



# City of Columbus

## Agenda - 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.***

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Monday, March 9, 2009

5:00 PM

City Council Chambers, Rm 231

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

**ROLL CALL**

**READING AND DISPOSAL OF THE JOURNAL**

**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

## 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

## ADDITIONS OR CORRECTIONS TO THE AGENDA

## 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.

**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.

### 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.

### 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).

- 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)
- 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)
- 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)
- 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)
- 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)
- 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)
- 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).

#### **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)
- 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)

## 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

#### 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.

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)

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).

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)

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.

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)

#### 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 )

**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)

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)

**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)

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.

**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)

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)

**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.

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)

**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)
- 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)
- 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)
- 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)
- 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)

**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)

**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.

**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

**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.

**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.

**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.

**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)  
(TABLED 12/01/08)

**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.

**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)  
(DEPT. REQUEST TO AMEND TO EMERGENCY)

**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)

**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)

**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

**ADJOURNMENT**

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