



City of Columbus

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

Agenda - Final 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.**

Monday, May 14, 2007

5:00 PM

City Council Chambers, Rm 231

**REGULAR MEETING NO. 24 OF COLUMBUS CITY COUNCIL, MAY 14, 2007 at
5:00 P.M. IN COUNCIL CHAMBERS.**

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

C0013-2007 THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE
CITY CLERK'S OFFICE AS OF WEDNESDAY, MAY 9, 2007:

Stock Type: C1, C2
To: Price Fare Inc
DBA Beechcroft Newstand
1935 E Dublin Granville Rd
Columbus, Ohio 43229
permit # 7080725

Transfer Type: C2, C2X, D6
To: Hook SuperX LLC
DBA CVS Pharmacy 6147
1495 W 5th Av
Columbus, Ohio 43212
From: Hook SuperX Inc
DBA CVS Pharmacy 6147
1495 W 5th Av
Columbus, Ohio 43212
permit # 39606750015

Transfer Type: C2, C2X
To: Hook SuperX LLC
DBA CVS/Pharmacy #6182
3499 Clime Rd
Columbus, Ohio 43223
From: Hook SuperX Inc
DBA CVS/Pharmacy #6182
3499 Clime Rd

Columbus, Ohio 43223
permit # 39606750025

Transfer Type: C1, C2
To: Hook SuperX LLC
DBA CVS Pharmacy 6158
1211 Morse Rd
Columbus, Ohio 43229
From: Hook SuperX Inc
DBA CVS Pharmacy 6158
1211 Morse Rd
Columbus, Ohio 43229
permit # 39606750020

Transfer Type: D5, D6
To: Kornick Restaurant Development LLC
1120 N High St
Columbus, Ohio 43201
From: IGWT LLC
DBA Rhythm & Blues Cafe & Patio
4428 Walford St
Columbus, Ohio 43224
Michael Clyburn
permit # 4797043

Transfer Type: C1
To: Hook SuperX LLC
DBA CVS/Pharmacy #6159
1515 W Broad St
Columbus, Ohio 43222
From: Hook SuperX Inc
DBA CVS/Pharmacy #6159
1515 W Broad St
Columbus, Ohio 43222
permit # 39606750005

Transfer Type: C2, C2X
To: Hook SuperX LLC
DBA CVS/Pharmacy 6950
2680 N High St & Mezzanine
Columbus, Ohio 43202
From: Hook SuperX Inc
DBA CVS/Pharmacy 6950
2680 N High St & Mezzanine
Columbus, Ohio 43202
permit # 39606750010

Advertise: 5/19/07

Return: 6/1/07

RESOLUTIONS OF EXPRESSION

CRAIG

0082X-2007 To recognize, congratulate and honor the Komen Columbus Race for the Cure and the Susan G. Komen for the Cure for their tireless efforts to raise the funding needed for research in order to end breast cancer once and for all.

Sponsors: Hearcel Craig, Charleta B. Tavares, Kevin L. Boyce, Andrew Ginther, Michael C. Mentel, Maryellen O'Shaughnessy and Priscilla Tyson

O'SHAUGHNESSY

0055X-2007 To recognize the week of May 20 through 26, 2007 as National Public Works Week in the City of Columbus.

Sponsors: Maryellen O'Shaughnessy and Andrew Ginther

0083X-2007 To recognize the Ride of Silence and to declare Wednesday, May 16, 2007 as a day of remembrance for all bicyclists killed or injured by motorists in Ohio.

Sponsors: Maryellen O'Shaughnessy

ADDITIONS OR CORRECTIONS TO THE AGENDA

FR FIRST READING OF 30-DAY LEGISLATION

UTILITIES: GINTHER, CHR. CRAIG O'SHAUGHNESSY MENTEL

FR **0285-2007** To authorize the Director of Public Utilities to enter into a planned contract modification to the construction administration and inspection services agreement with R. D. Zande & Associates, Inc., to authorize the transfer of \$914,115.83 and expenditure of \$1,199,933.40 from within the Voted Sanitary Bond Fund (664); the transfer and expenditure of \$41,000.00 from within the Voted Storm Sewer Bond Fund (685); and to amend the 2006 Capital Improvements Budget, for the Division of Sewerage and Drainage. (\$1,240,933.40)

FR **0667-2007** To authorize the Director of Public Utilities to establish a purchase order with DLT Solutions, Inc. for the licensing and maintenance of the Autodesk products currently used for the Division of Operational

Support, and to authorize the expenditure of \$8,664.91 from the Sewerage System Operating Fund, \$6,257.99 from the Stormwater Operating Fund, \$481.39 from the Electricity Operating Fund and \$8,664.91 from the Water Operating Fund. (\$24,069.20)

- FR [0689-2007](#) To authorize the Director of Public Utilities to subscribe with the Water Environment Research Foundation for Fiscal Year 2007 for use of the Utility Subscription Program for the Division of Sewerage and Drainage, and to authorize the expenditure of \$57,920.00 from the Sewerage System Operating Fund. (\$57,920.00)

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

- FR [0463-2007](#) To authorize the Public Service Director to accept a "Students for Recycling" grant from Keep America Beautiful, Incorporated, designed to facilitate partnering with local schools to remove plastic bottles from the waste stream through recycling; to authorize the appropriation of \$2,500.00 within the Private Grant Fund; and to authorize the expenditure of \$2,500.00 or so much thereof as may be needed from the Private Grant Fund. (\$2,500.00)

RECREATION & PARKS: TYSON, CHR. GINTHER TAVARES MENTEL

- FR [0744-2007](#) To authorize the Director of Recreation and Parks to enter into a revenue generating contract with Go to Extreme Events Ltd. to serve as Jazz & Rib Fest Food (approved non-rib items) and Specialty Beverage (non-alcoholic beverages) Service provider for the event to be held July 20-22,2007.

**ZONING: BOYCE, CHR. BOYCE CRAIG GINTHER O'SHAUGHNESSY TAVARES
TYSON MENTEL**

- FR [0479-2007](#) To grant a Variance from the provisions of Sections 3333.02, AR-12, Apartment Residential Use; 3333.22, Maximum Side Yard; 3333.23, Minimum Side Yard; 3333.24, Rear yard; 3333.255, Perimeter yard; 3342.15, Maneuvering; and 3342.18, Parking setback line, and 3342.19, Parking space of the Columbus City Codes for the property located at 5191 WILCOX ROAD (43016), to permit two Five-Unit Dwellings with reduced development standards in the L-AR-12, Limited Apartment Residential District and to declare an emergency. (Council Variance #CV06-064)
- FR [0615-2007](#) To rezone 5181 WARNER ROAD (43081), being 4.16± acres located on the south side of Warner Road, 340± feet west of Hamilton Road, From: R, Rural and L-AR-12, Limited Apartment Residential Districts, To: CPD, Commercial Planned Development District and to declare an emergency. (Rezoning #Z05-082)
- FR [0517-2007](#) To rezone 2035 HILLIARD ROME ROAD (43026), being 0.93± acres located on the west side of Hilliard Rome Road, 270± feet north of

Tanglewood Park Boulevard, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District. (Rezoning # Z06-080)

CA CONSENT ACTIONS**FINANCE: BOYCE, CHR. O'SHAUGHNESSY TAVARES MENDEL**

- CA** [0575-2007](#) To authorize the Director of the Department of Finance and Management on behalf of the Department of Technology to modify and extend the contract with Maximus Inc. for the annual license renewal for the FleetAnywhere application utilized by the Fleet Management Division from the Department of Technology information services fund; to authorize the expenditure of \$97,000.00 (\$97,000.00).

PUBLIC SERVICE & TRANSPORTATION: O'SHAUGHNESSY, CHR. TAVARES CRAIG MENDEL

- CA** [0239-2007](#) To authorize the Public Service Director to enter into an agreement with the Director of the Ohio Department of Transportation and to grant consent and propose cooperation with the State of Ohio for the IR70/SR317 interchange ramp improvement project for the Transportation Division. (\$0)
- CA** [0519-2007](#) To authorize the Public Service Director to enter into an agreement with the Director of the Ohio Department of Transportation and the Franklin County Engineer; and to grant consent and propose cooperation with the State of Ohio and Franklin County for this bridge replacement project on County Road 1 (Main Street) over Alum Creek for the Transportation Division. (\$0)
- CA** [0520-2007](#) To authorize the Public Service Director to enter into an agreement with the Director of the Ohio Department of Transportation and the Franklin County Engineer; and to grant consent and propose cooperation with the State of Ohio and Franklin County for this bridge replacement project on County Road 15 (Livingston Avenue) over Big Walnut Creek for the Transportation Division. (\$0)
- CA** [0521-2007](#) To authorize the Public Service Director to enter into an agreement with the Director of the Ohio Department of Transportation and the Franklin County Engineer; and to grant consent and propose cooperation with the State of Ohio and Franklin County for this bridge reconstruction project on County Road 29 (Scioto and Darby Creek Road) over CSX Railroad for the Transportation Division. (\$0)

ADMINISTRATION: TYSON, CHR. BOYCE CRAIG MENDEL

- CA** [0017-2007](#) To authorize and direct the appropriation of \$22,008.00 and the transfer of \$23,439.00 from various FEMA grant funds to various other

funds in order to reimburse the proper funds for expenditures incurred in association with two disasters: the winter storm and flooding of December 2004, and the Katrina/Rita hurricanes. (\$45,447.00)

APPOINTMENTS

CA [A0044-2007](#) Appointment of Rebecca Nelson, Assistant Vice President for Student Affairs and Director of the Multicultural Center at The Ohio State University. 128 Lincoln Tower, Columbus, Ohio 43201 to serve on the Community Relations Commission with a new term expiration date of December 31, 2010(resume attached).

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

FINANCE: BOYCE, CHR. O'SHAUGHNESSY TAVARES MENTEL

[0365-2007](#) To appropriate \$174,128.00 within the General Permanent Improvement Fund in order to provide funding for Refuse Division capital improvements, and to transfer \$174,128.00 between projects within said Fund. (\$174,128.00)

[0457-2007](#) To authorize the Finance and Management Director to transfer \$100,000 within the General Fund, Division of Financial Management, to authorize and direct the Director of Finance and Management to establish purchase orders for the payment of annual membership dues or subscriptions for the City of Columbus for the National League of Cities, the Ohio Municipal League, the U.S. Conference of Mayors, the National Conference of Black Mayors, the National Black Caucus of Local Elected Officials, the Government Finance Officers' Association, the Central Ohio Municipal Alliance and Rotunda, and to authorize the expenditure of \$100,000 from the general fund (\$100,000)

[0757-2007](#) To authorize and direct the City Auditor to transfer and appropriate Twenty-five Thousand Dollars within the general fund from the Finance and Management Department to the City Attorney's Office for special legal counsel services and to declare an emergency. (\$25,000.00)

JUDICIARY & COURT ADMINISTRATION: CRAIG, CHR GINTHER TYSON MENTEL

[0646-2007](#) To authorize the acceptance and appropriation of a supplemental grant award from the State of Ohio, Office of the Attorney General, in the amount of One Thousand Two Hundred Dollars for the continued funding of the VOCA Domestic Violence Advocates program, and to authorize the transfer and appropriation of matching funds required by the acceptance of the grant in the amount of Four Hundred Dollars. (\$1,600.00)

[0620-2007](#) To authorize the City Auditor to transfer \$100,000 within the general fund from the Department of Finance and Management to the

Department of Public Safety, Division of Police; to authorize and direct the City Attorney to pay the settlement amount to Maguire & Schneider LLP, counsel for Plaintiff Orelius Barnett, in the case of Orelius Barnett v. City of Columbus, et al., United States District Court Case No. C2-04-1113; to authorize the expenditure of the sum of Ninety Thousand Dollars (\$90,000.00); and to declare an emergency.

0690-2007

To authorize and direct Franklin County Municipal Court to modify past, present and future contracts and purchaser orders with Scientific Testing Laboratories, Inc to Kroll, Inc.; and to declare an emergency.

0728-2007

To authorize and direct the Franklin County Municipal Court Clerk to modify and increase the contract with Linebarger, Goggan, Blair & Sampson, LLP for the provision of collection services; to authorize an expenditure up to \$75,000.00 from the Clerk's collection fund; and to declare an emergency. (\$75,000.00)

SAFETY : GINTHER, CHR. BOYCE CRAIG MENTEL**0672-2007**

To accept the proposed collective bargaining contract between the City of Columbus and the Fraternal Order of Police, Ohio Labor Council, Inc. (FOP/OLC), to provide for wages, hours and other terms and conditions of employment for employees in the bargaining unit as provided in Attachment A attached hereto; and to declare an emergency.

0675-2007

To authorize and direct the Director of Public Safety to modify and extend a contract with Public Safety Systems, Inc. (PSSI) for software support and services for the Computer Aided Dispatch System for the Department of Public Safety, to authorize the expenditure of \$128,000.00 from the Division of Support Services General Fund and to declare an emergency. (\$128,000.00)

UTILITIES: GINTHER, CHR. CRAIG O'SHAUGHNESSY MENTEL**0405-2007**

To authorize the Director of Public Utilities to execute a professional engineering services contract modification with R. D. Zande & Associates, Inc., in connection with four sanitary sewer improvement projects located in the North Linden community, to authorize the transfer and expenditure of \$28,000.00 from the Voted Sanitary Bond Fund; and to amend the 2006 Capital Improvements Budget, for the Division of Sewerage and Drainage. (\$28,000.00)

0428-2007

To authorize the Director of Public Utilities to reimburse the Division of Transportation for the construction of the Lane Avenue Roadway Improvements Project, to authorize the transfer and expenditure of \$1,086,660.50 from within the Voted Storm Sewer Bond Fund; and to amend the 2006 Capital Improvements Budget, for the Division of Sewerage and Drainage. (\$1,086,660.50)

- 0486-2007** To authorize the Director of Public Utilities to enter into a planned contract modification to the construction administration and inspection services agreement with DLZ Ohio, Inc., to authorize the transfer of \$1,133,490.16 and expenditure of \$1,413,022.77 from within the Voted Sanitary Bond Fund; and to amend the 2006 Capital Improvements Budget, for the Division of Sewerage and Drainage. (\$1,413,022.77)
- 0603-2007** To authorize the Director of Finance and Management to establish a purchase order for the purchase of one Easement Cleaning Machine with Trailer in accordance with a State of Ohio contract with Jack Doheny Supplies Ohio Inc for the Division of Sewerage and Drainage, to waive the provisions of competitive bidding and to authorize the expenditure of \$28,811.70 from the Sewerage System Operating Fund. (\$28,811.70)

DEVELOPMENT: O'SHAUGHNESSY, CHR. TAVARES TYSON MENTEL

- 0187-2007** To authorize and direct the Clerk of Council to execute and sign a petition on behalf of the City of Columbus to be presented to the Board of County Commissioners of Franklin County, Ohio by Tremont Club, LLC to create a new authority under Ohio Revised Code Chapter 349 for the benefit of the Hilliard City School District and the City of Hilliard and to declare an emergency.
(TABLED 4/9/07)
- 0189-2007** To authorize and direct the Clerk of Council to execute and sign a petition on behalf of the City of Columbus to be presented to the Board of County Commissioners of Franklin County, Ohio by Virginia Homes Ltd. to create a new authority under Ohio Revised Code Chapter 349 for the benefit of the Hilliard City School District and the City of Hilliard and to declare an emergency.
(TABLED 4/9/07)
- 0497-2007** To authorize and direct the Clerk of Council to execute and sign a petition on behalf of the City of Columbus to be presented to the Board of County Commissioners of Union County, Ohio by Tartan Ridge, LLC to create a new community authority under Ohio Revised Code Chapter 349 for the benefit of Washington Township in the City of Dublin.
(TABLED 4/9/07)
- 0659-2007** To authorize the Director of Development to amend the existing Enterprise Zone Agreement with Broad & High Development LLC to change the agreement commencement and completion dates.
- 0681-2007** To accept the application (AN06-012) of Donald E. Craven et al. for the annexation of certain territory containing 3.962 ± Acres in Orange Township.

- 0700-2007** To authorize a transfer of funds between projects within the Northland and Other Acquisitions Fund; to authorize the expenditure of up to \$250,000 from the Northland and Other Acquisitions Fund for the purchase of certain real property within the Greater Parsons Avenue Area Vision Plan; and to declare an emergency. (\$250,000)
- 0701-2007** To authorize the appropriation and expenditure of \$2,356.36 from the General Government Grant Fund for the reimbursement of unspent grant funds to the State of Ohio; to authorize the appropriation and expenditure of \$29,561.64 from the Urban Development Action Grant - Capitol South Fund for the reimbursement of unspent grant funds to the State of Ohio; and to declare an emergency (\$31,918.00)
- 0713-2007** To authorize the Director of the Department of Development to enter into a twelve month contract with the Ohio State University Research Foundation to support the Neighborhood Technical Assistance Program; to authorize the expenditure of \$116,348.00 from the General Fund; and to declare an emergency. (\$116,348.00)
- 0718-2007** To authorize and direct the City Auditor to appropriate \$123,000.00 from the unappropriated balance of the Urban Development Action Grant Fund to the Development Department, Economic Development Division; to authorize the expenditure of \$123,000 from the Urban Development Action Grant Fund for the purpose of making storefront renovation grants under the Economic Development Division, Neighborhood Commercial Revitalization Program; and to declare an emergency. (\$123,000.00)
- 0762-2007** To authorize and direct the Director of the Department of Development to accept a grant from the Franklin County Board of Commissioners for the renovation of the Lincoln Theater; to authorize and direct the Director of the Department of Development to enter into a Collaborative Agreement between Franklin County and the City of Columbus for purposes of accepting the grant; to authorize the transfer of \$4,000,000 to the Special Income Tax Fund upon receiving the funds from Franklin County; and to declare an emergency. (\$4,000,000)

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

- 0483-2007** To authorize the Director of Finance and Management to establish a purchase order with AT & T, for the purchase of local and long distance telephone service in accordance with the terms and conditions of the universal term contracts established for this purpose, to authorize the expenditure of \$16,800.00 from the Development Services Fund, and to declare an emergency. (\$16,800.00)
- 0599-2007** To authorize the Public Service Director to enter into a contract for the Transportation Division with Strawser Paving, Inc. for the High Street Resurfacing and Bridge Maintenance Project; to authorize the

expenditure of \$1,392,535.37 from the 1995, 1999, 2004 Voted Streets and Highways Fund; and to declare an emergency. (\$1,392,535.37).

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

0692-2007

To authorize the Director of the Department of Development to enter into a contract with the Community Development Collaborative of Greater Columbus; and to authorize the expenditure of \$45,000 from the General Fund. (\$45,000.00)

RECREATION & PARKS: TYSON, CHR. GINTHER TAVARES MENTEL

0639-2007

To authorize the Director of Recreation and Parks to enter into a contract with the Columbus Zoological Park Association to provide transportation, shirts and novelties for children from Recreation and Parks' playgrounds to the Columbus Zoo and Aquarium as a part of the 2007 Melvin B. Dodge Summer Zoo Days, and to declare an emergency.

0664-2007

To authorize and direct the Director of Recreation and Parks to enter into contract with Columbus Downtown Development Corporation for the administration of the Riverfront Development Project from Battelle Park to Bicentennial Park (Scioto Mile) , to authorize the expenditure of \$1,000,000.00 from the Recreation and Parks Grant Fund, and to declare an emergency. (\$1,000,000.00)

0669-2007

To authorize and direct the Director of Recreation and Parks to accept a grant in the amount of \$24,070.00 and enter into an agreement with the Ohio Department of Natural Resources Division of Watercraft, to authorize an appropriation of \$24,070.00 from the unappropriated balance to the Recreation and Parks Grant Fund, and to declare an emergency. (\$24,070.00)

ADJOURNMENT