and to declare an emergency. (\$20,208.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Director of Public Utilities to enter into a service agreement with Thermo Lab Systems Inc. for the software upgrade to LabManager in accordance with the provisions of sole source procurement of Columbus City Codes for the Division of Sewerage and Drainage, to authorize the expenditure of \$21,600.00 from the Sewerage System Operating Fund and to declare an emergency. (\$21,600.00)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Finance Director to establish additional Blanket Purchase Orders, for fire hydrant parts, from established Universal Term Contracts, with Midwest Pipe & Supply and Hughes Supply, for the Division of Water, to authorize the expenditure of \$161,616.25 from Water Systems Operating Fund, and to declare an emergency. (\$161,616.25)

This Matter was Approved on the Consent Agenda.**Passed The Consent Agenda****EMERGENCY, TABLED AND 2ND READING OF 30-DAY LEGISLATION****FINANCE: BOYCE, CHR. O'SHAUGHNESSY TAVARES HABASH**

To adopt the 2006 Tax Budget and to authorize and direct the City Auditor to submit said budget to the County **and to declare an emergency.**

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

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

Authorizing the issuance and sale of special assessment bonds in the amount of \$47,415.00 for the Longview Avenue Street Lighting Assessment Project. (\$47,415.00).

Section 55(b) of the City Charter

A motion was made by President Pro-Tem Boyce, seconded by Tavares, that this matter be Waived the 2nd Reading. The motion carried by the following vote:

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

ADMINISTRATION: BOYCE, CHR. MENTEL HUDSON HABASH

To authorize a transfer of \$17,043.00 from the unallocated balance of the Recreation and Parks Permanent Improvement Fund to the Facility Renovations project, to authorize the Public Service Director to enter into contracts for the Facilities Management Division with Physical Planning Technologies for software, licensing, and training, and for professional engineering services necessary to develop a Comprehensive Municipal Capital Planning and Asset Management System, to authorize the expenditure of \$480,070.00 from the Facilities Management Capital Improvement Fund, to authorize the appropriation and expenditure of \$17,043.00 from the Recreation and Parks Permanent Improvement Fund, and to declare an emergency. (\$497,113.00).

A motion was made by President Pro-Tem Boyce, seconded by Hudson, that this matter be Tabled to Certain Date TABLED UNTIL 07/11/05 The motion carried by the following vote:

To authorize the Department of Technology to enter into contract with Unisys Corporation for the purchase of a CX300 disk storage unit inclusive with hardware and software support, for the Department of Technology; to waive competitive bidding provisions of the Columbus City Code; to authorize the transfer of cash between projects in the Information Services Capital Fund; to amend the 2004 capital improvements budget; and to authorize the expenditure of \$46,925.00 for the purchase of a CX300 disk storage unit that includes hardware and software support, and to declare an emergency. (\$46,925.00)

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 amend Ordinance No. 2499-99, as amended, by amending certain sections within Section 5(D) and Section 5(E); and to declare an emergency.

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

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

To authorize the appropriation of \$100,000 to the Development Department within the Jobs Growth Fund; to authorize the Director of the Department of Development to enter into a contract with the Greater Columbus Area Chamber of Commerce to support the work of its Entrepreneurship Steering Committee; to authorize the expenditure of \$100,000 from the Jobs Growth Fund; and to declare an emergency. (\$100,000.00).

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

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

To authorize the City Attorney to enter into the first year of a two year flat-fee contract with LexisNexis for the provision of on-line legal research services, to authorize the expenditure of \$57,984 (Fifty-Seven Thousand Nine Hundred Eighty-Four Dollars), to waive the competitive bidding requirements of Chapter 329 of the Columbus City Codes, and to declare an emergency. (\$57,984.00)

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

To amend Ordinance No. 125-2001, as amended, by amending Section 9, Insurances; and to declare an emergency.

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

To authorize and direct the City Attorney to pay the settlement amount to Brian Joslyn and Jim McNamara, counsel for Mr. Joslyn, in the case of Brian Joslyn v. City of Columbus, et al., United States District Court Case No. C2-03-231, to authorize the expenditure of the sum of Seventy-Five Thousand and No/100 Dollars; and to declare an emergency. (\$75,000.00).

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

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

To grant consent and propose cooperation with Lifestyle Communities to provide design services for the widening of Hayden Run Road consistent with the Memorandum of Understanding for financial commitments for infrastructure improvements based on the Pay As We Grow Plan for the Hayden Run Corridor authorized by Ordinance 1433-2004; to authorize the Public Service Director to enter into agreement(s) with Lifestyle Communities as necessary to complete the construction of this improvement, and to declare an emergency. (\$-0-)

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

To grant consent and propose cooperation with Dominion Homes to provide design services for the improvement of the Britton/Cosgray connecting road and Avery Road consistent with the Memorandum of Understanding for financial commitments for infrastructure improvements based on the Pay As We Grow Plan for the Hayden Run Corridor; to authorize the Public Service Director to enter into agreement(s) with Dominion Homes as necessary to complete the construction of this improvement, and to declare an emergency. (\$-0-)

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 City Auditor to transfer \$220,000.00 from the General Fund to the Street Construction, Maintenance and Repair Fund; to authorize the appropriation of \$220,000.00 within the Street Construction, Maintenance and Repair Fund; to authorize Public Service Director to enter into contract with the Mid-Ohio Regional Planning Commission to undertake three studies dealing with the Columbus Mean Streets project, the Columbus Pedestrian Thoroughfare Plan, and Protocols for Cooperative Traffic Studies for the Transportation Division and to authorize the expenditure of \$220,000.00 or so much thereof as may be necessary from the Street Construction, Maintenance and Repair Fund, and to declare an emergency. (\$220,000.00)

..Body

WHEREAS, the City of Columbus Transportation Division and the Mid-Ohio Regional Planning Commission (MORPC) have identified the need to engage in studies dealing with the Columbus Mean Streets project, the Columbus Pedestrian Thoroughfare Plan, and Protocols for Cooperative Traffic Studies, and

WHEREAS, funding for this purpose exists in the Finance Department's citywide General Fund account; and

WHEREAS, an emergency exists in the usual operations of the Public Service Department, Transportation Division, in that it is immediately necessary to authorize the Public Service Director to enter into contract with the Mid-Ohio Regional Planning Commission to undertake three studies dealing with pedestrian and traffic safety, thereby preserving the public health, peace, property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the City Auditor be and hereby is authorized to transfer \$220,000.00 from Fund 010, the General Fund, to Fund 265, the Street Construction, Maintenance and Repair Fund, as follows:

TRANSFER FROM

Fund / Dept. No. / Object Level One/Three Codes / OCA Code

010 / 45-01 / 10/5501 / 904508

Total Transfer From: \$220,000.00

TRANSFER TO

Fund / Dept. No. / Object Level One/Three Codes / OCA Code

265 / 59-09 / 80/0886 / 599138

Total Transfer From: \$220,000.00

SECTION 2. That from the unappropriated balance of Fund 265, the Street Construction, Maintenance and Repair Fund, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2005, the sum of \$220,000.00 be and hereby is appropriated to the Transportation Division, Department No. 59-09, Object Level One Code 03, Object Level Three Code 3336 and OCA Code 599138.

SECTION 3. That the monies appropriated in the foregoing SECTION 2 shall be paid upon order of the Public Service Director and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 4. That the Public Service Director be and hereby is authorized to enter into contracts with the Mid-Ohio Regional Planning Commission, 285 East Main Street, Columbus, Ohio 43215 to engage in three studies dealing with the Columbus Mean Streets project, the Columbus Pedestrian Thoroughfare Plan and Protocols for Cooperative Traffic Studies in amounts not to exceed \$70,000.00, \$70,000.00 and \$80,000.00, respectively (total \$220,000.00), all to be completed not later than June 30.

SECTION 5. That these contracts are awarded consistent with the provisions of Section 329.07(c) of the Columbus City Code, 1959.

SECTION 6. That the expenditure of \$220,000.00 or so much thereof as may be necessary be and hereby is authorized to be expended from Fund 265, the Street Construction, Maintenance and Repair Fund, Department No. 59-09, Transportation Division, Object Level One Code 03, Object Level Three Code 3336 and OCA Code 599138 to pay the cost of said studies.

SECTION 7. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

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

To accept the plat titled HAYDEN FARMS SECTION 2, from M/I HOMES OF CENTRAL OHIO, LLC, an Ohio limited liability company, by STEPHEN M. CAPLINGER, Vice President Land Operations 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:

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

To authorize and direct the Board of Health to enter into a contract with Council for Healthy Mothers and Babies for the provision of child and adolescent services for the perinatal program; to authorize the expenditure of \$25,000 from the Health Department Grants Fund; to waive the provisions for competitive bidding; and to declare an emergency. (\$25,000)

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

To authorize the Board of Health to enter into a contract with The Ohio State University - Division of Internal Medicine, acting through its practice plan, OSU Internal Medicine, LLC, for physician services for the Ben Franklin Tuberculosis Clinic, to authorize the expenditure of \$26,000 from the Health Department Grants Fund to pay the costs thereof, to waive provisions of competitive bidding, and to declare an emergency. (\$26,000)

A motion was made by Tavares, seconded by Hudson, that this matter be Tabled to Certain Date TABLED UNTIL 07/11/05 The motion carried by the following vote:

To authorize and direct the Columbus Health Department to accept a grant from the Franklin County Department of Job and Family Services, Kids in Different Systems in the amount of \$680,108.00; to authorize the appropriation of \$680,108.00 from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency. (\$680,108.00)

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

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

To authorize the Director of Public Utilities to enter into a professional engineering services with Evans, Mechwart, Hambleton and Tilton, Inc., in connection with the Sewer System Capacity Model Project; to authorize the appropriation, transfer and expenditure of \$1,641,255.25 from the Sewer System Reserve Fund to the Sanitary Sewer Bond Fund; to amend the 2004 Capital Improvements Budget, for the Division of Sewerage and Drainage. (\$1,641,255.25)

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 Kokosing Construction Company, Inc. for the Hap Cremean Water Plant Lagoon No. 1 Sludge Removal and Lagoon Modifications, for the Division of Water, to authorize the expenditure of \$3,348,004.00 from the Waterworks Enlargement Voted 1991 Bonds Fund, and to declare an emergency. (\$3,348,004.00)

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 and increase a service agreement with Ohio Mulch Supply Inc. for Yard Waste and Log Grinding Services for the Division of Sewerage and Drainage, to authorize the expenditure of \$150,000.00 from the Sewerage System Operating Fund and to declare an emergency. (\$150,000.00)

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

RECREATION & PARKS: HABASH, CHR. BOYCE MENTEL THOMAS

To authorize the appropriation and transfer of \$451,000.00 from the Special Income Tax Fund to the Voted 1995 and 1999 Parks and Recreation Bond Fund; to amend the 2004 capital improvements budget; to authorize the Director of Recreation and Parks to enter into contract with Schooley Caldwell for professional services in conjunction with the Renovation of the Old Deaf School; to authorize the expenditure of \$451,000 from the Voted 1995 and 1999 Parks and Recreation Bond Fund, and to declare an emergency. (\$451,000.00)

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

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

A motion was made by President Pro-Tem Boyce, seconded by Tavares, that this matter be Amended to 30 day. The motion carried by the following vote:

A motion was made by President Pro-Tem Boyce, seconded by Tavares, that this matter be Waived the 2nd Reading. The motion carried by the following vote:

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

To authorize the appropriation and transfer of \$247,516.83 from the Special Income Tax Fund to the Voted 1995 and 1999 Parks and Recreation Bond Fund, to authorize the Director of Recreation and Parks to enter into contract with Hopewell Constructors for Door Improvements, to authorize the expenditure of \$348,000.00 from the Voted 1995 and 1999 Parks and Recreation Bond Fund, and to declare an emergency. (\$348,000.00)

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

To authorize an appropriation in the amount of \$562,689.00 from the unappropriated balance of the Recreation and Parks Grant Fund to the Recreation and Parks Department to cover costs for the Central Ohio Area Agency on Aging in connection with various grant programs, and to declare an emergency. (\$562,689.00)

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 Director of Recreation and Parks to enter into a revenue generating contract with Made From Scratch, Inc., to provide catering and special event services for the North Bank Park Pavilion and various other sites, to waive the necessary competitive bidding requirement, and to declare an emergency.

A motion was made by President Pro-Tem Boyce, seconded by Hudson, that this matter be Tabled to Certain Date TABLED UNTIL 07/11/05 The motion carried by the following vote:

RULES & REFERENCE: HABASH, CHR. MENTEL HUDSON TAVARES

To amend Sections 2323.11, 2323.31 and 2323.32 and enact new Section 2323.33 of the Columbus City Codes, 1959, to define assault weapons and to prohibit the unlawful possession or sale of assault weapons.

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

THERE WILL BE NO COUNCIL MEETING HELD ON MONDAY, JULY 4, 2005 IN OBSERVANCE OF THE HOLIDAY. THE NEXT SCHEDULED CITY COUNCIL MEETING WILL BE ON MONDAY, JULY 11, 2005.

ADJOURNMENT

A motion was made by Hudson, seconded by President Pro-Tem Boyce, to adjourn this Regular Meeting ADJOURNED: 6:36 p.m. The motion carried by the following vote: