



# 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.*

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Monday, May 12, 2008

5:00 PM

City Council Chambers, Rm 231

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**REGULAR MEETING NO. 25 OF COLUMBUS CITY COUNCIL, MAY 12, 2008 at  
5:00 P.M. IN COUNCIL CHAMBERS.**

### ROLL CALL

### READING AND DISPOSAL OF THE JOURNAL

#### C0014-2008

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE  
CITY CLERK'S OFFICE AS OF WEDNESDAY, MAY 7, 2008:

New Type: C1, C2  
To: Majada Inc  
DBA Neal Supermarket  
3716 Refugee Rd  
Columbus, Oh 43232  
permit # 5458862

Transfer Type: D5, D6  
To: Large Bar 2159 LLC  
DBA The Large Bar  
2159 N High St  
Columbus, Oh 43201  
From: Spartan Mongo IV Inc  
DBA BD S Mongolian Barbeque  
3977 Worth Av & Patio  
Columbus, Ohio 43219  
permit # 5028662

Transfer Type: C1, C2, D6  
To: Ma LLC  
DBA Trabue Food Mart  
4111 Trabue Rd  
Columbus, Ohio 43228  
From : Pit N Go Inc  
DBA Ameristop Food Mart 29329

4111 Trabue Rd  
Columbus, Ohio 43228  
permit # 5377746

Advertise: 5/10/08

Return: 5/27/08

## RESOLUTIONS OF EXPRESSION

### CRAIG

**0093X-2008** To recognize 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.

### TAVARES

**0095X-2008** To congratulate Antonio Goodwin for achieving the rank of Eagle Scout.

**0096X-2008** To recognize Rochelle Dennis Twining Interim Executive Director for the Columbus Franklin County Community Action Agency.

**0097X-2008** To endorse the Franklin County Transportation Coordination Plan, otherwise known as the Coordinated Plan, as the official coordinated transportation plan for the central Ohio region, and to endorse the service and policy coordination strategies set forth in the plan to local transportation funders, providers and users.

## ADDITIONS OR CORRECTIONS TO THE AGENDA

### FR FIRST READING OF 30-DAY LEGISLATION

### JUDICIARY & COURT ADMINISTRATION: CRAIG, CHR. GINTHER, TYSON MENTEL

FR **0654-2008** To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release certain portions of an existing sewer storm sewer line easement, located in the vicinity of North High Street and Olentangy Street, at the request of Charlotte P. Kessler and The Park National Bank Co-Trustees, in exchange for a replacement easement previously granted to the City of Columbus, Ohio.

FR **0755-2008** To authorize the Director of the Department of Development to execute

those documents necessary to release a "restrictive covenant" and "right to reverter" clause from the deed to that property located at 14 West Lakeview Avenue, known as the Clintonville-Beechwood Community Resources Center so that the property may be used as collateral to secure a loan for the expansion of the Clintonville-Beechwood Community Resources Center, Incorporated's CRC Kids after school program.

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

- FR     [0706-2008](#)     To authorize the Director of Public Utilities to enter into a planned, final contract modification to the construction administration and inspection services agreement with DLZ Ohio, Inc., to authorize the transfer of \$276,196.53 and an expenditure of \$388,336.54 from within the Sanitary Sewer Revenue Bonds Fund; and to amend the 2008 Capital Improvements Budget, for the Division of Sewerage and Drainage. (\$388,336.54 )
- FR     [0710-2008](#)     To authorize the Director of Public Utilities to modify and increase the professional engineering services contract with Dynamix Engineering Ltd.; to provide for preparation of "as-built" record drawings of the improvements constructed on the Hap Cremean Water Plant Asbestos Hazard Abatement & Heating System Replacement Project; for the Division of Power and Water; and to authorize the expenditure of \$10,000.00 within the Water Works Enlargement Voted Bonds Fund. (\$10,000.00)
- FR     [0754-2008](#)     To authorize the Director of Public Utilities to enter into a planned, final contract modification to the construction administration and inspection services agreement with Stantec Consulting Services, Inc. (formerly RD Zande) to authorize the transfer of \$35,199.91 and an expenditure of \$193,199.91 from within the Sanitary Sewer Revenue Bonds Fund; and to amend the 2008 Capital Improvements Budget, for the Division of Sewerage and Drainage. (\$193,199.91 )

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

- FR     [0772-2008](#)     To amend Ordinance #1582-00, passed July 10, 2000 (Z98-066A) for property located at 6630 EAST BROAD STREET (43213), thereby amending the limitation overlay text in Section 3 as it pertains to building height restrictions and to declare an emergency (Z98-066B).

- FR**     **0718-2008**     To rezone 4653 KENNY ROAD (43220), being 1.37± acres located north of the intersection of Kenny and Godown Roads, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District and to declare an emergency. (Rezoning # Z07-041)
- FR**     **0725-2008**     To rezone 647 EAST WOODROW AVENUE (43207), being 0.75± acres located on the south side of East Woodrow Avenue, 800± feet west of Ann Street, From: R-4, Residential, and M, Manufacturing Districts, To: M, Manufacturing District and to declare an emergency (Rezoning # Z08-006).
- FR**     **0632-2008**     To rezone 4400 NORTH HIGH STREET (43214), being 2.6± acres located at the northeast corner of North High Street and Henderson Road, From: R-3, Residential, AR-1, Apartment Residential, P-1, Parking, and C-2 and C-4, Commercial Districts, To: CPD, Commercial Planned Development, and L-P-1, Limited Parking Districts (Rezoning # Z07-054).

## **CA     CONSENT ACTIONS**

### **SAFETY : GINTHER, CHR. BOYCE CRAIG MENTEL**

- CA**     **0631-2008**     To authorize and direct the Safety Director to enter into a contract with Sagem Morpho, Inc. for one year maintenance for the Automated Fingerprint Identification System (AFIS) for the Division of Police in accordance with the sole source procurement, to authorize the expenditure of \$389,963.56 from the General Fund, and to declare an emergency. (\$389,963.56.)
- CA**     **0657-2008**     To authorize and direct the Public Safety Director to contract with the RightStuff Software for the purchase of Family Medical Leave Act and Sick Leave Tracking System for the Division of Police, to authorize the expenditure of \$35,000.00 from Law Enforcement Contraband Seizure Funds. (\$35,000.00)
- CA**     **0695-2008**     To authorize and direct the Director of Finance and Management to enter into a contract with Standard Law Enforcement Supply Co. for the purchase of semi-automatic pistols for the Division of Police, to authorize the transfer of funds within the Division of Police's General Fund Budget, to authorize the expenditure of \$31,877.60 from the General Fund. (\$31,877.60)

- CA [0742-2008](#) To authorize an appropriation of \$5,000.00 from the unappropriated balance of the Alcohol Treatment Fund to the Division of Police to pay for advanced training for the Accident Investigation Unit and DWI Conference for Traffic Bureau personnel; and to declare an emergency. (\$5,000.00)

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

- CA [0649-2008](#) To authorize the Director of Public Utilities to execute a professional engineering services contract modification agreement with Malcolm Pirnie, Inc., for the Clinton Heights/Colerain Area Sanitary Improvements Project; to authorize the transfer and appropriation of \$10,037.93 from the Voted Sanitary Sewer Bond Fund to the Sanitary Sewer Revenue Bonds Fund; to amend the 2008 Capital Improvements Budget; and to authorize the expenditure of \$10,037.93 within the Sanitary Sewer Revenue Bonds Fund for the Division of Sewerage and Drainage. (\$10,037.93).
- CA [0663-2008](#) To authorize the Director of Public Utilities to enter into an agreement with DLT Solutions, Inc. for the licensing and maintenance of the Autodesk software in accordance with sole source provisions of the Columbus City Code, to authorize the expenditure of \$8314.34 from the Sewerage System Operating; \$8314.34 from the Water Operating Fund, \$6004.83 from the Stormwater Operating Fund and \$461.90 from the Electricity Operating Fund (\$23,095.41)
- CA [0675-2008](#) To authorize the Director of Public Utilities to enter into a planned modification of the contract with Stantec Consulting Services for NPDES Stormwater Permit Wet Weather Monitoring for the Division of Sewerage and Drainage, Stormwater and Regulatory Management Section, to authorize the expenditure of \$848,228.96 from the Storm Water System Operating Fund. (\$848,228.96)
- CA [0678-2008](#) To authorize the Director of Public Utilities to enter into a guaranteed maximum cost agreement in accordance with Section 186 of the City Charter, with Royal Tallow Holdings, Ltd., for the construction of the Franklin-Main Interceptor Sewer Rehabilitation, Section 7 Project; and to authorize the expenditure of \$852,236.81 from the Sanitary Sewer Revenue Bonds Fund for the Division of Sewerage and Drainage. (\$852,236.81)
- CA [0686-2008](#) To authorize the Director of Public Utilities to enter into a professional

engineering services agreement with Burgess & Niple, Inc., for the First Avenue Inflow Redirection project; and to authorize the expenditure of \$525,597.33 within the Sanitary Sewer Revenue Bonds Fund for the Division of Sewerage and Drainage. (\$525,597.33).

- CA [0693-2008](#) To authorize the Director of Public Utilities to enter into an agreement with U.S. Security Associates for Security Guard Services for the Division of Power and Water (Water) and to authorize the expenditure of \$44,166.00 from the Water Operating Fund. (\$44,166.00)

#### **DEVELOPMENT: O'SHAUGHNESSY, CHR. TAVARES TYSON MENTEL**

- CA [0679-2008](#) To amend the 2008 Capital Improvement Budget; to authorize the City Auditor to appropriate \$1,000 from the unappropriated balance of the Northland and Other Acquisitions Fund; to authorize the City Auditor to transfer funds between projects in the Northland and Other Acquisitions Fund; to authorize the Director of the Department of Development to amend a contract with the Thompson Building Associates to provide services to 879 E. Long Street ("The Edna Building"); to authorize the expenditure of \$105,000 from the Northland and Other Acquisitions Fund; and to declare an emergency. (\$105,000.00)
- CA [0789-2008](#) To amend Ordinance 2245-2006 to clarify that the contractor is the Columbus Urban Growth Corporation; and to declare an emergency.
- CA [0793-2008](#) To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN08-006) of .47± acres in Prairie Township to the city of Columbus as required by the Ohio Revised Code; and to declare an emergency.

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

- CA [0670-2008](#) To authorize the Transfer of Funds within the Voted 1995, 1999, 2004 Streets and Highways Fund for the Transportation Division and the Storm Sewer Bond Fund for the Division of Sewerage and Drainage; to amend the 2008 Capital Improvements Budget; to authorize the transfer of Funds from the Voted 1995, 1999, 2004 Streets and Highways Fund and the Storm Sewer Bond Fund to the State Issue II Street Projects Fund; to appropriate \$122,000.00 within the State Issue II Street Projects Fund; to authorize the City Attorney's Real Estate Division to contract for professional services related to the acquisition of fee simple title and lesser interests in and to property needed for the

Williams Road Improvement and Pump Station Replacement project; to authorize the City Attorney's Office, Real Estate Division, to negotiate with property owners for the acquisition of the additional areas necessary to complete this project; to authorize the expenditure of \$122,000.00 from the State Issue II Street Projects Fund for the Transportation Division and for acquisition related expenses; and to declare an emergency. (\$122,000.00)

- CA [0715-2008](#) To authorize the Public Service Director to enter into a contract for the Transportation Division with G & G Cement Contractors for construction of the North High Street Tree Project; to authorize the expenditure of \$80,000.00 from the Voted 1999/2004 Parks and Recreation Bond Fund and \$69,999.00 from the Voted 1995, 1999, 2004 Streets and Highways Fund for the Transportation Division; and to declare an emergency. (\$149,999.00)

- CA [0786-2008](#) To change the name of that right-of-way currently identified as John McCoy Circle on the plat titled Habitat Village, Section 1, to John G. McCoy Circle and to declare an emergency.

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

### **FINANCE: BOYCE, CHR. O'SHAUGHNESSY TAVARES MENDEL**

- [0579-2008](#) To amend the 2008 Capital Improvement Budget; to authorize the transfer of funds within the Voted 1995, 1999, 2004 Streets and Highways Fund; to authorize the expenditure of \$300,000.00 from the Voted 1995, 1999, 2004 Streets and Highways Fund; to authorize the Public Service Director to enter into a professional service contract with GPD for the preliminary engineering for the General Engineering Bridges 2008 project for the Transportation Division; and to declare an emergency. (\$300,000.00)

- [0753-2008](#) To authorize the Finance and Management Director to issue blanket purchase orders for Byers automotive parts and supplies for the Fleet Management Division; to authorize the expenditure of \$40,000.00 from the Fleet Management Services Fund; to waive the competitive bidding requirements of the Columbus City Codes; and to declare an emergency. (\$40,000.00)

### **SAFETY : GINTHER, CHR. BOYCE CRAIG MENDEL**

- [0054-2008](#) To authorize and direct the Director of Public Safety to expend funds for the use of Franklin County Correction Centers for the housing of City of Columbus prisoners; to authorize the expenditure of \$5,920,000

from the General Fund; and to declare an emergency. (\$5,920,000)

**0721-2008**

To authorize and direct the Finance and Management Director to exercise the option for fourth purchase per the Purchase Agreement with MD Helicopters, Inc. for the purchase of a 500E helicopter, to authorize the appropriation and the expenditure of up to a maximum of \$1,356,545.00 from the Special Income Tax Debt Fund; and to declare an emergency. (\$1,356,545.00)

**0748-2008**

To authorize and direct the Finance and Management Director to contract for the purchase of Panasonic Toughbooks from Insight Public Sector for the Division of Police in accordance with the sole source procurement; to authorize the expenditure of \$1,535,000.00 from the Community Oriented Policing Services (COPS) Grant Fund; and to declare an emergency. (\$1,535,000.00)

**0802-2008**

To authorize the appropriation of \$52,000 from the Public Safety Initiatives Fund to the Department of Development; to authorize the Director of the Department of Development to enter into contract with Greater Linden Development Corporation for the operation of the Linden Crime Prevention Partnership; to authorize the expenditure of \$52,000.00 from the Public Safety Initiatives Fund; and to declare an emergency. (\$52,000.00)

**UTILITIES: GINTHER, CHR. CRAIG O'SHAUGHNESSY MENTEL****0495-2008**

To authorize the City Attorney to acquire permanent and construction easements and to contract for professional services; to authorize the transfer of \$40,000.00 within the Storm Sewer Bond Fund; to amend the 2008 Capital Improvements Budget; and to expend \$140,000.00 from the Storm Sewer Bond Fund for costs in connection with the Skyline Drive Stormwater System Improvements Project, and to declare an emergency. (\$140,000.00).

*(TABLED 5/5/08)*

**0619-2008**

To authorize the Director of Public Utilities to execute a construction contract with Shelly & Sands, Inc. for the Champion Ave. 24" Water Main Project; to authorize a transfer of funds and the appropriation and expenditure of \$432,394.63 within the Water Works Enlargement Voted Bonds Fund; to authorize the appropriation and expenditure of \$3,005,205.99 within the Water Supply Revolving Loan Account Fund; and to amend the 2008 Capital Improvements Budget; for the Division of Power and Water (Water). (\$3,437,600.62)

**0635-2008**

To authorize the Director of Public Utilities to execute a construction



contract with Fields Excavating, Inc. for construction of the Livingston Avenue and Sheridan Avenue 24" W.M. Part I and II Project; to authorize the transfer and expenditure of \$381,216.47 from the Water Works Enlargement Voted Bonds Fund; to authorize the appropriation and expenditure of \$3,422,546.76 within the Water Supply Revolving Loan Account Fund; to authorize an amendment to the 2008 Capital Improvements Budget; for the Division of Power and Water (Water); and to declare an emergency. (\$3,803,763.23)

**0666-2008**

To authorize the Director of Public Utilities to execute a construction contract with Columbus Asphalt Paving, Inc. for the Far East Columbus Water Main Improvements, Part II Project; for the Division of Power and Water; to authorize the appropriation and expenditure of \$2,587,933.32 within the Water Supply Revolving Loan Account Fund, Loan No. 4891; to provide for payment of inspection, material testing and related services to the Transportation Division in the amount of \$353,362.50; and to declare an emergency. (\$2,941,295.82)

**0672-2008**

To authorize the Director of Public Utilities to execute a construction contract with Kokosing Construction Co. for the Hap Cremean Water Plant Sludge Pump Station Renovations Project; for the Division of Power and Water (Water); to authorize a transfer of funds; to authorize the expenditure of \$32,856,600.00 from the Water Works Enlargement Voted Bonds Fund; and to authorize an amendment to the 2008 Capital Improvements Budget. (\$32,856,600.00)

**0759-2008**

To authorize the Director of Public Utilities to compromise and settle on behalf of the City of Columbus the litigation captioned Loveland Excavating of Columbus, Inc. v. City of Columbus, pending in the Franklin County Court of Common Pleas, in the total amount of \$35,000.00 (Thirty-Five Thousand Dollars and no cents); to execute any necessary documents associated with the settlement and final resolution of the litigation; to authorize the City Auditor to deposit the settlement funds as directed by the City Auditor, and to declare an emergency.

**DEVELOPMENT: O'SHAUGHNESSY, CHR. TAVARES TYSON MENTEL****0094X-2008**

To support the TechCenter South application for a \$5 million Ohio Job Ready Sites grant and to affirm the Department of Public Utilities has resolved that the TechCenter South site has the required utility capacity for such grant application; and to declare an emergency.

**0767-2008**

To authorize the City Auditor to transfer \$50,000 within the

Development Department, General Fund; to authorize the Director of the Department of Development to enter into contract with the Columbus Compact Corporation to support the administrative activities and responsibilities of the Columbus Empowerment Zone; to authorize the expenditure of \$50,000.00 from the General Fund; and to declare an emergency. (\$50,000.00)

**0780-2008**

To authorize the appropriation of \$2,889,263.76 from the Special Income Tax Fund to the City Auditor; to authorize the City Auditor to transfer said funds from the Special Income Tax Fund to the Northland and Other Acquisitions Fund; and to authorize the Director of the Department of Development to expend up to \$2,889,263.76 from the Northland and Other Acquisitions Fund for 2008 lease rental payment to The RiverSouth Authority Section 55(B) of the City Charter. (\$2,889,263.76)

**0791-2008**

To make a finding that the proposed new community district to be governed by the One Neighborhood New Community Authority will be conducive to the public health, safety, convenience, and welfare, and is intended to result in the development of a new community; to declare the One Neighborhood New Community Authority to be organized and a body politic and corporate; to designate the name of the new community authority; to define the boundary of the new community district; and to declare an emergency.

**0795-2008**

To authorize the Director of the Department of Development to enter into a Jobs Creation Tax Credit Agreement and a Jobs Growth Incentive Agreement with Express, LLC and Express Holding, LLC (collectively known as Express); and to declare an emergency. (AMENDED BY ORDINANCE 1915-2008 PASSED 12/01/08)

**PUBLIC SERVICE & TRANSPORTATION: O'SHAUGHNESSY, CHR.  
TAVARES CRAIG MENTEL****0580-2008**

To amend the 2008 C.I.B; to authorize the transfer of funds within the Voted 1995, 1999, 2004 Streets and Highways Fund; to authorize the expenditure of \$386,606.20 from the Voted 1995, 1999, 2004 Streets and Highways Fund; to authorize the Public Service Director to enter into a contract for the Transportation Division with The Righter Company for construction of the Town Street Bridge Railing Removal project for the Transportation Division; and to declare an emergency. (\$386,606.20).

**0809-2008**

To authorize the Director of Public Service to enter into a Memorandum of Understanding by and among the City of Columbus and Riversouth Holdings LLC, an Ohio limited liability company, Columbus Downtown Development Corporation, an Ohio non-profit corporation and Lifestyle Real Estate Holdings, Ltd., an Ohio limited

liability company for the construction of certain improvements contemplated in the Riversouth, Phase 1, plans; to authorize the Director of the Public Service Department to execute those documents necessary to transfer, at no charge, that portion of Ludlow Street needed for the construction of the residential development to Lifestyle; to waive the competitive bidding and the Land Review Commission provisions of Columbus City Code; and to declare an emergency.

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

**0599-2008** To authorize and direct the Board of Health to accept the grant service contract from the Franklin County Alcohol, Drug Addiction and Mental Health Services Board in the amount of \$1,080,840, to authorize the total appropriation of \$1,641,246 which includes program revenues, from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency. (\$1,641,246)

*(TABLED 5/5/08)*

**RECREATION & PARKS: TYSON, CHR. GINTHER TAVARES MENTEL**

**0750-2008** To authorize and direct the Director of Recreation and Parks to modify the revenue generating contract with Schmidt Hospitality Concepts, Inc. for food service concessions at Raymond Memorial Golf Course, and to declare an emergency.

**0760-2008** To authorize the expenditure of \$100,000.00 from the Voted 1999 and 2004 Recreation and Parks Bond Fund for Facility Improvements, and to declare an emergency. (\$100,000.00)

**ADJOURNMENT**