

City of Columbus

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



Minutes - Final

Monday, February 12, 2007

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. 6 OF COLUMBUS CITY COUNCIL,
FEBRUARY 12, 2007 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 WERE RECEIVED IN THE CITY CLERK'S OFFICE AS OF
WEDNESDAY, FEBRUARY 7, 2007:

New Type: D1
To: Zen Inc
505 N High St
Columbus, Ohio 43215
permit # 9916565

New Type: C1, C2
To: Erikat Grocery Market Inc
DBA East Main Grocery Mart
1198 E Main Street
Columbus, Ohio 43205
permit # 2539499

New Type: C1, C2
To: UDF Limited Partnership II
DBA United Dairy Farmers 645
993 King Ave
Columbus, Ohio 43212
permit # 91335120665

New Type: C1, C2
To: Lindo Mexico Restaurant Inc
3201 Sullivant Ave
Columbus, Ohio 43204
permit # 52167980010

New Type: D3
To: Chocolate Columbus LLC
DBA Chocolate Cafe
1855 Northwest Blvd
Columbus, Ohio 43212
permit # 1458948

Transfer Type: D5
To: Roy K Walls Jr
DBA Jack Conner Pub
2480 Summit St 1st Fl & Bsmt

Columbus, Ohio 43202
From: Gloria J Saunders
DBA Jacks
2480 Summit St 1st Fl & Bsmt
Columbus, Ohio 43202
permit # 7565736

Transfer Type: C1, C2
To: Elza Inc
DBA Lockbourne Marathon
1509 Lockbourne Rd
Columbus, Ohio 43206
From: R & F Oil Company Inc
DBA Lockbourne Shell
& Drive Thru
1509 Lockbourne Rd
Columbus, Ohio 43206
permit # 25020390010

Stock Type: D5, D6
To: Gibbys Grandview Inc
1433 W Third Av & Patio
Columbus, Ohio 43212
permit # 3169977

Stock Type: C2, C2X
To: Brianna Inc
DBA Long & 20th Carryout
1032 E Long St 1st Fl
Columbus, Ohio 43203
permit # 0951115

Stock Type: D5, D6
To: Exotic Pearl Inc
DBA Exotic Pearl
2194 S Hamilton Rd
Columbus, Ohio 43232
permit # 2595825

Advertise: 2/17/2007
Return: 3/1/2007

RESOLUTIONS OF EXPRESSION

O'SHAUGHNESSY

To recognize Thomas J. Wester as he joins the Ohio Department of Transportation as the Director of District 6.

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

MENTEL

To honor and recognize Nirmal Sinha, Deputy Director of the Columbus Department of Public Utilities, who was honored with Pravasi Bharatiya Samman (Non-Resident Indian Award) by the President of India, Dr. A.P.J. Abdul Kalam.

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****APPOINTMENT: A0020-2007****CA CONSENT ACTIONS****DEVELOPMENT: O'SHAUGHNESSY, CHR. TAVARES TYSON
MENTEL****CA**

To authorize the appropriation of \$114,810 from the Capital South Fund; to authorize the Director of the Department of Development to enter into an agreement with the Columbus Downtown Development Corporation; and to authorize the expenditure of \$114,810 from the Capital South Fund. (\$114,810)

This Matter was Approved on the Consent Agenda.

CA

To authorize and direct the Director of the Department of Development to enter into a contract with the Short North Special Improvement District, Inc. for the implementation of services and improvements set forth in the District Plan; to authorize the City Auditor to appropriate and expend up to \$125,000 from assessments levied from property owners; and to declare an emergency (\$125,000)

This Matter was Approved on the Consent Agenda.

CA

To accept the application (AN06-002) of Kenneth J. Matthews for the annexation of certain territory containing 4.846 ± Acres in Prairie Township.

This Matter was Approved on the Consent Agenda.

CA

To authorize the Director of Development to enter into a contract with the Morse Road Special Improvement District of Columbus, Inc. for the implementation of services set forth in the District Plan; to direct the City Auditor to appropriate and expend up to \$150,000 from assessments levied from property owners; and to declare an emergency. (\$150,000)

This Matter was Approved on the Consent Agenda.

CA

To authorize the Director of the Department of Development to enter into contracts with the Columbus Urban Growth Corporation; to authorize the expenditure of \$172,000 from the General Fund; to authorize the expenditure of \$213,750 from the Community Development Block Grant Fund; and to declare an emergency. (\$385,750.00).

This Matter was Approved on the Consent Agenda.

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

CA

To authorize the Public Service Director to make payment to the City of Gahanna in an amount up to \$122,660.00 for construction costs associated with the signal construction and pavement widening at the Taylor Station Road and Claycraft Road intersection; to reimburse the City of Gahanna in an amount up to \$6,050.00 for construction costs associated with the signal construction and pavement widening at the Morrison Road and Claycraft Road intersection; and to authorize the expenditure of \$128,710.00 from the 1995, 1999, 2004 Voted Streets and Highways Fund for the Transportation Division; and to declare an emergency. (\$128,710.00)

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 **Morse Road Improvement Phase II Project**, to authorize the expenditure of \$133,387.00 from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$133,387.00).

This Matter was Approved on the Consent Agenda.

CA

To authorize the City Auditor to transfer between expenditure categories within the Paving the Way grant for continued operation of the Program through June 30, 2007; and to declare an emergency. (\$0-)

This Matter was Approved on the Consent Agenda.

CA

To authorize and direct the Finance & Management Director to modify and extend the citywide contract for the option to purchase Factory Rebuilt Starters & Alternators with Jim's Automotive Electric Service Company and with Genuine Parts Co. Operating as Automotive Parts Co. DBA NAPA and to declare an emergency.

This Matter was Approved on the Consent Agenda.

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

CA

To authorize and direct the Board of Health to enter into a lease agreement with Clayton Ross for clinic space for the Health Department's Women's Health Program, to authorize a total expenditure of \$24,852 from the Health Special Revenue Fund, and to declare an emergency. (\$24,852)

This Matter was Approved on the Consent Agenda.

CA

To authorize an appropriation of \$725,000 from the HOME Fund to provide funding for various approved 2007 programs; and to declare an emergency. (\$725,000)

This Matter was Approved on the Consent Agenda.

ADMINISTRATION: THOMAS, CHR. BOYCE TYSON MENTEL

CA

To authorize the Director of Finance & Management on behalf of the Department of Technology to enter into a Universal Term Contract with Time Warner Cable for the acquisition of Internet services; to authorize the expenditure of \$1.00 to establish the contract from the Universal Term Contract Fund, and to declare an emergency. (\$1.00)

This Matter was Approved on the Consent Agenda.

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

CA

To authorize the Director of Public Utilities to enter into a cooperative agreement with the Columbus Health Department, for participation in the Lead-Safe Columbus Program, for the Division of Power and Water, and to authorize the expenditure of \$300,000.00 from Water Systems Operating Fund. (\$300,000.00)

This Matter was Approved on the Consent Agenda.

JUDICIARY: TYSON, CHR. GINTHER THOMAS MENTEL

CA

To declare the necessity and intent to appropriate permanent and construction easements in, over, under and through real estate in connection with the Lockbourne Road Roadway Improvement Project, and to declare an emergency.

This Matter was Adopted on the Consent Agenda.

APPOINTMENTS

CA

Appointment of Mary Ellen Wewers Ohio State Univeristy, 320 West 10th Ave. Columbus, Ohio 43210 to serve on the Columbus Board of Health with a term expiration of January 31, 2011 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

Passed The Consent Agenda

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

FINANCE: BOYCE, CHR. O'SHAUGHNESSY TAVARES MENTEL

To authorize the Human Resources Director to enter into a three-year contract renewable annually with AON Employee Benefits Consulting, to provide professional employee benefits consulting services from February 1, 2007 through January 31, 2008; and to authorize the expenditure of \$ 110,000.00, or so much thereof as may be necessary to pay the costs of said contract; and to declare an emergency. (\$110,000.00)

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 the City Clerk to contract with Experience Columbus for marketing services to increase tourism and convention business and strengthen the image of the City of Columbus, Ohio; to authorize the expenditure of 1.5% (presently estimated at \$4,200,000) of the combined rates of 5.1% of the Hotel/Motel Excise Tax; and to authorize the expenditure of \$561,000 from the General Fund; and to declare an emergency. (\$4,761,000)

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 City Clerk to enter into a contract with the Greater Columbus Chamber of Commerce for economic development activities associated with business relocation, expansion, and retention as well as other activities related to the City's continued interest in workforce development, marketing, entrepreneurship, and infrastructure; to authorize the expenditure of \$150,000 from the General Fund and to declare an emergency. (\$150,000)

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

SAFETY : GINTHER, CHR. BOYCE THOMAS MENTEL

To authorize and direct the Director of Public Safety to modify and extend the contract with the Children's Hospital Center for Child and Family Advocacy for the lease and maintenance of office space to be used for the investigation and prosecution of child abuse and domestic violence cases; and to authorize the expenditure of \$28,144.00 from the General Fund; and to declare an emergency. (\$28,144.00)

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

DEVELOPMENT: O'SHAUGHNESSY, CHR. TAVARES TYSON MENTEL

To appropriate \$1,250,000.00 within the Special Income Tax Fund; to authorize the Development Director to establish an encumbrance in this amount to pay the Columbus-Franklin County Port Authority to establish a bond reserve fund; to authorize the expenditure of \$1,250,000.00 or so much thereof as may be necessary from the Special Income Tax Fund; and to declare an emergency. (\$1,250,000.00)

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 Director of Development to enter into a contract with the Capital Crossroads Special Improvement District of Columbus, Inc. for the implementation of services set forth in the District Plan; to direct the City Auditor to appropriate and expend up to \$1,700,000 from assessments levied from property owners; and to declare an emergency. (\$1,700,000)

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 a contract with the Discovery Special Improvement District of Columbus, Inc. for the implementation of services set forth in the District Plan; to direct the City Auditor to appropriate and expend up to \$500,000 from assessments levied from property owners; and to declare an emergency. (\$500,000)

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

An ordinance approving and authorizing the Director of Development to execute a TIF Project and Reimbursement Agreement for the construction of a parking garage containing 250 public parking spaces in the Short North Incentive District; and to declare an emergency.

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

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

To authorize the Director of Public Service make payment to Dominion Homes for design services for the Hayden Run Boulevard project 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 expenditure of \$805,000 from the 1995, 1999, 2004 Voted Streets and Highways Fund for the Transportation Division; and to declare an emergency. (\$805,000.00)

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 MENTEL**

To authorize the Director of Development to enter into a contract with Southeast, Inc. for the purpose of implementing and monitoring a tenant-based rental assistance program on behalf of the City; to authorize the expenditure of \$205,000 from the HOME Fund; and to declare an emergency. (\$205,000)

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

To authorize the Director of Development to enter into a contract with the YMCA of Central Ohio to provide tenant-based rental assistance; to authorize the expenditure of \$120,000 from the HOME Fund; and to declare an emergency. (\$120,000)

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

To authorize the expenditure of \$1,008,241 from the 2007 Community Development Block Grant Fund for the purpose of making loans and grants for operation of the Affordable Housing Opportunity Fund; and to declare an emergency. (\$1,008,241)

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

To authorize the Director of the Department of Finance and Management to enter into an agreement with the Columbus Urban League for the Fair Housing Program, to authorize the expenditure of \$220,814.00 from the Community Development Block Grant fund, and to declare an emergency. (\$220,814.00)

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

ADMINISTRATION: THOMAS, CHR. BOYCE TYSON MENTEL

To authorize the transfer of \$250,000.00 from the General Fund to the 1111 East Broad Street Operations Fund; to authorize the appropriation of \$1,672,030.00 from the unappropriated balance of the 1111 East Broad Street Operations Fund for the Finance and Management Department, Facilities Management Division; to authorize the expenditure of \$925,000.00 from the 1111 East Broad Street Operations Fund to make payments to Jones Lang LaSalle Americas, Inc. for a building maintenance services contract assumed pursuant to the purchase agreement for this property, and to declare an emergency. (\$1,672,030.00).

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 appropriate and authorize the City Auditor to transfer \$6,399,485 from the Special Income Tax Fund to the Franklin County Facilities Authority Fund, for the purpose of providing secondary funding in the event that Franklin County Facilities Authority cannot meet its debt obligations, and to declare an emergency.

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

UTILITIES: THOMAS, CHR. GINTHER O'SHAUGHNESSY MENTEL

To authorize the Director of Public Utilities to enter into a final planned modification of the heat welding, asphalt repair, and concrete repair contracts with Decker Construction Company, for the Utility Cut and Restoration Project, for the Division of Power and Water and Division of Sewerage and Drainage, to authorize the expenditure of \$560,000.00 from Water Systems Operating Fund and \$530,000.00 from the Sewer Systems Operating Fund. (\$1,090,000.00)

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

To authorize the Director of Public Utilities to modify the professional engineering services agreement with Malcolm Pirnie, Inc. for the Southerly Wastewater Treatment Plant New Headworks Project; to authorize the expenditure of \$280,000.00 from the Ohio Water Pollution Control Loan Fund; for the Division of Sewerage and Drainage. (\$280,000.00).

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

To authorize the Director of Public Utilities to reimburse the Scioto Darby ARC, LLC for the costs they paid associated with the construction of a 24" water main along Scioto & Darby Creek Road for the Division of Power and Water, to waive provisions of competitive bidding, and to authorize the expenditure of \$403,021.39 from the Water Works Enlargement Voted 1991 Bonds Fund, (\$403,021.39)

A motion was made by Ginther, seconded by O'Shaughnessy, 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 George J. Igel & Co., Inc. for the O'Shaughnessy Dam Miscellaneous Improvements - Outlet Works Renovation, for the Division of Power and Water, to authorize the expenditure of \$1,295,844.00 from the Waterworks Enlargement Voted 1991 Bonds Fund, to authorize the City Auditor to transfer funds within the Waterworks Enlargement Voted 1991 Bonds Fund, to amend the 2006 C.I.B., and to declare an emergency (\$1,295,844.00)

A motion was made by Ginther, 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 a contract for the Refuse Collection Division with Rumpke of Ohio, Incorporated, for yard waste collection services, to authorize the expenditure of \$3,989,204 from the General Fund; and to declare an emergency. (\$3,989,204)

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

JUDICIARY: TYSON, CHR GINTHER THOMAS MENTEL

To authorize and direct the City Attorney to extend a contract with Linebarger, Goggan, Blair & Sampson LLP; to authorize the City Attorney to expend up to an additional Seventy-Five Thousand Dollars (\$75,000) for services rendered pursuant thereto; to waive the competitive procurement provisions of Chapter 329 of the Columbus City Codes, 1959; and to declare an emergency. (\$75,000)

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

RULES & REFERENCE: MENTEL, CHR. BOYCE O'SHAUGHNESSY TAVARES

To amend sections in Chapter 4114 of the Columbus Building Code, Title 41, in order to update and streamline the requirements for the issuance of licenses and local registrations for the construction industry as regulated by that the Columbus Building Code.

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

APPOINTMENT**CA**

Re-Appointment of William Lhota, COTA 1600 McKinley Ave. Columbus, Ohio 43222 to serve on the Columbus Regional Airport Authority Board with a new term expiration of December 31, 2009 (resume attached).

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

Re-Appointment of William Lhota, COTA 1600 McKinley Ave. Columbus, Ohio 43222 to serve on the Columbus Regional Airport Authority Board with a new term expiration of December 31, ~~2009~~ 2010 (resume attached).

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

ADJOURNMENT

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

(THERE WILL BE NO CITY COUNCIL MEETING ON MONDAY, FEBRUARY 19, 2007 IN OBSERVANCE OF PRESIDENT'S DAY; THE NEXT SCHEDULED CITY COUNCIL MEETING WILL BE MONDAY, FEBRUARY 26, 2007)