



City of Columbus

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

Agenda - Final Revised 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, September 17, 2007

5:00 PM

City Council Chambers, Rm 231

**REGULAR MEETING NO. 44 OF COLUMBUS CITY COUNCIL, SEPTEMBER 17,
2007 at 5:00 P.M. IN COUNCIL CHAMBERS.**

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

C0024-2007 THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE
CITY CLERK'S OFFICE AS OF WEDNESDAY, SEPTEMBER 12,
2007:

New Type: D3
To: Wingage 3 Ltd
968 W Fifth Ave
Columbus, Ohio 43212
permit # 9693114

New Type: C2
To: Lynd Crest Orchard Inc
DBA Lynds Gourmet
186 Easton Town Center Area A101
Columbus, Ohio 43219
permit # 53694520005

Transfer Type: D5, D6
To: La Michoacana Mexican Market LLC
DBA La Michoacana Fresh Market
2175 Morse Rd
Columbus, Ohio 43229
From: La Michoacana Mexican Market LLC
DBA Taqueria La Michoacana
1784 E Dublin Granville Rd
Columbus, Ohio 43229
permit # 49571990001

Transfer Type: D5

To: Windsor and Seven LLC
DBA Notals Too
1880 N High St Lower Level Unit A
Columbus, Ohio 43201
From: 1880 North High Street Inc
1880 N High St Lower Level Unit A
Columbus, Ohio 43201
permit # 9690123

Letter from Randall A. Woodings, of George J. Kontogiannis & Associates dated September 11, 2007 withdrawing their appeal to City Council of the Downtown Commission Decision related to the Greek Orthodox Cathedral.

Advertise: 9/15/07
Return: 10/1/07

RESOLUTIONS OF EXPRESSION

CRAIG

[0140X-2007](#) To honor the memory of Mrs. Vicki Speakman and to recognize the sixth annual Celebrate! event in honor of her memory.

Sponsors: Hearcel Craig

TAVARES

[0141X-2007](#) To recognize September as Ovarian Cancer Awareness Month and to commend the efforts of the Central Ohio Chapter of the National Ovarian Cancer Coalition.

Sponsors: Charleta B. Tavares

[0148X-2007](#) To recognize Elder W.C. Cupe as a fierce servant and pillar of strength for the City of Columbus on Founder's Day-September 23, 2007.

Sponsors: Charleta B. Tavares

TYSON

[0132X-2007](#) To honor and recognize Mr. Edwin L. Amos' dedication to inner city youth and to the Columbus community.

Sponsors: Priscilla Tyson

[0143X-2007](#) To honor William Wegman and to celebrate the arrival of the Funney/Strange retrospective to Columbus.

Sponsors: Priscilla Tyson and Maryellen O'Shaughnessy

0147X-2007

To proclaim the month of September as Sickle Cell Disease Awareness Month in the City of Columbus.

Sponsors: Priscilla Tyson, Kevin L. Boyce, Hearcel Craig and Charleta B. Tavares

ADDITIONS OR CORRECTIONS TO THE AGENDA

FR FIRST READING OF 30-DAY LEGISLATION

UTILITIES: GINTHER, CHR. CRAIG O'SHAUGHNESSY MENDEL

FR **1328-2007** To authorize the Director of Finance and Management to establish a purchase order with Graham Ford Inc. for the purchase of three (3) Single Axle Crew Cabs with Maintenance Bodies for the Division of Power and Water, and to authorize the expenditure of \$287,688.00 from the Water Operating Fund (\$287,688.00)

FR **1331-2007** To authorize the Director of Finance and Management to establish a purchase order with Clarklift of Ohio for the purchase of a Forklift Truck for the Division of Sewerage and Drainage, and to authorize the expenditure of \$27,259.00 from the Sewerage System Operating Fund (\$27,259.00)

FR **1348-2007** To authorize the Finance and Management Director to establish a Blanket Purchase Order with Badger Meter, Inc. for the purchase of water meters for the Division of Power and Water; to amend the 2007 Capital Improvements Budget; to authorize the transfer and expenditure of \$188,000 from the Water Works Enlargement Voted 1991 Bonds Fund; and to authorize the expenditure of \$106,400 from the Water Operating Fund. (\$294,400)

DEVELOPMENT: O'SHAUGHNESSY, CHR. TAVARES TYSON MENDEL

FR **1442-2007** To accept the application (AN07-004) of American Commerce Insurance Company for the annexation of certain territory containing 2.1 ± Acres in Franklin Township.

FR **1443-2007** To accept the application (AN07-005) of Albert L. Bell Jr. for the annexation of certain territory containing .4287 ± Acres in Franklin Township.

FR **1444-2007** To accept the application (AN07-006) of RGM Real Estate, LLC for the annexation of certain territory containing .454 ± Acres in Perry Township.

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

- FR [1322-2007](#) To rezone 127 EAST SIXTEENTH AVENUE (43201), being 0.41± acres located on the south side of East Sixteenth Avenue, 126± feet west of Indianola Avenue, From: I, Institutional District, To: AR-4, Apartment Residential District (Rezoning # Z07-025).
- FR [1310-2007](#) To grant a Variance from the provisions of Sections 3332.035, R-3, Residential District; 3332.18(D), Basis of computing area; 3332.19, Fronting on a public street; 3332.21, Building lines; 3332.25, Maximum side yard required; 3332.26, Minimum side yard permitted; 3332.27, Rear yard; 3332.29, Height district; and 3342.28, Minimum number of parking spaces required; of the Columbus City Codes for the property located at 1551 OAK STREET (43205), to permit a multi-family residential development with a maximum of fifty-two (52) units in the R-3, Residential District with reduced development standards (Council Variance #CV07-005).

CA CONSENT ACTIONS**RESOLUTIONS OF EXPRESSION:****CRAIG**

- CA [0135X-2007](#) We honor and celebrate Elder E. LaMarr Scales and his 26 years of music ministry.
- Sponsors:** Hearcel Craig
- CA [0142X-2007](#) To recognize the 120th Anniversary Celebration and Culmination Service of the Mt. Vernon Avenue African Methodist Episcopal Church.
- Sponsors:** Hearcel Craig and Kevin L. Boyce

TAVARES

- CA [0144X-2007](#) To recognize Mother Bobbie Gentry as Illustrious Commandress for 2007, Alla Baba Court #75.
- Sponsors:** Charleta B. Tavares

FINANCE: BOYCE, CHR. O'SHAUGHNESSY TAVARES MENTEL

- CA [1321-2007](#) To authorize and direct the Finance & Management Director to enter into a contract for the option to purchase reflective glass beads with Swarco Industries, Inc. to authorize the appropriation and expenditure of one dollar to establish the contract from the Purchasing/Contract

Operation Fund, and to declare an emergency. (\$1.00).

UTILITIES: GINTHER, CHR. CRAIG O'SHAUGHNESSY MENTEL

- CA [1132-2007](#) To authorize the creation of an imprest petty cash fund for the Department of Public Utilities, Division of Power and Water, to request \$400.00 from the Water Operating Fund. (\$400.00)
- CA [1256-2007](#) To authorize the Finance and Management Director to establish additional Blanket Purchase Orders, for water meter and appurtenances, from established Universal Term Contracts, with Badger Meters Inc., Hersey Meters, and HD Supply, for the Division of Power and Water, and to authorize the expenditure of \$232,505.00 from Water Systems Operating Fund. (\$232,505.00)
- CA [1285-2007](#) To authorize the Director of Finance to establish Blanket Purchase Orders for Heating Oil from an established State of Ohio Cooperative Purchase Contract with BP Products North America Inc. for the Division of Sewerage and Drainage and to authorize the expenditure of \$560,000.00 from the Sewerage System Operating Fund (\$560,000.00)
- CA [1293-2007](#) To authorize the Director of Finance and Management to enter into a blanket purchase order for Luminaires and Related Components for the Division of Power and Water in accordance with the universal term contract with General Supply & Services, Inc., dba GE Supply, and to authorize the expenditure of \$100,000.00 from the Electricity Operating Fund. (\$100,000.00)
- CA [1294-2007](#) To authorize the Director of Finance and Management to enter into a blanket purchase order for Large Lamps for the Division of Power and Water in accordance with the universal term contract with Consolidated Electrical Distributors and to authorize the expenditure of \$30,000.00 from the Electricity Operating Fund. (\$30,000.00)
- CA [1296-2007](#) To authorize the Director of Finance and Management to establish a purchase order with Ohio Cat for the purchase of GME Trench Shoring for the Division of Sewerage and Drainage, to authorize the expenditure of \$37,097.00 from the Sewerage System Operating Fund (\$37,097.00)
- CA [1298-2007](#) To authorize the Director of Public Utilities to contract with Adrian L. Wallick Company for Refractory and Thermal Systems Maintenance Services, for the Division of Sewerage and Drainage; and to authorize the expenditure of \$695,168.00 from the Sewerage System Operating Fund (\$695,168.00).

DEVELOPMENT: O'SHAUGHNESSY, CHR. TAVARES TYSON MENTEL

- CA [1412-2007](#) To authorize the Director of the Department of Development to execute

any and all necessary agreements and deeds for conveyance of title of a parcel of real property (273 Grubb Street) held in the Land Bank pursuant to the Land Reutilization Program.

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

- CA [1410-2007](#) To accept the plat titled Dedication Plat for Southpoint Boulevard Extension, from Susan E. Weaver, President of Southpoint Apartments, Inc., an Ohio corporation, managing member of Southpoint Apartments, LLC, an Ohio limited liability company; and to declare an emergency.

ADMINISTRATION: TYSON, CHR. BOYCE CRAIG MENTEL

- CA [1351-2007](#) To authorize the transfer of \$45,000.00 within the Civil Service Commission's general fund budget, and to authorize the City Auditor to establish an Auditor's Certificate on behalf of the Civil Service Commission for the purpose of administering the uniformed examinations of the Department of Public Safety, and to authorize the expenditure of \$80,000 from the General Fund.

APPOINTMENTS

- CA [A0053-2007](#) Re-appointment of James Bender, J.L.Bender Inc, 3040 Riverside Drive Suite 132, Columbus, Ohio 43221 to serve on the Columbus Graphics Commission with a new term expiration date of September 11, 2009 (resume attached).
- CA [A0127-2007](#) Reappointment of Elan Daniel, 5645 Cabot Cove, Columbus, Ohio 43206 to serve on the University Area Commission with a new term expiration date of June 30, 2008 (resume attached).
- CA [A0128-2007](#) Reappointment of Bill Graver of 48 East 15th Ave. Columbus, Ohio 43201 to serve on the University Area Commission with a new term expiration of May 31, 2008 (resume attached).
- CA [A0129-2007](#) Appointment of Lisabeth Warncke of 144 Woodruff Ave. Apt A. Columbus, Ohio 43201 to serve on the University Area Commission with a term expiration date of June 30, 2008 (resume attached).
- CA [A0130-2007](#) Reappointment of the Honorable Charleta Tavares, 90 West Broad Street, Columbus, Ohio, 43215 to the Board of Trustees of Community Research Partners, with a new term expiration date of June 30, 2010 (resume attached)

EMERGENCY, TABLED AND 2ND READING OF 30-DAY LEGISLATION**FINANCE: BOYCE, CHR. O'SHAUGHNESSY TAVARES MENTEL**

- 0137X-2007** To accept the amounts and rates by the Franklin County Budget Commission for the City's Tax Budget for 2008 and to declare an emergency.
- 1271-2007** To authorize the Director of the Department of Finance and Management to execute those documents necessary to enter into a six (6) month lease extension with The 3042 McKinley Company with the City having the option to extend the lease for an additional (6) months, as long as the City gives the landlord notice of its desire to extend prior to the last month of the current term; to authorize the expenditure of \$102,560.50 from the Special Income Tax Fund, and to declare an emergency.(\$102,560.50)
- 1427-2007** To authorize the Director of Finance and Management to entertain discussions and enter into negotiations with interested parties with respect to the sale of approximately 4.8 acres of City owned real property known as the Police Heliport; to waive the land review commission requirements of Columbus City Codes (1959) Revised; and to declare an emergency.
- 1485-2007** To authorize the Finance and Management Director to enter into contract on behalf of the Office of Construction Management with TFH-EB dba The Waterworks Inc. for the installation and replacement of three new grease traps for the Division of Fire at Fire Stations #11, #29, and #32; to amend the 2007 Capital Improvements Budget; to authorize the City Auditor to transfer \$39,803.23 between projects within the Safety Voted Bond Fund; to authorize the expenditure of \$39,803.23 from the Safety Voted Bond Fund, and to declare an emergency. (\$39,803.23)

JUDICIARY & COURT ADMINISTRATION: CRAIG, CHR GINTHER TYSON MENTEL

- 1320-2007** To authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services, to amend the 2007 Capital Improvements Budget, to authorize the transfer of funds and the expenditure of \$122,500.00 from Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund, for costs in connection with the Harrisburg Pike Electric Utility Easement Relocation Project, and to declare an emergency. (\$122,500.00).
- 0131X-2007** 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 Area Assessment Sewer Project, and to declare an emergency.

SAFETY : GINTHER, CHR. BOYCE CRAIG MENTEL

- 1304-2007** To authorize and direct the Director of Finance and Management, to enter into contract with Twin Tooling Inc. for the purchase of a Secure

Firing Device in accordance with the Sole Source procurement; to authorize the expenditure of \$23,800.00 from the Law Enforcement Contraband Seizure Funds. (\$23,800.00)

1345-2007

To authorize and direct the Director of Finance and Management to enter into a contract with Myers Equipment Corporation for the purchase of light transit vehicles for the Division of Police; to authorize the transfer of \$115,656.00 within the Voted Safety Bond Fund; to amend the 2007 Capital Improvements Budget; to authorize the expenditure of \$115,656.00 from the Voted Safety Bond Fund; and to declare an emergency. (\$115,656.00)

1404-2007

To authorize an appropriation of \$1,693,514.00 from the unappropriated balance of the Law Enforcement Contraband Seizure Fund to the Division of Police, to purchase equipment, supplies, and services; and to declare an emergency. (\$1,693,514.00)

UTILITIES: GINTHER, CHR. CRAIG O'SHAUGHNESSY MENTEL**1305-2007**

To authorize the Director of Public Utilities to execute a construction contract with Danbert, Inc. in the amount of \$961,419.30; to provide for payment of inspection, material testing and related services to the Transportation Division in the amount of \$164,555.00; for the West Side Water Line Improvements Project; for the Division of Power and Water (Water); to amend the 2007 Capital Improvements Budget; to authorize a transfer of funds and an expenditure of \$1,125,974.30 from the Water Works Enlargement Voted 1991 Bonds Fund. (\$1,125,974.30)

DEVELOPMENT: O'SHAUGHNESSY, CHR. TAVARES TYSON MENTEL**1354-2007**

To authorize the Director of Development to enter into a Columbus Downtown Office Incentive Program agreement with Interpath Communication-Ohio, Inc.

1424-2007

To authorize the appropriation of \$40,000 from the unappropriated balance of the Housing/Business Tax Incentives Fund to the Department of Development to provide funds for the administration of tax incentive projects; and to declare an emergency. (\$40,000.00)

PUBLIC SERVICE & TRANSPORTATION: O'SHAUGHNESSY, CHR. TAVARES CRAIG MENTEL**0122X-2007**

To authorize the Public Service Director, on behalf of the Transportation Division, to declare the necessity of replacing sidewalks and/or driveway approaches under the assessment procedure; and to declare an emergency. (\$-0-)

1311-2007

To encumber \$25,000.00 for right-of-way acquisition for the Seventh Avenue Improvement (4th Street and 6th Street) project; to authorize

the City Attorney to expend said funds required for acquisition related activities including the acquisition of fee simple title and lesser interests in and to property needed for this project from the Streets and Highway Improvement Fund; and to declare an emergency. (\$25,000.00)

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

0815-2007

To authorize and direct the Board of Health to enter into a contract with The Ohio State University Research Foundation for the provision of high risk perinatal care services; to authorize the expenditure of \$150,000 from the Health Department Grants Fund; and to waive the provisions for competitive bidding (\$150,000)

1140-2007

To authorize and direct The Columbus Health Department to accept a grant from Franklin County Department of Jobs and Family Services in the amount of \$114,660.00; to authorize the appropriation of \$114,660.00 from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency. (\$114,660.00)

RECREATION & PARKS: TYSON, CHR. GINTHER TAVARES MENTEL

1353-2007

To authorize and direct the Director of Recreation and Parks to enter into a contract with Kinzelman Kline Gossman for professional planning services for Whittier Peninsula Development, to waive the necessary competitive bidding requirements, to authorize the expenditure of \$45,000.00 from the Northland and other acquisitions councilmanic Fund, and to declare an emergency. (\$45,000.00)

1429-2007

To authorize the Director of the Department of Recreation and Parks to execute a Quitclaim Deed of Easement and any ancillary documents necessary to grant certain easements to the Columbia Gas of Ohio Inc. for the purpose of providing gas services to a new club house located on the Columbus Zoo's Safari Golf Course, and to the extent they may be applicable, to waive the competitive bidding and Land Review Commission requirements of the Columbus City Codes (1959) Revised, and to declare an emergency.

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

1370-2007

To create a new section 4103.155 of the Columbus Building Code, Title 41, in order to provide a permit and appeal process for accessing a neighboring and abutting property in order to correct a non-code complaint issue on ones own property where the close proximity of structures and the lack of sideyard separation requires such access and such access has been denied.

Sponsors: Maryellen O'Shaughnessy

1375-2007

To amend Chapter 595 of the City of Columbus Code to include language establishing a video service authorization fee of five percent of a video service provider's gross revenues and to specify that advertising revenue is to be included in gross revenues as defined by Ohio Revised Code; and to declare an emergency.

Sponsors: Priscilla Tyson

ADJOURNMENT