

# **Columbus City Bulletin**



**Bulletin #11  
March 14, 2009**

# Proceedings of City Council

Saturday March 14, 2009



## SIGNING OF LEGISLATION

(With the exception of Ordinances 0203-2009 and 0273-2009 which was signed by President Pro-Tem Hearcel F. Craig on the night of the Council meeting, *Monday, March 9, 2009* all other legislation listed in this Bulletin was signed by Council President Michael C. Mentel, on the night of the Council meeting, *Monday, March 9, 2009*; Mayor, Michael B. Coleman on Tuesday, *March 10, 2009*; and attested by the City Clerk, Andrea Blevins prior to Bulletin publishing with the exception of Ordinance 0294-2009 which was attested to by Darla Character-Johnson, Deputy City Clerk.)

### **The City Bulletin Official Publication of the City of Columbus**

Published weekly under authority of the City Charter and direction of the City Clerk. The Office of Publication is the City Clerk's Office, 90 W. Broad Street, Columbus, Ohio 43215, 614-645-7380. The City Bulletin contains the official report of the proceedings of Council. The Bulletin also contains all ordinances and resolutions acted upon by council, civil service notices and announcements of examinations, advertisements for bids and requests for professional services, public notices; and details pertaining to official actions of all city departments. If noted within ordinance text, supplemental and support documents are available upon request to the City Clerk's Office.

# Council Journal (minutes)



# City of Columbus

## Journal - Final

### Columbus City Council

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

***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, March 9, 2009

5:00 PM

Columbus City Council

Columbus City Council

Journal

March 09, 2009

#### **REGULAR MEETING NO. 9 OF COLUMBUS CITY COUNCIL, MARCH 9, 2009 at 5:00 P.M. IN COUNCIL CHAMBERS.**

#### **ROLL CALL**

Present: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

#### **READING AND DISPOSAL OF THE JOURNAL**

**A motion was made by Craig, seconded by Ginther, to Dispense with the reading of the Journal and Approve. The motion carried by the following vote:**

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

#### **C0006-2009**

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY CLERK'S OFFICE AS OF THURSDAY MARCH 5, 2009:

New Type: D2  
To: Camilles Columbus 1 LTD  
DBA Camilles Sidewalk Cafes  
1305 W Lane Ave  
Columbus OH 43221  
Permit # 12061800025

Transfer Type: D1, D3  
To: Hock Lee LLC  
DBA Evening Star Café  
& Patio  
5060 N High St  
Columbus OH 43214  
From: E M Chung LLC  
DBA Evening Star Café  
5060 N High St & Patio  
Columbus OH 43214  
Permit # 3882990

Transfer Type: C1, C2  
To: Hom Market Inc  
DBA San Margherita Market  
3253-55 McKinley Av  
Columbus OH 43204  
From: Bu AA Inc  
DBA San Margherita Market  
3253-55 McKinley Av  
Columbus OH 43204  
Permit # 3950317

Transfer Type: D1, D2, D3, D6  
To: Dublin 2210 Corp  
2210 E Dublin Granville Rd  
Columbus OH 43229  
From: Zacapu LLC  
DBA El Acapulco  
& Patio  
2127 Polaris Pkwy  
Columbus OH 43240  
Permit # 2323115

Transfer Type: D4  
To: VFW Post3424 Benson W Hough  
DBA VFW Post 3424 Benson W Hough  
4299 Lockbourne Industrial Pkwy  
Columbus OH 43207  
From: VFW Post3424 Benson W Hough  
3176 S High St & Pavilion  
Columbus OH 43207  
Permit # 926235534243

Transfer Type: C1, C2  
To: Hagos LLC  
DBA Hydra Market  
1st Fl  
880 Sullivant Av  
Columbus OH 43223  
From: Fekerte LLC  
DBA Hydra Market  
880 Sullivant Av 1st Fl  
Columbus OH 43223  
Permit # 3497368

Stock Type: D5, D6  
To: Fernando Lara Inc  
1560 Georgesville Square Dr  
Columbus OH 43228  
Permit # 2690705

Stock Type: D5, D6

To: 2195 N High St Inc  
 DBA Little Bar  
 Mezzanine & Patio  
 2195 N High St  
 Columbus OH 43201  
 Permit # 9116373

Stock Type: C1, C2, D6  
 To: Danny Associate LLC  
 DBA Sunshine Food Market  
 5880 North Meadows Blvd  
 Columbus OH 43229  
 Permit # 1924660

Stock Type: D5  
 To: Geem Loong Inc  
 DBA New Geem Loong  
 Restaurant & Lounge  
 1773 W Fifth Av 1st Fl & Bsmt  
 Columbus OH 43212  
 Permit # 3091417

Advertise: 03/14/2009  
 Return: 03/20/2009

**Read and Filed**

**RESOLUTIONS OF EXPRESSION**

**MILLER**

**0021X-2009**

To declare the month of March as National Kidney Month and March 12, 2009 as World Kidney Day in the City of Columbus.

Sponsors: A. Troy Miller

**A motion was made by Miller, seconded by Ms. Tavares, that this matter be Adopted. The motion carried by the following vote:**

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

**ADDITIONS OR CORRECTIONS TO THE AGENDA**

A MOTION WAS MADE BY COUNCILMEMBER CRAIG, SECONDED BY COUNCILMEMBER TYSON TO WAIVE THE READING OF THE TITLES OF FIRST READING LEGISLATION. THE MOTION CARRIED THE FOLLOWING VOTE:  
 AFFIRMATIVE: 7 NEGATIVE: 0

**FIRST READING OF 30-DAY LEGISLATION**

**PUBLIC SERVICE & TRANSPORTATION: CRAIG, CHR. MILLER TAVARES MENTEL**

**0227-2009**

FR To authorize the Director of Public Service 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 this East Broad Street Resurfacing Project for the Division of Design and Construction.

**Read for the First Time**

- 0301-2009** FR To authorize the Director of Public Service 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 this North Third Street over the Goodale Street/Convention Center Connector/Norfolk Southern railroad reconstruction Project for the Division of Design and Construction.

**Read for the First Time****DEVELOPMENT: GINTHER, CHR. CRAIG TYSON MENTEL**

- 0319-2009** FR To amend Ordinance 1544-2008, passed by Columbus City Council on October 20, 2008, for the purpose of changing the names of the parties to a Columbus Downtown Office Incentive Agreement from Motorists Insurance Group to Motorists Mutual Insurance Company and its affiliates.

**Read for the First Time****UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL**

- 0156-2009** FR To authorize the Director of Public Utilities to enter into a planned modification of the professional engineering services contract with Brown and Caldwell Ohio, LLC in connection with the Sanitary System Overflow Elimination Project; and to authorize an increase in appropriation in the amount of \$2,001,160.41; and to authorize the transfer and expenditure of \$2,180,691.39 from the Sanitary Sewer Revenue Bonds Fund; and to amend the 2008 Capital Improvements Budget; for the Division of Sewerage and Drainage. (\$2,180,691.39).

**Read for the First Time**

- 0180-2009** FR To authorize the Director of Public Utilities to enter into a planned modification of the Janitorial Services contract with Mid-American Cleaning Contractors, for the Division of Power and Water, to authorize the expenditure of \$307,000.00 from Water Systems Operating Fund. (\$307,000.00)

**Read for the First Time**

- 0193-2009** FR To authorize the Director of Public Utilities to enter into a contract with Asplundh Tree Expert Co. for power line clearance services for the Division of Power and Water and to authorize the expenditure of \$235,000.00 from the Electricity Operating Fund. (\$235,000.00)

**Read for the First Time**

- 0239-2009** FR To authorize the Director of Finance and Management to establish a Blanket Purchase Order from an established Universal Term Contract for the Rental of Construction Equipment with Operator with Travco Construction Company, for the Division of Sewerage and Drainage and to authorize the expenditure of \$1,560,000.00 from the Sewerage System Operating Fund. (\$1,560,000.00)

**Read for the First Time**

- 0261-2009** FR To authorize the Director of Finance and Management to establish a purchase order with Shelly Materials, Inc. for the purchase of Crushed Limestone and Gravel Aggregates for the Division of Power and Water, and to authorize the expenditure of \$100,000.00 from the Water System Operating Fund. (\$100,000.00)

**Read for the First Time**

- 0265-2009** FR To authorize the Director of Public Utilities to enter into an agreement with DLT Solutions, Inc. for the licensing and maintenance of the Autodesk products in accordance with sole source provisions of the Columbus City Code, to authorize the expenditure of \$10,046.52 from the Sewerage System Operating; \$8,961.01 from the Water Operating Fund, \$2,679.06 from the Stormwater Operating Fund and \$1,408.82 from the Electricity Operating Fund (\$23,095.41)

**Read for the First Time**

- 0282-2009** FR To authorize the Director of Public Utilities to enter into a planned modification for Vibration Monitoring Services with Hargus Vibration Monitoring Services for the Division of Sewerage and Drainage; and to authorize the expenditure of \$ 33,000.00 from the Sewerage System Operating Fund. (\$ 33,000.00)

**Read for the First Time**

- 0283-2009** FR To authorize the Director of Public Utilities to enter into a construction contract with Pro-Tech Engineering, Inc., for the SCADA Upgrade & Improvements Scioto Floodwall Flood Gates Project; to authorize the transfer and appropriation of \$428,400.00 from the Storm Sewer Reserve Fund to the Voted Storm Sewer Bond Fund; and to authorize the expenditure of \$428,400.00 within the Voted Storm Sewer Bond Fund, for the Division of Sewerage and Drainage (\$428,400.00).

**Read for the First Time****RECREATION & PARKS: TYSON, CHR. TAVARES PALEY MENTEL**

- 0275-2009** FR To authorize and direct the Director of Recreation and Parks to accept a grant from the Ohio Public Works Commission for the Alum Creek South Corridor Preservation-Macedonia Church site CCDAJ, and to authorize the appropriation of \$340,000.00 from the Recreation and Parks Grant Fund. (\$340,000.00)

**Read for the First Time**

- 0276-2009** FR To authorize and direct the Director of Recreation and Parks to accept a grant from the Ohio Public Works Commission for the Scioto River Central Corridor Preservation-Marble Cliff Quarry site, and to authorize the appropriation of \$354,090.00 from the Recreation and Parks Grant Fund. (\$354,090.00)

**Read for the First Time****CONSENT ACTIONS****RESOLUTIONS OF EXPRESSION****MENTEL**

- 0020X-2009** CA To declare March 17, 2009 St. Patrick's Day in Columbus, Ohio

Sponsors: Michael C. Mentel and Andrew Ginther

**This Matter was Adopted on the Consent Agenda.**

**FINANCE: MENTEL, CHR. TAVARES CRAIG PALEY**

- 0155-2009** CA To authorize and direct the Finance and Management Director to modify past, present and future contracts and purchase orders with Asset Auctions LLC, to extend the UTC contract, and to declare an emergency.  
**This Matter was Approved on the Consent Agenda.**
- 0247-2009** CA To authorize and direct the Finance & Management Director to enter into a contract for the option to purchase Auto body Repair Services with Burns Body Shop; Capital Collision Center; Rampat Corp. dba Maaco Auto Painting; Ron Otto Enterprises, Inc. dba PAC/Services; Dick Masheter Ford Body Shop; Bob McDorman Chevrolet; Custom Fleet & Auto Body, Inc; Ace Collision Repair LLC; Styles & Profyles Autobody Co.; and Lanhams Autobody, LLC, to authorize the appropriation and expenditure of Ten dollars to establish the contracts from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$10.00)  
**This Matter was Approved on the Consent Agenda.**
- 0268-2009** CA To authorize and direct the Finance and Management Director to enter into three (3) contracts for the option to purchase Upholstery Repair Services with The Drapery House, A-Tec Upholstery & Body Shop, and Tritex Corporation, to authorize the expenditure of three (3) dollars to establish the contracts from the Mail, Print Services, and UTC Fund; and to declare an emergency. (\$3.00).  
**This Matter was Approved on the Consent Agenda.**
- 0292-2009** CA To authorize the Finance and Management Director to enter into contract with American Electric Power Service Corporation to provide a plug-in hybrid electric vehicle for the City to operate for a two-month period; and to declare an emergency. (\$0.00)  
**This Matter was Approved on the Consent Agenda.**
- 0300-2009** CA To provide for payment to the general fund, by major independent operating funds of the city, their proportionate share of the administrative expenses of the city, to repeal ordinance No. 0085-02, and to declare an emergency.  
**This Matter was Approved on the Consent Agenda.**
- 0327-2009** CA To amend the 2008 Capital Improvements Budget; to authorize the transfer of cash between projects in the Information Services Fund; to authorize the Finance and Management Director to modify a contract on behalf of the Office of Construction Management with Allen Ballew General Contractors for the renovation of a vacant space in the Jerry Hammond Center, located at 1111 East Broad Street; to authorize the expenditure of \$200,000.00 from the Information Services Fund; and to declare an emergency. (\$200,000.00)  
**This Matter was Approved on the Consent Agenda.**

**PUBLIC SERVICE & TRANSPORTATION: CRAIG, CHR. MILLER TAVARES  
MENTEL**

- 0273-2009** CA To authorize the Director of Public Service to enter into an agreement with the Director of the Ohio Department of Transportation; to grant consent and propose cooperation with the State of Ohio for this bridge deck overlay project on the eastbound I-70 structure over Harper Road and eastbound I-70 structure over Norfolk Southern Railroad for the Division of Design and Construction; and to repeal Ordinance No. 2110-2007. (\$0.00 )

**A motion was made by Craig, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:**

Abstained: 1 - President Mentel

Affirmative: 6 - Ginther, Ms. Tavares, Craig, Tyson, Miller and Paley

**SAFETY : GINTHER, CHR. PALEY CRAIG MENTEL**

**0165-2009** CA To authorize an appropriation of \$7,800.00 from the unappropriated balance of the Special Purpose Fund to the Division of Police, to provide partial funding for the costs associated with the Columbus Police Reserves Organization, and to declare an emergency. (\$7,800.00)

**This Matter was Approved on the Consent Agenda.**

**0217-2009** CA To authorize and direct the Director of Public Safety to enter into an agreement with the Director of Highway Safety, State of Ohio, for the leasing of the LEADS terminals and LEADS interface for the Division of Police, to authorize the expenditure of \$62,002.70 from the General Fund; and to declare an emergency. (\$62,002.70)

**This Matter was Approved on the Consent Agenda.**

**DEVELOPMENT: GINTHER, CHR. CRAIG TYSON MENTEL**

**0258-2009** CA To authorize the expenditure of \$140,332 from the General Fund to support the Columbus-Franklin County Port Authority. (\$140,332)

**This Matter was Approved on the Consent Agenda.**

**0313-2009** CA To authorize the City Auditor to transfer funding and documents within the Department of Development to reflect the department's new organizational structure; and to declare an emergency.

**This Matter was Approved on the Consent Agenda.**

**ADMINISTRATION: MILLER, CHR. PALEY TAVARES MENTEL**

**0182-2009** CA To authorize the Director of the Department of Technology, on behalf of the Divisions of Building Services and Neighborhood Services, to modify and extend an existing agreement, with Accela, Inc., to continue with upgrades and enhancements to a computer system; to authorize the Auditor to re-establish \$177,315.00 to the contract from the Information Services Bond Fund to cover project cost; to amend the 2008 Capital Improvement Budget; and to declare an emergency. (\$177,315.00)

**This Matter was Approved on the Consent Agenda.**

**0241-2009** CA To authorize the Director of the Department of Technology to modify and renew a contract with Emerson Network Power, Liebert Services, Inc., for maintenance and related services associated with the batteries Uninterrupted Power Supply (UPS) systems; to authorize the assignment of all past, present and future contracts and purchase orders with Liebert Global Services, to Emerson Network Power, Liebert Services, Inc.; to authorize the expenditure of \$45,947.67 from the Department of Technology Information Services Fund; and to declare an emergency. (\$45,947.67)

**This Matter was Approved on the Consent Agenda.**

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

- 0140-2009 CA To accept the attached deeds for real property from various grantees to be used for the purposes of improving storm and sanitary sewer lines and appurtenances thereto.  
**This Matter was Approved on the Consent Agenda.**
- 0280-2009 CA To authorize the Administrative and Presiding Judge of the Franklin County Municipal Court to modify and extend the contract with Netcare Corporation for competency evaluations and examinations for the Franklin County Municipal Court; to authorize the expenditure of an amount not to exceed \$74,000.00 from the general fund; and to declare an emergency. (\$74,000.00)  
**This Matter was Approved on the Consent Agenda.**

**HEALTH, HOUSING & HUMAN SERVICES: TAVARES, CHR.  
TYSON MILLER MENTEL**

- 0177-2009 CA To authorize the Director of Finance and Management to establish a blanket purchase order with Cellestis, Inc. for the purchase of QuantiFERON - TB GOLD kits for the Columbus Health Department in accordance with sole source provisions of Columbus City Codes; to authorize the expenditure of \$80,000 from the Health Department Grants Fund to pay the cost thereof; and to declare an emergency. (\$80,000)  
**This Matter was Approved on the Consent Agenda.**
- 0201-2009 CA To authorize and direct the Health Commissioner to submit documents to the City Auditor to encumber \$3,379.17 needed to pay The Ohio State University and 77-83 Outerbelt Street, LLC the rent for the remaining month of September; to authorize a total expenditure of \$3,379.17 from the Health Department Grants Fund. (\$3,379.17)  
**This Matter was Approved on the Consent Agenda.**
- 0315-2009 CA To authorize and direct the Columbus Health Department to accept funds from The Ohio State University in the amount of \$50,000, to authorize the appropriation of \$50,000 from the Health Department Grants Fund, and to declare an emergency. (\$50,000.00)  
**This Matter was Approved on the Consent Agenda.**
- 0316-2009 CA To authorize and direct the Columbus Health Department to accept funds from the Summit County Health Department in the amount of \$46,700, to authorize the appropriation of \$46,700 from the Health Department Grants Fund, and to declare an emergency. (\$46,700.00)  
**This Matter was Approved on the Consent Agenda.**
- 0322-2009 CA To authorize the Director of the Department of Finance & Management to expend \$48,830.34 from the CDBG revolving loan fund for payment of interest earnings to the U.S. Department of Housing and Urban Development (HUD); and to declare an emergency. (\$48,830.34)  
**This Matter was Approved on the Consent Agenda.**

**Passed The Consent Agenda**

**A motion was made by Craig, seconded by Tyson, including all the preceding items marked as having been approved on the Consent Agenda. The motion carried by the following vote:**

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

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

### **PUBLIC SERVICE & TRANSPORTATION: CRAIG, CHR. MILLER TAVARES MENTEL**

**0314-2009**

To authorize the Director of Public Service to extend the existing agreement with the Ohio Department of Transportation for operation of the Freeway Management System program through June 30, 2009, to authorize the appropriation and expenditure of \$172,000.00 within the General Government Grant Fund; and to declare an emergency. (\$172,000.00)

**A motion was made by Craig, seconded by Ginther, that this matter be Approved. The motion carried by the following vote:**

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

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

**0336-2009**

To authorize the Director of the Development Department to modify the Linden Crime Prevention Partnership contract with the Greater Linden Development Corporation by extending the contract period; and to declare an emergency.

**A motion was made by Ginther, seconded by Ms. Tavares, that this matter be Approved. The motion carried by the following vote:**

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

### **DEVELOPMENT: GINTHER, CHR. CRAIG TYSON MENTEL**

**0243-2009**

To authorize the Director of the Department of Development to enter into a contract with TechColumbus for the purpose administering the Entrepreneurial Signature Program; to authorize the expenditure of \$188,000 from the General Fund; and to declare an emergency. (\$188,000.00)

Sponsors: Andrew Ginther

**A motion was made by Ginther, seconded by Craig, that this matter be Approved. The motion carried by the following vote:**

Abstained: 1 - Miller

Affirmative: 6 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel and Paley

### **ADMINISTRATION: MILLER, CHR. PALEY TAVARES MENTEL**

**0137-2009**

To accept Memorandum of Understanding #2008-03 executed between representatives of the City of Columbus and American Federation of State, County and Municipal Employees (AFSCME), Ohio Council 8, Local 1632, which amends the Collective Bargaining Contract, April 1, 2008 through March 31, 2011; and to declare an emergency.

**A motion was made by Miller, seconded by Ginther, that this matter be Approved. The motion carried by the following vote:**

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

**0294-2009**

To authorize the transfer of \$35,000 from the Department of Recreation and Parks to the Department of Human Resources; to authorize the transfer of \$159,939.02 from the Department of Finance and Management to the Department of Human Resources; to authorize the Human Resources Director to enter into an agreement modification with Educators Preferred Corporation (EPC) and Metropolitan Life Insurance Company (MetLife) to establish a severance plan "Funding Account" from which payments and appropriate withholdings are made for plan participants; to authorize the expenditure of \$1,814,673.25 from the General Fund, or so much thereof as may be necessary to pay the cost of said agreement; to authorize the appropriation, encumbrance and expenditure of up to \$1,193,851.56 from the Special Income Tax Fund; to waive the Columbus City Code provisions for competitive bidding; and declare an emergency.

**A motion was made by Miller, seconded by Craig, that this matter be Approved. The motion carried by the following vote:**

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

#### **JUDICIARY & COURT ADMINISTRATION: PALEY, CHR CRAIG TYSON MENTEL**

**0238-2009**

To authorize and direct the City Attorney to settle the claims brought by Charles Garrett against the City of Columbus in the Franklin County Court of Common Pleas, Case No. 07CVC09-12006, to authorize the transfer of \$50,000.00 within the General Fund; and to authorize the expenditure of the sum of one hundred fifteen thousand dollars (\$115,000.00) in settlement of this lawsuit and to declare an emergency.

**A motion was made by Paley, seconded by Ginther, that this matter be Approved. The motion carried by the following vote:**

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

#### **UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL**

**1720-2008**

To authorize the Director of Public Utilities to enter into a one year lease agreement for the Division of Sewerage and Drainage for the lease of City-owned land, just south of the Southerly Wastewater Treatment Plant on U.S. Route 23, for agricultural purposes with Jeff Writsel. (\$0)

**A motion was made by Paley, seconded by Ginther, that this matter be Taken from the Table. The motion carried by the following vote:**

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

**A motion was made by Paley, seconded by Ginther, that this matter be Approved. The motion carried by the following vote:**

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

**0203-2009**

To authorize the Director of Public Utilities to apply for, accept, and enter into twelve (12) Water Supply Revolving Loan Account Agreements with the

Ohio Water Development Authority and the Ohio Environmental Protection Agency, during the year 2009, for the construction of water distribution system improvements; and to designate a repayment source for the loans.

**A motion was made by Paley, seconded by Ginther, that this matter be Approved. The motion carried by the following vote:**

Abstained: 1 - President Mentel

Affirmative: 6 - Ginther, Ms. Tavares, Craig, Tyson, Miller and Paley

**HEALTH, HOUSING & HUMAN SERVICES: TAVARES, CHR.  
TYSON MILLER MENTEL**

**0254-2009**

To authorize the Finance Director to sell a 1989 Ford Pick-up and a 1994 Chevrolet Step Van owned by the City of Columbus Department of Development, to Rebuilding Together Central Ohio for the sum of \$2.00; and to waive the provisions of the City Code relating to the sale of City-owned property. (\$2.00)

**A motion was made by Ms. Tavares, seconded by Tyson, that this matter be Amended to Emergency. The motion carried by the following vote:**

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

**A motion was made by Ms. Tavares, seconded by Tyson, that this matter be Approved as Amended. The motion carried by the following vote:**

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

**0269-2009**

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)

**A motion was made by Ms. Tavares, seconded by Ginther, that this matter be Approved. The motion carried by the following vote:**

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

**0303-2009**

To authorize the Finance and Management Director to enter into a contract with Latham & Phillips Ophthalmic for necessary optometry dispensary equipment for the West Side Health Center in the amount of \$65,977.00; to authorize the Finance and Management Director to expend \$10,000.00 or so much thereof as may be necessary, to reimburse the General Fund for construction and building renovation expenses incurred by the Office of Construction Management; to authorize the expenditure of \$75,977.00 from the Health G.O. Bonds Fund for the Westside Health Center project; to waive the competitive bidding requirements of the Columbus City Codes; and to declare an emergency. (\$75,977.00)

**A motion was made by Ms. Tavares, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:**

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

**RULES & REFERENCE: MENTEL, CHR. GINTHER CRAIG PALEY**

**0297-2009**

To amend Section 3310.09 of the Columbus Zoning Code, Title 33 to provide that parcels within the geographic boundary of the territory to be annexed to the City under the terms of the existing Annexation Agreement between the City of Columbus and the Columbus Regional Airport Authority and the First and Second Amendments thereto will immediately upon annexation to the City be assigned the zoning classification most comparable to the zoning applicable to such property.

Sponsors: Priscilla Tyson

**A motion was made by Tyson, seconded by Ms. Tavares, that this matter be Approved. The motion carried by the following vote:**

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

**ADJOURNMENT**

*ADJOURNED: 6:28*

**A motion was made by Craig, seconded by Ginther, to adjourn this Regular Meeting. The motion carried by the following vote:**

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

**(THERE ARE NO COUNCIL MEETINGS ON MARCH 16TH AND MARCH 23RD.  
THE NEXT REGULAR MEETING IS MONDAY, MARCH 30, 2009)**



# City of Columbus

## Journal - Final

### Zoning Committee

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

*Priscilla Tyson, Chair; All Members*

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Monday, March 9, 2009

6:30 PM

Zoning Committee

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Zoning Committee

Journal

March 09, 2009

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**REGULAR MEETING NO. 10 OF CITY COUNCIL (ZONING), MARCH 9, 2009 AT  
6:30 P.M. IN COUNCIL CHAMBERS.**

**ROLL CALL**

Present: Mentel: Tavares: Ginther: Tyson: Craig: Paley and Miller

**READING AND DISPOSAL OF THE JOURNAL**

**A motion was made by Craig, seconded by Ginther, to Dispense with the reading of the Journal and Approve. The motion carried by the following vote:**

Affirmative: Mentel, Tavares, Ginther, Tyson, Craig, Miller and Paley

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

**ZONING: TYSON, CHR. CRAIG GINTHER MILLER PALEY TAVARES MENTEL**

**2043-2008**

To rezone 3344 MORSE ROAD (43231), being 4.12± acres located on the north side of Morse Road, 730± feet west of Trindel Way, From: L-M, Limited Manufacturing District, To: L-M, Limited Manufacturing District. (Rezoning # Z08-053)

**A motion was made by Tyson, seconded by Craig, that this matter be Approved. The motion carried by the following vote:**

Affirmative: Mentel, Tavares, Ginther, Tyson, Craig, Miller and Paley

**0068-2009**

To rezone 5861 ROCHE DRIVE (43229), being 1.95± acres located on the southwest side of Roche Drive, 350± feet east of Northmeadows Boulevard, From: C-4, Commercial District, To: L-AR-4, Limited Apartment Residential District. (Rezoning # Z08-056)

**A motion was made by Tyson, seconded by Craig, that this matter be Approved. The motion carried by the following vote:**

Affirmative: Mentel, Tavares, Ginther, Tyson, Craig, Miller and Paley

**0167-2009**

To rezone 893 NORTH FOURTH STREET (43201), being 0.3± acres located on the west side of North Fourth Street, 184± feet north of East First Avenue, From: R-4 Residential District, To: CPD, Commercial Planned Development District (Rezoning # Z08-061).

**A motion was made by Tyson, seconded by Craig, that this matter be Approved. The motion carried by the following vote:**

Affirmative: Mentel, Tavares, Ginther, Tyson, Craig, Miller and Paley

**0263-2009**

To grant a variance from the provisions of Sections 3333.02, Apartment Residential District use; 3333.12, AR-1 and AR-4 Area District Requirements; 3333.18, Building lines; 3333.24, Rear yard; 3333.26, Height District; 3342.18, Parking setback line; 3342.22, Prohibited use and 3342.28, Minimum number of parking spaces required of the City codes, for the property located at 764 WEST RICH STREET (43222), to permit housing for the elderly and up to 5,000 square feet of hospital use with reduced development standards in the AR-1, Apartment Residential District. (CV08-043).

**A motion was made by Tyson, seconded by Craig, that this matter be Amended as submitted to the Clerk. The motion carried by the following vote:**

Affirmative: Mentel, Tavares, Ginther, Tyson, Craig, Miller and Paley

**A motion was made by Tyson, seconded by Tavares, that this matter be Amended to Emergency. The motion carried by the following vote:**

Affirmative: Mentel, Tavares, Ginther, Tyson, Craig, Miller and Paley

**A motion was made by Tyson, seconded by Craig, that this matter be Approved as Amended. The motion carried by the following vote:**

Affirmative: Mentel, Tavares, Ginther, Tyson, Craig, Miller and Paley

**0086-2009**

To rezone 2255 COURTLEY DRIVE (43232), being 9.4± acres located at the terminus of Courtley Drive, 600± feet east of James Road, From: L-I, Limited Institutional District To: R-2, Residential District (Rezoning # Z08-060).

**A motion was made by Mentel, seconded by Tavares, that this matter be Approved. The motion carried by the following vote:**

Abstained: Tyson, Craig and Miller

Affirmative: Mentel, Tavares, Ginther and Paley

*ADJOURNED: 6:37 P.M.*

**A motion was made by Tavares, seconded by Craig, to adjourn this Regular Meeting. The motion carried by the following vote:**

Affirmative: Mentel, Tavares, Ginther, Tyson, Craig, Miller and Paley

# Ordinances and Resolutions

**City of Columbus  
City Bulletin Report**

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

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**Legislation Number:** 0020X-2009

**Drafting Date:** 03/06/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Resolution

**Title**

To declare March 17, 2009 St. Patrick's Day in Columbus, Ohio

**Body**

WHEREAS, for more than 100 years the Irish of Columbus have promoted and shared their culture and heritage; and

WHEREAS, many of the strong men and women of earlier generations fled The Great Hunger in Ireland to come to a new life in Columbus; and

WHEREAS, so many of our proud Irish ancestors faced economic, religious and social persecution with heads held high and shoulders squared; and

WHEREAS, those same Irish survived and prospered and built the infrastructure of Columbus, as well as large families that spread from old Irish Broadway out to the North, South, East, and West ends of Columbus; and

WHEREAS, we remember the contributions of those who came before us, AND those who stand with us, and thank God for the good fortune to be Irish; and

WHEREAS, our strength is in our people, and our love and care for one another, and is reflected by our 2009 Irish American honorees; and

WHEREAS, the Shamrock Club of Columbus and its President, Patrick W. Graham, have lead the Club forward in honoring and celebrating our Irish heritage and culture; and

WHEREAS, the Shamrock Club was founded in 1936 and has grown to include more than 2,000 members, and offers a wide variety of Irish cultural events and activities every week of the year; and

WHEREAS, together, as Clan na nGael, One Family Irish, we recognize the contributions of the Irish community to the City of Columbus; now, therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

That this Council does hereby declare March 17, 2009 St. Patrick's Day in Columbus, Ohio.

---

**Legislation Number:** 0021X-2009

**Drafting Date:** 03/06/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Resolution

**Title**

To declare the month of March as National Kidney Month and March 12, 2009 as World Kidney Day in the City of

Columbus.

Body

**WHEREAS**, Every year, approximately 2,900 Ohioans are on the waiting list for a kidney transplant; and

**WHEREAS**, Early detection and treatment of kidney disease could result in fewer Ohioans requiring dialysis treatments; and

**WHEREAS**, 26 million Americans have Chronic Kidney Disease and another 20 million are at risk; and

**WHEREAS**, For more than 30 years, the National Kidney Foundation Serving Ohio has been providing programs and services for Ohio kidney patients and their families; and

**WHEREAS**, The National Kidney Foundation Serving Ohio helps Ohioans prevent, treat and cure kidney and urinary tract disease; and

**WHEREAS**, March 12th has been declared World Kidney Day and March is National Kidney Month; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

That this Council does hereby declare the month of March 2009 as National Kidney Month and March 12th, 2009 as World Kidney Day in the City of Columbus.

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

That this Council does strongly encourage all citizens to become aware of the warning signs of kidney disease and to "know their kidney score."

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**Legislation Number:** 0068-2009

**Drafting Date:** 01/12/2009

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

### Explanation

#### Rezoning Application Z08-056

**APPLICANT:** National Church Residences of Hesus Ohio; c/o Joseph Kasberg; 2335 North Bank Drive; Columbus, OH 43220.

**PROPOSED USE:** Senior housing.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (6-0-1) on December 11, 2008.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The requested L-AR-4, Limited Apartment Residential District will allow forty senior housing units which is consistent with the zoning and development patterns of the area. A Council variance for this development (CV08-003) was approved in April of 2008. As a condition of the approved Council variance, the applicant is required to rezone this site to an appropriate apartment residential district.

### Title

To rezone **5861 ROCHE DRIVE (43229)**, being 1.95± acres located on the southwest side of Roche Drive, 350± feet east of Northmeadows Boulevard, **From:** C-4, Commercial District, **To:** L-AR-4, Limited Apartment Residential District. (Rezoning # Z08-056)

Body

**WHEREAS**, application # Z08-056 is on file with the Building Services Division of the Department of Development requesting rezoning of 1.95± acres from C-4, Commercial District to L-AR-4, Limited Apartment Residential District; and

**WHEREAS**, this rezoning is a required follow-up to a Council variance for this development (CV08-003) which was approved in April of 2008.

**WHEREAS**, the Development Commission recommends approval of said zoning change; and

**WHEREAS**, the City Departments recommend approval of said zoning change because the limitation text establishes use restrictions and development standards consistent with the zoning and development patterns of the area. The requested L-AR-4, Limited Apartment Residential District would allow elderly housing development which is compatible with the surrounding zoning and land uses in the area, therefore:

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Official Zoning Map of the City of Columbus, as adopted by Ordinance No. 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

**5861 ROCHE DRIVE (43229)**, being 1.95± acres located on the southwest side of Roche Drive, 350± feet east of Northmeadows Boulevard, and being more particularly described as follows:

1.954 ACRES

Situated in the City of Columbus, County of Franklin and State of Ohio; also being a part of Quarter Township 4, Township 2, Range 18, United States Military Lands, also being a part of a 4.548 acre tract as conveyed to Raas Hotel Group, Inc. as recorded in Official Record 33819, Page F-17, Parcel One, also being a part of Reserve "D" of Salem Village No. 2 as shown on Plat Book 33, Page 114 and being more particularly described as follows:

Commencing at the intersection of the northerly right-of-way line of Covington Road (50' right-of-way) and the westerly right-of-way line of Roche Drive (60' right-of-way), said point also being the southeasterly corner of a 4.716 acre tract as conveyed to Wentwood Laurel Lakes I, L.P. as described in Official Record 34677, Page G-02, said point also being a southeasterly corner of Reserve "C" of said Salem Village No. 2; thence,

Along the westerly right-of-way line of Roche Drive, also being along the easterly line of said 4.716 acre tract, also being along an easterly line of said Reserve "C" *North 03° 03' 09" East for a distance of one hundred thirty and zero one-hundredths feet (130.00')* to a 1" iron pipe found, said point being at the northeasterly corner of Reserve "C" of said Salem Village No. 2, said point also being the southeasterly corner of Reserve "D" of said Salem Village No. 2, said point also being the northeasterly corner of said 4.716 acre tract said point also being the **TRUE POINT OF BEGINNING** and from said beginning point running thence:

Along the northerly line of said 4.716 acre tract, also being along the northerly line of said Reserve "C", also being along the southerly line of said Reserve "D" *North 86° 56' 51" West for a distance of four hundred ten and zero one-hundredths feet (410.00')* to a 1" iron pipe found, said point being the southeasterly corner of a 0.096 acre tract of land as conveyed to 5880 North Meadows, LTD as recorded in Instrument Number 200505270102297, said point also being the northwesterly corner of said 4.716 acre tract, said point also being the northeasterly corner of a 0.518 acre tract as conveyed to 5880 North Meadows, LTD as recorded in Instrument Number 200505270102285, said point also being the northwesterly corner of said Reserve "C", said point also being the southwesterly corner of said Reserve "D"; thence,

Along the easterly line of said 0.096 acre tract, and then along the easterly line of a 0.845 acre tract as conveyed to Columbus-Meadows, LLC as described in Instrument Number 200501060003951 *North 03° 03' 14" East for a distance of one hundred ninety-two and fifty one-hundredths feet (192.50')* to an iron pin set, said point being the northeasterly corner of said 0.845 acre tract, said point also being the southeasterly corner of a 1.758 acre tract of land as conveyed to Walgreen Co. as described in Instrument Number 200509130190401, said point also being the southwesterly corner of said 1.055 acre tract; thence,

Along the southerly line of said 1.055 acre tract and then along a new line through said 4.548 acre tract *South 86° 56' 39" East for a distance of three hundred ten and zero one-hundredths feet (310.00')* to an iron pin set; thence the following two courses along new lines through said 4.548 acre tract,

*North 03° 03' 09" East for a distance of sixty-two and zero one-hundredths feet (62.00')* to an iron pin set; thence,

*South 86° 56' 52" East for a distance of one hundred and zero one-hundredths feet (100.00')* to an iron pin set, said point being along the westerly right-of-way line of Roche Drive; thence,

Along the westerly right-of-way line of Roche Drive *South 03° 03' 09" West for a distance of two hundred fifty-four and forty-eight one-hundredths feet (254.48')* to the point of beginning, containing 1.954 acres of land, more or less, as determined by Michael L. Keller, Professional Surveyor, Ohio License No. 7978, based on a survey performed by Kleingers & Associates in March, 2008.

Basis of bearings for the above-described courses is the Ohio State Plane Coordinate System, Ohio South Zone (NAD83-CORS), with a portion of the centerline of Roche Drive being *South 53°35'15" East*, as determined by a GPS survey utilizing CORS station "COLB" as maintained by the Ohio Department of Transportation.

Iron pins set are 5/8" diameter rebar, 30" in length, with plastic identifier caps stamped "Kleingers & Assoc".

Subject to any easements, restrictions, covenants, ordinances, or agreements of record.

**To Rezone From:** C-4, Commercial District,

**To:** L-AR-4, Limited Apartment Residential District.

**SECTION 2.** That a Height District of Thirty-five (35) feet is hereby established on the L-AR-4, Limited Apartment Residential District on this property.

**SECTION 3.** That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved L-AR-4, Limited Apartment Residential District and Application among the records of the Building Services Division as required by Section 3370.03 of the Columbus City Codes; said text titled, "**LIMITATION TEXT**", and said plan titled "**NCR OF EAST DUBLIN GRANVILLE RD, C101**" both signed by Joseph Kasberg, Applicant, and dated January 7, 2009, and the text reading as follows:

LIMITATION TEXT

PROPOSED DISTRICT: L-AR-4, Limited Apartment - Residential District

PROPERTY ADDRESS: 5861 Roche Drive

OWNER: RAAS Hotel Group Inc.

APPLICANT: National Church Residences of Hesed Ohio

DATE OF TEXT: January 7, 2009

APPLICATION NUMBER: Z08-056

**1. INTRODUCTION:** The site is located on the south side of E. Dublin Granville Rd. and west of Roche Dr. which curves around the property. Columbus City Council approved a council variance for multi-family usage on this site in 2008 (CV08-003). This zoning would reestablish the use which was permitted by the council variance.

**2. PERMITTED USES:** Permitted uses are elderly housing.

**3. DEVELOPMENT STANDARDS:** The applicable development standards are contained in Chapter 3333 (AR-4, Apartment Residential) of the Columbus City Code unless otherwise indicated within this text.

A. Density, Lot and/or Setback Commitments.

1. Maximum number of dwelling units shall be 40.

B. Access, Loading, Parking and/or Other Traffic Related Commitments.

1. A commitment is made that a cross access easement will be established upon redevelopment of the property to the north of the NCR site.

C. Buffering, Landscaping, Open Space and/or Screening Commitments.

1. The developer shall comply with the parkland dedication ordinance by contributing \$400 to the City of Columbus Recreation and Parks Department at the time of filing for zoning clearance.
2. Minimum tree size at installation shall be no less than 2 ½ inch caliper for street trees and/or shade trees, 5 feet in height for evergreen trees, 1 ½ inch caliper for ornamental trees, and two gallons for shrubs. Caliper shall be measured 6 inches above grade.
3. All landscaping shall be well maintained. Dead items shall be replaced within six months or the next planting season, whichever occurs first.

D. Lighting, Outdoor Display Areas, and/or other Environmental Commitments.

1. Maximum height of light poles shall be 14 feet.

E. Graphics and/or Signage Commitments.

1. All signage and graphics shall conform to Article 15 of the Columbus City Graphics Code as it applies to the AR-4 District. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission for approval.

F. Miscellaneous Commitments.

1. The developer shall connect its internal sidewalk with the public sidewalk along Roche Drive.
2. The Subject Site shall be developed in accordance with the submitted site plan. The site plan may be slightly adjusted to reflect engineering, topographical or other site data developed at the time that development and engineering plans are completed. Any slight adjustment to the landscape plan shall be reviewed and may be approved by the Director of Development or his designee upon submission of the appropriate data regarding the proposed adjustment.

**SECTION 4.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

---

**Legislation Number:** 0086-2009

**Drafting Date:** 01/13/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**Rezoning Application Z08-060**

**APPLICANT:** Columbus Housing Partnership; c/o George F. Tabit; 562 East Main Street; Columbus, OH 43215.

**PROPOSED USE** Single-family residential development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (7-0) on January 8, 2009.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The requested R-2, Residential District will permit single-family residential development that will connect to an existing subdivision to the north. Council variance Ord. # 0169-2008 (CV07-060) was approved in February 2008, to allow single-family residential development in the L-I, Limited Institutional District. The requested R-2, Residential District was submitted to fulfill a condition of the Council variance that a rezoning application be filed to an appropriate zoning district prior to filing a subdivision plat with the City of Columbus. The proposed R-2, Residential District is compatible and consistent with the established zoning and development pattern of the area.

**Title**

To rezone **2255 COURTLEY DRIVE (43232)**, being 9.4± acres located at the terminus of Courtley Drive, 600± feet east of James Road, **From:** L-I, Limited Institutional District **To:** R-2, Residential District (Rezoning # Z08-060).

**Body**

**WHEREAS**, application #Z08-060 is on file with the Building Services Division of the Department of Development requesting rezoning of 9.4± acres from L-I, Limited Institutional District, to R-2, Residential District; and

**WHEREAS**, the Columbus Public Health Healthy Places program recognized that the development will have pedestrian connection to the adjacent church/community center and to the nearest COTA bus stop to promote walkability in everyday life; and

**WHEREAS**, the Development Commission recommends approval of said zoning change; and

**WHEREAS**, the City Departments recommend approval of said zoning change because the requested R-2, Residential District will permit single-family residential development that will connect to an existing subdivision to the north. Council variance Ord. # 0169-2008 (CV07-060) was approved in February 2008, to allow single-family residential development in the L-I, Limited Institutional District. The requested R-2, Residential District was submitted to fulfill a condition of the Council variance that a rezoning application be filed to an appropriate zoning district prior to filing a subdivision plat with the City of Columbus. The proposed R-2, Residential District is compatible and consistent with the established zoning and development pattern of the area, now, therefore:

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Official Zoning Map of the City of Columbus, as adopted by Ordinance No. 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

**2255 COURTLEY DRIVE (43232)**, being 9.4± acres located at the terminus of Courtley Drive, 600± feet east of James Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, Half Section 53 of Section 30, Township 12, Range 21, Refugee Lands, being part of that tract of land conveyed to First Church of God, Inc. by deed of record in Instrument Number 199802230039216 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and described as follows:

Beginning, for reference, at a magnetic nail set at the centerline intersection of Easthaven Drive South (50' width) and Wadsworth Drive (60' width) as shown on the subdivision plat entitled GlenBrook Section No 2 of record in Plat Book 36, Pages 62 and 63;

thence South 04° 10' 46" West, with the centerline of said Wadsworth Drive, a distance of 148.86 feet to a point in the northerly line of said First Church of God, Inc tract, being the southerly terminus of said Wadsworth Drive;

thence South 85° 51' 47" East, with the southerly terminus of said Wadsworth Drive and said northerly line, a distance of 30.00 feet to the southwesterly corner of Glenbrook Green Condominium of record in Condominium Plat Book 2, Page 536 , being THE TRUE POINT OF BEGINNING;

thence continuing with said northerly line, the southerly line of said Glenbrook Green Condominium, the following courses and distances:

South 85° 51' 47" East, a distance of 13.36 feet to an iron pin set;

South 86° 09' 53" East, a distance of 258.58 feet to an iron pin set;

thence across said First Church of God, Inc. tract, the following courses and distances:

South 04° 08' 13" West, a distance of 251.36 feet to an iron pin set;

North 85° 51' 47" West, a distance of 1759.67 feet to an iron pin set;

North 48° 15' 52" East, a distance of 348.29 feet to an iron pin set in the southerly line of said Glenbrook Section No 2;

thence South 85° 51' 47" East, with said southerly line (passing ¾ inch iron pins found at 149.75 feet, 780.15 feet and 1040.23 feet), a distance of 1245.23 feet to the TRUE POINT OF BEGINNING and containing 9.407 acres of land, more or less, being out of Auditor's Parcel Number 010-109331;

Subject, however, to all legal rights-of-ways and/or easements, if any, of previous record.

This survey was prepared using documents of record, prior plats of survey, and observable field evidence.

Iron pins set, where indicated, are iron pipes, thirteen-sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT, INC.

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (1986 Adjustment). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected Franklin County Monuments FCGS 9918 and FCGS 2251. The portion of the centerline of Wadsworth Drive, having a bearing of S 04° 10' 46" W and monumented as shown hereon, is designated the "basis of bearing" for this survey.

EVANS, MECHWART, HAMBLETON, & TILTON, INC.

**To Rezone From:** from L-I, Limited Institutional District,

**To:** R-2, Residential District

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the R-2, Residential District on this property.

**SECTION 3.** That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division.

**SECTION 4.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 0137-2009

**Drafting Date:** 01/23/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

Article 32.3 of the Collective Bargaining Contract with the American Federation of State, County, and Municipal Employees (AFSCME), Ohio Council 8, Local 1632 requires that any modifications to the contract be agreed between the parties. Memorandum of Understanding #2008-03 has been executed by the parties to recognize, reward and retain Income Tax Auditors who earn and receive advanced degrees related to their field or have met the requirements for certification as a Certified Public Accountant (CPA).

The passage of this ordinance indicates City Council's acceptance of Memorandum of Understanding #2008-03, a copy of which is attached hereto.

Emergency action is recommended in order to timely implement the provisions of the Memorandum of Understanding #2008-03.

### **Title**

To accept Memorandum of Understanding #2008-03 executed between representatives of the City of Columbus and

American Federation of State, County and Municipal Employees (AFSCME), Ohio Council 8, Local 1632, which amends the Collective Bargaining Contract, April 1, 2008 through March 31, 2011; and to declare an emergency.

**Body**

**WHEREAS**, the City wishes to recognize the value of employees who strive to improve their knowledge and skills to benefit the City of Columbus; and

**WHEREAS**, the Office of the Auditor, Division of Income Tax, wishes to recognize, reward and retain Income Tax Auditors who earn and receive advanced degrees related to their field or have met the requirements for certification as a Certified Public Accountant (CPA); and

**WHEREAS**, an emergency exists in the usual daily operation of the City in that it is immediately necessary to amend the Collective Bargaining Contract between the City and AFSCME, Ohio Council 8, Local 1632, by accepting Memorandum of Understanding #2008-03, thereby preserving the public peace, property, health, safety, and welfare; Now, Therefore

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**Section 1.** That Memorandum of Understanding #2008-03 amends the Collective Bargaining Contract between the City and AFSCME, Ohio Council 8, Local 1632, April 1, 2008 through March 31, 2011.

**Section 2.** That City Council, in the best interest of the City, hereby recognizes and accepts Memorandum of Understanding #2008-03, a copy of which is attached hereto, executed between representatives of the City and AFSCME, Ohio Council 8, Local 1632, to be effective March 9, 2009.

**Section 3.** For the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten (10) days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 0140-2009

**Drafting Date:** 01/23/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

Background: From time to time the City of Columbus is asked to formally accept various deeds for the purposes of improving storm and sanitary sewer lines and appurtenances thereto. These deeds have already been granted to the City of Columbus and recorded with the proper county recorder's office. The following legislation provides for the City to formally accept such deeds as listed in the body of this legislation.

Fiscal Impact: N/A

Emergency Justification: N/A

**Title**

To accept the attached deeds for real property from various grantees to be used for the purposes of improving storm and sanitary sewer lines and appurtenances thereto.

**Body**

WHEREAS, from time to time the City is asked to accept deeds various grantees for certain real property to be used for the purpose of improving storm and sanitary sewer lines and appurtenances thereto; and;

WHEREAS, by virtue of a DEED of EASEMENT recorded in the Franklin County, Ohio Recorder's Office on 03/21/08 as instrument 200803210043755, Traditions at Creekview LLC, has deeded property to the City of Columbus, to be used for the purpose of improving storm and sanitary sewer lines and appurtenances thereto; and

WHEREAS, by virtue of a DEED of EASEMENT recorded in the Franklin County, Ohio Recorder's Office on 03/21/08 as instrument 200803210043754, FP,LLC, has deeded property to the City of Columbus, to be used for the purpose of improving storm and sanitary sewer lines and appurtenances thereto; and

WHEREAS, by virtue of a DEED of EASEMENT recorded in the Franklin County, Ohio Recorder's Office on 03/21/08 as instrument 200803210043757, The Huntington National Bank, has deeded property to the City of Columbus, to be used for the purpose of improving storm and sanitary sewer lines and appurtenances thereto; and

WHEREAS, by virtue of a DEED of EASEMENT recorded in the Franklin County, Ohio Recorder's Office on 03/21/08 as instrument 200803210043756, VV Venue LLC, has deeded property to the City of Columbus, to be used for the purpose of improving storm and sanitary sewer lines and appurtenances thereto; and

WHEREAS, by virtue of a DEED of EASEMENT recorded in the Franklin County, Ohio Recorder's Office on 10/12/07 as instrument 200710120179497, The Andersons, Inc., has deeded property to the City of Columbus, to be used for the purpose of improving storm and sanitary sewer lines and appurtenances thereto; and

WHEREAS, by virtue of a DEED of EASEMENT recorded in the Franklin County, Ohio Recorder's Office on 11/16/07 as instrument 200711160198706, Echo/Continental Hamilton 33, LLC, has deeded property to the City of Columbus, to be used for the purpose of improving storm and sanitary sewer lines and appurtenances thereto; and

WHEREAS, by virtue of a DEED of EASEMENT recorded in the Franklin County, Ohio Recorder's Office on 02/15/08 as instrument 200802150023961, Pomegranate Development Ltd, has deeded property to the City of Columbus, to be used for the purpose of improving storm and sanitary sewer lines and appurtenances thereto; and

WHEREAS, by virtue of a DEED of EASEMENT recorded in the Franklin County, Ohio Recorder's Office on 03/14/05 as instrument 200503140045485, Stephen Alan Schenz, Trustee, has deeded property to the City of Columbus, to be used for the purpose of improving storm and sanitary sewer lines and appurtenances thereto; and

WHEREAS, by virtue of a DEED of EASEMENT recorded in the Franklin County, Ohio Recorder's Office on 04/07/05 as instrument 200504070064553, Toledo Scale Corporation, has deeded property to the City of Columbus, to be used for the purpose of improving storm and sanitary sewer lines and appurtenances thereto; and

WHEREAS, by virtue of a DEED of EASEMENT recorded in the Franklin County, Ohio Recorder's Office on 10/28/05 as instrument 200510280227772, Tim Donut U.S. Limited, Inc., has deeded property to the City of Columbus, to be used for the purpose of improving storm and sanitary sewer lines and appurtenances thereto; and

WHEREAS, by virtue of a DEED of EASEMENT recorded in the Franklin County, Ohio Recorder's Office on 07/20/07 as instrument 2007072000127701, The Falls at Hayden Run, Ltd, has deeded property to the City of Columbus, to be used for the purpose of improving storm and sanitary sewer lines and appurtenances thereto; and

WHEREAS, the City desires to accept these deeds; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the City of Columbus hereby accepts the property more fully described in the attached DEED of EASEMENT from Traditions at Creekview LLC, as executed and subscribed by Donald R. Kenny, Managing Member, for real property to be used for purposes of improving storm and sanitary sewer lines and appurtenances thereto:

Section 2. That the City of Columbus hereby accepts the property more fully described in the attached DEED of EASEMENT from FP, LLC, as executed and subscribed by E. Kyle Lucus, Managing Member, for real property to be used for purposes of improving storm and sanitary sewer lines and appurtenances thereto:

Section 3. That the City of Columbus hereby accepts the property more fully described in the attached DEED of EASEMENT from The Huntington National Bank, as executed and subscribed by Martha E. Hubbell, Vice President, for real property to be used for purposes of improving storm and sanitary sewer lines and appurtenances thereto:

Section 4. That the City of Columbus hereby accepts the property more fully described in the attached DEED of EASEMENT from VV Venue LLC, as executed and subscribed by Kent D. Stuckey, Member, for real property to be used for purposes of improving storm and sanitary sewer lines and appurtenances thereto:

Section 5. That the City of Columbus hereby accepts the property more fully described in the attached DEED of EASEMENT from The Andersons, Inc., as executed and subscribed by Dale W. Fallat, Vice President, for real property to be used for purposes of improving storm and sanitary sewer lines and appurtenances thereto:

Section 6. That the City of Columbus hereby accepts the property more fully described in the attached DEED of EASEMENT from Echo/Continental Hamilton 33, LLC, as executed and subscribed by David E. Kass, Manager, for real property to be used for purposes of improving storm and sanitary sewer lines and appurtenances thereto:

Section 7. That the City of Columbus hereby accepts the property more fully described in the attached DEED of EASEMENT from Pomegranate Development Ltd, as executed and subscribed by Chinta Kasiraja, Sole Member, for real property to be used for purposes of improving storm and sanitary sewer lines and appurtenances thereto:

Section 8. That the City of Columbus hereby accepts the property more fully described in the attached DEED of EASEMENT from Stephen Alan Schenz, Trustee, as executed and subscribed by Stephen Alan Schenz, Trustee, for real property to be used for purposes of improving storm and sanitary sewer lines and appurtenances thereto:

Section 9. That the City of Columbus hereby accepts the property more fully described in the attached DEED of EASEMENT from Toledo Scale Corporation, as executed and subscribed by Timothy J. Marker, Vice President, for real property to be used for purposes of improving storm and sanitary sewer lines and appurtenances thereto:

Section 10. That the City of Columbus hereby accepts the property more fully described in the attached DEED of EASEMENT from Tim Donut U.S. Limited, Inc., as executed and subscribed by Kerrii B. Anderson, EVP & CFO, for real property to be used for purposes of improving storm and sanitary sewer lines and appurtenances thereto:

Section 11. That the City of Columbus hereby accepts the property more fully described in the attached DEED of EASEMENT from The Falls at Hayden Run, Ltd, as executed and subscribed by Michael J. DeAscentis, II, Manager, for real property to be used for purposes of improving storm and sanitary sewer lines and appurtenances thereto:

Section 12. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 0155-2009

**Drafting Date:** 01/28/2009

**Current Status:** Passed

**Explanation**

**BACKGROUND:** To change the company name and Federal Identification number for contracts and purchase orders currently in process and established with Asset Auctions, LLC to Asset Nation, Inc due to a merge of companies and updated FID number and to extend the option to purchase contract to March 31, 2010 in accordance with State Contract RS908507. This ordinance authorizes the assignment of all past, present and future business done by the City of Columbus from Asset Auctions, LLC FID 26-0057879 to Asset Nation, Inc FID 94-3345105.

- 1. Amount of additional funds:** No additional funds are necessary to modify the pending option contracts.
- 2. Reason additional needs were not foreseen:** The current supplier merged with another company and the State term Contract RS908507 was amended to extend the contract one additional year.
- 3. Reason other procurement processes not used:** The same exact product is required as originally bid. No lower pricing/more attractive terms and conditions are anticipated through rebidding at this time.
- 4. How cost was determined:** Terms and conditions are in accordance with the original agreement.

**FISCAL IMPACT:** No additional monies are required to modify the pending option contracts. Each agency must set aside their own funding for their estimated expenditures.

Contract Compliance No: Asset Nation, Inc, 943345105, Expires 01/27/2011

The company is not debarred according to the Excluded Party Listing System of the Federal Government.

In order to maintain an uninterrupted supply of Auction Services to City agencies using Universal Term Contracts and open Purchase Orders, this ordinance is being submitted as an emergency.

**Title**

To authorize and direct the Finance and Management Director to modify past, present and future contracts and purchase orders with Asset Auctions LLC, to extend the UTC contract, and to declare an emergency.

**Body**

**WHEREAS**, the Finance/Purchasing Office is in the process of establishing contracts and there are in existence purchase orders with Asset Auctions, LLC for the option to purchase On-Line Auction Services which expires on March 31, 2009; and

**WHEREAS**, Asset Auctions, LLC merged with Asset Nation, Inc, and in addition to notifying the City of merger, Asset Nation, Inc has agreed to honor the past, present and future purchase orders established and to extend the option contract to March 31, 2010, as the State of Ohio has extended it's cooperative procurement contract RS908507 to expire on March 31, 2010; and

**WHEREAS**, an emergency exists in the usual daily operation of the Finance/Purchasing Office in that it is immediately necessary to modify and extend all contracts and purchase orders established and in process with the newly merged vendor, Asset Nation, Inc, thereby preserving the public health, peace, property, safety, and welfare, now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Finance and Management Director be and is hereby authorized and directed to modify all past, present and future contracts and purchase orders pursuant to those contracts to reflect the change of the company name and FID number from Asset Auctions LLC 26-0057879 to Asset Nation, Inc. 94-3345105 and in accordance with State of Ohio contract RS908507 to extend the option to purchase until March 31, 2010

**SECTION 2.** That this modification is in accordance with Section 329.16 of the Columbus City Codes.

**SECTION 3.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is

hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 0165-2009

**Drafting Date:** 01/29/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** An appropriation of funds within the Special Purpose Fund is needed for the Columbus Police Reserves. These funds will be used to provide partial funding for costs associated with the operations of the Columbus Police Reserves Organization. Specifically, funds will be used for memberships, third party insurance, and uniform parts.

CONTRACT COMPLIANCE NO: N/A

**EMERGENCY DESIGNATION:** Emergency legislation is requested to ensure that reserve police officers have the appropriate insurance coverage throughout the year and to avoid any lapses in coverage.

**FISCAL IMPACT:** This ordinance authorizes an appropriation of \$7,800.00 in the Special Purpose Fund for the Police Reserves Organization. All funds being appropriated are donations. There will be no effect on the financial status of the General Fund.

**Title**

To authorize an appropriation of \$7,800.00 from the unappropriated balance of the Special Purpose Fund to the Division of Police, to provide partial funding for the costs associated with the Columbus Police Reserves Organization, and to declare an emergency. (\$7,800.00)

**Body**

**WHEREAS**, contributions have been made for the operations of the Columbus Police Reserves organization; and

**WHEREAS**, an appropriation is needed to cover costs associated with the Columbus Police Reserves Organization; and

**WHEREAS**, emergency legislation is requested so known expenses can be paid, and required insurance coverage can continue uninterrupted; and

**WHEREAS**, an emergency exists in the usual daily operation of the Division of Police, Department of Public Safety, in that it is immediately necessary to appropriate the aforementioned funds, thereby preserving the public health, peace, property, safety and welfare; now, therefore

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That from the unappropriated monies in the Special Purpose Fund, No. 223, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2009, the sum of \$7,800.00 is appropriated to the Division of Police, as follows:

<u>DIV</u>	<u>OCA</u>	<u>SUB-FD</u>	<u>OBJL #3</u>	<u>AMOUNT</u>
30-03	301218	026	2221	\$ 3,500.00
30-03	301218	026	2290	\$ 2,000.00
30-03	301218	026	3333	\$ 800.00
30-03	301218	026	3372	\$ 500.00
30-03	301218	026	3392	\$ 1,000.00
TOTAL				\$ 7,800.00

**SECTION 2.** That the monies appropriated in the foregoing Section 1 shall be paid upon order of the Public Safety Director; and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

**SECTION 3.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

**Legislation Number:** 0177-2009

**Drafting Date:** 02/02/2009

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The Board of Health provides tuberculosis testing for patients of its TB Clinic. The laboratory of the Board of Health uses QuantiFERON - TB GOLD test kits. It is the only in vitro test for mycobacterium tuberculosis (TB) infection approved for use by the US FDA. Its use is recommended by the CDC. Cellestis, Inc. is the sole manufacturer/distributor of these test kits.

Emergency action is requested to ensure a sufficient supply of test kits for testing of patients.

Cellestis, Inc.'s contract compliance number is 522310821, which is effective through March 31, 2010.

**FISCAL IMPACT:** Funding for this blanket purchase order is budgeted in the Health Department Grants Fund. This expense is funded by donations and payments from patients receiving TB skin tests.

**Title**

To authorize the Director of Finance and Management to establish a blanket purchase order with Cellestis, Inc. for the purchase of QuantiFERON - TB GOLD kits for the Columbus Health Department in accordance with sole source provisions of Columbus City Codes; to authorize the expenditure of \$80,000 from the Health Department Grants Fund to pay the cost thereof; and to declare an emergency. (\$80,000)

**Body**

**WHEREAS**, the Columbus Health Department provides TB testing for patients of the TB Clinic in the City of Columbus; and,

**WHEREAS**, the Columbus Health Department is in need of QuantiFERON - TB GOLD test kits to provide the testing; and,

**WHEREAS**, Cellestis, Inc. is the sole supplier of QuantiFERON - TB GOLD test kits; and,

**WHEREAS**, an emergency exists in the usual daily operation of the Columbus Health Department in that it is

immediately necessary to establish a blanket purchase order with Cellectis, Inc. for the immediate preservation of the public health, peace, property, safety and welfare, and to ensure a sufficient supply of test kits for testing of patients; Now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Director of Finance and Management is hereby authorized to establish a blanket purchase order with Cellectis, Inc. for the purchase of QuantiFERON - TB GOLD test kits.

**SECTION 2.** That the total expenditure of \$80,000 is hereby authorized from the Health Department Grants Fund, Fund No. 251, Department of Health, Department No. 50-01, Object Level One 02, Object Level Three 2293, Grant No. 507104, OCA Code 507104.

**SECTION 3.** That this purchase is in accordance with the provisions of the Columbus City Code, Section 329.07(e), "Sole Source Procurement."

**SECTION 4.** That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 0182-2009

**Drafting Date:** 02/02/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**ExplanationBACKGROUND:**

The Department of Technology has a need to continue upgrading and enhancing a computer system associated with Accela, Inc. While performing tasks associated with upgrades and enhancements, there were unforeseen circumstances that directly impacted deliverables and milestones. Out of these unforeseen circumstances, it has become necessary to separate the project into two phases; Phase I is nearing completion and is the base foundation system upgrade; Phase II will be to add Citywide IVR, Payment Engine and Citizen Access for simple permit issuance on-line.

This legislation authorizes the Director of the Department of Technology, on behalf of the Divisions of Building Services and Neighborhood Services, to modify and extend an existing agreement (EL006387) through December 31, 2009, originally legislated and approved through Ordinance #1323-2006, passed by City Council on July 24, 2006, and modified through EL007472 in 2007, in accordance with terms and conditions established, with Accela, Inc. Accela is the owner of the programming code embedded within the software application utilized by the City. This contract modification and extension is needed to continue with enhancements and updates to the existing computer system used to track various activities (such as, yet not limited to; building permits, track code enforcement activities, monitoring the performance of the One Stop Shop, and mapping capabilities) for various City departments, and divisions. Also, the enhancements and updates will expand the public's access associated with on-line permitting.

This legislation authorizes the City Auditor to re-establish funds that were inadvertently removed from the contract's associated purchase order, totalling \$177,315.00 to pay for expenditures associated with this project.

Also, this legislation is amending the 2008 Capital Improvement Budget (CIB), passed May 5, 2008, Ordinance #0690-2008.

**EMERGENCY:** Emergency designation is requested as to avoid interruption in the performance of services necessary in the usual daily operation of the Department of Technology.

**FISCAL IMPACT:** Due to funds being inadvertently removed from the contract's associated purchase order, the

Department of Technology has a need to re-establish funds onto an Auditor's Certificate and subsequent purchase order, in the amount of \$177,315.00, originally established for Accela, Inc., to continue with upgrades and enhancements, of which fund 514, project 470042 (Project - Accela Upgrade/Replacement) has \$300,979.30 available within the Information Services Bond Fund.

**CONTRACT COMPLIANCE:**

Accela Inc., 942767678 Expiration Date: 4/9/2009

**Title**To authorize the Director of the Department of Technology, on behalf of the Divisions of Building Services and Neighborhood Services, to modify and extend an existing agreement, with Accela, Inc., to continue with upgrades and enhancements to a computer system; to authorize the Auditor to re-establish \$177,315.00 to the contract from the Information Services Bond Fund to cover project cost; to amend the 2008 Capital Improvement Budget; and to declare an emergency. (\$177,315.00)

**Body**

**WHEREAS**, this legislation authorizes the Director of the Department of Technology, on behalf of the Divisions of Building Services and Neighborhood Services, to modify and extend an existing agreement in accordance with the terms and conditions established in the original agreement, with Accela, Inc.; the owner of the programming code embedded within software application utilized by the City, and

**WHEREAS**, this contract modification is needed to continue the provisions for services between the City of Columbus and Accela, Inc. to allow for the continuation of enhancing and updating the existing computer system (consisting of hardware and software) and related services used to track various activities for various City departments, and divisions, with responsibilities such as, yet not limited to; building permits, track code enforcement activities, monitoring the performance of the One Stop Shop, and

**WHEREAS**, this legislation requests approval to modify an existing contract (EL006347), with the original vendor Accela, Inc., to extend the coverage period through December 31, 2009; originally legislated and approved through Ordinance #1323-2006, passed by City Council on July 24, 2006, and

**WHEREAS**, this legislation is amending the 2008 Capital Improvement Budget, passed May 5, 2008, Ordinance #0690-2008; and

**WHEREAS**, this legislation authorizes the City Auditor to re-establish funds to the contract, that were inadvertently removed from the contract's associated purchase order, totalling \$177,315.00 to cover the cost associated with the Accela Project.

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Technology in that it is immediately necessary to extend a contract with Accela, Inc., to continue with enhancing and updating the existing computer system (consisting of hardware and software) and related services used to track various activities of City departments, and divisions; and to avoid any interruption in the performance of services that are necessary; for the preservation of the public health, peace, safety, and welfare; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1:** That the Director of the Department of Technology is hereby authorized to modify and extend an existing contract (EL006387), through December 31, 2009, in accordance with the terms and conditions established in the original agreement, with Accela, Inc., for the purpose of enhancing and updating the existing computer system.

**SECTION 2:** That the City Auditor is hereby authorized to re-establish funds to this contract to cover the expenditure of \$177,315.00 or so much thereof as may be necessary from:

**Div.:**47-02|**Fund:**514|**Subfund:**002|**Project Number:**470042|Project Title: Accela Upgrade/Replacement| **OCA Code:**470042|**Obj. Level 1:**06|**Obj. Level 3:** 6649|**Amount:** \$177,315.00

**SECTION 3:** That the City Auditor is authorized to make any changes to revise the funding source for any contract or contract modifications associated with this ordinance.

**SECTION 4:** That the 2008 Capital Improvements Budget for the Department of Technology, Information Services Capital Fund, Fund Number 514, Subfund Number 002 is hereby amended as follows in order to establish sufficient funding authority and corrects a technical error from previous legislation.

**Current 2008 CIB:**

**Project Number:** 470042|**Project Name:** Accela Upgrade/Replacement|**Amount:** \$105,048.00

**Revised 2008 CIB:**

**Project Number:** 470042|**Project Name:** Accela Upgrade|**Amount:** \$285,143.00

**SECTION 5:** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 0201-2009

**Drafting Date:** 02/05/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** Ordinance 1546-2008, approved by City Council on October 10, 2008, authorized the Director of the Department of Finance and Management, on behalf of the Board of Health, to execute those documents necessary to enter into a lease agreement with The Ohio State University and 77-83 Outerbelt Street, LLC for the occupancy of the following square footage:

<u>Property Owner</u>	<u>Number Square Feet</u>	<u>Price per square foot</u>	<u>Contract Compliance#</u>
The Ohio State University	360	\$13.33	311340739
77-83 Outerbelt Street, LLC	2,860	\$12.50	200344671

Earlier this year, the Health Department mistakenly paid one month of lease payments from the wrong grant year purchase orders. This legislation will authorize the Health Commissioner to submit documents to the City Auditor to encumber the additional \$3,379.17 needed to pay the rent for the month of September 2009, because the current grant year purchase orders will be one month short as a result of the error.

**Fiscal Impact** The lease payments cited above are entirely funded by the grant. This grant does not generate revenue or require a City match.

**Title**

To authorize and direct the Health Commissioner to submit documents to the City Auditor to encumber \$3,379.17 needed

to pay The Ohio State University and 77-83 Outerbelt Street, LLC the rent for the remaining month of September; to authorize a total expenditure of \$3,379.17 from the Health Department Grants Fund. (\$3,379.17)

**Body**

**WHEREAS**, Ordinance 1546-2008, approved by City Council on October 10, 2008, authorized the Director of the Department of Finance and Management, on behalf of the Board of Health, to execute those documents necessary to enter into a lease agreement with The Ohio State University for the occupancy of 360 square feet of space for a WIC clinic through September 30, 2009; and,

**WHEREAS**, Ordinance 1546-2008, approved by City Council on October 10, 2008, authorized the Director of the Department of Finance and Management, on behalf of the Board of Health, to execute those documents necessary to enter into a lease agreement with 77-83 Outerbelt Street, LLC for the occupancy of 2,860 square feet of space for a WIC clinic through September 30, 2009; and,

**WHEREAS**, the Health Department mistakenly paid one month of lease payments from the wrong grant year purchase orders; and,

**WHEREAS**, it is necessary for the Health Department to get \$3,379.17 restored and encumbered in order to pay the rent for September 2009, the final monthly lease payments; Now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Health Commissioner is hereby authorized and directed to submit a document to the City Auditor to encumber \$3,379.17 in order to pay The Ohio State University and 77-83 Outerbelt Street, LLC the rent for September 2009, the final monthly lease payment for contracts EL007514 and EL008688.

**SECTION 2.** That to pay the cost of said lease payment, the expenditure of \$3,379.17, is hereby authorized from the Health Department Grants Fund, Fund No. 251, Grant No. 508116, Division No. 50-01, Object Level One 03, Object Level Three 3301.

**SECTION 3.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance and to make any accounting changes necessary to ensure that this contract is properly accounted for and recorded accurately on the City's financial records.

**SECTION 4.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 0203-2009

**Drafting Date:** 02/05/2009

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

Need: The Ohio EPA requires this legislation which authorizes the Director of Public Utilities to execute twelve (12) Water Supply Revolving Loan Account (WSRLA) loan agreements totaling approximately \$194.5 million, for construction of twelve water system projects as identified in Section 1, under the direction of the Division of Power and Water (Water Section). These Capital Improvements Projects are being financed through the Water Supply Revolving Loan Account (WSRLA) program. This loan program is jointly administered by the Ohio EPA's Division of Drinking and Ground Waters, and the Ohio Water Development Authority (OWDA). The WSRLA program provides below-market interest rate loans for municipal water system improvements.

## 2. FISCAL IMPACT

Budgeted Amount: There is sufficient budget authority in the 2009 Water System Operating Fund for application fee expenditures. These loans will be paid off over a 20-year period from water service rate fees (as dedicated source of repayment). Water service rate fee increases have been projected and planned in anticipation of these projects and loans.

### **Title**

To authorize the Director of Public Utilities to apply for, accept, and enter into twelve (12) Water Supply Revolving Loan Account Agreements with the Ohio Water Development Authority and the Ohio Environmental Protection Agency, during the year 2009, for the construction of water distribution system improvements; and to designate a repayment source for the loans.

### **Body**

**WHEREAS**, in 2009 the Department of Public Utilities is scheduled to prepare loan applications for submittal to the Ohio EPA under the Water Supply Revolving Loan Account (WSRLA) program to finance the construction of twelve Capital Improvement Projects under the Division of Power and Water (Water Section) the financial assistance for which will be of help in reducing total project costs to the City's water rate payers; and

**WHEREAS**, the low-interest loans will be applied for based upon the availability of funds through the Ohio EPA's WSRLA program and executed upon approval of the loan applications by Ohio EPA; and

**WHEREAS**, the WSRLA loan application and loan agreement documents require the City to submit to the Ohio EPA a certified copy of the approved City Council legislation which authorizes the Director of the Public Utilities Department to apply for and subsequently execute the WSRLA agreement; Now Therefore:

### **BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**Section 1.** That the Director of Public Utilities be, and hereby is, authorized to apply for, accept, and enter into twelve (12) Water Supply Revolving Loan Account Agreements with the Ohio Water Development Authority and the Ohio Environmental Protection Agency for the financing twelve (12) Division of Power and Water (Water Section) projects, based upon the availability of funds through the Ohio EPA's Water Supply Revolving Loan Account (WSRLA) program and the agency's approval, as described, with the "not to exceed" construction project costs in parenthesis, as follows:

1. Columbus Upground Reservoirs - Reservoir Site No. 2; CIP No. 690370 Part 1; (\$127,200,000.00)
2. Columbus Upground Reservoirs - Reservoir Site No. 2; CIP No. 690370 Part 2; (\$27,600,000.00)
3. Columbus Upground Reservoirs - Reservoir Site No. 2; CIP No. 690370 Part 3; (\$21,600,000.00)
4. River South Phase 2; CIP No. 690236; (\$2,100,000.00)
5. Alton-Darby Rd. Water Line Improvements, Phase 2; CIP No. 690236 (Contract No. 1147); (\$492,000.00)
6. Second Street Area Water Line Improvements; CIP No. 690236 (\$1,380,000.00)
7. Canyon Drive Area Water Line Improvements; CIP No. 690236 (Contract No. 1107); (\$3,120,000.00)
8. Doherty Rd. Water Line Improvements; CIP No. 690236 (Contract No. 996); (\$2,100,000.00)
9. Markison Avenue Area Water Main Improvements; CIP No. 690236 (Contract No. 1109); (\$2,640,000.00)
10. Main Street Water Main Cleaning and Lining; CIP No. 690402; (\$2,760,000.00)
11. Mount Vernon Water Main Improvements; CIP No. 690236 (Contract 1139); (\$1,410,000.00)
12. Long Street Water Main Cleaning and Lining; CIP No. 690368; (\$2,070,000.00)

**Section 2.** That water rates are hereby authorized to be the source of repayment for the Water Supply Revolving Loan Account Agreement.

**Section 3.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 0217-2009

**Drafting Date:** 02/09/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

**BACKGROUND:** To authorize and direct the Director of Public Safety to enter into an agreement with the Director of Highway Safety, State of Ohio, on behalf of the Division of Police, for the leasing of LEADS interface. The leasing of the terminals will enable the Division of Police to participate in the Law Enforcement Automated Data System (LEADS). Police personnel use this system as a tool in their daily police duties. They can check vehicle registrations, missing persons, stolen vehicles and outstanding warrants.

**Bid Information:** This was not competitively bid because the State of Ohio owns the system.

Contract Compliance No.: N/A - Treasurer, State of Ohio

**Emergency Designation:** Emergency legislation is requested in order to continue the use of this system uninterrupted.

**FISCAL IMPACT:** This ordinance authorizes an expenditure of \$62,002.70 from the 2009 General Fund budget for the leasing of the LEADS interface through the State of Ohio Director of Highway Safety. The Division of Police budgeted \$62,000.00 for this expenditure in 2009. The Division of Police spent \$61,956.00 in 2008 for this service.

### **Title**

To authorize and direct the Director of Public Safety to enter into an agreement with the Director of Highway Safety, State of Ohio, for the leasing of the LEADS terminals and LEADS interface for the Division of Police, to authorize the expenditure of \$62,002.70 from the General Fund; and to declare an emergency. (\$62,002.70)

### **Body**

**WHEREAS**, pursuant to Ordinance #414-74, passed by City Council on March 18, 1974, as amended, the City of Columbus entered into contract with the Director of Highway Safety, to participate in the Law Enforcement Automated Data System; and

**WHEREAS**, it is in the best interest of the Public Safety Department, Columbus Division of Police, to continue participation in this Law Enforcement Automated Data System; and

**WHEREAS**, the monies presently remaining on the contract became exhausted with the February 2009 payment; and

**WHEREAS**, an emergency exists in the daily operation of the Division of Police, Department of Public Safety, in that an agreement with Director of Highway Safety, State of Ohio for leasing of LEADS terminals and interface is immediately needed for the preservation of the public peace, property, health, safety, and welfare; now, therefore

### **BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Director of Public Safety be and is hereby authorized and directed to enter into an agreement with the Director of Highway Safety, State of Ohio, for the leasing of the LEADS terminals and LEADS interface for the Division of Police, Department of Public Safety.

**SECTION 2.** That the expenditure of \$62,002.70, or so much thereof as may be needed, is hereby authorized as follows:

DIV 30-03 | FUND 010 | OBJ LEVEL (1) 03 | OBJECT LEVEL (3) 3302 | OCA # 300625 |

**SECTION 3.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 0238-2009

**Drafting Date:** 02/10/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**BACKGROUND:

This Ordinance is submitted to settle the lawsuit known as Charles Garrett v. City of Columbus, et al., Case No. 07CVC09-12006 in the Franklin County Court of Common Pleas, in the amount of one hundred fifteen thousand dollars (\$115,000.00). Mr. Garrett sued the City and a former City employee, alleging defendants' negligence caused him personal injury. On September 13, 2005, Garrett, the driver of a vehicle stopped at a red light, was struck from behind by a refuse truck driven by an employee of the City's Department of Public Service. The City employee was cited for failure to maintain an assured clear distance ahead. Garrett suffered back and neck injury. He has continued to receive medical treatment and has not worked since the day of the accident.

FISCAL IMPACT:

Funds have not been specifically budgeted for this settlement, but are available in the appropriate amount.

**Title**To authorize and direct the City Attorney to settle the claims brought by Charles Garrett against the City of Columbus in the Franklin County Court of Common Pleas, Case No. 07CVC09-12006, to authorize the transfer of \$50,000.00 within the General Fund; and to authorize the expenditure of the sum of one hundred fifteen thousand dollars (\$115,000.00) in settlement of this lawsuit and to declare an emergency.

**Body**

**WHEREAS**, on September 6, 2007, Mr. Garrett filed a lawsuit in the Franklin County Court of Common Pleas, Case No. 07CVC09-12006, against the City and former City employee Eric Crockett, in which he claimed personal injury caused by defendants' negligence in connection with a vehicular accident.

**WHEREAS**, following discovery and settlement conferences, the amount of one hundred fifteen thousand dollars (\$115,000.00) in settlement of Mr. Garrett's claims was deemed acceptable by the City of Columbus, along with dismissal of the case with prejudice and a release of the City of Columbus and its employees, past and present, from any further liability; now, therefore

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**Section 1.** That the City Attorney be and hereby is authorized and directed to settle all claims against the City of Columbus, its officers, agents, and employees pending in the case known as Charles Garrett v. City of Columbus, et al.,

Case No. 07CVC09-12006 in the Franklin County Court of Common Pleas by payment of one hundred fifteen thousand and 00/100 dollars (\$115,000.00) as a reasonable and fair amount and in the best interest of the City of Columbus.

**Section 2.** That the City Auditor be and hereby is authorized and directed to transfer \$50,000.00 within the General Fund, Fund 010 from the Department of Finance and Management, Department-division 45-01, O.L. 01-03 Codes 10-5501, OCA 904508 to the Department of Public Service, Division of Refuse Collection, Department/Division 59-02, O.L. 01-03 Codes 05-5533, OCA Code 593566.

**Section 3.** That for the purposes of paying this settlement, there be and hereby is authorized to be paid from Fund No. 010, Department No. 59-02, OCA Code 593566, Minor Object Code 5533, the sum of one hundred fifteen thousand and 00/100 dollars (\$115,000.00).

**Section 4.** That the City Auditor be and is hereby authorized to draw a warrant upon the City Treasurer for the sum of one hundred fifteen thousand and 00/100 dollars (\$115,000.00) payable to Charles Garrett and the Law Office of M. Shawn Dingus upon receipt of a voucher and a release approved by the City Attorney.

**Section 5.** That for the reasons stated in the preamble hereto, which is made a part hereof, this ordinance is hereby declared to an emergency measure and shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 0241-2009

**Drafting Date:** 02/10/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**ExplanationBACKGROUND:**

The Department of Technology has a need to modify and renew a contract with Emerson Network Power, Liebert Services, Inc., formerly known as Liebert Global Services, established by Ordinance No. 1160-2006, for annual maintenance and related services associated with UPS (Uninterrupted Power Supply) systems, utilized by the Department of Technology. This contract covers services for computer and data centers at two separate locations, and allows for continuous operations when power fluctuations and failures occur. The original contract provided language that allows for modifications and renewals for additional coverage periods at the end of each year's coverage period, contingent upon the express written approval of all parties and the City's appropriation and authorization of funds.

This ordinance will authorize the assignment of all past, present and future business done by the City of Columbus with Liebert Global Services, FID 43-1798453 (FID remains the same) to Emerson Network Power, Liebert Services, Inc., FID 43-1798453, with the contract compliance expiring on 02/23/2009.

Approval of this ordinance will allow for the modification and renewal of the annual maintenance service agreement, with a total of \$45,947.67. The amount of \$23,264.67 is the cost for one location with a coverage period of 2/1/09 through 4/18/2010. The other location cost is \$22,683.00, with a coverage period of 4/19/09 through 4/18/2010.

**FISCAL IMPACT:** For fiscal years 2007 and 2008, the amounts of \$31,216.10 and \$32,777.00, respectively were expended for maintenance support and related services with Emerson Network Power, Liebert Services, Inc., formerly known as Liebert Global Services, for the batteries UPS system. Funding for this modification is available within the Department of Technology's Information Services Fund 2009 budget. This modification total cost of \$45,947.67 will provide annual coverage for two locations. Approval of this ordinance will bring the contract aggregate total to \$147,631.77.

**EMERGENCY:** Emergency action is requested to expedite authorization of this contract in order to facilitate and maintain uninterrupted services from the supplier.

**CONTRACT COMPLIANCE NUMBER:** 43-1798453 Expires: 02/19/2011

**Title**To authorize the Director of the Department of Technology to modify and renew a contract with Emerson Network Power, Liebert Services, Inc., for maintenance and related services associated with the batteries Uninterrupted Power Supply (UPS) systems; to authorize the assignment of all past, present and future contracts and purchase orders with Liebert Global Services, to Emerson Network Power, Liebert Services, Inc.; to authorize the expenditure of \$45,947.67 from the Department of Technology Information Services Fund; and to declare an emergency. (\$45,947.67)

**Body****WHEREAS**, approval of this ordinance will allow the Director of the Department of Technology to continue utilizing services provided by Emerson Network Power, Liebert Services, Inc., formerly known as Liebert Global Services, associated with an annual maintenance service agreement for the batteries Uninterrupted Power Supply (UPS) systems,

**WHEREAS**, the UPS systems allows for continuous operations when power fluctuations and failures occur, and

**WHEREAS**, this ordinance will authorize the assignment of all past, present and future business done by the City of Columbus with Liebert Global Services, FID remaining the same 43-1798453 to Emerson Network Power, Liebert Services, Inc., FID 43-1798453, with the contract compliance expiring on 02/23/2009, and

**WHEREAS**, this modification totaling \$45,947.67 will provide the cost for two locations with a coverage period of 2/1/09 through 4/18/2010, and the other location coverage period being 4/19/09 through 04/18/2010, and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Technology in that it is immediately necessary to authorize the Director of the Department of Technology to modify and renew an annual maintenance support contract to continue uninterrupted power supply, and other related services to the UPS system , thereby preserving the public health, peace, property, safety, and welfare; now, therefore

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1:** That the Director of the Department of Technology be and is hereby authorized to modify and renew an annual contract with Emerson Network Power, Liebert Services, Inc., formerly known as Liebert Global Services, for maintenance and related services for the batteries Uninterrupted Power Supply (UPS) systems for two locations with coverage periods of 02/01/2009 through 04/18/2010 and 04/19/2009 through 04/18/2010. Also, this ordinance provides for the authorization to modify all past, present and future contracts and purchase orders pursuant to those contracts to reflect the change of the company name, with the FID remaining the same, from Liebert Global Services (FID 43-1798453), to Emerson Network Power, Liebert Services, Inc. (FID 43-1798453)

**SECTION 2:** That the expenditure of \$45,947.67 or so much thereof as may be necessary is hereby authorized to be expended from:

**Div.:** 47-02|**Fund:** 514| **Subfund** 001|**OCA Code:** 470202|**Obj. Level 1:** 03|**Obj. Level 3:** 3372|**Amount:** \$45,947.67

**SECTION 3:** That the City Auditor is authorized to make any changes to revise the funding source for any contract or contract modifications associated with this ordinance.

**SECTION 4:** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 0243-2009

**Drafting Date:** 02/11/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

**BACKGROUND:** TechColumbus is a non-profit organization dedicated to providing a catalyst for technology-based economic development in the next decade in Central Ohio. To that end, TechColumbus led a successful regional proposal to the State of Ohio, to secure \$15 million over three years for the Entrepreneurial Signature Program which will accelerate the creation and growth of new technology companies. The ESP program includes early stage capital to meet the needs for pre-seed capital for Ohio start-up technologies companies. A 1-to-2 funding match was required as a condition of the ESP. The City of Columbus committed \$188,000 in 2007 and 2008 as their portion of the match and is again committing \$188,000 in 2009.

This legislation authorizes the Director of Development to enter into an agreement with TechColumbus for the purpose of supporting efforts to attract and grow technology businesses through the Entrepreneurial Signature Program. This ordinance authorizes the use of \$188,000 of General Funds to contract with TechColumbus for that purpose.

Emergency action is requested to allow the uninterrupted administration of the above activity.

**FISCAL IMPACT:** This legislation authorizes the expenditure of \$188,000 from 2009 General Fund monies.

### **Title**

To authorize the Director of the Department of Development to enter into a contract with TechColumbus for the purpose administering the Entrepreneurial Signature Program; to authorize the expenditure of \$188,000 from the General Fund; and to declare an emergency. (\$188,000.00)

### **Body**

**WHEREAS,** TechColumbus is a partnership working to provide the catalyst for technology-based economic development in Central Ohio; and

**WHEREAS,** TechColumbus led a successful regional proposal to the State of Ohio to secure \$15 million over three years (ESP Program) to accelerate the creation and growth of new technology companies in Central Ohio; and

**WHEREAS,** the Entrepreneurial Signature Program (ESP) requires a 1-to-2 funding match from regional partners; and

**WHEREAS,** the City of Columbus provided \$188,000 for year one and year two of the ESP program; and

**WHEREAS,** as additional \$188,000 has been allocated for year three for the ESP program; and

**WHEREAS,** an emergency exists in the usual daily operation of the City in that it is immediately necessary to enter into contract with TechColumbus to allow the uninterrupted administration of the above activity, all for the preservation of the public health, peace, property, safety and welfare; **NOW, THEREFORE,**

### **BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**Section 1.** That the Director of the Department of Development is hereby authorized to enter an agreement with

TechColumbus for the purpose of supporting its role as the region's Lead Applicant agency, responsible for administering ESP grant funding, related to the 315 Research + Technology Corridor.

**Section 2.** That the expenditure of \$188,000.00 or so much thereof as may be necessary, be and is hereby authorized to be expended from the Department of Development, Economic Development Division No. 44-02, Fund 010, Object Level One 03, Object Level Three 3337, OCA Code 440314.

**Section 3.** That this contract is awarded in accordance with Chapter 329.15 of the Columbus City Codes, 1959.

**Section 4.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 0247-2009

**Drafting Date:** 02/11/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

#### **Explanation**

BACKGROUND: For the option to purchase Auto Body Repair Services for the Division of Fleet Management for use in repairing Fleet Vehicles. The term of the proposed option contract will be through January 31, 2011 with the option to extend this contract for two (2) additional years. The Purchasing Office opened formal bids on October 16, 2008.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA003054). Ninety Five (95) Bids were solicited (MBR:1, F1:1). Ten (10) Bids were received.

The Purchasing Office is recommending award to all responding bidders as each provides a specialized service. Fleet has a special need for extensive autobody repair services and painting to various heavy duty trucks, automobiles, and service equipment. Each vendor provides a niche service. A multiple award insures timely and cost effective repair services for the many types of city owned vehicles. The recommended awards are as follows:

Burns Body Shop CC#311327707 (expires 9-24-2010)  
Capital Collision Center CC#331150469 (expires 8-26-2010)  
Rampat Corp. dba Maaco Auto Painting CC#311110483 (3-2-2011)  
Ron Otto Enterprises, Inc. dba PAC/Services CC#311286955 (expires 11-16-2009)  
Dick Masheter Ford Body Shop CC#310729896 (expires 3-3-2010)  
Bob McDorman Chevrolet CC#310714139 (expires 9-25-2010)  
Custom Fleet & Auto Body, Inc CC#204790122 (expires 2-2-2011)  
Ace Collision Repair LLC CC#331189179 (expires 2-5-2011)  
Styles & Profyles Autobody Co. CC#311449226 (expires 9-30-2010)  
Lanhams Autobody, LLC CC#203650114 (expires 10-14-2010)  
Total Estimated Annual Expenditure: \$400,000.00

These companies are not debarred according to the Federal Excluded Parties Listing or the State Auditor's Findings For Recovery Database.

This ordinance is being submitted as an emergency because, without emergency action, no less than 37 days will be added to this procurement cycle and the efficient delivery of valuable public services will be slowed.

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Mail, Print Services and UTC Fund. The Division of Fleet Management will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

**Title**

To authorize and direct the Finance & Management Director to enter into a contract for the option to purchase Auto body Repair Services with Burns Body Shop; Capital Collision Center; Rampat Corp. dba Maaco Auto Painting; Ron Otto Enterprises, Inc. dba PAC/Services; Dick Masheter Ford Body Shop; Bob McDorman Chevrolet; Custom Fleet & Auto Body, Inc; Ace Collision Repair LLC; Styles & Profyles Autobody Co.; and Lanhams Autobody, LLC, to authorize the appropriation and expenditure of Ten dollars to establish the contracts from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$10.00)

**Body**

WHEREAS, the Purchasing Office advertised and solicited formal bids October 16, 2008 and selected all responsive, and responsible bids; and

WHEREAS, this ordinance addresses Purchasing objective of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for the Division of Fleet Management to perform repairs on Fleet Vehicles; and

WHEREAS, these auto Body repair Services are necessary to allow the Division of Fleet Management to safely maintain their operations, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Division of fleet Management, in that it is immediately necessary to enter into a contract(s) for an option to purchase Auto Body Repair Services, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Finance and Management Director be and is hereby authorized and directed to enter into the following contract(s) for an option to purchase Auto body Repair services for the term ending January 31, 2011 with the option to extend for two additional years in accordance with Solicitation No. SA003054 as follows:

Burns Body Shop: Amount \$1.00  
Capital Collision Center: Amount: \$1.00  
Rampat Corp. dba Maaco Auto Painting: Amount: \$1.00  
Ron Otto Enterprises, Inc, dba PAC/Services: Amount: \$1.00  
Dick Masheter Ford Body Shop: Amount: \$1.00  
Bob McDorman Chevrolet: Amount: \$1.00  
Custom Fleet & Auto Body, Inc: Amount: \$1.00  
Ace Collision Repair LLC: Amount: \$1.00  
Styles & Profyles Autobody Co.: Amount: \$1.00  
Lanhams Autobody, LLC: Amount: \$1.00

SECTION 2. That the appropriation and expenditure of \$10.00 is hereby authorized from the Mail, Print Services and UTC Fund, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2270, OCA: 451130, to pay the cost thereof.

SECTION 3. That for the reason stated in the preamble here to, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 0254-2009

**Drafting Date:** 02/11/2009

**Current Status:** Passed

**Version:** 2

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:**

This legislation authorizes the sale of a 1989 Ford Pick-up and a 1994 Chevrolet Step Van, owned by the City of Columbus Department of Development, to Rebuilding Together Central Ohio. Both of these vehicles, designated Brass Tags 13912 and 18087 respectively, were used to implement the City-operated Mobile Tool Library Program. The Mobile Tool Library Program is designed to encourage low-cost home maintenance and improvements by lending tools and equipment free of charge to residents in designated service areas. The operations of the Tool Library program are being transferred by the City of Columbus to Rebuilding Together Central Ohio (RTCO), a nonprofit 501 (c) (3) organization. RTCO has secured funding from the City, the Columbus Foundation and the United Way of Central Ohio to continue providing many of the services of the Tool Library to eligible residents of Columbus.

Both of these trucks will be used by RTCO to deliver and pick up tools for eligible Columbus residents and community organizations using the Tool Library. City seals, radios, and license plates will be removed before delivery to RTCO.

The Fleet Management Division has approved this transfer.

**FISCAL IMPACT:**

This sale has no fiscal impact on the Department of Development.

**Title**

To authorize the Finance Director to sell a 1989 Ford Pick-up and a 1994 Chevrolet Step Van owned by the City of Columbus Department of Development, to Rebuilding Together Central Ohio for the sum of \$2.00; and to waive the provisions of the City Code relating to the sale of City-owned property **and to declare an emergency.** (\$2.00)

**Body**

**WHEREAS**, this legislation authorizes the sale of a 1989 Ford Pick-up and a 1994 Chevrolet Step Van, owned by the City of Columbus Department of Development, to Rebuilding Together Central Ohio; and

**WHEREAS**, both of these vehicles, designated Brass Tags 13912 and 18087 respectively, were used to implement the City-operated Mobile Tool Library Program; and

**WHEREAS**, Rebuilding Together Central Ohio (RTCO), a nonprofit 501 (c) (3) organization, has secured funding from the City, the Columbus Foundation and the United Way of Central Ohio to continue providing the services of the Tool Library to eligible residents of Columbus; and

**WHEREAS**, Rebuilding Together Central Ohio has expressed a desire and a need for using both of these vehicles to more efficiently and effectively provide Tool Library services to eligible Columbus residents; and

**WHEREAS** the Department of Development has determined that it is in the best interest of the City of Columbus and the citizens of the central Ohio area to allow the purchase of both the 1989 Ford Pick-up and the 1994 Chevrolet Step Van for the sum of \$2.00, by Rebuilding Together Central Ohio; and ~~**NOW, THEREFORE,**~~

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to pass this ordinance as an emergency measure because of Rebuilding Together will be re-opening the doors of the Tool Library on March 16th and Fleet Management has the trucks ready for pick up,

for the preservation of the public health, peace, property, safety, and welfare; now therefore

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**Section 1.** That the Finance Director be and is hereby authorized and directed to sell a 1989 Ford Pick-up and a 1994 Chevrolet Step Van owned by the City of Columbus Department of Development, to Rebuilding Together Central Ohio for the sum of \$2.00.

**Section 2.** That this Council finds it is in the best interest of the City of Columbus that the provisions of Section 329.30, of the Columbus City Code, relating to the sale of City owned personal property be and they are hereby waived to permit the sale of these vehicles to Rebuilding Together Central Ohio.

**Section 3.** ~~That this ordinance shall take effect and be in force from and after the earliest period allowed by law.~~  
**That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.**

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**Legislation Number:** 0258-2009

**Drafting Date:** 02/12/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:**

Ordinance 0540-2006 authorized the execution of a Port Authority Agreement between the City and Franklin County to create a new port authority focused on serving the economic development needs of the City and Franklin County and provided City Council's advice and consent to the Mayor's appointments to the port authority's board of directors as provided in the agreement.

This legislation authorizes the expenditure of funds for the support of the Columbus-Franklin County Port Authority in the amount of \$140,332 under the terms of the Port Authority Agreement. The Port Authority Agreement also requires Franklin County to match City payments. The agreement also provides that the City will, subject to future appropriations, provide up to \$150,000 of funding annually through 2010 to the port authority.

**FISCAL IMPACT:**

\$140,332 in 2009 General Fund monies has been allocated for support of the Columbus-Franklin County Port Authority.

**Title**

To authorize the expenditure of \$140,332 from the General Fund to support the Columbus-Franklin County Port Authority.  
(\$140,332)

**Body**

**WHEREAS**, Ordinance 0540-2006 authorized the execution of a Port Authority Agreement between the City and Franklin County to create a new port authority focused on serving the economic development needs of the City and Franklin County; and

**WHEREAS**, the Port Authority Agreement requires the City and the County to each provide funding to the Columbus-Franklin County Port Authority in an amount up to \$150,000 through 2010; and

**WHEREAS**, the agreement specifies that the funding level provided by the City shall be reduced by 50% of the on-going administrative fees generated by the Finance Authority closed projects in the previous calendar year; and

**WHEREAS**, the City's 2009 obligation, per the Port Authority agreement, is \$140,332, which represents a \$9,668 reduction from the 2008 funding level; and

**WHEREAS**, funds are available in the General Fund to support the port authority; **now, therefore,**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**Section 1.** That the expenditure of \$140,332, or so much thereof as may be needed, is hereby authorized to be expended from the Development Department, Division No. 44-01, General Fund, Fund 010, Object Level One 03, Object Level Three 3336, OCA Code 440307 to make the payment required pursuant to the Port Authority Agreement for the support of the Columbus-Franklin County Port Authority.

**Section 2.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 0263-2009

**Drafting Date:** 02/12/2009

**Current Status:** Passed

**Version:** 3

**Matter Type:** Ordinance

**Explanation**

**Council Variance Application: CV08-043**

**APPLICANT:** The NRP Group LLC; c/o David L. Hodge, Atty.; Smith & Hale; 37 West Broad Street, Suite 725; Columbus, OH 43215.

**PROPOSED USE:** Elderly housing and up to 5,000 square feet of hospital use.

**FRANKLINTON AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The applicant is requesting a Council variance to allow sixty (60) elderly housing units and up to five thousand (5,000) square feet of hospital use with additional variances to the standards of the AR-1, Apartment Residential District. A Council variance is necessary due to the applicant's timing constraints for funding and because hospital uses are not permitted in the AR-1 Apartment District. In addition, only 58 dwelling units could be permitted without a variance on this site. The site is within the planning area of the *Franklinton Plan* (2003) which recommends single-family dwellings for the site. Deviation is supported as the site is adjacent to a large multi-story parking garage for the hospital, making it undesirable for single-unit dwellings. The applicants have agreed to design their building utilizing the Design Guidelines in the *Franklinton Plan* (2003). The applicant has filed a CPD rezoning (Z09-001) to permit the elderly housing units and hospital use with the associated variances. The requested variance would permit a mixed-use development with reduced development standards consistent with the development patterns and character of the surrounding neighborhood.

**Title**

To grant a variance from the provisions of Sections 3333.02, Apartment Residential District use; 3333.12, AR-1 and AR-4 Area District Requirements; 3333.18, Building lines; 3333.24, Rear yard; 3333.26, Height District; 3342.18, Parking setback line; 3342.22, Prohibited use and 3342.28, Minimum number of parking spaces required of the City codes, for the property located at **764 WEST RICH STREET (43222)**, to permit housing for the elderly and up to 5,000 square feet of

hospital use with reduced development standards in the AR-1, Apartment Residential District **and to declare an emergency.** (CV08-043).

**Body**

**WHEREAS**, by application No. CV08-043, the owner of property at **764 WEST RICH STREET (43222)** is requesting a Council Variance to permit a maximum of sixty (60) housing for the elderly dwelling units and up to five thousand (5,000) square feet of space for hospital use with reduced development standards in the AR-1, Apartment Residential District; and

**WHEREAS**, Section 3333.02, Apartment Residential use, does not allow hospital uses or housing for the elderly and allows only fifty-eight (58) dwelling units, while the applicant proposes to permit a maximum of sixty (60) elderly housing units and up to five thousand (5,000) square feet for hospital use; and

**WHEREAS**, **an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; and**

**WHEREAS**, Section 3333.12, AR-1 and AR-4 Area District Requirements, only allows up to 58 dwelling units, while the applicant proposes to permit a maximum of sixty (60) dwelling units; and

**WHEREAS**, Section 3333.18, Building lines, requires a building setback line of twenty-five (25) feet from Davis and Rich Streets, while the applicant proposes a building setback line of ten (10) feet from Davis and Rich Streets; and

**WHEREAS**, Section 3333.24, Rear yard, requires a rear yard totaling not less than twenty-five (25) percent of total lot area, while the applicant proposes a rear yard of 9± percent of the total lot area, the remainder to be used for the parking of cars; and

**WHEREAS**, Section 3333.26, Height district, permits a maximum building height of thirty-five (35) feet, while the applicant proposes a building height of forty-eight (48) feet; and

**WHEREAS**, Section 3342.18, Parking setback line, requires a parking setback line of twenty-five (25) feet from Rich Street, while the applicant proposes a parking setback line of ten (10) feet from Rich Street; and

**WHEREAS**, Section 3342.22, Prohibited use, requires that, in residential districts, no required off-street parking space, no parking space in front of the setback line, and no required front, side or rear yard area or other unimproved surface shall be used for the parking or storage of vehicles. No commercial vehicle or other vehicle which infringes on the residential character of a residential district shall be stored or parked on a residentially zoned lot, while the applicant proposes to park cars in the rear yard; and

**WHEREAS**, Section 3342.28, Minimum number of parking spaces required, requires  $\frac{3}{4}$  of a parking space for each dwelling unit plus one parking space per 2 and  $\frac{1}{2}$  beds, or a total of sixty-five (65) parking spaces for the proposed sixty (60) dwelling units and maximum of five thousand (5,000) square feet of hospital use, while the applicant proposes to provide fifty-two (52) parking spaces which equates to a ratio of slightly more than 0.5 parking spaces per unit and one parking space per 250 square feet which is the parking standard for medical offices since there will be no beds for overnight stays; and

**WHEREAS**, City Departments recommend approval of the sixty (60) elderly housing units and up to five thousand (5,000) square feet of hospital use in the AR-1, Apartment Residential District because a Council variance is necessary due to the applicant's timing constraints for funding and because hospital uses are not permitted in the AR-1 Apartment District. In addition, only 58 dwelling units could be permitted without a variance on this site. The site is within the planning area of the *Franklinton Plan* (2003) which recommends single-family dwellings for the site, however, deviation is supported as the site is adjacent to a large multi-story parking garage for the hospital, making it undesirable for single-unit dwellings. The applicants have agreed to design their building utilizing the Design Guidelines in the *Franklinton Plan*

(2003). The applicants have filed a CPD rezoning (Z09-001) to permit the elderly housing units and hospital use with the associated variances. The requested variance would permit a mixed-use development with reduced development standards consistent with the development patterns and character of the surrounding neighborhood; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed use; and

**WHEREAS**, said variance will not adversely affect the surrounding property or surrounding neighborhood; and

**WHEREAS**, the granting of said variance will not impair an adequate supply of light and air to adjacent properties or unreasonably increase the congestion of public streets, or unreasonably diminish or impair established property values within the surrounding area, or otherwise impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus; and

**WHEREAS**, the granting of said variance will alleviate the difficulties encountered by the owner of the property located at **764 WEST RICH STREET (43222)**, in using said property as desired; now, therefore:

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That a variance from the provisions of Sections 3333.02, Apartment Residential District use; 3333.12, AR-1 and AR-4 Area District Requirements; 3333.18, Building lines; 3333.24, Rear yard; 3333.26, Height District; 3342.18, Parking setback line; 3342.22, Prohibited use and 3342.28, Minimum number of parking spaces required of the Columbus City Codes for the property located at **764 WEST RICH STREET (43222)**, insofar as said sections prohibit sixty (60) elderly housing units and up to five thousand (5,000) square feet of hospital use, with a building line of ten (10)-feet where twenty (25) feet would be required, with a building height of forty-eight (48) feet; a parking setback of ten (10) feet where twenty (25) feet would be required, with a rear yard comprising nine (9)% of the lot area when twenty-five (25)% would be required and with parking in the rear yard of a residential district which is normally prohibited and with fifty-two (52) parking spaces where sixty-five (65) parking spaces would be required, said property being more particularly described as follows; and

Parcel No. 1

Situated in the State of Ohio, County of Franklin and City of Columbus and known as being all of Lot Numbers 86, 87, 88, 89, 90, 91 and 92 in B.F. Martin's Western Addition to the City of Columbus as recorded in Plat Book 2, Page 214, Recorder's Office, Franklin County, Ohio being further bounded and described as follows: Beginning at the intersection of the northerly line of West Rich Street, 60 feet wide, with the easterly line of South Davis Street, 50 feet wide;

Course 1 thence along the easterly line of South Davis Street, northerly, a distance of about 172.85 feet to the southerly line of Walnut Alley, 25 feet wide;

Course 2 thence along the southerly line of West Walnut Alley, easterly, a distance of about 276.75 feet to the westerly line of an unnamed alley, 25 feet wide;

Course 3 thence along the westerly line of said unnamed alley, southerly, a distance of about 172.85 feet to the northerly line of West Rich Street;

Course 4 thence along the northerly line of West Rich Street, westerly, a distance of about 276.75 feet to the place of beginning and containing about 1.10 acres of land be the same more or less but subject to all legal highways.

Parcel No. 2

Situated in the State of Ohio, County of Franklin and City of Columbus and known as being part of Lot Number 93 in B.F. Martin's Western Addition to the City of Columbus as recorded in Plat Book 2, Page 214, Recorder's Office, Franklin County, Ohio being further bounded and described as follows: Beginning at the intersection of the northerly line of West

Rich Street, 60 feet wide, with the easterly line of an unnamed alley, 25 feet wide;

Course 1 thence continuing along the easterly line of said unnamed alley, northerly, a distance of about 172.85 feet to the westerly line of South Green Street;

Course 2 thence along the westerly irregular line of South Green Street, southerly, a total distance of about 154.17 feet to a point of curvature of a turnout with the northerly line of West Rich Street;

Course 3 thence along said curved turnout, southwesterly, to the principal place of beginning and containing about 0.04 acre of land be the same more or less but subject to all legal highways.

Parcel No. 3

Situated in the State of Ohio, County of Franklin and City of Columbus and known as being part of an unnamed alley, 25 feet wide, in B.F. Martin's Western Addition to the City of Columbus as recorded in Plat Book 2, Page 214, Recorder's Office, Franklin County, Ohio being further bounded and described as follows: Beginning at the intersection of the northerly line of West Rich Street, 60 feet wide, with the easterly line of Lot Number 92 in said Addition;

Course 1 thence along the easterly line of said Lot Number 92, northerly, a distance of about 172.85 feet to the southerly line of West Walnut Alley, 25 feet wide;

Course 2 thence along the easterly prolongation of the southerly line of West Walnut Alley, easterly, a distance of 25.00 feet to the westerly line of Lot Number 93 in aforesaid Allotment;

Course 3 thence along the westerly line of said Lot Number 93, southerly, a distance of about 172.85 feet to the northerly line of West Rich Street;

Course 4 thence along the westerly prolongation of the northerly line of West Rich Street, westerly, a distance of 25.00 feet to the place of beginning and containing about 0.10 acre of land be the same more or less but subject to all legal highways.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is developed with elderly housing and up to five thousand (5,000) square feet of hospital space without overnight accommodations for patients or those uses permitted in the AR-1, Apartment Residential District.

**SECTION 3.** That this ordinance is further conditioned on development as shown on the site plan titled "**CONCEPTUAL SITE PLAN II FRANKLINTON SENIOR HOUSING COLUMBUS, OHIO,**" and signed by Jeffrey L. Brown, Attorney for the Applicant on February 12, 2009. This plan may be slightly adjusted to reflect final engineering and topographical or other site data, developed at the time development or when engineering plans are completed. Any slight adjustments to the site plan, shall be reviewed and may be approved by the Director of the Department of Development, or his/her designee, upon submission of appropriate data regarding the proposed adjustment.

**SECTION 4.** That this ordinance is further conditioned on the building utilizing four sided architecture including variations in the depth of the façade, featuring a combination of brick and vinyl, a broken roof line created by reverse gables, and standing seam roofs. The Rich Street facade should include actual building entrances and/or architectural details that help the building to address the street. Should a conflict arise between the site plan in Section 3 and the requirements located in Section 4, the requirements in this Section 4 shall override the site plan.

**SECTION 5.** That the applicant will file a rezoning for the subject property with the City of Columbus and shall diligently pursue such rezoning and have an ordinance for said rezoning delivered to Columbus City Council for

scheduling on Columbus City Council's Zoning Agenda within twelve (12) months from the effective date of this ordinance and shall not cause said ordinance to be tabled without the concurrence of the Chief Zoning Official.

**SECTION 6. ~~That this ordinance shall take effect and be in force from and after the earliest period allowed by law. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.~~**

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**Legislation Number:** 0268-2009

**Drafting Date:** 02/13/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### Explanation

BACKGROUND: For the option to purchase Upholstery Repair Services for Fleet Management. The term of the proposed option contract would be from the date of execution by the City up to and including May 31, 2011 with the right to extend for two (2) additional one year periods subject to mutual agreement by both parties. The Purchasing Office opened formal bids on December 18, 2008.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA003130). Four (4) Bids were solicited; Three (3) bids were received.

The Purchasing Office is recommending primary, secondary, and third contracts to the lowest, responsive, responsible and best bidders. The Drapery House was the lowest responsive overall bidder, therefore will be the primary upholstery repair facility; A-Tech Upholstery & Body Shop was next lowest overall bidder, therefore will be the secondary upholstery repair facility; Tritex Corporation was the next lowest overall bidder, therefore will be the third upholstery repair facility:

The Drapery House CC#262806706 (Expires 12-12-10)

A-Tech Upholstery & Body Shop CC#261813154 (Expires 5-20-10)

Tritex Corporation CC#310888520 (Expires 9-12-09)

Total Estimated Annual Expenditure: \$75,000.00

These companies are not debarred according to the Federal Excluded Parties Listing or the State Auditor's Findings For Recovery Database.

This ordinance is being submitted as an emergency because, without emergency action, no less than 37 days will be added to this procurement cycle and the efficient delivery of valuable public services will be slowed.

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Mail, Print Services, and UTC Fund. Fleet Management will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

### Title

To authorize and direct the Finance and Management Director to enter into three (3) contracts for the option to purchase Upholstery Repair Services with The Drapery House, A-Tec Upholstery & Body Shop, and Tritex Corporation, to authorize the expenditure of three (3) dollars to establish the contracts from the Mail, Print Services, and UTC Fund; and to declare an emergency. (\$3.00).

### Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on December 18, 2008 and selected the lowest, responsive, responsible and best bids; and

WHEREAS, this ordinance addresses Purchasing objective of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, because the Upholstery Repair Services are used to repair and maintain City vehicles, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Fleet Management Division in that it is immediately necessary to enter into contracts for an option to purchase Upholstery Repair Services, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Finance and Management Director be and is hereby authorized and directed to enter into the following contracts for an option to purchase Upholstery Repair Services in accordance with SA003130 from the date of execution by the City up to and including May 31, 2011 with the right to extend for two (2) additional one year periods subject to mutual agreement by both parties:

The Drapery House, (Primary) All Items: Amount: \$1.00  
A-Tec Upholstery & Body Shop, (Secondary) All Items: Amount: \$1.00  
Tritex Corporation, (Third) All Items: Amount: \$1.00

SECTION 2. That the expenditure of \$3.00 is hereby authorized from the Mail, Print Services, and UTC Fund, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2140, OCA: 451130, to pay the cost thereof.

SECTION 3. That for the reason stated in the preamble here to, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 0269-2009

**Drafting Date:** 02/13/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:**

This legislation authorizes the Director of the Department of Development to enter into a contract with the Community Development Collaborative of Greater Columbus (Collaborative). The contract will provide funds to support the Collaborative in its role as a funding intermediary, facilitator of training, and builder of organizational capacity for Community Development Corporations (CDCs) and Community Housing Development Organizations (CHDOs) in Columbus. This funding represents a commitment from the City to the long-term goal of building strong, viable CDCs and CHDOs in Columbus that can significantly contribute to neighborhood revitalization. The CD Collaborative contracts with the Affordable Housing Trust for Columbus and Franklin County to provide administrative support. The amount of the contract will be \$45,000.00.

**FISCAL IMPACT:**

Funds for this contract are allocated from the 2009 General Fund.

**Title**

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)

**WHEREAS**, the Director of the Department of Development desires to enter into contract with the Community Development Collaborative of Greater Columbus to promote continuity, provide for accountability and in general, focus the efforts of the CDCs and CHDOs in the City of Columbus; and

**WHEREAS**, the Collaborative will fill the role of funding intermediary, facilitator of training, and builder of organizational capacity for both CHDOs and CDCs; and **NOW, THEREFORE**,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

- Section 1.** That the Director of the Department of Development be and is hereby authorized to contract with the Community Development Collaborative of Greater Columbus to promote continuity, provide for accountability and in general, focus the efforts of the CDCs and CHDOs in the City of Columbus.
- Section 2.** That this contract is awarded in accordance with Chapter 329.15 of the Columbus City Codes, 1959, as amended.
- Section 3.** That for the purpose as stated in Section 1, the expenditure of \$45,000 or so much thereof as necessary, be and is hereby authorized to be expended from the Department of Development, Department No. 44-10, General Fund, Fund 010, Object Level One 03, Object Level Three 3337, OCA Code 440284.
- Section 4.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 0273-2009

**Drafting Date:** 02/13/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation1. BACKGROUND:**

This ordinance repeals ordinance 2110-2007 and authorizes consent with the Ohio Department of Transportation (ODOT) for a project to overlay the bridge deck on the eastbound I-70 structure over Harper Road and also overlay the eastbound I-70 structure over the Norfolk Southern Railroad. Previously, consent ordinance 2110-2007 was approved by City Council for a deck replacement project for the deck replacement of the I-70 structure over Harper Road. Since that legislation passed the Ohio Department of Transportation changed the scope of the project to be an overlay of the Harper Road over I-70 structure and, due to the close proximity and maintenance of traffic, the overlay of the eastbound I-70 structure over the Norfolk Southern Railroad was added to this project. (FRA-70-10.17 PID 77567)

Since a portion of this project lies within the City of Columbus, this consent ordinance is necessary. Construction of this project is scheduled to begin and end in Spring 2010. This legislation authorizes the Public Service Director to enter into the necessary agreements to complete this project.

**2. FISCAL IMPACT:**

The estimated total cost of this project is \$600,000.00. There is no cost to the City for this project.

TitleTo authorize the Director of Public Service to enter into an agreement with the Director of the Ohio Department of Transportation; to grant consent and propose cooperation with the State of Ohio for this bridge deck overlay project on the eastbound I-70 structure over Harper Road and eastbound I-70 structure over Norfolk Southern Railroad for the Division of Design and Construction; and to repeal Ordinance No. 2110-2007. (\$0.00 )

Body **WHEREAS**, the following is an Ordinance enacted by the City of Columbus, Franklin County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

**WHEREAS**, ordinance 2110-2007 passed by City Council January 14, 2008 authorized consent with the Ohio Department of Transportation (ODOT) for the bridge deck replacement of the I-70 eastbound structure over Harper Road; and

**WHEREAS**, it is necessary, due to changes in project scope, to repeal ordinance 2110-2007 and authorize consent for the below described project; and

**WHEREAS**, the STATE has identified the need for the described project:

Weekend concrete overlays of eastbound I-70 over Harper Road (FRA-70-10.17) and the eastbound side of I-70 over Norfolk Southern Railroad (FRA-70-10.63); now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS, OHIO:**

**Section 1.** That Ordinance No. 2110-2007, passed by City Council January 14, 2008 is hereby repealed.

**Section 2 - Consent Statement**

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

**Section 3 - Cooperation Statement**

The LPA shall cooperate with the Director of Transportation in the above described project as follows:

The City hereby agrees to cooperate with the Director of Transportation of the State of Ohio in the planning, design and construction of the identified highway improvement project and grants consent to the Ohio Department of Transportation for its development and construction of the project in accordance with plans, specifications and estimates as approved by the Director.

The Ohio Department of Transportation shall assume and bear one hundred percent of the necessary costs of the State's highway improvement project.

In the event that the City requests certain features or appurtenances be included within the highway improvement project's design and construction, and which features and appurtenances are determined by the State and the Federal Highway Administration to be not necessary for the State's highway improvement project, the City shall, prior to the project being advertised for construction contract bidding purposes, provide appropriate documentation that its Council has appropriated, and its Auditor has certified as being available for such specific purposes, funds sufficient in amount to cover one hundred percent (100%) of the costs of incorporating such additional features or appurtenances within the State's project, including preliminary engineering, final design, right-of-way, construction and construction engineering expenses as may be directly related thereto.

**Section 4 - Utilities and Right-of-Way Statement**

ODOT agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. ODOT also understands that right-of-way costs include eligible utility costs.

ODOT agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

**Section 5 - Maintenance**

Upon completion of the project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the project in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial resources, as necessary, for the maintenance of the project; (3) maintain the right-of-way, keeping it free of obstructions, and (4) hold said right-of-way inviolate for public highway purposes.

**Section 6 - Authority to Sign**

The Director of Public Service of said City is hereby empowered on behalf of the City of Columbus to enter into contracts with the Director of Transportation necessary to complete the above described project.

**Section 7.** This ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 0280-2009

**Drafting Date:** 02/17/2009

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:**

This ordinance authorizes the Administrative and Presiding Judge of the Franklin County Municipal Court to modify and extend contract EL006953 with Netcare Corporation for competency evaluations and examinations of the mental health status of certain defendants that come before the Court.

**Contract Compliance Number:** Netcare Corporation 31-0814079

**EMERGENCY:** This ordinance is submitted as an emergency to allow the financial transaction to be posted in the city's accounting system as soon as possible. Up-to-date financial posting promotes accurate accounting and financial management.

**FISCAL IMPACT:** The amount of \$74,000.00 is budgeted and available for this purpose within the Franklin County Municipal Court's 2009 general fund appropriations. This contract term is from April 1, 2009 through March 31, 2010. During 2007, a total of \$53,020 and in 2008 a total of \$64,430 was expended.

**Title**

To authorize the Administrative and Presiding Judge of the Franklin County Municipal Court to modify and extend the contract with Netcare Corporation for competency evaluations and examinations for the Franklin County Municipal Court; to authorize the expenditure of an amount not to exceed \$74,000.00 from the general fund; and to declare an emergency. (\$74,000.00)

**Body**

**Whereas,** it is necessary that the Franklin County Municipal Court authorize the Administrative and Presiding Judge to modify and extend this contract with Netcare Corporation to secure the continued provision of competency evaluations and examinations of each and every affected defendant, and for the protection of their constitutional rights; and

**Whereas,** funds in the amount of up to \$74,000.00 are budgeted and available within the Franklin County Municipal Court's 2009 appropriations for this contract; and

**Whereas,** an emergency exists in the usual daily operation of the Franklin County Municipal Court in that it is immediately necessary to enter into said contract and authorize the expenditures to Netcare Corporation so that the Court can continue uninterrupted payments to the vendor, and for the preservation of the public health, peace, safety, and welfare; now, therefore;

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**Section 1.** That the Administrative and Presiding Judge of the Franklin County Municipal Court be and is hereby authorized to modify and extend the contract with Netcare Corporation for the provision of competency evaluations and examination of defendants.

**Section 2.** That the expenditure of \$74,000.00, or so much thereof as may be necessary, is authorized from the Franklin County Municipal Court, department 2501, general fund, fund number 010, oca code 250191, object level 1 - 03, object level 3 - 3336, to pay the costs thereof.

**Section 3.** That for the reasons in the preamble hereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 0292-2009

**Drafting Date:** 02/19/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

This ordinance authorizes the Finance and Management Director to contract with American Electric Power Service Corp. (AEP) on behalf of the Fleet Management Division to have AEP provide a plug-in hybrid electric vehicle (PHEV) to the City of Columbus. The PHEV will be provided for a period of two months. The City's obligation will be to provide AEP feedback on the PHEV's performance qualities in a weekly driver's log. AEP will monitor fuel and emissions efficiencies through on-board systems. This agreement will also provide the City valuable information regarding PHEVs that can help in any future decisions pursuant to the purchase of such vehicles.

**Fiscal Impact:** None at this time.

**Emergency action** is requested to allow the acceptance of the PHEV in a timely manner and to meet vendor commitments.

**Title**

To authorize the Finance and Management Director to enter into contract with American Electric Power Service Corporation to provide a plug-in hybrid electric vehicle for the City to operate for a two-month period; and to declare an emergency. (\$0.00)

**Body**

**WHEREAS**, American Electric Power Service Corporation owns various plug-in hybrid electric vehicles and is desirous to provide it to the City of Columbus for a period of two months; and

**WHEREAS**, such use will help collect necessary data in furtherance of creating viable energy-saving vehicles; and

**WHEREAS**, an emergency exists in the usual daily operation of the Finance and Management Department, Fleet Management Division, in that it is immediately necessary to enter into contracts with American Electric Power Service Corporation to provide a plug-in hybrid electric vehicle at no cost to the City in a timely manner, so that the City does not miss the opportunity, thereby preserving the public health, peace, property, safety and welfare; now therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Finance and Management Director be and hereby is authorized to enter into contract with American Electric Power Service Corporation to provide a plug-in hybrid electric vehicle to for the use of the City of Columbus for a two-month period.

**SECTION 2.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is

hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 0294-2009

**Drafting Date:** 02/19/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

In light of the extraordinary challenges facing the City of Columbus' general fund budget in fiscal year 2009 it was imperative that a number of cost containment measures be considered and, where feasible, implemented. Salary and benefits costs represent approximately 80-85% of the general fund budget. The implementation of voluntary employee severance plans in municipalities and school districts have proven to be effective cost containment measures that reduce personnel costs and potentially reduce the number of layoffs that may result from any projected budget deficit.

To that end, on October 27, 2008 Council authorized the Human Resources Department to enter into contract with Educators Preferred Corporation (EPC) to design and implement a one-time voluntary employee severance plan. Pursuant to this contract EPC, on behalf of the City, extended the opportunity to participate in a voluntary severance plan to approximately 450 eligible (20 years or more service) general fund employees. The enrollment period was from November 4 to December 26, 2008. During this period, EPC conducted counseling sessions, prepared PERS retirement projections where applicable, and coordinated all the administrative and procedural aspects of the severance plan implementation for eligible participants.

Sixty-five (65) city employees elected to participate in the plan resulting in a cost saving to the City of approximately \$3.3 million in 2009. Plan participants will receive a lump sum or incremental payments for a period of up to 5 years (depending on age). As a component of the plan implementation process EPC utilizes Metropolitan Life Insurance Company (MetLife) to secure monthly payments to participants and establish a severance plan "Funding Account" from which payments and appropriate withholdings are made for plan participants.

This ordinance authorizes the transfer of \$35,000 from the Department of Recreation and Parks to the Department of Human Resources. Adjustments to reconcile the Department of Recreation and Parks severance figures necessitate this appropriation transfer.

This ordinance authorizes the transfer within the general fund of \$159,939.02 from the citywide account within the Department of Finance and Management to the Department of Human Resources. This transfer is necessary to fund required withholdings payments in 2009.

This ordinance authorizes the Human Resources Director to enter into an agreement modification with EPC and MetLife to secure monthly payments to participants and establish a severance plan "Funding Account" from which payments and appropriate withholdings are made for plan participants. Under the agreement, the City of Columbus will make these payments to an escrow account with EPC on or before March 15, of each year of the plan. EPC will then make the payments to MetLife on behalf of The City of Columbus as described. However, in years 2012, 2013, and 2014 only withholding payments will be required. Administrative fees payable to EPC are also due on or before March 15, 2009, 2010 and 2011. (Legislation 1622-2008 authorized payment of administrative fees and encumbered required funds to make these payments.) A deposit of \$20,000 was made toward the administrative fees in December 2008. As a result, no payment of administrative fees is due in 2009. In 2009 the benefits funding payment and required withholdings total \$1,814,673.25.

This ordinance authorizes the expenditure of \$1,814,673.25 or so much thereof as may be necessary from Human Resources Department General Fund in order that payments may be made through the first year of the plan.

This ordinance authorizes \$1,193,851.56 to be appropriated and encumbered within the Special Income Tax Fund. However, it is the intent of the City to fund these costs each year in the General Fund. The appropriate amounts will be included in the Department of Human Resources' General Fund budget each year. At that time, the SIT encumbrance will be reduced by the same amount.

The amount of \$1,193,851.56 is comprised of the amounts needed to make severance plan payments and appropriate withholdings for plan participants in years 2010-2014. While the plan is only a five-year plan, it spans six fiscal years requiring payments in 2009-2014.

This ordinance is submitted as an emergency so as to allow the financial transaction to be posted in the City's accounting system as soon as possible. Up to date financial posting promotes accurate accounting and financial management.

Contract compliance number:

Educators Preferred Corporation (EPC): 382365785

Metropolitan Life Insurance Company (MetLife): 135581829

#### **Title**

To authorize the transfer of \$35,000 from the Department of Recreation and Parks to the Department of Human Resources; to authorize the transfer of \$159,939.02 from the Department of Finance and Management to the Department of Human Resources; to authorize the Human Resources Director to enter into an agreement modification with Educators Preferred Corporation (EPC) and Metropolitan Life Insurance Company (MetLife) to establish a severance plan "Funding Account" from which payments and appropriate withholdings are made for plan participants; to authorize the expenditure of \$1,814,673.25 from the General Fund, or so much thereof as may be necessary to pay the cost of said agreement; to authorize the appropriation, encumbrance and expenditure of up to \$1,193,851.56 from the Special Income Tax Fund; to waive the Columbus City Code provisions for competitive bidding; and declare an emergency.

#### **Body**

WHEREAS, with the extraordinary challenges facing the City of Columbus' general fund it was imperative that cost containment measures be considered; and

WHEREAS, the Human Resources Department entered into contract with Educators Preferred Corporation (EPC) to design and implement a one-time voluntary employee severance plan; and

WHEREAS, sixty-five (65) city employees elected to participate in the severance plan; and

WHEREAS, it is necessary to transfer funds from the Department of Recreation and Parks to the Human Resources Department to reconcile severance plan related expenses; and

WHEREAS, it is necessary to transfer funds from the Department of Finance and Management to the Human Resources Department to fund required withholdings payments in 2009; and

WHEREAS, Educators Preferred Corporation (EPC) utilizes Metropolitan Life Insurance Company (MetLife) to establish a severance plan "Funding Account" from which payments and appropriate withholdings are made to plan participants and to secure monthly payments to participants; and

WHEREAS, it is necessary to modify an existing agreement between the City of Columbus, Educators Preferred Corporation (EPC), and Metropolitan Life Insurance Company (MetLife) to accurately reflect costs associated with establishing a severance plan "Funding Account" from which payments and appropriate withholdings are made for plan participants, and the administrative costs of the severance plan;

WHEREAS, the expenditure of \$1,814,673.25 is required to cover the costs associated with the severance package for the first year of the plan; and

WHEREAS, these funds are budgeted in the 2009 Department of Human Resources general fund budget; and

WHEREAS, it is necessary to appropriate, encumber and expend \$1,193,851.56 for costs associated with the severance payments in years 2010 - 2014 within the Special Income Tax Fund; and

WHEREAS, implementation of the severance plan is expected to generate a cost savings to the City of Columbus of approximately \$3.3 million in 2009; and

WHEREAS, it is necessary to waive Columbus City Code competitive bidding provisions; and

WHEREAS, this ordinance is submitted as an emergency so as to allow the financial transaction to be posted in the City's accounting system as soon as possible; now, Therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the City Auditor is hereby authorized and directed to transfer \$35,000 as follows:

From:

Department of Recreation and Parks | Department: 51 | Division: 51-01 | Fund: 10 | OCA Code: 900050 | OL1: 05 | OL3: 5501

To:

Department of Human Resources | Department: 46 | Division: 46-01 | Fund: 10 | OCA Code: 460188 | OL1: 03 | OL3: 3336

SECTION 2. That the City Auditor is hereby authorized and directed to transfer \$159,939.02 as follows:

From:

Department of Finance and Management | Department: 45 | Division: 45-01 | Fund: 10 | OCA Code: 904508 | OL1: 10 | OL3: 5501

To:

Department of Human Resources | Department: 46 | Division: 46-01 | Fund: 10 | OCA Code: 460188 | OL1: 03 | OL3: 3336

SECTION 3: That the Director of the Department of Human Resources is hereby authorized to enter into an agreement modification with EPC and MetLife to establish a severance plan "Funding Account" from which payments and appropriate withholdings are made for plan participants.

SECTION 4: That the expenditure of \$1,814,673.25 or so much thereof as may be necessary is hereby authorized and directed as provided below:

Department of Human Resources | Department: 46 | Division: 46-01 | Fund: 10 | OCA Code: 460188 | OL1: 03 | OL3: 3336

SECTION 5. That from the unappropriated monies in the Special Income Tax Debt Fund No. 430, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2009, the sum of \$1,193,851.56 is appropriated as follows:

Department of Human Resources | Department: 46 | Division: 46-01 | Fund 430 | OCA Code: 430046 | OL1: 10 | OL3: 5502

SECTION 6. That the City Auditor is hereby authorized to establish an Auditor's Certificate within the Special Income Tax Debt Fund, as described above, for the payment of the severance plan for years 2010 and 2014.

SECTION 7. That the expenditure of up to of \$1,193,851.56 or so much as thereof as may be needed, be and is hereby authorized from the Special Income Tax Debt Fund to pay costs associated with the severance plan 2010 through 2014 as follows:

Department of Human Resources | Department: 46 | Division: 46-01 | Fund: 430 | OCA Code: 430046 | OL1: 10 | OL3: 5502

SECTION 8: That the Columbus City Code competitive bidding provisions, Sections 329.13 and 329.14, are hereby waived.

SECTION 9: That the reasons state in the preamble hereto, which is hereby made a part of hereof, this ordinance is declared to be an emergency and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage, if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 0297-2009

**Drafting Date:** 02/19/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### Explanation

**Background:** On September 9, 1996 the City entered into an Annexation Agreement ("Agreement") with the Rickenbacker Port Authority ("RPA"), which requires the annexation of certain Port Authority property to the City. The RPA was merged with the Columbus Municipal Airport Authority and the new entity, renamed the Columbus Regional Airport Authority ("CRAA"), assumed the obligations of the RPA under the Annexation Agreement. A First Amendment to the Agreement was executed by the City and the CRAA on December 27, 2007. A Second Amendment to the Agreement was executed by the City and CRAA on February 29, 2008. The Second Amendment requires that "[t]he City shall use its best efforts, subject to the approval of Columbus City Council, to provide that annexed properties shall immediately upon annexation be assigned the City zoning classification most comparable to the zoning applicable to such property immediately prior to annexation." This ordinance amends Section 3310.09 of the Columbus Zoning Code, Title 33 to provide that parcels within the geographic boundary of the territory to be annexed to the City under the terms of the Annexation Agreement and the First and Second Amendments thereto will immediately upon annexation to the City without cost, expense or delay to be assigned the zoning classification most comparable to the zoning applicable to such property immediately prior to annexation.

**Fiscal Impact:** No funding is required for this legislation. Income tax revenues will be generated within the annexed territory.

### Title

To amend Section 3310.09 of the Columbus Zoning Code, Title 33 to provide that parcels within the geographic boundary of the territory to be annexed to the City under the terms of the existing Annexation Agreement between the City of Columbus and the Columbus Regional Airport Authority and the First and Second Amendments thereto will immediately upon annexation to the City be assigned the zoning classification most comparable to the zoning applicable to such property.

### Body

**WHEREAS**, the City of Columbus and the Rickenbacker Port Authority, now the Columbus Regional Airport Authority, did enter into an Annexation Agreement on September 9, 1996 providing, inter alia, for the annexation of present and future Port Authority property to the City; and

**WHEREAS**, the City of Columbus and the Columbus Regional Airport Authority entered into a Second Amendment to the Annexation Agreement on February 29, 2008, which Amendment requires that the City use its best efforts, subject to

the approval of Columbus City Council, to provide that annexed properties shall immediately upon annexation be assigned the City zoning classification most comparable to the zoning applicable to such property immediately prior to annexation without cost, expense or delay; and

**WHEREAS**, the area to be annexed to the City is expected to result in significant job growth and income tax revenues for the City; and

**WHEREAS**, the City has made and will continue to make significant infrastructure investments within the area to be annexed; and

**WHEREAS**, the City desires to continue to work together with the Airport Authority on this important economic development effort; and

**WHEREAS**, the Council of the City of Columbus deems it to be in the best economic interests of the City, and for the further reason that properties will soon be annexed to the City pursuant to the terms of the Annexation Agreement; **now therefore;**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**Section 1.** That the existing Section 3310.09 of the Columbus City Codes, 1959, is hereby amended to read as follows:

Except as otherwise provided herein, all ~~All~~ territory annexed to the city after March 28, 1973, shall immediately upon annexation be classified in the R-rural district and subjected to the regulations and restrictions pertaining thereto including all applicable overlay provisions as adopted pursuant to Chapter 3372.

Within thirty (30) days of the effective date of the ordinance annexing territory to the city, an owner of property included therein may apply for a change in the zoning of his property to the city's zoning district comparable to the previously applicable township or county zoning for such property immediately prior to annexation. During this thirty (30) day period such applicant is exempt from paying any required filing fee.

All territory annexed to the city prior to March 28, 1973, and not zoned as agricultural, farm residential or rural by township or county resolution, has been classified in the city's zoning district most comparable to the zoning applicable to such property immediately prior to such annexation and is subject to the regulations and restrictions of such city zoning district.

Any territory which lies within an Ldn Contour of sixty-five (65) or greater when annexed to the city shall also become part of the airport environs overlay and subject to the regulations therefor.

Any territory within the geographic boundary of the territory to be annexed to the city under the terms of the existing Annexation Agreement between the city and the Columbus Regional Airport Authority and the First and Second Amendments thereto will be assigned immediately upon annexation the zoning classification that is most comparable to the zoning classification applicable to such property immediately prior to annexation. The zoning classification may incorporate a limited overlay if appropriate to conform as nearly as possible to the parameters of the zoning classification applicable prior to annexation. The territory to be annexed to the city under the terms of the existing Annexation Agreement between the city and the Columbus Regional Airport Authority and the First and Second Amendments thereto shall be as indicated on Exhibit "A".

**Section 2.** That this ordinance shall take effect and be in force from and after the earliest period provided by law.

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**Legislation Number:** 0300-2009

**Drafting Date:** 02/19/2009

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

#### Background

Ordinance No. 0085-2002 passed on January 28, 2002, establishing both the rate of the pro-rata charge for administrative services and the list of funds required to pay pro-rata.

Due to recent division and fund reorganizations and additions, it is necessary to amend this ordinance. A new fund has been established, the Private Inspection Special Revenue Fund, from which proceeds from private entity and right-of-way construction plan review and inspection services provided by the Department of Public Service will be deposited.

As a result, this ordinance adds the Private Inspection Special Revenue Fund to the list of funds to be charged pro-rata.

Fiscal Impact: Because these fees were previously deposited into the Building Services fund, which is also charged pro-rata, there will be no net fiscal impact.

**Title**To provide for payment to the general fund, by major independent operating funds of the city, their proportionate share of the administrative expenses of the city, to repeal ordinance No. 0085-02, and to declare an emergency.

#### Body

**Whereas**, the Attorney General of Ohio, in an opinion rendered in 1952, ruled that the cost of administrative services by general fund departments for independent fund divisions should be pro-rated to the independent fund divisions on an equitable basis; and

**Whereas**, Ordinance No. 0085-02 provides for payment to the general fund by various independent funds for administrative services rendered by the general fund departments at the rate of four and one-half percent of gross revenues deposited in said independent funds; and

**Whereas**, due to various reorganizations and additions, a new fund, the Private Inspection Special Revenue Fund has been established and should be included in the list of funds being charged pro-rata; and

**Whereas**, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to establish a comprehensive list of independent funds to be charged pro-rata, and to repeal Ordinance No. 0085-02 for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore,

#### **BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS**

**SECTION 1.** Effective February 23, 2009, each of the following independent funds of the City shall pay to the General Fund, Fund No. 01-100 for its pro-rata share of the administrative expenses of the City, at a sum at the rate of four and one-half percent of the gross revenues in each fund for the calendar quarter previous to that date. Such payments shall be administered by the City Auditor.

See attachment: Funds charged pro-rata.xls

**SECTION 2.** That the above four and one-half percent charge is determined by the Council to be equitable in amount and not excessive considering the services rendered by the administrative departments to the various divisions which are intended to be partially or entirely self-supporting.

**SECTION 3.** That ordinance 0085-02 is hereby repealed.

**SECTION 4.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure, and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the

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**Legislation Number:** 0303-2009

**Drafting Date:** 02/20/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

Explanation

**BACKGROUND:** Ordinance No. 1184-2008, passed July 21, 2008, authorized the Finance and Management Director to enter into contract on behalf of the Office of Construction Management with RH Burton and Latham & Phillips Ophthalmic for the purchase of optometry equipment to be installed at the Westside Health Center, to be located in the vicinity of 2300 West Broad Street. Construction is expected to be complete in Summer 2009.

Formal bids were solicited on February 6, 2008, and returned on February 21, 2008. Two bidders responded (0 MBE, 0 FBE): RH Burton and Latham & Phillips. Each bid on thirty-six (36) separate items. It was the recommendation of the Office of Construction Management to split the contract between the two companies based on the low bid for each item, with one exception. RH Burton was awarded a contract in the amount of \$59,473.00 and Latham & Phillips was awarded a contract in the amount of \$38,693.40. Each contract included an additional \$3,000.00 for storage cost. The total of these contracts was \$104,166.40.

However, RH Burton subsequently went out of business. Because the equipment is still needed, the Office of Construction Management recommends establishing an additional contract with Latham & Phillips, the only other bidder on these items. Latham & Phillips submitted a new bid for the items that were originally awarded to RH Burton. Latham & Phillips bid held their original prices, which will represent a price increase of \$3,504.00 over the RH Burton contract. A contract has been established for the original items awarded to Latham & Phillips. Therefore, this ordinance requests approval for the Office of Construction Management to enter into an additional contract with Latham & Phillips for items originally bid and awarded to RH Burton and to waive the competitive bidding provisions of the Columbus City Code Section 329 to allow the City to purchase all of the necessary medical equipment within the budget parameters.

Due to continuing price increases in optometry equipment, it was deemed prudent to purchase this equipment early. This will allow the City to purchase all of the necessary medical equipment within the budget parameters.

The contract will include all necessary optometry dispensary equipment and storage. The City will purchase the equipment up-front and the contractor will store the equipment for the City in the interim between the purchase and the completion of the building.

This ordinance also authorizes the Finance and Management Director to expend \$10,000.00 or so much thereof as may be necessary to reimburse the General Fund for construction and building renovation expenses incurred by the Office of Construction Management. The Office tracks the hours that each employee works on individual projects and bills these hours back to the proper capital project.

**Emergency action** is requested to ensure the City receives this equipment at current market prices, avoiding future price increases.

Latham & Phillips Ophthalmic Contract Compliance Number 31-1222114 Expiration date 07/02/2010.

**Fiscal Impact:** The total cost of this contract is \$65,977.00 (\$62,977.00 for equipment purchase and \$3,000.00 for storage cost). Funding will come from the Health G.O. Bonds Fund for the Westside Health Center project. This budget includes an unencumbered cash balance of \$1,004,013.10.

Title

To authorize the Finance and Management Director to enter into a contract with Latham & Phillips Ophthalmic for necessary optometry dispensary equipment for the West Side Health Center in the amount of \$65,977.00; to authorize the Finance and Management Director to expend \$10,000.00 or so much thereof as may be necessary, to reimburse the General Fund for construction and building renovation expenses incurred by the Office of Construction Management; to

authorize the expenditure of \$75,977.00 from the Health G.O. Bonds Fund for the Westside Health Center project; to waive the competitive bidding requirements of the Columbus City Codes; and to declare an emergency. (\$75,977.00)

Body

**WHEREAS**, the Purchasing Office, in conjunction with the Office of Construction Management, solicited formal bids for optometry equipment on February 6, 2008, and two bids were returned on February 21, 2008; and

**WHEREAS**, Ordinance 1184-2008, passed July 21, 2008 authorized the purchase of equipment from RH Burton Company in the amount of \$59,473.00 and Latham & Phillips in the amount of \$38,693.40; and

**WHEREAS**, RH Burton has subsequently gone out of business; and

**WHEREAS**, it is necessary to authorize the Finance and Management Director to enter into a contract with Latham & Phillips Ophthalmic in the amount of \$65,997.00 for the remaining optometry equipment purchase; and

**WHEREAS**, the Office of Construction Management requests approval to waive the competitive bidding provisions of the Columbus City Code Section 329 to allow the City to purchase all of the necessary medical equipment within the budget parameters; and

**WHEREAS**, the Office of Construction Management employs personnel that are engaged in construction and building renovation activities; and

**WHEREAS**, these costs can be capitalized and reimbursed to the General Fund; and

**WHEREAS**, it is necessary to authorize this expenditure in order to provide adequate operating resources for the Office of Construction Management; and,

**WHEREAS**, an emergency exists in the usual daily operation of the Finance and Management Department, Office of Construction Management in that it is immediately necessary to authorize the Finance and Management Director to enter into contract with Latham & Phillips Ophthalmic for optometry equipment to ensure current market prices, avoiding future price increases, thereby preserving the public health, peace, property, safety and welfare; now, therefore:

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Director of Finance and Management is authorized to enter into a contract for the purchase and storage of optometry equipment to be installed at the Westside Health Center, to be located in the vicinity of 2300 West Broad Street, in the amount of \$65,997.00.

**SECTION 2.** That the Finance and Management Director is hereby authorized to expend \$10,000.00 or so much thereof as may be necessary, to reimburse the General Fund for construction and building renovation expenses incurred in connection with capital improvements program in 2009.

**SECTION 3.** That the expenditure of \$75,997.00 from Object Level 3, Minor Object 6620 or so much as may be necessary in regard to the action authorized in Sections 1 and 2, be and is hereby authorized and approved as follows:

<u>Fund</u>	<u>Dept/Div</u>	<u>Project #</u>	<u>Project Name</u>	<u>OCA</u>	<u>Amount</u>
706	50-01	500504	Westside Heath Center	706504	\$75,997.00

**SECTION 4.** That in accordance with Section 329.27 of the Columbus City Codes, City Council has determined it is in the best interest of the City of Columbus that the formal competitive bidding requirements of Chapter 329.05 be and hereby are waived for the action authorized in SECTION 1.

**SECTION 5.** That for the reasons state in the preamble hereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 0313-2009

**Drafting Date:** 02/23/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

**BACKGROUND:** Since its establishment in 1966, the functions of the Department of Development have adapted to changes in need and demand for government services. In response to the administration's and the community's request to continue improving efficiencies and enhance its delivery of services, the department will be reorganized. The department will be reorganized into the following divisions: Planning, Economic Development, Housing, Building Services and the Director's Office. The Director's office includes Administration and Land Redevelopment.

**FISCAL IMPACT:** This legislation authorizes the City Auditor to transfer funding and documents within the Department of Development to reflect the department's new organizational structure. The amount transferred will be determined by the City Auditor and the transferred amount when combined with monies already encumbered or spent through March 31, 2009, will not exceed the 2009 budget plus remaining balances on prior year encumbrances. The authorized transfer will be between divisions but will not be between object level ones.

Emergency action is requested so that the transfer of funds will be made before the effective date of the department's new organizational structure, April 1, 2009.

### **Title**

To authorize the City Auditor to transfer funding and documents within the Department of Development to reflect the department's new organizational structure; and to declare an emergency.

### **Body**

**WHEREAS**, this legislation authorizes the City Auditor to transfer funding and documents within the Department of Development to reflect the department's new organizational structure; and

**WHEREAS**, the amount transferred will be determined by the City Auditor and the transferred amount when combined with monies already encumbered or spent through March 31, 2009, will not exceed the 2009 budget plus remaining balances on prior year encumbrances; and

**WHEREAS**, the authorized transfer will be between divisions but will not be between object level ones; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to transfer funding and documents within the Department of Development to reflect the department's new organizational structure before the effective date of April 1, 2009, all for the preservation of the public health, peace, property, safety and welfare; and **NOW THEREFORE**,

### **BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**Section 1.** That the City Auditor be and is hereby authorized and directed to transfer funding and documents within the Department of Development to reflect the department's new organizational structure.

**Section 2.** That this funding transfer and new organizational structure will be effective April 1, 2009.

**Section 3.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is

hereby declared to be an emergency measure and shall take effect and be in force from and after passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 0314-2009

**Drafting Date:** 02/23/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation1. BACKGROUND:**

This legislation authorizes the Director of Public Service to modify and extend the existing grant agreement for the Freeway Management System program with the Ohio Department of Transportation, Agreement No. 10970, through June 30, 2009.

The Ohio Department of Transportation determined that it was in the public interest to design, construct, operate and maintain a Freeway Management System (FMS) for interstate highways and state and U.S. route numbered freeways and expressways within the City of Columbus. This program provides traffic delay information and suggests alternate routes to the public and media in order to expedite freeway traffic flow.

The City's initial consent authorization for this program was established by Ordinance 1708-1991. The present agreement between the Ohio Department of Transportation and the Department of Public Service, Division of Planning and Operations, for the operation and maintenance of the Freeway Management System was authorized by Ordinance 2016-2000. Presently, this agreement is in the third two-year extension of the Freeway Management System agreement established with Ordinance 2016-2000 and expires on June 30, 2009. The current agreement extension was established by Ordinance 1017-2007, passed by City Council July 11, 2007.

**2. FISCAL IMPACT:**

Personnel expenses for two City employees are funded by the State of Ohio. The City provides space to house staff and central equipment. This ordinance appropriates funding within the General Government Grant Fund and authorizes appropriate program expenditures associated with these employees.

**3. EMERGENCY DESIGNATION**

Emergency action is requested to make these funds immediately available to the Division of Planning and Operations in order to continue to ensure the continued operation of this program.

TitleTo authorize the Director of Public Service to extend the existing agreement with the Ohio Department of Transportation for operation of the Freeway Management System program through June 30, 2009, to authorize the appropriation and expenditure of \$172,000.00 within the General Government Grant Fund; and to declare an emergency. (\$172,000.00)

Body**WHEREAS**, the Director of the Ohio Department of Transportation desires cooperation from the City of Columbus in the operation and maintenance of the Freeway Management program; and

**WHEREAS**, this program provides traffic delay information and suggests alternate routes to the public and media in order to expedite freeway traffic flow; and

**WHEREAS**, an emergency exists in the usual daily operation of the Division of Planning and Operations in that it is immediately necessary to consent to a six month agreement extension of the program in order to provide for its uninterrupted operation, thereby preserving the public health, peace, property, safety and welfare; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**Section 1.** That the City of Columbus hereby agrees to cooperate with the Director of Transportation of the State of Ohio and grants consent to the Ohio Department of Transportation for the latter's operation, maintenance, development and execution of the program.

**Section 2.** That the Director of Public Service be and hereby is authorized on behalf of the City to extend Agreement No.

10970 with the Ohio Department of Transportation as necessary for the continued operation of the Freeway Management System program through June 30, 2009.

**Section 3.** The City agrees to host the ODOT Freeway Management System in the Traffic Management Center of the Division of Planning and Operations at 109 North Front Street and to provide operator staff for the program with personnel costs provided to the City by the Ohio Department of Transportation.

**Section 4.** That from the unappropriated monies in Fund 220, the General Government Grant Fund, and from all monies estimated to come into said Fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2009, the sum of \$172,000.00 be and hereby is appropriated to Department No. 59-11, Division of Planning and Operations, Object Level One Code 01, Object Level Three Code 1101, for the Freeway Management Grant, grant 596004, OCA 591120.

**Section 5.** That the monies appropriated in the foregoing sections 4 shall be paid upon order of the Director of Public Service and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

**Section 6.** That for purposes of paying appropriate program personnel expenses, the sum of \$172,000.00 or so much thereof as may be needed be and hereby is authorized to be expended from Fund 220, the General Government Grant Fund, Department No. 59-11, Division of Planning and Operations, Object Level One Code 01, Object Level Three Code 1101, for the Freeway Management Grant, grant 596004, OCA 591120.

**Section 7.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 0315-2009

**Drafting Date:** 02/24/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

#### **Explanation**

**BACKGROUND:** The Columbus Health Department has received funds from The Ohio State University for pan flu public engagement activities. This ordinance is needed to accept and appropriate \$50,000 in grant money to fund Pan Flu Public Engagement activities for the period September 30, 2008 through September 29, 2009.

This project organizes and structures public engagement meetings in specific Ohio counties to prepare for the event of pan flu.

This ordinance is submitted as an emergency so as to allow the financial transaction to be posted in the City's accounting system as soon as possible. Up to date financial posting promotes accurate accounting and financial management.

**FISCAL IMPACT:** The program is funded by The Ohio State University and does not generate revenue.

#### **Title**

To authorize and direct the Columbus Health Department to accept funds from The Ohio State University in the amount of \$50,000, to authorize the appropriation of \$50,000 from the Health Department Grants Fund, and to declare an emergency. (\$50,000.00)

**Body**

**WHEREAS**, \$50,000.00 in grant funds have been made available through The Ohio State University; and,

**WHEREAS**, this ordinance is submitted as an emergency so as to allow the financial transaction to be posted in the City's accounting system as soon as possible. Up to date financial posting promotes accurate accounting and financial management; and,

**WHEREAS**, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to accept these funds from The Ohio State University, and to appropriate these funds to the Health Department for the immediate preservation of the public health, peace, property, safety, and welfare; Now, therefore:

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Columbus Health Department is hereby authorized and directed to accept funds for \$50,000.00 from The Ohio State University for the Pan Flu Public Engagement program for the period September 30, 2008 through September 29, 2009.

**SECTION 2.** That from the unappropriated monies in the Health Department Grants Fund, Fund No. 251, and from all monies estimated to come into said Fund from any and all sources during the twelve months ending September 30, 2009, the sum of \$50,000 is hereby appropriated to the Health Department, Division No. 50-01, as follows:

Pan Flu Public Engagement

OCA: **509134** Grant No.: **509134** Obj. Level 01: 01 Amount \$41,695

OCA: **509134** Grant No.: **509134** Obj. Level 01: 02 Amount \$ 1,000

OCA: **509134** Grant No.: **509134** Obj. Level 01: 03 Amount \$ 7,305

**SECTION 3.** That the monies appropriated in the foregoing Section 2 shall be paid upon the order of the Health Commissioner, and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

**SECTION 4.** That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 0316-2009

**Drafting Date:** 02/24/2009

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The Columbus Health Department has received funds from The Summit County Health Department for pan flu prevention activities as it relates to At Risk Ohio populations. This ordinance is needed to accept and appropriate \$46,700 in grant money to fund At Risk Pan Flu prevention activities for the period August 10, 2008, through

August 9, 2009.

These funds will primarily pay for a program manager to coordinate pan flu prevention activities for the At Risk populations in targeted areas of Ohio.

This ordinance is submitted as an emergency so as to allow the financial transaction to be posted in the City's accounting system as soon as possible. Up to date financial posting promotes accurate accounting and financial management.

**FISCAL IMPACT:** The program is funded by the Summit County Health Department through a grant from The Ohio Department of Health. The program does not generate revenue.

**Title**

To authorize and direct the Columbus Health Department to accept funds from the Summit County Health Department in the amount of \$46,700, to authorize the appropriation of \$46,700 from the Health Department Grants Fund, and to declare an emergency. (\$46,700.00)

**Body**

**WHEREAS**, \$46,700.00 in grant funds have been made available through the Summit County Health Department; and,

**WHEREAS**, this ordinance is submitted as an emergency so as to allow the financial transaction to be posted in the City's accounting system as soon as possible. Up to date financial posting promotes accurate accounting and financial management; and,

**WHEREAS**, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to accept these funds from the Summit County Health Department, and to appropriate these funds to the Health Department for the immediate preservation of the public health, peace, property, safety, and welfare; Now, therefore:

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Columbus Health Department is hereby authorized and directed to accept funds for \$46,700.00 from the Summit County Health Department for the Pan Flu At Risk Ohio population program for the period August 10, 2008 through August 9, 2009.

**SECTION 2.** That from the unappropriated monies in the Health Department Grants Fund, Fund No. 251, and from all monies estimated to come into said Fund from any and all sources during the twelve months ending August 31, 2009, the sum of \$46,700 is hereby appropriated to the Health Department, Division No. 50-01, as follows:

Pan Flu At Risk Populations

OCA: **509135** Grant No.: **509135** Obj. Level 01: 01 Amount \$39,455

OCA: **509135** Grant No.: **509135** Obj. Level 01: 02 Amount \$ 1,000

OCA: **509135** Grant No.: **509135** Obj. Level 01: 03 Amount \$ 6,245

**SECTION 3.** That the monies appropriated in the foregoing Section 2 shall be paid upon the order of the Health

Commissioner, and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

**SECTION 4.** That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 0322-2009

**Drafting Date:** 02/25/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The U.S. Department of Housing and Urban Development (HUD) requires grantees and their subrecipients to maintain Community Development Block Grant (CDBG) revolving loan funds in interest bearing accounts, and to remit said interest to the federal treasury no less frequently than annually. During 2008, the City's revolving loan fund earned interest of \$48,830.34. This legislation will authorize the expenditure of monies from the revolving loan subfund to remit 2008 interest earnings to HUD for the U.S. Treasury.

This legislation is presented as an emergency to facilitate the timely remittance of monies to HUD.

**FISCAL IMPACT:** Interest earnings have been deposited into the CDBG revolving loan fund and are available for disbursement to HUD from said fund.

**Title**

To authorize the Director of the Department of Finance & Management to expend \$48,830.34 from the CDBG revolving loan fund for payment of interest earnings to the U.S. Department of Housing and Urban Development (HUD); and to declare an emergency. (\$48,830.34)

**Body**

**WHEREAS,** federal regulations require Community Development Block Grant (CDBG) grantees and subrecipients to remit to the federal treasury all investment earnings paid on CDBG revolving loan accounts; and

**WHEREAS,** interest earnings have been deposited into the CDBG revolving loan subfund and are available for this expenditure; and

**WHEREAS,** an emergency exists in the usual daily operation of the Department of Finance & Management, in that it is immediately necessary to expend and remit the aforementioned funds to HUD, thereby preserving the public health, peace, property, safety and welfare; **Now, Therefore**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the director of the Department of Finance & Management is hereby authorized to expend \$48,830.34 from the Community Development Block Grant Fund, Fund No 248, Subfund 002, Department 45-01, OCA 459017, Object Level One: 05, Object Level Three: 5544.

**SECTION 2.** That the expenditure authorized in Section 1 shall be in the form of a wire transfer to HUD as follows: \$48,830.34 to the U.S. Treasury for 2008 CDBG revolving loan fund interest earnings.

**SECTION 3.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 0327-2009

**Drafting Date:** 02/25/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

Explanation

**BACKGROUND:** This legislation authorizes the Finance and Management Director to modify a contract on behalf of the Office of Construction Management with Allen Ballew General Contractors, for the renovation of a vacant area at the Jerry Hammond Center, 1111 East Broad Street. The vacant area adjoins the Technology Center and will be used by the Technology Department as a print room. This change will allow for the relocation of equipment from City Hall and Arlingate. The Finance and Management Department, through the Facilities Management Division has been working with the Department of Technology to relocate this equipment from the basement of City Hall to the Hammond Center.

The basement of City Hall is not the appropriate place to house these operations since it is isolated from other Technology Department operations and functions. It will also free up space in City Hall for future renovations of the buildings out-dated mechanical systems. The transfer of the equipment from Arlingate will allow for more efficient and effective use of space within the Department's main data center. The renovation will include: area demolition, installation of fire alarm and security systems, lighting, equipment wiring, HVAC, plumbing, refurbishing the existing floor, and emergency power distribution. Due to the wind storm of September 2008, it was determined that re-distribution of selected power sources for the Technology Center is needed for future emergency conditions. This will be included in this renovation.

Allen Ballew General Contractors recently completed other renovations in the Jerry Hammond Center; a modification with Allen Ballew General Contractors is the logical and most expeditious option for addressing the requested modifications. Involving another general contractor at this point would lead to logistical problems and the likelihood of errors. Therefore, it would not be in the best interests of the City to bid the renovations. This ordinance also authorizes amending the 2008 Capital Improvements Budget and transferring cash between projects in the Information Services Fund.

**EMERGENCY ACTION** is requested to ensure the emergency power redistribution to certain areas of the Jerry Hammond Center are completed as quickly as possible, thereby ensuring electrical power at all times in this building.

Allen Ballew General Contractors Contract Compliance # 31-1094575, expiration date 04/26/2009.

**FISCAL IMPACT:** The original contract was authorized by Ordinance Number 1306-2007, passed on September 10, 2007, in the amount of \$1,246,408.00. This contract was subsequently modified by Ordinance 1229-2008, passed July 21, 2008 in the amount of \$75,581.69. The cost of this modification will be \$200,000, increasing the total cost of the contract to \$1,521,989.69. Funding will be provided from the Information Services Fund.

Title

To amend the 2008 Capital Improvements Budget; to authorize the transfer of cash between projects in the Information Services Fund; to authorize the Finance and Management Director to modify a contract on behalf of the Office of Construction Management with Allen Ballew General Contractors for the renovation of a vacant space in the Jerry Hammond Center, located at 1111 East Broad Street; to authorize the expenditure of \$200,000.00 from the Information Services Fund; and to declare an emergency. (\$200,000.00)

Body

**WHEREAS,** Ordinance 1306-2007, passed September 10, 2007, authorized the Finance and Management Director to

contract with Allen Ballew General Contractors for renovation of offices at 1111 East Broad Street; and

**WHEREAS**, it is necessary to modify the contract with Allen Ballew General Contractors a second time for additional renovations at the Jerry Hammond Center; and

**WHEREAS**, it is necessary to necessary to renovate a vacant space in the Jerry Hammond Center for use as a print shop for the Technology Department; and

**WHEREAS**, it is necessary to amend the 2008 Capital Improvements Budget and transfer cash between projects in order to accomplish this, and

**WHEREAS**, an emergency exists in the usual daily operation of the Finance and Management Department, Office of Construction Management, in that it is immediately necessary to authorize the Finance and Management Director to modify a contract with Allen Ballew General Contractors, for the renovation of vacant space at the Jerry Hammond Center, including emergency electrical distribution, thereby preserving the public health, peace, property, safety, and welfare; now, therefore:

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the 2008 Capital Improvement Budget is hereby amended as follows:

**CURRENT CIB:**

Dept/Div: 47-02|Fund: 514|Project Number 470031|Project Name - Facility Renovations|Amount \$195,375  
Dept/Div: 47-02|Fund: 514|Project Number 470037|Project Name - Disaster Recovery Phase II|Amount \$8,266  
Dept/Div: 47-02|Fund: 514|Project Number 510041|Project Name - Whittier Peninsula Office Relocation|Amount \$1

**REVISED CIB:**

Dept/Div: 47-02|Fund: 514|Project Number 470031|Project Name - Facility Renovation|Amount \$0  
Dept/Div: 47-02|Fund: 514|Project Number 470037|Project Name - Disaster Recovery Phase II|Amount \$6,340  
Dept/Div: 47-02|Fund: 514|Project Number 510041|Project Name - Whittier Peninsula Office Relocation|Amount \$200,001

**SECTION 2.** That the City Auditor is hereby authorized and directed to transfer funds within the Construction Management Capital Improvement Fund as follows:

**FROM:**

Dept/Div: 47-02|Fund: 514|OCA Code: 470037 |Project Number 470037|Project Name - Disaster Recovery Phase II|Amount \$1,925.79  
Dept/Div: 47-02|Fund: 514|OCA Code: 470031|Project Number 470031|Project Name - Facility Renovation|Amount \$195,374.52

**TO:**

Dept/Div: 47-02|Fund: 514|OCA Code: 470141|Project Number 510041|Project Name - Whittier Peninsula Office Relocation|Amount \$197,300.31

**SECTION 3.** That the Finance and Management Director is hereby authorized to modify the contract with Allen Ballew General Contractors to allow for the renovation of a vacant space in the Jerry Hammond Center, located at 1111 East Broad Street.

**SECTION 4.** That the expenditure of \$200,000.00, or so much thereof that may be necessary in regard to the action authorized in SECTION 1, be and is hereby authorized and approved as follows:

Division: 47-02

Fund: 514  
Project: 510041  
Subfund: 002  
OCA Code: 470141  
Object Level 1: 06  
Object Level 3: 6620  
Amount: \$200,000.00

**SECTION 5.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

**SECTION 6.** That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 0336-2009

**Drafting Date:** 02/26/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

#### **Explanation**

**BACKGROUND:** This legislation authorizes the Director of the Department of Development to modify Contract EL008135 with the Greater Linden Development Corporation by extending the contract period for an additional eight (8) months. The new Time of Agreement will be March 1, 2008 through October 31, 2009. This contract is funded through the Public Safety Initiatives Fund and supports the Linden Crime Prevention Partnership. Unanticipated changes to staff created a delay in the expenditure of funds prior to the original termination date.

The goal of the Partnership is to create a safer and healthier neighborhood environment within the Greater Linden community, while combating negative perceptions (and misperceptions) regarding safety in Linden. Activities and programs of the Partnership include the Blockwatch Alliance, comprised of residents in the area who meet monthly to hear various speakers, provide mutual support and exchange information on crime-related topics; a resident complaint-driven nuisance abatement program, which partners with the Strategic Response Bureau, the Safety Department Narcotics Unit, Code Enforcement and the Health Department; summer-long neighborhood clean-up activities; and National Night Out, an annual celebration of neighborhoods around the city which hosts the Mayor, City Council members, Department officials and community leaders.

This ordinance is presented as an emergency to avoid an interruption of program services.

**FISCAL IMPACT:** No additional funds will be allocated for this contract modification. The Corporation received \$52,000.00 in 2008 from the Public Safety Initiatives Fund as support for the Partnership.

#### **Title**

To authorize the Director of the Development Department to modify the Linden Crime Prevention Partnership contract with the Greater Linden Development Corporation by extending the contract period; and to declare an emergency.

#### **Body**

**WHEREAS,** the Director of the Department of Development desires to modify Contract EL008135 with the Greater Linden Development Corporation by extending the contract period; and

**WHEREAS**, the new Time of Agreement will be March 1, 2008 through October 31, 2009; and

**WHEREAS**, this contract is funded through the Public Safety Initiatives Fund and supports the Linden Crime Prevention Partnership; and

**WHEREAS**, unanticipated changes to staff created a delay in the expenditure of funds prior to the ending date; and

**WHEREAS**, the Partnership has been created to create a safer and healthier neighborhood environment within the Greater Linden community, while combating negative perceptions (and misperceptions) regarding safety in Linden; and

**WHEREAS**, activities and programs of the Partnership include: the Blockwatch Alliance; a resident complaint-driven nuisance abatement program; summer-long clean up activities; and coordination of National Night Out; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to modify Contract No.EL008135 with the Greater Linden Development Corporation to avoid an interruption of program services; all for the preservation of the public health, peace, property, safety, and welfare; and **NOW, THEREFORE,**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**Section 1.** That the Director of the Department of Development be and is hereby authorized to modify Contract No.EL008135 with the Greater Linden Development Corporation by extending the contract period for an additional eight (8) months. The new Time of Agreement will be March 1, 2008 through October 31, 2009.

**Section 2.** That this contract modification is made pursuant to Section 329.16 of the Columbus Codes.

**Section 3.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten (10) days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 1720-2008

**Drafting Date:** 10/23/2008

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

The purpose of this legislation is to authorize the Director of Public Utilities to enter into a lease agreement with Jeff Writsel for land owned by the Division of Sewerage and Drainage to be used for agricultural purposes.

The Division of Sewerage and Drainage owns approximately three hundred and thirty-five (335) acres, more or less, of City-owned tillable cropland located approximately 1/2 mile south of State Route 665, between State Route 104 and US Route 23. The 335 acres, more or less consist of 15 fields.

The lease agreement will cover the period starting January 1, 2009 to and including December 31, 2013 on a year to year basis. The land will be used for agricultural purposes and the proceeds will be deposited into the Sewerage System Operating Fund. The first year lease agreement is for 11 fields. Commencing in 2010 and continuing until December 31, 2013 all 15 fields will be tillable.

This ordinance is authorizing the first year of the lease beginning January 1, 2009 to and including December 31, 2009. The Division of Sewerage and Drainage will process legislation on a year to year basis for the remaining 4 years.

The Division of Sewerage and Drainage, Compost Facility received bids on October 9, 2008 for a per acre cost for each of the 15 fields. Five (5) bids were received and the tabulation of those bids is attached. The highest bidder was JRS Farms, however the company has declined the award of the contract, see letter attached. The next highest bidder was Jeff Writsel, 9220 Scioto Darby Road, Orient OH 43146.

**FISCAL IMPACT:** No funds are needed for this agreement. Lease payments will be made on bi-annual basis on or before March 15 and October 15 and will be deposited into the Sewerage and Drainage Operating Fund 650. Proceeds for the first year are \$47,836.80. The total five (5) year proceeds is \$270,410.80

#### **Title**

To authorize the Director of Public Utilities to enter into a one year lease agreement for the Division of Sewerage and Drainage for the lease of City-owned land, just south of the Southerly Wastewater Treatment Plant on U.S. Route 23, for agricultural purposes with Jeff Writsel. (\$0)

#### **Body**

**WHEREAS**, The Division of Sewerage and Drainage owns approximately three hundred and thirty-five (335) acres, more or less, of City-owned tillable cropland located approximately 1/2 mile south of State Route 665, between State Route 104 and US Route 23. The 335 acres, more or less consist of 15 fields, and

**WHEREAS**, proposals were received by the Division of Sewerage and Drainage on October 9, 2008 for a per acre cost for lease of the land and the highest bid was received from JRS Farms, however the company declined the award and the award was made to the next highest bidder, Jeff Writsel 9220 Scioto Darby Road, Orient OH 43146,; and,

**WHEREAS**, the property will be leased for five (5) years on a year to year basis from January 1, 2009 to and including December 31, 2013 to be used for agricultural purposes and,

**WHEREAS**, this ordinance is to authorize the first year of the contract from January 1, 2009 to and including December 31, 2009, proceeds to be \$47,836.00 and

**WHEREAS**, the total five year proceeds will be \$270,410.80 paid i-annually on or before March 15 and October 15 each year, now, therefore

#### **BE IT ORDAINED Y THE COUNCIL OF THE CITY OF COLUMBUS:**

**Section 1.** That the Director of Public Utilities is hereby authorized to enter into the first year of a possible five (5) year lease agreement with Jeff Writsel for the lease of approximately three-hundred and thirty-five (335) acres, more or less, of City-owned tillable cropland, located approximately 1/2 mile south of State Route 665, between State Route 104 and U.S. Route 23, for agricultural purposes.

**Section 2.** That in consideration for the same, Jeff Writsel will pay to the Division of Sewerage and Drainage the sum of \$47,836.80 for the first year of the lease which is in effect from January 1, 2009 to and including December 31, 2009 with the proceeds to be deposited into the Sewerage System Operating Fund 650.

**Section 3.** The possible total lease amount of a five (5) year period is \$270,410.80 with bi-annual payments due on or before March 15 and October 15 of each year. The lease agreement is on a year to year basis.

**Section 4.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 2043-2008

**Drafting Date:** 12/22/2008

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

### **Explanation**

#### **Rezoning Application Z08-053**

**APPLICANT:** SS Morse Road, LLC; c/o Danny Popp; 855 East Cooke Road; Columbus, OH 43224.

**PROPOSED USE:** Self-storage.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (5-0) on November 13, 2008.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The 4.12± acre site is developed with self-storage buildings zoned in the L-M, Limited Manufacturing District. The existing L-M district requires a building setback of 80 feet. The site plan approved as part of the building permit indicates a building setback of 80 feet. The building was constructed with a setback of 73.96 feet for the vestibule and 80 feet for the remainder of the building. There are two proposed changes to the L-M district: the deletion of the requirement, for the vestibule only, that the building setback be 80 feet from Morse Road; and the addition of bike racks. All other development standards remain as originally adopted. The proposed text deletes the building setback requirement for the vestibule only, which means that the setback is allowed as permitted by code. Section 3363.24(F) allows the use of the average of the setbacks of the buildings on the two adjacent properties, which will permit the existing vestibule to meet the building setback requirements. The setback of less than 80 feet is limited to the vestibule of the building, the portion of the building which does not meet the 80 foot building setback. This is a relatively minor request that is compatible with development in the area.

### **Title**

To rezone **3344 MORSE ROAD (43231)**, being 4.12± acres located on the north side of Morse Road, 730± feet west of Trindel Way, **From:** L-M, Limited Manufacturing District, **To:** L-M, Limited Manufacturing District. (Rezoning # Z08-053)

### **Body**

**WHEREAS**, application #Z08-053 is on file with the Building Services Division of the Department of Development requesting rezoning of 4.12± acres from the L-M, Limited Manufacturing District to L-M, Limited Manufacturing District; and

**WHEREAS**, the Development Commission recommends approval of said zoning change; and

**WHEREAS**, the City Departments recommend approval of said zoning change because all of the existing development standards are maintained except that the vestibule is allowed to have a setback of less than 80 feet. The request is compatible with development in the area, now, therefore:

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Official Zoning Map of the City of Columbus, as adopted by Ordinance No. 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

**3344 MORSE ROAD (43231)**, being 4.12± acres located on the north side of Morse Road, 730± feet west of Trindel Way, and being more particularly described as follows:

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF COLUMBUS, BEING IN SOUTH HALF OF LOT 9, SECTION 3, TOWNSHIP 2, RANGE 17, UNITED STATES MILITARY LANDS, CONTAINING 4.120 ACRES OF LAND DESCRIBED IN THE DEED TO PROPERTIES OF TODAY, CORP., OF RECORD IN OFFICIAL RECORD 15789A01, RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO, SAID 4.120 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING, FOR REFERENCE, AT THE CENTERLINE INTERSECTION OF MORSE ROAD AND TRINDEL WAY, THENCE WITH THE CENTERLINE OF SAID MORSE ROAD, N. 85°01'54" W., A DISTANCE OF 329.34 FEET TO THE SOUTHEASTERLY CORNER OF THAT 0.948 ACRE TRACT OF LAND DESCRIBED IN THE DEED TO THE CITY OF COLUMBUS, OHIO, OF RECORD IN INSTRUMENT NO. 199708070065490, RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO;  
THENCE N. 04°58'43" E. WITH THE EASTERLY LINE SAID 0.948 ACRE TRACT, WITH THE EASTERLY LINE OF THAT 1.134 ACRE TRACT OF LAND DESCRIBED IN THE DEED TO EBERT & WOLF ENTERPRISES, LLC, OF RECORD IN INSTRUMENT NO. 200009270196580 AND WITH THE WESTERLY LINE OF THAT 3.975 ACRE TRACT OF LAND DESCRIBED IN EXHIBIT A IN THE DEED TO GEORGE J. EVANS, OF RECORD IN OFFICIAL RECORD 07153103, BOTH BEING OF RECORD IN THE RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO, A DISTANCE OF 339.66 FEET TO A 3/4" (I.D.) IRON PIPE FOUND AT THE NORTHEASTERLY CORNER OF SAID 1.134 ACRE TRACT AND THE TRUE POINT OF BEGINNING; THENCE FROM SAID TRUE POINT OF BEGINNING,

1. N. 85°01'54" W., WITH A NORTHERLY LINE OF SAID 1.134 ACRE TRACT, A DISTANCE OF 190.12 FEET TO A 3/4" (I.D.) IRON PIPE FOUND AT THE NORTHWESTERLY CORNER OF SAID 1.134 ACRE TRACT AND IN THE EASTERLY LINE OF THAT 1.529 ACRE TRACT OF LAND DESCRIBED IN THE DEED TO BNY MIDWEST TRUST COMPANY, OF RECORD IN INSTRUMENT NO. 200306300197709, RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO; THENCE
2. N. 04°56'34" E., WITH THE EASTERLY LINE OF SAID 1.529 ACRE TRACT, A DISTANCE OF 40.05 FEET TO A 5/8" DIAMETER SOLID IRON PIN FOUND AT THE NORTHEASTERLY CORNER OF SAID 1.529 ACRE TRACT; THENCE
3. N. 85°03'04" W., WITH THE NORTHERLY LINE OF SAID 1.529 ACRE TRACT, A DISTANCE OF 221.72 FEET TO A 5/8" DIAMETER SOLID IRON PIN FOUND AT THE NORTHWESTERLY CORNER OF SAID 1.529 ACRE TRACT; THENCE
4. S. 04°59'40" W., WITH THE WESTERLY LINE OF SAID 1.529 ACRE TRACT, A DISTANCE OF 299.97 FEET TO A P.K. NAIL FOUND IN THE NORTHERLY RIGHT-OF-WAY OF SAID MORSE ROAD AT THE SOUTHWESTERLY CORNER OF SAID 1.529 ACRE TRACT, SAID P.K. NAIL ALSO BEING IN THE NORTHERLY LINE OF SAID 0.948 ACRE TRACT; THENCE
5. N. 85°01'54" W., WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID MORSE ROAD AND WITH THE NORTHERLY LINE OF SAID 0.948 ACRE TRACT, A DISTANCE OF 103.93 FEET TO A 3/4" (I.D.) IRON PIPE FOUND IN THE EASTERLY LINE OF THAT 0.303 ACRE TRACT OF LAND DESCRIBED IN THE DEED TO ROBERT CHAPA, OF RECORD IN INSTRUMENT NO. 200412030276073, RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO; THENCE
6. N. 05°31'26" E., WITH THE EASTERLY LINE OF SAID 0.303 ACRE TRACT AND WITH THE EASTRLY LINE OTHAT 2.257 ACRE TRACT OF LAND DESCRIBED IN THE DEED TO JAMES A. AND MARGARET SPURGEON, OF RECORD IN INSTRUMENT NO. 199705190027177, A DISTANCE OF 575.46 FEET TO A 3/4" INCH (I.D.) IRON PIPE FOUND AT THE NORTHEASTERLY CORNER OF SAID 2.257 ACRE TRACT AND IN THE SOUTHERLY LINE OF THAT 10.979 ACRE TRACT OF LAND DESCRIBED IN THE DEED TO PARKRIDGE APARTMENTS LTD., OF RECORD IN DEED BOOK 3205, PAGE 379, ALL BEING OF RECORD IN THE RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO; THENCE

7. S. 85°05'56" E., WITH THE SOUTHERLY LINE OF SAID 10.979 ACRE TRACT AND WITH THE SOUTHERLY LINE OF PARKRIDGE VILLAGE SECTION 4, A SUBDIVISION OF RECORD IN PLAT BOOK 62, PAGES 82 AND 83, RECORDER'S OFFICE FRANKLIN COUNTY, OHIO, A DISTANCE OF 510.40 FEET TO A 1/2" (I.D.) IRON PIPE FOUND AT THE NORTHWESTERLY CORNER OF SAID 3.975 ACRE TRACT; THENCE

8. S. 04°58'43" W., WITH THE WESTERLY LINE OF SAID 3.975 ACRE TRACT, A DISTANCE OF 316.03 FEET TO THE TRUE POINT OF BEGINNING AND CONTAINING 4.120 ACRES OF LAND, MORE OR LESS.

WE HEREBY STATE THAT THE DESCRIPTION WAS PREPARED FROM INFORMATION OBTAINED FROM AN ACTUAL FIELD SURVEY OF THE PREMISES CONDUCTED BY BAUER, DAVIDSON, & MERCHANT, INC. IN AUGUST OF 2006.

THE BEARINGS REFERRED TO IN THE HEREINABOVE DESCRIPTION ARE BASED ON THE BEARING N. 85°04'17" W., FOR THE CENTERLINE OF MORSE ROAD AS SHOWN ON THE RECORDED PLAT OF PARKRIDGE VILLAGE SECTION 4, OF RECORD IN PLAT BOOK 62, PAGES 82 AND 83, RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO.

**To Rezone From:** L-M, Limited Manufacturing District,

**To:** L-M, Limited Manufacturing District.

**SECTION 2.** That a Height District of Thirty-five (35) feet is hereby established on the L-M, Limited Manufacturing District on this property.

**SECTION 3.** That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved L-M, Limited Manufacturing District and Application among the records of the Building Services Division as required by Section 3370.03 of the Columbus City Codes; said text titled, "**LIMITATION TEXT**," signed by Danny Popp, agent for the applicant, and dated October 30, 2008, and the text reading as follows:

**LIMITATION TEXT**

**PROPOSED DISTRICT: L-M, Limited Manufacturing**

**EXISTING DISTRICT: L-M, Limited Manufacturing**

**PROPERTY ADDRESS: 3356 Morse Road**

**OWNER: Simply Self Storage**

**APPLICANT: DDP and Associates Architects / Planners**

**DATE OF TEXT: 10/30/2008**

**APPLICATION NUMBER: Z08 -053**

1. **INTRODUCTION:** The site is located along Morse Road, east of its intersection with Dunbridge Street and west of its intersection with Trindel Way. To the north is single-family residential property zoned R-2 in the City of Columbus. To the east is a commercial garage in Blendon Township. To the south of the site is a commercial garage and a car wash zoned CPD in the City of Columbus as well as single-family and multi-family residential in both the City of Columbus and Mifflin Township south of Morse Road. To the west is commercial development and a single-family residence used as an office in Blendon Township. The proposed text contains appropriate development standards for the subject property.

2. **PERMITTED USES:** Those uses listed in Sections 3363.02 and 3363.03 of the Columbus City Code, self storage units, and truck rentals.

3. **DEVELOPMENT STANDARDS:** Unless otherwise specified in the following text, the Development Standards shall be as specified in Chapter 3363 of Columbus City Code (M, Manufacturing District).

A. Density, Height, Lot and/or Setback commitments.

1. The parking setback shall be 25 feet from Morse Road.
2. The building setback from the west property line shall be 15 feet; the building and paving setbacks from the north property line shall be 40 feet for self storage and 50 feet for any other use; the building and paving setbacks from the east property line shall be 40 feet beginning at the northeast corner of the site and extending southward for 316+/- feet; the building setback from the south property line shall be 80 feet except for the 72 square foot vestibule which shall meet the requirements of 3363.24 (F). Self storage units along the north property setback line shall have access doors only on the south side of those buildings.

B. Access, Loading, Parking and/or other Traffic related commitments.

1. All circulation, curb cuts and access points shall be subject to the approval of the Division of Transportation.

C. Buffering, Landscaping, Open space and/or Screening commitments.

1. A tree row shall be established along Morse Road containing one tree spaced every 30-feet along roadway. Trees shall be planted within the parking setback.
2. Screening from the adjacent public right-of-way shall be provided in the parking setback area along Morse Road. The screening shall consist of a continuous planting hedge, and/or a landscaped earth mound, to a minimum three feet in height and one tree per 40-feet of frontage or fraction thereof. The tree requirement is in addition to the street tree requirement along Morse Road. Trees do not have to be equally spaced but may be grouped. This screening shall not be located within any vision clearance triangle for cars entering or exiting the site.
3. One tree shall be planted for every 10 parking spaces. Trees shall be planted in islands or medians at least five feet wide.
4. The landscape requirements in Item 1 thru 3 may be used to offset the parking lot landscape requirements contained in Chapter 3342 of the Columbus Zoning Code.
5. Mounding shall have a slope of at least 3 to 1 width to height ratio.
6. The developer shall install a row of evergreen trees 20-feet on center on the north side of the northernmost row of self storage buildings on the site and along the east side of the easternmost self storage building for a distance of 100 feet from the northeast corner of the site. If the site is developed with a use other than self storage the developer shall either place a building along the 50 feet north property line setback or in the areas where there is no building, install a six foot high wood fence along with the evergreen buffer mentioned above. The developer shall maintain the existing vegetation within the setback area along the north property line subject to sound forestry practices, to the installation of the required evergreen buffer and to the 30 foot drainage easement.
7. The developer shall install a six foot high wood fence between the northernmost self storage buildings on the site to limit access to the site if there is a gap between those self storage buildings.
8. The developer shall install temporary fencing along the 40 foot building setback in the area where the evergreen trees are being installed prior to construction.
9. All trees and landscaping shall be well maintained. Dead items shall be replaced within six months or the next planting season, whichever occurs first.
10. All trees meet the following minimum sizes at the time of planting: Shade trees 2 ½" caliper; Ornamental trees 1 ½" caliper; Evergreen trees 5 feet in height. Trees caliper is measured six (6) inches from the ground.

D. Building design and/or Interior-Exterior treatment commitments.

1. Any mechanical equipment or utility hardware on the roof of a building shall be screened from view to prevent the equipment from being visible from the property line of the parcel. Ground mounted mechanical or utility equipment shall be fully screened from view from ground level by landscaping or any fence or wall utilizing comparable and compatible materials as the building materials.
2. Bike racks will be provided to accommodate the City of Columbus's Healthy Places program to encourage physical fitness and non motorized means of transportation.

E. Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments.

1. Light Standards shall not exceed 20-feet in height except for those light poles which are within 100 feet of residentially zoned property which shall have a maximum height of 18-feet.
2. All lights shall have fully shielded, recessed lamps directed downward to prevent glare and shine above the horizontal plane.
3. For aesthetic compatibility, lights shall be from the same or similar type and color. In parking lots, lighting shall be placed in raised islands or medians to protect both lights and vehicles from damage.
4. Notwithstanding the above requirements the building may be illuminated by light fixtures, which are attached to the light poles in the parking lot.
5. Wiring within the development shall be underground.
6. Wall pac style lighting on the self storage facility shall be shielded so that the light shines downward.

F. Graphics and Signage commitments.

1. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the C-4 Commercial District and any variance to the sign requirements shall be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous commitments.

1. At the time of development the developer shall install a sidewalk along its Morse Road frontage.
2. Operating hours for the self storage facility and for any trash pick-up shall be limited to 6:00 a.m. to 10:00 p.m.
3. All commercial vehicles shall be parked behind the security fence.

**SECTION 4.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

# City RFPs, RFQs, and Bids

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

**CITY OF COLUMBUS FORMAL BID OPPORTUNITIES ARE UPDATED INSTANTLY AT:**  
<http://finance.columbus.gov/AboutUs/Purchasing/VSFB.asp>

Each proposal shall contain the full name and address of every person, firm or corporation interested in the same, and if corporation, the name and address of the President and Secretary.

**EQUAL OPPORTUNITY CLAUSE:** Each responsive bidder shall submit, with its bid, a contract compliance certification number or a completed application for certification. Compliance with the provisions of Article I, Title 39, is a condition of the contract. Failure to comply with this Article may result in cancellation of the contract.

**WITHHOLDING OF INCOME TAX:** All bidders are advised that in order for a contract to bind the City, each contract must contain the provisions found in Section 361.34 C.C.C. with regard to income taxes due or payable to the City of Columbus for wages, salaries and commissions paid to the contractor's employees as well as requiring those contractors to ensure that subcontractors withhold in a like manner.

**DELINQUENT PERSONAL PROPERTY TAX:** All bidders are charged with notice of Section 5719.042 of the Ohio Revised Code and agree that if this contract is awarded to them, the successful bidder, prior to the time the contract is entered into, will submit to the City Auditor the affidavit required by said section of the Ohio Revised Code. Said affidavit, when filed with City Auditor, is thereby incorporated into and made a part of this contract and no payment shall be made with respect to this contract unless such statement has been so incorporated as a part thereof.

**LOCAL CREDIT:** For all contracts EXCEPT PROFESSIONAL SERVICE CONTRACTS: In determining the lowest bid for purpose of awarding a contract not exceeding \$20,000.00, a local bidder shall receive a credit equal to five percent (5%) of the lowest bid submitted by a non-local bidder. In determining the lowest bid for purposes of awarding a contract in excess of \$20,000.00, a local bidder shall receive a credit equal to one percent (1%) or \$10,000.00, whichever is less, of the lowest bid submitted by a non-local bidder. A local bidder is a person, corporation or business which (a) has listed its principal place of business as being located within the corporation limits of the City of Columbus or the County of Franklin in official documents filed with Secretary of State, State of Ohio, or a valid vendor's license which indicates its place of business is located within the corporation limits of the City of Columbus or County of Franklin.

FOR COPIES OF ANY OF THE FOLLOWING BID PROPOSALS CALL THE LISTED DIVISION

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

BID OPENING DATE - March 18, 2009 12:00 am

SA003221 - ON-LINE SALE/FIRE EQUIP/ASSET AUCTIONS

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

THERE WILL BE AN ON-LINE AUCTION OF SURPLUS CITY OF COLUMBUS FIRE ENGINES, LADDER TRUCK AND RESCUE MEDIC TRUCKS. INTERESTED BIDDERS ARE DIRECTED TO GO ON-LINE TO [WWW.ASSET-AUCTIONS.COM](http://WWW.ASSET-AUCTIONS.COM). BIDDING WILL OPEN ON MARCH 4, 2009 AND WILL CLOSE AT VARIOUS TIMES ON MARCH 18, 2009.  
ORIGINAL PUBLISHING DATE: March 04, 2009

SA003224 - TEST AN INSPECT SERV. FOR DIV OF CONSTR

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: The City of Columbus, Public Service Department is receiving proposals until 1:00 P.M. March 18, 2009, for the TESTING AND INSPECTION SERVICES FOR THE DIVISION OF DESIGN AND CONSTRUCTION. Proposals are being received by Department of Public Service, Office of Support Services, 109 N. Front St., Room 301, Columbus, OH 43215.

Project overview: The work shall be to provide Materials Testing and Inspection Services for various public and private construction projects for the period beginning approximately April 1, 2009, through March 31, 2010. The contract may be extended for two (2) additional one (1) year periods if mutually agreed upon in writing by both parties and approved by City Council. The primary services include performing batch plant inspections at various Ready-Mixed Concrete and Hot-Mixed Asphalt plants. Secondary services include laboratory testing of soils, aggregates, and various construction materials. If workload warrants, and with adequate advance notice, the scope could include providing temporary field support personnel for onsite Inspection Services and providing assistance to the Survey Section. Subsurface investigation services could be requested on a project per project basis.

Refer to the City of Columbus Material Specifications 2002 for additional requirements.  
<http://pubserv.ci.columbus.oh.us/transportation/2002SpecBook/index.htm>

A listing of the specifications and deliverables are available in the attached document. Click 'continue' on the first web page of the solicitation and click on the bid packet.

1.2 Classification: Interested firms may request a copy of section F the RFP via e-mail from [capitalprojects@columbus.gov](mailto:capitalprojects@columbus.gov), Subject: Request for TESTING AND INSPECTION SERVICES. The full RFP can be downloaded from the web site. Firms wishing to submit a proposal must meet the mandatory requirements stated in the RFP. Each offeror shall submit with its proposal an active City of Columbus Contract Compliance Certification Number, or a completed application for certification. All bidders/offerors and subcontractors that do not have (1) an application in their bid/proposal(s) to secure a contract compliance number, or (2) a valid contract compliance number at the time the bid is submitted will be deemed non-responsive and will not be considered. Expired contract compliance numbers will be given seven (7) business days to update their contract compliance information. If information has not been updated after seven (7) business days the bid/proposal will be deemed non-responsive and will no longer be considered.

All questions concerning the RFP are to be sent to [capitalprojects@columbus.gov](mailto:capitalprojects@columbus.gov). The last day to submit questions is March 11 2009. Responses will be posted on the Vendor Services web site as an addendum and an e-mail will be sent to each firm requesting section F of the RFP. Phone calls will not be accepted.

For additional information concerning this bid go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov/e-proc/>) and view this solicitation number in the "open solicitations" listing.

Additional information:

It is highly recommended that proposals are hand delivered and not mailed as US Mail is not delivered directly to this building.

ORIGINAL PUBLISHING DATE: March 06, 2009

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA003175 - SOQ Building Improvements Project

SCOPE: The City of Columbus Department of Public Utilities, Division of Power and Water is receiving statement of qualifications (SOQ's) for the Division of Power and Water 910 Dublin Road Administrative Building and 3568 Indianola Avenue Building Improvements Project. The work, for which the SOQ's are invited, consists of professional engineering design for the building improvement project.

Four (4) copies of the SOQ are to be submitted by 3:00 PM (Local Time) on Wednesday, March 18, 2009 to Mr. Richard Westerfield, P.S. Ph. D Administrator Division of Power and Water, 910 Dublin Road, Room 3004, Columbus OH 43215

CLASSIFICATION: There is not a Pre-Bid Conference for this request. Prevailing wage rates do not apply. There are no bonds required as part of this request.

For additional information concerning this request, including procedures for obtaining a copy of the request for statement of qualifications and how to submit for the SOQ, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: March 04, 2009

SA003167 - CIP #650350.2 Corrosion Prevention & Pro

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SCOPE: The City of Columbus, Ohio is soliciting Request for Proposal (RFP) pursuant to Columbus City Code 329.14 from experienced professional consulting firms to assist the Department of Public Utilities with Corrosion Prevention and Protective Coating Systems (CIP No. 650350.2).

The final date for submission is 4:00 p.m. (EST) on March 18, 2009. Proposals shall be submitted in a sealed envelope (or envelopes) to Herbert M. Johanson, P.E. Assistant Administrator, Division of Sewerage and Drainage 1250 Fairwood Avenue Room 1022, Columbus OH 43206.

Information disc will be available beginning January 14, 2009. There is no charge for these discs and they may be obtained at Division of Sewerage and Drainage, Treatment Engineering Section, 1250 Fairwood Avenue Room 0004, Columbus OH 43206.

The City of Columbus operates the Southerly Wastewater Treatment Plant at 6977 South High Street, Lockbourne, Ohio 43137. It has been determined that the Protective Coatings on many structures, buildings and process items therein are in need of rehabilitation. This RFP is intended to implement a study of the various areas of the Southerly Wastewater Treatment Plant to determine the specific areas, structures and process items in need of attention, to determine the procedures necessary to rehabilitate the same and to determine the steps necessary to inhibit the deterioration in the future

CLASSIFICATION: A Pre-Proposal meeting is scheduled for February 11, 2009 at 10:00 AM at the Division of Sewerage and Drainage, Treatment Engineering Section, 1250 Fairwood Avenue Room 0004, Columbus OH 43206. There are no bond requirements for this RFP.

QUESTIONS: All questions regarding the details and specifications of the RFP shall be in writing Mr. Robert Smith, P.E. at [RMSmith2@columbus.gov](mailto:RMSmith2@columbus.gov)

For additional information concerning this request, including procedures for obtaining a copy of the of the RFP, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: January 28, 2009

BID OPENING DATE - March 19, 2009 11:00 am

SA003200 - TRAFFIC PEDESTRIAN SIGNAL EQUIPMENT UTC

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.0. SCOPE AND CLASSIFICATION:

1.1. Scope: The City of Columbus is seeking bids for Traffic Pedestrian Signal Equipment for use in traffic signal installations along roadways throughout the City of Columbus. It is the intent to issue a "firm offer for sale" blanket type contract(s). The contract(s) shall be in effect from and after its execution by the City to and including May 31, 2011.

1.2. Classification: Equipment to be purchased shall be LED Pedestrian Signal Modules with and without the Countdown feature, Pedestrian Signal Housings, Pedestrian Push Buttons, and Mounting Hardware.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: February 19, 2009

SA003208 - Preformed Heat-fused Thermoplastic UTC

1.0. SCOPE AND CLASSIFICATION

1.1. SCOPE. It is the intent of this bid proposal to provide for all agencies of the City of Columbus, a "firm offer for sale" blanket type contract(s) for the purchase of preformed, heat-fused pavement marking materials and the equipment used for installation. The term of this contract will be for through December 31, 2010.

1.2. CLASSIFICATION. The specifications describe materials and items of equipment that will be used to install durable, retro reflective preformed heat-fused thermoplastic pavement markings upon city streets and roadways. All preformed heat-fused thermoplastic pavement marking materials shall comply with section 740.08 of the current edition of the Ohio Department of Transportation Construction and Material Specifications for Type-A125, 125 mil thickness (3.18 mm) or Type-B125, 125 mil thickness (3.18 mm) material.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: February 24, 2009

SA003218 - FLEET/AFTERMARKET BOAT PARTS

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: It is the intent of the City of Columbus to obtain formal bids to establish a UTC option contract(s) with a "Catalog" firm offer for sale of various Aftermarket Boat Parts, Supplies and Accessories for the Fleet Management Division. The City may purchase any item(s) or group of like item(s) in the catalog and/or price list from the successful bidder after a purchase order is issued. The City estimates it will spend approximately twenty-five thousand dollars (\$25,000.00) annually under the terms of the resulting contract(s) through October 31, 2011.

1.2 Classification: The bidder shall submit its standard published catalog(s) and/or website which must identify all parts available. The contract(s) resulting from this bid proposal will provide for the option of the purchase and delivery of Aftermarket Boat Parts, Supplies and Accessories for various City boats per bid document.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: March 03, 2009

SA003225 - LAND REDEVELOPMENT - LAWN CARE SERVICES

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SCOPE AND CLASSIFICATION

1.1 Scope: It is the intent of the City of Columbus, Department of Development, Land Redevelopment Office, to obtain bids to establish a contract for all labor, materials and equipment necessary to provide lawn care services for city owned parcels consisting of both vacant lots and land with structures. This contract will commence with the 2009 cutting season and extend through December 31, 2009.

1.2 Classification:

1.2.1 Proximity: All bidders must demonstrate (by means of providing the information requested herein) the ability and means to respond to the specifications within the response times stated.

1.2.2 Bid Structure: Bidders are requested to submit a 1) minimum charge, as well as, 2) per acre pricing and a 3) price per linear foot for fence line trimming. The Service areas have been divided into four (4) geographic areas throughout the city. Pricing is to be provided per zone for each category. Bidder is to take notice that the City makes no warranties or representations that the estimate quantity, or any quantity at all, will be ordered by the City, even though bidder's proposal is accepted by the City and a firm offer for sale executed.

1.2.3 Bidder Qualifications: Bidders are required to submit documentation stating their experience in contracts with this scope of service. A minimum of three years experience in contracts of similar size is required.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov> <<http://vendorservices.columbus.gov/>> ) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: March 06, 2009

SA003215 - MINNESOTA AVENUE IMPROVEMENTS

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: The City of Columbus, Department of Public Service, is receiving proposals until 3:00 P.M., March 19, 2009, for Minnesota Avenue Improvements, 1938 Drawer E. Proposals are being received at Department of Public Service, Office of Support Services, 90 W. Broad St., Room 301, Columbus, OH, 43215. The scope of the project shall consist of full depth pavement replacement, curb and gutter, sidewalks, curb ramps, water line replacement, street lighting, drainage improvements and other work as necessary. The contract duration is 120 days. The City will issue a Notice to Proceed on or about May 18, 2009.

1.2 Classification: Prevailing wage rates apply. The bidder is required to submit a proposal bond in the form provided in the Bid Submittal documents. The amount of the guaranty shall be expressed in dollars and cents or as a percentage of the bid amount, and shall not be less than ten (10) percent of the bid, including all alternates submitted which increases the bid. Each offeror shall submit with its proposal an active City of Columbus Contract Compliance Certification Number, or a completed application for certification. Plans can be purchased at 109 N. Front St, Room 301 for \$25.00 for half size plans and \$50.00 for full size plans]. A pre-bid meeting will be held at 8:00am on March 10, 2009 at 1800 E. 17th Ave. All questions concerning the project are to be sent to [capitalprojects@columbus.gov](mailto:capitalprojects@columbus.gov). The last day to submit questions is March 11, 2009. Responses will be posted on the Vendor Services web site as an addendum and an e-mail will be sent to each firm who purchased plans. Phone calls will not be accepted.

For additional information concerning this bid go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov/e-proc/>) and view this solicitation number in the "open solicitations" listing.

Additional information:

It is highly recommended that proposals are hand delivered and not mailed as US Mail is not delivered directly to this building.

ORIGINAL PUBLISHING DATE: February 28, 2009

BID OPENING DATE - March 25, 2009 3:00 pm

SA003199 - 7220 CIRCUIT CONVERSION N HIGH ST PH 2

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SCOPE: Sealed Proposals will be received by the Director of Public Utilities of the City of Columbus, Ohio, at the office of the Director of Public Utilities, 910 Dublin Road, Room 4002, 4th Floor, Columbus, Ohio 43215, until 3:00 p.m. Local Time, on Wednesday, March 25, 2009, and publicly opened and read at that hour and place in the first floor auditorium for the following project: 7220 CIRCUIT CONVERSION ON NORTH HIGH STREET FROM ARCADIA AVENUE TO GLENCOE ROAD (PHASE 2).

The work for which proposals are invited consists of installing 7392 circuit feet of aerial 15KV, 556 KCMIL spacer conductor with one-half (1/2") messenger on existing AEP poles (69), MELP poles (3) including associated pole line hardware and such other work as may be necessary to complete the contract in accordance with the plans and specifications. All work shall be completed within 270 calendar days from the date of the Notice to Proceed.

CLASSIFICATION: There is no Pre-Bid Conference for this bid. Prevailing wage rates apply. A 10% (ten percent) proposal bond and a 100% (one hundred percent) performance bond are required for this bid.

Plans are \$25.00 per set (non-refundable).

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing  
ORIGINAL PUBLISHING DATE: February 14, 2009

SA003214 - CIP 650726: NW Alum Creek Area Sanitary

**THE CITY BULLETIN**  
**BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS**

SCOPE: The City of Columbus, Department of Public Utilities, Division of Sewerage and Drainage is receiving bids for CIP 650726: NORTHWEST ALUM CREEK AREA SANITARY WET WEATHER RENOVATIONS. Sealed bids will be received by the Director of Public Utilities of the City of Columbus at the office of the Director of Public Utilities, 910 Dublin Road, Room 4002, Columbus, Ohio 43215 until 3:00 p.m., Local Time on Wednesday, March 25, 2009, and publicly read at that hour in Department of Public Utilities Complex 910 Dublin Road, 1st Floor Auditorium, Columbus, OH 43215.

The work for which proposals are invited consists of the installation of four design sewer reliefs (DSRs) which involves the replacement of approximately 24' of 12-inch diameter, 18' of 15-inch diameter and 42' of 20-inch diameter sanitary relief sewer, installation of 1 new manhole, reconstruction of 7 manholes, replacement of 4 flap gates and such other work as may be necessary to complete the contract in accordance with the plans and specifications. All work shall be completed within 90 days.

CLASSIFICATION: Prevailing wage rates apply. A 10% (ten percent) proposal guaranty (proposal bond or certified check) and a 100% (one hundred percent) performance and payment bond are required for this bid. The Contract Documents, bid book and digital plan sets (CD-ROM) are available at the Division of Sewerage and Drainage, Sewer System Engineering Section, Room No. 1021A, 1250 Fairwood Avenue, Columbus, Ohio 43206-3372. Bid packets will be available beginning February 25, 2009. The first set is available to prospective bidders at no cost with the second and subsequent sets available at a cost of \$25.00 per set on a no-refund basis. No partial units will be released.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.  
ORIGINAL PUBLISHING DATE: February 26, 2009

SA003216 - HAP CREMEAN LAGOON #2 EMBANKMENT

**THE CITY BULLETIN**  
**BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS**

SCOPE: Sealed proposals will be received by the Director of Public Utilities of the City of Columbus, Ohio at the office of the Director of Public Utilities, 4th Floor, 910 Dublin Road, Columbus, Ohio 43215, until 3:00 P.M. local time, on March 25, 2009 and publicly opened and read at the hour and place for construction of the HAP CREMEAN WATER PLANT, LAGOON No. 2 EMBANKMENT MODIFICATIONS, Contract No. 1030 - PART 3, Project No. 690331.

The work for which proposals are invited consists of furnishing of all materials; equipment and labor necessary to provide CONSTRUCTION OF EARTH EMBANKMENTS AND CONCRETE WEIR STRUCTURES, and such other work as may be necessary to complete the contract in accordance with the plans and specifications.

Copies of the Contract Documents are on file in the office of the Water Supply & Treatment Coordinator, Water Supply, Utilities Complex, 2nd Floor, 910 Dublin Road, Columbus, Ohio 43215, Phone (614-645-7100) and at the office of ms consultants, inc., 2221 Schrock Road, Columbus, Ohio 43229 (Phone: 614-898-7100) and are available there on or after March 2, 2009. Copies of the contract documents are available to prospective bidders through the office of ms consultants, inc. upon payment of \$100.00 per set (which includes overnight shipping costs), none of which will be refunded. Checks for Contract Documents shall be made payable to ms consultants, inc.

Proposals must be submitted on the proper forms contained in the Bid Submittal Documents and the Bid Submittal Documents containing the Proposal must be submitted IN THEIR ENTIRETY in a sealed envelope marked Bid for:

HAP CREMEAN WATER PLANT  
LAGOON No. 2 EMBANKMENT MODIFICATIONS  
CONTRACT NO. 1030 - PART 3, PROJECT NO. 690331

The City of Columbus Contact person for this project is Michael Hurd of the Division of Power and Water (Water) Technical Support Section, Phone (614) 645-7100, MJHurd@columbus.gov .

The Bidders planning to conduct investigations of subsurface conditions per CMSC Section 102.05 may do so March 9, 2009 at 11:00 a.m. Due to security constraints at the Plant, this will be the only opportunity for Bidders to examine the site and make investigations. The Bidders must pre-register with ms consultants, inc. at the phone number above by 4:00 p.m. March 6, 2009. Responses shall include the name and affiliation of each person attending and whether the Bidder intends to mobilize equipment to make subsurface investigations. Bidders attending will be responsible for supplying their own personal protective equipment. Only those individuals pre-registered will be allowed to attend the Contractor Site Investigation on March 9, 2009. Substitution of personnel will not be permitted.

CLASSIFICATION: There is a Pre-Bid Conference for this bid. Prevailing wage rates apply. A 10% (ten percent) proposal bond and a 100% (One hundred percent) performance bond are required for this bid. Bid documents will be available beginning Monday March 2, 2009. Subsurface data was obtained for project design purposes. Copies of the report are available upon execution of the subsurface information release form.

OHIO AND U.S. EPA MBE/WBE FAIR SHARE UTILIZATION REQUIREMENTS: This project is a candidate for receiving assistance from the Water Supply Revolving Loan Account. All responsive bidders shall complete the required Subcontractor Utilization and Certification forms provided within the Contract

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

Proposal.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing. From the solicitation listing, click on the box marked "continue" and open the Bidder's Guide for this additional information.

ORIGINAL PUBLISHING DATE: March 03, 2009

BID OPENING DATE - March 26, 2009 11:00 am

SA003204 - Flygt Pump Parts & Services UTC

1.1 Scope: It is the intent of the City of Columbus, Division of Sewerage and Drainage to solicit bids to establish an option contract(s) for the purchase of OEM Flygt Pump and Mixer Parts and Service. The parts will be used for maintenance and repair of Flygt systems within the City's two (2) wastewater treatment plants. Bidders are asked to bid firm or fixed prices for those items listed as a quantity of one (1) each. The City estimates it will spend approximately \$200,000.00 annually under the term of any resulting contract. The proposed contract will be for a two (2) year period from the date of execution by the City to and including August 31, 2011.

1.2 Classification: The Division of Sewerage and Drainage uses ITT Flygt equipment that requires replacement parts and services. The contract resulting from this proposal will enable the Division of Sewerage and Drainage to purchase replacement parts and services on as needed basis for the term of the contract. The City will provide all installation requirements, however, bidders are asked to bid hourly service pricing. Bidders must be an authorized provider of ITT Flygt parts and services. The City of Columbus reserves the right to verify through ITT Flygt that companies are authorized providers.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: February 25, 2009

SA003206 - LONGITUDINAL CHANNELIZER UTC

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.0. SCOPE AND CLASSIFICATION

1.1. SCOPE. It is the intent of this bid proposal to provide for all agencies of the City of Columbus a "firm offer for sale" blanket type contract(s) for the purchase of longitudinal channelizer and equipment needed for installation. The term of this contract will be for through December 31, 2010.

1.2. CLASSIFICATION. The specifications describe materials and items of equipment that will be used to install raised delineation with reboundable posts and retro reflecting elements upon City streets and roadways.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: February 20, 2009

SA003213 - Sewers-Precast Concrete Pipe UTC

1.1 Scope: It is the intent of the City of Columbus, Division of Sewerage and Drainage, Sewer Maintenance Operations Center, 1250 Fairwood Avenue, to enter into a Universal Term contract for Pre-Cast Concrete Pipe to be used for various sewer repair and replacement projects. Bidders are asked to bid firm or fixed prices on the items listed on the Proposal Pages as a quantity of one (1) each. It is estimated that the Division of Sewerage and Drainage will spend approximately \$30,000.00 annually from this contract. The proposed contract will be in effect for a period of two (2) years from the date of execution by the City to and including May 31, 2011.

1.2 Classification: Product standards will be in accordance with the latest edition A.S.T.M. specifications and with the latest edition of the City of Columbus Construction and Material Specifications. Only bids utilizing manufacturers approved by the City of Columbus, Division of Transportation, Testing Section will be considered.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: February 25, 2009

SA003217 - POLICE/ROAD FLARES (FUSEES) UTC

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.0 SCOPE AND CLASSIFICATION

1.1 Scope: The City of Columbus, Division of Police is obtaining bids to establish a Universal Term Contract for the purchase of spikeless road flares (fusees) used as a traffic/highway emergency signal to warn approaching traffic of danger. The flares will be purchased on an as-needed basis and will be delivered to 1250 Fairwood Avenue, Columbus, Ohio 43206, or any City agency if needed. It is anticipated that the estimated annual expenditure will be \$30,000.00 annually.

1.2 Classification: Spikeless fusees/flares shall consist of a paper tube containing a chemical mixture which burns with a red light for a specified period of time. Flares will be purchased by the case. Historically, the Division of Police has ordered one-half of the estimated annual quantity twice during the year, once in late winter and once in early fall, although it is not guaranteed the flares will be purchased in this exact manner.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: March 06, 2009

BID OPENING DATE - April 2, 2009 11:00 am

SA003211 - PURCHASE OF PHARMACEUTICALS/FIRE UTC

1.1 Scope: The City of Columbus, Division of Fire, seeks to establish a Universal Term contract for the purchase of pharmaceuticals on an as needed basis for use by EMS personnel. An estimated \$350,000.00 will be spent on this contract annually. The contract may be utilized by various City agencies and deliveries will be made to the respective agency's location on an as needed basis. The contract will be in effect from the date of execution through August 31, 2012.

1.2 Classification: Pharmaceuticals to be bid on include: Lidocaine Jelly, Dextrose 50%, Adenosine, Atropine, Atropine High Dose, Baby Aspirin 81 UD, Benadryl, Magnesium Sulfate, Nitro Spray, Ipratropium, Ondansetran, Dopamine, Epinephrine; Glucagen, Narcan, Vasopressin, Sodium Chloride, Albuterol INH, Reactose, Sodium Bicarb, Sodium Thiosulfate, Furosemide, Saline, Amiodarone, Children's Tylenol, Bacitracin Ointment, Accu-Checks/ Comfort Curve, Promethazine, Tetracaine, Nitro Paste, Vecuronium.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: February 25, 2009

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA003226 - High-Skid Pavement Marking Material UTC/

1.0. SCOPE AND CLASSIFICATION

1.1. SCOPE. It is the intent of this bid proposal to provide for all agencies of the City of Columbus, a "firm offer for sale" blanket type contract(s) for the purchase of standard or high-skid resistant preformed pavement markings for asphalt or Portland cement concrete surfaces that is applied by heat or cold application and the equipment used for installation. The term of this contract will be for through December 31, 2010. Annual expenditure for this contract is estimated to be \$50,000.00.

1.2. CLASSIFICATION. The material will be durable preformed high skid resistant, heat-fused, and cold applied pavement markings to be installed on City streets and roadways.

All Reflectance data must be submitted with all bids. The bidder may be required to provide standard certifications for proposed equipment and materials required for installation in accordance with the manufacturer's recommendations. Preference will be given to products that do not contain hazardous materials listed under 40 CFR, part 261.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.  
ORIGINAL PUBLISHING DATE: March 12, 2009

BID OPENING DATE - April 7, 2009 1:00 pm

SA003223 - OCM-CONSTRUCTION OF NEW IMPOUND LOT

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ADVERTISEMENT FOR BIDS

CONSTRUCTION OF A NEW IMPOUND LOT ADMINISTRATION BUILDING AND STORAGE BUILDING FOR THE DIVISION OF POLICE AND THE PARKING VIOLATIONS BUREAU LOCATED AT 2700, 2720 IMPOUND LOT ROAD, COLUMBUS, OHIO 43207

1.1 Scope: It is the intent of the City of Columbus, Department of Finance and Management, Office of Construction Management, to obtain formal bids to establish a contract for CONSTRUCTION OF A NEW IMPOUND LOT ADMINISTRATION BUILDING AND STORAGE BUILDING FOR THE DIVISION OF POLICE AND THE PARKING VIOLATIONS BUREAU LOCATED AT 2700, 2720 IMPOUND LOT ROAD, COLUMBUS, OHIO 43207. Work to be completed within 425 calendar days upon notification of award of contract.

1.2 Classification: Construction of a 16,858 square feet Administration building and construction of a 7,800 square feet storage building that the City of Columbus Division of Police and the Parking Violations Bureau will occupy. These buildings are designed to be placed on 27 acres of property and to accommodate 3,700 vehicles. Construction services will include general construction, site excavation, HVAC, plumbing, electrical, fire alarm, security and any items or service that is needed to construct these facilities. These buildings are to be LEED certified and must adhere to these said requirements. There will be a pre-bid meeting on Thursday, March 19, 2009 at 10:00 a.m. at the City of Columbus Police Training Academy located at 1000 Hague Avenue, Columbus, Ohio 43204, Room 104. There will also be a site visit on Thursday, March 26, 2009 at 10:00 a.m. located at 1700 Impound Lot Road. (Please see attached map in the City of Columbus specifications.) This is a prevailing wage project. A 10% proposal bond/100% performance bond required. All questions and concerns pertaining to the plans and specifications shall be directed in writing to the Architect: Mull and Weithman Architects to the attention of B.J. Mull via fax (614-267-6978) or email (bjm@mw-architects.com) only prior to Tuesday, March 31, 2009 by 2:00 p.m. Addendums will be issued accordingly. The budget estimate for this project including funds for contingency, allowances and alternates is \$7,100,000.00.

Copies of said Bid Documents may be purchased at DC Reprographics located at 1072 West Fifth Avenue, Columbus, Ohio 43212 beginning Monday, March 9, 2009 at a non-refundable fee of \$220.00 per set. Contact DC Reprographics via phone (614) 297-1200, fax (614) 297-1300 or the internet at ([www.dcreprographics.com](http://www.dcreprographics.com)). A plan holder's list will be published via the internet site.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.  
ORIGINAL PUBLISHING DATE: March 06, 2009

BID OPENING DATE - April 9, 2009 11:00 am

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA003197 - Sewers-Line Locating Equipment UTC

1.1 Scope: It is the intent of the City of Columbus, Division of Sewerage and Drainage to obtain formal bids to establish a Universal Term Contract (UTC/Blanket Type) for the purchase of Line Locating Equipment and Accessories for use by the Line Locating Section. The equipment is used for locating water, sewer and power lines. It is estimated that \$45,000.00 will be spent annually on this contract. The proposed contract shall be in effect for two (2) years from the date of execution by the City to and including June 30, 2011.

1.2 Classification: The contract(s) resulting from this bid proposal will provide for the purchase of Fisher Labs Ferrous/Non Ferrous Metal Detectors (Model FP ID 2100) with carrying case or an approved equal; and, the purchase of Rycom Instruments/Cable Pipe and Fault Locators (Model 8879-RF/CP) with carrying case or an approved equal and Flexible/Rigid Couplers.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: March 12, 2009

SA003219 - Sewers - Isco Equipment & Services UTC

1.1 Scope: The City of Columbus, Division of Sewerage and Drainage, Pre-Treatment Section is obtaining bids to establish a contract for the purchase of Teledyne Isco Wastewater Monitoring Equipment, Service and Consumables for use in the monitoring of industrial wastewater. It is estimated that \$45,000.00 will be spent annually on this contract. The proposed contract shall be in effect from the date of execution by the City to and including September 30, 2011.

1.2 Classification: This bid proposal and the resulting contract will provide for the purchase of Teledyne Isco Wastewater Bubbler Flow Meters, Model 4230; Teledyne Isco Wastewater Samplers, Model 3700; Nickel Cadmium Battery for Teledyne Isco Samplers 60-1684-040, Model 934; five station battery charger for use with Teledyne Isco Samplers 68-3000-965, Model 965, on as needed basis. Bidders are asked to quote on service per hour rate, equipment and percentage discount off list price for consumables. Furthermore, bidders are asked to submit a price list for consumables with prices that include any percentage discount already calculated into the price.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: March 04, 2009

# Public Notices

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The link to the **Columbus City Health Code** pdf shall constitute publication in the City Bulletin of changes to the Columbus City Health Department's Health Code. To go to the Columbus City Health Code, click [here](#) (pdf).

The Columbus City Code's "**Title 7 -- Health Code**" is separate from the Columbus City Health Code. Changes to "Title 7 -- Health Code" are published in the City Bulletin. To go to the Columbus City Code's "Title 7 -- Health Code," click [here](#) (html).

**City of Columbus  
City Bulletin Report**

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

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**Legislation Number:** PN0002-2009

**Drafting Date:** 12/26/2008

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Title OFFICIAL NOTICE  
CIVIL SERVICE COMMISSION  
COMPETITIVE EXAMINATION ANNOUNCEMENTS**

**Notice/Advertisement Title:** Civil Service Commission Notice

**Contact Name:** Annette Bigham

**Contact Telephone Number:** 614.645.7531

**Contact Email Address:** eabigham@columbus.gov

**Body**

OFFICIAL NOTICE  
CIVIL SERVICE COMMISSION  
COMPETITIVE EXAMINATION ANNOUNCEMENTS

APPLY ON-LINE 24 HOURS A DAY, 7 DAYS A WEEK OR APPLY IN PERSON 9:00 A.M. to 4:00 P.M. MONDAY, WEDNESDAY or THURSDAY.

The Civil Service Commission continuously administers competitive examinations. Information regarding examinations, for which the Civil Service Commission is currently accepting applications, is located on our website at [www.csc.columbus.gov](http://www.csc.columbus.gov) <<http://www.csc.columbus.gov>> and is also posted at the Commission offices located at 50 West Gay Street, 6th Floor, Columbus, Ohio. Please note that all visitors to the Beacon Building are required to produce a picture ID, authenticating their identity, in order to visit the applications area. Applicants interested in City jobs should check our website or visit the Commission offices.

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**Legislation Number:** PN0034-2009

**Drafting Date:** 10/02/2008

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** 2009 Meeting Schedule - City of Columbus Records Commission

**Contact Name:** Toya Johnson, Records Commission Coordinator

**Contact Telephone Number:** 645-7293

**Contact Email Address:** tjjohnson@columbus.gov

**Body**

**CITY BULLETIN NOTICE  
MEETING SCHEDULE  
CITY OF COLUMBUS RECORDS COMMISSION**

The regular meetings of the City of Columbus Records Commission for the calendar year 2009 are scheduled as follows:

**Monday, February 2, 2009**

**Monday, May 4, 2009**

**Monday, September 21, 2009**

These meetings will take place at: City Hall, 90 West Broad Street, 2nd Floor, in the City Council Conference Room (226). They will begin promptly at 10:00 am.

Every effort will be made to adhere to the above schedule, but the City of Columbus Records Commission reserves the right to change the date, time or location of any meeting; or to hold additional meetings. To confirm the meeting date, time and locations or to obtain agenda information, contact the Office of the City of Columbus Records Commission Coordinator at (614) 645-7380.

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**Legislation Number:** PN0042-2009

**Drafting Date:** 02/13/2009

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Public Notice**

**Notice/Advertisement Title:** Collection of Delinquent Debt

**Contact Name:** Dan Hanket

**Contract Telephone Number:** (614) 645-3753

**Contract E-mail:** [DJHanket@columbus.gov](mailto:DJHanket@columbus.gov) <<mailto:DJHanket@columbus.gov>>

**Body**

**OFFICIAL NOTICE**

**RULES AND REGULATION NO. 09-01**

**BY THE ORDER OF THE**

**DIRECTOR OF PUBLIC UTILITIES**

**Collection of Delinquent Debt**

Pursuant to the Authority granted under Columbus City Codes Chapters 1101, 1145 and 1149, the Director of the Department of Public Utilities hereby adopts, establishes and publishes this rule and regulation to be effective at the earliest date allowed by law.

“In accordance with Ordinance No. 0130-2009, any Department Director, elected Official, or their designee, who is charged with the responsibility of collecting monies owed the City of Columbus, may refer that debt to an outside collection agency and impose the cost of said collection agency services to the delinquent debtor. As the Director of Public Utilities charged with the responsibility of collecting delinquent debt, I intend to impose said fees on delinquent debtors. This rule will become effective as of April 1, 2009”.

By Order Of:

Tatyana Arsh, P.E.

Director

Department of Public Utilities

**Legislation Number:** PN0053-2009

**Drafting Date:** 02/20/2009

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Sidewalk and Bikeway Facility Requirements

**Contact Name:** Kathleen Dussault

**Contact Telephone Number:** 724-0574

**Contact Email Address:** kedussault@columbus.gov

**Body**

Please see "Sidewalk and Bikeway requirements-Rules and Regulations-BSRC.doc"

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**Legislation Number:** PN0059-2009

**Drafting Date:** 03/02/2009

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** 2009 Recreation and Parks Committee/Administration Committee Meeting Notice

**Contact Name:** Carl Williams

**Contact Telephone Number:** (614) 645-2932

**Contact Email Address:** [CGWilliams@columbus.gov](mailto:CGWilliams@columbus.gov)

**Body**

Council Member Priscilla R. Tyson will host a Recreation and Parks Committee Meeting on the dates listed below. Unless otherwise noted, the meetings will begin at 5:30 P.M. in City Council Chambers, located on the second floor of City Hall, 90 West Broad Street, Columbus, Ohio.

A valid picture ID is needed to enter City Hall. Members of the general public wishing to address the meeting must fill out a speaker slip. These speaker forms will be made available in Council Chambers from 5:30 until 6:00 P.M. on the day of the meeting.

- Thursday, April 16, 2009
- Thursday, May 21, 2009
- Thursday, June 18, 2009
- Thursday, July 16, 2009
- Thursday, September 17, 2009
- Thursday, October 15, 2009
- Thursday, November 19, 2009

*Meeting dates and times subject to change*

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**Legislation Number:** PN0060-2005

**Drafting Date:** 02/23/2005

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Published Columbus City Health Code

**Contact Name:** Richard Hicks

**Contact Telephone Number:** 654-6189

**Contact Email Address:** rickh@columbus.gov

**Body**"The Columbus City Health Code is updated and maintained by the Columbus Health Department. To view the most current City Health Code, please visit:

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**Legislation Number:** PN0060-2009

**Drafting Date:** 03/02/2009

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Columbus Art Commission Meetings

**Contact Name:** Lori Baudro

**Contact Telephone Number:** 614-645-6986

**Contact Email Address:** lsbaudro@columbus.gov

**Body**

**Public Hearings -- Columbus Art Commission**

The Columbus Art Commission is scheduled to hold two meetings in March 2009:

- Ø Business Meeting (no applications heard)  
8:30 to 10:30 a.m. on Wednesday, March 11, 2009  
At the King Arts Complex, 867 Mt. Vernon Ave., Columbus OH
  
- Ø Regular Commission Meeting  
6:00 to 8:00 p.m. on Thursday, March 26, 2009  
At the Columbus Health Department room 119-C, 240 Parson's Avenue, Columbus OH

For more information contact: Lori Baudro, AICP at 645-6986 or lsbaudro@columbus.gov

A sign language interpreter will be made available provided the Planning Division has at least 48 hours notice before the meeting. Call 645-6986 to make arrangements.

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**Legislation Number:** PN0062-2009

**Drafting Date:** 03/03/2009

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Two Wheeled Motorized Vehicle Permit Parking Policy and Procedure

**Contact Name:** Keith Keeran

**Contact Telephone Number:** (614) 645-7890

**Contact Email Address:** KDKeeran@columbus.gov

**Body**

Effective March 21, 2009

Pursuant to City Code Chapter 2105.03 the Director of the Department of Public Service hereby adopts, establishes, and publishes these rules and regulations to be effective at the earliest time allowed by law for establishing public parking facilities. As it relates to these rules and regulations, public parking facilities shall mean permit parking areas for two wheeled motorized vehicles.

I. ESTABLISHING TWO WHEELED MOTORIZED VEHICLE PARKING AREAS

- A. Two wheeled motorized vehicle permit parking areas will be established as approved by the Director of Public Service or designee. Such areas will be located in the public right-of-way, public parking lots or public parking garages.
- B. Each parking area may vary by size and parking capacity, depending on conditions at the location.
- C. Each parking area will be designated by parking restrictions signs, as ordered by the Director of Public Service.
- D. Pavement markings designating the limits of the parking area may be applied to the pavement in areas where designated by the Director of Public Service or designee.

## II. IMPLEMENTATION AND OPERATION:

- A. The Director of Public Service will order parking restriction signs to be erected to designate an area for two wheeled motorized vehicle permit parking, with the signs indicating the following:
  - 1. No Parking (Symbol)
  - 2. Except City Permit TW (Words on sign)
  - 3. 8AM-5PM (Time of parking restriction, varies per location)
  - 4. Mon-Sat (Days of week the restriction is in effect, varies per location)
  - 5. Two Wheeled Motorized Vehicle Parking Other Times (Words on sign)
- B. Fees
  - 1. The fee for a permit will be \$50.00 annually with no pro-rating of this fee for partial year usage. This fee is subject to change annually, as approved by the Director of Public Service.
  - 2. Only a registered owner of a two wheeled motorcycle, motor scooter or moped is eligible to purchase a permit.
  - 3. The issuance or renewal of a permit under this policy shall not be granted until all outstanding parking infractions under the city code are paid in full.
- C. Permits
  - 1. Permits for two wheeled motorized vehicle parking are hereby designated "TW".
  - 2. Permit applicants will provide proof of ownership including the name of the owner of the two wheeled motorized vehicle, current residential address, motor vehicle year and make and motor vehicle license number.
  - 3. Only vehicles with a TW parking permit properly displayed are permitted to park in any of the TW permit areas.
  - 4. As proof of ownership and other documentation must be provided in person, permits will only be sold at the Parking Violations Bureau, which is located at 400 West Whittier Street, Columbus, Ohio.

## III. GENERAL PERMIT RULES:

- A. Each TW permit remains the property of the City of Columbus. Improper use may result in the revocation and/or non-renewal of any TW parking permit.
- B. Each TW parking permit issued must display the two wheeled motorized vehicle's license number for which a permit has been issued. The Permit will either be adhered to the front fork of the two wheeled motorized vehicle or the permit can be laminated at the owner's expense and affixed to the center of the handle bars so that it is visible to city enforcement officers.
- C. Permits are not transferable when ownership of a two wheeled motorized vehicle changes.
- D. Lost or stolen TW parking permits will be replaced free of charge only once if issued to the owner of the same license number that the permit was previously issued. A new permit fee must be paid for subsequent permit

replacements.

BY ORDER:

MARK KELSEY, DIRECTOR  
DEPARTMENT OF PUBLIC SERVICE

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**Legislation Number:** PN0063-2009

**Drafting Date:** 03/04/2009

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Rockt Fork-Blacklick Implementation Panel Meeting

**Contact Name:** Kevin Wheeler

**Contact Telephone Number:** 614-645-6057

**Contact Email Address:** kjwheeler@columbus.gov

**Body**

Typically held on the third Thursday of the month with the submittal deadline being 28 days prior, the regular monthly meeting of the Rocky Fork-Blacklick Implementation Panel is scheduled be held on the following date:

Thursday March 19, 2009

Meetings are held at the New Albany Village Hall, 99 West Main Street, New Albany at 7:00 p.m. Copies of the agenda may be obtained by calling 645-6057, or by e-mailing kjwheeler@columbus.gov.

A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Planning Office is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule an interpreter, please call 645-0663 or TDD 645-6802.

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**Legislation Number:** PN0065-2009

**Drafting Date:** 03/04/2009

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Outside Collection of Delinquent Debt

**Contact Name:** Tracey A. Ingram

**Contact Telephone Number:** 614-645-2585

**Contact Email Address:** taingram@columbus.gov

**Body**

"In accordance with Ordinance No. 0130-2009, any Department Director, elected Official, or their designee, who is charged with the responsibility of collecting monies owned the City of Columbus, may refer that debt to an outside collection agency and impose the cost of said collection agency services to the delinquent debtor. As the Director of Human Resources charged with the responsibility of collecting delinquent debt under Section 361.30 of the Columbus City Codes, I intend to impose said fees on delinquent debtors. This rule will become effective as of April 1, 2009".

By Order of:

Chester C. Christie  
Director  
Human Resources

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**Legislation Number:** PN0068-2009

**Drafting Date:** 03/04/2009

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Columbus Board of Adjustments Hearing - 3/24/09

**Contact Name:** David Reiss

**Contact Telephone Number:** 614-645-7973

**Contact Email Address:** djreiss@columbus.gov

**Body**

**AGENDA**

**BOARD OF ZONING ADJUSTMENT**

**CITY OF COLUMBUS, OHIO**

**MARCH 24, 2009**

The Columbus Board of Zoning Adjustment will hold a public hearing on the following applications on **TUESDAY, MARCH 24, 2009 at 6:00 P.M.** in the First Floor Hearing Room of the Building Services Division, 757 Carolyn Avenue.

The Board of Zoning Adjustment hears requests for Special Permits, Appeals and Variances to the requirements of the Columbus Zoning Code, Title 33, of the Columbus City Codes. The Board does not hear applications to amend the Official Zoning Map. Specific case information may be obtained by contacting the Building Services Division, 757 Carolyn Avenue, 645-7314.

**SPECIAL NOTE TO THE APPLICANT:** It is important that you or your representative be present at the public hearing. It is the rule of the Board to dismiss an application when a representative is not present.

**SIGN LANGUAGE INTERPRETER:** An interpreter will be made available for anyone in need of this service. To request an interpreter, please contact the City of Columbus, Building Services Division at 645-4522 at least four (4) hours before the scheduled meeting time.

**THE FOLLOWING CASES WILL BE HEARD BEGINNING AT 6:00 P.M., AFTER ANY APPEAL(S):**

1. **Application No.:** 09310-00007
  - Location:** 1515 WEST 5TH AVENUE (43212), located on the south side of West 5th Avenue, 130± feet east of Fairview Avenue.
  - Area Comm./Civic:** 5th by Northwest Area Commission
  - Existing Zoning:** C-4, Commercial District
  - Request:** Variance(s) to Section(s):  
3342.28, Minimum number of off-street parking spaces required  
To reduce the minimum number of off-street parking spaces required from 12 to 7.
  - Proposal:** To raze and existing barber shop and office building and construct a 2,664 sq. ft. retail store with 308 sq. ft. mezzanine.

**Applicant(s):** Shawn McAllister, Architect  
1679 Old Henderson Rd.  
Columbus, OH 43220

**Property Owner(s):** 1521 West Fifth Avenue, LLC; c/o Chris Cowman  
1440 Harlton Ct.  
Columbus, OH 43221

**Case Planner:** Jamie Freise, 645-6350

**E-mail:** JFFreise@Columbus.gov

**2. Application No.: 09310-00010**

**Location:** **2213 LOCKBOURNE ROAD (43207)**, located at the northwest corner of Lockbourne and Buckeye Park Roads.

**Area Comm./Civic:** Columbus Southside Area Commission

**Existing Zoning:** M-2, Manufacturing District

**Request:** Variance(s) to Section(s):  
3367.15, M-2 manufacturing district special provisions  
To reduce the building line from 50 feet to 25 feet along both street lines.  
3367.29, Storage  
To allow the open storage of materials in advance of the building setback line, to allow such storage 25 feet from the street lines.

**Proposal:** To construct an assembly, storage and distribution facility for galvanized steel highway construction barriers.

**Applicant(s):** Stone Environmental Engineering & Science, Inc.  
748A Green Crest Dr.  
Westerville, OH 43081

**Property Owner(s):** V&S Columbus Galvanizing, LLC  
1000 Buckeye Park Rd.  
Columbus, OH 43207

**Case Planner:** Jamie Freise, 645-6350

**E-mail:** JFFreise@Columbus.gov

**3. Application No.: 09310-00015**

**Location:** **1440 MERTON DRIVE (43229)**, located at the northeast corner of Merton Drive and Glendon Road.

**Area Comm./Civic:** Northland Community Council

**Existing Zoning:** SR, Suburban Residential District

**Request:** Variance(s) to Section(s):  
3332.27, Rear yard  
To reduce the minimum rear yard required from 25% of the total lot area to 21%.

**Proposal:** To construct an 8' X 18' sunroom addition in place of a current wood deck.

**Applicant(s):** Donna Crane  
325 Straw Ct.  
Pataskala, OH 43062

**Property Owner(s):** Barbara M. Pierson  
1440 Merton Dr.  
Columbus, OH 43229

**Case Planner:** Dave Reiss, 645-7973

**E-mail:** DJReiss@Columbus.gov

**Drafting Date:** 03/09/2009

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Land Redevelopment Notice & Meeting

**Contact Name:** Land Bank

**Contact Telephone Number:** 614-645-5263

**Contact Email Address:** landredevelopmentoffice@columbus.gov

**Body**

**The City of Columbus  
Department of Development**

**NOTICE**

**Seeking Redevelopment Proposals**

**879 E. Long Street  
905 E. Long Street  
Columbus, Ohio 43203**

In order to implement the development objectives of the *King-Lincoln District Plan*, The City of Columbus is looking for creative ideas from qualified developers. Only the highest quality applicant(s) will be selected to partner with the City to redevelop one or two City-owned structures on East Long Street.

This notice invites developers with innovative ideas and concepts that have the proven skills, resources, and commitment needed to successfully redevelop these sites.

A Request for Qualifications can be downloaded from the City of Columbus website at:

<http://td.ci.columbus.oh.us/Bizdevelopment/BuyCityProperty/Index.asp>.

Please call (614) 645-5263 (Land) for more information

**KEY DATES**

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**Legislation Number:** PN0075-2009

**Drafting Date:** 03/10/2009

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**To authorize the Director of Public Safety to impose an administrative fee to cover the costs of delinquent debt collection upon a delinquent debtor.

**Notice/Advertisement Title:** Imposition of Collection Fee

**Contact Name:** Ekw Dennis

**Contact Telephone Number:** 614-645-8210

**Contact Email Address:** eddennis@columbus.gov

**Body**In accordance with ordinance No. 0130-2009 any Department, elected official or their designee, who is charged with the responsibility of collecting monies owed the City of Columbus, may refer that debt to an outside collection agency and impose the cost of said collection agency services to the delinquent debtor. As the Director charged with delinquent debt, I intend to impose such fees on delinquent debtors. This rule will become effective as of April 1, 2009.

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**Legislation Number:** PN0076-2009

**Drafting Date:** 03/11/2009

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Public Utilities Notice: Department of Public Utilities - Industrial Wastewater Discharge Permits

**Contact Name:** Jeffrey L. Bertacchi

**Contact Telephone Number:** (614) 645-5876

**Contact Email Address:** jlb@columbus.gov

**Body**

The Administrator of the Division of Sewerage and Drainage announces intent to issue an Industrial Wastewater Discharge Permit to the following company on or about Monday, April 6, 2009: COMTEX (Central Ohio Medical Textile) 575 Harmon Ave., Columbus, Ohio 43223; Donatos Pizzeria, LLC, 935 Taylor Station Road, Gahanna, Ohio 43230; A&R Transport, 1230 Harmon Ave., Columbus, Ohio 43223.

The Draft Permit will be available for review, Monday through Friday, between the hours of 7:30 A.M. and 4:30 P.M., March 16, 2009 through April 3, 2009 at the City of Columbus Industrial Wastewater Pretreatment Office, 1250 Fairwood Avenue, Suite 186, Columbus, Ohio 43206. Written comments will be accepted during this period at the above address or by FAX at (614) 645-0227. This Notice is made according to Columbus City Code Chapter 1145.44(B).

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**Legislation Number:** PN0077-2009

**Drafting Date:** 03/11/2009

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Communications 0314209

**Contact Name:** Toya Johnson

**Contact Telephone Number:** 645-7293er

**Contact Email Address:** tjjohnson@columbus.gov

**Body**

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY CLERK'S OFFICE AS OF WEDNESDAY MARCH 11, 2009:

New Type: D5  
To: 477 Park Inc  
477 Park St 1st Fl & Patio  
Columbus OH 43215  
Permit # 2847861

Transfer Type: D5A, D6  
To: DSW Inns LLC  
DBA Drury Inn & Suites Columbus NW  
6170 Parkcenter Cir  
Columbus OH 43017

From: Drury Inns Inc  
DBA Drury Inn & Suites  
6170 Parkcenter Cir  
Columbus OH 43017  
Permit # 23205880010

Transfer Type: D5A, D6  
To: Dis Columbus Convention Center LLC  
DBA Drury Inn & Suites  
Cols Convention Ctr 1st Fl Indr Pool  
88 E Nationwide Blvd  
Columbus OH 43215  
From: Drury Inns Inc  
DBA Drury Inn & Suites  
Columbus Convention Ctr  
88 E Nationwide Blvd 1st Fl Indoor Pool  
Columbus OH 43215  
Permit # 1881487

Transfer Type: C1, C2  
To: Samous Inc  
DBA Steele Avenue Market  
2552 Steele Av  
Columbus OH 43204  
From: North Bexley Inc  
DBA Steele Avenue Market  
2552 Steele Av  
Columbus Oh 43204  
Permit # 7701663

Transfer Type: D2, D2X, D3, D3A, D6  
To: Handa LLC  
& Patio  
1297 Parsons Av  
Columbus OH 43206  
From: 1295 Parsons Ave Inc  
& Patio  
1297 Parsons Av  
Columbus OH 43206  
Permit # 3566435

Transfer Type: D1, D2  
To: Daegun Andrew LLC  
DBA Edamame Sushi & Grill  
3946 Morse Crossing  
Columbus OH 43219  
From: Six Two Eleven Inc  
DBA Pyramid II  
211 N 6th St 1st Fl Only  
Columbus OH 43215  
Permit # 1914721

Transfer Type: D1, D2, D3, D3A  
To: Mondell & Barbara Jean LLC

DBA Blue Gill Bar & Grill  
4998 Lindora  
Columbus OH 43232  
From: Sandy & Loretta LLC  
DBA Grown Folks Café  
4998 Lindora  
Columbus OH 43232  
Permit # 6088360

Stock Type: D2, D2X, D3A, D6  
To: Boma Bar of Modern Art LLC  
DBA Boma Bar of Modern Art  
Bar 1 & 2 1st Fl & Patio  
583 E Broad St  
Columbus OH 43215  
Permit # 0804998

Stock Type: D5, D6  
To: 2195 N High St Inc  
DBA Little Bar  
Mezzanine & Patio  
2195 N High St  
Columbus OH 43201  
Permit # 9116373

Stock Type: D2, D2X, D3  
To: Yees Restaurant Inc  
2974 E Broad St Unit B  
Columbus OH 43209  
Permit # 9828263

Stock Type: D5  
To: Geem Loong Inc  
DBA New Geem Loong  
Restaurant & Lounge  
1773 W Fifth Av 1st Fl & Bsmt  
Columbus OH 43212  
Permit # 3091417

Advertise: 03/14/2009  
Return: 03/24/2009

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**Legislation Number:** PN0079-2009

**Drafting Date:** 03/11/2009

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

Title

In accordance with Ordinance No. 0130-2009, any Department Director, elected Official, or their designee, who is charged with the responsibility of collecting monies owed the City of Columbus, may refer that debt to an outside collection agency or maintain and process the debtor accounts within their Department and impose the cost of said collection services to the delinquent debtor, if referred to an outside agency. As the Director

charged with the responsibility of collecting delinquent debt under Section 223.02 of the Columbus City Codes, I intend to impose said fees on delinquent debtors. This rule will become effective as of April 1, 2009.

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**Legislation Number:** PN0307-2008

**Drafting Date:** 12/22/2008

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

Title

**Notice/Advertisement Title:** 2009 REGULAR MEETINGS OF COLUMBUS RECREATION AND PARKS COMMISSION

**Contact Name:** Chris Snyder

**Contact Telephone Number:** 645-7468

**Contact Email Address:** crsnyder@columbus.gov

Body

EXHIBIT A

NOTICE OF REGULAR MEETINGS

COLUMBUS RECREATION AND PARKS COMMISSION

The Recreation and Parks Commission, appointed and organized under the Charter of the City of Columbus, Section 112-1 is empowered to equip, operate, direct and maintain all the existing recreational and park facilities. In addition, said Commission exercises certain powers and duties as specified in Sections 112-1 and 112-2 of the Columbus City Charter.

Please take notice that meetings of the Recreation and Parks Commission will be held at 8:30 a.m. on the following dates and locations (unless otherwise posted):

**Wednesday, January 14, 2009 -1111 East Broad Street, 43205**

**Wednesday, February 11, 2009 -1111 East Broad Street, 43205**

**Wednesday, March 11, 2009 -- 1111 East Broad Street, 43205**

**Wednesday, April 8, 2009 -- 1111 East Broad Street, 43205**

**Wednesday, May 13, 2009 - 1111 East Broad Street, 43205**

**Wednesday, June 10, 2009 - Gillie Recreation Center, 4625 Morse Centre Drive, 43229**

**Wednesday, July 8, 2009 - Westgate Shelterhouse, 3271 Wicklow Road, 43204**

**August Recess - No meeting**

**Wednesday, September 9, 2009 - Schiller Recreation Center, 1069 Jaeger Street, 43206**

**Wednesday, October 14, 2009 - Mentel Golf Course, 6005 Alkire Road, Galloway, 43119**

**Wednesday, November 11, 2009 - 1111 East Broad Street, 43205**

**Wednesday, December 9, 2009 - 1111 East Broad Street, 43205**

**..Title**

**Notice/Advertisement Title:** Sidewalk and Bikeway Facility Requirements

**Contact Name:** Kathleen Dussault

**Contact Telephone Number:** 724-0574

**Contact Email Address:** kedussault@columbus.gov

**..Body**

DEPARTMENT OF PUBLIC SERVICE CITY OF COLUMBUS, OHIO	
<b>SUBJECT:</b> Sidewalk and Bikeway Facility Requirements	
<b>EFFECTIVE DATE:</b> March 21, 2009	
<b>PAGES:</b> 1 of 5	<b>BY:</b> K. Dussault

**I. AUTHORITY**

Pursuant to the authority granted under Ordinance 1987-2008 passed December 15, 2008 (Section 2105.125 of the Columbus City Codes, 1959, as amended), the Director of Public Service hereby adopts, establishes, and publishes these rules and regulations to be effective at the earliest time allowed by law. These rules supersede rules previously promulgated in 1999.

**II. APPLICATION**

This policy shall apply to any and all development activity providing access to any public right-of-way, as well as any public capital improvement project, pursuant to City Code Sections 2105.125 and 3123.17.

For private development, these rules and regulations are activated through (1) the re-zoning process, and/or (2) the variance process, and/or (3) the development site plan approval process (One Stop Shop) and/or (4) the building permit process.

For capital improvement projects, these rules and regulations are activated through the project scoping process.

**III. SUBMISSION OF SITE PLANS**

Site plans describing the development activity, in accordance with the city's One Stop Shop site plan approval process and applicable City Code, will be routed to the Division of Mobility Options Administrator for review of required sidewalks and bikeway facilities.

**IV. REVIEW OF SITE PLANS**

**A. Requirements**

Before site plan approval is granted, said plans must meet the requirements of these rules and regulations as well as all applicable city code.

The following sidewalks and bikeway facilities requirements and standards are hereby imposed for purposes of increasing safety, facilitating general accessibility, providing links in an overall system of sidewalks and bikeways, supporting the use of mass transit, encouraging a balanced and complete transportation system, improving access to employment locations, providing access to recreation areas, facilitating accessibility for disabled persons, and otherwise promoting the general health, safety and welfare of the public.

1. Sidewalks must be constructed on all streets under the following conditions:
  - a) Developments and capital improvement projects where sidewalks do not presently exist; or
  - b) Developments and capital improvement projects where existing sidewalks do not meet current standards; or
  - c) Developments where there is an addition to existing buildings or structures of 50% or more in square footage.
2. Bicycle facilities must be constructed on all streets where designated by the Bicentennial Bikeways Plan.

**B. Materials**

All sidewalks and bikeway facilities are to comply with (1) the City of Columbus Construction and Material Specifications and (2) Chapter 905 of City Code. They shall have a hard, improved surface as detailed in the current City of Columbus Standard Drawings, available for inspection in the office of the Director of Public Service, or designee or on the Department of Public Service website. Under special circumstances, other surfaces may be required or approved by the Director of Public Service or designee.

**V. RELIEF OF REQUIREMENTS**

- A.** An applicant will be relieved of sidewalk and bikeway requirements under the following conditions:
  1. A sidewalk or bikeway facility meeting current standards and plans exists along the abutting roadway at the time of application; or
  2. The construction of a sidewalk or bikeway facility along the abutting roadway or roadways is planned within the current Capital Improvement Plan.
- B.** In such cases of relief, and with the exception of assessments for repair or replacement due to condition, or for future expansion of sidewalk and bikeway facilities, the applicant and any heir, successor and assigns to the property requested for construction exemption are relinquished from any future requirement for construction, collection of fees, or assessments collected for the purpose of sidewalk or bikeways.

**VI. CONSTRUCTION EXEMPTION CONDITIONS**

It is the policy of the city of Columbus that all required sidewalk and bikeway facilities be built in conjunction with development. However, the City recognizes that there may be unique circumstances where it may not be feasible or prudent to

construct sidewalk and bikeway facilities at a development site at the time of development or in the existing public right-of-way. Such determination will be made by the Director of Public Service or designee and may be for such reasons as safety issues, economic waste or geographical features. Criteria for consideration of construction exemption include:

- A.** Proximity to pedestrian generators and destinations
- B.** Planned Capital Improvement Projects adjacent to the subject location where construction funds have not been planned
- C.** Constructability
- D.** Economic disparity
- E.** Negative environmental consequences
- F.** Severe topographical conditions
- G.** Safety considerations
- H.** Other factors that preserve the health, safety and welfare of the citizens of the city.

## **VII. CONSTRUCTION ALTERNATIVES**

- A.** When it is found that construction of sidewalk and bikeway facilities at a development site at the time of development or in the existing public right-of-way is not prudent, one of the construction alternatives below will be implemented, upon approval of the Director of Public Service or designee:
  - 1. A deferment of sidewalk and bikeway facility construction to a certain future date that could be based on development phasing with surety acceptable to the city; or
  - 2. An alternate route through private property with dedicated public easement or public right-of-way; or
  - 3. An exemption for the construction of sidewalks or shared use paths, for which a fee will be required. The construction exemption fee will be used exclusively for the design and construction of sidewalk or shared use paths, including wheelchair ramps, within the Community Planning Area (as defined in the Columbus Comprehensive Plan) in which the subject property is located; or
  - 4. An exemption for the construction of bikeway construction for any such facility other than a shared use path recommended by the Bicentennial Bikeways Plan, for which a construction exemption fee will be required. A construction exemption shall be granted so that such facilities are placed on a project-wide basis by the City at such time as deemed appropriate.
  - 5. In no instance shall a private or public entity not build or pay a construction exemption fee in lieu of new sidewalk or bikeway facility construction, except as provided for in Section V.

## **VIII. CONSTRUCTION EXEMPTION PROCESS**

### **A. Duly Authorized Applicants**

1. Examples of a duly authorized applicant for a private developer would include but not be limited to the developer, the developer's site design engineer, landscape architect, architect or attorney.
2. A duly authorized applicant for a public agency project may be the Department of Public Service Division of Design and Construction Administrator, or Division of Planning and Operations Administrator. To ensure appropriate agency coordination, any other public agency seeking a construction exemption must apply through either Administrator.

**B. Request for Construction Exemption**

To request a construction exemption, the developer's duly authorized representative or duly authorized applicant for the public agency shall submit the following to the Division of Mobility Options Administrator:

1. Written request stating reasons for a construction exemption that reflect but are not limited to criteria in Section VI., per Department of Public Service forms; and
2. Copy of the site plan showing the sidewalk or bikeway facility layout; and
3. Cost estimate of sidewalk or bikeway facility design, inspection and construction; and
4. Any other relevant documentation.

**C. Review**

The Division of Mobility Options Administrator will approve or deny construction exemption requests within 30 calendar days after receipt of a complete request as follows:

1. Approval of the request with equivalent design and construction fee paid to the City for the purpose of building sidewalks or bikeway facilities; or
2. Approval with construction deferred to a specific future date, with acceptable surety provided to the city, to coordinate with impending construction of other projects; or
3. Approval with recommendation provided for alternate route through private property with dedicated public easement or some other means; or
4. Denial of the request.

**D. Calculation of Fee in Lieu of Sidewalk and Bikeway Construction**

1. Guidelines for determination of location and cost estimation of sidewalk and bikeway facilities are available through the Department of Public Service. A flow chart that describes the basic steps for construction exemption and sidewalk and bike facility requirements are attached.
2. The developer or applying public agency will determine a practical engineering design for the sidewalk and bikeway facility, meeting all applicable city, state and federal engineering standards for sidewalks, bikeways, wheelchair ramps and related work necessary for the installation of the sidewalks and bikeways.
3. If the construction exemption is based on economic hardship or disparity as determined by the Director of Public Service or designee, the cost estimate

shall reflect a reasonable cost to build sidewalk or bikeway facility, exclusive of the conditions which would cause economic hardship or disparity.

4. The developer or applying public agency will estimate the cost of construction of the sidewalk and bikeway facilities that reflects prevailing wages, including design and inspection costs. Said cost estimate will be conducted by an Ohio-registered practicing professional engineer, and will be subject to the approval of the Director of Public Service or designee.

**E. Collection of fees**

1. Fees shall be collected at the time of zoning clearance, development or site plan approval.
2. A permanent special fund has been established, in which will be deposited construction exemption fees for sidewalks and bikeway facilities, and which will only be used for the purpose of design and construction of sidewalks and bikeway facilities.

**IX. APPEAL PROCESS**

If the Division of Mobility Options Administrator disapproves the sidewalk or bikeway facility plans or denies a construction exemption request, the developer or applying public agency has the right to appeal the decision as follows:

- A.** Request a hearing of the Transportation and Pedestrian Commission (T&PC) at the next scheduled meeting date, in writing, within 14 calendar days of receipt of the disapproval or denial.
- B.** The Division of Mobility Options Administrator will forward his/her denial along with the recommendation of the T&PC to the Director of Public Service for review.
- C.** The Director of Public Service will render a final decision within 14 calendar days of the T&PC hearing.