



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH
43215-9015
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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, April 16, 2007

5:00 PM

City Council Chambers, Rm 231

**REGULAR MEETING NO. 18 OF COLUMBUS CITY COUNCIL, APRIL 16, 2007 at
5:00 P.M. IN COUNCIL CHAMBERS.**

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

C0010-2007 THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE
CITY CLERK'S OFFICE AS OF WEDNESDAY, APRIL 11, 2007:

New Type: C2
To: 1130 B Champion Inc
1130 E Main St Unit B
Columbus, Ohio 43205
permit # 65484230005

New Type: C1, C2
To: Columbus Polaris CVS Inc
DBA CVS Pharmacy 2381
9151 S Old State Rd
Columbus, Ohio 43035
permit # 39606650610

Stck Type: C1, C2
To: Beechwood Corner Inc
DBA Beechwood Market
3796 E Livingston Av
Columbus, Ohio 43227
permit # 0571361

Transfer Type: D1, D2, D3, D3A, D6
To: JCLK Holdings Inc
51 Parsons Av 1st Fl
Columbus, Ohio 43215
permit # 4179157
From: To Dine For Inc

DBA Elemental
51 Parson Ave 1st Fl
Columbus, Ohio 43215
permit # 89544520005

Advertise: 4/21/07
Return: 5/11/07

RESOLUTIONS OF EXPRESSION

MENTEL

[0053X-2007](#) Mt. Olivet Baptist Church 100th Anniversary

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

TYSON

[0052X-2007](#) To honor and recognize Columbus Africentric Lady Nubians for winning
top honors in the state Division IV Girls Basketball Tournament.

Sponsors: Priscilla Tyson

ADDITIONS OR CORRECTIONS TO THE AGENDA

FR FIRST READING OF 30-DAY LEGISLATION

SAFETY : GINTHER, CHR. BOYCE MENTEL

FR [0462-2007](#) To authorize and direct the Finance and Management Director to sell a
1993 rescue and a 1994 medic vehicle that is of no further value to the
Division of Fire, to the Fairfield County Sheriff's Office for the sum of
\$2.00, and to waive Section 329.30 of the Columbus City Codes, 1959,
relating to the sale of City-owned personal property. (\$2.00)

FR [0524-2007](#) To authorize the payment of \$8,493.42 for vacation time and benefits
which have been accumulated in excess of the maximum amount
established by salary ordinance for various Fire Division personnel.
(\$8,493.42)

FR [0547-2007](#) To authorize and direct the Mayor of the City of Columbus to apply for
and participate in the Bureau of Justice Assistance Bulletproof Vest
Partnership FY2007 program. (\$194,380.00)

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

- FR [0153-2007](#) To authorize the Public Service Director to expend \$75,000.00 or so much thereof as may be necessary from the 1995, 1999, 2004 Voted Streets and Highways Fund for expenses related to creating and erecting bikeway signs and installing pavement markings in connection with the Transportation Division's 2006 capital improvements program and to authorize this expenditure from the 1995, 1999, 2004 Voted Streets and Highways Fund. (\$75,000.00)

ADMINISTRATION: BOYCE TYSON MENTEL, ACTING CHR.

- FR [0495-2007](#) To authorize the Director of Finance and Management, for the Department of Technology to purchase replacement desktop computers and related accessories on behalf of The Columbus Public Health Department from a pre-established universal term contract with Resource One and to authorize the expenditure of \$48,539.00 from the Department of Technology's internal service fund. (\$48,539.00)

UTILITIES: GINTHER O'SHAUGHNESSY MENTEL, ACTING CHR.

- FR [0076-2007](#) To establish an underground utilities district to be identified as the "Arena Underground Utilities District". (\$0.00)
- FR [0078-2007](#) To establish an underground utilities district to be identified as the "PenWest Underground Utilities District". (\$0.00)
- FR [0528-2007](#) To amend the 2006 Capital Improvements Budget; to authorize the City Auditor to transfer a total of \$4,293.85 within the Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund; to authorize the City Auditor to allow the Division of Power and Water's capital bond fund to reimburse the operating fund; for labor and equipment costs incurred in the installation of various street lighting projects; and to authorize the expenditure up to an amount not to exceed \$130,180.34. (\$130,180.34)

RECREATION & PARKS: TYSON, CHR. GINTHER TAVARES MENTEL

- FR [0574-2007](#) To authorize the acceptance of deeds to real property from various grantees to be used for park purposes.

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

- FR [0174-2007](#) To rezone 5900 BRITTON PARKWAY (43016), being 13.4± acres located on the east side of Britton Parkway, 209± feet south of Tuttle Crossing Boulevard, From: L-C-4, Limited Commercial District.To: CPD, Commercial Planned Development District and to declare an emergency. (Rezoning # Z06-073)

- FR [0388-2007](#) To grant a Variance from the provisions of Section 3356.03, C-4 Permitted uses, of the Columbus City Code for the property located at 1970 EAST FIFTH AVENUE (43219), to conform an existing single-family dwelling in the C-4, Commercial District and to declare an emergency. (Council Variance # CV06-062)
- FR [0418-2007](#) To rezone 5415 ROBERTS ROAD (43026), being 9.3± acres located on the south side of Roberts Road, 500± feet east of Hilliard-Rome Road, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District and to declare an emergency. (Rezoning # Z06-078)

CA **CONSENT ACTIONS**

RESOLUTIONS OF EXPRESSION

BOYCE

- CA [0050X-2007](#) To acknowledge and recognize the Asian Pacific American Bar Association of Central Ohio.

Sponsors: Kevin L. Boyce

FINANCE: **BOYCE, CHR. O'SHAUGHNESSY TAVARES MENTEL**

- CA [0586-2007](#) To authorize and direct the City Auditor to transfer all unencumbered balances and outstanding encumbrances within the fleet management fund, the print services fund, and the purchasing office general fund to the Department of Finance and Management, Director's Office and Divisions of Financial Management and Fleet Management, to reflect realignment of departmental responsibilities with respect to the management of city assets and to transfer administrative authority for all contracts and agreements associated with the departmental realignment to the Department of Finance and Management Director's Office; to authorize the transfer of \$600 within the imprest petty cash funds within the Fleet Management Division and the Finance and Management Department, and to declare an emergency.

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

- CA [0474-2007](#) To authorize and direct the Finance and Management Director to contract for the rental of parking spaces on the basis of the City's Universal Term Contract with Marconi Garage, LLC for the Division of Police, to authorize the expenditure of \$86,184.00 from the General Fund. (\$86,184.00)

DEVELOPMENT: O'SHAUGHNESSY, CHR. TAVARES TYSON MENTEL

- CA [0580-2007](#) To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN07-001) of 1.1± Acres in Perry 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 MENTEL

- CA [0313-2007](#) To authorize the Public Service Director to enter into a contract with W. L. Markers, Incorporated, for the Raised Pavement Markers - 2006 project for the Transportation Division; to authorize the expenditure of \$131,670.03 from the 1995, 1999, 2004 Voted Streets and Highways Fund; and to declare an emergency. (\$131,670.03)
- CA [0432-2007](#) To amend the 2006 CIB; to authorize the transfer of funds within the 1995, 1999, 2004 Voted Streets and Highways Fund; to authorize its transfer to and appropriation within the State Issue Two Street Projects Fund; to authorize the Director of Public Service to modify and increase the contract with American Water Services Underground Infrastructure, Inc. for the McKinley Avenue (OPWC) project for the Transportation Division, to authorize the expenditure of \$9,876.09 from the State Issue Two Street Projects Fund; and to declare an emergency (\$9,876.09).

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

- CA [0550-2007](#) To authorize the Board of Health to enter into a lease agreement with Sanese Services, Inc. for food vending services; and to declare an emergency. (\$1.00)

ADMINISTRATION: BOYCE TYSON MENTEL, ACTING CHR.

- CA [0451-2007](#) To authorize and direct the Finance and Management Department Director to enter into two (2) UTC contracts for the option to purchase PVC Pipe, Fittings, Flex Couplings & Storm Drainage Pipe with Site Supply, Inc. and Discount Drainage Supplies of Columbus, to authorize the expenditure of \$2.00 to establish the contracts from the Purchasing Contract Operation Fund, and to declare an emergency. (\$2.00).
- CA [0516-2007](#) To authorize and direct the Finance & Management Director to enter into six (6) UTC contracts for the option to purchase Sporting Goods and Recreational Supplies, to authorize the expenditure of six (6) dollars to establish the contract from the Purchasing UTC Contract Fund, and to declare an emergency. (\$6.00).
- CA [0597-2007](#) To authorize and direct the Finance and Management Director to modify the citywide contract for the option to obtain Geologic Borings & Monitoring Wells, with Moody's of Dayton, Inc., dba G.M. Baker & Son,

and to declare an emergency.

UTILITIES: GINTHER O'SHAUGHNESSY MENDEL, ACTING CHR.

- CA [0036X-2007](#) To authorize the Director of Public Utilities, on behalf of the Division of Power and Water, to cause plans and specifications to be prepared for installing ornamental street lighting with underground wiring in the Miami Avenue area under the assessment procedure, and to declare an emergency.
- CA [0050-2007](#) To authorize the Director of Public Utilities to execute a professional engineering services contract modification with DLZ Ohio, Inc., for purposes of amending the scope of services in connection with the Olentangy-Scioto Interceptor Sewer Augmentation and Relief Sewer (OARS) Project, for the Division of Sewerage and Drainage; and to declare an emergency.
- CA [0420-2007](#) To authorize the Director of Public Utilities to establish a Purchase Order with Hickman Lawn Care, Inc., for Lawn Maintenance in Zones 1, 2, and 3 from the current City-wide contract for the option to purchase such services, for the Division of Sewerage and Drainage; and to authorize the expenditure of \$175,120.00 from the Sewerage System Operating Fund (\$175,120.00).
- CA [0431-2007](#) To authorize the Director of Public Utilities to enter into an agreement with Woolpert Inc. for Digital Orthoimagery Services for the Division of Operational Support, to authorize the expenditure of \$4,300.31 from the Electricity Operating Fund, \$77,405.58 from the Water Operating Fund, \$77,405.58 from the Sewerage System Operating Fund, \$55,904.03 from the Storm Water Operating Fund, to waive the provisions of competitive bidding and to declare an emergency. (\$215,015.50)
- CA [0506-2007](#) To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release a certain sewer easement, located in the vicinity of Leppert Road and Hayden Run Road, at the request of Steve Newcomb, the property owner.
- CA [0509-2007](#) To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release a certain sewer easement, located in the vicinity of Sawmill Road and Cranston Drive, at the request of the William Cooper Enterprises, in exchange for a replacement easement previously granted to the City.
- CA [0582-2007](#) To authorize the Director of Public Utilities to modify the Water Utility Services Agreement between the City of Columbus and the Solid Waste Authority of Central Ohio, and to declare an emergency.

JUDICIARY: TYSON, CHR. GINTHER MENDEL

- CA [0048X-2007](#) To declare the necessity and intent to appropriate permanent easements in, over, under and through real estate in connection with the Morse Road Improvement Phase II Project, and to declare an emergency.
- CA [0390-2007](#) To authorize the City Attorney to file the necessary complaints for the appropriation of fee simple title in and to real estate necessary to the Oakland Park Improvement Project, to authorize the expenditure of \$10,230.00 from the 1995, 1999 Voted Streets and Highways Fund; and to declare an emergency. (\$10,230.00)
- CA [0556-2007](#) To authorize the City Attorney to file the necessary complaints for the appropriation of construction easements in and to real estate necessary for the Moler Road Stormwater System Improvements Project, and to declare an emergency.

RECREATION & PARKS: TYSON, CHR. GINTHER TAVARES MENTEL

- CA [0525-2007](#) To transfer \$126,000.00 from the Hotel/Motel Tax Fund and appropriate to the Recreation and Parks Operating Fund, and to declare an emergency. (\$126,000.00)
- CA [0539-2007](#) To authorize and direct the Director of Recreation and Parks to enter into contract with Martin Painting and Coating Co. for the Pool and Park Facility painting project, to authorize the expenditure of \$68,077.00 from the Recreation and Parks Voted bond fund, and to declare an emergency. (\$68,077.00)
- CA [0540-2007](#) To authorize and direct the Director of Recreation and Parks to accept a grant in the amount of \$15,000.00 from the National Recreation and Parks Association Anchor Community Grant, to appropriate these funds to the Recreation and Parks Private Grant Fund, and to declare an emergency. (\$15,000.00)
- CA [0595-2007](#) To authorize and direct the Director of Recreation and Parks to enter into an amended and restated Joint Recreational District Agreement with the Franklin County Commissioners for the operations and management of the Franklin Park Conservatory, and to declare an emergency.

APPOINTMENTS

- CA [A0033-2007](#) Reappointment of John Kessler, The New Albany Company, 220 Market Street, New Albany, Ohio 43054 to the Columbus Downtown Development Corporation & Capitol South Board of Directors effective July 8, 2007 with a new term expiration date of July 8, 2010 (resume attached).
- CA [A0034-2007](#) Reappointment of Harry Shamansky, Analytic Designers, 245 E. Gay Street, Columbus, Ohio 43215 to serve on the Alarm Advisory Board

until successor is appointed (resume on file)

- CA [A0035-2007](#) Reappointment of Bruce Soll, Limited Brands, Three Limited Parkway, Columbus, Ohio 43230 to the Columbus Downtown Development Corporation & Capitol South Board effective July 8, 2007 with a new term expiration date of July 8, 2010 (resume attached).
- CA [A0036-2007](#) Reappointment of John F. Wolfe, Dispatch Printing Company, 34 S. Third St., Columbus, Ohio 43215 to the Columbus Downtown Development Corporation & Capitol South Board of Directors effective July 8, 2007 with a new term expiration date of July 8, 2010 (resume attached).

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

FINANCE: BOYCE, CHR. O'SHAUGHNESSY TAVARES MENDEL

- [0395-2007](#) To authorize the Director of Finance and Management to enter into contract with Continental Office Furniture, Inc. for the purchase and installation of modular office furniture, in accordance with sole source provisions of the City Code; to authorize the expenditure of \$20,000.00 from the Voted 1999 Health Renovation Fund; and to declare an emergency. (\$20,000.00)
- [0537-2007](#) To authorize the Finance and Management Director to modify a contract for the Facilities Management Division with Winnsapes for landscape maintenance at various City-owned locations; to authorize the expenditure of \$65,000.00 from the General Fund; and to declare an emergency. (\$65,000.00)
- [0570-2007](#) To establish a new authorized strength ordinance for the various city divisions; to repeal ordinance 0160-2007, and to declare an emergency. (REPEALED BY ORDINANCE 1241-2007 PASSED 07/23/07)

SAFETY : GINTHER, CHR. BOYCE MENDEL

- [0546-2007](#) To authorize the appropriation of \$10,000.00 from the unappropriated balance of a Private Grant Account to the Division of Police for support of criminal investigation of unlawful diversion and abuse of prescription drugs and to declare an emergency. (\$10,000.00)
- [0572-2007](#) To authorize and direct the Director of Finance & Management to execute those documents necessary and enter into a contract for the acquisition of a robot for the Division of Fire's Bomb Squad from BOZ Robots, to waive the provisions of competitive bidding, to expend \$3,480.00 from the Safety Bond Fund, and to declare an emergency. (\$3,480.00)

0577-2007

To amend the Public Safety Department's 2006 Capital Improvement Budget, to authorize the City Auditor to transfer funds between projects in the Safety Voted Bond Fund, to authorize the Finance and Management Director to enter into contract for the Office of Construction Management with Gutknecht Construction Company, Inc. for construction of Fire Station 10, to authorize the expenditure of \$4,454,208.00 from the Safety Voted Bond Fund, and to declare an emergency. (\$4,454,208.00)

PUBLIC SERVICE & TRANSPORTATION: O'SHAUGHNESSY, CHR.**TAVARES MENDEL****0339-2007**

To authorize the Public Service Director to make payment to the Franklin County Engineer's Office for right-of-way acquisition, design and construction services for the Hayden Run Road/Cosgray Road intersection improvement 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 \$1,295,000.00 from the 1995, 1999, 2004 Voted Streets and Highways Fund; and to declare an emergency (\$1,295,000.00).

HEALTH, HOUSING & HUMAN SERVICES: TAVARES, CHR.**BOYCE MENDEL****0074-2007**

To authorize the Columbus Health Department to accept a grant from the U.S. Department of Housing and Urban Development in the amount of \$608,000; to authorize the appropriation of \$608,000 from the unappropriated balance of the General Government Grants Fund, and to declare an emergency. (\$608,000)

0562-2007

To authorize and direct the Columbus Health Department to accept grant funds from the Central Ohio Breathing Association in the amount of \$13,500, to authorize the appropriation of \$13,500 from the Health Department Grants Fund, and to declare an emergency. (\$13,500)

ADMINISTRATION: BOYCE TYSON MENDEL, ACTING CHR.**0514-2007**

To accept Memorandum of Understanding# 2007-01 executed between representatives of the City of Columbus and the Columbus Municipal Association of Government Employees/CWA (CMAGE/CWA) Local 4502, which amends the Collective Bargaining Contract August 24, 2005 through August 23, 2008; and to declare an emergency.

JUDICIARY: TYSON, CHR GINTHER MENDEL**0374-2007**

To authorize and direct the Franklin County Municipal Court Clerk to modify and extend the contract with Maximus, Inc. for CourtView 2000

software support; to authorize the expenditure of \$65,716.35 from the Clerk's computer fund; to declare an emergency. (\$65,716.35)

(TABLED 4/09/07)

0555-2007

To authorize and direct the City Attorney to pay the settlement amount to Earle Martin and W. Jeffrey Moore, counsel for Mr. Martin, in the case of Earle Martin v. Officer Jennifer Haas., Case No. C2-03-161 in the United States District Court for the Southern District of Ohio, Eastern Division to authorize the expenditure of the sum of Twenty-Five Thousand and No/100 Dollars (\$25,000.00) and to declare an emergency.

RECREATION & PARKS: TYSON, CHR. GINTHER TAVARES MENDEL

0144-2007

To authorize the expenditure of \$30,000.00 for various parkland improvements from the Recreation and Parks Special Purpose Fund, and to declare an emergency. (\$30,000.00)

0488-2007

To authorize and direct the Director of Recreation and Parks to accept a grant in the amount of \$1,000,000.00 and enter into an agreement with the Ohio Department of Natural Resources for funding to support the development of the Scioto Riverfront Park system, to authorize an appropriation of \$1,000,000.00 from the unappropriated balance of the Recreation and Parks Grant Fund to the Recreation and Parks Department, and to declare an emergency. (\$1,000,000.00)

0504-2007

To authorize and direct the Director of Recreation and Parks to enter into a 5 year lease agreement, with the option of renewal for an additional five (5) years, with the After School All-Stars, Inc., and to declare an emergency.

0548-2007

To authorize the transfer, appropriation, and expenditure of \$100,000.00 within the Recreation and Parks Permanent Improvement Fund for various park and playground improvements, and to declare an emergency. (\$100,000.00)

0566-2007

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 an aerial easement to the Columbus Southern Power Company in order to relocate existing electrical equipment to accommodate Franklin County's Clifton Avenue roadway and bridge improvement project, 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.

FROM THE FLOOR

RESOLUTION OF EXPRESSION

GINTHER

LA [0054X-2007](#) To recognize Dorothy Cromartie for her life-long efforts toward developing a sense of community through her service to the Weinland Park neighborhood and the City of Columbus.

Sponsors: Andrew Ginther, Kevin L. Boyce and Priscilla Tyson

ADJOURNMENT