



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, July 28, 2008

5:00 PM

City Council Chambers, Rm 231

**REGULAR MEETING NO. 43 OF COLUMBUS CITY COUNCIL, JULY 28, 2008 at
5:00 P.M. IN COUNCIL CHAMBERS.**

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

C0025-2008

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE
CITY CLERK'S OFFICE AS OF THURSDAY, JULY 24, 2008:

New Type: C1, C2
To: North Bexley Inc
DBA Steele Avenue Market
2552 Steele Av
Columbus Ohio 43204
permit # 64414340005

New Type: D5D
To: Host International Inc
DBA Columbus Brewing Co
Columbus Intl Airport Conc B Lvl 2
4600 International Gateway
Columbus Ohio 43219
permit # 39938010045

New Type: D5D
To: Host International Inc
DBA Wolfgang Puck Express
Columbus Intl Airport Conc B Lvl 2
4600 International Gateway
Columbus Ohio 43219
permit # 39938010040

New Type: D5D

To: Host International Inc
DBA Arrivederci Bar
Columbus Intl Airport Conc B Lvl 2
4600 International Gateway
Columbus Ohio 43219
permit # 39938010035

New Type: D5D
To: Host International Inc
DBA Max & Ermas
Columbus Intl Airport Conc B Lvl 2
4600 International Gateway
Columbus Ohio 43219
permit # 39938010030

New Type: D5D
To: Host International Inc
DBA Chilis
Columbus Intl Airport Conc A Lvl 2
4600 International Gateway
Columbus Ohio 43219
permit # 39938010025

New Type: D5D
To: Host International Inc
DBA Buckeye Hall of Fame Cafe
Columbus Intl Airport Conc C Lvl 2
4600 International Gateway
Columbus Ohio 43219
permit # 39938010020

Transfer Type: D1, D3
To: Hamptons on King Inc
234-240 King Ave
Columbus Ohio 43201
From: CCAC Inc
335 W Third Av
Columbus Ohio 43201
Catherine Capuano
permit # 3563994

Transfer Type: D5, D6
To: DK 547 LLC
547 S High St
Columbus OH 43215
From: Kuz Boom Inc
2643 Federated Blvd

Columbus Ohio 43235
permit # 1881770

Transfer Type: D5, D6
To: Outback Steakhouse of Florida LLC
DBA Outback Steakhouse
5994-6000 E Main St
Columbus Ohio 43068
From: Outback/Buckeye I LP
DBA Outback Steakhouse 3656
5994-6000 E Main St
Columbus Ohio 43068
Permit # 66073820030

Transfer Type: D5, D6
To: Bonefish Grill LLC
DBA Bonefish Grill
& Patio
5712 Frantz Rd
Columbus Ohio 43016
From: Bonefish Columbus I Limited Partnership
DBA Bonefish Grill #9602
5712 Frantz Rd & Patio
Columbus Ohio 43016
permit # 08272050010

Transfer Type: D5, D6
To: Outback Steakhouse of Florida LLC
DBA Outback Steakhouse
2704 Bethel Rd
Columbus Ohio 43220
From: Outback/Buckeye II LP
DBA Outback Steakhouse
2704 Bethel Rd
Columbus Ohio 43220
permit # 66073820045

Transfer Type: C1, C2
To: S & S Oil Company LLC
DBA Sullivant Sunoco
2281 Sullivant Av
Columbus Ohio 43223
From: 2281 Sullivant LLC
2281 Sullivant Av
Columbus Ohio 43223
permit # 7646982

Transfer Type: D1, D2, D3, D6
To: Carrabbas Italian Grill LLC
DBA Carrabbas Italian Grill
& Patio
8460 Lyra Dr
Columbus Ohio 43240
From: Carrabbas Mid East Limited Partnership
DBA Carrabbas Italian Grill
8460 Lyra Dr & Patio
Columbus Ohio 43240
permit # 12825750050

Transfer Type: D1, D2, D3, D6
To: Bonefish Grill LLC
DBA Bonefish Grill
1930 Polaris Pkwy
Columbus Ohio 43240
From: Bonefish Columbus I Limited Partnership
DBA Bonefish Grill
1930 Polaris Pkwy
Columbus Ohio 43240
permit # 08272050025

Advertise: 08/02/08
Return: 08/11/08

RESOLUTIONS OF EXPRESSION

GINTHER

0146X-2008 To recognize Columbus Department of Public Utilities employee Willard E. Van Gundy for service to his country as an active duty member of United States Air Force Reserve and his deployments to Afghanistan and the Middle East.

Sponsors: Andrew Ginther

(TABLED 7/21/08)

0149X-2008 To declare Tuesday, August 5, 2008 "National Night Out" in the City of Columbus, Ohio.

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

O'SHAUGHNESSY

0151X-2008 To express support of Complete Streets principles.

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

ADDITIONS OR CORRECTIONS TO THE AGENDA

FR FIRST READING OF 30-DAY LEGISLATION

FINANCE: BOYCE, CHR. O'SHAUGHNESSY TAVARES MENTEL

0900-2008 To authorize the Finance and Management Director to enter into contract for the Office of Construction Management with Ultimax, Inc., for the construction of a Police Division substation facility inside the Public Records Warehouse at 2077 Parkwood and to authorize the expenditure of \$367,683.60 from the Safety Voted Bond Fund. (\$367,683.60)

Sponsors: Kevin L. Boyce and Andrew Ginther

(DEPT. REQUEST TO WAIVE SECOND READING)

1233-2008 To authorize and direct the Finance & Management Director to modify contract FL003365 with The McGlaughlin Oil Co./Fas Lube, Inc. in order to increase pricing stated in the original contract in the amount of ten percent (10%) due to increases in crude oil prices.

(DEPT. REQUEST TO WAIVE SECOND READING)

1241-2008 To authorize the City Auditor to enter into contract with HMB Information System Developers for a total of 4 scanners and Scancare Warranties for the Office of the Auditor, Income Tax Division, utilizing previously authorized funds from AC028456 in the amount of \$40,100.00.

(DEPT. REQUEST TO WAIVE SECOND READING)

1249-2008 To authorize the Finance and Management Director to extend a contract for the Office of Construction Management and Facilities Management Division with Capital Planning Solutions, for server hosting and software support for a Comprehensive Municipal Capital Planning and Asset Management System and to authorize the expenditure of \$50,400.00 from the General Fund. (\$50,400.00).

(DEPT. REQUEST TO WAIVE SECOND READING)

1254-2008 To authorize and direct the Finance & Management Director to modify past, present and future purchase orders with Green Thumb Power Equipment Center Inc., to reflect a name change and FID number

change to the company.

(DEPT. REQUEST TO WAIVE SECOND READING)

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

1094-2008

To authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services, and to expend of \$23,000.00, from the Recreation and Parks Voted 1999/2004 Bond Fund for costs in connection with the Bikeway Improvements Project (CSX-Humko Rail Line). (\$23,000.00).

Sponsors: Hearcel Craig and Priscilla Tyson

(DEPT. REQUEST TO WAIVE SECOND READING)

1215-2008

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 for the Hilliard-Rome Road Improvement Project, to authorize the expenditure of \$450,972.00 from the Federal-State Highway Engineering Fund. \$450,972.00.

(DEPT. REQUEST TO WAIVE SECOND READING)

1227-2008

To authorize and direct the City Attorney to pay the settlement amount to Laura Studevant in the cases of Laura Studevant v. City of Columbus, Department of Health, pending before the Columbus Civil Service Commission, Laura Studevant v. City of Columbus - Department of Public Health, pending before the Ohio Civil Rights Commission and Laura Studevant v. City of Columbus , pending before the Ohio Department of Job and Family Services Unemployment Compensation Review Commission, in the amount of Forty-Seven Thousand Five Hundred and No/100 Dollars (\$47,500.00).

(DEPT. REQUEST TO WAIVE SECOND READING)

1238-2008

To authorize and direct the City Attorney to settle the claim of Anthony Edwards and to authorize the expenditure of the sum of Fifty-seven Thousand Five Hundred Dollars (\$57,500.00) in settlement of this claim, and to authorize the City Auditor to transfer Fifty-seven Thousand Five Hundred Dollars (\$57,500.00) within the General Fund from the Department of Finance and Management to the Department of Public Safety, Division of Police.

(DEPT. REQUEST TO WAIVE SECOND READING)

SAFETY : GINTHER, CHR. BOYCE CRAIG MENTEL

1057-2008

To authorize and direct the appropriation of \$20,000 within the Public Safety Initiatives Fund and to authorize and direct the Public Safety Director to enter into contract with Central Ohio Crime Stoppers to support its operations to provide citizens a means to give information to

law enforcement agencies to help fight crime, to authorize the expenditure of \$20,000 from the Public Safety Initiatives Fund (\$20,000.00).

Sponsors: Andrew Ginther and Kevin L. Boyce

(DEPT. REQUEST TO WAIVE SECOND READING)

1263-2008

To authorize and direct the appropriation of \$12,500 within the Public Safety Initiatives Fund and to authorize and direct the Public Safety Director to enter into contract with the ArtSafe to provide transition services from detention/institutionalization back to the community for youthful offenders and to authorize the expenditure of \$12,500 from the Public Safety Initiatives Fund (\$12,500.00).

Sponsors: Andrew Ginther and Charleta B. Tavares

(DEPT. REQUEST TO WAIVE SECOND READING)

1264-2008

To authorize and direct the appropriation of \$75,000 within the Public Safety Initiatives Fund and to authorize and direct the Public Safety Director to enter into contract with the Godman Guild for the Weinland Park Health, Safety, and Crime Prevention Initiative and to authorize the expenditure of \$75,000 from the Public Safety Initiatives Fund (\$75,000.00).

Sponsors: Andrew Ginther

(DEPT. REQUEST TO WAIVE SECOND READING)

1267-2008

To authorize and direct the transfer of \$100,000 within the General Fund, from the Department of Finance and Management's citywide account to the Division of Fire, to authorize and direct the Finance and Management Director to issue a purchase order for telephone services from an existing Universal Term Contract established for such purpose by the Purchasing Office with AT&T, and to authorize the expenditure of \$100,000.00 from the General Fund. (\$100,000.00)

(DEPT. REQUEST TO WAIVE SECOND READING)

1269-2008

To authorize an appropriation of \$219,260.00 from the unappropriated balance of the Special Revenue Fund to the Division of Police, so as to fund the continuing professional training needs of the Division. (\$219,260.00).

(DEPT. REQUEST TO WAIVE SECOND READING)

1270-2008

To authorize and direct the transfer of \$324,040 within the General Fund, from the Department of Finance and Management's Citywide account to the Division of Police, and to direct the Director of Finance and Management to contract for Nextel services with Sprint Solutions, Inc. for the Division of Police, to authorize the expenditure of \$349,668.00 from the General Fund and Law Enforcement Funds.

(\$349,668.00)

(DEPT. REQUEST TO WAIVE SECOND READING)

1283-2008

To authorize and direct the appropriation of \$15,710 within the Public Safety Initiatives Fund to the Department of Development; to authorize and direct the Development Director to enter into a contract with Maryhaven, Inc. to support the Safe Pathways Program; to authorize the expenditure of \$15,710 from the Public Safety Initiatives Fund. (\$15,710.00)

Sponsors: Andrew Ginther and Charleta B. Tavares

(DEPT. REQUEST TO WAIVE SECOND READING)

UTILITIES: GINTHER, CHR. CRAIG O'SHAUGHNESSY MENTEL

1115-2008

To authorize the Director of Public Utilities to modify a contract with Crace Construction Company, Inc. for the Southerly Wastewater Treatment Plant Digester Rehabilitation Project; to authorize the transfer and expenditure of \$2,000,577 from within the Sanitary Sewer Revenue Bonds Fund; and to amend the 2008 Capital Improvements Budget, for the Division of Sewerage and Drainage. (\$2,000,577)

(DEPT. REQUEST TO WAIVE SECOND READING)

1224-2008

To authorize the Director of Public Utilities to enter into an agreement with Resource International Inc. for Asbestos Survey Services for the Department of Public Utilities, to authorize the expenditure of \$274,068.00 from the Sewerage System Operating Fund, \$274,068.00 from the Power and Water Operating Fund, \$197,938.00 from the Stormwater Operating Fund, and \$15,226.00 from the Electricity Operating Fund. (\$761,300.00)

(DEPT. REQUEST TO WAIVE SECOND READING)

1236-2008

To authorize the Director of Finance and Management to establish a blanket purchase order for Laboratory Supplies from an established Universal Term Contract with VWR Scientific Products for the Division of Sewerage and Drainage; and to authorize the expenditure of \$15,000.00 from the Sewerage System Operating Fund. (\$15,000.00)

(DEPT. REQUEST TO WAIVE SECOND READING)

DEVELOPMENT: O'SHAUGHNESSY, CHR. TAVARES TYSON MENTEL

FR 1271-2008

To find that the proposed new community district to be governed by The Central College Community Development 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

that Authority to be organized in that name and a body politic and corporate and define its boundary; to provide the method of selecting that Authority's board of trustees and appoint four members to that board; and to fix the surety for the trustees' bonds.

(DEPT. REQUEST TO WAIVE SECOND READING)

CA CONSENT ACTIONS

RESOLUTIONS OF EXPRESSION

O'SHAUGHNESSY

- CA [0150X-2008](#)** To recognize Katharine Moore, Executive Director of the German Village Society.
- Sponsors:** Maryellen O'Shaughnessy, Kevin L. Boyce, Hearcel Craig, Andrew Ginther, Charleta B. Tavares, Priscilla Tyson and Michael C. Mentel

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

- CA [1232-2008](#)** To authorize the Director of Public Utilities to enter into a Tenth Modification of the Lease and Transfer Agreement by and between the Solid Waste Authority of Central Ohio and the city of Columbus.

UTILITIES: GINTHER, CHR. CRAIG O'SHAUGHNESSY MENTEL

- CA [1078-2008](#)** To authorize the Director of Public Utilities to execute a planned contract modification to the professional engineering services agreement with Malcolm Pirnie, Inc. for the Southerly Wastewater Treatment Plant New Headworks project; to authorize the transfer of \$658,000.00 and expenditure of \$697,000.00 from within the Sanitary Sewer Revenue Bonds Fund; to amend the 2008 Capital Improvements Budget; and to authorize the expenditure of \$697,000.00 within the Sanitary Sewer Revenue Bonds Fund, for the Division of Sewerage and Drainage. (\$697,000.00).
- CA [1128-2008](#)** To authorize the Director of Public Utilities to enter into a contract with Advanced Control Systems for the upgrade of the Division of Power and Water's SCADA system under the provisions of Columbus City Codes for sole source procurement, and to authorize the expenditure of \$45,500.00 from the Electricity Operating Fund. (\$45,500.00)

- CA [1149-2008](#) To authorize the Director of Public Utilities to reimburse the Division of Transportation for the construction of the Champion Avenue Reconstruction Project, to authorize the transfer and appropriation of \$504,998.86 from the Storm Sewer Reserve Fund; and to authorize the expenditure of \$504,998.86 for the Division of Sewerage and Drainage. (\$504,998.86)
- CA [1153-2008](#) To authorize the Director of Finance and Management to establish a purchase order with Center City International for the purchase of a Tandem Axle Dump Truck for the Division of Sewerage and Drainage, to authorize the expenditure of \$113,577.00 from the Sewerage System Operating Fund (\$113,577.00)
- CA [1180-2008](#) To authorize the Finance and Management Director to establish Blanket Purchase Orders with various companies for the purchase of electrical wire and cable and wooden utility poles for the Morse/Hamilton Road Booster Station Project; to authorize the appropriation and transfer of \$470,000.00 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; to authorize the expenditure of \$470,000.00 from the Water Works Enlargement Voted Bonds Fund; and to authorize an amendment to the 2008 Capital Improvements Budget; for the Division of Power and Water. (\$470,000.00)

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

- CA [0880-2008](#) To amend the 2008 C.I.B; to Authorize the City Auditor to transfer funds within the 2004 Voted Refuse Collection Fund (\$262,000.00); to authorize the Director of Finance and Management to establish a purchase order with Rotonics Manufacturing Incorporated for the purchase of mechanized collection containers and container parts for the Refuse Collection Division per the terms and conditions of existing citywide contracts; and to authorize the expenditure of \$345,225.00 or so much thereof as may be needed from the 2004 Voted Refuse Collection Fund. (\$345,225.00)

RECREATION & PARKS: TYSON, CHR. GINTHER TAVARES MENTEL

- CA [1125-2008](#) To authorize and direct the Director of Recreation and Parks to enter into a contract with Downing Construction Company for the 2008 Trail Safety Improvements Project and to authorize the expenditure \$105,000.00 from the 1999/2004 Recreation and Parks Voted Bond Fund. (\$105,000.00)

- CA [1221-2008](#) To authorize and direct the Director of Recreation and Parks to modify the contract with The Quandel Group for additional construction services relative to the Alum Creek Maintenance/Warehouse Facility Project and to authorize the expenditure of \$215,795.73 from the 1999/2004 Recreation and Parks Voted Bond Fund. (\$215,795.73)
- CA [1251-2008](#) To authorize and direct the Director of Recreation and Parks to compensate Ray Dillon for work performed prior to being placed on payroll, and to authorize the expenditure of \$137.85 from the Recreation and Parks Operating Fund. (\$137.85)
- CA [1261-2008](#) To authorize and direct the Director of Recreation and Parks to grant consent to Waterfire and The Wellness Community of Greater Columbus to apply for permission to sell alcoholic beverages at the 2008 Waterfire events. (\$0.00)

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

- CA [1252-2008](#) To appropriate and authorize the expenditure of \$60,000.00 for public art to be installed at the Huntington Park Baseball Stadium. (\$60,000.00)

Sponsors: Michael C. Mendel and Priscilla Tyson

APPOINTMENTS

- CA [A0085-2008](#) Reappointment of Ron Hupman, 1298 Hunter Ave. Columbus, Ohio 43201 to serve on the University Area Commission with a new term expiration date of June 30, 2011 (resume attached).
- CA [A0086-2008](#) Appointment of Stephen Volkmann, 2009 Millikin Road Columbus Ohio 43210, to serve on the University Area Commission with a new term expiration date of June 30, 2011 (resume attached).
- CA [A0087-2008](#) Appointment of Roy Johnson 1213 Atcheson St Columbus, Ohio 43203 to serve on the Property Maintenance Appeals Board, replacing Christopher Harmon with new term expiration date of July 31, 2011 (resume attached)

EMERGENCY, TABLED AND 2ND READING OF 30-DAY LEGISLATION**UTILITIES: GINTHER, CHR. CRAIG O'SHAUGHNESSY MENDEL**

- [1119-2008](#) To authorize the Director of Public Utilities to enter into a construction

contract in accordance with the sole source provisions of the Columbus City Code with Siemens Water Technologies Corporation, in connection with the Jackson Pike Wastewater Treatment Plant Digester Cover Rehabilitation project; to authorize the expenditure of \$2,056,854.00 within the Sanitary Sewer Revenue Bonds Fund for the Division of Sewerage and Drainage. (\$2,056,854.00)

DEVELOPMENT: O'SHAUGHNESSY, CHR. TAVARES TYSON MENTEL

1239-2008

To authorize the Director of Development to enter into an Amendment to Contract Regarding Asbestos Abatement and Demolition at Columbus Coated Fabrics under Section 186 of the City Charter with Campus Partners for Community Urban Redevelopment amending a contract for asbestos removal and demolition at the former Columbus Coated Fabrics site by increasing the guaranteed maximum price from \$1.6 million to \$1.75 million; to authorize the expenditure of up to \$150,000 from the Northland and Other Acquisitions Fund; and to waive the competitive bidding provisions of Chapter 329 of the Columbus City Codes. (\$150,000)

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

1222-2008

To authorize the Director of the Department of Public Service to modify and extend a contract with HDR for the purchase of professional services to provide on-going analysis of financing options, community outreach, traffic maintenance and impact studies and other engineering services as required, to authorize the expenditure of up to \$300,000 from the street construction maintenance and repair fund. (\$300,000)

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

0368-2008

To supplement the Columbus City Codes, 1959, by the enactment of new Section 3111.16 to create the Livingston Avenue Area Commission, to establish the Livingston Avenue Area Commission in response to the petition filed by the Task Force, and to repeal Section 3111.03 which established the Driving Park Area Commission.

Sponsors: Maryellen O'Shaughnessy

1185-2008

To supplement the Columbus City Codes, 1959, by the enactment of new Section 3111.17, to create the Far South Columbus Area Commission and to establish the Far South Columbus Area Commission in response to the petition filed by the Task Force.

Sponsors: Maryellen O'Shaughnessy

1192-2008

To supplement the Columbus City Codes, 1959, by the enactment of new Section 3111.18, to create the Columbus South Side Area Commission and to establish the Columbus South Side Area Commission in response to the petition filed by the Task Force.

Sponsors: Maryellen O'Shaughnessy

FROM THE FLOOR:

RESOLUTION OF EXPRESSION

O'SHAUGHNESSY

0152X-2008

To recognize award-winning artist, cartoonist, author, comic book innovator and Columbus resident, Jeff Smith.

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

ADJOURNMENT

(THE NEXT MEETING OF CITY COUNCIL IS MONDAY, SEPTEMBER 8, 2008)