

# **Columbus City Bulletin**



**Bulletin #28**  
**July 15, 2006**

# Proceedings of City Council

Saturday, July 15, 2006



## SIGNING OF LEGISLATION

(Unless otherwise noted all legislation listed in this bulletin was signed by Council President Matthew Habash, on the night of the Council meeting, Monday, *July 10, 2006*; Mayor, Michael B. Coleman on Wednesday, *July 12, 2006* and attested by the City Clerk, Andrea Blevins prior to Bulletin publishing.)

### **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.***

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Monday, July 10, 2006

5:00 PM

Columbus City Council

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Columbus City Council

Journal

July 10, 2006

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**REGULAR MEETING NO. 36 OF COLUMBUS CITY COUNCIL, JULY 10, 2006 at  
5:00 P.M. IN COUNCIL CHAMBERS.**

**ROLL CALL**

Present: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash

**READING AND DISPOSAL OF THE JOURNAL**

**A motion was made by President Pro-Tem Mentel, seconded by Ms. Hudson, to Dispense with the reading of the Journal and Approve. The motion carried by the following vote:**

Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash

**C0018-2006**

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY CLERK'S OFFICE AS OF WEDNESDAY, JULY 5, 2006:

New Type: C1, C2  
To: Alfarraj Inc  
DBA Salem Carryout  
2268 S Hamilton Rd  
Columbus, Ohio 43232  
permit # 0114401

New Type: D2  
To: Camilles Columbus 1 Ltd  
DBA Camilles Sidewalk Cafes  
1305 W Lane Av  
Columbus, Ohio 43221  
permit # 12061800005

Transfer Type: D5  
To: 510 Park Inc  
504 Park St  
Columbus, Ohio 43215  
From: Brinker Ohio Inc  
DBA Chilis Grill & Bar

2700 Northland Plaza Dr  
Columbus, Ohio 43231  
permit # 2759315

Transfer Type: C1, C2, D6  
To: 2330 Harrisburg Pike Inc  
DBA Beverage Dock  
2330 Harrisburg Pike North End  
Columbus-Grove City, Ohio 43123  
From: Beverage Dock Inc  
DBA Beverage Dock Inc  
2330 Harrisburg Pike North End  
Columbus-Grove City, Ohio 43123

Transfer Type: D1, D3  
To: Charles F Brown  
DBA High Street Tavern  
1409-11 S High St  
Columbus, Ohio 43207  
From: Charles F Brown  
DBA High Street Bar  
2324 W Broad St 1st Fl Bsmt & Patio  
Columbus, Ohio 43204  
permit # 09986500006

Transfer Type: D1, D3  
To: Ty Ty Inc  
DBA Dirty Dungarees  
2582-86 N High St  
Columbus, Ohio 43202  
From: 2586 DD Inc  
DBA Dirty Dungarees  
2582-86 N High St  
Columbus, Ohio 43202  
permit # 9125497

Transfer Type: D1, D2, D3  
To: Pass The Peas Inc  
DBA Kitchen Lounge  
2653 N High St  
Columbus, Ohio 43202  
From: Turkish Cuisine and Bakery LLC  
DBA Turkish Cuisine  
2653 N High St  
Columbus, Ohio 43202  
permit # 6732335

Transfer Type: D1, D3  
To: La Burbuja Laundry LLC  
DBA La Burbuja  
5455 Norton Center  
Columbus, Ohio 43228

From: Little George Corp  
 DBA Dirty Dungarees V  
 5455 Norton Center  
 Columbus, Ohio 43228  
 permit # 4956945

Transfer Type: C1, C2  
 To: Maize Mart LLC  
 DBA Maize Mart  
 3310 Maize Rd  
 Columbus, Ohio 43214  
 From: UDF Limited Partnership II  
 DBA United Dairy Farmers 650  
 3310 Maize Rd  
 Columbus, Ohio 43214  
 permit # 5431500

Advertise 7/15/06  
 Return 7/25/06

**Read and Filed**

## RESOLUTIONS OF EXPRESSION

### HUDSON

**0132X-2006** In Memory Of Herman Thornton

Sponsors: Mary Jo Hudson

**A motion was made by Ms. Hudson, seconded by President Pro-Tem Mentel, that this matter be Adopted. The motion carried by the following vote:**

Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash

**0130X-2006** To recognize Patty Daniels facilitator of Phoenix Pride, for her dedication to serving Central Ohio's GLBT youth for 15 years.

Sponsors: Mary Jo Hudson

**A motion was made by Ms. Hudson, seconded by President Pro-Tem Mentel, that this matter be Adopted. The motion carried by the following vote:**

Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash

### MENTEL

**0131X-2006** To Declare August 1, 2006 "Columbus Night Out" in the City of Columbus

Sponsors: Michael C. Mentel

**A motion was made by President Pro-Tem Mentel, seconded by Ms. Hudson, that this matter be Adopted. The motion carried by the following vote:**

Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash

**TAVARES****0129X-2006**

To proclaim July 8th thru July 15th, 2006 as Alpha Week in the City of Columbus.

Sponsors: Charleta B. Tavares, Kevin L. Boyce and Patsy Thomas

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

Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash

**ADDITIONS OR CORRECTIONS TO THE AGENDA**

THE FOLLOWING ORDINANCES WERE REMOVED FROM THE CONSENT PORTION OF THE AGENDA AND VOTED ON LATER IN THE MEETING

ADMINISTRATION: 1185-2006

HEALTH, HOUSING & HUMAN SERVICES: 1136-2006

RESOLUTION: HUDSON: 0130X-2006

A MOTION WAS MADE BY COUNCILMEMBER BOYCE, SECONDED BY COUNCILMEMBER TAVARES 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****JOBS AND ECONOMIC DEVELOPMENT COMMITTEE: HUDSON, CHR. O'SHAUGHNESSY THOMAS HABASH**

**1194-2006** FR To authorize the Director of the Department of Development to amend the existing Enterprise Zone Agreement with Ohio Transmission Corporation to include Carstens-Derrow Realty Co. as the property owner and to establish 79 as the job retention commitment for the company.

**Read for the First Time**

**1246-2006** FR To appoint three (3) citizen members and one (1) local government representative member to serve on the Board of Trustees of The Jeffrey Place New Community Authority; to establish a method for selection of successor members of the Authority's Board of Trustees; and to approve and authorize the Director of Development to execute a Tax Increment Financing and Cooperative Agreement in support of the redevelopment and revitalization of the former Jeffrey Mining Site.

**Read for the First Time**

**DEVELOPMENT: O'SHAUGHNESSY, CHR. HUDSON TAVARES HABASH**

**1133-2006** FR To adopt the Weinland Park Neighborhood Plan as a guide for future improvements, investments and actions within the area bounded roughly by Chittenden Avenue on the north, the CSX railroad adjacent to Interstate 71 on the east, East Fifth Avenue on the south, and North High Street on the west.

**Read for the First Time**

**1204-2006** FR To authorize the transfer of \$47,500 within the General Fund, Department of Development; to authorize the Director of the Department of Development to enter into a contract with the Columbus Downtown Development Corporation

for a Downtown Columbus Streetcar feasibility study; and to authorize the expenditure of \$47,500 from the General Fund. (\$47,500)

**Read for the First Time**

- 1243-2006 FR To authorize the acceptance of a deed for a parcel of land to be held in the Lank Bank inventory (961 E. 18th Avenue).

**Read for the First Time**

- 1244-2006 FR To authorize the acceptance of a deed for a parcel of land to be held in the Lank Bank Inventory until sold. (00 Whitethorne)

**Read for the First Time**

**PUBLIC SERVICE & TRANSPORTATION: O'SHAUGHNESSY, CHR. HUDSON  
TAVARES HABASH**

- 1117-2006 FR To authorize the Public Service Director to submit applications for Round 21 of the Local Transportation Improvement Program and State Capital Improvement Program and to execute project agreement forms for approved projects for the Transportation Division on behalf of the City of Columbus. (\$-0-)

**Read for the First Time**

- 1205-2006 FR To authorize the Public Service Director 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 US 40 Urban Paving Project from Hague Avenue to Central Avenue for the Transportation Division. (\$0)

**Read for the First Time**

**UTILITIES: THOMAS, CHR. MENDEL O'SHAUGHNESSY HABASH**

- 1100-2006 FR To authorize the Director of Public Utilities to enter into a planned modification of the construction administration and inspection services agreement with R. D. Zande & Associates, Inc. in the amount of \$565,737.71, to authorize the appropriation and expenditure of \$515,737.71 from the Ohio Water Pollution Control Loan Fund; and the transfer and expenditure of \$50,000.00 from within the Voted Sanitary Bond Fund; to amend the 2006 Capital Improvements Budget; for the Division of Sewerage and Drainage. (\$565,737.71)

**Read for the First Time**

- 1118-2006 FR To authorize and direct the Finance & Management Director to enter into contracts for the option to purchase Office Chairs: Bulldog Office Products, Inc., King Business Interiors, OM Workspace, and Continental Office to authorize the expenditure of \$4.00 to establish the contracts from the Universal Term Contracts Fund. (\$4.00).

**Read for the First Time**

- 1129-2006 FR To authorize the Director of Finance and Management to establish a purchase order with Resource One for the purchase of Laptop Computers for the Division of Operational Support, and to authorize the expenditure of \$36,663.69 from the Sewerage System Operating Fund, \$7,856.51 from the Stormwater Operating Fund, \$15,713.00 from the Electricity Operating Fund and \$27,061.30 from the Water Operating Fund. (\$87,294.50)

**Read for the First Time**

- 1131-2006** FR To authorize the Director of Public Utilities to modify the contract with The Righter Company, Inc., for the Hoover Reservoir Erosion Control - Improvement No. 35, for the Division of Water, to authorize the expenditure of \$97,236.07 from the Waterworks Enlargement Voted 1991 Bonds Fund, to amend the 2006 C.I.B, and to authorize the City Auditor to transfer funds from within the Waterworks Enlargement Voted 1991 Bonds Fund. (\$97,236.07)  
**Read for the First Time**
- 1139-2006** FR To authorize the Director of Public Utilities to execute a construction contract with Storts Excavation in the amount of \$495,708.00; to provide for payment of inspection, material testing and related services to the Transportation Division in the amount of \$76,000.00; for the Marsdale Ave. Stormwater System Improvements Project; to authorize the transfer of \$171,708.00 within the Storm Sewer Bond Fund; to authorize an amendment to the 2006 Capital Improvements Budget; for the Division of Sewerage and Drainage; and to authorize the expenditure of \$571,708.00 within the Storm Sewer Bond Fund. (\$571,708.00)  
**Read for the First Time**
- 1145-2006** FR To authorize the Director of Public Utilities to enter into a planned modification of the construction administration and inspection services agreement with DLZ Ohio, Inc. in the amount of \$460,836.84, to authorize the appropriation and expenditure of \$397,978.84 from the Ohio Water Pollution Control Loan Fund; and the transfer and expenditure of \$62,858.00 from within the Voted Sanitary Bond Fund; to amend the 2006 Capital Improvements Budget; for the Division of Sewerage and Drainage. (\$460,836.84)  
**Read for the First Time**
- 1170-2006** FR To authorize the Director of Public Utilities to enter into contract with DLZ Ohio, Inc. for the engineering design of the Water Line Rehabilitation- Case Road 6-inch and Lehner Road 8-inch Water Main for the Division of Power and Water, and to authorize the expenditure of \$90,000.00 from the Water Works Enlargement Voted 1991 Bonds Fund. (\$90,000.00)  
**Read for the First Time**
- 1174-2006** FR To authorize the Director of Public Utilities to enter into contract with ms consultants, inc. for the engineering design of the Morse Road 36 inch Water Main for the Division of Power and Water, to amend the 2006 C.I.B., to authorize the City Auditor to transfer funds within the Waterworks Enlargement Voted 1991 Bonds Fund, and to authorize the expenditure of \$171,000.00 from the Water Works Enlargement Voted 1991 Bonds Fund. (\$171,000.00)  
**Read for the First Time**
- 1175-2006** FR To authorize the Director of Public Utilities to enter into a contract with The Righter Company, Inc. for Utility Complex Vehicle Maintenance Garage Lifts for the Division of Power and Water, to amend the 2006 C.I.B., to authorize the City Auditor to transfer funds within the Waterworks Enlargement Voted 1991 Bonds Fund, and to authorize the expenditure of \$438,900.00 from the Water Works Enlargement Voted 1991 Bonds Fund. (\$438,900.00)  
**Read for the First Time**

- 1202-2006 FR To authorize the Director of Public Utilities to modify the contract with Kokosing Construction Company, Inc., for the Hap Cremean Water Plant Lagoon No. 1 Sludge Removal and Lagoon Modifications project, for the Division of Power and Water, and to authorize the expenditure of \$58,570.97 from the Waterworks Enlargement Voted 1991 Bonds Fund. (\$58,570.97)

**Read for the First Time**

**RECREATION & PARKS: HABASH, CHR. BOYCE, MENDEL, THOMAS**

- 1149-2006 FR To authorize and direct the Director of Recreation and Parks to enter into contract with Michael Hoggarth, Ph.D., for an environmental survey and wetland delineation of the Alum Creek Trail, and to authorize the expenditure of \$30,580.00 from the Voted 1995 and 1999 Parks and Recreation Bond Fund. (\$30,580.00)

**Read for the First Time**

**CONSENT ACTIONS**

**ADMINISTRATION: BOYCE, CHR. MENDEL HUDSON HABASH**

- 0942-2006 CA To authorize the Director of the Office of Education to modify the contract dates of contract EL005975 with City Year Columbus, Inc.; and to declare an emergency.

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

Abstained: 1 - Mr. Boyce

Affirmative: 6 - Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mendel and President Habash

- 0985-2006 CA To authorize the Director of the Department of Technology to modify an existing contract with Delta Computer Services, Inc. for system support services related to hardware and software for the Department of Technology, to authorize the expenditure of \$28,124.19 from the Technology Department Information Services Fund; (\$28,124.19)

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

- 1040-2006 CA To authorize the Director of Finance and Management to establish a contract with Software House International for the purchase of Micro Focus Server Express user licenses for the Department of Technology, Information Services Division, and to authorize the expenditure of \$8,034.00 from the Technology Department Information Services Fund. (\$8,034.00)

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

- 1114-2006 CA To authorize the Director of the Department of Technology to renew a contract agreement with Softel Communications, Inc., on behalf of the Public Service Department, for software support services; to authorize the expenditure of \$19,784.00 from the Department of Technology internal service fund; and to declare an emergency (\$19,784.00)

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

- 1150-2006 CA To authorize and direct the Finance and Management Director to modify and extend the UTC contracts for the option to purchase Personal Safety

Products and to declare an emergency.

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

- 1168-2006 CA To authorize the appropriation of \$18,000.00 within the General Permanent Improvement Fund; to authorize a transfer of \$18,000.00 between projects in the General Permanent Improvement Fund; to authorize the Finance and Management Director to modify a contract for the Facilities Management Division with Simplex Grinnell LP for the repair of fire alarm deficiencies; to authorize the expenditure of \$18,000.00 from the General Permanent Improvement Fund, and to declare an emergency. (\$18,000.00)

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

- 1215-2006 CA To authorize the City Treasurer to establish a contract with Huntington Bank and its credit card processing agent, Huntington Merchant Services, for the provision of credit card processing services for the Transportation Department, and to authorize the expenditure of \$600 from the Development Services Fund; \$1,400.00 from the Street Construction Maintenance Fund, and to declare an emergency. (\$2,000.00)

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

Abstained: 1 - Ms. Hudson

Affirmative: 6 - Mr. Boyce, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash

**JOBS AND ECONOMIC DEVELOPMENT COMMITTEE: HUDSON, CHR. O'SHAUGHNESSY THOMAS HABASH**

- 1162-2006 CA To authorize the Director of the Department of Development to amend the agreement with the Economic and Community Development Institute by extending the expiration date of the agreement to September 30, 2006; and to declare an emergency.

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

- 1177-2006 CA To determine to proceed with the Plan of Services of the Capital Crossroads Special Improvement District of Columbus, Inc. and to provide for the levy of assessments in said district; and to declare an emergency.

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

- 1179-2006 CA To determine to proceed with the Plan of Services of the Discovery Special Improvement District of Columbus, Inc. and to provide for the levy of assessments in said district; and to declare an emergency.

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

- 1180-2006 CA To determine to proceed with the Plan of Services of the Morse Road Special Improvement District of Columbus, Inc. and to provide for the levy of assessments; and to declare an emergency.

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

**SAFETY & JUDICIARY: MENTEL, CHR. BOYCE THOMAS HABASH**

- 1036-2006 CA To authorize and direct the Director of Finance and Management to issue a purchase order for Microsoft licenses from an existing State of Ohio Procurement Office Multiple Award Contract (MAC) established for such

purpose with Software House International, to authorize the expenditure of \$29,812.00 from the General Fund, and to declare an emergency. (\$29,812.00)

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

- 1115-2006 CA To amend the 2006 Capital Improvement Budget, to authorize the City Auditor to transfer funds between projects in the Safety Voted Bond Fund, to authorize the Finance and Management Director to modify a contract for the Facilities Management Division with Gutknecht Construction Company, Inc. for construction of Fire Station 18, to authorize the expenditure of \$40,000.00 from the Safety Voted Bond Fund, and to declare an emergency. (\$40,000.00)

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

- 1187-2006 CA To authorize the City Attorney to file the necessary complaints for the appropriation of construction and permanent easements in and to real estate necessary for the West Fifth Avenue Underpass Stormwater System Project, and to declare an emergency.

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

**PUBLIC SERVICE & TRANSPORTATION: O'SHAUGHNESSY, CHR. HUDSON  
TAVARES HABASH**

- 1121-2006 CA To authorize the Public Service Director to enter into a contract with G and G Cement Contractors for the Sidewalk Assessment Program - 2006 / Contract B project for the Transportation Division; to authorize the expenditure of \$251,963.75 from the 1995, 1999, 2004 Voted Streets and Highways Fund; and to declare an emergency. (\$251,963.75)

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

- 1159-2006 CA To authorize and direct the Finance and Management Director to enter into a contract for the option to purchase High Skid Concrete Pavement Marking Tape with Flint Trading Inc. and 3M Company to authorize the expenditure of two dollars to establish 2 contracts from the Universal Term Contracts Fund, and to declare an emergency. (\$2.00).

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

**HEALTH, HOUSING & HUMAN SERVICES: TAVARES, CHR. BOYCE THOMAS  
HABASH**

- 1078-2006 CA To authorize the Board of Health to enter into a contract with Pharmacy People, Inc. for the provision of pharmacist services for the Tuberculosis Clinic; to authorize the expenditure of \$135,000.00 from the Health Department Grants Fund to pay the cost thereof; and to declare an emergency. (\$135,000.00)

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

- 1079-2006 CA To authorize the Board of Health to enter into a contract with Harold K. Phillips Restoration, Inc., for pavement renovation services; to authorize the expenditure of \$3,000.00 from the Voted 1999 Health Renovation Fund; and to declare an emergency. (\$3,000.00)

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

- 1080-2006 CA To authorize the Board of Health to enter into a contract with

Grant/Riverside Methodist Hospitals to provide laboratory testing services for the Ben Franklin Tuberculosis Clinic; to authorize the expenditure of \$52,000 from the Health Department Grants Fund to pay the costs thereof; and to declare an emergency. (\$52,000)

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

- 1094-2006 CA To authorize the Director of Finance and Management to establish a purchase order with Capital Wholesale Drug Company for the purchase of various pharmaceuticals for the Health Department; to authorize the expenditure of \$100,000 from the Health Department Grants Fund to pay the cost thereof; and to declare an emergency. (\$100,000)

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

- 1101-2006 CA To authorize the Board of Health to modify a contract with the Franklin County Sheriff's Office to conduct saturation patrols and sobriety checkpoints for the OVI Task Force grant program; to authorize the expenditure of \$18,000.00 from the Health Department Grant Funds to pay the cost thereof, and to declare an emergency, (18,000.00)

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

- 1134-2006 CA To authorize and direct the Columbus Health Department to accept a grant from the Franklin County Department of Job and Family Services, in the amount of \$52,260; to authorize the appropriation of \$52,260 from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency. (\$52,260)

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

- 1135-2006 CA To authorize and direct the Board of Health to renew a lease agreement with the Central Ohio Transit Authority for clinic space for the Health Department's Perinatal Program, to authorize a total expenditure of \$36,308 from the Health Special Revenue Fund, to authorize the Board of Health to sublease a portion of the space to other health care providers, and to declare an emergency. (\$36,308)

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

Abstained: 1 - Ms. Thomas

Affirmative: 6 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, President Pro-Tem Mentel and President Habash

- 1161-2006 CA To authorize the appropriation of \$210,000 of program income from the Rental Rehabilitation Program for the implementation of the Lead Safe Kids Initiative; to authorize the expenditure of \$210,000 in program income from the Rental Rehabilitation Program for financing lead hazard control and housing rehabilitation activities; and to declare an emergency. (\$210,000.00)

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

- 1173-2006 CA To authorize the Board of Health to enter into a revenue contract with the Columbus Neighborhood Health Center, Inc., to provide the services of a Community Dental Program Director in an amount not to exceed \$65,500; and to declare an emergency. (\$65,500)

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

**1182-2006** CA To authorize and direct The Columbus Health Department to accept a grant from Franklin County Department of Jobs and Family Services in the amount of \$105,164; to authorize the appropriation of \$105,164 from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency. (\$105,164)

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

**1203-2006** CA To authorize and direct the City Auditor to transfer \$79,790 within the Health Department Grants Fund, to properly align appropriation with projected expenses for the continued operation of the Public Health Infrastructure program, and to declare an emergency. (\$79,790)

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

**UTILITIES: THOMAS, CHR. MENDEL O'SHAUGHNESSY HABASH**

**0945-2006** CA To authorize the Director of Public Utilities to enter into a contract with Fields Excavating Inc. for Scioto Darby Creek Rd. 24" Water Main - Part 2 for the Division of Power and Water (previously known as the Division of Water), and to authorize the expenditure of \$659,278.61 for construction and \$145,721.39 for inspection services by the Transportation Division from the Water Works Enlargement Voted 1991 Bonds Fund. (\$805,000.00)

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

**0993-2006** CA To authorize the transfer of funds within the Voted Street Lighting and Electricity Distribution Improvements Fund; to authorize the Finance and Management Director to establish Purchase Orders with Ermco, Kuhlman Electric Corporation, and Vantran Industries; for the purchase of transformers; for the Division of Power and Water; and to authorize the expenditure of \$278,215.00 from the Voted Street Lighting and Electricity Distribution Improvements Fund. (\$278,215.00)

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

**1017-2006** CA To authorize the Director of Public Utilities to enter into a Guaranteed Maximum Sum Agreement with the Columbus Board of Education in connection with their Fort Hayes School Improvement Project and the Division of Sewerage and Drainage's Cleveland Ave. Combined Sewer Project; and to authorize the appropriation, transfer and expenditure of \$542,044.59 from the Sewer System Reserve Fund to the Voted Sanitary Bond Fund. (\$542,044.59)

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

Abstained: 1 - President Pro-Tem Mentel

Affirmative: 6 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas and President Habash

**1041-2006** CA To authorize the Director of Public Utilities to execute a construction contract with Tata Excavating; to provide for payment of inspection, material testing and related services to the Transportation Division; for the Southgate/Landers Area Stormwater System Improvements; to authorize an amendment to the 2005 Capital Improvements Budget; for the Division of Sewerage and Drainage; and to authorize the expenditure of \$532,567.48 within the Storm Sewer Bond Fund. (\$532,567.48)

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

- 1073-2006 CA To authorize the Director of the Department of Public Utilities to execute those documents necessary to release a certain portion of a sanitary easement, located in the vicinity of Reynoldsburg-New Albany Road and East Broad Street, at the request of The Kroger Company, in exchange for replacement easements previously granted to the City of Columbus, Ohio and to declare an emergency.

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

- 1075-2006 CA To authorize and direct the Finance and Management Director to enter into one (1) UTC contract for the option to purchase Truck Washing Services with TNT Powerwash Inc., to authorize the expenditure of one (1) dollar to establish the contract from the Universal Term Contract Account, and to declare an emergency (\$1.00).

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

- 1077-2006 CA To increase an existing Auditor's Certificate by \$500,000.00 from the Waterworks Enlargement 1991 Bonds Fund, for the South Wellfield Expansion Project and to declare an emergency. (\$500,000.00)

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

- 1088-2006 CA To authorize the Director of Public Utilities to enter into a planned modification and extension of an existing contract for the Land Application of Biosolids Services with Synagro Central Inc., for the Division of Sewerage and Drainage (\$0)

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

- 1119-2006 CA To authorize the Director of the Department of Public Utilities to execute those documents necessary to release a certain portion of a sanitary easement, located in the vicinity of Norton Road and Sullivant Avenue, at the request of Portrait Homes-Ohio, LLC, in exchange for a replacement easement previously granted to the City of Columbus, Ohio and to declare an emergency.

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

- 1154-2006 CA To authorize the Director of Public Utilities to modify and increase the contract for the construction of the sidewalks as part of the Maize Road South of Reed Circle Drive, Stormwater Improvements project for the Transportation Division, to authorize the expenditure of \$35,000.00 from Voted Street and Highway Funds for the Transportation Division; and to declare an emergency (\$35,000.00).

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

- 1157-2006 CA To authorize the Director of Public Utilities to enter into a contract with Decker Construction Company for the Parsons Avenue Water Plant Miscellaneous Improvements - Paving, for the Division of Power and Water (pka Division of Water), to authorize the expenditure of \$278,380.36 from the Waterworks Enlargement Voted 1991 Bonds Fund, to amend the 2006 C.I.B. and to declare an emergency (\$278,380.36)

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

- 1181-2006 CA To authorize the Director of Public Utilities to enter into contract with

Gresham, Smith and Partners for an Environmental Audit for the Department of Public Utilities, to authorize the expenditure of \$10,373.00 from the Electricity Operating Fund, \$196,336.00 from the Water Operating Fund, \$193,618.00 from the Sewer System Operating Fund and \$141,673.00 from the Stormwater Operating Fund, and to declare an emergency. (\$542,000.00)

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

#### **RECREATION & PARKS: HABASH, CHR. BOYCE MENTEL THOMAS**

**1156-2006** CA To authorize and direct the Director of Recreation and Parks to modify the contract with Stone Environmental for additional services in conjunction with the Olentangy River Road Bikeway Extension, to authorize an expenditure of \$4,000.00, and to declare an emergency. (\$4,000.00)

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

**1206-2006** CA To authorize an appropriation in the amount of \$551,201.00 from the unappropriated balance of the Recreation and Parks Grant Fund to the Recreation and Parks Department to cover costs for the Central Ohio Area Agency on Aging in connection with various state grant programs, and to declare an emergency. (\$551,201.00)

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

**1225-2006** CA To authorize an appropriation of \$79,000.00 from the unappropriated balance of the Recreation and Parks Special Purpose Fund to the Recreation and Parks Department to continue various supplies and services during 2006, and to declare an emergency. (\$79,000.00)

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

#### **APPOINTMENTS**

**A0066-2006** CA Appointment of Alfonso Hooper, 2517 Bethesda Avenue, Columbus, OH 43219, to serve on the North Central Area Commission with a new term expiration date of September 30, 2007 (bio attached).

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

**A0067-2006** CA Appointment of Gail Whited, 584 East Reynolds Avenue, Columbus, OH 43201, to serve on the Milo Grogan Area Commission with a new term expiration date of October 31, 2008 (bio attached).

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

**A0068-2006** CA Appointment of Matthew Vacarro, 1191 St. Clair Avenue, Columbus, OH 43201 to serve on the Milo Grogan Area Commission with a new term expiration date of October 31, 2006 (bio attached).

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

**A0070-2006** CA Appointment of Rick Mann, 617 East Third Avenue, Columbus, OH 4301 to serve on the Milo Grogan Area Commission with a new term expiration date of October 31, 2007 (bio attached).

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

**A0071-2006** CA Appointment of Charles Thompkins, 790 East Third Avenue, Columbus, OH 43201 to serve on the Milo Grogan Area Commission with a new term expiration date of October 31, 2007 (bio attached).

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

- A0072-2006** CA Appointment of Lisa Thomas, 800 East Third Avenue, Columbus, OH 43201 to serve on the Milo Grogan Area Commission with a new term expiration date of October 31, 2006 (bio attached).

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

- A0073-2006** CA Reappointment of Deidra Moore, 1103 Windsor Avenue, Columbus, OH 43211 to serve on the South Linden Area Commission with a new term expiration date of October 1, 2006. (bio attached)

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

- A0074-2006** CA Appointment of Carla Jamison, 1116 Fairwood Avenue, Columbus, Ohio 43206 to serve on the Charitable Solicitations Board replacing Iris A. Cooper with a term expiration date of June 30, 2010 (resume attached).

**This Matter was Read and Approved on the Consent Agenda.****Passed The Consent Agenda**

**A motion was made by Ms. Tavares, seconded by Ms. O'Shaughnessy, including all the preceding items marked as having been approved on the Consent Agenda. The motion carried by the following vote:**

Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash

**EMERGENCY, TABLED AND 2ND READING OF 30-DAY LEGISLATION****ADMINISTRATION: BOYCE, CHR. MENDEL HUDSON HABASH**

- 1015-2006** To authorize the Director of the Mayor's Office of Education to accept a grant from Franklin County in the amount of \$365,692; to appropriate \$365,692.00 from the unappropriated General Government Grant Fund; to authorize the Director of the Mayor's Office of Education to enter into contracts with Godman Guild Association and Central Ohio Workforce Investment Corporation for the Summer Youth Internship Program from June 1, 2006 through August 31, 2006; to authorize the expenditure of \$365,692.00; and to declare an emergency. (\$365,692.00)

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

Abstained: 1 - Ms. Tavares

Affirmative: 6 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Thomas, President Pro-Tem Mentel and President Habash

- 1160-2006** To authorize the Director of the Department of Technology to establish a contract with Liebert Corporation, for maintenance services associated with the UPS (Uninterrupted Power Supply) system; to authorize the expenditure of \$45,127.34 from the Department of Technology internal service fund; to waive the competitive bidding requirements of the Columbus City Codes; and to declare an emergency (\$45,127.34 )

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

Abstained: 1 - Ms. Hudson

Affirmative: 6 - Mr. Boyce, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash

1176-2006

To accept Memorandum of Understanding #2006-04 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, 2005 through March 31, 2008; and to declare an emergency.

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

Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash

1200-2006

To authorize the City Clerk to enter into contract with the Franklin County Public Defender Commission to provide legal counsel to indigent persons charged with criminal offenses, to authorize the expenditure of \$914,379.00 from the General Fund; and to declare an emergency. (\$914,379.00)

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

Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash

1185-2006

To authorize the Finance and Management Director to enter into contracts for the Facilities Management Division with Air Technologies, Inc. for environmental remediation services related to the remediation of mold at 657 South Ohio Avenue and with Bomar Construction Co. 2K General Company, Inc. for construction services to remediate the mold problem at 657 South Ohio Avenue; to authorize the expenditure of \$19,000.00 from the General Permanent Improvement Fund, to authorize a transfer of \$19,000.00 between projects in the General Permanent Improvement Fund; and to declare an emergency. (\$19,000.00)

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

Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash

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

Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash

#### **JOBS AND ECONOMIC DEVELOPMENT: HUDSON, CHR. O'SHAUGHNESSY THOMAS HABASH**

1141-2006

To authorize the transfer of \$11,776 between object levels in the General Fund, Economic Development Division; to authorize and direct payment to the Columbus City School District, Hilliard City School District, South-Western City School District and the Olentangy Local School District for income tax revenue sharing totaling \$1,765,251; to authorize the expenditure of \$1,765,251 from the General Fund; and to declare an emergency. (\$1,765,251)

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

Abstained: 1 - President Pro-Tem Mentel

Affirmative: 6 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas and President Habash

1147-2006

To authorize the appropriation of \$50,000 from the unappropriated balance of the Neighborhood Economic Development Fund; to authorize the Director of the Development Department to enter into a grant agreement with the Central Ohio Workforce Investment Corporation to provide funds for lease costs associated with 1111 E. Broad Street; to authorize the expenditure of \$50,000 from the Neighborhood Economic Development Fund; and to declare an emergency. (\$50,000.00)

**A motion was made by Ms. Hudson, seconded by President Pro-Tem Mentel, that this matter be Approved. The motion carried by the following vote:**

Abstained: 1 - Ms. Tavares

Affirmative: 6 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Thomas, President Pro-Tem Mentel and President Habash

1191-2006

To authorize and direct the Director of the Department of Development to enter into a partnership agreement with the Science and Technology Campus Corporation and to apply for a \$5 million Ohio Job Ready Sites Program grant for improvements at the Science and Technology Campus; and to declare an emergency.

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

Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash

1192-2006

To authorize the Director of the Department of Development to dissolve the Enterprise Zone Agreement with Crane and to notify the state and local tax authorities as necessary; and to declare an emergency.

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

Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash

1208-2006

To authorize the appropriation of \$50,000 within the Jobs Growth Fund, \$75,000 within the Public Safety Initiatives Fund, and \$125,000 within the Urban Site Acquisition Loan Fund to the Department of Development; to authorize the Director of the Department of Development to enter into loan and grant agreements with Campus Partners for Community Urban Redevelopment; to authorize the expenditure of \$50,000 from the Jobs Growth Fund; \$75,000 from the Public Safety Initiatives Fund, and \$125,000 from the Urban Site Acquisition Loan Fund; and to declare an emergency. (\$250,000)

**A motion was made by Ms. Hudson, seconded by President Pro-Tem Mentel, that this matter be Approved. The motion carried by the following vote:**

Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash

**SAFETY & JUDICIARY: MENTEL, CHR. BOYCE THOMAS HABASH**

**0956-2006** To authorize and direct the city auditor to appropriate and transfer \$150,000 from the Public Safety Initiative Fund to the General Fund, Department of Public Safety, Division of Police to supplement funds needed to start a police class of thirty recruits in July 2006 and to declare an emergency. (\$150,000)

**A motion was made by President Pro-Tem Mentel, seconded by Ms. Hudson, that this matter be Approved. The motion carried by the following vote:**

Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash

**1085-2006** To authorize and direct the Director of Public Safety to execute those documents necessary for the acquisition of a Upgrade of Key Card Systems utilizing the Homeland Security Grant; to waive the provisions of competitive bidding; and to declare an emergency.

**A motion was made by President Pro-Tem Mentel, seconded by Ms. Hudson, that this matter be Approved. The motion carried by the following vote:**

Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash

**1127-2006** To authorize and direct the City Auditor to transfer \$1,000,000.00 from the special income tax fund to the municipal court clerk capital improvement fund; to authorize the Franklin County Municipal Court Clerk to modify and extend the existing contract with 3SG Corporation for the purpose of converting case files into images, and to provide shredding and offsite storage during the process; to authorize the expenditure of \$1,133,093.00 from the municipal court clerk capital improvement fund; and to declare an emergency. (\$1,133,093.00)

**A motion was made by President Pro-Tem Mentel, seconded by Ms. Tavares, that this matter be Taken from the Table. The motion carried by the following vote:**

Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash

**A motion was made by President Pro-Tem Mentel, seconded by Ms. Hudson, that this matter be Amended as submitted to the Clerk. The motion carried by the following vote:**

Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash

**A motion was made by President Pro-Tem Mentel, seconded by Ms. Hudson, that this matter be Approved as Amended. The motion carried by the following vote:**

Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash

**1155-2006** To authorize and direct the City Attorney to pay the settlement amount to Brandon Stone, et. al in the case of Brandon Stone v. Thomas DeWitt, et al., United States District Court Case No. C2-05-608, to authorized the City Auditor to transfer \$300,000.00 within the general fund from the Department of Finance and Management to the Department of Public Safety, Division of

Police, to authorize the expenditure of the sum of Three Hundred Thousand and No/100 Dollars (\$300,000.00), payable as specified in Section 3, and to declare an emergency.

**A motion was made by President Pro-Tem Mentel, seconded by Ms. Hudson, that this matter be Approved. The motion carried by the following vote:**

Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash

1158-2006

To authorize the Finance and Management Director to execute those documents necessary for the acquisition of a Mobile Command Vehicle utilizing the Homeland Security Grant, and to declare an emergency.

**A motion was made by President Pro-Tem Mentel, seconded by Ms. Hudson, that this matter be Approved. The motion carried by the following vote:**

Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash

RULES & REFERENCE: HABASH, CHR. MENTEL HUDSON TAVARES

MENTEL

1120-2006

To amend Section 591.06 of the Columbus City Codes, 1959, to increase taxicab fare rates.

Sponsors: Michael C. Mentel

**A motion was made by President Pro-Tem Mentel, seconded by Ms. Hudson, that this matter be Approved. The motion carried by the following vote:**

Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash

**PUBLIC SERVICE & TRANSPORTATION: O'SHAUGHNESSY, CHR. HUDSON TAVARES HABASH**

1259-2006

To authorize the Director of the Public Service Department to execute those documents required to transfer that right-of-way identified as a two foot wide portion of right-of-way off the west side of Neil Avenue from the north right-of-way line of Spring Street approximately 487 feet northerly therefrom and to execute those documents required to grant both aerial and foundation encroachment easements at the northwest corner of Neil Avenue and Spring Street to NWD 300 Spring, LLC at no charge as recommended by the Land Review Commission; to waive the competitive bidding provisions of Columbus City Codes; and to declare an emergency.

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

Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash

**RULES & REFERENCE: HABASH, CHR. MENTEL HUDSON TAVARES**

O'SHAUGHNESSY

1501-2005

To amend Chapter 3390, "Temporary Uses," of the Columbus Zoning Code,

Title 33, in order to update definitions and to enhance implementation and enforcement of code standards relating to temporary uses and on-demand, portable storage.

**Sponsors:** Maryellen O'Shaughnessy

**A motion was made by Ms. O'Shaughnessy, seconded by Ms. Tavares, that this matter be Taken from the Table. The motion carried by the following vote:**

Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash

**A motion was made by Ms. O'Shaughnessy, seconded by Ms. Tavares, that this matter be Tabled Indefinitely. The motion carried by the following vote:**

Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash

### **HEALTH, HOUSING & HUMAN SERVICES: TAVARES, CHR. BOYCE THOMAS HABASH**

**1081-2006**

To authorize the Board of Health to enter into a contract with The Ohio State University - Division of Infectious Disease and Internal Medicine, acting through its practice plan, OSU Internal Medicine, LLC, for physician services for the Ben Franklin Tuberculosis Clinic, to authorize the expenditure of \$100,000 from the Health Department Grants Fund to pay the costs thereof, to waive provisions of competitive bidding, and to declare an emergency. (\$100,000)

**A motion was made by Ms. Tavares, seconded by Ms. Hudson, that this matter be Amended to 30 day. The motion carried by the following vote:**

Abstained: 2 - Ms. O'Shaughnessy and Ms. Thomas

Affirmative: 5 - Mr. Boyce, Ms. Hudson, Ms. Tavares, President Pro-Tem Mentel and President Habash

**A motion was made by Ms. Tavares, seconded by Ms. Hudson, that this matter be Waived the 2nd Reading. The motion carried by the following vote:**

Abstained: 2 - Ms. O'Shaughnessy and Ms. Thomas

Affirmative: 5 - Mr. Boyce, Ms. Hudson, Ms. Tavares, President Pro-Tem Mentel and President Habash

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

Abstained: 2 - Ms. O'Shaughnessy and Ms. Thomas

Affirmative: 5 - Mr. Boyce, Ms. Hudson, Ms. Tavares, President Pro-Tem Mentel and President Habash

**1087-2006**

To authorize and direct the Board of Health to accept a grant from the Ohio Department of Health in the amount of \$1,853,519.00; to authorize the appropriation of \$1,853,519.00 from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency. (\$1,853,519.00)

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

Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash

1137-2006

To authorize and direct the Columbus Health Department to accept this grant from the Ohio Department of Health; to authorize the appropriation of \$1,520,000 from the unappropriated balance of the Health Department Grants Fund; and to declare an emergency. (\$1,520,000)

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

Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash

1152-2006

To authorize the appropriation of \$60,000 from the unappropriated balance of the Capital South Debt Service Fund to the Department of Development; to authorize the Director of the Department of Development to enter into a deferred loan agreement with Community Housing Development, Inc. in the amount of \$60,000; to authorize the expenditure of \$60,000 from the Capital South Debt Service Fund; and to declare an emergency (\$60,000).

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

Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash

1136-2006

To authorize the Board of Health to enter into a revenue contract with the Columbus Public Schools for the provision of physician services in an amount not to exceed \$44,240; and to declare an emergency. (\$44,240)

**A motion was made by Ms. Tavares, seconded by Ms. Thomas, that this matter be Amended to 30 day. The motion carried by the following vote:**

Abstained: 2 - Mr. Boyce and President Pro-Tem Mentel

Affirmative: 5 - Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas and President Habash

**A motion was made by Ms. Tavares, seconded by Ms. Thomas, that this matter be Waived the 2nd Reading. The motion carried by the following vote:**

Abstained: 2 - Mr. Boyce and President Pro-Tem Mentel

Affirmative: 5 - Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas and President Habash

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

Abstained: 2 - Mr. Boyce and President Pro-Tem Mentel

Affirmative: 5 - Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas and President Habash

**UTILITIES: THOMAS, CHR. MENTEL O'SHAUGHNESSY HABASH**

0937-2006

To authorize the Director of Public Utilities to enter into a planned contract

modification with Camp, Dresser & McKee, Inc., in connection with the Sanitary Sewer System Inflow/Infiltration-Livingston/James Area Remediation Project; to authorize the appropriation, and expenditure of \$3,199,888.27 from the Ohio Water Pollution Control Loan Fund; for the Division of Sewerage and Drainage. (\$3,199,888.27)

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

Abstained: 1 - Ms. Hudson

Affirmative: 6 - Mr. Boyce, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash

1086-2006

To authorize the transfer of appropriations within the Electricity Operating Fund to align budget authority with projected debt interest expenditures for the Division of Power and Water. (\$1,600,000.00)

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

Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash

1140-2006

That existing Chapter 4127 of the Columbus Building Code, Title 41, of the Columbus City Codes, 1959, is hereby repealed and new sections enacted to coincide with the adopted new statewide model Residential Code of Ohio (RCO).

Sponsors: Maryellen O'Shaughnessy

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

Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash

**(THE NEXT REGULAR CITY COUNCIL MEETING WITH LEGISLATION BEING HEARD WILL BE MONDAY, JULY 24, 2006 AT 5:00 P.M. IN CITY COUNCIL CHAMBERS)**

**ADJOURNMENT**

**A motion was made by President Pro-Tem Mentel, seconded by Ms. Hudson, to adjourn this Regular Meeting ADJOURNED: 6:45 P.M The motion carried by the following vote:**

Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash



# City of Columbus

## Journal - Final

### Zoning Committee

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

*Michael C. Mentel\*, Chair*  
*All Members*

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Monday, July 10, 2006

6:30 PM

Zoning Committee

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Zoning Committee

Journal

July 10, 2006

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**REGULAR MEETING NO. 37 OF CITY COUNCIL (ZONING), JULY 10, 2006 AT 6:30 P.M. IN COUNCIL CHAMBERS.**

**ROLL CALL**

Present: Chair Mentel: Mr. Boyce: President Habash: Ms. O'Shaughnessy:  
Tavares: Thomas and Ms. Hudson

**READING AND DISPOSAL OF THE JOURNAL**

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

Affirmative: Chair Mentel, Mr. Boyce, President Habash, Ms. O'Shaughnessy, Tavares, Thomas and Ms. Hudson

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

**ZONING: MENDEL, CHR. BOYCE HABASH HUDSON O'SHAUGHNESSY  
TAVARES THOMAS**

**0950-2006**

To rezone 2515 KIMBERLY PARKWAY (43232), being 22.9± acres located at the terminus of Kimberly Parkway East, From: NC, Neighborhood Center District, To: PUD-8, Planned Unit Development District. (Rezoning # Z05-083)

**A motion was made by Habash, seconded by Thomas, that this matter be Waived the 2nd Reading. The motion carried by the following vote:**

Abstained: Chair Mentel

Affirmative: Mr. Boyce, President Habash, Ms. O'Shaughnessy, Tavares, Thomas and Ms. Hudson

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

Abstained: Chair Mentel

Affirmative: Mr. Boyce, President Habash, Ms. O'Shaughnessy, Tavares, Thomas and Ms. Hudson

**1031-2006**

To grant a Variance from the provisions of Sections 3363.01, M, Manufacturing districts, 3363.24, building lines and 3370.07, conditions and limitations; of the Columbus City Codes for the property located at 4770

HILTON CORPORATE DRIVE (43232), to permit a maximum of one hundred twenty eight dwelling units with reduced development standards in the M, Manufacturing District (Council Variance # CV06-024).

**A motion was made by Habash, seconded by Boyce, that this matter be Waived the 2nd Reading. The motion carried by the following vote:**

Abstained: Chair Mentel and Ms. Hudson

Affirmative: Mr. Boyce, President Habash, Ms. O'Shaughnessy, Tavares and Thomas

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

Abstained: Chair Mentel and Ms. Hudson

Affirmative: Mr. Boyce, President Habash, Ms. O'Shaughnessy, Tavares and Thomas

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

Abstained: Chair Mentel and Ms. Hudson

Affirmative: Mr. Boyce, President Habash, Ms. O'Shaughnessy, Tavares and Thomas

0511-2006

To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential District; 3332.18, Basis of computing area; 3332.19, Fronting on a public street; 3332.25, Maximum side yard required; 3332.26, Minimum side yard permitted; 3332.27, Rear yard; and 3342.19, Parking space of the Columbus City Codes for the property located at 356 FOREST STREET (43206), to permit a four-family dwelling and a single-family dwelling with reduced development standards on the same lot zoned in the R-2F, Residential District (Council Variance # CV05-053).

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

Affirmative: Chair Mentel, Mr. Boyce, President Habash, Ms. O'Shaughnessy, Tavares, Thomas and Ms. Hudson

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

Affirmative: Chair Mentel, Mr. Boyce, President Habash, Ms. O'Shaughnessy, Tavares, Thomas and Ms. Hudson

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

Affirmative: Chair Mentel, Mr. Boyce, President Habash, Ms. O'Shaughnessy, Tavares, Thomas and Ms. Hudson

1060-2006

To rezone 4038 MORSE ROAD (43219), being 0.9± acres located on the north side of Morse Road, 315± feet east of Stelzer Road, From: R, Rural District, To: CPD, Commercial Planned Development District. (Rezoning # Z06-014)

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

Affirmative: Chair Mentel, Mr. Boyce, President Habash, Ms. O'Shaughnessy, Tavares, Thomas and Ms. Hudson

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

Affirmative: Chair Mentel, Mr. Boyce, President Habash, Ms. O'Shaughnessy, Tavares, Thomas and Ms. Hudson

1113-2006

To grant a Variance from the provisions of Sections 3332.02, AR-12, ARLD and AR-1, Apartment residential district use; 3333.23, Minimum side yard required, for the property located at 1128 HIGHLAND STREET (43201), to permit a new single-family dwelling and to conform an existing single-family dwelling in the ARLD, Apartment Residential District with reduced development standards. (Council Variance #CV06-021)

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

Affirmative: Chair Mentel, Mr. Boyce, President Habash, Ms. O'Shaughnessy, Tavares, Thomas and Ms. Hudson

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

Affirmative: Chair Mentel, Mr. Boyce, President Habash, Ms. O'Shaughnessy, Tavares, Thomas and Ms. Hudson

1126-2006

To amend Ordinance #1991-2005, passed January 23, 2005, for property located at 5551 CHATTERTON ROAD (43232), by amending the limitation overlay text in Section 3 as it pertains to building materials and roof pitch (Z03-048A).

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

Affirmative: Chair Mentel, Mr. Boyce, President Habash, Ms. O'Shaughnessy, Tavares, Thomas and Ms. Hudson

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

Affirmative: Chair Mentel, Mr. Boyce, President Habash, Ms. O'Shaughnessy, Tavares, Thomas and Ms. Hudson

1148-2006

To rezone 2890 LAZAR ROAD (43123), being 1.35± acres located on the east side of Lazar Road, 370± feet north of Tanis Drive, From: R, Rural District To: L-M, Limited Manufacturing District (Rezoning # Z06-034).

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

Affirmative: Chair Mentel, Mr. Boyce, President Habash, Ms. O'Shaughnessy, Tavares, Thomas and Ms. Hudson

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

Affirmative: Chair Mentel, Mr. Boyce, President Habash, Ms. O'Shaughnessy, Tavares, Thomas and Ms. Hudson

**A motion was made by Chair Mentel, seconded by Hudson, to adjourn this Regular Meeting ADJOURNED: 6:55 P.M. The motion carried by the following vote:**

Affirmative: Chair Mentel, Mr. Boyce, President Habash, Ms. O'Shaughnessy, Tavares, Thomas and Ms. Hudson

# 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:** 0129X-2006

**Drafting Date:** 07/07/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ceremonial Resolution

**Title**

**To proclaim July 8th thru July 15th, 2006 as Alpha Week in the City of Columbus.**

**Body**

**WHEREAS**, Alpha Phi Alpha Fraternity, Inc was founded on December 4, 1906, and for the last 100 years they have supplied voice and vision to the struggle of African-Americans and people of color around the world; and

**WHEREAS**, Alpha Phi Alpha, the first intercollegiate Greek-letter fraternity established for African-Americans, was founded at Cornell University in Ithaca, New York by seven college men who recognized the need for a strong bond of Brotherhood among African descendants in this country. These visionary founders are known as the "Jewels" of the Fraternity. While continuing to stress academic excellence among its members, Alpha also recognized the need to help correct the educational, economic, political, and social injustices faced by African-Americans; and

**WHEREAS**, Alpha Phi Alpha has long stood at the forefront of the African-American community's fight for civil rights, racial justice, and economic empowerment through leaders such as: W.E.B. DuBois, Adam Clayton Powell, Jr., Martin Luther King, Jr., Thurgood Marshall, and locally through leaders such as Senator Ray Miller, Judge Dwayne Maynard, Business Owner Lewis Smoot Sr., Local President Bo Chilton, Midwest Region Vice President Darryl Peal and many others; and

**WHEREAS**, Alpha Rho Lambda, the Columbus Alumni Chapter of Alpha Phi Alpha Fraternity, Inc. has a long and distinguished history of community enrichment. The Brothers of Alpha Rho Lambda Chapter have honored their Fraternity's legacy of leadership by earning a reputation for being an organization of servant leaders committed to the ideals of manly deeds, scholarship, and love for all mankind; and

**WHEREAS**, the positive impact the men of Alpha are having on our community is evident by the young lives that have been touched through programs such as Project Alpha, Alpha Esquires mentoring program and Big Brothers Big Sisters where the brothers have been recognized as the single largest group of African American male volunteers in the Midwest.

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

That we do hereby congratulate the men of Alpha Phi Alpha Fraternity, Inc. for their dedicated service and outstanding contributions to the Columbus community as we all celebrate Alpha Week in the City of Columbus.

---

**Legislation Number:** 0130X-2006

**Drafting Date:** 07/07/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Resolution

**Explanation**

**Title**

To recognize Patty Daniels facilitator of Phoenix Pride, for her dedication to serving Central Ohio's GLBT youth for 15 years.

**Body**

**WHEREAS**, Phoenix Pride, which began in 1991 has been a constant at Kaleidoscope Youth Center since its inception in 1994; and

**WHEREAS**, Patty's expertise includes 15 years of clinical experience working with GLBTQ adolescents and adults. In addition, she has 22 years of experience as a psychotherapist working with a variety of clients and client issues, including adult survivors of childhood abuse, domestic violence, alcohol and drug addictions, and individual, families, and couples psychotherapy; and

**WHEREAS**, For the past 15 years, Patty served as a supportive ear, a constant cheerleader, a shoulder to cry on and a mentor for hundreds of Central Ohio GLBT youth; and

**WHEREAS**, On July 9th, 2006, Patty's dedication to Central Ohio will be honored with those who received the benefit of her advocacy by celebrating all that has been accomplished under her leadership; now, therefore,

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

That this Council does hereby congratulate the accomplishments of Patty Daniels - a role model for so many Central Ohians. Your service to the City of Columbus' youth is appreciated and celebrated.

---

**Legislation Number:** 0131X-2006

**Drafting Date:** 07/07/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Resolution

**Explanation**

**Title**

To Declare August 1, 2006 "Columbus Night Out" in the City of Columbus

**Body**

**WHEREAS**, the City Council of the City of Columbus, Ohio has the responsibility to recognize occasions of outstanding significance; and

**WHEREAS**, founded in 1984, "National Night Out" is sponsored annually by the National Association of Town Watch - a nationwide organization dedicated to the development, maintenance and protection of community-based crime prevention activities that are affiliated with a law enforcement agency; and

**WHEREAS**, on Tuesday, August 1, 2006, the National Association of Town Watch (NATW) is sponsoring the 22nd Annual "National Night Out" which will provide a unique opportunity for neighborhoods throughout the City of Columbus to join forces with thousands of communities and millions of people nationwide to promote crime prevention; and

**WHEREAS**, "National Night Out" is designed to strengthen neighborhood spirit and send a message to criminals; letting them know community activists such as the Southside Neighbors, South Ogden Blockwatch, Greater Linden Development Corp, Woodland-Holt Civic Association, Driving Park Association and the Berwick Civic Association are organized and fighting back; and

**WHEREAS**, in observance of this crime prevention campaign, citizens are urged to lock their doors, turn on outside lights from dusk to dawn, and spend the evening outside with neighbors and police; now, therefore

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

That August 1, 2006 be declared Columbus Night Out 2006, and that all members of our community are urged to join in recognition of this significant occasion.

---

**Legislation Number:** 0132X-2006

**Drafting Date:** 07/07/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Resolution

**Explanation**

**Title**

In Memory Of Herman Thornton

**Body**

Columbus City Council extends sincere condolences to the family and friends of Herman Thornton on this sorrowful occasion of his passing.

No one exists who cannot teach something to someone. Herman Thornton left a permanent impression on the people who came in contact with him through his daily walk.

Mr. Thornton was employed by the City of Columbus at the Water Treatment Plant for over 30 years. During his career, in the 1970s, he participated in employee bargaining for AFSCME labor unions and significant negotiations with the AFL-CIO.

Mr. Thornton will be remembered for his generosity, talents and seemingly inexhaustible energy. Clearly, the world is a richer place for Herman Thornton having been in it. We honor the contribution of this remarkable man to the Central Ohio community.

We mourn the loss, but are so thankful for the life of Herman Thornton.

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

That this Council does hereby pay tribute to the memory of a truly honorable man, Herman Thornton.

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**Legislation Number:** 0511-2006

Drafting Date: 02/27/2006

Current Status: Passed

Version: 2

Matter Type: Ordinance

### Explanation

#### Council Variance Application: CV05-053

**APPLICANT:** Mike Ferris Properties; c/o Connie J. Klema, Atty.; P.O. Box 991; Pataskala, Ohio 43062.

**PROPOSED USE:** A four-family dwelling ~~and a single family dwelling.~~

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is zoned R-2F, Residential District and is comprised of two separate tax parcels, one of which is developed with a three-family dwelling. The applicant requests a Council variance to permit an addition to the three-family dwelling with a fourth dwelling unit, ~~and to construct a single family dwelling that will front on an alley with~~ **and to construct a new** six-car garage ~~attached to it.~~ The R-2F, Residential District allows a maximum of two dwelling units in one building only. Additional variances to development standards are requested to reduce maximum lot coverage, required side ~~and rear~~ yards, and to allow stacked parking spaces behind four residential garage spaces. All required off-street parking spaces will be provided. The site was rezoned from the R-4, Residential District to the R-2F district by an area-wide rezoning that was approved in 2000 for the Schumacher Place community. Since the current configuration of the property would allow the use of a two-family dwelling on the vacant parcel, staff has determined that the proposed addition of ~~two one~~ **one** dwelling units is in general conformance with the area-wide rezoning. The proposal is also consistent with the established development pattern of the area in that there are several multi-family residential uses within close proximity to the site.

### Title

To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential District; 3332.18, Basis of computing area; ~~3332.19, Fronting on a public street;~~ 3332.25, Maximum side yard required; 3332.26, Minimum side yard permitted; ~~3332.27, Rear yard;~~ and 3342.19, Parking space of the Columbus City Codes for the property located at **356 FOREST STREET (43206)**, to permit a four-family dwelling ~~and a single family dwelling~~ with reduced development standards ~~on the same lot zoned~~ in the R-2F, Residential District (Council Variance # CV05-053).

### Body

**WHEREAS**, by application No. CV05-053, the owner of the property at **356 FOREST STREET (43206)**, is requesting a Council Variance to permit a four-family dwelling ~~and a single family dwelling on the same lot zoned~~ in the R-2F, Residential District with reduced development standards; and

**WHEREAS**, Section 3332.037, R-2F, Residential District Use, permits one single-family or one two-family dwelling on a lot, while the applicant proposes a four-family dwelling ~~and single family dwelling on the same lot;~~ and

**WHEREAS**, Section 3332.18, Basis of computing area, requires that no dwelling shall occupy alone or together with any other building greater than fifty (50) percent of the lot area, while the applicant proposes a ~~59.36~~ **56.13**% lot coverage for ~~the dwellings, garages building,~~ and the parking lot; and

~~**WHEREAS**, Section 3332.19, Fronting on a public street, requires a dwelling unit to have frontage on a public street, while the applicant proposes no frontage for the single family dwelling; and~~

**WHEREAS**, Section 3332.25, Maximum side yard required, requires the sum of the widths of each side yard to equal twenty (20) percent of the lot width, not to exceed sixteen (16) feet, while the applicant proposes a ~~fourteen (14)~~ **15.8** percent side yard, or ~~11.72~~ **13.27**± feet for the dwellings; and

**WHEREAS**, Section 3332.26, Minimum side yard permitted, requires a minimum side yard of no less than five (5) feet, while the applicant proposes to maintain a minimum side yard of 3.7± feet along the west property line for the four-family dwelling; and

~~WHEREAS, Section 3332.27, Rear yard, requires a rear yard totaling no less than 25% of the total lot area, while the applicant proposes an 10.16% rear yard; and~~

WHEREAS, Section 3342.19, Parking space, allows stacked parking for only single-family and two-family dwellings, while the applicant proposes four stacked parking spaces behind four residential garage spaces; and

WHEREAS, City Departments recommend approval because the requested Council variance will allow an addition to the three-family dwelling with a fourth dwelling unit, ~~and a single family dwelling that will front on an alley with~~ **and the construction of a new** six-car garage ~~attached to it~~. The R-2F, Residential District allows a maximum of two dwelling units in one building only. Additional variances to development standards are requested to reduce maximum lot coverage, required side ~~and rear~~ yards, and to allow stacked parking spaces behind four residential garage spaces. All required off-street parking spaces will be provided. The site was rezoned from the R-4, Residential District to the R-2F district by an area-wide rezoning that was approved in 2000 for the Schumacher Place community. Since the current configuration of the property would allow the use of a two-family dwelling on the vacant parcel, staff has determined that the proposed addition of ~~two~~ **one** dwelling units is in general conformance with the area-wide rezoning. The proposal is also consistent with the established development pattern of the area in that there are several multi-family residential uses within close proximity to the site; 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 owners of the property located at **356 FOREST STREET (43206)**, in using said property as desired; now, therefore:

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

**SECTION 1.** That a variance ~~is granted~~ from the provisions of Sections 3332.037, R-2F, Residential District; 3332.18, Basis of computing area; ~~3332.19, Fronting on a public street;~~ 3332.25, Maximum side yard required; 3332.26, Minimum side yard permitted; ~~3332.27, Rear yard;~~ and 3342.19, Parking space of the Columbus City codes, is hereby granted for the property located at **356 FOREST STREET (43206)**, insofar as said sections prohibit a four-family dwelling ~~and single family dwelling on the same lot,~~ with an increased lot coverage from fifty (50) percent to ~~59.36~~ **56.13%**, ~~no frontage on a public street for the single family dwelling,~~ a reduced maximum side yard from sixteen (16) feet to ~~11.72~~ **13.27±** feet, a reduced minimum side yard from five (5) feet to 3.7± feet for the west property line, ~~a reduced rear yard from twenty five (25) percent to 10.16%,~~ and four stacked parking spaces behind four residential garage spaces; said property being more particularly described as follows:

**356 FOREST STREET (43206)**, being 0.27± acres located on the north side of Forest Street, 70± feet east of Ebner Street, and being more particularly described as follows:

**PARCEL NO: 010-027004**

Situated in the State of Ohio, County of Franklin and in the City of Columbus:

Being Lot Number Seven (7) and Lot Number Six (6), except 7.35 feet measured at right angles off of the west side thereof, Miller, Kraner and Knell's Subdivision, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, page 442, Recorder's Office, Franklin County, Ohio.

**PARCEL NO: 010-056931**

Situated in the State of Ohio, County of Franklin and in the City of Columbus:

Being Lot Number Eight (8), Miller, Kraner and Knell's Subdivision of Lot 3 of Daniel Eswein's Heirs Subdivision of 6 acres in Half Section 27, Township 5, Range 22, as said Lot No. 8 of Miller, Kraner and Knell's Subdivision is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, page 442, Recorder's Office, Franklin County, Ohio.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a four-family dwelling ~~and a single family dwelling on one lot~~, or those uses permitted in the R-2F, Residential District.

**SECTION 3.** That this ordinance is further conditioned upon the combination of tax parcels 010-027004 and 010-056931 to form one (1) tax parcel prior to the issuance of Zoning Clearance.

**SECTION 4.** That this ordinance is further conditioned on substantial compliance with the registered site plan and elevations titled, "**ADDITIONS TO 356-358 AND 360 FOREST STREET**," dated ~~March 20~~ **June 26**, 2006, and signed by Connie J. Klema, Attorney for the Applicant. The Zoning Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustments to the Zoning Site Plan shall be subject to review and approval by the Director of the Department of Development, or his designee, upon submission of the appropriate data regarding the proposed adjustment.

**SECTION 5.** That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

**SECTION 6.** 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:** 0937-2006

**Drafting Date:** 05/11/2006

**Version:** 01

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation** 1. BACKGROUND:

This legislation authorizes the Director of Public Utilities to enter into Planned Contract Modification No. 1 with Camp, Dresser, and McKee, Inc., in connection with the Sewer System I/I Remediation-Livingston/James Project.

The Livingston/James area is generally bounded by the City of Bexley to the west, I-170 to the south, Country Club Road to the east, and E. Fifth Ave. to the north. This area is located on the east side of the City and has had a significant number of street, yard, and basement flooding during rain events for decades. In addition, the sanitary sewers are suspected to surcharge, causing backups in basements, and overflows to the environment.

This contract modification provides the continued funding of this preliminary engineering services required to perform a comprehensive investigation and evaluation of the areas sanitary and stormwater collection systems. This includes field verification, cleaning and insitu-video inspection of all sanitary infrastructure, and incorporating this information into the division's computerized hydraulic model of the Livingston/James area. An evaluation of this information will identify cost effective immediate and long-term sotmrwater and sanitary system improvement recommendations, operation and maintenance practices, guidelines for implementing recommendations for private property improvements.

2. MULTI-YEAR RENEWABLE CONTRACT:

This contract was procured with the intention for the Division to request this planned contract modification in Fiscal Year 2006 which is needed to continue the original contracted scope of service. The remaining scope is expected to be completed by the end of 2008 to early 2009.

3. FISCAL IMPACT:

This legislation will appropriate the the proceeds of a planning loan that was approved by the Ohio Water Development Authority at its March 30, 2006 meeting. This loan will fund the entire balance of Contract Modification No. 1.

**Title**To authorize the Director of Public Utilities to enter into a planned contract modification with Camp, Dresser & McKee, Inc., in connection with the Sanitary Sewer System Inflow/Infiltration-Livingston/James Area Remediation Project; to authorize the appropriation, and expenditure of \$3,199,888.27 from the Ohio Water Pollution Control Loan Fund; for the Division of Sewerage and Drainage. (\$3,199,888.27)

**Body**WHEREAS, it has been determined necessary for the Division of Sewerage and Drainage to undertake the preliminary engineering required to identify the exact locations within the sanitary and stormwater infrastructure located within the Livingston Avenue/James Road Area, which is generally bounded by the City of Bexley to the west, I-70 to the south, Country Club Road to the east, and E. Fifth Ave. to the north, in order to establish the improvements required to mitigate localized flooding and sanitary backups that have existed for decades; and whereas it is necessary for this Division to enter into a contract modification for the continuation of the services required for the Sewer System I/I (Inflow and Infiltration) Remediation-Livingston/James Project; and

WHEREAS, the Director of Public Utilities did enter into City Auditor's Contract No. EL005179, on March 8, 2005, as authorized by Columbus City Council through Ordinance No. 0065-2005, as passed February 14, 2005, for purposes of funding the first year of planned scope of services for the aforementioned professional engineering contract; and

WHEREAS, the Ohio Water Development Authority, authorized Loan No. 4465 at its March 30, 2006 meeting for purposes of funding the remaining scope associated with Contract Modification No. 1 that was associated with the subject project, and is requested herein; and

WHEREAS, it is necessary for this Council to authorize the Director of the Department of Public Utilities to execute a planned contract modification with Camp, Dresser and McKee, Inc., in order for the subject work to continue which is required to identify the capital improvements and maintenance operations needed to mitigate localized flooding that has routinely occurred within the Livingston/James project area; at the earliest practicable date; now, therefore,

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

Section 1. That the proceeds from the Ohio Water Development Authority Loan No. 4464, for the Sanitary Sewer System Inflow-Infiltration-Livingston/James Remediation Project, and from the unappropriated monies in Fund 666, the amount of \$3,199,888.27 is hereby appropriated to the Division of Sewerage and Drainage, Division 60-05| Fund 666| Object Level Three 6676, within the following project:

Proj. 650405| Sewer System I/I Remediation| OCA Code 666405| \$3,199,888.27

Section 2. That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract or contract modifications associated with the expenditure of the funds appropriated under Section 1. above.

Section 3. That the Director of Public Utilities, be and hereby is, authorized to enter into the planned, professional engineering services contract modification with Camp, Dresser & McKee, Inc., 8800 Lyra Drive, Ste. 500, Columbus, Ohio 43240, in connection with the Sanitary Sewer System Inflow/Infiltration-Livingston/James Area Remediation Project, in accordance with the terms and conditions of the Contract Modification on file in the office of the Division of Sewerage and Drainage's Sewer System Engineering Section.

Section 4. That the expenditure of \$3,199,888.27, or as much thereof as may be needed, be and the same is hereby is authorized from the Ohio Water Pollution Control Loan Fund No. 666; Division 60-05; within the following project: Proj. No.: 650405| Sewer System I/I Remediation| Object Level Three 6676| OCA Code 666405| \$3,199,888.27.

Section 5. 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:** 0942-2006

**Drafting Date:** 05/12/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

#### **BACKGROUND:**

This legislation authorizes the Director of the Office of Education to modify the City Year Contract EL005975 for After School Programming at Linmoor Middle School. The original Ordinance was 0483-2006 which passed on April 3, 2006.

The original contract dates were from February 1, 2006 through December 31, 2006. The Office of Education is using the Request for Proposal process to award contracts for the 2006-2007 school year.

This ordinance requests that the City Year contract, EL005975, contract dates are modified to February 1, 2006 through June 30, 2006. This will allow the Request For Proposal process to include this program for the school year starting in September 2006.

This ordinance is presented as an emergency to allow contract services to continue without interruption.

#### **FISCAL IMPACT:**

**No additional funds are required for this contract modification.**

### **Title**

To authorize the Director of the Office of Education to modify the contract dates of contract EL005975 with City Year Columbus, Inc.; and to declare an emergency.

### **Body**

**Whereas**, the Office of Education contract with City Year Columbus, Inc begins on February 1, 2006; and

**Whereas**, the purpose of this contract is to provide After School programming to Linmoor Middle School students; and

**Whereas**, the contract was to be through December 31, 2006 which would cover the beginning of the 2006-2007 school year; and

**Whereas**, this contract date change will allow programming through the 2005-2006 school year; and

**Whereas**, this after school programming piece will be part of the RFP process which will be established for August-December 2006 which is the beginning of the next school year; and

**Whereas**, no change in cost will occur as a result of this contract date modification; and

**Whereas**, an emergency exists in the usual daily operation of the Office of Education in that it is immediately necessary to authorize the Director of the Office of Education to modify Contract EL005975 with City Year Columbus, Inc. by changing the ending contract date from December 31, 2006 to June 30, 2006 which coincides with the end of the school year, thereby preserving 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 Office of Education is hereby authorized to modify Contract EL005975 with City Year Columbus, Inc. by changing the contract dates to February 1, 2006 through June 30, 2006.

**Section 2.** That this contract modification is made pursuant to Section 329.16 of the Columbus City Codes, 1959 as amended.

**Section 3.** That for the reasons stated in the preamble thereto, 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:** 0945-2006

**Drafting Date:** 05/12/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

May 12, 2006

06-030-606

**BACKGROUND:** This contract provides for Scioto & Darby Creek Road 24" Water Main - Part 2. Competitive bids were received and opened for this project at the office of the Director of Public Utilities on April 12, 2006. Ten (10) bids were received on this project. The most responsive and responsible bid was submitted by Fields Excavating, Inc., 177 Twp Rd. 191, Kitts Hill, Ohio 45645. Contract to be awarded to same.

This ordinance also authorizes the expenditure of \$145,721.39 for inspection service by the Transportation Division.

**CONTRACT COMPLIANCE NUMBER:** 31-1451322

**FISCAL IMPACT:** This project is included in the 2005 C.I.B. and funds are available from the 2005 bond sale.

<b>BIDDERS</b>	<b>AMOUNT</b>
Underground Utilities, Inc.	Non-Responsive
John Eramo & Sons, Inc.	Non-Responsive
Fields Excavating, Inc.	\$659,278.61
Nicholas Savko & Sons, Inc.	Non-Responsive
Complete General Construction Co.	Non-Responsive
Darby Creek Excavating, Inc.	\$770,910.00
Trucco Construction Co., Inc.	Non-Responsive
Tata Excavating, Inc.	Non-Responsive
Loveland Excavating of Columbus, Inc.	Non-Responsive
McDaniel's Construction Corp., Inc.	\$1,089,201.89

**Title**

To authorize the Director of Public Utilities to enter into a contract with Fields Excavating Inc. for Scioto Darby Creek Rd. 24" Water Main - Part 2 for the Division of Power and Water (previously known as the Division of Water), and to authorize the expenditure of \$659,278.61 for construction and \$145,721.39 for inspection services by the Transportation Division from the Water Works Enlargement Voted 1991 Bonds Fund. (\$805,000.00)

**Body**

WHEREAS, the Director of Public Utilities did receive and open bids on April 12, 2006 for Scioto Darby Creek Road 24" Water Main - Part 2, and

WHEREAS, a responsive and responsible bid has been received, and

WHEREAS, in the usual daily operations of the Division of Power and Water (previously known as the Division of Water), Department of Public Utilities in that it is necessary to authorize the Director of Public Utilities to enter into a contract for Scioto Darby Creek Road 24" Water Main - Part 2, for the Division of Power & Water (previously known as the Division of Water) for the preservation of 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 Public Utilities be and is hereby authorized to enter into a contract with Fields Excavating, Inc., 177 Twp. Rd 191, Kitts Hill, Ohio 45645 in the amount of \$659,278.61 for construction of Scioto Darby Creek 24" Water Main for the Division of Power & Water (previously known as the Division of Water), Department of Public Utilities, Contract No. 1021, Project No. 690452, on the basis of the most responsive and responsible bid received on April 12, 2006.

Section 2. That for paying the cost of construction, the expenditure of \$659,278.61 or as much thereof as may be needed be, and the same is hereby authorized from the Water Works Enlargement Voted 1991 Bonds Fund No. 606, Department 60, Division 09, OCA Code 690452, Object Level Three Code 6629, Object Level One 06, Project No. 690452.

Section 3. That for paying the cost of inspection, the expenditure of \$145,721.39 or as much as may be needed be and the same is hereby authorized from the Water Works Enlargement Voted 1991 Bonds Fund No. 606, Department 60, Division 09, OCA Code 6904520, Object Level Three Code 6686, Object Level One 06, Project No. 690452.

Section 4. That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund, upon receipt of certification by the Director of the department administering said project; that the project has been completed and the monies are no longer required for said project, except that no transfer shall be so made from a project funded by monies from more than one source.

Section 5. 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:** 0950-2006  
**Drafting Date:** 05/12/2006  
**Version:** 1  
**Current Status:** Passed  
**Matter Type:** Ordinance

**Explanation**  
**REZONING APPLICATION:** Z05-083

**APPLICANT:** Maronda Homes of Ohio; c/o David Perry, Agent; The David Perry Company; 145 East Rich Street; Columbus, OH 43215; and Donald T. Plank, Atty.; Plank and Brahm; 145 East Rich Street; Columbus, OH 43215.

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

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (5-0) on March 9, 2006.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The proposed PUD-8, Planned Unit Development

District is consistent with the development and zoning patterns of the area . The applicant has complied with the Divisions of Transportation and Refuse requests to add a note addressing how stub streets will be handled pending construction of adjacent public streets in neighboring subdivisions. In addition, the applicant has agreed to provisions for street trees, underground utilities and committed to prohibit houses with the same façade from being located next to each other. These additional commitments exceed the minimum standards of the Zoning Code.

**Title**

To rezone **2515 KIMBERLY PARKWAY (43232)**, being 22.9± acres located at the terminus of Kimberly Parkway East, **From:** NC, Neighborhood Center District, **To:** PUD-8, Planned Unit Development District. (Rezoning # Z05-083)

**Body**

**WHEREAS**, application #Z05-083 is on file with the Building Services Division of the Department of Development requesting rezoning of 22.9± acres from NC, Neighborhood Center District, to PUD-8, Planned Unit Development District; and

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

**WHEREAS**, the City Departments recommend approval of said zoning change because the proposed PUD-8, Planned Unit Development District is consistent with the development and zoning patterns of the area . The applicant has complied with the Divisions of Transportation and Refuse requests to add a note addressing how stub streets will be handled pending construction of adjacent public streets in neighboring subdivisions. In addition, the applicant has agreed to provisions for street trees, underground utilities and committed to prohibit houses with the same façade from being located next to each other. These additional commitments exceed the minimum standards of the Zoning Code, 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:

**2515 KIMBERLY PARKWAY (43232)**, being 22.9± acres located at the terminus of Kimberly Parkway East, and being more particularly described as follows:

**ZONING DESCRIPTION OF 22.855 ACRES  
LOCATED NORTH OF REFUGEE ROAD  
AND WEST OF HAMILTON ROAD  
CITY OF COLUMBUS, FRANKLIN COUNTY, STATE OF OHIO**

Situate in the State of Ohio, County of Franklin, City of Columbus, lying in Section 28, Township 12, Range 21, Refugee Lands, being part of a 48.376 acre tract conveyed to Dominion Homes, Inc., by deed of record in Instrument Number 200404160085979 and part of a 14.260 acre tract conveyed to Dominion Homes, Inc., by deed of record in Instrument Number 200408090185108, all records herein of the Recorder's Office, Franklin County, Ohio, and said 22.855 acre tract being more particularly described as follows:

**BEGINNING**, at a point in the southerly right-of-way line of Kimberly Parkway East and in the north line of said 48.376 acre tract;

Thence North 47°02'15" East, a distance of 4.29 feet, along line common to said 48.376 acre tract and said Kimberly Parkway East, to a point at the common corner of said 48.376 acre tract and a tract of land conveyed to Eastland Condo;

Thence South 42°57'45" East, a distance of 107.70 feet, along the line common to said 48.376 acre tract and said

Eastland Condo tract, to a point at a northeasterly corner of said 48.376 acre tract, being a common corner to an original 45.707 acre tract conveyed as Parcel A to Columbus East Joint Venture by deed of record in Official Record 3511, G18;

Thence South 47°04'21" West, a distance of 962.44 feet, along the line common to said 48.376 acre tract and said original 45.707 acre tract to a point at a common corner to said 48.376 acre tract and original 45.707 acre tract;

Thence the following two (2) courses and distances over and across said 48.376 acre and 14.260 acre tracts:

1. North 06°48'18" East, a distance of 290.00 feet, to a point;
2. North 85°33'20" West, a distance of 870.00 feet, to a point in the westerly line of said 14.260 acre tract a line common to a 25.523 acre tract conveyed to Dominion Homes, Inc., by deed of record in Instrument Number 200404160085979;

Thence North 04°52'47" East, a distance of 356.81 feet, along the line common to said 14.260 acre tract and said 25.523 acre tract, to a point at the northeasterly corner of said 25.523 acre tract a common corner to a tract of land conveyed to the Fritsche Corporation;

Thence North 04°50'14" East, a distance of 388.19 feet, along the line common to said 14.260 acre tract and said Fritsche Corporation tract, to a point;

Thence South 79°30'39" East, a distance of 823.05 feet, across said 14.260 acre tract then along the line common to said 48.376 acre tract and a tract of land conveyed to Franklin County Residential Services, to a point;

Thence North 46°41'50" East, a distance of 49.05 feet, along the line common to said 45.707 acre tract and said Franklin County Residential Services tract, to a point at the southwest corner of a tract of land conveyed to Kimberly Court, LLC;

Thence North 47°02'15" East, a distance of 234.31 feet, along the line common to said 48.376 acre tract and said Kimberly Court, LLC tract, to a point at the southwest corner of a tract of land conveyed to Retirement Management, Co.;

Thence South 42°57'45" East, a distance of 560.00 feet, along the line common to said 48.376 acre tract and said Retirement Management, Co., tract, to the **POINT OF BEGINNING**, containing 22.855 acres, more or less.

The above description was prepared from record information only and not an actual field survey. The above description is intended to be used for zoning purposes only and not for the transfer of real property.

The bearings given in the above description are based on the bearing of North 85°37'09" West for the centerline of Refugee Road as established by the Franklin County Auditor's GIS.

**To Rezone From:** NC, Neighborhood Center District,

**To:** PUD-8, Planned Unit Development District.

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the PUD-8, Planned Unit Development 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 PUD-8, Planned Unit Development District and Application among the records of the Building Services Division as required by Section 3311.09 of the Columbus City Codes; said plan being titled, "**SITE PLAN FOR EAST LANDINGS SECTION FOUR**," signed by Donald Plank, Attorney for the Applicant, dated March 10, 2006 and said notes being titled "**PUD NOTES 2515 Kimberly Parkway East Z05-083**," dated March 8, 2006 and reading as follows:.

**PUD NOTES**

**2515 Kimberly Parkway East**

**Z05-083**

- 1) Permitted Uses and Development Standards shall be as established in Chapter 3332, Residential Districts, as applicable to the R-2, Residential District, except as noted in these PUD Notes, the Site Data Table and as depicted on the PUD Plan drawings. The site will be developed with a maximum of 129 detached single family dwellings on platted lots with public streets.
- 2) The development depicted on the PUD drawing depicts the planned development. Subject to approval of the Development Director or designee, minor adjustments may be to the plan with final engineering and platting. The number of lots shown may be reduced.
- 3) On each lot, the minimum front building setback, as defined and applied in Section 3332.20, shall be 25 feet. The minimum and total side yard shall be five (5) feet and ten (10) feet, respectively. The rear yard shall be 25 feet.
- 4) Open Space shall be provided as depicted on this PUD plan.
- 5) Street trees shall be provided along public streets at the rate of one (1) tree per lot except two (2) trees shall be provided on corner lots with one (1) tree on each street frontage. Street trees shall be a minimum of 2 ½ inch caliper at time of installation.
- 6) All new or relocated utility lines shall be installed underground unless the applicable utility company directs or requires otherwise.
- 7) The "Minimum Net Floor Area for Living Quarters", as defined in Section 3303.13, Letter M, Columbus Zoning Code, shall be 1,350 square feet. Each dwelling shall have a two car attached garage.
- 8) The development shall comply with the Parkland Dedication Ordinance (PDO), as applicable.
- 9) Utility crossing(s) may be required across perimeter setback/open space/buffer areas and shall be permitted for provision of utilities to the site
- 10) A temporary sales office shall be permitted prior to the development of a model home(s).
- 12) Graphics shall comply with the Columbus Graphics Code, Title 33, Article 15, of the Columbus City Code in accordance with R-2, Residential district standards. Any variance to the applicable requirement(s) of the Graphics Code shall be submitted to the Columbus Graphics Commission.
- 13) Sidewalks shall be provided in the public street right of way in accordance with applicable city code.
- 14) Homes with identical front facades shall not be built adjacent to each other.
- 15) Height District shall be H-35.
- 16) A 6' high wood fence shall be erected along the rear property line of the lots adjacent to the north property line of the site. All of the fence shall be the same design and materials when installed.

**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:** 0956-2006

**Drafting Date:** 05/16/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation** This ordinance authorizes the City Auditor to appropriate and transfer One Hundred Fifty Thousand Dollars (\$150,000) between funds, from the Public Safety Initiative Fund to the General Fund, Department of Public Safety, Division of Police with a commitment by Council to reexamine the city's financial position after the Third Quarter to determine if additional dollars from outside the general fund are needed to rectify any projected deficits. These additional funds are needed to supplement available Police surplus funds to be used for a Police recruit class of thirty officers to begin training in July 2006. The actual cost of the class is approximately \$1 million. The class is necessary to assure that any unexpected retirements early in 2007 from the Deferred Retirement Option Plan will not adversely affect the provision of public safety.

**FISCAL IMPACT:** Funds for this class were not specifically budgeted in the Department of Public Safety, however, monies earmarked for safety initiatives are available to be transferred for the class. The second quarter review reflected a total deficit of approximately \$600,000 in the Division of Police due to the addition of the recruit class. Savings in other areas in Police's budget will supplement the cost of the class.

Emergency legislation is requested to assure that no public safety functions are interrupted due to the unavailability of funds.

**Title**To authorize and direct the city auditor to appropriate and transfer \$150,000 from the Public Safety Initiative Fund to the General Fund, Department of Public Safety, Division of Police to supplement funds needed to start a police class of thirty recruits in July 2006 and to declare an emergency. (\$150,000)

**Body****WHEREAS**, the Department of Public Safety, Division of Police has determined that it is in the best interest of the city to begin a recruit class of thirty officers in July 2006; and

**WHEREAS**, this class is necessary to assure that any unexpected retirements early in 2007 from the Deferred Retirement Option Plan will not adversely affect the provision of Public Safety; and

**WHEREAS**, funds are available in the Public Safety Initiative Fund to be transferred to supplement the funding for this class; and

**WHEREAS**, the Council of the City of Columbus will reevaluate the status of the 2006 general fund following the Third Quarter Financial Review to discuss with the Mayor's administration why, and whether additional dollars from outside the general fund are required to rectify potential deficits; and,

**WHEREAS**, an emergency exist in the usual daily operation of the Department of Public Safety, Division of Police, in that it is necessary to transfer these funds to assure the availability of funds when needed for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore

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

**SECTION 1.** That the City Auditor is hereby authorized and directed to appropriate and One-Hundred Fifty Thousand Dollars (\$150,000) as follows:

FROM: Public Safety Initiative Fund, Fund 016, Division of Police 30-03, OCA Code 300316, Object Level One 10, Object Level Three 5501.

TO: General Fund, Fund 010, Division of Police 30-03, OCA Code 301572, Object Level One 01, Object Level Three 1130.

**SECTION 2** The Council of the City of Columbus will reevaluate the status of the 2006 general fund following the Third Quarter Financial Review and will discuss with the Mayor's administration if, and to what extent, additional dollars from outside the general fund are required to rectify potential deficits.

**SECTION 3** 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:** 0985-2006

**Drafting Date:** 05/22/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**BACKGROUND:** This legislation authorizes the Director of The Department of Technology to modify a contract with Delta Computer Services, Inc. to fund the services to be provided to the Franklin County Municipal Court Clerk's Hewlett Packard equipment.

The existing contract with Delta Computer Services, Inc. was established by DoT by following the guidelines of City Code Chapter 329.14, awarding professional service contracts through the requests for proposals (RFP). The contract allows for the addition or reduction of equipment to allow for coverage of new equipment and the retirement of older equipment. This request only modifies the amount of the agreement.

The proposed modification follows City Code Chapter 329.16, Contract Modifications.

1. The additional amount is \$28,124.19.
2. Additional services are needed to allow coverage for the Franklin County Municipal Court Clerk's equipment that has previously been covered by their separate agreement with another provider at a much higher price. The past seven (7) months with the previous service provider has cost Franklin County Municipal Court Clerk \$63,034.00. The annual costs under the terms with Delta Computer Services, Inc. are \$37,498.92.
3. These substantial cost savings are the reason to modify this contract.
4. The costs were determined by asking Delta Computer Services to evaluate the equipment and by the DoT and Franklin County Municipal Court Clerk's reviewing that pricing in comparison to previous contract.

This contract is in its first year and is annually renewable contract for a three-year term that affords the City substantial price discounts. The three-year agreement was initiated effective upon the passage of ordinance 0621-2006, passed April 5, 2006.

Delta Computer Services, Inc. subcontracts the software maintenance to Beechglen Development, Inc. Contract compliance number 31-1258834, expiration date 03/14/2007.

**FISCAL IMPACT:** The 2004 costs for HP System Support Services totaled \$334,923.10 and \$314,222.39 costs for the 2005 service.

There is sufficient budget authority available in the 2006 Department of Technology information services fund.

Franklin County Municipal Court Clerk will be billed by DoT for the costs associated with the costs of adding them to this contract.

**CONTRACT COMPLIANCE NUMBER:** 11-3044303 Expiration: 03-06-2007

#### **Title**

To authorize the Director of the Department of Technology to modify an existing contract with Delta Computer Services, Inc. for system support services related to hardware and software for the Department of Technology, to authorize the expenditure of \$28,124.19 from the Technology Department Information Services Fund; (\$28,124.19)

#### **Body**

**WHEREAS**, the Department of Technology needs to modify an existing contract with Delta Computer Services, Inc., and

**WHEREAS**, this modification is to support critical Hewlett Packard support needs for the Franklin County Municipal Court Clerk, and

**WHEREAS**, the Department of Technology requires the services of Hewlett-Packard engineers to provide for coverage of new equipment and the retirement of older equipment, and

**WHEREAS**, this legislation will authorize the Director of the Department of Technology to modify the existing contract for said services and support, and

**WHEREAS**, The Department of Technology has a need to modify a contract with Delta Computer Services, Inc. for the purchase of computer system support services essential to support daily operations of all City agencies, thereby protecting 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 an existing contract, EL005996 for the purchase of hardware and software support services from Delta Computer Services, Inc.

**SECTION 2:** That the expenditure of \$28,124.19 or so much thereof as may be necessary is hereby authorized to be expended from:

**Div.:** 47-02| **Fund:** 514| **Subfund:** 001| **OCA:** 472417| **Obj. Level 1:** 03| **Obj. Level 3:** 3372| **Amount:** \$28,124.19.

**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:** 0993-2006

**Drafting Date:** 05/22/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The Purchasing Office has established Universal Term Contracts, for transformers, with the vendors listed below. The Division of Power and Water would like to establish Purchase Orders, based on these contracts, to purchase transformers, which are needed to upgrade the old units to match the new system, which maintains the electrical system throughout the City and provide electricity to new customers.

<u>Vendor</u>	<u>Contract UTC#</u>	<u>MBE/ Compliance #</u>	<u>FBE ?</u>
Ermco	FL002973	61-0701489	Majority
Kuhlman Electric Corp.	FL002974	38-0736390	Majority
Vantran Industries		FL002975	74-2568917 Majority

**FISCAL IMPACT:** It is necessary to transfer funds within the Voted Street Lighting and Electricity Distribution Improvements Fund in order to cover these expenditures.

\$137,704 was expended for transformers in 2005.

\$179,484 was expended for transformers in 2004.

**Title**

To authorize the transfer of funds within the Voted Street Lighting and Electricity Distribution Improvements Fund; to authorize the Finance and Management Director to establish Purchase Orders with Ermco, Kuhlman Electric Corporation, and Vantran Industries; for the purchase of transformers; for the Division of Power and Water; and to authorize the expenditure of \$278,215.00 from the Voted Street Lighting and Electricity Distribution Improvements Fund. (\$278,215.00)

**Body**

WHEREAS, the Division of Power and Water needs transformers to upgrade old units to match the new system, which maintains the electrical system throughout the City and provide electricity to new customers; and

WHEREAS, the Purchasing Office has established Universal Term Contracts with Ermco, Kuhlman Electric Corporation, and Vantran Industries; now, therefore,

WHEREAS, it has become necessary in the usual daily operation of the Division of Power and Water, Department of Public Utilities, to authorize the Finance and Management Director to establish Purchase Orders, for transformers, for the preservation of public health, peace, property and safety; now, therefore,

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

**SECTION 1.** That the City Auditor is hereby authorized to transfer \$206,976.68 within the Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund, Fund No. 553, Division 60-07, Object Level One 06, Object Level Three 6621, as follows:

TRANSFER FROM: 670638 - Computer System Upgrades  
OCA Code - 670638

TRANSFER TO: 670608 - Distribution System Improvements  
OCA Code - 670608

**SECTION 2.** That the Finance and Management Director be and is hereby authorized to establish Purchase Orders, for transformers, from established Universal Term Contracts, for the Division of Power and Water, Department of Public Utilities.

**SECTION 3.** That to pay the cost of the aforesaid contracts, the expenditure of \$278,215.00, or so much thereof as may be needed, be and is hereby authorized from the Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund, Fund No. 553, Division No. 60-07, Distribution Systems Improvements Project Number 670608, OCA Code 670608, Object Level Three 6621.

**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:** 1015-2006

**Drafting Date:** 05/24/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation** This legislation authorizes the Director of the Office of Education to accept, appropriate and expend funds from the Franklin County Board of Commissioners for the purpose of amending a contract with the Franklin County Department of Job and Family Services. These grant dollars will be used for Summer Youth Internships from June 1, 2006 to August 31, 2006.

The contract 25-06-6095 with Franklin County will be amended from \$144,089.40 to \$509,781.40. This contract is with Tech Corps Ohio for the City Student Tech Corps program. The original legislation was passed on April 3, 2006, Ordinance 0263-2006.

This legislation will allow the Office of Education to enter into contract with 2 community agencies to provide services in the Summer Youth Internship program.

This ordinance has been submitted as emergency as the program begins in less than 30 days.

**FISCAL IMPACT:**

**Funding for this program is from Franklin County Board of Commissioners which was on their agenda May 30,**

**2006. There are no additional City dollars needed for this contract amendment.**

**Title**

To authorize the Director of the Mayor's Office of Education to accept a grant from Franklin County in the amount of \$365,692; to appropriate \$365,692.00 from the unappropriated General Government Grant Fund; to authorize the Director of the Mayor's Office of Education to enter into contracts with Godman Guild Association and Central Ohio Workforce Investment Corporation for the Summer Youth Internship Program from June 1, 2006 through August 31, 2006; to authorize the expenditure of \$365,692.00; and to declare an emergency. (\$365,692.00)

**Body**

**WHEREAS, the Director of the Office of Education desires to accept grant money from Franklin County in order to fund various community organizations for the Summer Youth Program; and**

**WHEREAS, various community organizations provide services and programming to the community through the Summer Youth program; and**

**WHEREAS, Columbus Youth will have the opportunity to develop their life skills and self esteem as they prepare to be part of different work environments and to provide a positive experience for those youth; and**

**WHEREAS, an emergency exists in the usual daily operation of the Mayor's Office of Education in that it is immediately necessary to enter into contracts and to authorize the appropriation and expenditure of these funds to the Mayor's Office of Education so the providers can be paid in a timely manner, all 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 Director of the Office of Education is hereby authorized to accept and appropriate grant in the amount of \$365,692.00 received from Franklin County Department of Job and Family Services and to enter into contract with the following community agencies.**

<b>Godman Guild</b>	<b>\$181,285.00</b>	<b>Stipends Summer Youth Program</b>
<b>COWIC</b>	<b>\$184,407.00</b>	<b>Enrollment of 94 youth \$27,307.00; Completion \$ 25,500.00 Stipends \$131,600.00</b>

**Section 2. That these contracts are awarded pursuant to Section 329.15 of the Columbus City Codes, 1959, as amended.**

**Section 3. That for the purpose as stated in Section 1, the expenditure of \$365,692.00, or so much thereof as maybe necessary, be and is hereby authorized to be appropriated and expended from the Office of Education, Division 40-04, Fund No 291, Grant 400002, Object level 03-3336, OCA 400002.**

**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:** 1017-2006

**Drafting Date:** 05/25/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation** 1. BACKGROUND:

This legislation authorizes the Director of Public Utilities to enter into a capital improvements agreement with the Columbus Board of Education for the construction of the sewer separation improvements that are being incorporated into the Board's Fort Hayes Facilities Improvements Project.

The Columbus Board of Education is currently constructing facility improvements to the Fort Hayes property, that is located along Cleveland Ave. immediately east of downtown Columbus. The City has been undertaking sewer separation projects in this area for several years now and the Fort Hayes site has components of this separation that need to be installed. In order to avoid having the City disturb new and expensive land improvements, thereby incurring much higher construction costs, the Board of Education has agreed to incorporate the City's sewer separation improvements into its development plans. The developer has further agreed to provide the construction plans and specifications and the permanent and temporary easements at no cost to the City. In exchange for this, the City shall agree to reimburse the developer for documented construction and related costs that are associated with the subject capital improvements project, up to a maximum of \$542,044.59.

B. Bid Information: In accordance with Section 186 of the Columbus City Charter, this contract shall contain a guaranteed maximum cost and stipulate that the city shall pay within such maximum the cost of labor and materials to be paid to the developer. As a condition of the agreement the developer is required to comply with the competitive bidding procedures of Section 329 of the Columbus City Codes, "Procurement of Goods and Services"; and with the Prevailing Wage Requirements of Chapter 4115 of the Ohio Revised Code.

2. FISCAL IMPACT

The Division of Sewerage and Drainage has included funding within the 2006 Capital Improvements Budget for this expenditure.

**Title**To authorize the Director of Public Utilities to enter into a Guaranteed Maximum Sum Agreement with the Columbus Board of Education in connection with their Fort Hayes School Improvement Project and the Division of Sewerage and Drainage's Cleveland Ave. Combined Sewer Project; and to authorize the appropriation, transfer and expenditure of \$542,044.59 from the Sewer System Reserve Fund to the Voted Sanitary Bond Fund. (\$542,044.59)

**Body**WHEREAS, the Columbus Board of Education, hereinafter called the Board, and the Division of Sewerage and Drainage, Department of Public Utilities, hereinafter referred to as the City are desirous of entering into a capital improvement project reimbursement agreement for the construction of the Cleveland Ave. Combined Sewer Project; and

WHEREAS, the Board is currently constructing site and building improvements to the Fort Hayes Career Center located along Cleveland Ave. and Joe Gibbs Boulevard; and

WHEREAS, the Division of Sewerage and Drainage engineering staff have determined that it is in the City's best interest to enter into the subject agreement with the Board, for purposes of constructing the City of Columbus's sanitary separation improvements known as the Cleveland Ave. Combined Sewer Project; and

WHEREAS, the Board shall provide all professional engineering services and grant all necessary utility easements to the City, at no cost, across lands and improvements controlled by the Board, in exchange for accelerating the construction schedule for the aforesaid capital improvements project; and

WHEREAS, the Division of Sewerage and Drainage, Department of Public Utilities hereby requests this City Council to authorize the Director to execute the subject agreement which will allow the Division to avoid considerable expense in the design and procurement of easements for the extension of the, and in return the Board shall be authorized to immediately commence the construction of this vital sanitary and stormwater infrastructure in within the City of Columbus, at the earliest practicable date, now therefore,

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

Section 1. That from the unappropriated monies in the Sewerage System Reserve Fund No. 654, 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, 2006, the sum of \$542,044.59 is hereby appropriated to the Division of Sewerage and Drainage| Division 60-05| Object Level One 10|Object Level Three 5502| OCA Code 901553.

Section 2. That the City Auditor is hereby authorized to transfer \$542,044.59 to the 1991 Voted Sanitary Bond Fund, into the Cleveland Ave. Combined Sewer Project, Project Account 650429, at such time as deemed necessary by him, and to expend said funds, or so much thereof as may be necessary.

Section 3. That the Director of Public Utilities be, and hereby is, authorized to enter into a contract, in accordance with the provisions of Columbus City Charter Section 186, to reimburse the Columbus Board of Education, 270 East State Street, Columbus, Ohio 43215, for costs associated with the construction of the Cleveland Ave. Combined Sewer Project, as shown on the detailed engineering Construction Drawing Nos. 14161 and 14162 on file with the Division of Sewerage and Drainage.

Section 4. That said capital improvements project reimbursement agreement shall stipulate that the Columbus Board of Education, agrees to comply with the competitive bidding procedures of Section 329 of the Columbus City Codes, "Procurement of Goods and Services", and with the Prevailing Wage Requirements of Chapter 4115 of the Ohio Revised Code.

Section 5. That the expenditure of \$542,044.59, or as much thereof as may be needed, be and the same hereby is authorized from the Voted Sanitary Bond No. 664| Division 60-05| Project No. 650429| Cleveland Ave. Comb. Sewer Project| OCA Code 650429; object level 6630.

Section 6. 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:** 1031-2006

**Drafting Date:** 05/25/2006

**Version:** 2

**Current Status:** Passed

**Matter Type:** Ordinance

### **Explanation**

**Council Variance Application: CV06-024**

**APPLICANT:** Platinum Lodging LLC c/o Jeffrey L. Brown, Atty.; Smith & Hale; 37 West Broad Street, Suite 725; Columbus, OH 43215.

**PROPOSED USE:** One hundred twenty-eight (128) multi-family dwelling units.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The applicant proposes a maximum of one hundred twenty-eight (128) multi-family dwelling units and parking in the M, Manufacturing District. A Council variance is necessary because multi-family dwellings are prohibited in the M, Manufacturing District. Variances to building lines and

to limitations regarding building height and green space along Interstate 70 contained in City of Columbus Ordinance 516 - 86 are included as well. An extended stay hotel located just to the east of this site has established a residential element in the area. The applicants have agreed to have a rezoning filed and on the Council agenda by the end of January 2007. No recommendation is being made regarding the hardship aspect of this request.

#### **Title**

To grant a Variance from the provisions of Sections 3363.01, M, Manufacturing districts, 3363.24, building lines and 3370.07, conditions and limitations; of the Columbus City Codes for the property located at **4770 HILTON CORPORATE DRIVE (43232)**, to permit a maximum of one hundred twenty eight dwelling units with reduced development standards in the M, Manufacturing District (Council Variance # CV06-024).

#### **Body**

**WHEREAS**, by application #CV06-024, the owner of property at **4770 HILTON CORPORATE DRIVE (43232)**, is requesting a Variance to permit a maximum of one hundred and twenty-eight (128) multi-family dwelling units with reduced development standards in the M, Manufacturing District; and

**WHEREAS**, Section 3363.01, M, Manufacturing District, prohibits apartment residential development, while the applicant proposes a maximum of one hundred twenty-eight (128) multi-family dwelling units with reduced development standards; and

**WHEREAS**, Section 3363.24, building lines, requires a building setback of twenty-five (25) feet, while the applicant proposes a building setback of fifteen (15) feet for an eight (8) foot fence along the perimeter of the site; and

**WHEREAS**, Section 3370.07, conditions and limitations, requires lots subject to a limited overlay to conform to each condition and limitation specifically identified and imposed in the development plan referenced in the ordinance passed by council, specifically City of Columbus Ordinance 516 - 86. Section 2 of City of Columbus Ordinance 516 - 86 establishes a maximum building height of thirty-five (35) feet, while the applicant proposes a maximum building height of forty-one (41) feet, in addition, Section 3 of Paragraph 3 of City of Columbus Ordinance 516 - 86 requires twenty-five (25) feet of green space south of the south right-of-way line of Interstate 70, while the applicant proposes an eight (8) foot fence fifteen (15) feet south of the right-of-way line; and

**WHEREAS**, this variance will permit a maximum of one hundred twenty-eight (128) apartment units with reduced development standards in the L-M, Limited Manufacturing District; and

**WHEREAS**, City Departments recommend approval because the applicant proposes a maximum of one hundred twenty-eight (128) multi-family dwelling units and parking in the M, Manufacturing District. An extended stay hotel located just to the east of this site has established a residential element in the area and the applicants have agreed to have a rezoning filed and on the Council agenda by the end of January 2007; 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 owners of the property located

at **4770 HILTON CORPORATE DRIVE (43232)**, in using said property as desired and; now, therefore:

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

**SECTION 1.** That a variance from the provisions of Sections 3363.01, M, Manufacturing District; 3363.24, building lines and 3370.07, conditions and limitations of the Columbus City Codes for the property located at **4770 HILTON CORPORATE DRIVE (43232)**, insofar as said sections prohibit a multi-family development with a maximum of one hundred twenty-eight (128) dwelling units, with a building height of forty-one (41) feet versus the current maximum height of thirty-five (35) feet and with only fifteen (15) feet of green space south of Interstate 70 versus the twenty-five (25) feet required in the ordinance passed by council, City of Columbus Ordinance 516 - 86 **and with a building setback of fifteen (15) feet for an eight (8) foot high fence along the perimeter of the site versus the required twenty-five (25) foot building setback**; said property being more particularly described as follows:

**4770 HILTON CORPORATE DRIVE (43232)**, being 11.1± acres located on the north side of Hilton Corporate Drive, 150± feet east of Cloverleaf Street East, and being more particularly described as follows:

LEGAL DESCRIPTION OF 11.188 ACRE TRACT

Situated in the State of Ohio, County of Franklin, City of Columbus, located in part of Sections 21 & 22, T12N, R21W, Refugee Lands, and being part of Lot 2 of LIONMARK CORPORATE CENTER, as numbered and delineated in Plat Book 65, Page 87, Franklin County Recorder's Office, and being more particularly described as follows:

Beginning, for reference, at a PK Nail found marking the intersection of the centerline of Hilton Lane (60 feet wide) and Cloverleaf Street east (80 feet wide);

Thence South 89° 43' 46" East 182.80 feet, along the centerline of Hilton Lane, to a point;

Thence North 00° 16' 14" East 30.00 feet, to an iron pin found (3/4 inch) in the north line of Hilton Lane marking the southeast corner of a 16.592 acre tract currently owned by Platinum Lodging LLC, of record in Instrument Number 200410270248374, and being the PRINCIPAL PLACE OF BEGINNING of the herein described tract:

Thence North 00° 22' 16" West 605.46 feet, along the east line of said 16.592 acre tract, to an iron pin found (3/4 inch) in the north line of Lot 2 and south line of Interstate 70, marking the northeast corner of said 16.592 acre tract;

Thence North 85° 59' 00" East 16.99 feet, along the north line of Lot 2 and south line of Interstate 70, to an iron pin found (3/4 inch);

Thence South 87° 13' 53" East 484.74 feet, along the north line of Lot 2 and south line of Interstate 70, to an iron pin found (3/4 inch);

Thence South 82° 13' 10" East 389.07 feet, along the north line of Lot 2 and south line of Interstate 70, to an iron pin found (3/4 inch) marking the northwest corner of a 3.181 acre tract currently owned by Slam Properties IV LLC, of record in Instrument Number 199812310337707;

Thence South 00° 16' 14" West 537.71 feet, along the west line of said 3.181 acre tract, to an iron pin found in the north line of Hilton Lane marking the southwest corner of said 3.181 acre tract;

Thence the following five (5) courses along the south line of Lot 2 and north line of Hilton Lane:

North 89° 43' 46" West 257.20 feet, to an iron pin found (3/4 inch);

Along the arc of a curve to the right (Delta angle= 72° 53' 43", Radius = 20.00', Arc length = 25.45 feet), with a long chord

bearing of North 53° 16' 55" West, and a chord length of 23.76 feet, to an iron pin found (3/4 inch);

Along the arc of a curve to the left (Delta angle= 72° 53' 43", Radius = 150.00', Arc length 381.68 feet), with a long chord bearing of North 89° 43' 46" West, and a chord length of 286.73 feet, to an iron pin found (3/4 inch);

Along the arc of a curve to the right (Delta angle= 72° 53' 43", Radius = 20.00', Arc length = 25.45 feet), with a long chord bearing of South 53° 49' 23" West, and a chord length of 23.76 feet, to an iron pin found (3/4 inch);

North 89° 43' 46" West 298.02 feet, to the principal place of beginning, containing an area of **11.188 acres**.

*Basis of bearings assumed, based of the centerline of Hilton Lane being South 89° 43' 46" East, as shown on Plat Book 65, Page 87. A survey was done by Bradley J. Patridge P.S. 7068, in September, 2005. All iron pins set are capped PATRIDGE SURVEYING.*

*All referenced documents are on file at the Franklin County Recorder's Office, Columbus, Ohio.*

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a maximum of one hundred twenty-eight (128) multi-family dwelling units, or those uses permitted in the M, Manufacturing District.

**SECTION 3.** That this ordinance is conditioned on the applicant or owner filing an application to rezone this property to either an AR-12 Apartment Residential District or L-AR-12, Limited Apartment Residential District and having it on the Agenda of the Columbus City Council for consideration by no later than January 31, 2007.

**SECTION 4.** That this ordinance is further conditioned upon the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

**SECTION 5.** 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:** 1036-2006

**Drafting Date:** 05/30/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**ExplanationBACKGROUND:**

**Need:** The Fire Division is in need to purchase Microsoft licenses for it's computers; this legislation is to authorize and direct the Director of Finance and Management to issue a purchase order for Microsoft Licenses from an existing Multiple Award Contract (MAC) established by the State Procurement Office for such purpose with Software House International.

**Bid Information:** A State of Ohio Multiple Award Contract (MAC) exists for these purchases.

**Contract Compliance:** Software House International ~ 223009648 (exp. 11/9/2007)

**Emergency Designation:** Emergency action is request to complete the purchase of said licenses prior to the expiration of said contract.

**FISCAL IMPACT:**

**Budgeted Amount:** Funds exist within the Division's current 2006 General Fund Operating Budget specifically for this purchase.

TitleTo authorize and direct the Director of Finance and Management to issue a purchase order for Microsoft licenses from an existing State of Ohio Procurement Office Multiple Award Contract (MAC) established for such purpose with Software

House International, to authorize the expenditure of \$29,812.00 from the General Fund, and to declare an emergency. (\$29,812.00)

Body **WHEREAS,** the Fire Division is in need to purchase Microsoft licenses; and

**WHEREAS,** a Multiple Award Contract (MAC) established by the State Procurement Office exists for these purchases; and

**WHEREAS,** an emergency exists in the usual daily operation of the Department of Public Safety, in that it is necessary to purchase said Microsoft licenses, 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 Director of Finance and Management be and is hereby authorized and directed to issue a purchase order for the purchase of Microsoft licenses in accordance with the existing Multiple Award Contract (MAC) established by the State Procurement Office with Software House International.

**Section 2.** That the expenditure of \$29,812.00, or so much thereof as may be necessary, be and is hereby authorized from the Fire Division's General Fund Budget, Fund 010, Division of Fire No. 30-04, Object Level One 02, Object Level Three 2224, OCA 301465.

**Section 3.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared 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:** 1040-2006

**Drafting Date:** 05/31/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

The purpose of this legislation is to authorize the Director of Finance and Management to enter into contract for the purchase of Micro Focus Server Express User Licenses for the Department of Technology, Information Services Division with Software House International.

Bids were solicited by the Purchasing Office.

The Purchasing Office opened formal bids on April 27, 2006. Three (3) bids were received. A tabulation of the bids is listed below and include trade-in:

Software House International \$27,223.00  
Columbus Supply \$37,640.32  
Micro Focus, Inc. \$30,500.00

An earlier purchase order from this bid was established, but failed to include the full seven (7) licenses that are required. This purchase order was established in the amount of \$19,189.00. The bid did include the correct quantity. This legislation seeks to increase the award to a total award of \$27,223.00.

**SUPPLIER: Software House International (223009648) Contract Compliance Expires 11/09/2007**

FISCAL IMPACT: Funds are budgeted for this type of expenditure.

**Title**

To authorize the Director of Finance and Management to establish a contract with Software House International for the

purchase of Micro Focus Server Express user licenses for the Department of Technology, Information Services Division, and to authorize the expenditure of \$8,034.00 from the Technology Department Information Services Fund. (\$8,034.00)

**Body**

WHEREAS, the Department Of Technology, ISD has a need for additional Micro Focus Server Express Licenses, and

WHEREAS, the Purchasing Office opened formal bids on April 27, 2006 via SA001955JY and three (3) bids were received, and

WHEREAS, a recommendation has been made to the lowest, responsive and responsible bidder, Software House International, Inc., and

WHEREAS, a purchase order will be issued in accordance with the terms and specifications of Solicitation Number: SA001955JY on file in the Purchasing Office; now, therefore,

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

Section 1. That the Director of Finance and Management be and is hereby authorized to establish a contract with Software House International, Inc. for the purchase of additional Micro Focus Server Express Licenses for the Department of Technology, Information Services Division, in accordance with specifications on file in the Purchasing Office.

**SECTION 2:** That the expenditure of \$8,034.00 or so much thereof as may be necessary is hereby authorized to be expended from:

**Div.:** 47-02| **Fund:** 514| **Subfund:** 001| **OCA:** 280743| **Obj. Level 1:** 03| **Obj. Level 3:** 3369| **Amount:** \$8,034.00.

**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:** 1041-2006

**Drafting Date:** 05/31/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

1. **BACKGROUND:** This legislation authorizes the Director of Public Utilities to enter into a construction contract with Tata Excavating, Inc., in the amount of \$461,567.48; to encumber funds with the Transportation Division for inspection, testing and prevailing wage coordination services in the amount of \$71,000.00; for a grand total of \$532,567.48; and to amend the 2005 Capital Improvements Budget; all in connection with the Southgate/Landers Area Stormwater System Improvements Project.

2. **CONSTRUCTION CONTRACT AWARD:** The Director of Public Utilities publicly opened seven bids on May 24, 2006. The lowest, responsive, and responsible bid was from Tata Excavating; 31-0717926; \$461,567.48. The bids are

listed below:

Tata Excavating	\$ 461,567.48
N.M. Savko & Sons	\$ 476,559.84
Storts Excavation	\$ 522,746.40
McDaniel's Construction Co.	\$ 541,116.41
George J. Igel & Co.	\$ 550,699.44
John Eramo & Sons, Inc.	\$ 600,854.06
Complete General Constr. Co.	\$ 635,242.50

3. FISCAL IMPACT: The Division of Sewerage and Drainage is requesting an amendment to the 2005 Capital Improvements Budget for purposes of establishing sufficient budget authority for this expenditure. There is sufficient cash for the expenditures associated with this project.

**Title**

To authorize the Director of Public Utilities to execute a construction contract with Tata Excavating; to provide for payment of inspection, material testing and related services to the Transportation Division; for the Southgate/Landers Area Stormwater System Improvements; to authorize an amendment to the 2005 Capital Improvements Budget; for the Division of Sewerage and Drainage; and to authorize the expenditure of \$532,567.48 within the Storm Sewer Bond Fund. (\$532,567.48)

**Body**

WHEREAS, seven bid proposals were received and publicly opened in the office of the Director of Public Utilities on May 24, 2006, for the construction of the Southgate/Landers Area Stormwater System Improvements Project; and

WHEREAS, it is necessary to authorize the Director of the Department of Public Utilities to award and execute a construction contract and to encumber and expend funds to provide for payment of inspection, testing and prevailing wage coordination services costs associated with the Southgate/Landers Area Stormwater System Improvements; and

WHEREAS, significant flooding and other stormwater problems have been identified through customer complaints for the area covered by this project; and

WHEREAS, it is necessary to authorize an amendment to the 2005 Capital Improvements Budget for purposes of providing sufficient funding and spending authority for the aforementioned project expenditures; and

WHEREAS, it has become necessary in the usual daily operation of the Division of Sewerage and Drainage, to authorize the Director of Public Utilities to enter into a contract for construction services for the Southgate/Landers Area Stormwater System Improvements Project, for the preservation of the public health, peace, property and safety; 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 award and execute a contract for construction of the Southgate/Landers Area Stormwater System Improvements Project with the lowest, responsive and responsible bidder, Tata Excavating, 1797 Williams Road; Columbus, Ohio 43207; in the amount of \$461,567.48 in accordance with the terms and conditions of the contract on file in the office of the Division of Sewerage and Drainage; to obtain the necessary testing and prevailing wage coordination services from the Transportation Division; and to pay up to a maximum amount of \$71,000.00, for a grand total of \$532,567.48.

**SECTION 2.** That the said construction company shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

**SECTION 3.** That for the purpose of paying the cost of the construction contract, the cost of inspection, testing and

prevailing wage coordination services, the following expenditure, or as much thereof as may be needed is hereby authorized as follows: Division 60-15, Storm Sewer Bond Fund No. 685, Project 610747, Object Level Three 6621, OCA Code 685747, Amount \$532,567.48.

**SECTION 4.** That the 2005 Capital Improvements Budget Ordinance No. 1070-2005 is hereby amended as follows, to provide sufficient budget authority for the execution of the construction contract stated in Section1 herein.

**CURRENT:**

- 610747: Southgate/Landers Area Stormwater System Improvements - \$0
- 610743: Springmont Ave. SSI's - \$2,845
- 610762: General Engineering Services - \$29,153
- 610937: Lockbourne Rd. Drainage Imp's - \$75,000
- 610970: Towers Court Detention Basin Imp's - \$100,000
- 610974: Woodland/Fifth Ave. Drainage Imp's - \$4,458,401
- 610985: Skyline Dr. SSI's - \$50,000

**AMENDED TO:**

- 610747: Southgate/Landers Area Stormwater System Improvements - \$532,568 (+\$532,568)
- 610743: Springmont Ave. SSI's - \$0 (-\$2,845)
- 610762: General Engineering Services - \$0 (-\$29,153)
- 610937: Lockbourne Rd. Drainage Imp's - \$69,047 (-\$5,953)
- 610970: Towers Court Detention Basin Imp's - \$0 (-\$100,000)
- 610974: Woodland/Fifth Ave. Drainage Imp's - \$4,083,763 (-\$374,638)
- 610985: Skyline Dr. SSI's - \$30,021 (-\$19,979)

**SECTION 5.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

**Legislation Number:** 1060-2006

**Drafting Date:** 06/02/2006

**Version:** 2

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**Rezoning Application Z06-014**

**APPLICANT:** Uha Corporation, LLC.; c/o Jeffrey L. Brown, Attorney; 37 West Broad Street, Suite 725; Columbus, OH 43215.

**PROPOSED USE:** Commercial development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Disapproval (4-0) on April 13, 2006.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The proposed CPD, Commercial Planned Development District will permit commercial development with most C-4 uses. The request establishes appropriate use restrictions and development standards. The proposal is consistent with the zoning and development patterns of the area. The *Northland Plan, Volume I* recommends that the frequency of curb cuts be limited along major corridors. The applicant is limited to right out only access to Morse Road.

**Title**

To rezone **4038 MORSE ROAD (43219)**, being 0.9± acres located on the north side of Morse Road, 315± feet east of Stelzer Road, **From:** R, Rural District, **To:** CPD, Commercial Planned Development District **and to declare an emergency.** (Rezoning # Z06-014)

**Body**

**WHEREAS**, application #Z06-014 is on file with the Building Services Division of the Department of Development requesting rezoning of 0.9± acres from R, Rural District to CPD, Commercial Planned Development District; and

**WHEREAS**, the Development Commission recommends disapproval of said zoning change; 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**, subsequent to the April Development Commission meeting, the applicant resolved the outstanding access issues but did not request reconsideration before the Development Commission; and

**WHEREAS**, the City Departments recommend approval of said zoning change because the proposal is consistent with the zoning and development patterns of the area. . The proposed CPD, Commercial Planned Development District will permit commercial development with most C-4 uses. The request establishes appropriate use restrictions and development standards. The *Northland Plan, Volume I* recommends that the frequency of curb cuts be limited along major corridors. The applicant is limited to right out only access to Morse Road, 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:

**4038 MORSE ROAD (43219)**, being 0.9± acres located on the north side of Morse Road, 315± feet east of Stelzer Road, and being more particularly described as follows:

Exhibit A

Situated in the State of Ohio, County of Franklin, Township of Blendon, Section 3, Township 2, Range 17, United States Military Lands and being all of the 0.483 Acre tract conveyed to Sun Oil Company of record in Deed Book 3048, Page 492 and part of the 1.130 Acre tract conveyed to Sun Oil Company of record in Deed Book 2602, Page 522, said deed records on file in the Franklin County Recorder's Office, and being more particularly described as follows:

Beginning at a set iron pipe at the intersection of the westerly line of Service Road "7A" with the northerly line of Morse Road as said intersection is shown on sheets 23 and 25 of Right-of-Way plan FRA-270-22.99 N, on file with the Ohio Department of Transportation, said iron pipe being also a corner of the State of Ohio, 0.704 Acre tract (Parcel 139 AWD) of record in Deed Book 3071, Page 515, said Recorder's Office;

Thence along the northerly line of said 0.703 Acre tract (the northerly line of said Morse Road) and along the southerly line of said 0.483 Acre tract, South 89 degrees 54 minutes 50 seconds West, 175.34 feet to a found iron pipe at the southwest corner of said 0.483 Acre tract and the southeast corner of The Standard Oil Company 0.596 Acre tract of record in Deed Book 3077, Page 565;

Thence along the east line of said 0.696 Acre tract (west line of said 0.483 Acre tract), North 01 degree 07 minutes 30 seconds East, 224.72 feet to a found iron pipe at the corner of the T.W. & J.R. Parke tract of record in Deed Book 1855, Page 441;

Thence along the northerly line of said 0.483 Acre tract (a southerly line of said Parke tract, North 89 degrees 54 minutes 50 seconds East, 175.34 feet to a found iron pipe at the northeast corner of said 0.483 Acre tract and in the westerly line of said Service Road (being Parcel 135 WD-1, 0.592 Acres of record in Deed Book 2961, Page 639, said Recorder's Office);

Thence along the westerly line of said Service Road (the westerly line of said State of Ohio 0.592 Acres and 0.704 Acre tract) and an easterly line of said 0.483 Acre tract, South 01 degree 07 minutes 30 seconds East, 224.72 feet to the place of beginning, CONTAINING 0.904 ACRES, subject to all legal highways and easements of record and records in the respective utility offices. The foregoing description was prepared from the survey of the premises by the undersigned in May, 1985. Basis of bearings is from Deed Book 3048, Page 492. Set iron pipes are 30" x 1" O.D. with orange plastic plug.

**To Rezone From:** R, Rural District,

**To:** CPD, Commercial Planned Development District.

**SECTION 2.** That a Height District of Thirty-five (35) feet is hereby established on the CPD, Commercial Planned Development 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 CPD, Commercial Planned Development District and Application among the records of the Building Services Division as required by Section 3311.12 of the Columbus City Codes; said plan being titled, "**IDG JEWELERS**," signed by Jeffrey L. Brown, attorney for the Applicant, and dated May 18, 2006; and text titled, "**COMMERCIAL PLANNED DEVELOPMENT TEXT**," signed by Jeffrey L. Brown, attorney for the Applicant, and dated May 17, 2006, and the text reading as follows:

**COMMERCIAL PLANNED DEVELOPMENT TEXT**

**PROPOSED DISTRICT:** CPD, Commercial Planned Development

**EXISTING DISTRICT:** R, Rural

**PROPERTY ADDRESS:** 4038 Morse Road

**OWNER:** Uha Corporation, LLC

**APPLICANT:** Uha Corporation, LLC

**DATE OF TEXT:** 5/17/06

**APPLICATION NUMBER:** Z06 -014

1. **INTRODUCTION:** The site is at the northwest corner of the intersection of Morse Road and Transit Drive. The site is currently a vacant gasoline station and convenience store. The proposed text contains appropriate development standards for the subject property.

2. **PERMITTED USES:** Those uses permitted in Chapter 3356 of Columbus City Code (C-4, Commercial) except for the following uses:

- Automobile sales, new and used
- Billboards
- Bowling alley
- Business college
- Cabaret
- Check cashing facility or store
- Commercial radio transmitting or television station and appurtenances including cellular towers
- Dance hall
- Electric substation
- Funeral parlor
- Motor bus terminal
- Motion picture theater
- Nightclub

Off premises graphics (unless approved as part of a graphics plan)

Pawn shop

Poolroom

Private club

Tattoo parlor

Testing or experimental laboratory

Trade school

**3. DEVELOPMENT STANDARDS:** Unless otherwise specified in the following text, the Development Standards shall be as specified in Chapter 3356 of Columbus City Code (C-4, Commercial District).

A. Density, Height, Lot and/or Setback commitments.

1. The minimum building setback shall be 80 feet from Morse Road and 25 feet from Transit Drive. The minimum parking setback shall be 30 feet from Morse Road and 10 feet from Transit Drive.

2. For structures and paved areas lot coverage shall not exceed 80%.

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 City's Transportation Division. The curbcut to Morse Road shall be right-in only unless otherwise approved by the City's Transportation Division.

2. Major driving aisles and curb lanes shall be defined with raised-curb island dividers or medians. Raised areas shall be planted and maintained with trees and other landscaping to increase visibility of the island or divider as outlined below.

C. Buffering, Landscaping, Open space and/or Screening commitments.

1. A tree row shall be established along Morse Road and Transit Drive containing one tree spaced every 30' along roadway. Trees shall be planted approximately 1' from road right-of-way and shall have a minimum caliper of 3" at the time of planting.

2. The parking setback along Morse Road or Transit Drive shall be screened from adjacent public right-of-way with a 3-4' average height continuous planting hedge, earth mound, or any combination thereof.

3. One tree shall be planted for every 10 parking spaces. Trees shall be planted in islands or medians at least 5 feet wide.

4. Mounding shall have a slope of at least 3 to 1 width to height ratio.

5. All trees and landscaping shall be well maintained. Dead items shall be replaced within six months or the next planting season, whichever occurs first.

6. All trees meet the following minimum sizes at the time of planting: Shade trees 2 1/2 caliper; Ornamental trees 1 1/2" caliper; Evergreen trees 5 feet in height. Tree 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. The building shall be finished with EFIS, limestone, brick and tinted glass individually or in any combination thereof. No exposed concrete block shall appear on the exterior elevations.

E. Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments.

1. Light poles shall not exceed 28 feet in height and shall be cut-off type fixtures.
2. For aesthetic compatibility, lights shall be from the same or similar type and color.
3. In parking lots, lighting shall be placed in raised islands or medians to protect both lights and vehicles from damage.
4. Wiring within a development shall be underground.

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 and Transit Drive frontages.
2. At the time of submission for zoning clearance the developer shall pay a park fee of \$400 per acre to the City of Columbus.
3. CPD Criteria

#### NATURAL ENVIRONMENT

The site is located at the northwest corner of Morse Road and Transit Drive and is currently vacant gasoline station and convenience store.

#### EXISTING LAND USE

To the west is a BP Station and Walmart, to the north is a hotel and undeveloped commercial ground; to the east across Transit Drive is commercial development; to the south across Morse Road is additional commercial development.

#### TRANSPORTATION AND CIRCULATION

All circulation, curb cuts and access points shall be subject to the approval of the Division of Traffic, Engineering and Parking.

#### VISUAL FORM OF THE ENVIRONMENT

The developer shall determine the building materials at the time of development.

#### VIEW AND VISIBILITY

The development text addresses issues of landscaping and pedestrian access.

#### PROPOSED DEVELOPMENT

Retail development providing an aesthetic improvement to the existing condition of the property.

#### EMISSIONS

No adverse affect from emissions should result from the proposed development.

#### BEHAVIOR PATTERNS

Existing development has established vehicular and pedestrian behavior patterns in this area.

**SECTION 4. ~~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:** 1073-2006

**Drafting Date:** 06/06/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

#### **Explanation**

**Background:** The City of Columbus, Ohio is the holder of certain sewer easement rights, located in the vicinity of Reynoldsburg-New Albany Road and East Broad Street, by virtue of recorded deeds of easement. The Kroger Company has requested the City release a certain portion of the aforementioned sewer easement in exchange for a previously granted replacement easement. After investigation, it has been determined that the proposed exchange of easements will not adversely affect the City and therefore should be granted at no charge. The following legislation authorizes the Director of the Department of Public Utilities to execute those instruments necessary to release a certain portion of the aforementioned sewer easement in exchange for a previously granted replacement easement.

**Fiscal Impact:** N/A

**Emergency Justification:** Emergency action is requested to allow for the immediate release of the subject easement in exchange for an easement already receive by the City as not to delay the development of the property.

#### **Title**

To authorize the Director of the Department of Public Utilities to execute those documents necessary to release a certain portion of a sanitary easement, located in the vicinity of Reynoldsburg-New Albany Road and East Broad Street, at the request of The Kroger Company, in exchange for replacement easements previously granted to the City of Columbus, Ohio and to declare an emergency.

#### **Body**

WHEREAS, the City of Columbus, Ohio holds title to an easement, located in the vicinity of Reynoldsburg-New Albany Road and East Broad Street, by virtue of a recorded deed of easement; and,

WHEREAS, the Kroger Company, has requested that a portion of the subject easement be released in exchange for a replacement easement previously granted to the City of Columbus; and,

WHEREAS, the Division of Sewerage and Drainage has determined that the release of said easement will not adversely affect the City of Columbus; and

WHEREAS, an emergency exists in the usual daily operation of the City, in that it is necessary to immediately authorize the Director of the Department of Public Utilities to execute those documents necessary to release a certain utility

easement at the request of the Kroger Company, 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 Director of the Department of Public Utilities be, and hereby is authorized to execute those documents, prepared by the Department of Law, Real Estate Division, necessary to release the following describe real property:

Situated in the State of Ohio, County of Franklin, City of Columbus, in Quarter Township 4, Township 1 North, Range 16 West, United States Military Lands and being a portion of an existing sanitary sewer easement (15 feet in width) conveyed to City of Columbus, Ohio by deed of record in Official Record 20074, Page D 05, said existing easement crosses a portion of an original 13.714 acre tract of land conveyed as Tract I and crosses a portion of a 1.418 acre tract of land conveyed as Tract III to Regency Centers, L.P. by deed of record in Instrument 199805080112954, all references being to the Recorder's Office, Franklin County, Ohio, said portion of said easement to be vacated bounded and described as follows:

Beginning at a point in the north line of said 1.418 acre tract, in a south line of said original 13.714 acre tract and in an east line of said existing easement, said point being S 72° 29' 00" W a distance of 167.97 feet from the northeast corner of said 1.418 acre tract and from a southeast corner of said original 13.714 acre tract;

thence S 00° 57' 37" E along a portion of an east line of said existing easement a distance of 7.45 feet to a point at a corner of said existing easement;

thence N 61° 01' 25" W crossing a portion of said existing easement a distance of 17.31 feet to a point at a corner of said existing easement;

thence N 00° 57' 37" W along a portion of a west line of said existing easement a distance of 97.97 feet to a point;

thence N 82° 19' 52" E crossing a portion of said existing easement a distance of 15.10 feet to a point in an east line of said existing easement;

thence S 00° 57' 37" E along a portion of an east line of said existing easement a distance of 100.93 feet to the place of beginning;

containing 1,548 square feet (= 0.036 acre) of land more or less.

The above description was prepared by Kevin L. Baxter, Ohio Surveyor No. 7697, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from best available Court House research in May, 2005. Basis of bearings is a south line of East Broad Street Business Center, being S 81° 48' 00" W, as shown of record in Plat Book 58, Page 38 and 39, Recorder's Office, Franklin County, Ohio.

Kevin L. Baxter  
Ohio Surveyor #7697

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 passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 1075-2006

**Drafting Date:** 06/06/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

BACKGROUND: For the option to purchase Truck Washing Services for Refuse Collection. The term of the proposed option contract will be one (1) year. Contract is through April 30, 2007. The Purchasing Office opened formal bids on

April 20, 2006.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA001963 GRW) Eighteen (MAJ:13, MBE:5, FBE:0) bids were solicited; Five suppliers bid a total of six (6) (MAJ:6) bids were received.

The Purchasing Office is recommending award to the lowest, responsive, responsible and best bidder:

TNT Powerwash Inc. MAJ, CC#920184358 (expires 4/10/2007), \$50,000.00  
Total Estimated Annual Expenditure: \$50,000.00

This company is 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 Purchasing UTC Contract Account. Refuse Collection 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 one (1) UTC contract for the option to purchase Truck Washing Services with TNT Powerwash Inc., to authorize the expenditure of one (1) dollar to establish the contract from the Universal Term Contract Account, and to declare an emergency (\$1.00).

**Body**

WHEREAS, the Purchasing Office advertised and solicited formal bids on April 20, 2006 and selected the lowest, responsive, responsible and best bid; 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, this service is used to keep Refuse Collection vehicles clean and minimize the fire hazard from debris, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Refuse Collection Division in that it is immediately necessary to enter into a contract(s) for an option to purchase Truck Washing 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 Truck Washing services in accordance with Solicitation No. SA001963 GRW as follows:

TNT Powerwash Inc. All Items: Amount: \$1.00

SECTION 2. That the expenditure of \$1.00 is hereby authorized from the Universal Term Contract Account, Organization

Level 1: 45-50, Fund: 05-517, Object Level 3: 2270, OCA: 450020, 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:** 1077-2006

**Drafting Date:** 06/06/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### Explanation

**Background:** Ordinance No. 0150-2006 passed February 13, 2006, authorizing the City Attorney to acquire certain property rights, and to expend certain monies in connection with the **South Wellfield Expansion Project**. The original amount of funding made available for this project was done so with the understanding that additional monies may be needed at a later date. It is now necessary to increase the Auditor's Certificate established by the aforementioned ordinance by the amount of \$500,000.00 to pay for additional costs in connection with this project.

**Fiscal Impact:** The Department of Public Utilities, Division of Power and Water has determined funding for this increase will be from the Waterworks Enlargement 1991 Bonds Fund.

**Emergency Justification:** Emergency action is requested to allow the acquisition of the parcels necessary for this project to proceed without delay.

### Title

To increase an existing Auditor's Certificate by \$500,000.00 from the Waterworks Enlargement 1991 Bonds Fund, for the **South Wellfield Expansion Project** and to declare an emergency. **(\$500,000.00)**

### Body

WHEREAS, the City of Columbus is engaged in the acquisition of real estate in connection with the **South Wellfield Expansion Project**; and

WHEREAS, an emergency exists in that it is immediately necessary to increase an Auditor's Certificate by \$500,000.00, from the **South Wellfield Expansion Project**, to pay additional professional service costs and other fees incidental to the acquisition of real estate for the above referenced project 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 City Auditor be, and he hereby is, authorized to increase Auditor's Certificate # AC-025332 in the amount of \$500,000.00 from the Waterworks Enlargement 1991 Bonds Fund, Fund #606 for the purpose of paying costs incidental to the acquisition of land for South Wellfield Expansion Project, Project #690359.

Section 2. That the expenditure of \$500,000.00, or so much thereof as may be necessary for the Department of Public Utilities, Division of Power and Water, Project #690359, from the 606 Fund, OCA Code 642900, Object Level Three, 6601, AC-025332 for the appropriation of said real property interests determined to be necessary for the stated public purpose is hereby authorized.

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 its passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 1078-2006

**Drafting Date:** 06/06/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The Columbus Health Department operates the Ben Franklin Tuberculosis Clinic under a grant received from the Franklin County Board of Commissioners. Pharmacist services are necessary to ensure compliance with the requirements of the Ohio State Board of Pharmacy. Needed services include: oversight of the storage, inventory, and ordering of stock medications; patient chart review and patient education; staff training and assisting the T.B. physician. A request for proposals for these services was advertised in the city bulletin (SA001521 dated 1/24/05). This ordinance will award the second year of a three-year contract to Pharmacy People, Inc. for the provision of on-site pharmacist services. The fee proposed for the second year contract term is \$60.00 per hour. The contract compliance number is 311201354.

Emergency action is requested to ensure prompt payment for services provided by the contractor.

**FISCAL IMPACT:** All expenditures from this contract will be fully reimbursed by the grant received from Franklin County for the TB Clinic.

**Title**

To authorize the Board of Health to enter into a contract with Pharmacy People, Inc. for the provision of pharmacist services for the Tuberculosis Clinic; to authorize the expenditure of \$135,000.00 from the Health Department Grants Fund to pay the cost thereof; and to declare an emergency. (\$135,000.00)

**Body**

**WHEREAS,** Pharmacy People, Inc., has been awarded the second year of a three-year contract through an RFP process to provide on-site pharmacist services for the T.B. Clinic; and,

**WHEREAS,** has provided quality services in the past; and,

**WHEREAS,** it is the intent of the Board of Health to enter into a contract with Pharmacy People, Inc. for the second year of a three-year contract; and,

**WHEREAS,** emergency action is necessary in order to ensure prompt payment for services provided by the contractor; and,

**WHEREAS,** an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to enter into a contract with Pharmacy People, Inc. 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 Board of Health is hereby authorized to enter into a contract with Pharmacy People, Inc. for pharmacist services for the Ben Franklin Tuberculosis Clinic through January 31, 2007.

**SECTION 2.** That the expenditure of \$135,000 is hereby authorized from the Health Department Grants Fund, Department of Health, Division No. 50-01, OCA Code 504055, Object Level One 03, Object Level Three 3351.

**SECTION 3.** That this contract is awarded in accordance with Section 329.14 of the Columbus City Code.

**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.

**Legislation Number:** 1079-2006

**Drafting Date:** 06/06/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

June 6, 2006

**BACKGROUND:** The purpose of this legislation is to authorize the Board of Health to enter into a contract for parking deck improvements at the Health Department facility located at 240 Parsons Avenue. A summary of the bid information is as follows:

	Total	MBE/FBE/MBR Certified Vendors	Non- Certified Vendors
SO022531 posted from Bids received	2	1	1
04/18/06-04/24/06 Contract awarded	1	0	1

This ordinance is requested as an emergency to allow for the timely procurement of needed services, thereby allowing the project to proceed without delay.

The contract compliance number for Harold K. Phillips Restoration, Inc. is 31-0921896.

**FISCAL IMPACT:** This capital improvement project expenditure is budgeted within The Blind School Renovation Project, Fund 706.

**Title**

To authorize the Board of Health to enter into a contract with Harold K. Phillips Restoration, Inc., for pavement renovation services; to authorize the expenditure of \$3,000.00 from the Voted 1999 Health Renovation Fund; and to declare an emergency. (\$3,000.00)

**Body**

**WHEREAS,** a need exists for parking deck improvements for the Health Department; and,

**WHEREAS,** Harold K. Phillips Restoration, Inc., was determined to be the lowest and most responsive and responsible bidder to SO022531; and,

**WHEREAS,** the timely procurement of needed services will allow the project to proceed without delay so this ordinance is being submitted as an emergency measure; and,

**WHEREAS,** an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to enter into a contract with Harold K. Phillips Restoration, Inc., 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 Board of Health is hereby authorized to enter into contract for \$3,000.00 with Harold K. Phillips Restoration, Inc., for parking deck improvements for the Blind School Renovation Project.

**SECTION 2.** That the expenditure of \$3,000.00 is hereby authorized from the Health Renovation Fund, Fund No. 706, Project No. 570053, Department of Health, Division No. 50, Object Level One 06, Object Level Three 6620, OCA No. 501713.

**SECTION 3.** That the City Auditor is authorized 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 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:** 1080-2006

**Drafting Date:** 06/06/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The Health Department provides laboratory testing of medical specimens generated by various programs within the Health Department. A Request for Proposals for Reference Laboratory Services (SA001310) for a three-year period was advertised from 9/24/04 through 11/1/04, and Grant/Riverside Methodist Hospitals was awarded the contract. This ordinance will authorize funding for the second year of a three-year contract for laboratory testing services provided for the Ben Franklin Tuberculosis Clinic.

Emergency action is requested to ensure continued testing services for TB patients.

**FISCAL IMPACT:** All expenditures from this contract will be fully reimbursed by the grant received from the Franklin County Board of Commissioners for the TB Clinic.

**Title**

To authorize the Board of Health to enter into a contract with Grant/Riverside Methodist Hospitals to provide laboratory testing services for the Ben Franklin Tuberculosis Clinic; to authorize the expenditure of \$52,000 from the Health Department Grants Fund to pay the costs thereof; and to declare an emergency. (\$52,000)

**Body**

**WHEREAS,** proposals were formally submitted through the RFP process for laboratory testing services for various programs of the Health Department; and,

**WHEREAS,** it is necessary to enter into the second year of a three-year contract with Grant/Riverside Methodist Hospitals; and,

**WHEREAS,** an emergency exists in the usual daily operation of the Health Department in that it is immediately necessary to enter into a contract with Grant/Riverside Methodist Hospitals for the immediate preservation of the public health, peace, property, safety and welfare, and to ensure continued testing services; Now, therefore,

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

**SECTION 1.** That the Board of Health is hereby authorized to enter into a contract with Grant/Riverside Methodist Hospitals for laboratory testing of medical specimens for the Ben Franklin Tuberculosis Clinic for the period through January 31, 2007.

**SECTION 2.** That to pay the cost of said contract, the expenditure of \$52,000 is hereby authorized from the Health Department Grants Fund, Fund No. 251, Department of Health, Department No. 50-01, OCA Code 504055, Object Level One 03, Object Level Three 3408.

**SECTION 3.** 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:** 1081-2006

**Drafting Date:** 06/06/2006

**Current Status:** Passed

**Version:** 2

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The Columbus Health Department operates the Ben Franklin Tuberculosis Clinic under a grant awarded from the Franklin County Board of Commissioners. In order to effectively manage patients with latent and active Tuberculosis, it is necessary to provide specialized physician services. The Medical Director of the Health Department contacted area physicians specializing in Infectious Disease and/or Pulmonary medicine, expressing a need for these specialized services in the TB Clinic. OSU Hospitals responded and can provide physicians who meet the special criteria. Formal bids were not solicited, therefore, this ordinance waives competitive bidding provisions. This ordinance authorizes the Board of Health to enter into a contract with The Ohio State University - Division of Infectious Disease and Internal Medicine, acting through its practice plan, OSU Internal Medicine, LLC, in the amount of \$100,000 for the period through December 31, 2006.

Emergency action is requested in order to provide continued specialized physician services for patients of the Tuberculosis Clinic.

**FISCAL IMPACT:** \$100,000 is budgeted in the Health Department Grants Fund for physician services for the T.B. Clinic. Franklin County will reimburse all expenses under this contract.

**Title**

To authorize the Board of Health to enter into a contract with The Ohio State University - Division of Infectious Disease and Internal Medicine, acting through its practice plan, OSU Internal Medicine, LLC, for physician services for the Ben Franklin Tuberculosis Clinic, to authorize the expenditure of \$100,000 from the Health Department Grants Fund to pay the costs thereof, to waive provisions of competitive bidding, ~~and to declare an emergency.~~ (\$100,000)

**Body**

**WHEREAS,** the Health Department has a need for specialized physician services to manage patients of the Tuberculosis Clinic; and,

**WHEREAS,** The Ohio State University - Division of Infectious Disease and Internal Medicine, acting through its practice plan, OSU Internal Medicine, LLC, can provide physicians who have the expertise required to manage patients of the Tuberculosis Clinic; and,

**WHEREAS**, this ordinance is submitted as an emergency in order to ensure continuity of services for patients of the TB Clinic; ~~now, therefore and,~~

~~**WHEREAS**, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to contract with The Ohio State University - Division of Infectious Disease and Internal Medicine, acting through its practice plan, OSU Internal Medicine, LLC, for specialized physician services 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 Board of Health is hereby authorized and directed to enter into a contract with The Ohio State University - Division of Infectious Disease and Internal Medicine, acting through its practice plan, OSU Internal Medicine, LLC, for physician services for the Ben Franklin Tuberculosis Clinic for the period through December 31, 2006.

**SECTION 2.** That to pay the costs of said contract, the expenditure of \$100,000 is hereby authorized from the Health Department Grants Fund, Fund No. 251, Department of Health, Division No. 50-01 as follows:

Tuberculosis Prevention and Control Grant

OCA: 504055 Grant: 504055 Obj. Level 01: 03, Obj. Level 03:3418 Amount: \$100,000.

**SECTION 3.** That the provisions of Section 329.11 of the Columbus City Code are hereby waived. See attachment bidwaiverOSUphy06.doc.

~~**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. 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:** 1085-2006

**Drafting Date:** 06/06/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

The City of Columbus Department of Public Safety, Division of Police on behalf of the Columbus Urban Area Homeland Security Advisory Committee was awarded a grant for the acquisition of an Upgrade of Key Card Systems. Central Headquarters is in need of enhancing current building access security equipment and will increase security throughout several areas of Central Headquarters. The City of Columbus and Franklin County entered into an Intergovernmental Agreement, Ordinance 1917-2005 to enable this type of purchase. The total expenditure in the amount of \$21,457.00 will be paid by Franklin County through the Urban Area Homeland Security Grant.

The current system was installed and has been maintained by Matrix Systems, Inc. and to upgrade the existing system the Division of Police will need to use the same supplier to keep all equipment and services under warranty. The cost of the upgrade is much less than to change to a new system or new warranties that would be necessary.

Negotiations were conducted with Matrix Systems, Inc. to ensure the best possible pricing on this system upgrades.

This company is not debarred according to the Federal excluded parties listing or prohibited from being awarded a contract according to the Auditor of State unresolved findings for recovery certified search.

Emergency Designation: Emergency legislation is requested to expedite the process of the award from Franklin County

Office of Homeland Security and Justice Programs.

Contract Compliance Number: 31-0902711- Expires:12/22/07

FISCAL IMPACT: There is no fiscal impact for the General Fund Account. The Intergovernmental Agreement permits City of Columbus and Franklin County to make the federal sub-grant expenditures.

**Title**

To authorize and direct the Director of Public Safety to execute those documents necessary for the acquisition of a Upgrade of Key Card Systems utilizing the Homeland Security Grant; to waive the provisions of competitive bidding; and to declare an emergency.

**Body**

WHEREAS, the Division of Police was awarded a grant from Franklin County Office of Homeland Security and Justice Programs; and

WHEREAS, Upgrade of Key Card Systems will provide increase security throughout Police Central Headquarters; and

WHEREAS, negotiations were conducted for the acquisition of Upgrade of Key Card Systems for the Division of Police; and

WHEREAS, it is necessary to waive the provisions of Section 329.06 of the Columbus City Code; and

WHEREAS, the Division of Police is requesting the Director of Public Safety to execute the necessary document for acquisition of this vehicle utilizing the Homeland Security Grant; 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 execute the needed document for the acquisition of a Upgrade of Key Card Systems from the federal sub-grant 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 the Director of Public Safety be and is hereby authorized and directed to execute those documents necessary for acquisition of an Upgrade of Key Card Systems utilizing the Homeland Security Grant.

Section 2. That in accordance with Section 329.27 of Columbus City Codes, this Council finds it is in the best interest of the City of Columbus to waive the provisions of Section 329.06 of the Columbus City Codes to permit the aforementioned purchases.

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:** 1086-2006

**Drafting Date:** 06/07/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

BACKGROUND: This legislation requests a transfer of \$1,600,000 from Object Level One: 04 to Object Level One: 07

within the Electricity Operating Fund 550. The need to transfer funding within the Electricity Operating Fund budget was identified in the second quarter budget review. A surplus in Object Level One: 04, Principal, and a deficit in Object Level One: 07, Interest, is due to a combined total of principal and interest for debt service being appropriated in Object Level One: 04. This legislation will align the budget authority with projected expenditures.

**FISCAL IMPACT:** No increase in overall funding is requested. There is sufficient appropriation available in Object Level One: 04, Principal, for this requested transfer to Object Level One: 07, Interest.

**Title**

To authorize the transfer of appropriations within the Electricity Operating Fund to align budget authority with projected debt interest expenditures for the Division of Power and Water. (\$1,600,000.00)

**Body**

WHEREAS, a combined total of principal and interest for debt service was appropriated in Object Level One: 04, Principal, in the 2006 Electricity Operating Fund budget; and

WHEREAS, surplus in Object Level One: 04, Principal, should be transferred to Object Level One: 07, Interest, to align authority with projected expenditures; now, therefore,

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

SECTION 1. That the City Auditor be and is hereby authorized and directed to transfer appropriations within the Electricity Operating Fund 550, Dept./Div. No. 60-07, as follows:

FROM

Object Level One: 04  
OCA: 600700  
Object Level 3: 4410  
Amount \$1,600,000.00

TO:

Object Level One: 07  
OCA: 600700  
Object Level Three: 7411  
Amount: \$1,600,000.00

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:** 1087-2006

**Drafting Date:** 06/07/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The Columbus Health Department has been awarded a grant from the Ohio Department of Health through the Centers for Disease Control. This ordinance is needed to accept and appropriate \$1,853,519.00 in grant

money to fund the Public Health Infrastructure grant program for the period of August 31, 2006 through August 30, 2007.

The Public Health Infrastructure program establishes the Franklin County/City of Columbus support network that would be required in the event of bioterrorism activity in the central region of the state of Ohio. It also allocates funding for the Regional Medical Response System for central Ohio and the Cities Readiness Initiative.

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 given the grant start date of August 31, 2006. Up to date financial posting promotes accurate accounting and financial management.

**FISCAL IMPACT:** The program is funded by the Ohio Department of Health and does not generate revenue. The program does require ancillary mileage monies from the City, which are budgeted and available

**Title**

To authorize and direct the Board of Health to accept a grant from the Ohio Department of Health in the amount of \$1,853,519.00; to authorize the appropriation of \$1,853,519.00 from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency. (\$1,853,519.00)

**Body**

**WHEREAS**, \$1,853,519.00 in grant funds have been made available through the Ohio Department of Health for the Public Health Infrastructure program; 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 this grant from the Ohio Department of Health 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 Board of Health is hereby authorized and directed to accept a grant award of \$1,853,519.00 from the Ohio Department of Health for the Public Health Infrastructure program for the period August 31, 2006 through August 30, 2007.

**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, 2007, the sum of \$1,853,519 is hereby appropriated to the Health Department, Division No. 50, as follows:

Public Health Infrastructure Grant

OCA: 507045 Grant No.: 507045 Obj. Level 01: 01 Amount \$1,058,228

OCA: 507045 Grant No.: 507045 Obj. Level 01: 02 Amount \$ 10,000

OCA: 507045 Grant No.: 507045 Obj. Level 01: 03 Amount \$ 785,291

**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:** 1088-2006

**Drafting Date:** 06/07/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

The purpose of this legislation is to authorize the Director of Public Utilities to modify and extend a contract for Land Application of Biosolids Services for the Division of Sewerage and Drainage Synagro Central Inc. There is no fiscal impact, as City Council already authorized an additional \$600,000 for this contract in February (Ord. No 0267-2006).

This contract provides for the disposal of sewage sludge on agricultural land for use by the Compost Facility, the Jackson Pike and Southerly Wastewater Treatment Plants. The Director of Public Utilities opened formal bids on May 26, 2004 and an award was made to Synagro Central I

**Title**

To authorize the Director of Public Utilities to enter into a planned modification and extension of an existing contract for the Land Application of Biosolids Services with Synagro Central Inc., for the Division of Sewerage and Drainage (\$0)

**Body**

WHEREAS, the Director of Public Utilities opened formal bids on May 26, 2004 for Land Application of Biosolids Services, and

WHEREAS, the contract language provides for 3 contract extensions and the Division of Sewerage and Drainage is requesting to utilize the last of these extension and modify and extend the contract with Synagro Central Inc for up to one (1) years, and

WHEREAS, the Division of Sewerage and Drainage is in the process of re-bidding the contract and the extension period will up to the completion of that contract, now, therefore;

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

Section 1. That the Director of Public Utilities be and is hereby authorized to modify and extend the contract with Synagro Central Inc. for the Land Application of Biosolids Services for the Division of Sewerage and Drainage.

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:** 1094-2006

**Drafting Date:** 06/07/2006

**Current Status:** Passed

Version: 1

Matter Type: Ordinance

**Explanation**

**BACKGROUND:** The Health Department (CHD) operates the Tuberculosis Clinic under a grant received from the Franklin County Board of Commissioners. In order to provide for proper treatment and control of Tuberculosis, CHD maintains supplies of various medications for its patients. The Purchasing Division has entered into a universal term contract (FL002708) with Capital Wholesale Drug Company for the purchase of various pharmaceuticals regularly used by CHD. This ordinance will establish a purchase order in accordance with the terms of the UTC. In order to ensure availability of necessary medications, emergency action is hereby requested. The contract compliance number is 314377882.

**FISCAL IMPACT:** Funding for this expense is budgeted in the Health Department Grants Fund. This and all expenses of the T.B. Clinic are reimbursed through a grant received from Franklin County.

**Title**

To authorize the Director of Finance and Management to establish a purchase order with Capital Wholesale Drug Company for the purchase of various pharmaceuticals for the Health Department; to authorize the expenditure of \$100,000 from the Health Department Grants Fund to pay the cost thereof; and to declare an emergency. (\$100,000)

**Body**

**WHEREAS**, the Health Department maintains supplies of various medications for its tuberculosis patients; and,

**WHEREAS**, a universal term contract has been established with Capital Wholesale Drug Company for the purchase of pharmaceuticals; and,

**WHEREAS**, in order to ensure availability of necessary medications, emergency action is hereby requested; and,

**WHEREAS**, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to establish a purchase order with Capital Wholesale Drug Company 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 Finance and Management is hereby authorized to establish a purchase order with Capital Wholesale Drug Company for the purchase of various pharmaceuticals.

**SECTION 2.** That the expenditure of \$100,000 is hereby authorized from the Health Department Grants Fund, Fund No. 251, Department of Health, Division No. 50-01, Object Level One 02, Object Level Three 2207, OCA 504055.

**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: 1101-2006

Drafting Date: 06/08/2006

Version: 1

Current Status: Passed

Matter Type: Ordinance

**Explanation**

**BACKGROUND:** This legislation authorizes The Board of Health to modify and increase a contract associated with purchase order DE066770, with the Franklin County Sheriff's Office.

The Franklin County Sheriff's Office will conduct sobriety checkpoints and saturation patrols. The contract period is October 1, 2005 through September 30, 2006. DE066770 was originally set up for \$20,000. An additional contract amount is needed not to exceed \$18,000 for a total contract not to exceed \$38,000.

Emergency action is required to ensure the continued operation of the OVI Task Force Program.

**FISCAL IMPACT:** This contract is entirely funded by a grant from the Ohio Department of Public Safety. The program does not generate revenue or require a City match. The monies are budgeted in the 2006 Health Department Grants Fund.

**Title**

To authorize the Board of Health to modify a contract with the Franklin County Sheriff's Office to conduct saturation patrols and sobriety checkpoints for the OVI Task Force grant program; to authorize the expenditure of \$18,000.00 from the Health Department Grant Funds to pay the cost thereof, and to declare an emergency, (18,000.00)

**Body**

**WHEREAS**, funding is available from the Ohio Department of Public Safety to modify a contract with Franklin County Sheriff's Office to conduct saturation patrols and sobriety checkpoints for the OVI Task Force grant program; and,

**WHEREAS**, an emergency exists in the usual daily operation of The Columbus Health Department in that it is immediately necessary to modify a contract with the Franklin County Sheriff's Office to ensure the continuation of these services 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 Board of Health is hereby authorized and directed to modify a contract with the Franklin County Sheriff's Office to conduct saturation patrols and sobriety checkpoints for the OVI Task Force grant program for the period October 1, 2005 through September 30, 2006.

**SECTION 2.** That to pay the cost of said contract, the expenditure of \$18,000.00 is hereby authorized from the Health Department Grants Fund, Fund No. 251, Division 50-01, Grant No. 506070, OCA Code 506070, Object Level One 03, Object Level Three 3407.

**SECTION 3.** That this contract is awarded in accordance with Sections 329.16 of the Columbus City Code.

**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:** 1113-2006

**Drafting Date:** 06/09/2006

**Version:** 2

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**Council Variance Application: CV06-021**

**APPLICANT:** HRE Builders, Inc; c/o Kevin McMahon; 1340 Clubview Boulevard North; Worthington, Ohio 43235.

**PROPOSED USE:** Two single-family dwellings.

**VICTORIAN VILLAGE COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The subject site is developed with a single-family dwelling on a lot zoned in the ARLD, Apartment Residential District. The applicant proposes a lot split and desires to construct a single-family dwelling on the newly created lot. The ARLD district permits single-family dwellings on lots of record as of January 14, 1959 or on a lot in a recorded subdivision platted between January 14, 1959 and July 16, 1986. A variance is necessary to permit the lot split and development of a single-family dwelling and also to conform the existing single-family dwelling. This ordinance also includes variances to reduce the minimum side yards. Approval of this request will not add a new or incompatible use to the area.

**Title**

To grant a Variance from the provisions of Sections 3332.02, AR-12, ARLD and AR-1, Apartment residential district use; 3333.23, Minimum side yard required, for the property located at **1128 HIGHLAND STREET (43201)**, to permit a new single-family dwelling and to conform an existing single-family dwelling in the ARLD, Apartment Residential District with reduced development standards **and to declare an emergency.** (Council Variance #CV06-021)

**Body**

**WHEREAS**, by application No. CV06-021, the owner of property at **1128 HIGHLAND STREET (43201)**, is requesting a Council Variance to permit a new single-family dwelling and to conform an existing single-family dwelling with reduced development standards in the ARLD, Apartment Residential District; and

**WHEREAS**, Section 3333.02, ARLD, Apartment Residential District, prohibits single-family dwellings on a lot that is not a lot of record as of January 14, 1959 or platted between January 14, 1959 and July 16, 1986, while the applicant proposes to build a new single-family dwelling and conform an existing single-family dwelling on two newly created lots; 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 3333.23(a) Minimum side yard required, requires a minimum side yard of five (5) feet, while the applicant proposes minimum side yards as indicated on the site plan including 3' 4" on the north property line and 3' 5 1/8" on the south property line for the existing single-family dwelling, and 4' 4 3/8" on the north property line and 4' 3 3/4" on the south property line for the new single-family dwelling; and

**WHEREAS**, Section 3333.23(c) Minimum side yard required, requires a minimum distance of a garage from the interior side lot line of three (3) feet, while the applicant proposes minimum distances as indicated on the site plan including 1' 5 1/2" on the north property line and 1' 2 3/4" on the south property line for the existing garage; and

**WHEREAS**, the Victorian Village Commission recommends approval; and

**WHEREAS**, City Departments recommend approval because approval of this request will not add a new or incompatible use to the area. The subject site is developed with a single-family dwelling on a lot zoned in the ARLD, Apartment Residential District. The applicant proposes a lot split and desires to construct a single-family dwelling on the newly created lot. The ARLD district permits single-family dwellings on lots of record as of January 14, 1959 or on a lot in a recorded subdivision platted between January 14, 1959 and July 16, 1986. A variance is necessary to permit the lot split

and development of a single-family dwelling and also to conform the existing single-family dwelling. This ordinance also includes variances to reduce the minimum side yards; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits 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 owners of the property located at **1128 HIGHLAND STREET (43201)**, 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 3332.02, AR-12, ARLD and AR-1, Apartment residential district use; 3333.23, Minimum side yard required, for the property located at **1128 HIGHLAND STREET (43201)**, insofar as said sections prohibit single-family dwellings with side yards of 3' 4" on the north property line and 3' 5 1/8" on the south property line for the existing single-family dwelling, and 4' 4 3/8" on the north property line and 4' 3 3/4" on the south property line for the new single-family dwelling, and side yards for the existing garage of 1' 5 1/2" on the north property line and 1' 2 3/4" on the south property line; said property being more particularly described as follows:

**1128 HIGHLAND STREET (43201)**, being 0.20± acres located on the east side of Highland Street, 213± feet south of West Fourth Avenue, and being more particularly described as follows:

**DESCRIPTION OF A 0.207 ACRE TRACT  
LOCATED EAST OF HIGHLAND STREET  
AND SOUTH OF FOURTH AVENUE**

Situate in the State of Ohio, County of Franklin, City of Columbus, being all of Lot 80 and 10.00 feet off the north side of Lot 81 of COLLINS, ATKINSON AND GUITNER'S SUBDIVISION, of record in Plat Book 2, Page 84, the same being all of the tract of land conveyed to Robert S. Messenger by a deed of record in Instrument Number 200512010252668, records of the Recorder's Office, Franklin County, Ohio and being bounded and more particularly described as follows:

**Beginning** at an iron pin set in the easterly line of Highland Street (60.00 feet in width) at the westerly common corner of said Lot 80 and Lot 79 of said COLLINS, ATKINSON AND GUITNER'S SUBDIVISION, said point being located South 01° 49' 34" West, a distance of 212.66 feet from the intersection of the easterly line of said Highland Street and the southerly line of Fourth Avenue (60.00 feet in width);

Thence South 88° 30' 00" East, a distance of 150.00 feet, along the line common to said Lot 79 and Lot 80, to an iron pin set in the westerly line of a 20.00 feet wide alley, at the easterly common corner of said Lot 79 and Lot 80;

Thence South 01° 49' 34" West, a distance of 60.00 feet, along the westerly line of said alley and the easterly line of said Lot 80 and Lot 81, to a 3/4" iron pin found (bent);

Thence North 88° 30' 00" West, a distance of 150.00 feet, across said Lot 81, to an iron pin set in the easterly line of said Highland Street and in the westerly line of said Lot 81;

Thence North 01° 49' 34" East, a distance of 60.00 feet, along the easterly line of said Highland Street and the westerly line of said Lot 81 and Lot 80, to the **Point of Beginning**, containing 0.207 acres, more or less and being subject to all easements, restrictions and rights-of-way of record.

The bearings in the above description are based on the bearing of South 88° 30' 00" East for the easterly line of Highland Street and are used to denote lot angles only.

The above description is based on an actual field survey in February of 2006.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for single-family dwellings, or those uses permitted in the ARLD, Apartment Residential District.

**SECTION 3.** That this ordinance is further conditioned to be consistent with the site plan titled, "**PROPOSED SITE PLAN**," signed and dated by Kevin McMahon, applicant, June 12, 2006. Any slight adjustment to the drawing shall be subject to review and approval by the Director of the Department of Development, or his designee, upon submission of the appropriate data regarding the proposed adjustment.

**SECTION 4.** That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

**SECTION 5.** ~~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:** 1114-2006

**Drafting Date:** 06/09/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

### **Explanation**

#### **BACKGROUND:**

This legislation authorizes the Director of Technology, on behalf of the Public Service Department, to renew an annual agreement, for the City's 311 IVR (Interactive Voice Response) system, originally established by the Public Service Department, in the year of 2000 through contract CT-76031622 with Ameritech, who had utilized Softel Communications Inc. as a subcontractor to design the software application associated with this software support renewal. During that time and since Softel Communications Inc. designed and own the source code associated with the original application under the original agreement, it was determined that Softel Communications Inc. was a sole source provider in accordance with Chapter 329 of Columbus City Codes.

During fiscal year 2002 and through the evolution of the Department of Technology (DoT), on behalf of the Public Service Department, DoT acquired this software support agreement with Softel Communications Inc. In year 2002, DoT created an agreement via purchase order ED007591 in the amount of \$18,017.00. Through purchase order EL003606, the parties executed a contract for related services, under authority of ordinance 1875-2003, passed July 28, 2003, in the amount of \$25,524.00. This contract provides language that allows for renewals.

This renewal will provide support, enhancements, modifications and maintenance of components in the call-taking process and is mission-critical for the continued success of 311. Without the IVR system, 311 could not efficiently manage customer calls. The services associated with this renewal were anticipated at the time of executing the original contract. The cost of this modification was determined through a quote researched cost analysis.

**FISCAL IMPACT:** During 2004, \$13,681.00 was expended toward support services related to the IVR system. In 2005, \$14,389.00 was expended. Thus far this year, DoT has expended \$900.00. Funding for this renewal, in the amount of \$19,784.00, is budgeted and available within the 2006 Department of Technology's internal services fund's budget. Through this renewal, the City of Columbus, Department of Technology hereby increase a contract (established in the amount of \$25,524.00) associated with purchase order EL003606; which will bring the total contract amount, including this renewal to \$45,308.00.

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

**CONTRACT COMPLIANCE NUMBER:** 98-0359740 Expires: 11/15/2006

**Title**

To authorize the Director of the Department of Technology to renew a contract agreement with Softel Communications, Inc., on behalf of the Public Service Department, for software support services; to authorize the expenditure of \$19,784.00 from the Department of Technology internal service fund; and to declare an emergency (\$19,784.00)

**Body**

**WHEREAS**, the Department of Technology needs to provide software support services for the 311 Division's Interactive Voice Response (IVR) customer self-service software application, and

**WHEREAS**, the legislation authorizes the Director of the Department of Technology to renew a contract agreement with Softel Communications, Inc. for software support services, and

**WHEREAS**, said legislation further authorizes the expenditure of \$19,784.00 for the coverage period through March 31, 2007; and

**WHEREAS**, said contract expenditure is required to provide a dedicated level of software maintenance and support to ensure that said IVR system capabilities perform properly and support necessary business requirements associated with the 311 IVR, and

**WHEREAS**, the contract provides language that allows for renewals on the contract anniversary or expiration date, and

**WHEREAS**, an emergency exists in the usual daily operation of the City in that it is immediately necessary to authorize the passage of this ordinance to continue uninterrupted support for services related to the 311 IVR 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 renew a contract for software support services from Softel Communications, Inc. related to daily operation associated with the 311 Interactive Voice Response (IVR) system.

**SECTION 2:** That the expenditure of \$19,784.00 or so much thereof as may be necessary is hereby authorized to be expended from:

**Div.:** 47-01|**Fund:** 514| **Subfund** 010|**OCA Code:** 590147|**Obj. Level 1:** 03|**Obj. Level 3:** 3369|**Amount:** \$19,784.00|

**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:** 1115-2006

**Drafting Date:** 06/09/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

Explanation

**BACKGROUND:** This ordinance amends the 2006 Capital Improvement Budget and authorizes the transfer of \$40,000.00 from the Fire Station 35 (Waggoner Road) Project to the Fire Station 18 (Cleveland Avenue) Project for the modification of the construction contract for Fire Station 18. This ordinance also authorizes the Finance and Management Director to modify a contract for the Facilities Management Division with Gutknecht Construction Company, Inc., for the construction of Fire Station 18 at 1628 Cleveland Avenue. The original contract was authorized in the amount of \$4,289,100.00 by Ordinance 1195-2004, passed July 21, 2004. The modification is necessary due to unforeseen circumstances surrounding relocation of overhead utilities. The costs for the utilities relocation were charged by SBC to Gutknecht Construction and were \$65,609.00 more than estimated at the time of the bid. Gutknecht requested a change order in that amount per AIA 207 Article 4.7 Claims for Concealed or Unknown Conditions. Through discussion with the Fire Division, Gutknecht and the Fire Division agreed to a \$40,000.00 change order.

**EMERGENCY ACTION** is requested so that Gutknecht can be reimbursed for costs already incurred due to the utilities relocation.

**FISCAL IMPACT:** The \$40,000.00 necessary for this modification will be transferred from the Fire Station 35 Project. The total cost of the original project was \$4,289,100.00. With this modification, the total cost is \$4,329,100.00. Contract compliance # 31-0935568, expiration date 09/24/2007.

Title

To amend the 2006 Capital Improvement Budget, to authorize the City Auditor to transfer funds between projects in the Safety Voted Bond Fund, to authorize the Finance and Management Director to modify a contract for the Facilities Management Division with Gutknecht Construction Company, Inc. for construction of Fire Station 18, to authorize the expenditure of \$40,000.00 from the Safety Voted Bond Fund, and to declare an emergency. (\$40,000.00)

Body

**WHEREAS,** it is necessary to amend the 2006 Capital Improvement Budget and transfer funds in order to modify a contract for the construction of Fire Station 18, and

**WHEREAS,** it is necessary to modify said contract in order to reimburse Gutknecht Construction Company Inc. for unforeseen circumstances surrounding the relocation of utilities, and

**WHEREAS,** an emergency exists in the usual daily operation of the Finance and Management Department, Facilities Management Division, in that it is immediately necessary to authorize the Finance and Management Director to modify a contract with Gutknecht Construction Company Inc., for the construction of Fire Station 18, 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 2006 Capital Improvement Budget is hereby amended as follows:

**CURRENT CIB: (Carryover Authority)**

Dept/Div: 30-04|Fund: 701|Project Number 340113|Project Name - Fire Station 35 (Waggoner Road)|Amount \$1,520,900.00

Dept/Div: 30-04|Fund: 701|Project Number 340108|Project Name - Fire Station 18 (Cleveland Avenue)|Amount \$0.00

Dept/Div: 30-04|Fund: 701|Project Number 340115|Project Name - Fire Station Far North|Amount \$50,818.00

Dept/Div: 30-04|Fund: 701|Project Number 340101|Project Name - Fire Apparatus Replacement|Amount \$1,929,379.00

Dept/Div: 30-04|Fund: 701|Project Number 340103|Project Name - Fire Facility Renovation|Amount \$675,964.00

**REVISED CIB: (Carryover Authority)**

Dept/Div: 30-04|Fund: 701|Project Number 340113|Project Name - Fire Station 35 (Waggoner Road)|Amount \$1,029,792.00

Dept/Div: 30-04|Fund: 701|Project Number 340108|Project Name - Fire Station 18 (Cleveland Avenue)|Amount \$40,000.00

Dept/Div: 30-04|Fund: 701|Project Number 340115|Project Name - Fire Station Far North|Amount \$0.00

Dept/Div: 30-04|Fund: 701|Project Number 340101|Project Name - Fire Apparatus Replacement|Amount \$1,829,379.00

Dept/Div: 30-04|Fund: 701|Project Number 340103|Project Name - Fire Facility Renovation|Amount \$1,277,890.00

**SECTION 2.** That the City Auditor is hereby authorized and directed to transfer funds within the Safety Capital Improvement Fund as follows:

**FROM:**

Dept/Div: 30-04|Fund: 701|Project Number 340113|Project Name - Fire Station 35 (Waggoner Road)|Amount \$40,000.00

**TO:**

Dept/Div: 30-04|Fund: 701|Project Number 340108|Project Name - Fire Station 18 (Cleveland Avenue)|Amount \$40,000.00

**SECTION 3.** That the Finance and Management Director is hereby authorized to modify a contract for the Facilities Management Division with Gutknecht Construction Company, Inc. for the construction of Fire Station 18 at 1628 Cleveland Avenue.

**SECTION 4.** That the expenditure of \$40,000.00, or so much thereof as may be necessary in regard to the action authorized in SECTION 1, be and is hereby authorized and approved as follows:

Division: 30-04  
Fund: 701  
Project: 340108  
OCA Code: 644559  
Object Level 1: 06  
Object Level 3: 6620  
Amount: \$40,000.00

**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:** 1119-2006

**Drafting Date:** 06/12/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**Background:** The City of Columbus, Ohio is the holder of certain sewer easement rights, located in the vicinity of Norton Road and Sullivant Avenue, by virtue of recorded deeds of easement. Portrait Home-Ohio, LLC, requested the City release a certain portion of the aforementioned sewer easement in exchange for a previously granted replacement easement. After investigation, it has been determined that the proposed exchange of easements will not adversely affect the City and therefore should be granted at no charge. The following legislation authorizes the Director of the Department of Public Utilities to execute those instruments necessary to release a certain portion of the aforementioned sewer easement in exchange for a previously granted replacement easement.

**Fiscal Impact:** N/A

**Emergency Justification:** Emergency action is requested to allow for the immediate release of the subject easement in exchange for an easement already receive by the City as not to delay the development of the

property.

**Title**

To authorize the Director of the Department of Public Utilities to execute those documents necessary to release a certain portion of a sanitary easement, located in the vicinity of Norton Road and Sullivant Avenue, at the request of Portrait Homes-Ohio, LLC, in exchange for a replacement easement previously granted to the City of Columbus, Ohio and to declare an emergency.

**Body**

WHEREAS, The City of Columbus, Ohio holds title to an easement, located in the vicinity of Norton Road and Sullivant Avenue, by virtue of a recorded deed of easement; and,

WHEREAS, Portrait Homes-Ohio, LLC, has requested that a portion of the subject easement be released in exchange for a replacement easement previously granted to the City of Columbus; and,

WHEREAS, the Division of Sewerage and Drainage has determined that the release of said easement will not adversely affect the City of Columbus; and

WHEREAS, an emergency exists in the usual daily operation of the City, in that it is necessary to immediately authorize the Director of the Department of Public Utilities to execute those documents necessary to release a certain utility easement at the request of Portrait Homes-Ohio, LLC, 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 Director of the Department of Public Utilities be, and hereby is authorized to execute those documents, prepared by the Department of Law, Real Estate Division, necessary to release the following describe real property:

**EASEMENT RELEASE 0.184 ACRE**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Survey No. 1474, Virginia Military District, being part of the sanitary sewer easement of record in Deed Book 3203, Page 566, being a 10 foot strip of land on, over, and across the remainder of the original 4.910 acre tract conveyed to Portrait Homes Gabriel's Landing LLC by deed of record in Instrument Number 200506150116504, the remainder of the original 12.836 acre tract conveyed to Portrait Homes-Gabriel's Landing LLC by deed of record in Instrument Number 200506150116502, the 1.790 acre tract conveyed to Portrait Homes-Gabriel' s Landing LLC by deed of record in Instrument Number 200509300205224, and the 2.017 acre tract conveyed to Portrait Homes-Gabriel's Landing LLC by deed of record in Instrument Number 200509300205209, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning for Reference, in the westerly right-of-way line of Norton Avenue, at the common comer of said 1.790 acre tract, the remainder of the original 16.618 acre tract conveyed to Eagle Crest Management Group LLC, the 0.060 acre tract conveyed to City of Columbus by deed of record in Instrument Number 200312030384125, and the 0.088 acre tract conveyed to City of Columbus by deed of record in Instrument Number 200312310406750;

Thence North 76° 35' 23" West, a distance of 50.00 feet, with the line common to said 1.790 acre tract and the remainder of said original 16.618 acre tract, to the TRUE POINT OF BEGINNING:

Thence continuing North 76° 35' 23" West, a distance of 10.00 feet, continuing with said common line, to a point;

Thence across said 1.790 acre tract, the remainders of said original 4.910 and 12.836 acre tracts, and said 2.017 acre tract, the following courses and distances:

North 13° 29' 39" East, a distance of 207.70 feet, to a point;

North 04° 46' 23" East, a distance of 277.00 feet, to a point;

North 13° 29' 39" East, a distance of 317.97 feet, to a point in the line common to said 2.017 acre tract

and the remainder of the original 0.504 acre tract conveyed to Jerry L. and Ruth H. Billman by deed of record in Official Record 25815 E02;

Thence South 76° 06' 12" East, a distance of 10.00 feet, with said common line, to a point;

Thence across said 2.017 acre tract, the remainders of said original 12.836 and 4.910 acre tracts, and said 1.790 acre tract, the following courses and distances:

South 13° 29' 39" West, a distance of 317.14 feet, to a point;

South 04° 46' 23" West, a distance of 277.00 feet, to a point;

South 13° 29' 39" West, a distance of 208.45 feet, to the TRUE POINT OF BEGINNING, containing 0.184 acre of land, more or less.

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 passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 1120-2006

**Drafting Date:** 06/12/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

#### **Explanation**

Due to the significant increases in gasoline prices, Department of Public Safety, Division of Support Services, License Section and the Vehicle for Hire Board has been reviewing the existing rate schedule and discussing various proposals to address increasing operating costs. This review has included a comparison of rates in other Ohio cities as well as those for comparable-sized cities around the country. At its May 25, 2006 meeting, the Vehicle for Hire Board voted to recommend that the Columbus City Council approve proposed increases to the fare rate schedule for taxicabs operating in the City of Columbus. The maximum rates are set by ordinance and, with the exception of out-of-county fare rates, have not been increased or otherwise adjusted for inflation since February 2000. The Vehicle for Hire Board requests that these rate increases be approved to ease the financial burden on taxicab drivers who are otherwise required to absorb increased fuel and operating costs.

**Fiscal impact:** None

**Title** To amend Section 591.06 of the Columbus City Codes, 1959, to increase taxicab fare rates.

#### **Body**

WHEREAS, increasing fuel costs are creating a financial burden on taxicab drivers as they are unable to pass along any portion of these increasing costs to their customers; and,

WHEREAS, the Department of Public Safety, Division of Support Services, License Section, and the Vehicle for Hire Board has reviewed the existing rate schedule and compared it to those of other Ohio cities and comparably-sized cities outside of Ohio and determined that a rate increase is both reasonable and warranted in order to ease the financial burden on taxicab drivers who are otherwise required to absorb increased fuel and operating costs; and,

WHEREAS, the maximum rates that are allowed to be charged by taxicabs operating in the City of Columbus are established by ordinance and these rates have not been adjusted since February of 2000; and

WHEREAS, the Department of Public Safety, Division of Support Services, License Section, and the Vehicle for Hire Board at its May 25, 2006 meeting of the Vehicle for Hire Board voted to request and recommend that Columbus City Council approve the following proposed rate increases; now, therefore,

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

**Section 1.** That Section 591.06 of the Columbus City Codes, 1959, be and is hereby amended to read as follows:

**591.06 Fare rate schedule.**

All fares, charges, or fees for the use of taxicabs shall be determined by:

(a) Taximeter rate, which shall be computed by a taximeter, and such rate shall not be more than the maximum rate in the following schedule:

For the first one-ninth (1/9) mile or fraction

thereof..... ~~\$2.00~~ **\$2.75**

For each additional two-ninths (2/9)

mile..... ~~\$.40~~ **\$.45**

Waiting time: For each appropriate period of one minute waiting time as registered by the taximeter clock... ~~\$.40~~

**\$.45**

(b) Hourly rate shall be computed at ~~twenty-four dollars (\$24.00)~~ **twenty-seven dollars (\$27.00)** per hour or meter fare, whichever is greater, or

(c) Special trip rate is established for special trips as defined in Section 585.01(d) by being submitted to the vehicle for hire board, approved by the vehicle for hire board, and filed with the safety director.

Such rate may exceed the maximum meter rate. The vehicle for hire board may require prior to the approval of the special trip rate written evidence that the fare-paying passenger or organization sponsoring the passenger has been notified of the lower taximeter rate and agrees to the special trip rate.

(d) An airport fee may be added to each fare-paying trip, which departs from the airport with passengers or baggage upon presentation, to the person paying the fare of the taxi, of a surcharge ticket issued by the division of airports.

(e) Charges on trips to destinations outside the county shall not be limited by the taximeter rate but shall be mutually agreed upon by the driver and the passenger. The charge shall not exceed ~~two dollars (\$2.00)~~ **two dollars and twenty-five cents (\$2.25)** per one-way mile.

(f) Whenever two (2) or more passengers, prior to entering a taxicab mutually agree to share the cab, or whenever a taxicab is engaged by one (1) or more passengers and an additional passenger requests service and the original passengers agree to allow the additional passenger to ride with them, the charge to each passenger shall be subject to mutual arrangement among the passengers and driver, and the driver may not furnish service to the passengers until he explains to all passengers the manner in which the fare will be calculated and obtains the oral consent of all passengers. In no event shall the mutually agreed upon charge for all of the passengers exceed three-quarters (3/4) of the total of all the charges based on the maximum taximeter rate that would have been charged to each passenger if they had been traveling separately. Two (2) or more passengers traveling together to the same destination shall be charged no more than the meter rate plus any applicable surcharges.

(g) A telephone call surcharge of not more than fifty cents (\$.50) may be added to each trip, which originates as a result of a telephone call to the dispatching station of the responding taxicab.

(h) A service fee of not more than fifty cents (\$.50) may be added for trips, which are charged to credit cards or private accounts. No such charge may be assessed to any public or quasi-public agency, which has a contract with a taxicab company, unless such charge has been included in the contract.

(i) Non-transportation-related charges such as mobile telephone charges may be charged directly to the passenger and shall not be considered as part of the taxicab fare.

**Section 2.** That existing Section 591.06 of the Columbus City Codes, 1959, be and is hereby repealed.

**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:** 1121-2006

**Drafting Date:** 06/12/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

Explanation Proper maintenance of sidewalks and driveway approaches within the City's right-of-way has traditionally and by City Code been the responsibility of the property owner. Upon notification by the City of deficient conditions, most property owners effect renovations of their own accord in order to keep these areas devoid of safety hazards and to make them cleaner and more attractive. However, some property owners are unable or unwilling to do so. Recent changes to Chapter 905 of the City Code give the Public Service Director the authority to make the necessary renovations and collect its costs related thereto through assessment on the property owner's tax duplicate.

From the \$1,000,000 budgeted for this program three contracts are to be established - Contract A, Contract B, and Contract C. By establishing three separate contracts we are providing a greater opportunity for more, and for smaller, concrete contraction companies to bid. In order to distinguish between the responsibilities associated within these three contracts the City has been divided into three areas. This should prevent confusion and overlap between the—different contractors. This should also result in more rapid mobilization and quicker sidewalk replacement.

Three formal competitive bids have been solicited in one week intervals by the Transportation Division for the sidewalk assessment program/2006. On June 8, 2006 the Transportation Division received six (6) bids for Sidewalk Assessment Program - 2006, Contract B. These bids were to replace sidewalks and driveway approaches in the northeast area of the City (north of Broad Street, east of High Street) and were as follows:

Bidder / Bid Amount

G and G Cement Contractors / \$226,963.75

Decker Construction Company / \$277,438.75

Gaddis and Sons, Incorporated / \$299,898.75

Parker's Cement and Masonry / \$308,988.75

G. Marchi and Son, LLC / \$329,380.75

McDaniel's Construction Corporation, Incorporated / \$437,690.25

The Notice to Proceed is expected to be issued on or around July 25, 2006.

The Division recommends that a contract be established with G and G Cement Contractors, the lowest, best, most responsive and most responsible bidder, in the amount of \$226,963.75 that is \$66,250.00 under the Engineer's estimate of \$293,213.75. This ordinance also authorizes the expenditure of up to \$25,000.00 to reimburse the Street Construction, Maintenance and Repair Fund for construction inspection for the project that will be performed by Sidewalk and Permit section personnel.

G and G Cement Contractors' contract compliance number is 31-0924129; this expires October 31, 2006.

**Fiscal Impact:** Funds in the amount of \$1,000,000.00 are budgeted and available within Transportation Division's 2005 Capital Improvements Budget in the 1995, 1999, 2004 Voted Streets and Highways Fund in the Sidewalk Program project, to fund this and the two other sidewalk assessment projects. This ordinance provides for a contract and related inspection costs for the Sidewalk Assessment Program - 2006 / Contract B project in the amount of \$251,963.75. Ordinance 1076-2006 (pending) provides for a contract and related inspection costs for the Sidewalk Assessment Program - 2006 / Contract A project in the amount of \$254,538.75.

Emergency action is requested to allow the contractor to mobilize as soon as possible to take advantage of this summer construction season.

Assessment Program - 2006 / Contract B project for the Transportation Division; to authorize the expenditure of \$251,963.75 from the 1995, 1999, 2004 Voted Streets and Highways Fund; and to declare an emergency. (\$251,963.75)

Body **WHEREAS**, proper maintenance of sidewalks and driveway approaches within the City's right-of-way has traditionally and by City Code been the responsibility of the property owner; and

**WHEREAS**, upon notification by the City of deficient conditions, most property owners effect renovations of their own accord in order to keep these areas devoid of safety hazards and to make them cleaner and more attractive but some property owners are unable or unwilling to do so; and

**WHEREAS**, recent changes to Chapter 905 of the City Code give the Public Service Director the authority to make the necessary renovations and collect its costs related thereto through assessment on the property owner's tax duplicate; and

**WHEREAS**, formal competitive bids were solicited by the Transportation Division and six (6) bids were received on June 8, 2006, for the Sidewalk Assessment Program - 2006 / Contract B project to replace sidewalks and driveway approaches in the northeast area of the City; and

**WHEREAS**, it is immediately necessary to authorize that a contract be established for this purpose to allow the contractor to mobilize as soon as possible to take advantage of this summer construction season; 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 Public Service Director be and hereby is authorized to enter into a contract in the amount of \$226,963.75 with G and G Cement Contractors, 2849 Switzer Road, Columbus, Ohio 43219 for the Sidewalk Assessment Program - 2006 / Contract B project for the Transportation Division.

**SECTION 2.** That for the purpose of paying for said contract and construction inspection expense of \$25,000.00, the sum of \$251,963.75 or so much thereof as may be needed be and hereby is authorized to be expended from Fund 704, the 1995, 1999, 2004 Voted Streets and Highways Fund, Department No. 59-09, Transportation Division, Object Level One Code 06, Object Level Three Code 6631, OCA Code 644385 and Project 530790.

**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:** 1126-2006

**Drafting Date:** 06/12/2006

**Version:** 2

**Current Status:** Passed

**Matter Type:** Ordinance

**[..Explanation](#)**

**Rezoning Amendment Z03-048A**

Ordinance #1991-2005, passed January 23, 2006, rezoned 5.16± acres from the L-AR-12, Limited Apartment Residential District to the L-M, Limited Manufacturing, and CPD, Commercial Planned Development Districts to permit the development of self storage units and limited commercial development. That legislation established specific development standards addressing use restrictions, setbacks, landscaping, screening, exterior building materials, and lighting controls, including restrictions for the self storage buildings to be constructed with split face block and a 4/12 pitched roof. The applicant desires to change the building material to brick and the roof pitch to 2/12. This ordinance will amend Ordinance #1991-2005 by repealing Section 3, and replacing it with a new Section 3 with a modified limitation overlay text. All other use restrictions and development standards established by Ordinance #1991-2005 will remain in effect.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval.

**Title**

To amend Ordinance #1991-2005, passed January 23, 2005, for property located at **5551 CHATTERTON ROAD (43232)**, by amending the limitation overlay text in Section 3 as it pertains to building materials and roof pitch **and to declare an emergency.** (Z03-048A)

**Body**

**WHEREAS**, Ordinance #1991-2005, passed on January 23, 2005 (Z03-048A), established the L-M, Limited Manufacturing, and CPD, Commercial Planned Development Districts on property located at **5551 CHATTERTON ROAD (43232)**, being 5.16± acres located at the southeast corner of Chatterton Road and Falcon Bridge Drive, from the L-AR-12, Limited Apartment Residential District; and

**WHEREAS**, it is necessary to amend Ordinance #1991-2005 to modify the building materials and roof pitch restrictions; 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**, all other aspects of the L-M and CPD texts contained in Ordinance #1991-2005 are unaffected by this amendment and remain in effect, now, therefore:

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

**SECTION 1.** That the existing Section 3 of Ordinance #1991-2005, passed on January 23, 2005 (Z03-048A) be hereby repealed and replaced with a new Section 3 reading as follows:

**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 CPD, Commercial Planned Development District and Application among the records of the Building Services Division as required by Sections 3311.12 and 3370.03 of the Columbus City Codes; said plan being titled, "**SUB-AREA PLAN**," dated January 12, 2006, and signed by Jeffrey L. Brown, Attorney for the Applicant, and text titled, "**LIMITATION AND CPD TEXT**," dated June 8, 2006, and signed by Joe Smiley, Agent for the Applicant, and the text reading as follows:

**LIMITATION AND CPD TEXT**

**PROPOSED DISTRICTS:** L-M, Limited Manufacturing; CPD, Commercial Planned Development

**PROPERTY ADDRESS:** 5551 Chatterton Road

**OWNER:** ~~Affordable Housing Association~~ **LS Chatterton Realty LLC**

**APPLICANT:** Timothy R. Foley

**DATE OF TEXT:** ~~4/12/06~~ **6/8/06**

**APPLICATION NUMBER:** Z03-048A

**1. INTRODUCTION:** The applicant wants to develop the site to provide services for the growing residential population in the area.

**SUBAREA 1: L-M**

**2. PERMITTED USES:** The following uses are permitted on the subject site: those uses permitted by Section 3353.02 C-2 of the Columbus City Code, daycare and self storage units including climate control units with or without an on-site manager residential unit.

**3. DEVELOPMENT STANDARDS:** Unless otherwise indicated the applicable development standards are contained in Chapter 3363, M, Manufacturing District of the Columbus City Code.

A. Density, Lot, and/or Setback Commitments.

1. Parking and Building Setback from Falcon Bridge Road and Matuka Drive shall be 25 feet.
2. Pavement Setback shall be 20 feet from the east property line. Parking and building setbacks shall be 50 feet from the east property line.

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

1. The access points to the site are shown on the submitted site plan.
2. If the site is developed with office uses then the north / south driveway along the east side of the site shall be offset so as not to create a straight connection from Chatterton Road to Matuka Drive. Final alignment shall be subject to the City's Transportation Departments review.

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

1. A row of evergreen trees, 15 feet on center, shall be planted within the parking setback along Falcon Bridge Road and Matuka Drive unless the site is developed with C-2 uses or a daycare then street trees shall be planted evenly spaced along said streets at a ratio of one tree per thirty (30) feet of frontage.
2. Headlight screening in the form of landscaping (36 inch minimum at installation) shall be installed along Falcon Bridge Road and Matuka Drive adjacent to any parking areas if this part of the site is developed for C-2 uses or a daycare.
3. All trees and landscaping shall be well maintained. Dead items shall be replaced within six months or the next planting season, whichever occurs first.
4. All trees meet the following minimum size at the time of planting:  
  
Shade trees 2 1/2" caliper; Ornamental trees 1 1/2" caliper; Evergreen trees 5 feet in height. Tree caliper is measured six (6) inches from the ground.
5. Within the setback along the east property line, the developer shall install a staggered double row of deciduous trees, 15 feet on center, along with a 6 foot tall wood board on board fence.

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. If the site is developed for self storage units, then a self storage building shall be located parallel to Matuka Drive at the building setback line; no exterior doors shall be on the south side of that building except for any required fire doors. The self storage facility will be fenced and gated.

3. Building material for a self storage building on the perimeter of the site adjacent to a public street shall be split face block **or brick**; color of the perimeter wall, the ends of each row of self storage units and the exterior doors of the self storage units shall be the same color. The permitted colors for self storage building elements referenced above shall be beige, tan, brown and dark green. The self storage buildings shall have a minimum ~~4/42~~ **2/12** pitched roof.

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

1. Light poles shall not exceed 14 feet in height and shall have cutoff fixtures. The poles and fixtures shall be from the same manufacturer or be similar in type and color.

F. Graphics and/or 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-2, Commercial District and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous Commitments. No outside storage shall be permitted.

The developer shall pay a park fee of \$400/acre at the time of submittal for zoning clearance.

**SECTION 2. ~~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:** 1127-2006

**Drafting Date:** 06/13/2006

**Current Status:** Passed

**Version:** 3

**Matter Type:** Ordinance

### **Explanation**

**Background:** On November 28, 2005, ordinance 1678-2005 passed by the Columbus City Council, authorized the Franklin County Municipal Court to enter into a contract with 3SG Corporation to convert existing civil, criminal, environmental and traffic case files into electronic images, and to provide shredding and offsite storage during the conversion process in order to comply with Department of Public Safety, Division of Fire codes. Due to the unforeseen magnitude and scope of the project by the previous administration, the number of documents required to be imaged were underestimated. This contract modification will allow the Contractor to continue to image the remaining number of documents to complete the first phase of the project.

Columbus City Code 329.16 Contract Modifications:

1. Amount of additional funds to be expended under this modification: \$1,133,093.00.
2. The magnitude of the project was unforeseen by the previous administration due to an inaccurate estimation of the documents required to be imaged to complete phase I of the project.
3. The work under this contract modification is the continuation of the work previously performed by the Contractor; therefore, to maintain the continuity and to complete the project as well as to negate costly start-up charges, it would not be in the City's best interest to have additional contract requirements awarded through other procurement processes specified in chapter 329.
4. The cost, and terms and conditions are in accordance with the original contract: number EL005707, negotiated between the Contractor and the City of Columbus (Clerk) as documented by the Contractor's proposal.

Contract Amount:

- Original Contract Amount: \$1,066,907.00
- Modification Number One: \$1,133,093.00
- New Contract Amount: \$2,200,000.00

This ordinance authorizes the City Auditor to transfer \$1,000,000.00 from the special income tax fund to the Franklin County Municipal Court Clerk's capital improvement fund to fund the aforementioned project; to authorize the Franklin County Municipal Court Clerk to modify and extend the existing contract with 3SG; to authorize the expenditure up to \$1,133,093.00 with 3SG Corporation for the imaging project described above.

This company is not debarred according to the excluded party listing system of the Federal Government or prohibited from being awarded a contract according to the Auditor of State unresolved finding for recovery certified search.

**Contract Compliance Number:** 3SG Corporation, 31-1651723, expiration date 10/21/2006.

**Emergency:** Emergency action is requested for the continuity and completion of phase I of this project in order to ensure proper preservation, storage and access of the Franklin County Municipal Court's legal documents.

**Fiscal Impact:** Capital funds for this purpose are budgeted for the Municipal Court Clerk. Funds will be borrowed from the special income tax fund and repaid once bond proceeds are available.

**Title**

To authorize and direct the City Auditor to transfer \$1,000,000.00 from the special income tax fund to the municipal court clerk capital improvement fund; **to amend the 2006 Capital Improvements Budget**; to authorize the Franklin County Municipal Court Clerk to modify and extend the existing contract with 3SG Corporation for the purpose of converting case files into images, and to provide shredding and offsite storage during the process; to authorize the expenditure of \$1,133,093.00 from the municipal court clerk capital improvement fund; and to declare an emergency. (\$1,133,093.00)

**Body**

**Whereas**, the Department of Public Safety, Division of Fire, conducted an inspection of the municipal court building that resulted in a citation of the Municipal Court Clerk and that requires the Clerk to remove case files from all areas not designated for records storage; and

**Whereas**, that to continue the service in order to ensure proper preservation, storage and access of the Franklin County Municipal Court's legal documents; and

**Whereas**, contract number EL005707 was authorized by ordinance number 1678-2005; passed by Council on November 28, 2005; executed and approved by the City Attorney on December 8, 2005; and

**Whereas**, the magnitude of the project was unforeseen by the previous administration, resulting in a greater number of documents required to be imaged than anticipated for completing phase I of the project; and

**Whereas**, this legislation authorizes the Franklin County Municipal Court Clerk to modify and extend the contract with 3SG Corporation and authorizes the expenditure of \$1,133,093.00 for the purpose of continuing to convert civil, criminal, environmental, and traffic case files into images, and to provide shredding and offsite storage during the conversion process; and

**Whereas**, the city will sell notes or bonds to fund this project; and

**Whereas**, until bonds are sold, a transfer of funds for the special income tax fund is necessary to fund this purchase that will be reimbursed after bonds are sold; and

**Whereas**, the aggregate principal amount which the city will issue to finance this project is presently expected not to exceed \$1,000,000.00; and

**Whereas**, an emergency exists in the daily operations of the Franklin County Municipal Court Clerk, in that it is immediately necessary to modify and extend contract number EL005707 to continue the on going service of converting all existing case files into electronic images, to provide for shredding and offsite storage throughout the process, for the immediate preservation of the public peace, health, safety and welfare, now therefore

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

**Section 1.** That the sum of \$1,000,000.00 be and is hereby appropriated from the unappropriated balance of the special income tax fund, fund 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, 2006 to the City Auditor, department 22-01, object level one 10, oca code 902023, object level three 5502.

**Section 2.** That the City Auditor is hereby authorized to transfer said funds to the municipal court clerk capital improvement fund, fund 780, at such time as is deemed necessary by the City Auditor and to expend said funds, or so much thereof as may be necessary.

**Section 3.** That the amount of \$1,000,000.00 is hereby transferred and appropriated to the Franklin County Municipal Court Clerk, organization 2601, capital improvement fund 780, project 780001, oca code 780001, object level 1 - 06, object level 3 - 6655.

**Section 4.** That the Franklin County Municipal Court Clerk be and is hereby authorized to modify and extend contract EL005707 with 3SG Corporation for the purpose of converting civil, criminal, environmental, and traffic case files into images, to provide shredding and/or storage during the conversion process for an amount not to exceed \$1,133,093.00.

**Section 5.** That the expenditure of \$1,133,093.00 or so much thereof as may be necessary is hereby authorized from the Franklin County Municipal Court Clerk, organization 2601, capital improvement fund, fund 780, project 780001, oca 780001, object level 1 - 06, object level 3 - 6655.

**Section 6.** That pursuant to 329.16 of the Columbus City Code, this Council finds it in the best interest of the city to modify and extend the contract with 3SG Corporation.

**Section 7.** That upon obtaining other funds for the Franklin County Municipal Court document imaging of case files project, the City Auditor is hereby authorized and directed to repay the special income tax fund the amount transferred under Section 3, above, and said funds are hereby deemed appropriated for such purpose.

**Section 8.** The City intends that this ordinance constitute an "official intent" for the purposes of Section 1.150 (e) of the Treasury Regulations promulgated pursuant to the Internal Revenue Code of 1986, as amended.

**Section 9.** That the City Auditor is authorized to establish proper accounting project numbers, and to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of funds transferred in the sections above.

**Section 10.** That the 2006 Capital Improvements Budget is hereby amended as follows, in order to establish sufficient funding authority:

<u>Project</u>	<u>Current CIB</u>	<u>Amended CIB</u>
Municipal Court Clerk Capital Project	\$ 0.00	\$1,133,093.00

**Section 11.** That debt service required on the bond resulting from this transaction is to be paid from Fund 227-002 in addition to the debt service on the companion bond of \$1,200,000 issued in 2005.

**Section 12.** The City Auditor shall establish Fund 227-006 and transfer thereto, from Fund 227-002, an amount estimated to equal the highest year's debt service during the life of the above referenced 2005 bond

of \$1.2 million and the 2006 bond of \$1.0 million; presently estimated at \$310,000.

**Section 13.** All funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated.

~~Section 10~~ **14.** That for reasons stated in the preamble hereto, where is hereby made a part hereof, this ordinance is hereby declared an emergency measure, which shall take effect and be in force from and after its passage and approved by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 1134-2006

**Drafting Date:** 06/14/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

#### **Explanation**

**BACKGROUND:** The Columbus Health Department has been awarded a grant from the Franklin County Department of Job and Family Services, Franklin County Family and Children First Council. This ordinance is needed to accept and appropriate \$52,260 in grant money to fund the Teen Pregnancy Prevention grant program for the period of July 1, 2006 through June 30, 2007.

The Teen Pregnancy Prevention Grant program provides teen pregnancy prevention programs in an effort to decrease the rate of teen pregnancy and to provide accurate information to young people regarding the natural consequences of sexual behavior.

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 Franklin County Department of Job and Family Services, Franklin County Family and Children First Council, and does not generate revenue.

#### **Title**

To authorize and direct the Columbus Health Department to accept a grant from the Franklin County Department of Job and Family Services, in the amount of \$52,260; to authorize the appropriation of \$52,260 from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency. (\$52,260)

#### **Body**

**WHEREAS,** \$52,260 in grant funds have been made available through the Franklin County Department of Job and Family Services, Franklin County Family and Children First Council for the Teen Pregnancy Prevention Grant program; 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 this grant from the Franklin County Department of Job and Family Services, Franklin County Family and Children First Council, and to appropriate these funds to the Health Department for the immediate

preservation of the public health, peace, property, safety, and welfare, and to avoid any delay in client services; 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 a grant award of \$52,260 from the Franklin County Department of Job and Family Services, Franklin County Family and Children First Council for the Teen Pregnancy Prevention Grant program for the period July 1, 2006 through June 30, 2007.

**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 June 30, 2007, the sum of \$52,260 is hereby appropriated to the Health Department, Division No. 50, as follows:

OCA: 506034; Grant No.: 506034; OL1: 01; Amount: \$ 50,800.00  
OCA: 506034; Grant No.: 506034; OL1: 02; Amount: \$ 730.00  
OCA: 506034; Grant No.: 506034; OL1: 03; Amount: \$ 730.00

**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:** 1135-2006

**Drafting Date:** 06/14/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The Board of Health has the need for clinic space to accommodate the Perinatal program in the City's Linden area. This ordinance authorizes the Board of Health to renew a lease with the Central Ohio Transit Authority (COTA) for the use of approximately 2,504 square feet of clinic space at the COTA Four Corners site at 11th and Cleveland Avenues. This is within the program's target population. The cost of the lease is \$14.50 per square foot, which includes utility, janitorial, security, maintenance, repair and tax costs. This lease is for the period of July 1, 2006 through June 30, 2007.

Emergency action is requested in order to avoid any delays in payments of this lease.

**FISCAL IMPACT:** Funding for this contract is included in the FY2006 budget for the Health Special Revenue Fund. Monthly payments will be \$3,025.67 for a total annual cost of \$36,308.

**Title**

To authorize and direct the Board of Health to renew a lease agreement with the Central Ohio Transit Authority for clinic space for the Health Department's Perinatal Program, to authorize a total expenditure of \$36,308 from the Health Special Revenue Fund, to authorize the Board of Health to sublease a portion of the space to other health care providers, and to declare an emergency. (\$36,308)

**Body**

**WHEREAS,** the Board of Health has a need for clinic space for the Perinatal Program; and,

**WHEREAS,** it is important that the Columbus Health Department's Perinatal Program and Children's Hospital clinics both be housed in the same facility; and,

**WHEREAS,** the Columbus Health Department may sublease a portion of the space to other health care facilities; and,

**WHEREAS,** an emergency exists in the usual daily operation of the Health Department in that it is immediately necessary to contract with the Central Ohio Transit Authority for the lease of clinic space for the immediate preservation of the public health, peace, property, safety and welfare, and to avoid any delays in payments of this lease; Now, therefore,

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

**SECTION 1.** That the Board of Health is hereby authorized to renew a contract with the Central Ohio Transit Authority for the lease of 2,504 square feet of clinic space for the period of July 1, 2006 through June 30, 2007.

**SECTION 2.** That to pay the costs of said contract, the expenditure of \$36,308 is hereby authorized from the Health Special Revenue Fund, Fund No. 250, Department of Health, Department No. 50-01, Object Level One 03, Object Level Three 3301, OCA No. 502047.

**SECTION 3.** That the Health Commissioner is hereby authorized to sublease a portion of the space to other health care providers.

**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:** 1136-2006

**Drafting Date:** 06/14/2006

**Version:** 2

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The Board of Health and the Columbus Public Schools have collaborated to offer quality health services to Columbus Public School employees and students that are both efficient and responsive to the district's needs. It is necessary to enter into a revenue contract to provide the foundation for an innovative coordinated school health program that is being developed cooperatively by the Columbus Public Schools and the Board of Health. Under this revenue contract, the Columbus Public Schools will reimburse the Board of Health for the provision of physician services, in an amount not to exceed \$44,240, for the period of July 1, 2006 through June 30, 2007.

~~Emergency action is requested to ensure timely reimbursement to the Board of Health.~~

**FISCAL IMPACT:** The Columbus Public Schools will reimburse the Board of Health for costs related to the services provided by the physician. The revenue from the Columbus Public Schools will be deposited into the Health Special Revenue Fund.

**Title**

To authorize the Board of Health to enter into a revenue contract with the Columbus Public Schools for the provision of physician services in an amount not to exceed \$44,240. ~~; and to declare an emergency. (\$44,240)~~

**WHEREAS,** it is necessary to enter into a revenue contract to offer quality health services to Columbus Public School employees and students that are both efficient and responsive to the district's needs; and,

**WHEREAS,** it is necessary to enter into a revenue contract to provide the foundation for an innovative coordinated school health program that is being developed cooperatively by the Columbus Public Schools and the Board of Health; ~~now, therefore and,~~

~~**WHEREAS,** an emergency exists in the usual daily operation of the Health Department in that it is immediately necessary to enter into a revenue contract with the Columbus Public Schools for the immediate preservation of the public health, peace, property, safety and welfare, and to ensure timely reimbursement to the Board of Health; Now, therefore,~~

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

**SECTION 1.** That the Board of Health is hereby authorized to enter into a revenue contract with the Columbus Public Schools for the provision of physician services, in an amount not to exceed \$44,240, for the period of July 1, 2006 through June 30, 2007.

~~**SECTION 2.** 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. 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:** 1137-2006

**Drafting Date:** 06/14/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The Columbus Health Department has been awarded a grant from the Ohio Department of Health. This ordinance is needed to accept and appropriate \$1,520,000 in grant money and anticipated fee revenues and interest to fund the Child & Family Health Services grant program, for the period July 1, 2006 through June 30, 2007.

The Child & Family Health Services (CFHS) program coordinates services among agencies that provide perinatal services to children and women of childbearing age, including public health nursing services.

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 Child & Family Health Services Program is funded by the Ohio Department of Health and revenues received from client fees. The grant is administered in the Health Department Grants Fund.

**Title**

To authorize and direct the Columbus Health Department to accept this grant from the Ohio Department of Health; to authorize the appropriation of \$1,520,000 from the unappropriated balance of the Health Department Grants Fund; and to declare an emergency. (\$1,520,000)

**Body**

**WHEREAS,** grant funds have been made available through the Ohio Department of Health for the Child & Family Health Services program for the period of July 1, 2006 through June 30, 2007; and,

**WHEREAS**, it is necessary to accept and appropriate these funds from the Ohio Department of Health and appropriate the funds from the fee revenues and interest earned for the continued support of the Child & Family Health Services program; 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 Health Department in that it is immediately necessary to accept these grant funds from the Ohio Department of Health and to appropriate these funds to the Health Department for the immediate preservation of the public health, peace, property, safety and welfare, and to ensure there is no delay in client services; 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 a grant award from the Ohio Department of Health for the Child & Family Health Services program for the period July 1, 2006 through June 30, 2007.

**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 June 30, 2007, the sum of \$1,520,000 is hereby appropriated to the Health Department, Division No. 50, as follows:

OCA: 506018; Grant No.: 506018; OL1: 01; Amount: \$770 000

OCA: 506018; Grant No.: 506018; OL1: 02; Amount: \$158,970

OCA: 506018; Grant No.: 506018; OL1: 03; Amount: \$591,030

**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 upon 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 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:** 1140-2006

**Drafting Date:** 06/14/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** Historically, the city of Columbus, through its building code, has regulated the construction of all One-, Two-, and Three-family dwellings constructed within its boundaries by adopting a combination of locally developed and codified construction standards and by adopting model codes as part of the Columbus Building Code, Title 41.

However, with the enactment of House Bill 175, a uniform, statewide residential code, known as the "Residential Code of Ohio for One, Two- and Three Family Dwellings" or the "RCO", has been mandated as a state wide model code and this model code shall be used as the construction standard for all such buildings and structures. This model code shall have priority over all existing construction codes in effect and shall serve as both the minimum and maximum standard for all

construction covered by this code.

Therefore, the current Chapter 4127 of the Columbus Building Code, as now adopted, must be modified by the deletion of all its current residential building code requirements that are already addressed in the new mandated RCO model code. The remaining section will be renumbered by this ordinance and outdated references corrected. The Columbus Building Commission, at a public hearing on April 18, 2006, recommended adoption of these changes by City Council.

**FISCAL IMPACT:** No funding is required for this legislation.

#### **Title**

That existing Chapter 4127 of the Columbus Building Code, Title 41, of the Columbus City Codes, 1959, is hereby repealed and new sections enacted to coincide with the adopted new statewide model Residential Code of Ohio (RCO).

#### **Body**

**WHEREAS,** the city of Columbus, through its building code, has regulated the construction of all one, two-, and three-family dwellings constructed within its boundaries by adopting a combination of locally developed and codified construction standards and by adopting model codes as part of the Columbus Building Code, Title 41; and

**WHEREAS,** through the enactment of House Bill 175, a uniform, statewide, residential code known as the "Residential Code of Ohio for One, Two- and Three Family Dwellings", or the RCO has been created; and

**WHEREAS,** this legislation requires that this new model code be used as the construction standard for all such building and structures that are to be regulated under the rule of law by a political sub-division; and

**WHEREAS,** this model code shall have priority over all existing construction codes in effect and in use and prescribes both the minimum and maximum standards allowed; and

**WHEREAS,** this proposed Ordinance will adopt the "Residential Code of Ohio for One, Two- and Three Family Dwellings" and make the necessary modifications to the current Columbus Building Code, Title 41, Chapter 4127 of the Columbus City Code, 1959, in order assure compliance with the new model code: and

**WHEREAS,** this proposed ordinance was presented to and reviewed with the Columbus Building Commission at a public hearing held on April 18, 2006; and

**WHEREAS,** at that time, the Columbus Building Commission voted to recommend this ordinance be forwarded to the Columbus City Council for consideration and adoption; **now, therefore,**

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

**Section 1.** That the title of Chapter 4127 of the Columbus City Codes, 1959, is hereby supplemented by a new title reading as follows:

#### **CHAPTER 4127 CONSTRUCTION STANDARDS AND MATERIALS - RESIDENTIAL CODE OF OHIO GOVERNED STRUCTURES**

**Section 2.** That the Columbus City Codes, 1959, is hereby supplemented by new section 4127.01 to read as follows:

**4127.01 Residential Code of Ohio (RCO).**

(A) Incorporated. The "Residential Code of Ohio for One-, Two- and Three Family Dwellings", also known as the RCO, as adopted, and/or as republished from time to time, by the Ohio Board of Building Standards (OBBS) of the State of Ohio, Department of Commerce, and Division of Industrial Compliance, shall be in full force and effect. This code includes, but is not limited to, all related codes and standards for electrical, mechanical (HVAC), refrigeration, hydronic and plumbing systems. The provisions of this model code shall apply to all buildings and structures governed under the provisions of the OBBS - Residential Code of Ohio (RCO). The OBBS - Residential Code of Ohio (RCO) is incorporated as if set out fully at length herein and is referred to as the RCO.

(B) Plans and specifications submitted to the Department for approval for the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure covered by this code, any appurtenances connected or attached to such buildings or structures, or any accessory structures, shall be governed by the code as adopted above.

**Section 3.** That Columbus City Codes, 1959, is hereby supplemented by new Section 4127.03 to read as follows:

**4127.03 Columbus revision to the Residential Code of Ohio (RCO) "Part V - Mechanical", Chapter 13.**

The following subsections are added to the Residential Code of Ohio (RCO) "Part V - Mechanical", Chapter 13, Section M1301 - "General", and shall apply to all one (1), two (2) and three (3) family dwellings and all structures not covered or governed under the OBC:

**M1301.2 HVAC--General Provisions:**

Installing starting collars. When installing a starting collar into ductwork, the dovetails shall be drawn up on the inside to make a dust-tight joint. The dovetailing of elbows, angles, and joints of pipe, into any plenum or the sides or bottom of ductwork, is strictly prohibited. The dovetailing of elbows, angles, and joints of pipe is permitted in the top of ductwork. Dovetails shall be as short as possible.

**Section 4.** That Columbus City Codes, 1959, is hereby supplemented by new Section 4127.05 to read as follows:

**4127.05 Columbus revision to the Residential Code of Ohio (RCO) "Part V - Mechanical", Chapter 14.**

The following subsections are added to the Residential Code of Ohio (RCO) "Part V - Mechanical", Chapter 14, Section M1401 - "General", and shall apply to all one (1), two (2) and three (3) family dwellings and all structures not covered or governed under the OBC:

**M1401.6 Warm air-heating systems.**

Temperature variation. Each room or area to be heated shall be provided with at least one supply, return outlet or means of providing a maximum variation in temperature from the floor to the breathing line of five (5) feet (1524 mm) above the floor of two (2) degrees Fahrenheit (1.11 degrees Celsius) during the heating season. In split-level housing units, at least one return shall be installed on each level. Each individual room shall have at least one (1) inch (25.4 mm) undercut above the finished floor and return air shall be sized to be equivalent to the supply air volume for the floor area being served. Duct systems shall be installed for the designed pressure and size as shown on any approved plans. In the absence of these plans, one (1) inch (25.4 mm) of static pressure will be used as the design basis.

**M1401.7 Additional Requirements.**

(A) Conformity to all of the following requirements shall be required.

(1) All mechanical equipment, regardless of type, shall be supported by a substantial and non-deteriorating base or framework, or by an approved method designed by an Ohio registered structural engineer. All piping connecting this equipment shall be supported with substantial and non-deteriorating materials.

(2) All mechanical equipment shall be secured to the base or framework if elevation exceeds two (2) feet (610 mm), measured from the average finish grade to the bottom of the unit.

**M1401.8 Materials and equipment tests.**

Materials, equipment, devices, and installations for heating, ventilating, air conditioning, and refrigeration systems shall be tested when required for safety and performance. Systems shall be tested as follows:

(A) Gravity and forced warm-air, steam and hot water systems shall be tested to demonstrate the delivery of heat to all parts of the system, and for proper operation of safety devices.

(B) All fuel burning and heat generating equipment shall be tested for fuel supply, carbon monoxide (CO), carbon dioxide (CO<sub>2</sub>) and draft. For burner operation, a flue gas determination shall be made and the limitations

as set out below shall be maintained:

- (1) Temperature of the flue gas shall not exceed seven hundred (700) degrees Fahrenheit (371.1 degrees Celsius).
- (2) CO<sub>2</sub> shall not be less than eight (8) percent.
- (3) CO shall not exceed four/one-hundredths (0.04) percent of flue gas by volume.

**Section 5.** That Columbus City Codes, 1959, is hereby supplemented by new Section 4127.07 to read as follows:

**4127.07 Columbus revision to the Residential Code of Ohio (RCO) "Part V - Mechanical", Chapter 14.**

The following subsection is added to the Residential Code of Ohio (RCO) - "Part V - Mechanical". Chapter 14, Section M1411 - "Refrigeration Cooling Equipment", and shall apply to all one (1), two (2) and three (3) family dwellings and all structures not covered or governed under the OBC:

**M1411.5 Additional Refrigeration requirements.**

Conformity to all of the following requirements is required.

All mechanical equipment, regardless of type, shall be supported by a substantial and non-deteriorating base or framework, or by an approved method designed by a structural engineer. All piping connecting this equipment shall be supported with substantial and non-deteriorating materials.

All mechanical equipment shall be secured to the base or framework if the elevation exceeds two (2) feet (610 mm) measured from the average finish grade to the bottom of the unit.

Required refrigerant line installation provisions.

- (A) All refrigerant lines, when buried in the ground less than eight (8) inches (203 mm), shall be enclosed in a pipe duct.
- (B) The suction line and the liquid line shall not be in contact with each other or other dissimilar metals or alloys.

**Section 6.** That Columbus City Codes, 1959, is hereby supplemented by new Section 4127.09 to read as follows:

**4127.09 Columbus revision to the Residential Code of Ohio (RCO) "Part VIII - Electrical."**

The following subsection is a supplement to the Residential Code of Ohio (RCO) - "Part VIII - Electrical", and shall apply to all one (1), two (2) and three (3) family dwellings and all structures not covered or governed under the OBC:

**(A) Conversion possibility.** Any area finished to a point where it could be converted to habitable room without additional construction other than application of finish material(s) shall be wired according to the National Electrical Code.

**(B) Authorization of service connections.** No person or any public or private utility corporation engaged in the distribution or sale of electrical energy shall connect any distribution system, any live supply, or service conductors from such distribution system to any electrical equipment in, on, or about a one- two- and three-family dwelling or any other structure not covered or governed under the "OBC". No connection shall be made until such electrical equipment and all authorized connections have been inspected and approved. Whenever the chief building official finds any electrical distribution system, or any live supply or service conductor to have been connected to any electrical equipment, in, on or about any building, without the required approvals, the chief building official is authorized and empowered to cause such system or conductor to be disconnected or order and require the same to be disconnected by the person owning or operating such distribution system.

**(C) Electrical service entrance maintenance and repair.** The electrical service entrance conductors and electrical service equipment in a one, two, or three-family dwelling, if it is proven to be adequate for the load it supplies, may be replaced or repaired only for purposes of simple maintenance caused by storm damage, weathering, or for other purposes that are acceptable to the electrical inspector. No such maintenance, repair or replacement shall be done without the prior approval of the electrical inspector.

An existing electrical service entrance of less than sixty (60) amperes in a one (1)-, two (2)-, or three (3)-family dwelling that is in need of maintenance or repair shall be excluded from these requirements and shall be made to comply with National Electrical Code (NEC) "Article 230 - Services"

**(D) Re-connection of an existing electrical service of dwelling(s) to the utility supply.** Any electrical service that has been disconnected from the utility supply for any reason shall require that a licensed electrical contractor obtain an electrical permit for the electrical service(s) and make any corrections or modifications necessary to the electrical service(s), if any, to restore the electrical services(s) to its original condition of National Electrical Code and Columbus

City Code compliance and to assure its adequacy for the intended load(s) to be served. The electrical contractor shall obtain inspection approval of the electrical inspector before re-connection of the electrical service(s) by the electric utility to the utility's supply.

**Exception:** This section will not apply to the disconnection of electrical service(s) by the electric utility for the non-payment of a utility bill when the method used by the utility to disconnect the electrical energy from the utility supply to the dwelling(s) or other structure governed by this chapter has not been caused by the separation of, and/or removal of, the supplying utility's service conductors.

**Section 7.** That existing Chapter 4127 of the Columbus Building Code, Title 41, of the Columbus City Codes, 1959, is hereby repealed.

**Section 8.** 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:** 1141-2006

**Drafting Date:** 06/14/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

#### **Explanation**

**BACKGROUND:** By authority of ORC Section 5709.82, the City is required to pay affected school districts 50 percent (50%) of the municipal income tax revenue attributable to tax abated projects where the annual 'new employee' payroll for a project is one million dollars or more, in a given tax year, during the abatement. This municipal income tax revenue sharing with affected school districts applies to all property tax abatements approved by the legislative authority after July 1, 1994 and is based on the 'new employee' wages paid in a tax year, during the years of tax exemption, and also on the wages of the construction workers.

**FISCAL IMPACT:** For tax year 2005, the City of Columbus has a total of twenty-seven (27) projects requiring revenue sharing and the total amount of revenue to be shared is \$1,765,251. One project is located in both the Hilliard and the South-Western City School District. The twenty-seven projects are located in four different school districts with the revenue share subtotals as follows: \$1,004,298 to Columbus City School District for 22 projects; \$76,090 to Hilliard City School District for 1 project plus part of a second project that is shared with the South-Western City School District; \$45,867 to the South-Western City School District for 1 project plus part of a second project that is shared with the Hilliard City School District; and \$638,996 to the Olentangy Local School District for 2 projects. This legislation will authorize a transfer of \$11,776 between object levels in the General Fund, Economic Development Division.

Emergency action is requested in order to expedite payment to the four school districts to compensate them for property tax revenues forgone due to tax abatements.

#### **Title**

To authorize the transfer of \$11,776 between object levels in the General Fund, Economic Development Division; to authorize and direct payment to the Columbus City School District, Hilliard City School District, South-Western City School District and the Olentangy Local School District for income tax revenue sharing totaling \$1,765,251; to authorize the expenditure of \$1,765,251 from the General Fund; and to declare an emergency. (\$1,765,251)

#### **Body**

**WHEREAS,** the Ohio Revised Code Section 5709.82 requires the City to pay affected school districts fifty percent (50%) of municipal income tax revenue attributable to tax abated projects where 'new employee' payroll for a project is one million dollars or more in a tax year, during the years of tax exemption; and

**WHEREAS,** the City of Columbus is subject to the income tax revenue sharing provisions of Ohio Revised Code 5709.82; and

**WHEREAS,** the City of Columbus has a total of twenty-seven (27) tax abated projects subject to the income tax revenue sharing provisions and these projects are located in four school districts as follows: Twenty-two (22) projects in the Columbus City School District, one (1) project in the Hilliard City School District, one (1) project in the South-Western City School District, one (1) project located partly in the Hilliard City School District and partly in the South-Western City School District, and two (2) projects in the Olentangy Local School District; and

**WHEREAS,** it is necessary at this time to authorize payment of \$1,004,298 to the Columbus City School District, \$76,090 to the Hilliard City School District, \$45,867 to the South-Western City School District and \$638,996 to the Olentangy Local School District; and

**WHEREAS,** the matter herein constitutes an emergency in that it is immediately necessary to authorize payment to the Columbus City School District, the Hilliard City School District, the South-Western City School District and the Olentangy Local School District thereby preserving the public health, peace, prosperity, safety and welfare; **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 \$11,776 within the Development Department, General Fund, Fund 010, Economic Development Division, Division 44-02, as follows:

**FROM:**

Object Level One 01, Object Level Three 1101, OCA Code 440314, Amount \$11,776

**TO:**

Object Level One 05, Object Level Three 5513, OCA Code 440314, Amount \$11,776

**Section 2.** That the City Auditor is hereby authorized to make payment to the Columbus City School District in the amount of \$1,004,298, to the Hilliard City School District in the amount of \$76,090, to the South-Western City School District in the amount of \$45,867 and to the Olentangy Local School District in the amount of \$638,996 for income tax revenue sharing.

**Section 3.** That the payment totaling \$1,765,251 is hereby authorized from the General Fund, Fund 010, Department of Development, Economic Development Division No. 44-02, Object Level Three 5513, OCA Code 440314.

**Section 4.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, the 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:** 1147-2006

**Drafting Date:** 06/14/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

### **Explanation**

**Background:** The Central Ohio Workforce Investment Corporation (COWIC) is responsible for determining policy on a variety of workforce issues, recommending certification of training program providers and overseeing the establishment of the JobSight office centers for workforce development. The goal of the Central Ohio Workforce Investment Corporation is to ensure that Central Ohio's labor supply is prepared to meet the needs of local employers now and in the future. This legislation will authorize a grant agreement with the COWIC to provide \$50,000 for lease costs associated with 1111 E. Broad Street. This support will decrease the burden of non-profits participating in workforce development programs geared at placements of unemployed residents of Columbus.

**Fiscal Impact:** This legislation appropriates \$50,000 from the unallocated balance of the Neighborhood Economic Development Fund to provide support to the Central Ohio Workforce Investment Corporation for leasing costs.

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.

### **Title**

To authorize the appropriation of \$50,000 from the unappropriated balance of the Neighborhood Economic Development Fund; to authorize the Director of the Development Department to enter into a grant agreement with the Central Ohio Workforce Investment Corporation to provide funds for lease costs associated with 1111 E. Broad Street; to authorize the expenditure of \$50,000 from the Neighborhood Economic Development Fund; and to declare an emergency. (\$50,000.00)

### **Body**

**Whereas,** the Central Ohio Workforce Investment Corporation (COWIC) is responsible for determining policy on a variety of workforce issues, recommending certification of training program providers and overseeing the establishment of the JobSight office centers for workforce development; and

**Whereas,** the goal of the Central Ohio Workforce Investment Corporation is to ensure that Central Ohio's labor supply is prepared to meet the needs of local employers now and in the future; and

**Whereas,** this legislation will authorize a grant agreement with the COWIC to provide \$50,000 for lease costs associated with 1111 E. Broad Street; and

**Whereas,** this support will decrease the burden of non-profits participating in workforce development programs geared at placements of unemployed residents of Columbus; and

**Whereas,** an emergency exists in the usual daily operation of the Department of Development, that it is immediately necessary to provide an appropriation and authorize a grant agreement with the Central Ohio Workforce Investment Corporation 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 from the unallocated monies in the Neighborhood Economic Development Fund, Fund No. 237, and from any and all sources unallocated for any other purpose during the fiscal year ending December 31, 2006, the sum of \$50,000 be and hereby is appropriated to the Department of Development, Economic Development Division, Division 44-02,

Object Level One 03, Object Level Three 3337, OCA Code 495032.

**Section 2.** That the Director of the Department of Development is hereby authorized to enter into a grant agreement with the Central Ohio Workforce Investment Corporation to provide funds for lease costs associated with 1111 E. Broad Street.

**Section 3.** That the expenditure of \$50,000, or so much thereof as may be necessary, be and is hereby authorized from the Department of Development, Economic Development Division, Division No. 44-02, Neighborhood Economic Development Fund, Fund 237, Object Level One 03, Object Level Three 3337, OCA Code 495032.

**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:** 1148-2006

**Drafting Date:** 06/14/2006

**Current Status:** Passed

**Version:** 2

**Matter Type:** Ordinance

**..Explanation**

**Rezoning Application Z06-034**

**APPLICANT:** Gary Nagle; 2890 Lazar Road; Grove City, OH 43123.

**PROPOSED USE:** Contractor's office and storage.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (4-0) on June 8, 2006.

**SOUTHWEST AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The requested L-M, Limited Manufacturing District will allow a contractor's office and storage development along with a residence for a security person. The limitation text establishes appropriate use restrictions, landscaping, and lighting controls. The requested L-M, Limited Manufacturing District is consistent with the zoning and development patterns of the area.

**Title**

To rezone **2890 LAZAR ROAD (43123)**, being 1.35± acres located on the east side of Lazar Road, 370± feet north of Tanis Drive, **From:** R, Rural District **To:** L-M, Limited Manufacturing District **and to declare an emergency.**  
(Rezoning # Z06-034)

**Body**

**WHEREAS**, application #Z06-034 is on file with the Building Services Division of the Department of Development requesting rezoning of 1.35± acres from R, Rural District, to L-M, Limited Manufacturing District; and

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

**WHEREAS**, the City Departments recommend approval of said zoning change because the requested L-M, Limited Manufacturing District will allow a contractor's office and storage development along with a residence for a security person. The limitation text establishes appropriate use restrictions, landscaping, and lighting controls. The requested L-M, Limited Manufacturing District is consistent with the zoning and development patterns 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:

**2890 LAZAR ROAD (43123)**, being 1.35± acres located on the east side of Lazar Road, 370± feet north of Tanis Drive, and being more particularly described as follows:

Situated in the County of Franklin in the State of Ohio and in the City of Columbus:

Beginning at an iron pin in the east line of the Dimiter Traikovich tract (west line of the John D. Dyer 69.68 acre tract) which is South 14 degrees 42' West 1738.60 feet from an iron pin at the intersection of the center line of Dyer Road with the center line of Brown Road; thence continuing along the east line of the Traikovich tract South 14 degrees 42' West 98.99 feet to an iron pin; thence North 77 degrees 04' West (passing an iron pin at 854.05 feet) 870.05 feet to a point in the center line of a 50 foot roadway; thence along the center line of said roadway, North 13 degrees 02' East 98.94 feet to a point; thence South 77 degrees 04' East (passing an iron pin at 25 feet) 881.96 feet to the place of beginning, containing 2 acres, more or less.

Subject to the use of a roadway 50 feet wide running from the southwest corner of the above described tract, northerly to Dyer Road, said roadway center line is being described as beginning at the southwest corner of said tract; thence running along the center line of the roadway North 13 degrees 02' East 1135.51 feet to an iron pin at the angle in the roadway; thence North 19 degrees 43' West 311.09 feet to an iron pin in the center line of Dyer Road.

Excepting there from: Being part of Survey No. 4641, Virginia Military Lands; also being part of that certain 2.0 acre tract shown of record in Deed Book 2782, page 169, record of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at an iron pin at the northeasterly corner of said tract of record in Deed Book 2782, page 169; thence from said point of beginning South 14 degrees 42' West and along the easterly line of said 2.0 acre tract a distance of 98.99 feet to an iron pin at the southeasterly corner of said 2.0 acre tract; thence North 77 degrees 04' West and along the southerly line of said 2.0 acre tract a distance of 260.00 feet to an iron pin; thence North 14 degrees 42' East and parallel to the easterly line of said 2.0 acre tract a distance of 98.99 feet to an iron pin at the northerly line of said tract; thence South 77 degrees 04' East and along the northerly line of the aforementioned 2.0 acre tract a distance of 260.00 feet to the point of beginning and containing 0.590 acre.

Together with the right of ingress and egress to and from Lazar Road and along the northerly line of the above mentioned 2.0 acre tract, the northerly line of which extends North 77 degrees 04' West a distance of 612.50 feet, more or less, to a point in the easterly line of Lazar Road, said easement being 12.0 feet in width as measured at right angles southerly from the northerly line of said 2.0 tract.

Commonly known as 2890 Lazar Road, Columbus, Ohio 43123

Tax parcel no. 570-193891

**To Rezone From:** from R, Rural 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 being titled, "**LIMITATION OVERLAY TEXT**," signed by Gary Nagle, Applicant, dated May 16, 2006, and reading as follows:

**LIMITATION OVERLAY TEXT**

Proposed District: L-M, Limited Manufacturing District

Property Address: 2890 Lazar Rd., Grove City, OH 43123

Property Owner: Jerry M. Hein Sr., 1251 Greenleaf Rd., Columbus, OH 43223

Applicant: Gary Nagle, 2890 Lazar Rd., Grove City, OH 43123

Date of Text: May 16, 2006

**INTRODUCTION:** The 1.353+ acre site is currently developed with a single-family dwelling. The requested L-M, Limited Manufacturing District will allow storage of tools and materials for a fencing business. The property west of site is a large vacant lot zoned R, Rural District. Property north of site is vacant land lot zoned PUD-6, Planned Unit Development District. Properties east and south of the site are zoned L-M, Limited Manufacturing District, containing industrial buildings.

**1. PERMITTED USES:**

The permitted uses for the property are limited to an office, interior equipment storage for a contractor business, and a dwelling unit for a resident security person as permitted by Sections 3363.01 and 3363.02(a) of the Columbus Zoning Code, except uses contained in 3363.01B(2), C and D.

**2. DEVELOPMENT STANDARDS:** Except as specified herein, the applicable development standards shall be as specified in the M-Manufacturing District.

**A. Density, Height, Lot and/or Setback Commitments.**

1. There shall be a ten (10) foot setback along the north property line.

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

1. Dedication of additional right-of-way along Lazar Road is to be per the Columbus Thoroughfare Plan. The access point and on-site vehicular circulation shall be subject to the approval of the Columbus Transportation Division.

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

1. Whenever possible, existing trees will be preserved on this site. If it is not possible to preserve existing trees, then new

tree planting on a one for one basis for replacement of existing trees shall be planted.

2. All trees and landscaping shall be maintained in a healthy state. Any dead material shall be removed and replaced with like materials within six months or the next available planting season, whichever occurs first.
3. The minimum size of all trees at installation shall be 2 ½ inch caliper for deciduous, 5 feet in height for evergreen and 1 ½ inch caliper for ornamental. Tree caliper is measured 6 inches from the ground.
4. The existing six-foot high wood privacy fence along the north property line of the subject site shall be maintained. If the fence is removed, the applicant shall replace it with a new six-foot high wood privacy fence.

**D. Building Design and/or Interior-Exterior Treatment Commitments.** N/A

**E. Dumpsters, Lighting, Outdoor Display Areas and/or Other Environmental Commitments.**

1. Lighting Standards shall meet the following requirements:
  - (a) Light standards shall not exceed 28 feet in height except lights located within 100 feet of a residentially used or zoned property shall not exceed 18 feet in height.
  - (b) All external outdoor lighting fixtures shall be from the same or similar type and color to insure aesthetic compatibility.
  - (c) Lights shall have fully shielded, recessed lamps directed downward to prevent glare and shine above the horizontal plane.
  - (d) Lighting shall not exceed .1 foot-candle along the property line of a residentially used or zoned property.

**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-2, Commercial District and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

**G. Miscellaneous.**

1. A parkland dedication fee of Four Hundred Dollars (\$400.00) per acre will be paid prior to Zoning Clearance approval.

**SECTION 4. ~~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:** 1150-2006

**Drafting Date:** 06/14/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

BACKGROUND: To modify and extend the existing city-wide contracts for the option to purchase Personal Safety Products for various City agencies to and including June 30, 2006. The Purchasing Office opened formal bids on November 7, 2002. The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06. (Proposal No. SA000342DRM) and awarded UTC contracts as follows:

FL001671, Colonial/Michigan Glove Company, cc #34-1892126, expires 10/31/2006  
FL001674, Jendco Safety Supply, cc# 31-1286443, expires 12/5/2006  
FL001677, Safety Solutions, Inc., cc #31-0808325, expires 1/9/2007

These companies are not debarred according to the Federal Excluded Parties Listing or prohibited from being awarded a contract according to the Auditor of State Unresolved Findings for Recovery Certified Search.

- 1) Amount of additional funds: The estimated annual expenditure for these contracts is \$88,000.00.
- 2) Reason additional needs were not foreseen: The need was foreseen. An extension is provided for in the original contracts.
- 3) Reason other procurement processes not used: Contract specifications are currently being evaluated. A new bid when will be developed when evaluations are complete.
- 4) How cost was determined: The cost, terms and conditions are in accordance with the original agreements.

FISCAL IMPACT: No funding is required to extend the option contracts. City agencies must obtain approval to expend from their own budgeted funds for their estimated expenditures.

To maintain an uninterrupted supply of services to City agencies using these Universal Term Contracts, this ordinance is being submitted as an emergency.

**Title**

To authorize and direct the Finance and Management Director to modify and extend the UTC contracts for the option to purchase Personal Safety Products and to declare an emergency.

**Body**

WHEREAS, the Purchasing Office advertised and solicited formal bids, and selected the lowest bids; and

WHEREAS, vendors have agreed to extend FL001671, FL001674 and FL001677 at current prices and conditions to and including November 30, 2006, and it is in the best interest of the City to exercise this option; and

WHEREAS, in order to avoid a lapse in our ability to maintain personal safety products while a new bid is being developed, this is being submitted for approval as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to extend FL001671, FL001674 and FL001677 for an option to purchase personal safety products, 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 and extend contracts for personal safety products as follows to and including November 30, 2006:

FL001671 Colonial/Michigan Glove Company  
FL001674 Jendco Safety Supply  
FL001677 Safety Solutions, Inc.

SECTION 2. That these modifications are 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:** 1152-2006

**Drafting Date:** 06/15/2006

**Current Status:** Passed

**Explanation**

**BACKGROUND:** This legislation authorizes the appropriation of \$60,000 from the Capital South Debt Service Fund and authorizes the Director of the Department of Development to enter into a deferred loan agreement with Community Housing Development, Inc. (CHD) in the amount of \$60,000. The funds provided by the agreement will be used by CHD as gap financing to move 3 residential structures that otherwise would be demolished. The properties are located on S. Fourth Street in Merion Village and will be moved within the neighborhood to E. Morrill near the intersection of E. Morrill and S. Fourth Street.

Emergency action is requested due to the timing of the project and to enable the nonprofit recipient to avoid unnecessary delays.

**FISCAL IMPACT:** This ordinance appropriates and authorizes the expenditure of \$60,000 from the Capital South Debt Service Fund.

**Title**

To authorize the appropriation of \$60,000 from the unappropriated balance of the Capital South Debt Service Fund to the Department of Development; to authorize the Director of the Department of Development to enter into a deferred loan agreement with Community Housing Development, Inc. in the amount of \$60,000; to authorize the expenditure of \$60,000 from the Capital South Debt Service Fund; and to declare an emergency (\$60,000).

**Body**

**WHEREAS**, there exists an opportunity to assist Community Housing Development, Inc., with gap financing to facilitate a housing project involving the physical move of three residential structures resulting in the revitalization of a blighted neighborhood as opposed to these structures being demolished: and

**WHEREAS**, the CHD assists with the rehabilitation and production of affordable housing and the enhancement of home ownership opportunities in a defined Columbus neighborhood; and

**WHEREAS**, the Merion Village Civic Association has played a strong role in the project to move the structures and is extremely supportive of this neighborhood revitalization activity to benefit to the neighborhood; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development, Housing Division, in that it is immediately necessary to enter into an agreement with CHD so that the specific project will not be delayed thereby preserving 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 from the unappropriated monies in the Capital South Debt Service Fund, Fund No. 481, and from all monies estimated to come into said funds from any and all sources, and unappropriated for any other purposes during the fiscal year ending December 31, 2006, the sum of \$60,000 is hereby appropriated to the Department of Development, Division 44-10, Fund 481, Object Level One 05, Object Level Three 5528, OCA Code 445481.

**Section 2.** That the Director of the Department of Development be and is hereby authorized to enter into a deferred loan agreement with Community Housing Development, Inc., to provide funds for a specific housing project involving the physical move of three residential structures.

**Section 3.** That for the purpose as stated in Section 2, the expenditure of \$60,000.00, or so much thereof as may be necessary, be and is hereby authorized to be expended from the Capital South Debt Service Fund, Department of Development, Housing Division 44-10, Fund 481, Object Level One 05, Object Level Three 5528, OCA Code 445481.

**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 approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 1154-2006

**Drafting Date:** 06/15/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation Background:** This legislation is to modify and increase the construction contract with Tata Excavating, Inc. for the Transportation Division (contract compliance #31-0717926) for the Capital Improvement Project No. 850 Phase 2, Maize Road South of Reed Circle Drive, Stormwater Improvements project in an amount up to \$30,000.00 and \$5,000.00 for inspection. The project limits are along the west side of Maize Road from 130' south of Shanley Drive to 315' north of Shanley Drive. This plan includes storm drainage improvements and other associated work. This contract is being modified to include sidewalk installation along with the storm drainage improvements. The Transportation division is currently bidding the remainder of the Maize Road sidewalk improvement separately from Morse to Hillsdale but would prefer to have only one contractor working within the area covered by this project. Prices are being negotiated based on pricing in other contracts.

**Emergency action** is requested for immediate modification of the construction contract so that the project can be completed this year.

The original contract amount was for:	\$86,760.36
This modification:	\$35,000.00
The contract amount including all modifications is:	\$111,760.36

**Fiscal Impact:** Funds are available from the 1995, 1999, 2004 Voted Street and Highway Funds for the Transportation Division.

**Title**To authorize the Director of Public Utilities to modify and increase the contract for the construction of the sidewalks as part of the Maize Road South of Reed Circle Drive, Stormwater Improvements project for the Transportation Division, to authorize the expenditure of \$35,000.00 from Voted Street and Highway Funds for the Transportation Division; and to declare an emergency (\$35,000.00).

**Body WHEREAS:** Ordinance no. 0951-2006, introduced to Legislation on 5/15/2006 establishes a contract with Tata Excavating for Capital Improvement Project No. 850, Maize Road South of Reed Circle Drive; and

**WHEREAS:** it is necessary to modify the proposed contract to add sidewalk work; and

**WHEREAS:** an emergency exists in the usual daily operations of the Departments of Public Utilities and Public Service, Transportation Division, in that the proposed contract should be modified and increased immediately so that this sidewalk work may proceed in conjunction with the storm drainage work scheduled for this year; now, therefore

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

**Section 1.** That the Director of Public Utilities be and is hereby authorized to modify and increase the contract with Tata Excavating, Inc.; associated with Ordinance no. 0951-2006, by \$30,000.00 for additional work in accordance with the terms as shown on the modification on file in the office of the City Engineer, which are hereby approved; and to obtain and pay for the necessary inspection costs associated with the project up to a maximum of \$5,000.00

**Section 2.** That for the purpose of paying the cost thereof, the sum of \$35,000.00 or so much thereof as may be needed, is hereby authorized to be expended from the 1995, 1999, 2004 Voted Street and Highway Funds for the Transportation Division, Dept/Div. 59-03, OCA code 644385, Object Level Three Code 6631, and project no. 530161.

**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:** 1155-2006

**Drafting Date:** 06/15/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

This Ordinance is submitted to settle the lawsuit known as Brandon Stone v. Thomas DeWitt, et al., Case No. C2-05-608 in the United States District Court for the Southern District of Ohio, Eastern Division, in the amount of Three Hundred Thousand and No/100 Dollars (\$300,000.00). On October 16, 2004, the plaintiff was arrested. While being transported in a police wagon, the wagon came to a sudden stop. The plaintiff, who was handcuffed but not seat belted, fell forward and suffered injury to his neck.

### **Title**

To authorize and direct the City Attorney to pay the settlement amount to Brandon Stone, et. al in the case of Brandon Stone v. Thomas DeWitt, et al., United States District Court Case No. C2-05-608, to authorized the City Auditor to transfer \$300,000.00 within the general fund from the Department of Finance and Management to the Department of Public Safety, Division of Police, to authorize the expenditure of the sum of Three Hundred Thousand and No/100 Dollars (\$300,000.00), payable as specified in Section 3, and to declare an emergency.

### **Body**

WHEREAS, on May 20, 2005, the plaintiff filed a lawsuit in the Franklin County Court of Common Pleas, Case No. 05CVH5-05625, against the City of Columbus and Officer Thomas DeWitt and Officer Robert Schons; the case was subsequently removed to the United States District Court for the Southern District of Ohio, Case No. C2-05-608. The plaintiff alleged a violation of his rights under the First, Fourth and Fourteenth Amendments as well as claims brought under the laws of the State of Ohio;

WHEREAS, Following the evaluation of plaintiff's claims in the course of litigation, the parties reached an agreement to settle this matter. Due to the dispute of this claim and the risks and uncertainties associated with continued litigation and trial, the settlement amount was deemed acceptable by the City of Columbus, along with dismissal of the lawsuit with prejudice and a release of the City of Columbus and its employees from further liability; and,

WHEREAS, sufficient funds are available within the Finance Department's citywide account to cover this settlement; and,

WHEREAS, by reason of the foregoing, and in order to avoid the possible payment of interest, an emergency exists in the usual daily operation of the City and for further preservation of the public health, peach, property, safety and welfare, 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 the lawsuit of Brandon Stone v. Thomas DeWitt, et al., United States District Court Case No. C2-05-608, by the payment of the total of \$300,000 as a reasonable and fair amount in the best interests of the City of Columbus.

Section 2. That the City Auditor be and hereby is authorized and directed to transfer \$300,000.00 within the general fund, fund no. 010 from the Department of Finance and Management, department/division 45-01, object level one - 10, object level three - 5501, OCA 904508 to the Department of Public Safety, Division of Police, department/division 30-03, object level one - 05, Object Level Three - 5533, OCA 301382.

Section 3. That for the purposes of paying this settlement, there be and hereby is authorized to be expended by the City of Columbus, Department of Public Safety, Division of Police, Division Number 30-03, OCA Code 301382, Object Level One 05, Object Level Three 5533, Fund No. 010.

Section 4. That the City Auditor be and is hereby authorized to draw warrants upon the City Treasurer upon receipt of a voucher and release approved by the City Attorney payable in the following manner: \$169,517.69 to Brandon Stone, plaintiff; \$100,000 to Frederick Gittes, counsel for plaintiff; \$28, 172.42 to Fred Ungerman, Jr., TAFT STETINIUS & HOLLISTER, LLP, counsel for Select Industries; and \$2,309.89 to Matt Stevens, LAWRENCE & RUSSELL, counsel for Anthem Blue Cross and Blue Shield.

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 day after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 1156-2006

**Drafting Date:** 06/15/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**Background:**

- This ordinance will authorize a modification to Contract No. EL005278 for additional services related to the Olentangy River Road Bikeway Extension, and authorize an expenditure in the amount of \$4,000.00.
- Amount of additional funds to be expended is \$4,000.00. The original contract cost was \$5,925.65; the total modified cost is \$38,525.65.
- Additional engineering services are required after implementation of original contract due to the Ohio Department of Transportation requirements to scope of work.
- The Contract Compliance Number for Stone Environmental is #31-1262683.
- Emergency legislation is requested to allow project to proceed in a timely manner.

**Fiscal Impact:**

\$4,000.00 is required and budgeted in the Parks and Recreation Voted 1999/2004 Bond Fund to meet the financial obligation of this contract modification.

**Title**

To authorize and direct the Director of Recreation and Parks to modify the contract with Stone Environmental for additional services in conjunction with the Olentangy River Road Bikeway Extension, to authorize an expenditure of \$4,000.00, and to declare an emergency. (\$4,000.00)

**Body**

**WHEREAS**, it is necessary to modify the contract with Stone Environmental for additional services in conjunction with the Olentangy River Road Bikeway Extension; and

**WHEREAS**, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to modify said contract to allow work to proceed in a timely manner; now, therefore

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

**Section 1.** That the Director of Recreation and Parks be and he is hereby authorized and directed to modify Contract No. EL005278 with Stone Environmental for additional services in conjunction with the Olentangy River Road Bikeway Extension, in accordance with plans and specifications on file in the Recreation and Parks Department.

**Section 2.** That the expenditure of \$4,000.00, or so much thereof as may be necessary, be and is hereby authorized from the Recreation and Parks Voted 1999/2004 Bond Fund No. 702, Dept. No. 51-01, as follows, to pay the cost thereof.

<u>Fund Type</u>	<u>Project No.</u>	<u>Project Name</u>	<u>Object Level 3</u>	<u>OCA Code</u>	<u>Amount</u>
Cap. Proj.	510316	Greenways	6680	644526	\$4,000.00

**Section 3.** That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project; except that no transfer shall be so made from a project account funded by monies from more than one source.

**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:** 1157-2006  
**Drafting Date:** 06/15/2006  
**Version:** 1  
**Current Status:** Passed  
**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The Parson's Avenue Water Plant was constructed in 1982 and has been in continuous service since that time. The parking lot, access drives and chemical unloading pavement areas are all showing signs of wear and deterioration. To assure continued safe access to this critical water treatment facility, a repaving project has been initiated. This contract provides the labor and materials to accomplish this task.

The procurement of this contract was conducted in accordance with Section 329.09.  
Competitive bids were received and opened at the office of the Director of Public Utilities on June 7, 2006. Four (4) bids were received. The two lowest bids were both responsive and responsible. The two high bidders had irregularities in their bids and were considered non-responsive.

<u>BIDDER</u>	<u>AMOUNT</u>
Decker Construction Company	\$278,380.36
Strawser Paving Co., Inc.	\$285,387.39
The Shelly Co.	\$311,867.35
The McDaniel's Construction Corp., Inc.	\$336,559.52

**FISCAL IMPACT:** The 2006 C.I.B. is being amended and funds are being transferred to provide funding for this project.

**CONTRACT COMPLIANCE NUMBER:** 31-0983557

**EMERGENCY PROVISION:** Emergency legislation is being requested to allow work to be complete during the upcoming construction season. Asphalt production facilities have limited operating schedules corresponding to weather conditions above 40 degrees. To avoid additional degradation to the existing pavement this work must proceed as soon as possible.

**Title**

To authorize the Director of Public Utilities to enter into a contract with Decker Construction Company for the Parsons Avenue Water Plant Miscellaneous Improvements - Paving, for the Division of Power and Water (pka Division of Water), to authorize the expenditure of \$278,380.36 from the Waterworks Enlargement Voted 1991 Bonds Fund, to amend the 2006 C.I.B. and to declare an emergency (\$278,380.36)

**Body**

WHEREAS, the Director of Public Utilities did receive and open bids on June 7, 2006 for the Parsons Avenue Water Plant Miscellaneous Improvements - Paving, for the Division of Power and Water (pka Division of Water), Department of Public Utilities, and

WHEREAS, a satisfactory low bid has been received, and

WHEREAS: An emergency exists in the usual daily operation of the Division of Power and Water (pka Division of Water), Department of Public Utilities, in that it is immediately necessary to authorize the Director of Public Utilities to enter into a Contract with Decker Construction Company for the Parsons Avenue Water Plant Miscellaneous Improvements - Paving, for the Division of Power and Water (pka Division of Water), to complete the work during the upcoming construction season. To avoid additional degradation to the existing pavement this work must proceed as soon as possible., therefore emergency legislation is being requested, for the preservation of public health, peace, property and safety now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. The Director of Public Utilities be and is hereby authorized to enter into a Contract with Decker Construction Company, in the amount of \$278,380.36 for the Parsons Avenue Water Plant Miscellaneous Improvements - Paving, for the Division of Power and Water (pka Division of Water), Department of Public Utilities, Contract No. 1087 on the basis of the lowest responsive and responsible bid received on June 7, 2006.

Section 2. That for the purpose of paying the cost thereof, the expenditure of \$278,380.36 is hereby authorized from Waterworks Enlargement Voted 1991 Bonds Fund No. 606, Department of Public Utilities, Division of Water, Dept./Division No. 60-09, Object Level Three 6623, Project No. 690291, OCA Code 691291

Section 3. That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project; that the project has been completed and the monies are no longer required for said project except that no transfer shall be made from a project account funded by monies from more than one source.

Section 4. The City Auditor is hereby authorized and directed to transfer funds from within the Waterworks Enlargement Voted 1991 Bonds Fund, Fund No. 606, Department of Public Utilities, Division of Water, as follows:

FROM: 690479	Security Enhancements	\$278,380.36
	OCA Code 606479	
TO: 690291	Parsons Avenue Water Plant Miscellaneous Improvements - Paving	\$278,380.36
	OCA Code 691291	

Section 5. That Section 1, Public Utilities/Water 60-09 or Ordinance 1108-2006 is hereby amended as follows:

PROJECT NUMBER	PROJECT NAME	TOTAL BUDGET	
690291	Parsons Avenue Water Plant Miscellaneous Improvements - Paving	\$628,406	*(1)*
690443	Hap Cremean Water Plant Basin Improvements	\$721,619	*(2)*

Section 6. 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 approval if the Mayor neither approves nor vetoes the same.

2006 Original Budget	2006 Amended Budget	Comments
*(1)* \$350,025	\$628,406	Authority Increased
*(2)* \$1,000,000	\$721,619	Authority Reduced

**Legislation Number:** 1158-2006

**Drafting Date:** 06/15/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

The City of Columbus Department of Public Safety, Division of Police on behalf of the Columbus Urban Area Homeland Security Advisory Committee was awarded a grant for the acquisition of a Mobile Command Vehicle. This emergency response vehicle will be maintained by the City of Columbus and be available for use on a regional basis and the City of Columbus in responding to emergencies in Columbus, Franklin County and surrounding areas. The City of Columbus and Franklin County entered into an Intergovernmental Agreement Ordinance 1917-2005 to enable this type of purchase. The total expenditure in the amount of \$1,125,370.00 will be paid by Franklin County through the Urban Area Homeland Security Grant. Due to lead time for completion of the vehicle and time constraints of the grant, it is important to complete this acquisition as soon as possible.

Bid Information: A formal bid, Solicitation No. SA002010 was opened on June 1, 2006.

Two suppliers submitted bids for a Mobile Command Vehicle. Pierce Manufacturing, Inc. was the lowest bidder at \$1,079,705.00, but their bid did not meet specifications on Item 3.9.1 This section requested an engine to be 2007 EPA emissions compliant. Their proposal was for a 2006 engine which is not compliant. Emergency Vehicles, Inc. was the lowest, responsive, responsible bidder at a cost of \$1,125,370.00.

This company is not debarred according to the Federal excluded parties listing or prohibited from being awarded a contract according to the Auditor of State unresolved findings for recovery certified search.

Emergency Designation: Emergency legislation is requested to expedite the process of the award from Franklin County Office of Homeland Security and Justice Programs.

Contract Compliance Number: 650045102

FISCAL IMPACT: There is no fiscal impact for the General Fund Account. The Intergovernmental Agreement permits City of Columbus and Franklin County to make the federal sub-grant expenditures.

Title

To authorize the Finance and Management Director to execute those documents necessary for the acquisition of a Mobile Command Vehicle utilizing the Homeland Security Grant, and to declare an emergency.

Body

WHEREAS, the Division of Police was awarded a grant from Franklin County Office of Homeland Security and Justice Programs; and

WHEREAS, a Mobile Command Vehicle will provide emergency radio, data and video communications equipment and would support a myriad of first responder agencies throughout the Central Ohio region in the event of an emergency or disaster; and

WHEREAS, formal bid SA002010 for the acquisition of a Mobile Command Vehicle for the Division of Police Department of Public Safety was received by the Purchasing Office on June 1, 2006; and

WHEREAS, Emergency Vehicles was the lowest, responsive, responsible bidder; and

WHEREAS, the Division of Police is requesting the Finance and Management Director to execute the necessary documents for acquisition of this vehicle utilizing the Homeland Security Grant; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Support Services, Department of Public Safety, in that it is immediately necessary to execute the needed documents for the acquisition of a mobile command vehicle from the federal sub-grant 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 the Director of Finance and Management be and is hereby authorized and directed to execute those documents necessary for acquisition of a mobile command vehicle utilizing the Homeland Security Grant.

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:** 1159-2006

**Drafting Date:** 06/15/2006

**Current Status:** Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: For the option to purchase High Skid Concrete Pavement Marking Tape for the Transportation Division, Department of Public Service. The term of the proposed option contracts would be through April 30, 2009 with the option to renew for one additional year, if mutually agreed. The Purchasing Office opened formal bids on May 4, 2006.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA001977). Seven 7 bids were solicited (MAJ:7); two (MAJ:2) bids were received. Items 13-17 and 19, 21, and 22 will not be awarded as bidders did not meet the specifications. Item 35 will not be awarded as no bid was received.

The Purchasing Office is recommending award of two contracts to the overall lowest, responsive, responsible and best bidders:

3M Company, CC#410417775, Exp:6/1/07- Items: 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 18, 20, 23, 24, and 25. Estimated annual expenditure \$54,400.00\_

Flint Trading Inc., CC#561736552, Exp:9/6/08 - Items 3, 4, 29, 30, 31, 32, 33, and 34. Estimated Annual Expenditure \$38,800.00

Total Estimated Annual Expenditure: \$93,200.00.

These Companies are not debarred according to the Federal Government Excluded Parties listing and are not listed on the State Auditor 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 Universal Term Contracts Fund. City Agencies 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 a contract for the option to purchase High Skid Concrete Pavement Marking Tape with Flint Trading Inc. and 3M Company to authorize the expenditure of two dollars to establish 2 contracts from the Universal Term Contracts Fund, and to declare an emergency. (\$2.00).

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on May 4, 2006 and received two responses, and

WHEREAS, the Purchasing Office selected the lowest, responsive, responsible and best bidders; 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, in order to ensure pavement marking material is supplied without interruption to new and existing street and roadway projects that serve to direct and maintain traffic flow on city streets and roadways, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into two contracts for an option to purchase High Skid Concrete Pavement Marking Tape, 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 & Management Director be and is hereby authorized and directed to enter into the following contracts for an option to purchase High Skid Concrete Pavement Marking Tape in accordance with Solicitation # SA001977:

3M Company, Items: 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 18, 20, 23, 24, and 25. Amount \$1.00.

Flint Trading Inc., Items 3, 4, 29, 30, 31, 32, 33, and 34. Amount \$1.00.

SECTION 2. That the expenditure of \$2.00 is hereby authorized from Universal Term Contracts Fund, Organization Level 1: 45-50, Fund: 05-517, Object Level 3: 2270, OCA: 450020, 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:** 1160-2006

**Drafting Date:** 06/15/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

#### **BACKGROUND:**

Approval of this ordinance will allow the Director of the Department of Technology to establish a contract, and continue utilizing services provided by the Liebert Corporation. The contract will provide for maintenance and related services associated with batteries and UPS (Uninterruptible Power Systems) systems, with Liebert Corporation, that allows continuous operations when power fluctuations and failures occur. The associated services have previously used informal agreements, as the amounts were less than \$20,000 per year. With Liebert Corporation being the only authorized local service center for the Uninterruptible Power Systems (UPS), used by the City's Department of Technology computer centers, the Department of Technology has a need to waive the competitive bidding provisions of the Columbus City Code 329. UPS allows continuous operations when power fluctuations and failures occur.

This agreement will cost \$45,127.34 for maintenance and related services for the UPS system.

**FISCAL IMPACT:** Previously this year, the Department expended \$10,210.25 on services related to the UPS system. Funding for this modification is budgeted and available within the 2006 Department of Technology's internal services fund's budget. This contract will have a coverage period from August 2006 through April, 2007.

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

**CONTRACT COMPLIANCE NUMBER:** 31-0715256 Expires: 02/12/2007

### **Title**

To authorize the Director of the Department of Technology to establish a contract with Liebert Corporation, for maintenance services associated with the UPS (Uninterrupted Power Supply) system; to authorize the expenditure of \$45,127.34 from the Department of Technology internal service fund; to waive the competitive bidding requirements of the Columbus City Codes; and to declare an emergency (\$45,127.34 )

### **Body**

**WHEREAS**, approval of this ordinance will allow the Director of the Department of Technology to establish a contract, for maintenance services associated with batteries and UPS (Uninterrupted Power Supply) system, with Liebert

Corporation; and

**WHEREAS**, funding for this contract is budgeted and available within the 2006 Department of Technology's internal services fund's budget; and

**WHEREAS**, Liebert Corporation is the only authorized local Emerson/Liebert equipment repair center; and

**WHEREAS**, it is necessary to waive the formal competitive bid requirements of the Columbus City Codes; and

**WHEREAS**, this contract in the amount of \$45,127.34, for a coverage period from August 2006 through April, 2007; and

**WHEREAS**, an emergency exists in the usual daily operation of the City in that it is immediately necessary to authorize the passage of this ordinance to continue uninterrupted support for services related 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 a contract for maintenance services associated with batteries and UPS (Uninterrupted Power Supply) system, with Liebert Corporation.

**SECTION 2:** That the expenditure of \$45,127.34 or so much thereof as may be necessary is hereby authorized to be expended from:

**Div.:** 47-02|**Fund:** 514| **Subfund** 010|**OCA Code:** 286039|**Obj. Level 1:** 03|**Obj. Level 3:** 3372|**Amount:** \$45,127.34|

**SECTION 3:** That in accordance with Section 329.27 of the Columbus City Codes, City Council finds it to be in the best interest of the City of Columbus that the competitive bidding requirements of Section 329.06 of the Columbus City Codes be and are hereby waived.

**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:** 1161-2006

**Drafting Date:** 06/16/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** This ordinance authorizes the appropriation and expenditure of \$210,000 in program income from the Rental Rehabilitation Program. The funds will support affordable housing projects, in particular, the control of lead-based paint hazards in homes where children have been lead poisoned. Lead-Safe Kids is a new initiative in the Department of Development in which Lead-Safe Columbus, Healthy Homes, and Home Safe and Sound are joining forces to make homes safer and healthier for children. The initiative is a partnership between the Department of Development, the Health Department and property owners to strategically target housing units in which children have been poisoned and the homes continue to be hazardous. The goal of Lead-Safe Kids is to create lead-safe, decent, safe and sanitary housing for families with children 6 years of age and under. The program benefits both tenants and homeowners in the city of Columbus.

Emergency action is requested in order to make program funds immediately available.

**FISCAL IMPACT:** Income from the Rental Rehabilitation Program is generated on the principal of amortized and deferred loans, allowing these funds to accumulate until sufficient amounts are available to fund other affordable housing projects.

**Title**

To authorize the appropriation of \$210,000 of program income from the Rental Rehabilitation Program for the implementation of the Lead Safe Kids Initiative; to authorize the expenditure of \$210,000 in program income from the Rental Rehabilitation Program for financing lead hazard control and housing rehabilitation activities; and to declare an emergency. (\$210,000.00)

**Body**

**WHEREAS**, it is necessary to appropriate and expend funds from the unappropriated balance of the Rental Rehabilitation Program to the Department of Development; and

**WHEREAS**, the Department of Development desires to expend earned income from the Rental Rehabilitation Program to support other affordable housing projects; and

**WHEREAS**, The Lead Safe Kids Initiative increases the supply of affordable housing that is lead safe, decent, safe and sanitary; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development, Housing Division, in that it is immediately necessary to appropriate and expend said funds to allow for payment of projects where commitment letters have been issued thereby preserving 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 from the unappropriated monies in the fund known as the Rental Rehabilitation Program, the sum of \$210,000.00 be and is hereby appropriated to the Department of Development, Division No. 44-10, Fund No. 220, Grant Number 448015, Object Level One 05, OCA Code 440304 the following sums:

<u>OJL</u>	<u>Amount</u>
5517	\$ 60,000
5525	<u>\$ 150,000</u>
<b>TOTAL</b>	<b>\$ 210,000</b>

**Section 2.** That the monies appropriated in the foregoing Section 1 shall be paid upon the order of the Director of the Department of Development 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 the Director of the Department of Development be and is hereby authorized to expend \$210,000 of program income from the Rental Rehabilitation Program to support other affordable housing projects.

**Section 4.** That for the purpose as stated in Section 3, the expenditure of \$210,000.00 or so much thereof as necessary, be and is hereby authorized to be expended from the Department of Development, Department No. 44-10, Fund 220, Grant 448015, Object Level One 05, OCA Code 440304 as follows:

<b>OJL</b>		
<b><u>Three</u></b>		<b><u>Amount</u></b>
5517	\$	60,000
5525		<u>\$ 150,000</u>
<b>TOTAL</b>		<b><u>\$ 210,000</u></b>

**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.

**Legislation Number:** 1162-2006

**Drafting Date:** 06/16/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** On August 20, 2005, the Department of Development entered into an agreement with the Economic and Community Development Institute EL 005566 for \$133,000.00, expiring June 30, 2006.

ECDI provides a network of comprehensive support services to build the economic and social capacities of individuals, families, enterprises and communities. One of the services provided by ECDI is micro-loans for small businesses. ECDI has become a leader in the field of micro lending, providing microenterprise training to an underserved population including minorities, immigrants, refugees, asylees, low-income recipients and the working poor. ECDI provides microenterprise training, technical assistance and loan funds to assist the applicants with successfully starting or expanding their small business.

Additional time is needed to allow ECDI to complete this contract. Currently \$45,776 remains unspent from the contract for loans that are currently in process. It is the desire of ECDI and the Department of Development to extend this agreement to allow all loans in process to be completed. This legislation will extend the term of the agreement from June 30, 2006 to September 30, 2006.

Emergency action is requested so that the contract with the Economic and Community Development Institute can continue uninterrupted.

**FISCAL IMPACT:** No additional funds are needed for this modification.

**Title**

To authorize the Director of the Department of Development to amend the agreement with the Economic and Community Development Institute by extending the expiration date of the agreement to September 30, 2006; and to declare an emergency.

**Body**

**WHEREAS**, the Department of Development entered into an agreement with the Economic and Community Development Institute for micro lending services in the City of Columbus; and

**WHEREAS**, additional time is needed to carry out the above activities; and

**WHEREAS**, no additional funds are needed to complete this agreement; and

**WHEREAS**, emergency action is requested to allow ECDI to continue the Microenterprise Revolving Loan Program in the City of Columbus uninterrupted; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to amend the agreement with the Economic and Community Development Institute all 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 Director of the Department of Development is hereby authorized and directed to amend Agreement EL005566 with the Economic and Community Development Institute by extending the term of the agreement to September 30, 2006.

**Section 2.** That this modification is made pursuant to Section 329.16 of the Columbus City Codes, 1959, as amended.

**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:** 1168-2006

**Drafting Date:** 06/19/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** This ordinance authorizes the Finance and Management Director to modify a contract in the amount of \$18,000.00 for the Facilities Management Division with SimplexGrinnell LP in order to correct deficiencies in fire alarm equipment in various City-owned buildings. Ordinance 1531-2005, which passed Council October 20, 2005, provided funding for SimplexGrinnell LP to inspect, test, and report deficiencies for smoke and fire alarm systems in City-owned buildings under the purview of the Facilities Management Division. This modification will provide funding to repair the deficiencies as reported by SimplexGrinnell LP. The deficiencies reported include smoke alarms without power and smoke alarms that operate but do not alert the monitoring company. Deficiencies are present in seventeen buildings. Per the Ohio Fire Code, all fire alarm systems must be repaired and maintained. The original contract was authorized by Ordinance 0269-2001, which passed Council on February 12, 2001.

This ordinance also authorizes a transfer of \$18,000.00 within the General Permanent Improvement Fund (Fund 748).

**Emergency action** is requested to allow the deficiencies in the fire alarm systems to be corrected as quickly as possible. The failure to correct these deficiencies could lead to loss of life or property.

**Fiscal Impact:** Funds are available within the General Permanent Improvement Fund. This legislation transfers \$18,000.00 from the Unallocated Balance Project to the Facility Renovation Project. SimplexGrinnell LP Number 58-2608861, expiration 07/22/2007.

Title

To authorize the appropriation of \$18,000.00 within the General Permanent Improvement Fund; to authorize a transfer of \$18,000.00 between projects in the General Permanent Improvement Fund; to authorize the Finance and Management Director to modify a contract for the Facilities Management Division with Simplex Grinnell LP for the repair of fire alarm deficiencies; to authorize the expenditure of \$18,000.00 from the General Permanent Improvement Fund, and to declare an emergency. (\$18,000.00)

Body

**WHEREAS**, Ordinance 1531-2005, passed October 20, 2005, authorized the Public Service Director to enter into a contract with SimplexGrinnell LP to inspect, test, and report deficiencies for smoke and fire alarm systems in City-owned buildings under the purview of the Facilities Management Division, and

**WHEREAS**, it is necessary to modify said contract to allow SimplexGrinnell LP to correct identified deficiencies, and

**WHEREAS**, funds are available for transfer and appropriation within the General Permanent Improvement Fund, and

**WHEREAS**, an emergency exists in the usual daily operation of the Finance and Management Department, Facilities Management Division, in that it is immediately necessary to authorize the Finance and Management Director to modify a contract with SimplexGrinnell LP, ensuring that fire alarm deficiencies are repaired, 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 General Permanent Improvement Fund (Fund 748), and from the 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, 2006, the sum of \$18,000.00 be and hereby is appropriated to the Facilities Management Division, Dept/Div. No. 45-07, Object Level One Code 03, Object Level Three Code 6620, and Project 748999.

**SECTION 2.** That the City Auditor is hereby authorized and directed to transfer funds within the General Permanent Improvement Fund as follows:

**FROM:**

Dept/Div: 45-01 | Fund 748 | Project: 748999 | Amount: \$18,000.00

**TO:**

Dept/Div: 45-07 | Fund 748 | Project: 570030 | Amount: \$18,000.00

**SECTION 3.** That the Finance and Management Director is hereby authorized to modify a contract with SimplexGrinnell LP to repair fire alarm deficiencies at various City-owned buildings under the purview of the Facilities Management Division.

**SECTION 4.** That the expenditure of \$18,000.00, or so much thereof that may be necessary in regard to the action authorized in SECTION 3, be and is hereby authorized and approved as follows:

Division: 45-07

Fund: 748  
Project: 570030  
Object Level 1: 03  
Object Level 3: 6620  
Amount: \$18,000.00

**SECTION 5.** 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 or vetoes the same.

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**Legislation Number:** 1173-2006

**Drafting Date:** 06/19/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The Columbus Health Department and the Columbus Neighborhood Health Center, Inc., (CNHC) have collaborated to provide the services of a Community Dental Program Director. Under this revenue contract, the Columbus Neighborhood Health Center, Inc., will reimburse The Columbus Health Department for fifty percent (50%) of the time provided by the Community Dental Program Director to the department through its Family Dental Clinic.

Emergency action is requested to ensure timely reimbursement to The Columbus Health Department.

**FISCAL IMPACT:** The Columbus Neighborhood Health Center, Inc., will reimburse The Columbus Health Department for the services provided by the Community Dental Program Director. The revenue from the Columbus Neighborhood Health Center will be deposited into the Health Department Special Revenue Fund.

**Title**

To authorize the Board of Health to enter into a revenue contract with the Columbus Neighborhood Health Center, Inc., to provide the services of a Community Dental Program Director in an amount not to exceed \$65,500; and to declare an emergency. (\$65,500)

**Body**

**WHEREAS,** the Columbus Neighborhood Health Center, Inc., has a need to ensure that dental health care services continue to be provided to individuals and families in Columbus; and,

**WHEREAS,** the Columbus Neighborhood Health Center, Inc., and the Columbus Board of Health have entered into an affiliation agreement to provide comprehensive community dental health services to individuals and families living in Columbus; and,

**WHEREAS,** an emergency exists in the usual daily operation of The Columbus Health Department in that it is immediately necessary to enter into a revenue contract with the Columbus Neighborhood Health Center, Inc. to ensure timely reimbursement to The Columbus 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 Board of Health is hereby authorized to enter into a revenue contract with the Columbus Neighborhood Health Center, Inc., for the provision of a Community Dental Program Director, in an amount not to exceed \$65,500, for the period of April 1, 2006 through March 31, 2007.

**SECTION 2.** 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:** 1176-2006

**Drafting Date:** 06/20/2006

**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 #2006-04 has been executed by the parties to amend Appendix A (classification listing) to adjust the pay range assigned to the classification of EMS Instructor because of difficulty with recruitment and retention.

The passage of this ordinance indicates City Council's acceptance of Memorandum of Understanding #2006-04, a copy of which is attached hereto.

Emergency action is recommended so that recruitment can begin.

### **Title**

To accept Memorandum of Understanding #2006-04 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, 2005 through March 31, 2008; and to declare an emergency.

### **Body**

**WHEREAS**, representatives of the City and American Federation of State, County and Municipal Employees (AFSCME) Local 1632 entered into Memorandum of Understanding #2006-04, a copy of which is attached hereto, which amends Appendix A of the Collective Bargaining Contract between the City and AFSCME, Ohio Council 8, Local 1632, April 1, 2005 through March 31, 2008; 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 #2006-04, 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 #2006-04 amends the Collective Bargaining Contract between the City and AFSCME, Ohio Council 8, Local 1632, April 1, 2005 through March 31, 2008.

**Section 2.** That City Council, in the best interests of the City, hereby recognizes and accepts Memorandum of Understanding #2006-04, a copy of which is attached hereto, executed between representatives of the City and AFSCME, Ohio Council 8, Local 1632, to be effective with the beginning of the pay period following passage by City Council.

**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:** 1177-2006

**Drafting Date:** 06/20/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

### Explanation

**BACKGROUND:** In 1999 the Capitol South Community Urban Redevelopment Corporation, the Greater Columbus Chamber of Commerce and the Columbus Department of Trade and Development initiated an effort to work with downtown property owners to create a Special Improvement District (SID) in the core area of downtown. Property owners were surveyed and overwhelmingly were in support of creating a SID. The SID was created for a five-year period and was very successful. The five-year period will conclude in the summer of 2006 and the property owners wish to start again with the creation of another SID, with slightly different boundaries, but still called the Capital Crossroads Special Improvement District. The property owners initiated a one petition process in which at least 60% of the property owners within the District signed that they are interested in forming a SID and approving the Articles of Incorporation. This petition was accepted and approved by Columbus City Council by Ordinance No. 02546-2006, passed April 3, 2006. Another action required by the Ohio Revised Code is the approval of the Plan of Improvements and Services and the inclusion of City owned property in said plan. This legislation was approved by Columbus City Council by Resolution No. 0016X-2006, passed February 27, 2006. The third piece of legislation was to declare the necessity to implement the Plan of Services adopted by the Capital Crossroads Special Improvement District of Columbus, Inc., and to levy a special assessment for the services. This legislation was approved by Columbus City Council by Resolution No. 0067X-2006, passed April 24, 2006.

This legislation is an ordinance to proceed with the Plan of Services of the Capital Crossroads Special Improvement District of Columbus, Inc. and to provide for the levy of assessments to property owners within the Special Improvement District.

Emergency action is requested on this legislation to allow the special assessment process to proceed in a timely manner.

**FISCAL IMPACT:** No funding is required for this legislation.

### Title

To determine to proceed with the Plan of Services of the Capital Crossroads Special Improvement District of Columbus, Inc. and to provide for the levy of assessments in said district; and to declare an emergency.

### Body

**WHEREAS**, Chapter 1710 of the Revised Code, effective September 29, 1994 provides for the creation of Special Improvement Districts (SIDS), by non-profit corporations governed by trustees elected by the property owners for the provision of special services in a designated district; and

**WHEREAS**, this Council has approved the Capital Crossroads Special Improvement District of Columbus, Inc. Petition and Articles of Incorporation by Ordinance No. 0546-2006, passed April 3, 2006; and

**WHEREAS**, this Council has approved the Plan of Services to be provided by the Capital Crossroads Special Improvement District of Columbus, Inc. by Resolution No. 0016X-2006 passed February 27, 2006; and

**WHEREAS**, this Council has adopted Resolutions No. 0067X-2006 declaring the necessity of implementing the Plan of Services of the Capital Crossroads Special Improvement District of Columbus, Inc.; and

**WHEREAS**, Council has approved and entered into its minutes the report of the Board of Revisions appointed by Resolution No. 0104X-2006 Passed May 22, 2006; and

**WHEREAS**, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to proceed with the Plan of Services of the Capital Crossroads Special Improvement District of Columbus, Inc., all for the immediate preservation of the public health, property, safety and welfare; **NOW, THEREFORE**,

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

**Section 1.** That it is hereby determined to proceed with the Plan of Services of the Capital Crossroads Special Improvement District of Columbus, Inc. as set forth in said Plan heretofore approved by Resolution No. 0016X-2006, passed on February 27, 2006 and as provided for in the Resolution of Necessity, No 0067X-2006 passed on April 24, 2006.

**Section 2.** That the services constituting the Plan shall be made in accordance with the provision of the Resolution of Necessity, No. 0067X-2006, and in accordance with the Plan of Services and estimate of cost of the Plan previously approved and on file in the office of the Clerk of Council.

**Section 3.** That the Council does hereby find that no claim for damages resulting from said Plan of Services have been filed with the Clerk of Council.

**Section 4.** That the assessable portion of the cost of the Plan of Services shall be assessed against the benefiting properties, in the manner and in the number of annual installments as provided in the Resolution of Necessity.

**Section 5.** That the estimated assessment heretofore prepared and filed in the office of the Clerk of this Council in accordance with the Resolution of Necessity and as equalized by the Board of Revision are hereby adopted and confirmed.

**Section 6.** That the portion of the cost provided in the above-mentioned Resolution of Necessity to be assessed are hereby levied and assessed in the manner and number of installments provided in said Resolution No. 0067X-2006 and on the lots and lands described therein, which assessments are in proportion to the special benefits and are not in excess of any statutory limitations.

**Section 7.** The assessment against each lot or parcel of land shall be payable over five (5) years in semi-annual installments. All assessments shall be collected as follows:

In two semi-annual collections by the County Treasurer. The City Auditor shall certify the herein-referenced unpaid special assessment to the County Auditor as provided by law.

**Section 8.** That pursuant to the provisions of Section 1710.11 of the Ohio Revised Code, Capital Crossroads Special Improvement District of Columbus, Inc., as soon as funds are available, may make and execute contract(s) for said Plan of Services in accordance with Capital Crossroads Special Improvement District of Columbus, Inc. rules for competitive bidding, and such improvements and services shall be financed as provided in the aforesaid Resolution of Necessity.

**Section 9.** That the Clerk of Council shall cause a notice of passage of this ordinance to be published once in a newspaper of general circulation in the City of Columbus and to continue on file in the office of the Clerk of Council said assessments.

**Section 10.** That the Clerk of Council is hereby directed to deliver a certified copy of this ordinance to the Auditor of

Franklin County, Ohio within fifteen (15) days after its passage.

**Section 11.** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**Section 12.** That a copy of this ordinance be made available for public review at the Office of the Clerk of Council.

**Section 13.** 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:** 1179-2006

**Drafting Date:** 06/20/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

#### **Explanation**

**BACKGROUND:** In 2003 the Discovery District Development Corporation asked Capitol South Community Urban Redevelopment Corporation to initiate an effort to work with Discovery District property owners to create a Special Improvement District (SID) on the east side of downtown. Property owners were surveyed and overwhelmingly were in support of seeing a proposal to create a SID. The first action required by Chapter 1710 of the Ohio Revised Code is to have not less than 60% of the property owners within the District sign a petition that states they are interested in forming a SID. The first petition was accepted and approved by Columbus City Council by Ordinance No. 1233-2005, passed July 18, 2005. The second action required by the Ohio Revised Code is to have not less than 60% of the property owners sign a petition to assess themselves for the services to be provided by the SID. The second piece of legislation also approved the Plan of Services for the SID and the inclusion of City owned property in said plan. This legislation was approved by Columbus City Council by Resolution 0018X-2006, passed March 13, 2006. The third piece of legislation was to declare the necessity to implement the Plan of Services adopted by the Discovery Special Improvement District of Columbus, Inc., and to levy a special assessment for the services. This legislation was approved by Columbus City Council by Resolution No. 0068X, passed April 24, 2006.

This legislation is an ordinance to proceed with the Plan of Services of the Discovery Special Improvement District of Columbus, Inc. and to provide for the levy of assessments to property owners within the Special Improvement District.

Emergency action is requested on this legislation to allow the special assessment process to proceed in a timely manner.

**FISCAL IMPACT:** No funding is required for this legislation.

#### **Title**

To determine to proceed with the Plan of Services of the Discovery Special Improvement District of Columbus, Inc. and to provide for the levy of assessments in said district; and to declare an emergency.

**WHEREAS**, Chapter 1710 of the Revised Code, effective September 29, 1994 provides for the creation of Special Improvement Districts (SIDS), by non-profit corporations governed by trustees elected by the property owners for the provision of special services in a designated district; and

**WHEREAS**, this Council has approved the Discovery Special Improvement District of Columbus, Inc. Petition and Articles of Incorporation by Ordinance No. 1233-2005, passed July 18, 2005; and

**WHEREAS**, this Council has approved the Plan for Services to be provided by the Discovery Special Improvement District of Columbus, Inc. by Resolution No. 0018X-2006, passed March 13, 2006; and

**WHEREAS**, this Council has adopted Resolutions No. 0068X-2006 declaring the necessity of implementing the Plan of Services of the Discovery Special Improvement District of Columbus, Inc.; and

**WHEREAS**, Council has approved and entered into its minutes the report of the Board of Revisions appointed by Resolution No. 0104X-2006 Passed May 22, 2006; and

**WHEREAS**, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to proceed with the Plan of Services of the Discovery Special Improvement District of Columbus, Inc., all for the immediate preservation of the public health, property, safety and welfare; **NOW, THEREFORE**,

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

**Section 1.** That it is hereby determined to proceed with the Plan of Services of the Discovery Special Improvement District of Columbus, Inc. as set forth in said Plan heretofore approved by Resolution No. 0018X-2006, passed on March 13, 2006 and as provided for in the Resolution of Necessity, No 0068X-2006 passed on April 24, 2006.

**Section 2.** That the services constituting the Plan shall be made in accordance with the provision of the Resolution of Necessity, No. 0068X-2006, and in accordance with the Plan of Services and estimate of cost of the Plan previously approved and on file in the office of the Clerk of Council.

**Section 3.** That the Council does hereby find that no claim for damages resulting from said Plan of Services have been filed with the Clerk of Council.

**Section 4.** That the assessable portion of the cost of the Plan of Services shall be assessed against the benefiting properties, in the manner and in the number of annual installments as provided in the Resolution of Necessity.

**Section 5.** That the estimated assessment heretofore prepared and filed in the office of the Clerk of this Council in accordance with the Resolution of Necessity and as equalized by the Board of Revision are hereby adopted and confirmed.

**Section 6.** That the portion of the cost provided in the above-mentioned Resolution of Necessity to be assessed are hereby levied and assessed in the manner and number of installments provided in said Resolution No. 0068X-2006 and on the lots and lands described therein, which assessments are in proportion to the special benefits and are not in excess of any statutory limitations.

**Section 7.** The assessment against each lot or parcel of land shall be payable over five (5) years in semi-annual installments. All assessments shall be collected as follows:

In two semi-annual collections by the County Treasurer. The City Auditor shall certify the herein-referenced unpaid special assessment to the County Auditor as provided by law.

**Section 8.** That pursuant to the provisions of Section 1710.11 of the Ohio Revised Code, Discovery Special Improvement District of Columbus, Inc., as soon as funds are available, may make and execute contract(s) for said Plan of

Services in accordance with Discovery Special Improvement District of Columbus, Inc. rules for competitive bidding, and such improvements and services shall be financed as provided in the aforesaid Resolution of Necessity.

**Section 9.** That the Clerk of Council shall cause a notice of passage of this ordinance to be published once in a newspaper of general circulation in the City of Columbus and to continue on file in the office of the Clerk of Council said assessments.

**Section 10.** That the Clerk of Council is hereby directed to deliver a certified copy of this ordinance to the Auditor of Franklin County, Ohio within fifteen (15) days after its passage.

**Section 11.** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**Section 12.** That a copy of this ordinance be made available for public review at the Office of the Clerk of Council.

**Section 13.** 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:** 1180-2006

**Drafting Date:** 06/20/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

### **Explanation**

**BACKGROUND:** In 2005 the Northland Alliance, the Morse Road SID Exploratory Committee, and the City of Columbus Development Department initiated an effort with property owners on Morse Road from Indianola Avenue to Cleveland Avenue to create a Special Improvement District (SID). On October 12, 2005, the City Council Jobs and Economic Development Committee was briefed on the plans and progress of the Morse Road SID. The property owners initiated a one petition process in which at least 60% of the property owners within the District signed that they are interested in forming a SID and approving the Articles of Incorporation. This petition was accepted and approved by Columbus City Council by Ordinance No. 0414-2006, passed February 27, 2006. Another action required by the Ohio Revised Code is the approval of the Plan of Improvements and Services and the inclusion of City owned property in said plan. This legislation was approved by Columbus City Council by Resolution No. 0023X-2006, passed March 6, 2006. The third piece of legislation was to declare the necessity to implement the Plan of Services adopted by the Morse Road Special Improvement District of Columbus, Inc., and to levy a special assessment for the services. This legislation was approved by Columbus City Council by Resolution No. 0069X-2006, passed April 24, 2006.

This legislation is an ordinance to proceed with the Plan of Services of the Morse Road Special Improvement District of Columbus, Inc. and to provide for the levy of assessments to property owners within the Special Improvement District.

Emergency action is requested on this legislation to allow the special assessment process to proceed in a timely manner.

**FISCAL IMPACT:** No funding is required for this legislation.

**Title**

To determine to proceed with the Plan of Services of the Morse Road Special Improvement District of Columbus, Inc. and to provide for the levy of assessments; and to declare an emergency.

**Body**

**WHEREAS**, Chapter 1710 of the Revised Code, effective September 29, 1994 provides for the creation of Special Improvement Districts (SIDS), by non-profit corporations governed by trustees elected by the property owners for the provision of special services in a designated district; and

**WHEREAS**, this Council has approved the Morse Road Special Improvement District of Columbus, Inc. Petition and Articles of Incorporation by Ordinance No. 0414-2006, passed February 27, 2006; and

**WHEREAS**, this Council has approved the Plan for Services to be provided by the Morse Road Special Improvement District of Columbus, Inc. by Resolution No. 0023X-2006 passed March 6, 2006; and

**WHEREAS**, this Council has adopted Resolutions No. 0069X-2006 declaring the necessity of implementing the Plan of Services of the Morse Road Special Improvement District of Columbus, Inc.; and

**WHEREAS**, Council has approved and entered into its minutes the report of the Board of Revisions appointed by Resolution No. 0104X-2006 Passed May 22, 2006; and

**WHEREAS**, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to proceed with the Plan of Services of the Morse Road Special Improvement District of Columbus, Inc. to allow the assessment procedure to take place in a timely manner, all for the immediate preservation of the public health, property, safety and welfare; **NOW, THEREFORE**,

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

**Section 1.** That it is hereby determined to proceed with the Plan of Services of the Morse Road Special Improvement District of Columbus, Inc. as set forth in said Plan heretofore approved by Resolution No. 0023X-2006, passed on March 6, 2006 and as provided for in the Resolution of Necessity, No 0069X-2006 passed on April 24, 2006.

**Section 2.** That the services constituting the Plan shall be made in accordance with the provision of the Resolution of Necessity, No. 0069X-2006, and in accordance with the Plan of Services and estimate of cost of the Plan previously approved and on file in the office of the Clerk of Council.

**Section 3.** That the Council does hereby find that no claim for damages resulting from said Plan of Services have been filed with the Clerk of Council.

**Section 4.** That the assessable portion of the cost of the Plan of Services shall be assessed against the benefiting properties, in the manner and in the number of annual installments as provided in the Resolution of Necessity.

**Section 5.** That the estimated assessment heretofore prepared and filed in the office of the Clerk of this Council in accordance with the Resolution of Necessity and as equalized by the Board of Revision are hereby adopted and confirmed.

**Section 6.** That the portion of the cost provided in the above-mentioned Resolution of Necessity to be assessed are hereby levied and assessed in the manner and number of installments provided in said Resolution No. 0069X-2006 and on the lots and lands described therein, which assessments are in proportion to the special benefits and are not in excess of any

statutory limitations.

**Section 7.** The assessment against each lot or parcel of land shall be payable over ten (10) years in semi-annual installments. All assessments shall be collected as follows:

In two semi-annual collections by the County Treasurer. The City Auditor shall certify the herein-referenced unpaid special assessment to the County Auditor as provided by law.

**Section 8.** That pursuant to the provisions of Section 1710.11 of the Ohio Revised Code, Morse Road Special Improvement District of Columbus, Inc., as soon as funds are available, may make and execute contract(s) for said Plan of Services in accordance with Morse Road Special Improvement District of Columbus, Inc. rules for competitive bidding, and such improvements and services shall be financed as provided in the aforesaid Resolution of Necessity.

**Section 9.** That the Clerk of Council shall cause a notice of passage of this ordinance to be published once in a newspaper of general circulation in the City of Columbus and to continue on file in the office of the Clerk of Council said assessments.

**Section 10.** That the Clerk of Council is hereby directed to deliver a certified copy of this ordinance to the Auditor of Franklin County, Ohio within fifteen (15) days after its passage.

**Section 11.** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**Section 12.** That a copy of this ordinance be made available for public review at the Office of the Clerk of Council.

**Section 13.** 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:** 1181-2006

**Drafting Date:** 06/20/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

### **Explanation**

The purpose of this legislation is to enable the Director of the Department of Public Utilities to enter into a contract to acquire professional services for conducting a department-wide environmental audit with Gresham, Smith and Partners.

The audit will include a review of applicable federal and state environmental laws and rules for utility facilities and operations, conduct audits at all facilities, and deliver a final report, including recommendations for establishing regulatory compliance best practices to be managed and continued by the Regulatory Compliance Unit. The total project amount is \$542,000, involving one prime contractor and 5 subcontractors, devoting approximately 4900 labor hours, with work projected to be concluded in 34 weeks from the date of the notice to proceed.

The Director of Public Utilities received RFP's on May 24, 2006 and five (5) firms submitted proposals. Seven (7) city employees served on the evaluation committee and after review of all the proposals and criteria, the committee

recommended the award of the contract to be made to Gresham, Smith and Partners. The projected date of completion of the project is April 18, 2007. **See tabulation of results of the evaluation attached.**

**SUPPLIER:** Gresham, Smith and Partners (62-0794126)

**FISCAL IMPACT:** \$542,000.00 is needed for this service.

Emergency legislation is being requested to avoid interruption in schedules and timelines of the audit.

**Title**

To authorize the Director of Public Utilities to enter into contract with Gresham, Smith and Partners for an Environmental Audit for the Department of Public Utilities, to authorize the expenditure of \$10,373.00 from the Electricity Operating Fund, \$196,336.00 from the Water Operating Fund, \$193,618.00 from the Sewer System Operating Fund and \$141,673.00 from the Stormwater Operating Fund, and to declare an emergency. (\$542,000.00)

**Body**

WHEREAS, the Department of Public Utilities is conducting a department-wide environmental audit to review applicable federal and state environmental laws and rules for utility facilities and operations, to conduct audits at all facilities, and delivery a final report, including recommendations for establishing regulatory compliance best practices to be managed and continued by the Regulatory Compliance Unit, and

WHEREAS, the Director of Public Utilities received Requests for Proposals bids on May 24, 2007 and five (5) firms submitted proposals for evaluation, and

WHEREAS, a committee of seven (7) City employees conducted evaluations and scoring for each firm, **see tabulation attached**, and

WHEREAS, the committee selected the best offer that fits the needs of the Environmental Audit, Gresham, Smith and Partners, and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, in that it is immediately necessary to enter into contract to avoid interruption in schedules and timelines of the audit with Gresham, Smith and Partners for the immediate preservation of the public health, peace, property and safety; now, therefore

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

Section 1. That the Director of Public Utilities be and is hereby authorized to enter into contract with Gresham, Smith and Partners for an Environmental Audit

Section 2. That the expenditure of \$542,000.00 or so much thereof as may be needed, be and the same hereby is authorized as follows:

Fund No. 550-Electricity  
OCA 600700  
Object Level 1: 03  
Object Level 03: 3336  
Amount: \$10,373.00

Fund No. 600-Water  
OCA 601849  
Object Level 1: 03  
Object Level 03: 3336

Amount: \$196,336.00

Fund No. 650-Sewers  
OCA 605006  
Object Level 1: 03  
Object Level 03: 3336  
Amount: \$193,618.00

Fund No. 675-Stormwater  
OCA 675002  
Object Level 1: 03  
Object Level 03: 3336  
Amount: \$141,673.00

**TOTAL: \$542,000.00**

Section 3. That for the reasons stated in the preamble hereto, where is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure, which 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:** 1182-2006

**Drafting Date:** 06/21/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The Columbus Health Department has been awarded a grant from the Franklin County Department of Jobs and Family Services. This ordinance is needed to accept and appropriate \$105,164 in grant money to fund the Respite Care grant program.

The Respite Care program will provide support for families to achieve stability by reducing barriers through outreach efforts including assisting mothers with tasks and caring for children so mothers can attend medical appointments or follow physician orders for bed rest.

This grant is for the period July 1, 2006 through June 30, 2007.

Emergency action is requested 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:** This program is entirely funded by the Franklin County Department of Jobs and Family Services and does not generate revenue or require a City match.

**Title**

To authorize and direct The Columbus Health Department to accept a grant from Franklin County Department of Jobs and Family Services in the amount of \$105,164; to authorize the appropriation of \$105,164 from the unappropriated balance

of the Health Department Grants Fund, and to declare an emergency. (\$105,164)

**Body**

**WHEREAS**, \$105,164 in grant funds have been made available through the Franklin County Department of Jobs and Family Services; 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 this grant from the Franklin County Department of Jobs and Family Services and to appropriate these funds to The Columbus 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 a grant award of \$105,164 from the Franklin County Department of Jobs and Family Services for the Respite Care grant program for the period July 1, 2006, through June 30, 2007.

**SECTION 2.** That from the monies in the Fund known as 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 December 31, 2007, the sum of \$105,164 is hereby appropriated to Health Department, Division No. 50-01, as follows:

			Object	
<u>OCA</u>	<u>Grant #</u>	<u>Level One</u>	<u>Purpose</u>	<u>Amount</u>
507071	507071	01	Personnel Services	\$94,757.00
507071	507071	02	Materials-Operation & Maint.	\$ 4,849.00
507071	507071	03	Services-Operation & Maint.	<u>\$ 5,558.00</u>
			Total for Grant No. 507071	\$105,164.00

**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.

**Legislation Number:** 1185-2006

**Drafting Date:** 06/21/2006

**Version:** 2

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

Background: This legislation authorizes the Finance and Management Director to enter into two contracts for the Facilities Management Division related to the remediation of a mold problem at 657 South Ohio Avenue. This building is the former home of the Police Athletic League. Currently, the City is in serious negotiations to sell the building. Mold is

present in various parts of the building, including the gymnasium. The first contract will be for an environmental remediation company that will be tasked with removing all mold. The second contract will be with a construction company to correct any plumbing problems and repairing any damaged walls so that the problem is permanently corrected.

On June 14, 2006 a Mayor's Emergency was declared. It was determined it was immediately necessary to begin remediating the mold problem in order to avoid more serious health and safety concerns. Formal competitive bidding requirements were waived. Two proposals were solicited for the environmental remediation contract. Air Technologies, Inc. was selected. ~~Bomar Construction (FBE)~~ **2K General Company, Inc.** was selected for the construction contract based on its successful work with the City in the past.

The total amount of these contracts is not to exceed \$19,000.00. The funding amount necessary for each vendor is yet to be determined. **This ordinance also authorizes the transfer of funds and an appropriation of funds in the General Permanent Improvement Fund.**

Emergency action is requested in order to reimburse Air Technologies, Inc. and ~~Bomar Construction Co.~~ **2K General Company, Inc.** for costs incurred in the remediation of the mold problem at 657 South Ohio Avenue.

Fiscal Impact: Funds are available within the General Permanent Improvement Fund. This legislation transfers \$19,000.00 from the Unallocated Balance Project to the Facility Renovation Project. Air Technologies, Inc. Contract Compliance Number 31-0655871, expiration 09/27/2007. ~~Bomar Construction Co. Contract Compliance Number 31-1430310, expiration 03/15/2007.~~ **2K General Company, Inc. Contract Compliance Number 31-1653018, expiration 11/01/2006.**

Title

To authorize the Finance and Management Director to enter into contracts for the Facilities Management Division with Air Technologies, Inc. for environmental remediation services related to the remediation of mold at 657 South Ohio Avenue and with ~~Bomar Construction Co.~~ **2K General Company, Inc.** for construction services to remediate the mold problem at 657 South Ohio Avenue; to authorize the expenditure of \$19,000.00 from the General Permanent Improvement Fund, **to authorize a transfer of \$19,000.00 between projects in the General Permanent Improvement Fund;** and to declare an emergency. (\$19,000.00)

Body

WHEREAS, 657 South Ohio Avenue is experiencing a mold problem, thereby necessitating environmental remediation services and construction services to discover the deficiencies causing the mold problem, to remove the mold and repair the deficiencies, and

WHEREAS, the mold problem could potentially lead to health problems for those using the building, and

WHEREAS, a Mayor's Emergency was declared to allow the remediation of the mold at 657 South Ohio Avenue, and

**WHEREAS,** it is necessary to transfer and appropriate money from the General Permanent Improvement Fund in order to pay for said contract; and

WHEREAS, an emergency exists in the usual daily operation of the Finance and Management Department, Facilities Management Division, in that it is immediately necessary **to transfer and appropriate money from the General Permanent Improvement Fund and to** authorize the Finance and Management Director to enter into contract with Air Technologies, Inc. and ~~Bomar Construction Co.~~ **2K General Company, Inc.** for reimbursement of costs associated with the remediation of mold at 657 South Ohio Avenue, 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 General Permanent Improvement Fund (Fund 748), and from the 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, 2006, the sum of \$19,000.00 be and hereby is appropriated to the Facilities Management Division, Dept/Div. No. 45-07, Object Level One Code 03, Object Level Three Code 6620, and Project 748999.

SECTION 2. That the City Auditor is hereby authorized and directed to transfer funds within the General Permanent Improvement Fund as follows:

FROM:

Dept/Div: 45-01 | Fund 748 | Project: 748999 | Amount: \$19,000.00

TO:

Dept/Div: 45-07 | Fund 748 | Project: 570030 | Amount: \$19,000.00

SECTION 3. That the Finance and Management Director is hereby authorized to contract with Air Technologies, Inc. and ~~Bomar Construction Co.~~ **2K General Company, Inc.** for environmental remediation and construction services associated with the remediation of mold at 657 South Ohio Avenue.

SECTION 4. That the expenditure of \$19,000.00, or so much thereof that may be necessary in regard to the action authorized in SECTION 3, be and is hereby authorized and approved as follows:

Division: 45-07

Fund: 748

Project: 570030

Object Level 1: 03

Object Level 3: 6620

Amount: \$19,000.00

SECTION 5. 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 or vetoes the same.

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**Legislation Number:** 1187-2006

**Drafting Date:** 06/21/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

#### **Explanation**

**Background:** The following legislation authorizes the City Attorney to file the necessary complaints for the appropriation of construction and permanent easements in and to real estate necessary for the **West Fifth Avenue Underpass Stormwater System Project**.

**Fiscal Impact:** N/A

**Emergency Justification:** Emergency action is requested to allow the acquisition of the parcels necessary for this project to proceed without delay in order to immediately begin acquisition and avoid delaying the project and subsequent benefit to the City.

#### **Title**

To authorize the City Attorney to file the necessary complaints for the appropriation of construction and permanent

easements in and to real estate necessary for the **West Fifth Avenue Underpass Stormwater System Project**, and to declare an emergency.

**Body**

WHEREAS, the City of Columbus, Ohio, a municipal corporation, is engaged in the acquisition of certain real property interests for the **West Fifth Avenue Underpass Stormwater System Project**; and

WHEREAS, the Council of the City of Columbus, Ohio, adopted Resolution No. 0142-2005, on the 24th day of October, 2005, declaring the necessity and intent to appropriate the real property interests hereinafter described and the purpose of the appropriation, and notice of such adoption of said resolution has been served in accordance with Columbus City Code Sec. 909.03; and,

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewers and Drains, in that it is necessary to appropriate such real property interests so that there will be no delay in the aforementioned project, and for the immediate preservation of the public peace, property, health and safety; now, therefore:

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

Section 1. That construction and permanent easements in, over, under, across and through the following described real property, be appropriated for the public purpose of the **West Fifth Avenue Underpass Stormwater System Project, #610846**, pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus City Code (1959), Chapter 909:

**2T**

**BP Exploration & Oil, Inc.**

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Lot 8, William Neils Heirs Land, and being a strip of land Ten (10.00) feet in width across a part of said lot 8, as shown of record in Plat Book 3, Pages 168 and 169, as conveyed to BP Exploration & Oil, Inc. by deed of record in Instrument Number 199712220173197, all references refer to records of the Recorders Office, Franklin County, Ohio and being more particularly described as follows:

Beginning at a point in the southerly right-of-way line (60.00 feet in width) of West Fifth Avenue, being located South 86° 51' 00" East, a distance of 105.00 feet from the Grantor's northwesterly corner;

Thence South 86° 51' 00" East, being along said southerly right-of-way line of West Fifth Avenue, a distance of 50.00 feet to a point;

Thence crossing said Grantors tract the following three (3) courses and distances;  
South 3° 09' 00" West, a distance of 10.00 feet to a point;

North 86° 51' 00" West, (being Ten (10.00) feet southerly from and parallel with the southerly right-of-way line of West Fifth Avenue) a distance of 50.00 feet to a point, and

North 3° 09' 00" East, a distance of 10.00 feet to the place of beginning containing 0.0115 acre of land more or less;

The bearings are based on the same meridian as the bearings in Instrument Number 199712220173197 in which the south right-of-way line of West Fifth Avenue has a bearing of North 86° 51' 00" East, Recorder's Office, Franklin County, Ohio.

Dynotec, Inc., James R. Hill, Professional Surveyor 6919

Section 2. That the Council of the City of Columbus, Ohio, declares that the appropriation of said real property interests is necessary for the stated public purpose, and that the City of Columbus, Ohio, has been unable to agree with the owner(s) as to the just compensation to be paid by the City of Columbus, Ohio.

Section 3. That the Council of the City of Columbus, Ohio, hereby declares the value of the subject real property interests to be Seven Hundred Fifty Dollars (\$750.00).

Section 4. That the City Attorney be and hereby is authorized to file a complaint for appropriation of real property, in a Court of competent jurisdiction, and to have a jury impaneled to make inquiry into and assess the just compensation to be paid for the foregoing described real property interests.

Section 5. That for the reasons state in the preamble hereto, 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 its passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 1191-2006

**Drafting Date:** 06/22/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

**Background:** The purpose of this ordinance is to give the Director of the Department of Development the authority to enter into a partnership agreement with the Science and Technology Campus Corporation (SciTech) to apply for a \$5 million Ohio Job Ready Sites (JRS) Program grant to benefit the Science and Technology Campus.

The Ohio JRS Program was developed as a result of the \$2 billion public works and economic development bond package approved by Ohio voters on November 8, 2005. It allows for grant applications of up to \$5 million per project for large impact projects leading to designation as an Ohio Certified Site, guaranteeing minimum standards for new business investment projects. Grant funds can be used for, but are not limited to, infrastructure improvements, building demolition and construction, and brownfield remediation.

If the JRS grant application is successful, the funds will be used for spec building construction and infrastructure improvements along the Kinnear Road area of the Science and Technology Campus. Development of this key area is an important component of the 315 Research and Technology Corridor initiative in partnership with the City, the Ohio State University, Battelle and the Greater Columbus Chamber of Commerce. This legislation is submitted as an emergency to meet the JRS program application deadline of July 19, 2006.

**Fiscal Impact:** No funding is required for this legislation. The City of Columbus will fund the Job Ready Site grant application for an amount of up to \$40,000.00. Council authorization for this funding will be requested, under separate legislation, at a future date.

### **Title**

To authorize and direct the Director of the Department of Development to enter into a partnership agreement with the Science and Technology Campus Corporation and to apply for a \$5 million Ohio Job Ready Sites Program grant for improvements at the Science and Technology Campus; and to declare an emergency.

### **Body**

**Whereas**, Ohio voters approved a \$2 billion public works and economic development bond package on November 8, 2005; and

**Whereas**, the Ohio Job Ready Sites Program was created as a result of the aforementioned bond package, allowing for grant applications from Ohio communities for, but not limited to, infrastructure improvements, building demolition and construction, and brownfield remediation; and

**Whereas**, the maximum amount that can be applied for under the Job Ready Sites Program is \$5 million; and

**Whereas**, the City of Columbus, in partnership with the Ohio State University, Battelle and the Greater Columbus Area Chamber of Commerce desires to further the initiatives of Columbus' 315 Research and Technology Corridor to bring

research and technology oriented jobs to the area; and

**Whereas**, the Science and Technology Campus, along Kinnear Road, is part of Columbus' 315 Research and Technology Corridor and is in need of funding to develop spec buildings and infrastructure that qualify under the Job Ready Sites Program; and

**Whereas**, the Science and Technology Campus Corporation oversees the day-to-day operations and development of the Science and Technology Campus; and

**Whereas**, the Department of Development desires to partner with the Science and Technology Campus Corporation to help further the interests of the Science and Technology Campus and the larger 315 Research and Technology Corridor of Columbus; and

**Whereas**, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to authorize said partnership and grant application, all for the preservation of 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 authorized and directed to enter into a partnership agreement with the Science and Technology Campus Corporation and to apply for a \$5 million Ohio Job Ready Sites Program grant for improvements at the Science and Technology Campus.

**Section 2.** 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:** 1192-2006

**Drafting Date:** 06/22/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:**

This legislation authorizes the Director of Development to dissolve the existing Enterprise Zone Agreement between the City of Columbus and Crane Plastics Company Limited Partnership, TimberTech Limited, CPC Tooling Technologies LLS, Crane Plastics Siding LLC, Crane Blending Center LLC, Crane Plastics Manufacturing Ltd., and Crane Products, Ltd (hereinafter, collectively, "Crane"). Columbus City Council approved the EZA by Ord. No. 1194-97. The Enterprise Zone Agreement granted Crane a 50%/10-year abatement on real property improvements and new machinery, equipment and inventory (1999-2008). Crane committed to invest \$7.9 million in real property improvements, \$13.1 million in new machinery and equipment, \$2.8 million in new inventory, to retain the existing 675 jobs and create 95 new jobs. Crane is located at 2141 Fairwood Avenue in the city's Southside.

Crane has invested more than twice as much in real and personal property as the Enterprise Zone Agreement requires. At the same time, the company has fallen short of the job creation and retention goals. In December 2005, Crane was

satisfying 100% of its job retention requirement but had created only 21 new jobs. In view of changes in economic and business conditions since 1997, Council approved an amendment in 2004 that allowed Crane the leeway to count contract employees towards the job goal. However, Crane's custom extrusion business continues to experience slower growth than what the company had anticipated in 1997. Crane has concluded that attaining the job creation goal is highly unlikely and has requested the City to dissolve its Enterprise Zone Agreement, with tax year 2004 to be the final year of the abatement period. Thus, the final year of the tax exemptions would be for real estate taxes paid in calendar year 2005, but based on the value of real estate owned in 2004 and for personal property taxes paid in 2005, which are based on the December 2004 balance sheet. Crane will repay any real property taxes that were abated in calendar year 2006 and will file the 2006 Personal Property Tax Return without claiming the personal property abatement. The City agrees with the company's request to dissolve the Enterprise Zone Agreement and for 2004 to be the final year of the tax abatement period.

This legislation is presented as an emergency measure in order to notify as soon as possible the state and local tax authorities.

**FISCAL IMPACT:**

No funding is required for this legislation.

**Title**

To authorize the Director of the Department of Development to dissolve the Enterprise Zone Agreement with Crane and to notify the state and local tax authorities as necessary; and to declare an emergency.

**Body**

**WHEREAS,** Columbus City Council approved an Enterprise Zone Agreement with Crane Plastics by Ordinance No. 1194-97, passed May 12, 1997, amended the Agreement by Ordinance 917-00, passed April 17, 2000, to include seven of Crane's affiliated entities and further amended the Agreement by Ord. No. 1915-2004, passed November 1, 2004; and

**WHEREAS,** the Crane Enterprise Zone Agreement, as amended, granted Crane a 50%/10-year tax abatement on real and personal property and called for Crane to invest approximately \$23.8 million in real and personal property, retain 675 existing jobs and create 95 new jobs with a minimum of 71 new jobs in 2005-2007 and in 2006-2008, measured as the 3-year average at the end of 2007 and again at the end of 2008, and allowed Crane to count temporary contract employees towards the job goal; and

**WHEREAS,** as of the end of 2005, Crane had invested more than twice as much in real and personal property as the Enterprise Zone Agreement requires, was satisfying 100% of the job retention goal but had created only 21 new jobs; and

**WHEREAS,** Crane now anticipates that it is highly unlikely to be able to satisfy the job creation goal of the Enterprise Zone Agreement, as amended, and has requested that the City dissolve the Enterprise Zone Agreement with tax year 2004 as the final year of tax abatement will repay any real property taxes that were abated in calendar 2006 and will file the 2006 Personal Property Tax return without claiming the personal property abatement; and

**WHEREAS,** Crane has made at least twice the real and personal property investment it agreed to in the Enterprise Zone Agreement, is providing employment opportunities in the Southside of Columbus to nearly 700 persons, and is striving to remain competitive in the plastics industry despite economic and business conditions; and

**WHEREAS,** the City is appreciative of the investment Crane has made and the many job opportunities Crane is providing and agrees with the course of action Crane has requested; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to obtain City Council's vote in order to meet the new deadline under State law for voting on the TIRC recommendations, thereby preserving the public health, peace, prosperity, 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 dissolve the Crane Enterprise Zone Agreement and to notify as necessary the state and local tax authorities, making tax year 2004 the final year of the abatement for real property (for real estate taxes paid in calendar year 2005 based on the 2004 values) and also for personal property (personal property taxes paid in 2005 based on the December 2004 balance sheet) and providing that Crane will repay any real property taxes that were abated in calendar year 2006 (for 2005 real property values) and will file the 2006 Personal Property Tax Return without claiming the personal property abatement.

**Section 2.** That for the reasons stated in the preamble thereto, which is made a part hereof, this Ordinance is declared to be an emergency measure and shall 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:** 1200-2006

**Drafting Date:** 06/22/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The Franklin County Public Defender Commission performs all the duties and responsibilities under Section 12 of the City Charter, Chapter 173 of the Columbus City Codes, 1959, and Sections 120.13 and 120.14(e) of the Ohio Revised Code in providing legal counsel to indigent persons charged with criminal offenses. Since 1976, the City has contracted with the Commission to represent in the Franklin County Municipal Court all indigent persons charged (based on poverty guidelines as determined by the United States Department of Health and Human Services) with the violations of an ordinance of the City of Columbus. Except for State charged misdemeanors, the City funds the Municipal Unit while the Franklin County Commissioners fund the balance.

Award of this contract meets the procurement provisions of Chapter 329.29 and 3901.01 of the Columbus City Codes, 1959. Emergency action is requested since the start of this contract was January 1, 2006.

**FISCAL IMPACT:** This contract is presented on the basis of an understanding that the total contract for services upon which the City will pay the Commission is \$3,628,489.00 of which it is expected the State Public Defender Commission will reimburse an estimated 28%, and the Franklin County Commissioners will pay 65% of the remaining expenses that are the result of State charged misdemeanors for a net cost to the City of \$914,379.00. In the event the State reimburses at a different rate and/or the actual State charged misdemeanors differs, the contract may be amended upward or the City may be due on reimbursement. Funds for this contract are included in City Council's 2006 budget.

**Title**

To authorize the City Clerk to enter into contract with the Franklin County Public Defender Commission to provide legal counsel to indigent persons charged with criminal offenses, to authorize the expenditure of \$914,379.00 from the General Fund; and to declare an emergency. (\$914,379.00)

WHEREAS, The City of Columbus recognizes its responsibilities as defined in Section 12 of the City Charter, Chapter 173 of the Columbus City Codes, 1959, and Sections 120.13 and 120.14(e) of the Ohio Revised Code to provide legal counsel to indigent persons charged with criminal offenses; and

WHEREAS, the City of Columbus in furtherance of the execution of its legal responsibilities, desires to provide such legal services to the City's indigent citizens and others so situated, and to do so in cooperation with the Franklin County Public Defender Commission; and

WHEREAS, this contract is presented on the basis of an understanding that the total contract for services upon which the City will pay the Commission is \$3,628,489.00 of which it is expected the State Public Defender Commission will reimburse an estimated 28%, and the Franklin County Commissioners will pay 65% of the remaining expenses that are the result of State charged misdemeanors for a net cost to the City of \$914,379.00; and

WHEREAS, at the completion of the contract a reconciliation payment is made or received by the City based on actual expenditures vs. anticipated expenditures, actual State charged misdemeanors vs. anticipated, and actual State Public Defender Commission reimbursement vs. anticipated reimbursements; and

WHEREAS, an emergency exists in the usual daily operation of government of the City of Columbus that it is immediately necessary to authorize a contract with the Franklin County Public Defender Commission in order to assure the continuity of legal services to indigent persons in Columbus 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 the City Clerk be and is hereby authorized to contract with the Franklin County Public Defender Commission of Columbus, Ohio for the period of January 1, 2006 through December 31, 2006.

SECTION 2. That the sum of \$914,379.00 be and hereby is authorized to be expended from the General Fund, Sub-Fund 01-100, City Council, Department 20-01, Object Level One 03, OCA Code 200105, Object Level Three 3337, to pay the cost thereof.

SECTION 3. Award of this contract meets the procurement provisions of Chapter 329.29 and 3901.01 of the Columbus City Code, 1959.

SECTION 4. That for the 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:** 1203-2006

**Drafting Date:** 06/23/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

#### **Explanation**

**BACKGROUND:** The Columbus Health Department was awarded the Public Health Infrastructure grant from the Ohio Department of Health through the Center for Disease Control in the amount of \$974,584 in September 2005. The Ohio Department of Health has recently approved a budget revision for this program resulting in appropriation realignment to

fund approved activities. This ordinance is needed to realign appropriation in the amount of \$79,790 for the time period ending August 30, 2006.

The Public Health Infrastructure program established the Franklin County/City of Columbus support network that would be required in the event of bioterrorism activity in the central region of the state of Ohio. It also allocates funding for the Regional Medical Response System for central Ohio and the Cities Readiness Initiative.

This ordinance is submitted as an emergency so as to allow the financial transactions 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 realignment of appropriation within the Health Department Grants Fund is budget neutral.

**Title**

To authorize and direct the City Auditor to transfer \$79,790 within the Health Department Grants Fund, to properly align appropriation with projected expenses for the continued operation of the Public Health Infrastructure program, and to declare an emergency. (\$79,790)

**Body**

**WHEREAS**, the Ohio Department of Health has recently approved a budget revision for the Public Health Infrastructure grant program that results in the need to realign existing appropriation; 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 necessary to realign Public Health Infrastructure grant appropriation 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 City Auditor is hereby authorized and directed to transfer \$79,790 within the Health Department Grants Fund, Fund No. 251, Department of Health, Department No. 50-01, Grant No. 506045, OCA 506045, as follows:

Transfer from:

Obj. Level 1: 01|Obj. Level 3: 1100|Amount: \$79,790

Transfer to:

Obj. Level 1: 02|Obj. Level 3: 2193|Amount: \$72,678

Obj. Level 1: 03|Obj. Level 3: 3336|Amount: \$7,112

**SECTION 2.** 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:** 1206-2006

**Drafting Date:** 06/23/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

## Explanation

### Background

This legislation will authorize an appropriation of grant funds in connection with the Alzheimer's Respite, Senior Volunteer, and Residential State Subsidy programs.

Grant funds are being made available to the Central Ohio Area Agency on Aging from the Ohio Department of Aging for the period July 1, 2006 through June 30, 2007.

Emergency action is being requested so that grant funds can be awarded to various agencies in a timely manner.

### Fiscal Impact

To reduce the Recreation and Parks Grant Fund's unappropriated balance by \$551,201.00. This appropriation will enable the Central Ohio Area Agency on Aging to continue various programs as required by the granting agencies during FY2006-2007.

### Title

To authorize an appropriation in the amount of \$551,201.00 from the unappropriated balance of the Recreation and Parks Grant Fund to the Recreation and Parks Department to cover costs for the Central Ohio Area Agency on Aging in connection with various state grant programs, and to declare an emergency. (\$551,201.00)

### Body

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to appropriate said funds so there is no interruption of service to Older Adults, 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 from the unappropriated monies in the Recreation and Parks 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, 2006 the sum of \$551,201.00 is appropriated to the Recreation and Parks Department, Department No. 51, Fund No. 286, as follows:

**Grant:** Alzheimer's Respite, **Project:** 518047, **OCA #:** 514372, **Object Level One:** 01, **Amount:** \$37,425.00

**Grant:** Alzheimer's Respite, **Project:** 518047, **OCA #:** 514372, **Object Level One:** 03, **Amount:** \$404,946.00

**Total:** 518047 **\$442,371.00**

**Grant:** Senior Volunteer, **Project:** 518025, **OCA #:** 512822, **Object Level One:** 03, **Amount:** \$20,399.00

**Grant:** Residential State Subsidy, **Project:** 518006, **OCA #:** 514562, **Object Level One:** 01, **Amount:** \$40,431.00

**Grant:** Residential State Subsidy, **Project:** 518006, **OCA #:** 514562, **Object Level One:** 02, **Amount:** \$1,000.00

**Grant:** Residential State Subsidy, **Project:** 518006, **OCA #:** 514562, **Object Level One:** 03, **Amount:** \$5,000.00

**Total: 518006 \$46,431.00**

**Grant: State Block Grant, Project: 518315, OCA #: 514539, Object Level One: 03, Amount: \$42,000.00**

**Total Appropriation \$551,201.00**

Section 2. That the monies in the foregoing Section 1 shall be paid upon the order of the Director of Recreation and Parks; 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 thereof, 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 same.

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**Legislation Number:** 1208-2006

**Drafting Date:** 06/26/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

**BACKGROUND:** This legislation authorizes the Department of Development to enter into loan and grant agreements with Campus Partners for Community Urban Redevelopment (Campus Partners) to facilitate a phase II environmental assessment of the former Columbus Coated Fabrics site.

Last February Campus Partners entered into a contract to purchase the Columbus Coated Fabrics site from its bankrupt owner, Decorative Surfaces International, Inc. (DSI). The Columbus Coated Fabrics site has been used for industrial purposes for more than 100 years, utilizing a myriad of hazardous substances. In order for Campus Partners and the city to determine if the site is economically viable for redevelopment, they must first determine the cost to remediate the hazardous waste and other environmental issues, as well as the cost to demolish the existing buildings. This assessment will permit the City and Campus Partners to make a much more informed decision in August on whether to close on this troubled property. At a minimum, the assessment will provide a clear understanding of the types and extent of contamination, the required levels of environmental remediation, cost of environmental remediation and, we hope, a better understanding of the site's redevelopment potential. Even if the City and Campus Partners choose not to close and acquire the site in August, the environmental data will inform future decisions when resources may be available or the redevelopment potential is greater.

**FISCAL IMPACT:** The funding for the loan and grant agreements will come from three different sources, \$50,000 from the Jobs Growth Fund and \$75,000 from the Public Safety Initiatives Fund as grants and \$125,000 from the Urban Site Acquisition Loan Fund for a loan. This legislation authorizes the appropriation and expenditure of \$50,000 from the Jobs Growth Fund, \$75,000 from the Public Safety Initiatives Fund, and \$125,000 from the Urban Site Acquisition Loan Fund for the agreements with Campus Partners. Repayment of the USAL loan will be predicated on Campus Partners acquiring the site and redeveloping the site in a manner which will provide funds for the repayment of the loan.

### **Title**

To authorize the appropriation of \$50,000 within the Jobs Growth Fund, \$75,000 within the Public Safety Initiatives Fund, and \$125,000 within the Urban Site Acquisition Loan Fund to the Department of Development; to authorize the Director of the Department of Development to enter into loan and grant agreements with Campus Partners for Community Urban Redevelopment; to authorize the expenditure of \$50,000 from the Jobs Growth Fund; \$75,000 from the Public Safety Initiatives Fund, and \$125,000 from the Urban Site Acquisition Loan Fund; and to declare an emergency. (\$250,000)

### **Body**

**WHEREAS**, this legislation authorizes the Department of Development to enter into loan and grant agreements with Campus Partners for Community Urban Redevelopment (Campus Partners) to facilitate a phase II environmental assessment of the former Columbus Coated Fabrics site; and

**WHEREAS**, last February Campus Partners entered into a contract to purchase the Columbus Coated Fabrics site from its bankrupt owner, Decorative Surfaces International, Inc. (DSI); and

**WHEREAS**, in order for Campus Partners and the City to determine if the site is economically viable for redevelopment, they must first determine the cost to remediate the hazardous waste and other environmental issues, as well as the cost to demolish the existing buildings; and

**WHEREAS**, this assessment will permit the City and Campus Partners to make a much more informed decision in August on whether to close on this troubled property; and

**WHEREAS**, at a minimum, the assessment will provide a clear understanding of the types and extent of contamination, the required levels of environmental remediation, cost of environmental remediation and, we hope, a better understanding of the site's redevelopment potential; and

**WHEREAS**, even if the City and Campus Partners choose not to close and acquire the site in August, the environmental data will inform future decisions when resources may be available or the redevelopment potential is greater; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to appropriate said funds and to authorize the Director of the Department of Development to enter into loan and grant agreements with Campus Partners for Community Urban Redevelopment, all 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 City Auditor be and is hereby authorized and directed to appropriate \$50,000 from the Jobs Growth Fund, Fund 015 to the Department of Development, Economic Development Division, Division 44-02, Object Level One 05, Object Level Three 5519, OCA Code 440215.

**Section 2.** That the City Auditor be and is hereby authorized and directed to appropriate \$75,000 from the Public Safety Initiatives Fund, Fund 016 to the Department of Development, Economic Development Division, Division 44-02, Object Level One 05, Object Level Three 5519, OCA Code 440216.

**Section 3.** That the City Auditor be and is hereby authorized and directed to appropriate \$125,000 from the Urban Site Acquisition Loan Fund, Fund 292, Subfund 007 to the Department of Development, Economic Development Division, Division 44-02, Object Level One 05, Object Level Three 5528, OCA Code 292007.

**Section 4.** That the Director of the Department of Development is hereby authorized to enter into loan and grant agreements with Campus Partners for Community Urban Redevelopment, providing a loan of the Urban Site Acquisition Loan Fund monies with repayment conditioned on Campus Partners acquiring the former Columbus Coated Fabrics site and redeveloping it in a manner that will provide funds for the repayment of the loan and providing a grant from the Jobs Growth Fund monies, all to facilitate a phase II environmental assessment of that site.

**Section 5.** That for the purpose stated in Section 4 the expenditure of \$50,000 or so much thereof as may be necessary, be and is hereby authorized to be expended from the Jobs Growth Fund, Department of Development, Economic Development Division, Division 44-02, Fund 015, Object Level One 05, Object Level Three 5519, OCA Code 440215.

**Section 6.** That for the purpose stated in Section 4 the expenditure of \$75,000 or so much thereof as may be necessary, be and is hereby authorized to be expended from the Public Safety Initiatives Fund, Department of Development, Economic

Development Division, Division 44-02, Fund 016, Object Level One 05, Object Level Three 5519, OCA Code 440216.

**Section 7.** That for the purpose stated in Section 4 the expenditure of \$125,000 or so much thereof as may be necessary, be and is hereby authorized to be expended from the Urban Site Acquisition Loan Fund , Department of Development, Economic Development Division, Division 44-02, Fund 292, Subfund 007 Object Level One 05, Object Level Three 5528, OCA Code 292007.

**Section 8.** 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 approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 1215-2006

**Drafting Date:** 06/26/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

The purpose of this ordinance is to modify Ordinance 0211-2006 for the purpose of adding a contract for credit card processing services with Huntington Bank and its credit card processing agent, Huntington Merchant Services, for the Department of Transportation.

**Title**

To authorize the City Treasurer to establish a contract with Huntington Bank and its credit card processing agent, Huntington Merchant Services, for the provision of credit card processing services for the Transportation Department, and to authorize the expenditure of \$600 from the Development Services Fund; \$1,400.00 from the Street Construction Maintenance Fund, and to declare an emergency. (\$2,000.00)

**Body**

**WHEREAS**, the City Treasurer has entered into a contract for credit card processing services with Huntington Bank and its credit card processing agent Huntington Merchant Services,

**WHEREAS**, an emergency exists in the usual daily operations of the Transportation Department, as it is immediately necessary to establish a contract with Huntington Bank and its credit card agent, Huntington Merchant Services for the process of credit card transactions for the Transportation Department; now therefore,

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

**SECTION 1.** That the City Treasurer is hereby authorized to establish a contract between Huntington Bank and its credit card agent, Huntington Merchant Services and the Transportation Department for the processing of credit cards in the amount of \$2,000.

**SECTION 2.** That the expenditure of \$2,000.00 is authorized as follows:

<u>OCA Code</u>	<u>Object Level 1</u>	<u>Object Level 3</u>	<u>Purpose</u>	<u>Amount</u>
599079	03	3348	Banking Services	\$ 1,400.00

599148          03                      3348          Banking Services          \$   600.00

**Total Contract Amount:**

Total amount of Modification No. 2 (1215-2006) is:          \$   2,000.00  
Total contract amount including all modifications is:          \$ 353,350.00

**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:**      1225-2006

**Drafting Date:**      06/27/2006

**Current Status:**      Passed

**Version:**      1

**Matter Type:**      Ordinance

**Explanation**

**Background:**

This ordinance provides for the appropriation of special purpose funds to carry on various supplies and services in 2006 that are supported by donations and fees.

\$40,000.00 is due the department through contractual obligations with the National Softball Association and Experience Columbus.

Emergency legislation is required to have funding available in July for necessary expenditures.

**Fiscal Impact:**

The fiscal impact of this ordinance will be to reduce the Special Purpose Fund's unappropriated balance by \$79,000.00.

The expenditure of \$79,000.00 is budgeted in the Recreation and Parks Special Purpose Fund.

**Title**

To authorize an appropriation of \$79,000.00 from the unappropriated balance of the Recreation and Parks Special Purpose Fund to the Recreation and Parks Department to continue various supplies and services during 2006, and to declare an emergency. (\$79,000.00)

**Body**

**WHEREAS**, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to appropriate said funds to have funding available for necessary expenditures; now, therefore

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

**Section 1.** That from the unappropriated monies in the Recreation and Parks 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, 2006, the sum of \$79,000.00 is appropriated to the Recreation and Parks Department, Department No. 51-01, as follows:

Project Title	Subfund	OCA Code	Object	
			Level 3	Amount
Christopher Columbus Invitational	052	511873	1112	\$40,000
Christopher Columbus Invitational	052	511873	2269	10,000
Christopher Columbus Invitational	052	511873	6652	<u>29,000</u>
<b>TOTAL</b>				<b>\$79,000</b>

**Section 2.** That the monies in the foregoing Section 1 shall be paid upon order of the Director of Recreation and Parks, 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:** 1259-2006

**Drafting Date:** 06/30/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

The City of Columbus, Public Service Department, Transportation Division, received a request from Nationwide Realty Investors ("NRI") asking that the City sell them that right-of-way identified as a two foot wide portion of right-of-way off the west side of Neil Avenue from the north right-of-way line of Spring Street approximately 487 feet northerly and that the City grant them both aerial and foundation encroachment easements at the northwest corner of Neil Avenue and Spring Street. Sale of this right-of-way and the granting of the requested encroachment easements will allow for the rehabilitation of an existing building located at 237 Neil Avenue to include a covered parking facility and residential condominiums. Per current Transportation Division practice, comments were solicited from interested parties, including City departments, private utilities and applicable area commissions, before it was determined that there would be no adverse impact to the City upon transfer of this right-of-way, subject to the retention of a general utility easement for those utilities currently located within this portion of Neil Avenue, and upon the granting of the requested aerial and foundation encroachment easements. The Department of Law, Real Estate Division, established a total value of \$35,317.36 for this right-of-way and these encroachment easements. The Land Review Commission voted to recommend that this right-of-way be transferred and these encroachment easements be granted to NRI at no charge in recognition of the value of the improvements undertaken by NRI at this location that will further the interest and welfare of the public; the willingness of NRI to absorb the cost of utility relocation from the right-of-way being transferred and a substantial increase in tax revenue generated by the redevelopment of this corner.

**Emergency Justification:** Emergency action is requested so that redevelopment of this corner can continue without interruption.

**Title**

To authorize the Director of the Public Service Department to execute those documents required to transfer that right-of-way identified as a two foot wide portion of right-of-way off the west side of Neil Avenue from the north right-of-way line of Spring Street approximately 487 feet northerly therefrom and to execute those documents required to grant both aerial and foundation encroachment easements at the northwest corner of Neil Avenue and Spring Street to NWD 300 Spring, LLC at no charge as recommended by the Land Review Commission; to waive the competitive bidding

provisions of Columbus City Codes; and to declare an emergency.

**Body**

**WHEREAS**, the City of Columbus, Public Service Department, Transportation Division, received a request from Nationwide Realty Investors ("NRI") asking that the City sell them that right-of-way identified as a two foot wide portion of right-of-way off the west side of Neil Avenue from the north right-of-way line of Spring Street approximately 487 feet northerly and that the City grant them both aerial and foundation encroachment easements at the northwest corner of Neil Avenue and Spring Street; and

**WHEREAS**, sale of this right-of-way and the granting of the requested encroachment easements will allow for rehabilitation of an existing building located at 237 Neil Avenue to include a covered parking facility and residential condominiums; and.

**WHEREAS**, per current Transportation Division practice, comments were solicited from interested parties, including City departments, private utilities and applicable area commissions, before it was determined that there would be no adverse impact to the City upon transfer of this right-of-way, subject to the retention of a general utility easement for those utilities currently located within this portion of Neil Avenue, and upon the granting of the requested aerial and foundation encroachment easements, and

**WHEREAS**, the Department of Law, Real Estate Division, established a total value of \$35,317.36 for this right-of-way and these encroachment easements, and

**WHEREAS**, the Land Review Commission voted to recommend that this right-of-way be transferred and these encroachment easements be granted to NRI at no charge in recognition of the value of the improvements undertaken by NRI at this location that will further the interest and welfare of the public; the willingness of NRI to absorb the cost of utility relocation from the right-of-way being transferred and a substantial increase in tax revenue generated by the redevelopment of this corner; and

**WHEREAS**, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that it is immediately necessary to authorize the Director to execute those documents necessary to transfer the requested portion of Neil Avenue and to grant the aerial and foundation encroachment easements to NWD 300 Spring, LLC, without delay so that redevelopment of this corner can continue without interruption 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 Public Service Department be and is hereby authorized to execute quit claim deeds and other incidental instruments prepared by the Department of Law, Real Estate Division, necessary to transfer the following described right-of-way to NWD 300 Spring, LLC; to-wit:

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 8, Township 5, Range 22, Refugee Tract, being part of Neil Avenue, (all references are to the records of the Recorder's Office, Franklin county, Ohio) and described as follows:

Beginning for Reference, at the intersection of the original westerly right-of-way line of Neil Avenue and the original northerly right-of-way line of Spring Street, being the southeast corner of the 0.002 acre tract conveyed to the City of Columbus by deed of record in Official Record 28477H18, and being the southeast corner of Lot 2 of "Brecount, Smith and Conover Northwest Addition", a subdivision of record in Plat book 1, Page 250;

Thence North 03°24'41" East, a distance of 10.00 feet, with the east line of said 0.002 acre tract and said westerly right-of-way line, to an iron pin set at a southeasterly corner of the 1.714 acre tract conveyed to NWD 237 Neil, LLC by deed of record in Instrument Number 200507250147005, being the TRUE POINT OF BEGINNING;

Thence North 03°24'41" East, with the east line of said "Brecount, Smith and Conover Northwest Addition", being the east line of said 1.714 acre tract, and the west right-of-way line of said

Neil Avenue, 476.63 feet to a magnetic nail found;

Thence across the said right-of-way of said Neil Avenue, the following courses and distances;

South 86°35'19" East, a distance of 2.00 feet to a magnetic nail set;

South 03°24'41" West, a distance of 475.29 feet, to a magnetic nail set;

South 59°31'28" West, a distance of 2.41 feet, to the TRUE POINT OF BEGINNING, containing 0.022 acre, more or less.

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 north right-of-way of Nationwide Boulevard, having a bearing of North 82°18'16" East, as per Ohio State Plane Coordinate System, South Zone. (NAD83) (1986 Adjustment).

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Heather L. King, Registered Surveyor No. 8307

**Section 2.** That the above referenced real property shall be considered excess road right-of-way and the public rights therein shall terminate upon the Director's execution and delivery of said quit claim deed to the grantee thereof.

**Section 3.** That a general utility easement in, on, over, across and through the above described right-of-way shall be and hereby is retained unto the City of Columbus for those utilities currently located within said right-of-way.

**Section 4.** That upon notification and verification of the relocation of all utilities located within the retained general utility easement the Director of the Public Service Department is hereby authorized to execute those documents necessary to release the retained general utility easement with no additional compensation due to the City and with no further legislative action required by the City.

**Section 5.** That the Director of the Public Service Department be and is hereby authorized to execute quit claim deeds and other incidental instruments prepared by the Department of Law, Real Estate Division, necessary to grant the following described aerial encroachment easements to NWD 300 Spring, LLC; to-wit:

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 8, Township 5, Range 22, Refugee Tract, being across the right-of-way of Spring Street, and described as follows:

*Beginning for reference*, at the centerline intersection of Neil Avenue and Spring Street;

Thence North 86°52'24" West, with the centerline of said Spring Street, a distance of 143.41 feet to a point;

Thence North 03°07'36" East, a distance of 28.39 feet to a point on the northerly right-of-way line of Spring Street the TRUE POINT OF BEGINNING;

Thence South 86°52'24" East, with said northerly right-of-way line of Spring Street, a distance of 98.55 feet to a point;

Thence North 59°31'28" East, continuing with said northerly right-of-way line of Spring Street, a distance of 18.07 feet to a point;

Thence across said right-of-way of Spring Street, the following courses and distances:

South 86°35'19" East, a distance of 0.96 feet to a point on the arc of a curve to the right;

With the arc of said curve, with central angle of 46°32'25", a radius of 23.34 feet, an arc length of 18.96 feet, having a chord bearing and distance of South 58°39'47" West, 18.44 feet to a point on the arc of a curve to the right;

With the arc of said curve, with central angle of 22°53'48", a radius of 250.26 feet, an arc length of 100.01 feet, having a chord bearing and distance of North 86°37'07" West, 99.35 feet to the TRUE POINT OF BEGINNING containing 0.009 acre of land, more or less.

All references are to the records of the Recorder's Office, Franklin County, Ohio.

**And**

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 8, Township 5, Range 22, Refugee Tract, being across the right-of-way of Neil Avenue, and described as follows:

*Beginning for reference*, at the centerline intersection of Neil Avenue and Spring Street;  
Thence North 03°24'41" East, with the centerline of said Neil Avenue, a distance of 40.09 feet to a point;  
Thence North 86°35'19" West, a distance of 28.00 feet to a point on the westerly right-of-way line of Neil Avenue the TRUE POINT OF BEGINNING;  
Thence North 03°24'41" East, with said westerly right-of-way line of Neil Avenue, a distance of 20.84 feet to a point;  
Thence across said right-of-way of Neil Avenue, the following courses and distances:  
South 86°35'19" East, a distance of 2.50 feet to a point;  
South 03°24'41" West, a distance of 10.33 feet to a point of curvature to the right;  
With the arc of said curve, with a central angle of 26°43'52", a radius of 23.36 feet, an arc length of 10.90 feet, having a chord bearing and distance of South 16°47'39" West, 10.80 feet to the TRUE POINT OF BEGINNING containing 0.001 acre of land, more or less.  
All references are to the records of the Recorder's Office, Franklin County, Ohio.

**And**

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 8, Township 5, Range 22, Refugee Tract, being across the right-of-way of Neil Avenue, and described as follows:  
*Beginning for reference*, at the centerline intersection of Neil Avenue and Spring Street;  
Thence North 03°24'41" East, with the centerline of said Neil Avenue, a distance of 118.34 feet to a point;  
Thence North 86°35'19" West, a distance of 25.50 feet to the TRUE POINT OF BEGINNING;  
Thence North 86°35'19" West, continuing across said right-of-way, a distance of 2.50 feet to a point on the westerly right-of-way line of said Neil Avenue;  
Thence North 03°24'41" East, with said westerly right-of-way line, a distance of 21.08 feet to a point;  
Thence across said right-of-way of Neil Avenue, the following courses and distances:  
South 86°35'19" East, a distance of 2.50 feet to a point;  
South 03°24'41" West, a distance of 21.08 feet to the TRUE POINT OF BEGINNING containing 0.001 acre of land, more or less.  
All references are to the records of the Recorder's Office, Franklin County, Ohio.

EVANS, MECHWART, HAMBLETON & TILTON, INC.  
Edward J. Miller, Professional Surveyor No. 8205

**Section 6.** That the Director of the Public Service Department be and is hereby authorized to execute quit claim deeds and other incidental instruments prepared by the Department of Law, Real Estate Division, necessary to grant the following described foundation encroachment easements to NWD 300 Spring, LLC; to-wit:

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 8, Township 5, Range 22, Refugee Tract, being across the right-of-way of Neil Avenue, and described as follows:  
*Beginning for reference*, at the centerline intersection of Neil Avenue and Spring Street;  
Thence North 03°24'41" East, with the centerline of said Neil Avenue, a distance of 49.37 feet to a point;  
Thence North 86°35'19" West, across the right-of-way of said Neil Avenue, a distance of 27.74 feet to the TRUE POINT OF BEGINNING;  
Thence North 86°35'19" West, continuing across said right-of-way, a distance of 0.26 feet to a point on the westerly right-of-way line of Neil Avenue;  
Thence North 03°24'41" East, with the westerly right-of-way line of Neil Avenue, a distance of 12.00 feet to a point;  
Thence across said right-of-way of Neil Avenue, the following courses and distances:  
South 86°35'19" East, a distance of 0.26 feet to a point;  
South 03°24'41" West, a distance of 12.00 feet to the TRUE POINT OF BEGINNING containing 3.12 square feet of land, more or less.

All references are to the records of the Recorder's Office, Franklin County, Ohio.

**AND**

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 8, Township 5, Range 22, Refugee Tract, being across the right-of-way of Neil Avenue, and described as follows:

*Beginning for reference*, at the centerline intersection of Neil Avenue and Spring Street;

Thence North 03°24'41" East, with the centerline of said Neil Avenue, a distance of 73.12 feet to a point;

Thence North 86°35'19" West, across the right-of-way of said Neil Avenue, a distance of 27.74 feet to the TRUE POINT OF BEGINNING;

Thence North 86°35'19" West, continuing across the right-of-way of Neil Avenue, a distance of 0.26 feet to a point on the westerly right-of-way of Neil Avenue;

Thence North 03°24'41" East, with the westerly right-of-way line of Neil Avenue, a distance of 12.00 feet to a point;

Thence across said right-of-way of Neil Avenue, the following courses and distances:

South 86°35'19" East, a distance of 0.26 feet to a point;

South 03°24'41" West, a distance of 12.00 feet to the TRUE POINT OF BEGINNING containing 3.12 square feet of land, more or less.

All references are to the records of the Recorder's Office, Franklin County, Ohio.

**AND**

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 8, Township 5, Range 22, Refugee Tract, being across the right-of-way of Neil Avenue, and described as follows:

*Beginning for reference*, at the centerline intersection of Neil Avenue and Spring Street;

Thence North 03°24'41" East, with the centerline of said Neil Avenue, a distance of 100.22 feet to a point;

Thence North 86°35'19" West, across the right-of-way of said Neil Avenue, a distance of 27.74 feet to the TRUE POINT OF BEGINNING;

Thence North 86°35'19" West, continuing across said right-of-way a distance of 0.26 feet to a point on the westerly right-of-way of Neil Avenue;

Thence North 03°24'41" East, with the westerly right-of-way line of Neil Avenue, a distance of 12.00 feet to a point;

Thence across said right-of-way of Neil Avenue, the following courses and distances:

South 86°35'19" East, a distance of 0.26 feet to a point;

South 03°24'41" West, a distance of 12.00 feet to the TRUE POINT OF BEGINNING containing 3.12 square feet of land, more or less.

All references are to the records of the Recorder's Office, Franklin County, Ohio.

**AND**

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 8, Township 5, Range 22, Refugee Tract, being across the right-of-way of Spring Street, and described as follows:

*Beginning for reference*, at the centerline intersection of Neil Avenue and Spring Street;

Thence North 86°52'24" West, with the centerline of said Spring Street, a distance of 79.87 feet to a point;

Thence North 03°07'36" East, across the right-of-way of Spring Street, a distance of 24.58 feet to the TRUE POINT OF BEGINNING;

Thence continuing across said right-of-way of Spring Street, the following courses and distances:

North 86°35'19" West, a distance of 12.00 feet to a point;

North 03°24'41" East, a distance of 2.94 feet to a point;

North 87°20'37" West, a distance of 0.58 feet to a point;

North 03°22'37" East, a distance of 0.81 feet to a point on the northerly right-of-way line of Spring Street;

Thence South 86°52'24" East, with the northerly right-of-way line of Spring Street, a distance of 12.58 feet to a point;

Thence South 03°24'41" West, a distance of 3.81 feet to the TRUE POINT OF BEGINNING containing 0.001 acre of land, more or less.

All references are to the records of the Recorder's Office, Franklin County, Ohio.

**AND**

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 8, Township 5, Range 22, Refugee Tract, being across the right-of-way of Spring Street, and described as follows:

*Beginning for reference*, at the centerline intersection of Neil Avenue and Spring Street;

Thence North 86°52'24" West, with the centerline of said Spring Street, a distance of 119.86 feet to a point;

Thence North 03°07'36" East, across the right-of-way of said Spring Street, a distance of 25.73 feet to the TRUE POINT OF BEGINNING;

Thence North 03°24'44" East, continuing across said right-of-way a distance of 2.66 feet to a point on the northerly right-of-way line of Spring Street;

Thence South 86°52'24" East, with the northerly right-of-way line of Spring Street, a distance of 22.83 feet to a point;

Thence across said right-of-way of Spring Street, the following courses and distances:

South 03°31'13" West, a distance of 0.81 feet to a point on the arc of a curve to the right;

With the arc of said curve with central angle of 03°41'28", a radius of 168.33 feet, an arc length of 10.84 feet, having a chord bearing and distance of North 84°05'24" West, 10.84 feet to a point;

South 03°24'41" West, a distance of 2.43 feet to a point;

North 86°35'19" West, a distance of 12.00 feet to the TRUE POINT OF BEGINNING containing 0.001 acre of land, more or less.

All references are to the records of the Recorder's Office, Franklin County, Ohio.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Edward J. Miller, Professional Surveyor No. 8250

**Section 7.** That this Council has determined it is in the best interest of the City of Columbus to allow this right-of-way to be transferred and these easements to be granted without requiring competitive bidding and hereby waives the competitive bidding provision of Columbus City Codes (1959) Revised, Section 329.25 with regards to the transfer of these properties.

**Section 8.** 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.

# City RFPs, RFQs, and Bids

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

**CITY OF COLUMBUS FORMAL BID OPPORTUNITIES ARE UPDATED DAILY AT:  
<http://finance.ci.columbus.oh.us/purchasing/openbids/sabids.html>**

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 \$20,000.00, 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 - July 17, 2006 4:00 pm

SA002087 - Customer Service Center Improvements

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

REQUEST FOR PROPOSALS  
FOR PROFESSIONAL SERVICES  
FOR UTILITIES COMPLEX IMPROVEMENTS,  
CUSTOMER SERVICE CENTER  
DIVISION OF SEWERAGE AND DRAINAGE PROJECT NO. 650552.2  
DIVISION OF POWER AND WATER PROJECT NO. 690399

The City of Columbus, Ohio is inviting architectural and professional engineering consulting firms, or teams including such firms, to submit Proposals to furnish architectural and professional engineering services for the City of Columbus, Department of Public Utilities, Division of Sewerage and Drainage (DOSD) and Division of Power and Water (DOPW) in connection with the following project:

Utilities Complex Improvements,  
Customer Service Center  
Division of Sewerage and Drainage Project No. 650552.2  
Division of Power and Water Project No. 690399

General Description

In order to improve internal operations and better serve the ratepayers, the Department of Public Utilities has recently completed a realignment of the Department. As part of this realignment, the Department is consolidating all functions and staff associated with customer service into one facility that will provide convenience to water and sewer service customers and private developers. This project will provide a facility suitable for this function.

Selection Process

Proposals will be reviewed by the City, and one firm will be selected to negotiate a contract. If negotiations fail with the selected firm, new negotiations may begin with the runner-up firm.

Selection of professional services for this work shall conform to all applicable requirements of Columbus City Codes, 1959, particularly Title 39 and Section 329.14 thereof. All Offerors and all subcontract entities proposed shall have City of Columbus Contract Compliance Certificate Numbers (CCCNs). Offerors shall include a listing of CCCNs for themselves and their proposed subcontractors in their Proposals, or shall include completed applications for certification. Applications for certification are available from:

EQUAL BUSINESS OPPORTUNITY COMMISSION OFFICE (EBOCO)  
Ginger Cunningham, Contract Compliance Investigator  
109 North Front Street  
4th Floor, Suite 429  
Columbus, Ohio 43215  
Telephone: 614-645-4764

The selection process will be conducted by an Evaluation Committee consisting of representatives from the Department and from the EBOCO. The contact person for this selection will be:

W. Keith Gilbert, P.E.

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

Treatment Engineering  
Division of Sewerage and Drainage  
1250 Fairwood Avenue  
Columbus, OH 43206  
Telephone: 614-645-7610

Selection Schedule

1. All offerors are required to obtain an information package containing instruction on the expected format for the Proposals. These may be obtained at:

Sewer Permit Office  
Division of Sewerage and Drainage  
910 Dublin Road, 3rd Floor  
Columbus, Ohio 43215-9053

Information packages will be available beginning Monday, June 19, 2006. There is no charge for the information package.

2. Informational Meeting is scheduled for Tuesday, June 27, 2006, at 10:30 AM at the Utility Complex, 1st Floor Room 1113, Employee Development Center Training Room A/B at 910 Dublin Rd, Columbus, OH. All offerors are required to attend this meeting.

3. PROPOSAL SUBMITTAL DATE: Proposals will be received by the City until 4:00 p.m., Monday, July 17, 2006. No proposals will be accepted thereafter. Direct proposals to:

Cheryl Roberto  
Director, Department of Public Utilities  
910 Dublin Road, 4th Floor  
Columbus, Ohio 43215-9053

Proposals shall be furnished in five (5) identical copies and clearly marked "Proposal for Architectural and Professional Engineering Services for DOSD CIP 650552.2 and DOPW CIP 690399, Utilities Complex Improvements, Customer Service Center." Proposals shall be bound in white plastic 3-ring binders and shall not exceed 50 pages in length, front and back.

4. After receipt of the proposals, the Evaluation Committee will evaluate the submittals based on the criteria specified at the end of this document.

5. The Committee may also request that some offerors make a presentation to the Committee to elaborate on their proposals and/or any other pertinent information.

6. The Committee will submit its selected offeror, along with a written explanation of the basis for the selection, to the Director of the Department of Public Utilities for final approval.

7. Contract negotiations will then commence with the selected offeror. If negotiations fail, negotiations will be terminated, and the City may enter into negotiations with the runner-up offeror.

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

Evaluation Points

1. Proposal Quality (50)

- A. Project approach (15)
- B. Demonstrated understanding of project (15)
- C. Environmental Innovation (10)
- D. Schedule meets needs and is realistic (5)
- E. Sensitivity to cost factors (5)

2. Experience of Team (30)

- A. Up to 5 points assigned for successful history of working with the City of Columbus (at least 5 years). (5)
- B. Up to 5 points assigned if the key personnel on the team have demonstrated over 10 years of relevant design experience. (5)
- C. Up to 10 points assigned for a successful history of completed projects for five (5) office buildings with a minimum of 12,000 square feet and having special site conditions, including geotechnical concerns and site restrictions. (10)
- D. Up to 5 points assigned for a successful history of completing at least five (5) office building design and construction projects within the City of Columbus corporate limits that would demonstrate familiarity and understanding of the Columbus plan review process. (5)
- E. Up to 5 points assigned for key project team members being professional engineers or registered architects and at least one member of the team being LEED certified. (5)

3. Experience of Prime (10)

- A. Up to 10 points assigned for successful history of completing five (5) office building projects with a minimum of 12,000 square feet and having special site conditions, including geotechnical concerns and site restrictions, by the proposed key personnel. (10)

4. Local Workforce (10)

- A. At least 90% of the Team's project labor costs are assignable to employees paying City of Columbus income tax on the date the proposal is submitted. (10)
- B. At least 75% of the Team's project labor costs are assignable to employees paying City of Columbus income tax on the date the proposal is submitted. (8)
- C. At least 90% of the Team's labor will be performed in an office location within Franklin County but outside of the Columbus Corporate limits on the date the proposal is submitted. (8)
- D. At least 50% of the Team's project labor costs are assignable to employees paying City of Columbus

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

income tax on the date the proposal is submitted. (5)

Cheryl L. Roberto,  
Director  
Department of Public Utilities  
ORIGINAL PUBLISHING DATE: June 21, 2006

BID OPENING DATE - July 19, 2006 3:00 pm

SA002091 - Wilson Road Drainage Improvements

**THE CITY BULLETIN**  
**BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS**

**ADVERTISEMENT FOR BIDS**

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, until 3:00 p.m., Local Time, on Wednesday, July 19, 2006, and publicly opened and read at that hour and place for the following project:

**WILSON ROAD DRAINAGE IMPROVEMENTS**  
**C.I.P. NO. 610940**

The City of Columbus contact person for this contract is Mike Griffith, P.E., of the Division of Sewerage and Drainage, (614) 645-2416. The work for which proposals are invited consists of constructing approximately 1290 LF of 20'x8' concrete box culvert, 1800 LF of 8-inch to 60-inch sewer, and such other work as may be necessary to complete the contract in accordance with the plans and specifications. Copies of the Contract Documents, the bid book in paper format and the plans (CC-13533) as TIFF images on CD (Compact Disc), are on file at the Division of Sewerage and Drainage, Sewer System Engineering Section, Permit Office, Room No. 3051, 910 Dublin Road, Columbus, Ohio 43215-9053. 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. Paper copy of the Construction Plans is not available.

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:

**WILSON ROAD DRAINAGE IMPROVEMENTS**  
**C.I.P. NO. 610940**

**PROPOSAL GUARANTY**

The bidder is required to submit a Proposal Guaranty, consisting of either a Proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. The bond must have an AMOUNT EXPRESSED IN DOLLARS AND CENTS in order to be responsive. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

**PREVAILING WAGE RATE**

Attention of the bidder is called to the special requirements which are included in the Bid Submittal Documents regarding prevailing rates of wages to be paid.

**CONTRACT PERFORMANCE AND PAYMENT BOND**

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction & Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

**CONSTRUCTION AND MATERIAL SPECIFICATIONS**

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of

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Columbus, Ohio Construction and Materials Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad Street, 3rd Floor, Columbus, Ohio 43215 (614) 645-8290; at the offices of the Transportation Division, 1800 E. 17th Avenue, Columbus, Ohio 43219 (614) 645-3182; and at the office of the Director of Public Utilities, 910 Dublin Road, 4th Floor, Columbus, Ohio 43215 (614) 645-6141.

**CONTRACT COMPLIANCE REQUIREMENTS**

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification.

**QUALIFICATION AND RESOURCE FACTORS FORM AND AFFIDAVIT OF BIDDER**

Each responsive bidder shall submit with its bid, a completed Qualification and Resource Factors Form and a completed and notarized Affidavit of Bidder.

**BID CANCELLATION AND REJECTIONS**

The right is reserved by the Director of Public Utilities of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, to hold bids for a period of 180 days after the bid opening, and/or to advertise for new proposals, when it is in the best interest of the City.

**SUBSURFACE DATA**

Subsurface data was obtained for project design purposes and is available for review.

**CONTRACT COMPLETION**

The work under this contract shall be completed in a manner acceptable to the City within 365 calendar days after the effective date of the Notice to Proceed.

**SPECIAL REQUIREMENTS**

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state.

Cheryl Roberto

Director of Public Utilities

ORIGINAL PUBLISHING DATE: June 21, 2006

BID OPENING DATE - July 20, 2006 11:00 am

SA002086 - FLEET/VEHICLE MAINTENANCE SERVICES

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1.1 Scope: It is the intent of the City of Columbus, Fleet Management Division to obtain formal bids to establish a UTC for the purchase of General Vehicle Repair Services for use of repairing mechanical and electrical problems on City vehicles through January 31, 2008.

1.2 Classification: Bids are being received on a shop labor rate, flat rate manual and parts markup / markdown basis.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215

ORIGINAL PUBLISHING DATE: June 20, 2006

SA002096 - Fire/Blast Mitigation System

1.1 It is the intent of these specifications to describe a Global Defender Blast Mitigation System intended for use by the Division of Fire Accredited Bomb Squad in sufficient detail to secure bids on the equipment as specified or comparable equipment. All parts not mentioned, which are necessary to provide a complete unit, shall be included in the bid and shall conform in strength and quality of workmanship to what is usually provided to the trade in general. The purchase will consist of a one-time purchase.

1.2 The City of Columbus will seek the bids, evaluate and recommend for purchased, based on this review. However, upon acceptance by the City of Columbus the invoice will be sent to Franklin County for payment. The city of Columbus is not responsible for payment.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215

ORIGINAL PUBLISHING DATE: June 29, 2006

SA002100 - FMD-YORK CHILLER FOR DIVISION OF FIRE

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ADVERTISEMENT FOR BIDS

FURNISHING AND INSTALLATION OF FACTORY REPLACEMENT  
COMPRESSOR FOR A YORK CHILLER

Sealed bids will be received by the Department of Finance and Management, Division of Facilities Management of the City of Columbus, Ohio at their office, located at 90 West Broad Street, basement, Room B16, Columbus, Ohio 43215 until 3:00 p.m. local time, and publicly opened and read at the hour and place on Thursday, July 20, 2006 for the FURNISHING AND INSTALLATION OF FACTORY REPLACEMENT COMPRESSOR FOR A YORK CHILLER.

Copies of the Contract Documents will be available July 13, 2006 at the Division of Facilities Management, 90 W. Broad Street, Room B-16. Bid specifications will be available at the pre-bid meeting and after the pre-bid meeting at the Division of Fire Training Academy, 3639 Parsons Avenue, Columbus, Ohio 43207. The first sets of contract documents are available to prospective bidders at no cost. Additional sets are available to prospective bidders at a non-refundable cost of \$25.00 for each set.

Proposals must be submitted on the proper forms contained in the Bid Documents and the Bid Documents containing the Proposals must be submitted IN THEIR ENTIRETY in a sealed envelopment marked: Bid for: FURNISHING AND INSTALLATION OF FACTORY REPLACEMENT COMPRESSOR FOR A YORK CHILLER.

FAILURE TO RETURN THE BID PACKET AND REQUIRED INFORMATION MAY RESULT IN REJECTION OF THE PROPOSAL.

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting either of a Proposal Bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall be expressed in dollars and cents and shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements which are included in the Bid Documents regarding prevailing rates of wages to be paid. Bidders must comply with the prevailing wage rates on Public Improvements of Franklin County and the City of Columbus in the State of Ohio as determined by the Ohio Bureau of Employee Services, Wage and Hour Division (614-644-2239).

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction and Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

PRE-BID MEETING

A pre-bid meeting will be held THURSDAY, JULY 13, 2006 AT 9:30 A.M., City of Columbus, Fire

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Training Academy, 3639 Parsons Avenue, Columbus, Ohio 43207

**OSHA/EPA REQUIREMENTS**

Contractors are subject to all applicable federal, state and local laws, ordinances, rules and regulations pertaining to services or products to be provided under this contract.

**CONSTRUCTION AND MATERIALS SPECIFICATIONS**

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Material Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Materials Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 West Broad Street, Room 301, Columbus, Ohio 43215, (614) 645-8290, at the office of the Transportation Division, 1800 East 17th Avenue, Columbus, Ohio 43219, (614) 645-3182, at the Director of Public Utilities, 910 Dublin Road, 4th Floor, Columbus, Ohio 43215, (614) 645-6141.

**CONTRACT COMPLIANCE REQUIREMENTS AND EQUAL OPPORTUNITY CLAUSE**

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification. Any questions or inquiries concerning this should be directed to the Equal Business Opportunity Commission Office.

The City of Columbus encourages the participation of Minority and female owned business enterprises. Each bidder must identify any subcontractor(s) who are minority or female owned businesses (M/FBE's) as defined in Title 39 of the Columbus City Code along with the scope of work and anticipated cost.\* This information is gathered and monitored by the Equal Business Opportunity Commission Office (EBOCO). Please contact EBOCO (614) 645-4764 for assistance with identifying potential M/FBE subcontractors. Equal Business Opportunity Commission Office, 109 N. Front Street 4th Floor, Columbus, Ohio 43215, (614) 645-4764.

\*While the participation of minority and female owned businesses is encouraged the level of minority or female participation will not be a condition of the bid award.

**BID CANCELLATION AND REJECTIONS**

The right is reserved by the Director of Public Service of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, or to advertise for new proposals, when it is in the best interest of the City. Also, the right is reserved by the Finance and Management Director to hold bids for a period of 180 days after the bid opening for evaluating both the proposals and the contractors. The award of the contract may be made at any time during that period.

**SPECIAL REQUIREMENTS**

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under laws of any other state.

ORIGINAL PUBLISHING DATE: July 07, 2006

BID OPENING DATE - July 21, 2006 4:00 pm

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SA002088 - Wet Weather Monitoring RFP

NPDES STORMWATER  
WET WEATHER MONITORING PROJECT  
Division of Sewerage and Drainage  
City Of Columbus, Ohio

REQUEST FOR PROPOSALS

The City of Columbus, Ohio is soliciting a Request for Proposals (RFP) pursuant to Columbus City Code 329.14 from experienced professional consulting/engineering firms to provide stormwater quality monitoring services for the City's Division of Sewerage and Drainage (DOSD). The purpose of this notice is to openly invite interested offerors to submit an RFP for consideration of this project.

The City's stormwater National Pollutant Discharge Elimination System (NPDES) permit requires the City to monitor discharges from its multiple separate storm sewer system (MS4) during wet weather events. The permit references specific outfall locations, physical and chemical parameters for which discharges are to be analyzed, frequencies for analysis, and reporting/characterization requirements. The City is seeking a qualified consultant to perform services associated with the wet weather monitoring permit requirements. Work under this project will continue through all five (5) years of the City's 5-year MS4 permit cycle.

Proposal packages for this submittal are available beginning Thursday, June 22, 2006 from the Department of Public Utilities Office/Division of Sewerage and Drainage, 3rd floor, Room 3134, Utilities Complex, 910 Dublin Road, Columbus, OH 43215. The City's contact for this project is Jeff Cox, P.E. Project Manager at (614) 645-8442.

Selection of professional services shall be in accordance with Section 329.14 of Columbus City Codes, 1959. Any agreement or contract entered into will be in accordance with the provisions of Chapter 329, of Columbus City Codes, 1959, the standard agreements rules and regulations.

All offerors, and their proposed subcontractors, shall have valid City of Columbus Contract Compliance Numbers (CCCN). Applications for certification may be obtained from the City of Columbus website ([www.columbus.gov](http://www.columbus.gov)), or from:

City of Columbus  
Equal Business Opportunity Commission Office  
109 North Front Street, 4th Floor  
Columbus, Ohio 43215-9020  
(614) 645-4764

PREQUALIFICATION REQUIREMENTS

To be considered for selection under this RFP, candidates shall exhibit direct, responsible wet weather monitoring experience with projects involving the collection of samples for chemical analysis, laboratory

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analysis, laboratory data evaluation, and reporting of analytical data from stormwater discharges and/or stream flows. Specifically, offerors must have successfully completed at least two (2) projects that were performed to determine constituent loadings of stream flows and/or stormwater outfall discharges. The tasks performed during these projects must have included some or all of the following:

Stream or outfall sampling  
Stream or outfall flow data collection and analysis  
Rain gage data collection and analysis  
Laboratory analysis  
Monitoring and laboratory results evaluation/characterization  
Preparation of reports summarizing conducted activities and analytical results.

A description of representative projects and reference (contact) information must be submitted as part of the proposal (See SUBMITTAL INFORMATION). Offerors that fail to meet these minimum qualifications or fail to submit project descriptions and reference information will not be considered for selection.

SELECTION SCHEDULE

The selection process shall proceed as follows:

1. Information packages will be available beginning Thursday, June 22, 2006, at:

PERMIT OFFICE  
Division of Sewerage and Drainage  
910 Dublin Road, 3rd Fl.  
Columbus, Ohio 43215-9053

All offerors are required to obtain the information package. There is no fee or charge for the information package.

2. Proposals will be received by the City until 4:00 PM (EST) on Friday, July 21, 2006. No proposals will be accepted thereafter.

Direct Proposals to:  
Mr. Tom A. Russell, P.E.  
Stormwater and Regulatory Compliance Section Manager  
c/o Permits Section, Division of Sewerage and Drainage  
910 Dublin Road, 3rd Floor  
Columbus, Ohio 43215-9053

Five (5) copies of the proposal documents shall be submitted in a sealed envelope (or envelopes) and shall be clearly marked "Proposal for NPDES Stormwater Wet Weather Monitoring Project".

Proposals shall be limited to twenty-five (25) pages. A front and back binding cover (printed both sides, if desired) may be included in addition to the twenty-five page limit. Proposals in excess of the twenty-five page limit will be rejected and will not be considered. Offerors are advised that the Department of Public Utilities desires that proposals prepared in response to this RFP be submitted on recycled paper, and that all copies be printed on both sides of paper. While the appearance of proposals is important, and

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professionalism in proposal presentation should not be neglected, the use of non-recyclable or non-recycled glossy materials is discouraged. In addition, it is requested that proposals be in flat bound form to facilitate filing. Please do not submit proposals in loose-leaf binders.

3. The Committee shall rank all offerors based upon the evaluation criteria specified in this document.
4. The Committee shall submit its ranking of the offerors, along with a written explanation, to the Director of the Department of Public Utilities.
5. It is the intention of the Division of Sewerage and Drainage to enter into contract with the selected offeror. Project specific contract negotiations shall then commence with the selected offeror. Should the City and selected offeror fail to reach an agreement on contract terms; the City will enter negotiations with the next highest ranked offeror. The project will be awarded to the offeror solely at the discretion of the Director of Public Utilities.

SUBMITTAL INFORMATION

The following information shall be included in the proposal submittal:

1. Information that supports the competence of the offeror to perform the required service as indicated by the technical training, education and experience of the offeror's personnel who would be assigned to perform the work. Information provided shall be inclusive of both the company as a whole and, more specifically, of personnel who will be assigned to this project, including sub-consultants. Information that documents the offerors past experience with other projects h/she has successfully completed that are germane to the work to be performed under this project. At a minimum, the offeror shall provide descriptions at least two (2) related projects that the offeror has completed to meet the prequalification standards.
2. Information describing the offeror's approach to completing the tasks provided in the Preliminary Scope of Services. The offeror shall provide an approach that presents an understanding of the Preliminary Scope of Services and the purpose of this project. Additional insight or recommendations proposed by the offeror to enhance the project scope are encouraged and will be considered. The offeror shall provide a description of all equipment and methods, and shall identify the personnel that h/she intends to use to complete the tasks associated with this project.
3. Proposed project schedule (relative to the Notice to Proceed). The offeror shall provide a proposed project schedule that shows the month of each year during which the completion of tasks and submittal of deliverables that are anticipated to occur throughout the 5-year permit period. The schedule shall be labeled and shall be included as Appendix A in the proposal.
4. The estimated hours and labor rates to complete each task in the Preliminary Scope of Services. The estimated hours, labor rates, and overall cost of services shall be summarized in Appendix B and Appendix C, respectively. The estimates shall be labeled and included as Appendix B and Appendix C in the proposal.
5. Information that supports the offerors past performance on other projects h/she has successfully completed that are germane to the work to be performed under this project. At a minimum, the offeror shall provide references for at least two (2) projects that the offeror has completed to meet the prequalification standards. References for all additional related projects that the offeror has successfully completed shall

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also be provided.

6. Location of workforce. The offeror shall disclose in his/her proposal the percentage of the Team's (Team = project assigned staff including subconsultants) project labor costs that are assignable to employees paying City of Columbus income tax on the date the proposal is submitted. The percentage of the Team's labor that will be performed in an office location within Franklin County but outside of the Columbus Corporate limits on the date the proposal is submitted shall also be included if applicable.

7. City of Columbus Contract Compliance Number (CCCN) for submitting firm and all proposed subcontractors. For those not holding a valid CCCN, submit a copy of the completed, submitted Contract Compliance Certification Application.

8. Additional information specific to this project or this type of work and the evaluation criteria.

**EQUAL BUSINESS OPPORTUNITY COMMISSION GUIDELINES**

The City of Columbus encourages the participation of City certified minority and female business enterprises. All bidders/offerors shall identify all subcontractor(s) who will perform any type of contracting on City bid/proposal(s). All bidders/offeror(s) shall include in their bid/proposal response the anticipated cost and scope of work performed by all subcontractor(s), along with their contract compliance number(s). If the bidders/offerors do not have minority/female business participation in the bid/proposal an explanation must be given and included with the bid/proposal in order to satisfy this requirement.\*

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/proposal is submitted the bid/proposal will be deemed non-responsive and will not be considered.

Expired contract compliance numbers will be given 7 business days after the submittal date to update their contract compliance information. If information has not been updated after 7 business days the bid/proposal will be deemed non-responsive and will no longer be considered.

This information is gathered and monitored by the Equal Business Opportunity Commission Office (EBOCO). Please contact EBOCO for assistance with identifying potential M/FBE contractors or to check the status of your contract compliance numbers.

Equal Business Opportunity Commission Office  
109 N. Front Street, 4th Floor  
Columbus, Ohio 43215  
(614) 645 -4764

M/FBE Certification Tia Roseboro 645-2203  
Contract Compliance Ginger Cunningham 645-2192

While the participation and or partnering of certified minority and female owned businesses is encouraged the level of minority and female participation will not be a condition of the bid award.

**EVALUATION CRITERIA**

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The evaluation criteria for offerors shall include, but not be limited to, the following:

Proposal Evaluation Criteria

1. Competence to perform the required service (Maximum Possible Points: 30)

a. Does two (2) or more of the projects documented in the Proposal involve the Project Manager and at least two assigned key personnel (including subconsultants) include any of the following tasks?

Maximum assigned points: 12

Sample collection; assigned points (0 to 3)

Precipitation/flow monitoring; assigned points (0 to 3)

Laboratory analysis; assigned points (0 to 3)

Laboratory data evaluation/Report generation; maximum assigned points (0 to 3)

b. Number of related projects documented in Proposal that were successfully completed by Project Manager and/or Project Team:

Maximum assigned points: 10

2 to 5 projects; assigned points (5)

Greater than 5; assigned points (5)

c. Number of related projects documented in the proposal that were successfully completed by at least two of the assigned key personnel (including subconsultants):

Maximum assigned points: 8

2 to 5 projects; assigned points (4)

Greater than 5; assigned points (4)

2. Quality and Feasibility of the Technical Proposal (Maximum Possible Points: 25)

a. Has understanding of the project and scope of services been adequately demonstrated through the presentation of additional information other than a verbatim reproduction of the preliminary scope of services or language contained in the RFP?

Assigned points (0 to 10)

b. Has the offeror offered any meaningful insight, recommendations, or enhancements beyond the original scope of services or intent of the project based on past experience or working knowledge of the services requested in this RFP?

Assigned points (0 to 10)

c. Has the proposal been prepared in an organized and presentable manner? (The quality of the proposal will be considered to be indicative of the quality of deliverables that will be prepared and submitted to the City by the offeror under this project. Consideration shall be given to misspelled words, mathematical errors, clarity of written communication, etc.)

Assigned points (0 to 5)

3. Rates/Estimated Hours (Maximum Possible Points: 15)

a. Can the offeror perform the required service competently and expeditiously as indicated by the offeror's

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workload and the availability of necessary personnel, equipment and facilities?

Assigned points (0 to 5)

b. Do the hours proposed to perform the work appear reasonable as compared to other proposals for this project or comparable past projects completed by the City?

Assigned points (0 to 5)

c Do hourly rates, indirect rate, net fee, reimbursable expenses appear reasonable?

Assigned points (0 to 5)

4. Past Performance (Maximum Possible Points: 20)

Offerors shall provide a list of references for ALL projects associated with stormwater outfall and/or in-stream monitoring and data analysis that the offeror has successfully completed and listed to support his/her competence to perform the required service. Point values will be assigned based on information provided by these references. Past performance on City projects, whether listed in the proposal or not, will also be considered.

Assigned points (0 to 20)

5. Location of Workforce (Maximum Possible Points: 10)

a. At least 90% of the Team's project labor costs are assignable to employees paying City of Columbus income tax on the date the proposal is submitted

Assigned points (10)

b. At least 75% of the Team's project labor costs are assignable to employees paying City of Columbus income tax on the date the proposal is submitted

Assigned points (8)

c. At least 50% of the Team's project labor costs are assignable to employees paying City of Columbus income tax on the date the proposal is submitted

Assigned points (5)

d. At least 90% of the Team's labor will be performed in an office location within Franklin County but outside of the Columbus Corporate limits on the date the proposal is submitted

Assigned points (8)

Total Maximum Possible Points = 100

Cheryl Roberto

Director of Public Utilities

ORIGINAL PUBLISHING DATE: June 21, 2006

BID OPENING DATE - July 24, 2006 12:00 pm

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SA002094 - RFP GEN ENG FOR ROAD, UIRF, AND BIKE 06

Notice of Request for Proposals  
General Engineering Roadways - 2006  
General Engineering UIRF - 2006  
General Engineering Bikeways - 2006

In accordance with Columbus City Codes, 1959 the City of Columbus, Ohio, Department of Public Service is seeking Request for Proposals (RFP's) for professional engineering services associated with the General Engineering Roadways - 2006, General Engineering UIRF - 2006, and General Engineering Bikeways - 2006 project. The requested general engineering services are for designing minor roadway improvements in various locations throughout the City of Columbus.

The specific locations will be prioritized and selected by the Roadway Design, UIRF, and Bikeway Sections of the Transportation Division. The Consultant is then to provide construction plans in a timely manner. The intent of the project is to provide the Transportation Division with additional resources to prepare biddable construction plans for minor roadway improvement projects at various locations in the City of Columbus on short notice.

Project Deliverables: Preliminary Plan and Construction Cost Estimates, LG&T Plans, F&OC Plans, Final Construction Cost Estimate, Quantities, and Construction Plans (copies and Mylar originals, as needed). Pavement Design and Analysis Reports, Geotechnical Reports, and CAD Drafting submissions. Project locations shall be determined and provided to the Consultant as they are developed.

An evaluation committee selection team will review, assess and rank the Proposals according to the criteria stated in the Request for Proposal (RFP). Offerors may be asked to provide an oral presentation before final recommendations are issued to the Director of Public Service for a final recommendation to City Council for approval.

The City shall enter into contract negotiations with the selected Offeror. If negotiations fail, the City shall enter into contract negotiations with the next highest-ranking Offeror. This process shall continue until a contract is successfully negotiated.

Upon completion of the evaluation process the top three ranked firms will assigned one of the three contracts (one for roadway, one for UIRF, and one for bikeway) to be issued via this RFP. No firm will receive more than a single contract.

**CONTRACT COMPLIANCE REQUIREMENTS AND EQUAL OPPORTUNITY CLAUSE**

Each responsive bidder shall submit, with their bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification. Any questions or inquiries concerning this should be directed to the Equal Business Opportunity Commission Office.

The City of Columbus encourages the participation of Minority and female owned business enterprises.

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Each bidder must identify any subcontractor(s) who are minority or female owned businesses (M/FBE's) as defined in Title 39 of the Columbus City Code along with the scope of work and anticipated cost. This information is gathered and monitored by the Equal Business Opportunity Commission Office (EBOCO). Please contact EBOCO (614) 645-4764 for assistance with identifying potential M/FBE subcontractors. Equal Business Opportunity Office, 109 N. Front Street, 4th Floor, Columbus, Ohio 43215, (614) 645-4764.

Interested firms may request a copy of the RFP from the Contract Officer by contacting at the address below. All questions concerning this advertisement or the RFP must be forwarded to this same address. Firms wishing to submit a proposal must meet the mandatory requirements stated in the RFP.

Gregory M. Carr, Contract Officer  
City of Columbus, Department of Public Service  
109 North Front Street, Room 301  
Columbus, OH 43215

e-mail: [gmcarr@columbus.gov](mailto:gmcarr@columbus.gov)

Proposals will be accepted at the above address until 12:00 p.m on, July 24, 2006.  
ORIGINAL PUBLISHING DATE: July 01, 2006

BID OPENING DATE - July 27, 2006 11:00 am

SA002080 - VERITAS SFTWRE/SUPPORT-DEPT OF TECHN LGY

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1. SCOPE AND CLASSIFICATION

1.2 SCOPE

1.2.1 The City of Columbus, Department of Technology is requesting bids from suppliers who are resellers of the Veritas NetBackup suite of software. This software will enhance the recovery time of lost data and will also help position the City in disaster recovery.

1.2.2 The software will be installed on various Windows servers and utilize Storage Foundation High availability, FlashSnap and the server clustering option.

1.2.3 The general capabilities of the software technology will also give the City the ability to perform high speed back ups through SAN without using from the City's network.

1.2.4 The duration of the contract will be as follows:

1.2.4.1 The start date will be contingent upon approval of Columbus City council and will expire on December 31, 2008.

1.2.4.2 This contract may be renewed on its anniversary date for up to one additional year beyond the initial term contingent upon mutual agreement of both parties.

1.2 CLASSIFICATION

1.2.1 The contract will cover all support, maintenance and upgrades to software listed in the requirements for the period as stated in 1.1.4.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215

ORIGINAL PUBLISHING DATE: June 15, 2006

SA002082 - MONITORS FOR HELICOPTORS/DIVISION POLICE

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: The City of Columbus Division of Police is seeking bids for a one-time purchase of new and unused airborne computer monitors. Equipment would be installed on aircraft operated by the Division of Police.

1.2 Classification: The purchase will consist of six (6), possibly (7) airborne computer monitors-color, with at least a 10.4" screen. The Division would like to purchase (7) monitors, but due to funding, may not be able to.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215

Type of Bid: IFB

Requested By: Sgt. Jack Harris

Contact for SPECS: Sgt. Jack Harris  
Phone (Voice/Fax) 614-645-4656

Contact for DELIVERY: Sgt. Jack Harris  
Phone (Voice/Fax) 614-645-4656

Contact for PAYMENT: Cindy White  
Phone (Voice/Fax) 614-645-4656

Brief Description/Purpose: purchase of new monitors for the helicopters

Duration of Proposed Contract: one time purchase

COMPLETE ALL FIELDS THAT APPLY

PREBID CONFERENCE? no

PREVAILING WAGE? no

WORKER'S COMPENSATION? no

UNIVERSAL TERM CONTRACT(UTC)? no

GENERAL LIABILITY INSURANCE? no

OTHER INSURANCE? no

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PERFORMANCE BOND & PERCENTAGE?

BID/PROPOSAL BOND & PERCENTAGE?

OSHA REQUIREMENTS? no

PRIOR YEAR BID AND/OR CONTRACT NUMBER: none

ORIGINAL PUBLISHING DATE: June 17, 2006

SA002090 - Water - Digital Leak Correlator System

1.1 Scope: The City of Columbus, Division of Water is soliciting bids for the purchase of one (1) AccuCorr 3000 Digital Leak Correlator System with Outstations and Survey Tools Sets for its Distribution Maintenance Section. The equipment is to be fully digital and come with portable ground microphone system.

1.2 Classification: The City of Columbus, Division of Water currently uses an AccuCorr system. This system is to include 3 outstations and 4 survey tools sets. Bidders are also being asked to provide 32 hours of training for at least six (6) Division of Water employees and will be scheduled with the awarded supplier through the Division of Water.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051. A complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215.

ORIGINAL PUBLISHING DATE: June 23, 2006

SA002092 - ADS Flow Monitoring Parts/Service UTC

**THE CITY BULLETIN**  
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1.1 Scope: The City of Columbus, Division of Sewerage and Drainage, Sewer Design Section is soliciting bids for the purchase of replacement parts and services for OEM ADS Environmental Flow Monitoring Equipment. The City requires parts and services for Series 3500 and 4000 meters. This equipment is used to monitor the flow of storm water through the City's sewerage system. The City estimates spending \$50,000.00 annually on this contract. The proposed contract will be in effect from the date of execution to and including December 31, 2009.

1.2 Classification: The Division of Sewerage and Drainage owns approximately 250 ADS flow meters. This bid proposal and the resulting contract will provide for the purchase of OEM ADS Environmental Flow Monitoring parts and services on as needed basis. Suppliers must be an authorized service and parts provider for ADS Environmental. The City of Columbus reserves the right to verify that companies are authorized through ADS Environmental.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215.

ORIGINAL PUBLISHING DATE: June 27, 2006

BID OPENING DATE - July 31, 2006 3:00 pm

SA002097 - Facilities & Safety Training Mgt. RFP

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BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

REQUEST FOR PROPOSAL FOR PROFESSIONAL SERVICES  
FOR  
FACILITIES AND SAFETY TRAINING MANAGEMENT AND DOCUMENTATION SERVICES  
FOR THE COLUMBUS, OHIO DEPARTMENT OF PUBLIC UTILITIES

Notice is hereby given that the City of Columbus, Ohio, Department of Public Utilities (DPU), Division of Sewerage and Drainage (DOSD), wishes to receive Proposals from firms interested in and qualified for, furnishing professional services in connection with the following project:

FACILITIES AND SAFETY TRAINING MANAGEMENT AND DOCUMENTATION SERVICES

Selection of professional services shall be in accordance with Section 329.14 of Columbus City Codes, 1959. Any agreement or contract entered into will be in accordance with the provisions of Chapter 329, of Columbus City Codes, 1959, the standard agreements for professional services of the Department of Public Utilities, and all other applicable rules and regulations

The City of Columbus encourages the participation of City certified minority and female business enterprises. If the offeror does not have minority/female business ("M/FBE") participation in the proposal, an explanation must be given and included with the proposal to satisfy this requirement. (Note, while the participation of certified minority and female owned businesses is encouraged the level of minority and female participation is not a condition of the bid award). The following equal business opportunity provisions apply to both contractors and subcontractors.

All offerors, and their proposed subcontractors, shall have valid City of Columbus Contract Compliance Numbers (CCCN) at the time their RFP is submitted. Applications for certification may be obtained from the City of Columbus website ([www.columbus.gov](http://www.columbus.gov)), or from:

City of Columbus  
Equal Business Opportunity Commission Office (EBOCO)  
109 North Front Street, 4th Floor  
Columbus, Ohio 43215-9020  
(614-645-4764)

All offerors that do not have (1) an application in their bid proposal 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 not considered.

An offeror with an expired compliance number will be given 7 business days after bid submittal to update its contract compliance information. If information has not been updated after 7 business days, the proposal will be deemed non-responsive and not considered in the bid award.

Information gathered in the above compliance certification process is monitored by the EBOCO. You may seek assistance in identifying potential M/FBE contractors or checking the status of your compliance number by contacting Tia Roseboro (M/FBE Certification) at 645-2203 or Ginger Cunningham (Contract Compliance) at 645-2192.

INFORMATION PACKETS

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It is mandatory that all Offerors obtain a free Offeror's Information Packet before 3 PM on Tuesday, July 25, 2006. The packets are available from the Division of Sewerage and Drainage, 1250 Fairwood Avenue, Room 1003, Columbus, Ohio 43206, or by written request to:

City of Columbus, Ohio  
Division of Sewerage and Drainage  
Treatment Engineering Section  
1250 Fairwood Avenue  
Room 0020  
Columbus, Ohio 43206  
(614) 645-0884  
Attn: Donald O. Cruden

Offerors are asked to submit their questions to Donald O. Cruden via e-mail at [docruden@columbus.gov](mailto:docruden@columbus.gov) before 3:00 PM (EDT) on Tuesday, July 25, 2006.

**SUBMISSION DEADLINE**

Final date for submission of proposal documents will be no later than 3:00 p.m (EDT) Monday, July 31, 2006. Any submittals received after that time will not be considered.

**SUBMITTAL REQUIREMENTS**

Five (5) copies of the proposal document shall be submitted in a sealed envelope to Steve Salay, Assistant Administrator, DOSD, 1250 Fairwood Avenue, Room 1003, Columbus, Ohio 43206. The envelopes shall be clearly marked on the exterior to denote both the names of the submitting firm and the particular professional services contract for which the proposals are offered.

The following information shall be included in the submittal:

1. Address each of the criteria described below under the heading EVALUATION CRITERIA (considering the qualifications of both the primary staff and the company).
2. Location of local office, identification of project manager and primary staff and their business locations during the project, and assigned responsibilities.
3. City of Columbus Contract Compliance Number (CCCN) for submitting firm and all proposed subcontractors. For those not holding a valid CCCN, submit a copy of the completed, submitted Contract Compliance Certification Application.
4. Additional information specific to this project or this type of work and the evaluation criteria.
5. Present the proposal in an 8 1/2 by 11-inch format and bound, employ fonts no smaller than 10 point, and be succinct and clear.

**EVALUATION CRITERIA**

Each proposal will initially be evaluated as to whether the proposed team (i.e. consultant and

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Subconsultants) meets the established minimum qualifications to perform the work competently. Only teams meeting these minimum qualifications will be evaluated further using the points.

Minimum Qualifications

1. The firm or team must have successful training, safety, and documentation program design and implementation of two similar projects. The projects must be similar in complexity and scope of work and have an estimated cost of at least \$300,000 for each project.

2. Management of work under this contract shall require the direct participation of a senior level manager. The project manager must be experienced in the design and implementation of two similar training, safety, and documentation programs for similarly sized wastewater facilities, as noted in Item 1 above.

Submissions will be evaluated by the Evaluation Committee based on the following criteria and rating values:

1. Experience of Team: 40 Points:

a. Up to 30 points assigned for implementation of a similar treatment plant training, safety, and documentation program.

b. Up to 5 points assigned for successful history of working with DPU

c. Up to 5 points for successful history of working with multiple. subcontractors and complying with local, state, and federal project requirements.

2. Proposal Quality: Up to 40 Points:

a. Up to 15 points for demonstrated understanding of project.

b. Up to 10 points for project approach.

c. Up to 10 points for a work plan that meets the contract needs.

d. Up to 5 points for innovation.

3. Local Workforce: 20 Points:

a. At least 90% of the Team's project labor costs are assignable to employees paying City of Columbus income tax on the date the proposal is submitted (Total:20).

b. At least 75% of the Team's project labor costs are assignable to employees paying City of Columbus income tax on the date the proposal is submitted (Total: 15).

c. At least 90% of the Team's labor will be performed in an office location within Franklin County but outside of the Columbus Corporate limits on the date the proposal is submitted (Total: 15).

d. At least 50% of the Team's project labor costs are assignable to employees paying City of Columbus income tax on the date the proposal is submitted (Total: 10).

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GENERAL DESCRIPTION:

A. The City of Columbus operates two large interconnected municipal wastewater treatment plants, a biosolids composting facility, and a Sewer Maintenance Operations Center. Although a large part of this work is for these facilities, the City may include in this contract similar work for other DPU facilities. The Department of Public Utilities has personnel that require training on equipment, treatment systems, and safety; this proposal shall address these areas of need.

B. This work is part of the City's continuing program to upgrade wastewater treatment facilities, provide efficient, reliable, cost-effective operations, and enhance personnel safety. It is anticipated this contract will be for a five year period and the Professional Services herein shall be funded by incremental appropriations, approximately annually; therefore, an annual submittal is required containing the annual work plan and annual schedule 3A budget. This work will coincide with the City's Professional Program Management work to meet State of Ohio Consent Order deadlines. Specific items include:

1. Establish an On-Line Training program for equipment, treatment systems, and safety at these DPU facilities. This program must be compatible with the On-Line Operations and Maintenance Manuals and Standard Operating Procedures being prepared by others. This program and associated software must be licensed to the City of Columbus Department of Public Utilities for use both during this project and after the conclusion of this contract. DPU must be able to maintain the training program and all existing and future training courses. Identify existing equipment and new equipment that needs to have an on-line format and prepare a proposed annual plan of work.

2. Insure that training for equipment and systems is offered in an on-line web-based format and that coordination is provided for the face-to-face training provided by equipment manufacturers at the facilities.

3. Insure that this training is documented. Reports must be generated periodically to demonstrate Department training efforts.

4. Provide safety training in an on-line web-based format which can be expanded to all DPU facilities and staff. This training must be broken down with a recommended schedule.

5. Review and field verify existing SOPs and document all necessary updates. SOP updates must be made in the like format as the original. The updated SOPs must be provided in an electronic format and uploaded onto the City's electronic web-based online O&M system.

6. Review and update the Integrated Contingency Plan (ICP) to include timely applicable emergency scenarios. The scenarios with applicable response will be developed with the assistance of the DPU Safety Department.

7. Maintenance Tool training is another requirement of this contract. Within the first three years the provider will offer training on eight pieces of equipment selected by the Sewer Maintenance Operations Center. The provider will develop online web-based courseware and upload the training onto the departments training servers.

7A. Submit with your proposal a hypothetical work plan and budget for the item 7 task, Maintenance Tool

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Training.

8. All mandatory training such as Orientation and Safety training must initially be provided to employees in a classroom setting before an employee is eligible to take refresher mandatory training classes in a web-based online format; work with the DPU Human Resources Safety representative to provide all employees with this initial classroom mandatory training and to develop and provide the mandatory training web-based online component.

C. The Scope of Work for this project, at the City's discretion, will consist of the following elements:

1. General Scope

a. Step 1 - Guide Specifications Review

Review the existing Guide Specifications used by the Division of Sewerage and Drainage for Capital Improvements Projects and Plant Improvement Projects. Work with the DPU Staff and the Overall Engineering Coordinator to modify the existing Guide Specifications as it relates to training goals and objectives, relationships, responsibilities and measurements.

b. Step 2 - Project Specification Review

Review project equipment and systems specifications prepared by the project's Design Professional for Capital Improvement Projects and Plant Improvement Projects for assigned projects. Work with the DPU Staff and the Design Professional to develop specific training language and requirements for that project's equipment and systems.

c. Step 3 - Services during Construction

Evaluate the training program for Capital Improvement Projects and Plant Improvement Projects for assigned projects. This shall include training review and approval of training lesson plans, qualifications of trainer provided by equipment manufacturer or systems designer, training aids proposed, training schedule and training delivery and evaluation; work with the DPU Staff, Design Professional and the project's Construction Manager during training submittal reviews to accomplish this goal. Establish a web-based On-Line Training Program for equipment and treatment systems for the treatment facilities. This program will be compatible with the Web-based On-Line Operations and Maintenance Manuals and Standard Operating Procedures currently being developed by others. This program will utilize standard, off-the-shelf software and will be the property of the City of Columbus and will reside on its computer system. The training program will document the understanding of DPU staff by testing and this education program needs to be approved by the State regulatory agency for continuing education credit.

d. Step 4 - Proposed Work Plan and Schedule 3A Budget

It is anticipated this contract will be for a five year period and the Professional Services herein shall be funded by incremental appropriations, approximately annually; therefore, submit an annual Work Plan Schedule and Schedule 3A Budget with each annual appropriation, outlining the work to be completed, and hours and cost for each task. The work described needs to include existing equipment, new equipment, SOP review and updates, safety, ICP, administration (scheduling and review of face-to-face training and administration of courseware approval by the OEPA.

e. Upload All Completed Training Onto DPU Training Servers

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All the finished programs, courseware, reviewed SOPs will be uploaded onto the DPU servers.

f. Other

Provide training on an as needed basis for any DPU facility as directed by the City.

Cheryl Roberto

Director of Public Utilities

ORIGINAL PUBLISHING DATE: July 01, 2006

BID OPENING DATE - August 3, 2006 11:00 am

SA002102 - Refuse/96 Gal Containers UTC

1.1 Scope: It is the intent of the City of Columbus, Public Service Department, Refuse Collection Division, to obtain formal bids to establish a Universal Term Contract for a three year period for the purchase of 96-gallon mechanized refuse collection containers to effect municipal solid waste collection within the City of Columbus.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215

ORIGINAL PUBLISHING DATE: July 08, 2006

SA002103 - Refuse 300-Gal Containers UTC

1.1 Scope: It is the intent of the City of Columbus, Public Service Department, Refuse Collection Division, to obtain formal bids to establish a Universal Term Contract for three years for the purchase of 300-gallon mechanized refuse collection containers for use to effect municipal solid waste collection within the City of Columbus.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215

ORIGINAL PUBLISHING DATE: July 08, 2006

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SA002106 - PUBLIC SAFETY/GENERATOR w/INSTALLATION

1.1 Scope: It is the intent of the City of Columbus, Division of Support Services to obtain formal bids to establish a Contract for the purchase and installation of a power generation system for use by the City of Columbus Communications Center (E911).

1.2 Classification: There is a State of Ohio Prevailing Wage component to this bid. Each bid must be accompanied by a bid bond of 10% of the maximum amount of the bid. A 100% performance bond shall be furnished to the purchaser within ten days of notification of contract award.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215

ORIGINAL PUBLISHING DATE: July 12, 2006

BID OPENING DATE - August 9, 2006 3:00 pm

SA002093 - DRWP SODIUM HYPOCHLORITE FACILITY

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ADVERTISEMENT FOR BIDS

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, Room 4105, 910 Dublin Road, 4th Floor, until 3:00 p.m. local time, on August 9, 2006 and publicly opened and read at the hour and place for DUBLIN ROAD WATER PLANT, DISINFECTION AND MISCELLANEOUS IMPROVEMENTS, SODIUM HYPOCHLORITE FACILITY, CONTRACT NO. 966, PART 2, PROJECT 690379. The work for which proposals are invited consists of a complete new sodium hypochlorite storage and feed facility, demolition of the existing chlorine facilities and miscellaneous improvements to the existing facilities at the City of Columbus Dublin Road Water Plant, and such other work as may be necessary to complete the contract in accordance with the plans and specifications. Copies of the Contract Documents may be purchased by prospective bidders from Key Companies, 195 East Livingston Avenue, Columbus, Ohio 43215 at (614) 228-3285 or via Plankey at [www.plankey.com](http://www.plankey.com) upon payment of \$190.00 per set and are available there on or after July 3, 2006. No refunds will be made. Checks shall be payable to Malcolm Pirnie, Inc. The Bidding Documents packet will include one full size set of Drawings with printed Project Manual. 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:

DUBLIN ROAD WATER PLANT, DISINFECTION AND MISCELLANEOUS IMPROVEMENTS,  
SODIUM HYPOCHLORITE FACILITY  
CONTRACT NO. 966, PART 2, PROJECT 690379

CONTACT PERSON

The City of Columbus Contact Person for this project is Miriam Siegfried, P.E. of the Division of Power & Water, Water Supply Group - Technical Support Section (614) 645-7100; email: [mcsiegfried@columbus.gov](mailto:mcsiegfried@columbus.gov).

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting of either a Proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements which are included in the Bid Submittal Documents regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction & Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

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Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Materials Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., 3rd Floor, Columbus, Ohio 43215 (614) 645-8290, at the offices of The Transportation Division, 1800 E. 17th Avenue, Columbus, Ohio 43219 (614) 645-3182, and at the office of the Director of Public Utilities, 910 Dublin Rd., 4th Floor, Columbus, Ohio 43215 (614) 645-6141.

**CONTRACT COMPLIANCE REQUIREMENTS**

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification.

**BID CANCELLATION AND REJECTIONS**

The right is reserved by the Director of Public Utilities of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, to hold bids for a period of sixty (60) days after the bid opening, and/ or to advertise for new proposals, when it is in the best interests of the City.

**SPECIAL REQUIREMENTS**

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state.

**SUBSURFACE DATA:**

Subsurface data was obtained for project design purposes. Copies of the report are available upon execution of the subsurface information release form from: Malcolm Pirnie, Inc., 1900 Polaris Parkway, Suite 200, Columbus, Ohio 43240. (Phone 614-888-4953) at the costs of reproduction and postage.

**PREBID CONFERENCE**

A pre-bid conference for this project will be held on July 19, 2006 at 9:00 a.m. in the Conference Room of the Dublin Road Water Plant, 940 Dublin Road, Columbus, Ohio 43215. This conference is not mandatory; however, bidders shall comply with and be responsible for the information discussed at the pre-bid conference. A brief tour of the affected plant and site areas will be conducted following the pre-bid conference.

**CITY BULLETIN DATES**

- 1). July 1, 2006
- 2). July 8, 2006
- 3). July 15, 2006

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

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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 contractors 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 the 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 \$20,000.00, 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 Franklin County Records Office; or (b) holds 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.

ORIGINAL PUBLISHING DATE: June 23, 2006

SA002104 - Manhole Casting and Lid Replacement

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ADVERTISEMENT FOR BIDS

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 4105, until 3:00 p.m., Local Time, on August 9, 2006 and publicly opened and read at that hour and place for the following project:

Manhole Casting and Lid Replacement CIP 650697

The work for which proposals are invited consists of replacement of manhole castings and lids, grade rings and minor brick work as scheduled and required. Detailed design drawings have not been prepared for this work. Work includes preparing maintenance of traffic drawings and obtaining street occupancy permits, and coordinating with effected public utilities for all locations. Copies of the Bidding Documents are on file at the Division of Sewerage and Drainage, Sewer System Engineering Section, Permit Office, Room No. 3044, 910 Dublin Road, Columbus, Ohio 43215-9053. The City of Columbus contact person for this project is John Newsome, P.E., of the Division of Sewerage and Drainages Sewer System Engineering Section, (614) 645-8460. Bid packets will be available beginning 07/14/06. Bid packets will be made available in a DVD format. Only electronic bid packets will be made available.

The Bid Proposal must be submitted IN THEIR ENTIRETY in a sealed envelope marked: Manhole Casting and Lid Replacement CIP 650697

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting of either a Proposal bond, in the form provided in the Bid Packet with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. The bond must express the amount of the bond in dollars and cents in order to be considered responsive. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements which are included in the Bid Packet regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction & Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in the Bid Packet refer to the City of Columbus, Ohio Construction and Materials Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of the Bid Packet. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad Street, 3rd Floor,

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Columbus, Ohio 43215 (614) 645-8290; at the offices of the Construction Inspection Division, 1800 E. 17th Avenue, Columbus, Ohio 43219 (614) 645-3182; and at the office of the Director of Public Utilities, 910 Dublin Road, 4th Floor, Columbus, Ohio 43215 (614) 645-6141.

**CONTRACT COMPLIANCE REQUIREMENTS**

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification.

**NOTICE OF EQUAL BUSINESS OPPORTUNITY REQUIREMENTS**

A. Minority and Female Business Enterprise (MBE and FBE) Participation: Title 39 of the Columbus City Code (C.C.C.) provides for certification of minority business enterprises and female business enterprises. Under the current legislation, a minority business enterprise is defined as a for-profit business performing a commercially useful function which is owned and controlled by a person or persons having an African American ancestry. C.C.C. ?3901.01(G). A female business enterprise is defined as a for-profit business performing a commercially useful function which is owned and controlled by one or more females of non-African American descent. C.C.C. ?3901.01(F).

B. Specific Contract M/FBE goals: Specific Contract M/FBE goals shall not apply to this selection.

C. In collaboration with the Equal Business Opportunity Commission Office, the Department of Public Utilities encourages the utilization of city-certified minority, female and small business enterprises and minority business registrants.

D. In addition to the current requirements of Title 39, Columbus City Codes, 1959, it is expected that all or part of this contract may be undertaken with State and/or Federal funding assistance. The City may, therefore, be required to conform to certain utilization goals in order to conform fully to those programs.

Documentation suggested: Include the name, description of the work, and the dollar value of all certified M/FBE's and MBR's included in the proposal.

For information related to minority, female and small business enterprises, please contact the Equal Business Opportunity Commission Office at (614) 645-4764.

**BID CANCELLATION AND REJECTIONS**

The right is reserved by the Director of Public Utilities of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, to hold bids for a period of 180 days after the bid opening, and/or to advertise for new proposals, when it is in the best interest of the City.

**SUBSURFACE DATA**

No subsurface investigation was performed for this project.

**CONTRACT COMPLETION**

The work under this contract shall be completed in a manner acceptable to the City within 360 calendar days after the effective date of the Notice to Proceed.

**SPECIAL REQUIREMENTS**

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of

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corporations organized under the laws of any other state.

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Cheryl Roberto

Director of Public Utilities

ORIGINAL PUBLISHING DATE: July 11, 2006

SA002107 - Power/Grounding & Bonding Str. Ltg. Sys.

**THE CITY BULLETIN**  
**BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS**

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, 4th Floor, Columbus, Ohio 43215, until 3:00 p.m. local time, on August 9, 2006 and publicly opened and read at the hour and place for Underground Street Lighting System Rehabilitation and Betterments (Northeast and Northwest Quadrants). The work for which proposals are invited consists of furnishing all labor, material and equipment required to upgrade of existing Division of Power and Water (Power) streetlights with underground wiring, otherwise known as bonding and grounding, to conformance with MIS 178, Scope of Work and Requirements and related drawings or plans and specifications covering proper bonding and grounding, and to test and verify grounding is equal to or below the maximum specified ohmic value. Copies of the Contract Documents and the plans are on file and are available to prospective bidders through the office of the Division of Power and Water (Power), 3500 Indianola Ave., Columbus, Ohio 43214, upon payment of \$25.00 per set (non-refundable). 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 Underground Street Lighting System Rehabilitation and Betterments (Northeast and Northwest Quadrants).

**PROPOSAL GUARANTY**

No Proposal will be considered unless accompanied by a bond or certified check drawn on a solvent bank made payable to the City of Columbus, Ohio in an amount not less than ten percent of the Bidder's Proposal, conditioned upon execution of the Contract and furnishing of a performance and payment bond in the event the Contract is awarded to the Bidder. The amount indicated in the Proposal Bond shall be expressed as dollars and cents and not as a percent of the bid or alternate bids and shall equal or exceed ten (10) percent of the bid or highest bid submitted.

**PREVAILING WAGE RATE**

Attention of the bidder is called to the special requirements which are included in the Bid Submittal Documents regarding prevailing rates of wages to be paid.

**CONTRACT PERFORMANCE AND PAYMENT BOND**

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction & Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

**CONSTRUCTION AND MATERIAL SPECIFICATIONS**

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Materials Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., 3rd Floor, Columbus, Ohio 43215 (614) 645-8290, at the offices of The Construction Inspection Division, 1800 E. 17th Avenue, Columbus, Ohio 43219 (614) 645-3182, and at the office of the Director of Public Utilities, 910 Dublin Rd., 4th Floor, Columbus, Ohio 43215 (614) 645-6141.

**CONTRACT COMPLIANCE REQUIREMENTS**

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification

**THE CITY BULLETIN**  
**BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS**

Number or a completed application for certification.

**BID CANCELLATION AND REJECTIONS**

The right is reserved by the Director of Public Utilities of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, to hold bids for a period of 120 days after the bid opening, and/ or to advertise for new proposals, when it is in the best interests of the City.

**SPECIAL REQUIREMENTS**

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state.

**CITY BULLETIN DATES**

- 1) July 22, 2006
- 2) July 29, 2006

BID PACKAGES WILL BE AVAILABLE FOR PURCHASING, MONDAY, JULY 24, 2006. IF YOU HAVE QUESTIONS IN REFERENCE TO THE BID DOCUMENT PLEASE CONTACT DUFFY D. MCSWEENEY AT 645-2191 OR EMAIL HIM AT THE FOLLOWING ADDRESS;

dmcsweney2@columbus.gov

ORIGINAL PUBLISHING DATE: July 12, 2006

BID OPENING DATE - August 17, 2006 11:00 am

SA002098 - Employee Benefits Prof Consultant

Employee Benefits Professional Consultant

Contract terms are from Feb 1, 2007 through Jan 31, 2010, renewable annually. The contract will be under the 2007 budget.

ORIGINAL PUBLISHING DATE: July 06, 2006

# 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

**Legislation Number:** PN0021-2006

**Drafting Date:** 01/18/2006

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Brewery District Commission 2006 Meeting Schedule

**Contact Name:** Brenda Moore

**Contact Telephone Number:** 614-645-8620

**Contact Email Address:** bgmoore@columbus.gov

**Body**

The 2006 regular monthly meetings of the Brewery District Commission will be held on the dates listed below at 6:15 p.m. at 109 N. Front Street, Columbus, Ohio 43215, in the ground floor Community Training Center. Copies of the agenda may be obtained by calling 645-8620 or by e-mail bgmoore@columbus.gov. A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Historic Preservation 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 645-8620 or TDD 645-6802.

Application Deadlines	Hearing Dates
January 19, 2006	February 2, 2006
February 16, 2006	March 2, 2006
March 23, 2006	April 6, 2006
April 20, 2006	May 4, 2006
May 18, 2006	June 1, 2006
June 22, 2006	July 6, 2006
July 20, 2006	August 3, 2006
August 24, 2006	September 7, 2006
September 21, 2006	October 5, 2006
October 19, 2006	November 2, 2006
November 22, 2006	December 7, 2006
December 21, 2006	January 4, 2007
January 18, 2007	February 1, 2007

**Legislation Number:** PN0022-2006

**Drafting Date:** 01/18/2006

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Victorian Village Commission 2006 Meeting Schedule

**Contact Name:** Brenda Moore

**Contact Telephone Number:** 614-645-8620

**Contact Email Address:** bgmoore@columbus.gov

**Body**

The 2006 regular monthly meetings of the Victorian Village Commission will be held on the dates listed below at 6:15 p.m. at 109 N. Front Street, Columbus, Ohio 43215, in the ground floor Community Training Center. Copies of the agenda may be obtained by calling 645-8620 or by e-mail bgmoore@columbus.gov. A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Historic Preservation

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 645-8620 or TDD 645-6802.

Application Deadlines	Hearing Dates
January 26, 2006	February 9, 2006
February 23, 2006	March 9, 2006
March 30, 2006	April 13, 2006
April 27, 2006	May 11, 2006
May 25, 2006	June 8, 2006
June 29, 2006	July 13, 2006
July 27, 2006	August 10, 2006
August 31, 2006	September 14, 2006
September 28, 2006	October 12, 2006
October 26, 2006	November 9, 2006
November 30, 2006	December 14, 2006
December 28, 2006	January 11, 2007
January 25, 2007	February 8, 2007

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**Legislation Number:** PN0023-2006

**Drafting Date:** 01/18/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Historic Resources Commission 2006 Meeting Schedule

**Contact Name:** Brenda Moore

**Contact Telephone Number:** 614-645-8620

**Contact Email Address:** bgmoore@columbus.gov

**Body**

The 2006 regular monthly meetings of the Historic Resources Commission will be held on the dates listed below at 6:15 p.m. at 109 N. Front Street, Columbus, Ohio 43215, in the ground floor Community Training Center. Copies of the agenda may be obtained by calling 645-8620 or by e-mail [bgmoore@columbus.gov](mailto:bgmoore@columbus.gov). A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Historic Preservation 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 645-8620 or TDD 645-6802.

Application Deadlines	Hearing Dates
February 2, 2006	February 16, 2006
March 2, 2006	March 16, 2006
April 6, 2006	April 20, 2006
May 4, 2006	May 18, 2006
June 1, 2006	June 15, 2006
July 6, 2006	July 20, 2006
August 3, 2006	August 17, 2006
September 7, 2006	September 21, 2006
October 5, 2006	October 19, 2006
November 2, 2006	November 16, 2006
December 7, 2006	December 21, 2006
January 4, 2007	January 18, 2007

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**Legislation Number:** PN0024-2006

**Drafting Date:** 01/18/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Italian Village Commission 2006 Meeting Schedule

**Contact Name:** Brenda Moore

**Contact Telephone Number:** 614-645-8620

**Contact Email Address:** bgmoore@columbus.gov

**Body**

The 2006 regular monthly meetings of the Italian Village Commission will be held on the dates listed below at 6:15 p.m. at 109 N. Front Street, Columbus, Ohio 43215, in the ground floor Community Training Center. Copies of the agenda may be obtained by calling 645-8620 or by e-mail bgmoore@columbus.gov. A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Historic Preservation 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 645-8620 or TDD 645-6802.

Application Deadlines	Hearing Dates
January 3, 2006	January 17, 2006
February 7, 2006	February 21, 2006
March 7, 2006	March 21, 2006
April 4, 2006	April 18, 2006
May 2, 2006	May 16, 2006
June 6, 2006	June 20, 2006
July 3, 2006	July 18, 2006
August 1, 2006	August 15, 2006
September 5, 2006	September 19, 2006
October 3, 2006	October 17, 2006
November 7, 2006	November 21, 2006
December 5, 2006	December 19, 2006
January 2, 2007	January 16, 2007

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**Legislation Number:** PN0025-2006

**Drafting Date:** 01/18/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** German Village Commission 2006 Meeting Schedule

**Contact Name:** Brenda Moore

**Contact Telephone Number:** 614-645-8620

**Contact Email Address:** bgmoore@columbus.gov

**Body**

The 2006 regular monthly meetings of the German Village Commission will be held on the dates listed below at 4:00 p.m. the German Village Meeting Haus, 588 S. Third Street, Columbus, Ohio 43215. Copies of the agenda may be obtained by calling 645-8620 or by e-mail at bgmoore@columbus.gov. A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Historic Preservation 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 645-8620 or TDD 645-6802.

Application Deadlines	Hearing Dates
December 20, 2005	January 3, 2006
January 24, 2006	February 7, 2006
February 21, 2006	March 7, 2006
March 21, 2006	April 4, 2006
April 18, 2006	May 2, 2006
May 23, 2006	June 6, 2006
June 20, 2006	July 11, 2006
July 18, 2006	August 1, 2006
August 22, 2006	September 12, 2006
September 19, 2006	October 3, 2006
October 24, 2006	November 14, 2006
November 21, 2006	December 5, 2006
December 19, 2006	January 9, 2007
January 23, 2007	February 6, 2007

**Legislation Number:** PN0026-2006

**Drafting Date:** 01/18/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Historic Resources Commission 2006 Business Meeting Schedule

**Contact Name:** Brenda Moore

**Contact Telephone Number:** 614-645-8620

**Contact Email Address:** bgmoore@columbus.gov

**Body**

The 2006 regular monthly business meetings of the Historic Resources Commission will be held on the dates listed below at 12:00 noon. at 109 N. Front Street, Columbus, Ohio 43215, in the 1st Floor Conference Room. Copies of the agenda may be obtained by calling 645-8620 or by e-mail bgmoore@columbus.gov. A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Historic Preservation 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 645-8620 or TDD 645-6802.

**Business Meeting Dates**

- January 12, 2006
- February 9, 2006
- March 9, 2006
- April 13, 2006
- May 11, 2006
- June 8, 2006
- July 13, 2006
- August 10, 2006
- September 14, 2006
- October 12, 2006
- November 9, 2006
- December 14, 2006

**Legislation Number:** PN0027-2006

**Drafting Date:** 01/18/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Italian Village Commission 2006 Business Meeting Schedule

**Contact Name:** Brenda Moore

**Contact Telephone Number:** 614-645-8620

**Contact Email Address:** bgmoore@columbus.gov

**Body**

The 2006 regular monthly business meetings of the Italian Village Commission will be held on the dates listed below at 12:00 noon. at 109 N. Front Street, Columbus, Ohio 43215, in the 1st Floor Conference Room. Copies of the agenda may be obtained by calling 645-8620 or by e-mail bgmoore@columbus.gov. A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Historic Preservation 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 645-8620 or TDD 645-6802.

**Business Meeting Dates**

January 10, 2006  
February 14, 2006  
March 14, 2006  
April 11, 2006  
May 9, 2006  
June 13, 2006  
July 11, 2006  
August 8, 2006  
September 12, 2006  
October 10, 2006  
November 14, 2006  
December 12, 2006

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**Legislation Number:** PN0028-2006

**Drafting Date:** 01/18/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Victorian Village Commission 2006 Business Meeting Schedule

**Contact Name:** Brenda Moore

**Contact Telephone Number:** 614-645-8620

**Contact Email Address:** bgmoore@columbus.gov

**Body**

The 2006 regular monthly business meetings of the Victorian Village Commission will be held on the dates listed below at 12:00 noon. at 109 N. Front Street, Columbus, Ohio 43215, in the 1st Floor Conference Room. Copies of the agenda may be obtained by calling 645-8620 or by e-mail bgmoore@columbus.gov. A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Historic Preservation 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 645-8620 or TDD 645-6802.

**Business Meeting Dates**

January 5, 2006  
February 2 2006

March 2, 2006  
April 6, 2006  
May 4, 2006  
June 1, 2006  
July 6, 2006  
August 3, 2006  
September 7, 2006  
October 5 2006  
November 2 2006  
December 7, 2006

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**Legislation Number:** PN0029-2006

**Drafting Date:** 01/18/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** German Village Commission 2006 Business Meeting Schedule

**Contact Name:** Brenda Moore

**Contact Telephone Number:** 614-645-8620

**Contact Email Address:** bgmoore@columbus.gov

**Body**

The 2006 regular monthly business meetings of the German Village Commission will be held on the dates listed below at 12:00 noon. at 109 N. Front Street, Columbus, Ohio 43215, in the 1st Floor Conference Room. Copies of the agenda may be obtained by calling 645-8620 or by e-mail bgmoore@columbus.gov. A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Historic Preservation 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 645-8620 or TDD 645-6802.

**Business Meeting Dates**

January 31, 2006  
February 28, 2006  
March 28, 2006  
April 25, 2006  
May 30, 2006  
June 27, 2006  
July 25, 2006  
August 29, 2006  
September 26, 2006  
October 31 2006  
November 28, 2006  
December 26, 2006

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**Legislation Number:** PN0038-2006

**Drafting Date:** 01/25/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Southwest Area Commission 2006 Meeting Schedule

**Contact Name:** Bonita Lee  
**Contact Telephone Number:** 614-645-7964  
**Contact Email Address:** btle@columbus.gov

**Body**

The Southwest Area Commission meets on the third Wednesday each month at New Horizons Church, 1663 Harrisburg Pike with the exception that the commission does not meet in December. For more information contact Bonita Lee at btle@columbus.gov.

2006 Meeting Schedule:

February 15  
March 15  
April 19  
May 17  
June 21  
July 19  
August 16  
September 20  
October 18  
November 15

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**Legislation Number:** PN0039-2006

**Drafting Date:** 01/25/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Greater Hilltop Area Commission 2006 Meeting Schedule

**Contact Name:** Bonita Lee  
**Contact Telephone Number:** 614-645-8620  
**Contact Email Address:** btle@columbus.gov

**Body**

The Greater Hilltop Area Commission meets on the first Tuesday of each month at the Hilltop Branch Library, 511 S. Hague Avenue at 7:00 p.m. with the exception of July (Independence Day) and November (Election Day). For more information contact Bonita Lee at btle@columbus.gov.

February 7  
March 7  
April 4  
May 2  
June 6  
July 11  
August 1  
September 5  
October 3  
November 14  
December 5

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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:

<http://www.publichealth.columbus.gov/>

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**Legislation Number:** PN0134-2006**Drafting Date:** 07/03/2006**Current Status:** Clerk's Office for Bulletin**Version:** 1**Matter Type:** Public Notice**Title****Notice/Advertisement Title:** Columbus Development Commission Policy Meeting Agenda for July**Contact Name:** Linda Poulton**Contact Telephone Number:** 614-645-8036**Contact Email Address:** ljpoulton@columbus.gov**Body**COLUMBUS Development COMMISSION POLICY MEETING  
PUBLIC HEARING

The Columbus Development Commission will hold their July Policy meeting on July 20, 2006 at 6:15 p.m. at the 757 Carolyn Ave. facility, lower level Hearing Room. Please enter through the South side entrance. Please note that this is the third Thursday of July, rather than the fourth.

Presentation, Discussion and Action

Big Darby Accord Watershed Plan

For information, contact:

Kevin Wheeler, Assistant Administrator

645-6057 or kjwheeler@columbus.gov

You can contact Linda Poulton at 645-8036 on the day of the meeting to confirm that this item will be heard.

A sign language interpreter will be made available provided the Planning Division has at least 48 hours notice before the meeting. Call 645-8036 to make the arrangements.

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**Legislation Number:** PN0135-2006**Drafting Date:** 07/05/2006**Current Status:** Clerk's Office for Bulletin**Version:** 1**Matter Type:** Public Notice**Title****Notice/Advertisement Title:** Board of Zoning Adjustment July Meeting Agenda**Contact Name:** Denise Powers**Contact Telephone Number:** 614-645-1788**Contact Email Address:** dapowers@columbus.gov

BOARD OF ZONING ADJUSTMENT AGENDA  
CITY OF COLUMBUS, OHIO  
JULY 25, 2006

The Columbus Board of Zoning Adjustment will hold a public hearing on the following applications on TUESDAY, JULY 25, 2006 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. ODS No.: 06310-00031

Location: 2173 EAST MINERVA AVENUE (43229), located on the south side of Minerva Avenue, 100 feet east of Beaumont Avenue.

Area Comm./Civic: Northland Community Council

Existing Zoning: R-1, Residential District

Request: Variance(s) to Section(s):

1. 3332.05, Area district lot width requirements. To reduce the lot width from 50' to 39.93'.
2. 3332.12, R-1 area district requirements. To reduce the total lot area from 7,200 sq.ft. to 4,292.47 sq.ft.

Proposal: The applicant proposes to construct a house on a vacant lot.

Applicant(s):

Thomas H. Marshall  
PO Box 38  
Mount Liberty, Ohio 43048

Property Owner(s): Applicant

Case Planner:

Jamie Freise  
645-6350  
JFFREISE@Columbus.gov

2. ODS No.: 06310-00032

Location: 1937 ORLANDO ROAD (43232), located on the west side of Orlando Road, 190± feet north of Mapleridge Drive.

Area Comm./Civic: None

Existing Zoning: SR, Suburban Residential District

Request: Variance(s) to Section(s):

1. 3332.25, Maximum side yards required. To reduce the sum of the widths of each side yard from 20% of the width of the lot to not less than 14%, or from 12 feet to 8.9 feet.
2. 3332.26, Minimum side yard permitted. To reduce the minimum side yard from 5 feet to 0.9 foot along the north side of an attached carport.

Proposal: To legitimize a carport that was constructed without a building permit or zoning clearance.

Applicant(s):

Jay R. Daniel  
1937 Orlando Rd.  
Columbus, OH 43232

Property Owner(s):

Owen Daniel, et al.  
5350 Meadow Grove Dr.  
Grove City, OH 43123

Case Planner:

Denise Powers  
645-1788  
DAPowers@columbus.gov

3. ODS No.: 06310-00033

Location: 526 WEST 2ND AVENUE (43201), located at the northeast corner of West 2nd Avenue and Perry Street.

Area Comm./Civic: Harrison West Civic Association

Existing Zoning: R-2F, Residential District

Request: Variance(s) to Section(s):

1. 3332.05, Area district lot width requirements. To reduce the lot width from 50' to 30'.
2. 3332.14 R-2F area district requirements. To reduce the total lot area from 6,000 sq.ft. to 2,250.6 sq.ft. on lot A.
3. 3332.14 R-2F area district requirements. To reduce the total lot area from 6,000 sq.ft. to 2,650 sq.ft. on lot B.
4. 3332.27, Rear yard. To reduce the rear yard from 25% to 17.6%
5. 3342.28, Minimum number of parking spaces required. To reduce the minimum required on-site parking spaces from 2 to 0.

Proposal: The applicant proposes to split an existing lot so that they may construct a house on the new lot.

Applicant(s):

Terrence R. Fahy  
201 Greenglade Dr.  
Worthington, Ohio 43085

Property Owner(s): Applicant

Case Planner:

Jamie Freise

645-6350  
JFFREISE@Columbus.gov

4. ODS No.: 06310-00041

Location: 1460 NORTH HIGH STREET (43201), located at the southeast corner of North High Street and 8th Avenue.

Area Comm./Civic: University Area Commission and University Area Review Board

Existing Zoning: C-4, Commercial District

Request: Variance(s) to Section(s):

1. 3309.142 Height district exceptions. To allow roof mounted telecommunications antennas to be erected on a building that is less than fifty (50) feet in height.

Proposal: To allow temporary unmanned telecommunications antennas and equipment that were installed without first obtaining zoning clearance.

Applicant(s):  
Cingular Wireless  
Tim Sturm, Agent  
5085 Reed Rd.  
Columbus, OH 43220

Property Owner(s): Applicant

Case Planner:  
Denise Powers  
645-1788  
DAPowers@columbus.gov

5. ODS No.: 06310-00043

Location: 711 SOUTH GRANT AVENUE (43206), located at the northwest corner of South Grant Avenue and Alexander Alley.

Area Comm./Civic: German Village Commission

Existing Zoning: R-2F, Residential District

Request: Variance(s) to Section(s):

1. 3332.14, R-2F Area District requirements. To reduce the minimum lot area from 6,000 square feet to 2,189 square feet.
2. 3332.18, Basis of computing area. To increase the maximum lot area allowed to be covered by building from 50% to 66%.
3. 3332.19, Fronting. To allow a dwelling to not front on a public street (Grant Avenue is a 30-foot right-of-way, which is technically an alley).
4. 3332.25, Maximum side yards required. To reduce the sum of the widths of each side yard from 20% of the width of the lot to 11±%, or from 12 feet to 6.7± feet.
5. 3332.26, Minimum side yard permitted. To reduce the minimum side yard from 5 feet to not less than 3 feet.
6. 3332.27, Rear yard. To reduce the minimum rear yard from 25% of the total lot area to 18%.

Proposal: To construct a single-family dwelling and two-car attached garage.

Applicant(s):

Kevin McMahon  
HRE Builders  
4631 Olentangy Blvd.  
Columbus, OH 43214

Property Owner(s): Applicant

Case Planner:  
Denise Powers  
645-1788  
DAPowers@columbus.gov

6. ODS No.: 06310-00044A

Location: 3411-3417 EAKIN ROAD (43204), located at the southeast corner of Demorest and Eakin Roads.

Area Comm./Civic: Greater Hilltop Area Commission

Existing Zoning: R-4, Residential District

Request: Variance(s) to Section(s):

1. 3332.15, R-4 Area District requirements. To reduce the minimum lot area from 10,000 square feet to 8791.6 square feet.
2. 3332.21, Building lines. To reduce the building line from 30 feet to 26.9 feet along Eakin Road.
3. 3332.26, Minimum side yard permitted. To reduce the minimum side yard from 5 feet to 3.9 feet along the west side of the building.
4. 3342.15, Maneuvering. To allow the maneuvering area for parking spaces to occur over a stacked space on the driveway, and to allow maneuvering to the stacked spaces to occur in a public right-of-way.
5. 3342.18, Parking setback line. To reduce the minimum parking setback line from 25 feet to zero feet along Eakin Road.
6. 3342.19, Parking space. To allow stacked parking to occur between the parking setback line and the street right-of-way line.

Proposal: To allow a lot split so each four-unit dwelling can be situated on a separate parcel.

Applicant(s):  
Brian Douglas  
6282 Hyland Dr.  
Dublin, OH 43017

Property Owner(s):  
BGD Properties LLC  
6724 Perimeter Loop Rd. Ste. 229  
Dublin, OH 43017

Case Planner:  
Denise Powers  
645-1788  
DAPowers@columbus.gov

7. ODS No.: 06310-00044B

Location: 744-750 DEMOREST ROAD (43204), located at the southeast corner of Demorest and Eakin Roads.

Area Comm./Civic: Greater Hilltop Area Commission

Existing Zoning: R-4, Residential District

Request: Variance(s) to Section(s):

1. 3332.21, Building lines. To reduce the building line from 50 feet to 26.1 feet along Demorest Road.
2. 3342.15, Maneuvering. To allow the maneuvering area for parking spaces to occur over a stacked space on the driveway, and to allow maneuvering to the stacked spaces to occur in a public right-of-way.
3. 3342.18, Parking setback line. To reduce the minimum parking setback line from 25 feet to zero feet along Demorest Road.
4. 3342.19, Parking space. To allow stacked parking to occur between the parking setback line and the street right-of-way line.

Proposal: To allow a lot split so each four-unit dwelling can be situated on a separate parcel.

Applicant(s):

Brian Douglas  
6282 Hyland Dr.  
Dublin, OH 43017

Property Owner(s):

BGD Properties LLC  
6724 Perimeter Loop Rd. Ste. 229  
Dublin, OH 43017

Case Planner:

Denise Powers  
645-1788  
DAPowers@columbus.gov

8. ODS No.: 06310-00045

Location: 910 DUBLIN ROAD (43215), located on the north and south sides of Dublin Rd., at the entrance gate to 910 Dublin Rd.

Area Comm./Civic: None

Existing Zoning: M, Manufacturing District

Request: Variance(s) to Section(s):

1. 3363.24, Building lines in an M-manufacturing zoning district. To reduce the required building setback from 25 ft. to 3 in. (24 ft. 9 in.).

Proposal: To construct two access tunnel enclosures for existing stairways.

Applicant(s):

Bret Casey  
c/o Malcolm Pirnie, Inc.  
1900 Polaris Pkwy.  
Columbus, Ohio 43240

Property Owner(s):

City of Columbus  
c/o Richard C. Westerfield, P.E., PhD.  
910 Dublin Rd.  
Columbus, Ohio 43215

Case Planner:  
Jamie Freise  
645-6350  
JFFreise@Columbus.gov

9. ODS No.: 06310-00046

Location: 804-806 ST CLAIR AVENUE (43201), located on the east side of St. Clair Avenue between Starr and Dupont Avenues.

Area Comm./Civic: Milo Grogan Area Commission

Existing Zoning: R-4, Residential District

Request: Variance(s) to Section(s):

1. 3332.05, Area District lot width requirements. To reduce the minimum width of a lot from 50 feet to not less than 30 feet.
2. 3332.15, R-4 Area District requirements. To reduce the minimum lot area from 5,000 square feet to not less than 4,900 square feet.
3. 3332.18, Basis of computing area. To allow more than three times the width of a lot to be used in computing lot area for density purposes only.
4. 3332.26, Minimum side yard permitted. To reduce the minimum side yard from 5 feet to 3 feet.

Proposal: To allow a lot split and the construction of a single-family dwelling on the newly created lot, separate from the existing dwelling.

Applicant(s):  
Victor S. Krupman, Atty.  
923 E. Broad St.  
Columbus, OH 43205

Property Owner(s):  
B. W. Eddy Trust  
James Burch III, Trustee  
4235 Oxford Dr.  
Columbus, OH 43220

Case Planner:  
Denise Powers  
645-1788  
DAPowers@columbus.gov

10. ODS No.: 06310-00047

Location: 495 SOUTH 4TH STREET (43206), located at the southwest corner of South 4th Street and East Livingston Avenue.

Area Comm./Civic: German Village Commission

Existing Zoning: C-4, Commercial District

Request: Variance(s) to Section(s):

1. 3342.28, Minimum number of parking spaces required. To reduce the minimum number of off-street parking spaces

required from 13 to zero.

2. 3356.11, C-4 district setback lines. To reduce the building line from 60 feet to zero feet along East Livingston Avenue.

3. 3356.11, C-4 district setback lines. To reduce the building line from 25 feet to zero feet along South 4th Street.

Proposal: To construct a two-story addition to a one and two-story building and to change the use to three condominiums, each with a different use (efficiency residence, office and coffee shop).

Applicant(s):

John Chess  
204 Jackson St.  
Columbus, OH 43206

Property Owner(s):

Rosemarie B. Keidel  
525 S. 4th St.  
Columbus, OH 43206

Case Planner:

Denise Powers  
645-1788  
DAPowers@columbus.gov

11. ODS No.: 06310-00048

Location: 5666 OAKMONT DRIVE (43232), located at the terminus of Worchester Dr. at Oakmont Dr.

Area Comm./Civic: None

Existing Zoning: RR, Rural Residential District

Request: Variance(s) to Section(s):

1. 3342.28, Minimum number of parking spaces required. To reduce the required number of parking spaces from 86 to 70 (16 spaces).

Proposal: To raze and rebuild an elementary school.

Applicant(s):

Scott B. Birrer  
Swedlow, Butler & Lewis Co., L.P.A.  
10 W. Broad St.; Ste. 2400  
Columbus, Ohio 43215-3469

Property Owner(s):

Columbus Board of Education  
Attn: Carole Olshevsky  
270 E. State St.  
Columbus, Ohio 43215

Case Planner:

Jamie Freise  
645-6350  
JFFreise@Columbus.gov

12. ODS No.: 06310-00049

Location: 1131-1145 NORTH HIGH STREET (43201), located on the west side of High St., 40.82 ft. north of W. 4th Ave.

Area Comm./Civic: Victorian Village

Existing Zoning: L-C-4, Limited Commercial District

Request: Variance(s) to Section(s):

1. 3342.28, Minimum number of parking spaces required. To reduce the required number of parking spaces from 97 to 90 (7 spaces).
2. 3342.19, Parking space. To allow stacked parking for 14 spaces.
3. 3342.15, Maneuvering. To permit maneuvering to access stacked parking spaces through another parking space.
4. 3309.14, Height districts. To permit the overall height of a building to exceed the 35 ft. height limit, to be 62 ft. tall (27 ft.).

Proposal: To construct a commercial/residential mixed-use building.

Applicant(s):

J.B.H. Holdings, Inc.  
c/o Jackson B. Reynolds, III  
Smith & Hale  
37 W. Broad St.; Ste. 725  
Columbus, Ohio 43215

Property Owner(s):

J.B.H. Holdings, L.L.C.  
82 Price Ave.; Ste. A  
Columbus, Ohio 43201

Case Planner:

Dave Reiss  
645-7973  
DJReiss@Columbus.gov

13. ODS No.: 06310-00026

Location: 2792 EAST POWELL ROAD (43209), located at the southwest corner of Powell Road and Prestwick Green Drive

Area Comm./Civic: None

Existing Zoning: LR-4, Limited Residential District

Request: Variance(s) to Section(s):

1. 3342.28, Minimum number of parking spaces required. To reduce the number of on-site parking from 64 to 55
2. 3342.15, Maneuvering. To allow parking on a driveway leading to a garage.

Proposal: The applicant proposes to develop a condominium community.

Applicant(s):

Gerald J. Hetterscheidt  
422 Beecher Road  
Gahanna, Ohio 43230

Property Owner(s):  
Walker Park, LLC  
470 Olde Worthington Road  
Westerville, Ohio 43035

Case Planner:  
Jamie Freise  
645-6350  
JFFREISE@Columbus.gov

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**Contact Name:** Wil Preston

**Contact Telephone Number:** 614-645-7563

**Contact Email Address:** wnpreston@columbus.gov

**Body**

**MILO-GROGAN AREA COMMISSION BY-LAWS**

These By-Laws establish the procedure under which the Milo-Grogan Area Commission shall execute those duties and functions set forth in and with authority granted under Chapter 3109 of the Columbus City Codes (hereinafter abbreviated as "C.C.").

**Article I. Name**

The name of this organization shall be the Milo-Grogan Area Commission, herein referred to as the "Commission".

**Article II. Milo-Grogan Area**

The area served by the Commission shall be all incorporated areas of the City of Columbus, bounded on the north by Eleventh Avenue to Interstate 71, then south to and easterly along the east-west Conrail tracks which lie south of Bonham Avenue; on the east by north-south Conrail tracks which lie east of Cleveland Avenue; on the south by the east-west Conrail tracks north of the Interstate 670 corridor; and on the west by the north-south Conrail tracks which lie west of Cleveland Avenue.

**Article III. Milo-Grogan Area Citizens**

A Milo-Grogan Area Citizen is any person who lives, works, owns a business, or owns property in the Milo-Grogan District, herein referred to as a "MGA Citizen."

**Article IV. Purpose**

The purpose of this Commission shall be to afford additional voluntary citizen participation in decision-making in an advisory capacity to the City Administration and City Council and to facilitate communication, understanding, and cooperation between neighborhood groups, city officials and developers by performing those functions and duties set out in C.C. 3109.

The Commission shall not endorse any candidate for public office or any issue up for public vote.

#### Article V. Commissioners

Commissioners: There shall be eleven (11) Commissioners on the Commission. Each Commissioner shall be a MGA Citizen for a minimum of one (1) year, be duly appointed by the Mayor with the concurrence of Council as specified in C.C. 3109, and serve without compensation.

Terms: A Commissioner's normal term shall be three (3) years. All terms shall expire on the last day of the same month in different years; however, a Commissioner may continue to serve beyond term expiration until a successor is appointed. In the event that more than one Commissioner is eligible to serve beyond term expiration, the remaining Commissioners present will determine by vote at the Annual Meeting which Commissioner(s) will remain seated. Terms shall be staggered so as to maintain continuity of experienced representation.

Representation: No Commissioner shall represent the Commission in its official actions before any other public body or official, except as specifically authorized by the Commission. This shall not be construed as a restriction upon the right of individual Commissioners to represent their own views before public or private bodies, whether in agreement or disagreement with the official actions of the Commission. Any Commissioner who has violated this rule (as determined by two-thirds (2/3) vote by the remaining Commissioners present) shall be officially warned of this violation. Further violation (as determined by a two-thirds (2/3) vote of the entire Commission) shall be communicated by letter to the Mayor requesting that said Commissioner be removed from office. Upon approval by the Mayor, the Secretary shall notify the City Clerk and the Department of Development of the removal of the Commissioner.

Disqualification: Commissioners shall maintain their MGA Citizenship. Failure of a Commissioner to maintain his or her MGA Citizenship shall be reported immediately to the Secretary and shall be deemed a resignation. The Secretary shall send a letter to the Mayor requesting that said Commissioner be removed from office. Upon approval by the Mayor, the Secretary shall notify the City Clerk and the Department of Development of the removal of the Commissioner.

Attendance: Commissioners shall so far as possible be regular in attendance. A Commissioner's absence from three (3) consecutive Regular Meetings or from a total of four (4) Regular Meetings in any one year shall be deemed resignation from the Commission. Unless two-thirds (2/3) of those Commissioners present determine that extenuating circumstances justify that Commissioner's continuing to hold his or her position, notice of such absence shall be communicated by letter to the Mayor requesting that said Commissioner be removed from office. Upon approval by the Mayor, the Secretary shall notify the City Clerk and the Department of Development of the removal of the Commissioner. As a courtesy the Secretary shall remind such Commissioner of this provision after his or her second consecutive absence or third absence in a year.

6. Vacancy: The Commission shall nominate one or more candidates to fill any vacancy that occurs prior to the General Election for the remainder of the un-expired term. An announcement of said vacancy shall be made at the upcoming Regular Meeting with a request for nominations to be submitted by the next Executive Committee Meeting. Vote by the Commissioners shall be held at the following Regular Meeting. The Commission shall, by letter, notify the Mayor, the City Clerk, and the Department of Development of the new Commissioner(s) who will fill the vacancy(ies) (pursuant to C.C. 3109.10).

#### Article VI. Officers

The Officers of the Commission shall be Chairperson, Vice-Chairperson, Secretary, Treasurer, and Sergeant-at-Arms. The election of Officers shall be at the Annual Meeting and shall be elected by a majority vote of the Commissioners present. Officers shall serve a one (1) year term, or until a successor is elected, and no Commissioner shall serve more than two (2) one (1) year terms consecutively in the same office. Each Officer shall have the right to vote on any question. No Commissioner serving in his/her first nine (9) months shall be eligible to run for the position of officer.

The Chairperson shall preside at all meetings of the Commission; in consultation with and with the approval of the Commission, appoint Standing and Special Committees of the Commission; serve as an ex-officio member of all committees; coordinate the actions of Officers and Committee Chairpersons; and perform other duties associated with the

office as required.

The Vice-Chairperson shall assist the Chairperson; perform the duties of the Chairperson in his or her absence; and perform such other duties as may be assigned by the Commission.

The Secretary shall call and record the roll; remind of absences per Article V., Section 5.; record and maintain accurate voting records and meeting summaries which will be open to public examination; maintain such other records as the Commission may direct; notify the Mayor of any vacancy; perform related duties as may be assigned by the Commission; and in the absence of both the Chairperson and the Vice-Chairperson, call the meeting to order and preside or at his or her discretion nominate a Chairperson Pro Tempore.

The Treasurer shall receive all moneys and approve all payments with approval of the Commission in accordance with the annual budget; maintain an accounting of all city funds expended; prepare a quarterly financial report, which is to be distributed to all Commissioners; prepare and present an annual budget for the Commission; and in the absence of the Chairperson, the Vice-Chairperson, and the Secretary, call the meeting to order and preside or at his or her discretion nominate a Chairperson Pro Tempore.

The Sergeant-at-Arms shall at the request of the presiding officer, assure the maintenance of order at Regular Meetings. He or she shall have the authority to cause unruly or disorderly persons to be removed from said meetings and shall exercise good judgment and discretion in implementing measures to assure the safety of Commissioners and other attendees of Commission meetings. The Sergeant-at-Arms shall appoint a Deputy from the membership of each Standing and Special Committee and the same shall be charged with the responsibility for order and security in the respective committee meetings, pursuant to the directions of the Sergeant-of-Arms. In the absence of the Sergeant-at-Arms or any Deputy from a Commission or committee meeting, the person presiding may appoint a Commissioner or any committee member Sergeant-at-Arms, pro tempore, and the same shall serve as such until the conclusion of the meeting.

#### Removal of a Committee Chairperson or a Commission Officer

a. Relative to the Committee Chairperson of any committee, the process shall be as follows:

The selected Committee Chairperson of any committee may be requested to step down as the Committee Chairperson of that committee by a) the Commission Chairperson or b) a member of that committee.

The selected Committee Chairperson of any committee may be voted out as the Committee Chairperson of that committee by a) a two-thirds (2/3) vote of that committee's members, or b) upon the recommendation of the Commission Chairperson with a majority vote of the Commissioners present, or c) by the entire Commission with a two-thirds (2/3) vote of the Commissioners present.

At any time before voting by the entire Commission, for the purpose of removing a selected Committee Chairperson, that selected Committee Chairperson may resign the chair.

b. Relative to a Commission Officer, the process shall be as follows:

Proposed removal of an Officer shall be in writing and signed by at least one-third (1/3) of the Commissioners.

Said letter shall be submitted at an Executive Committee Meeting for inclusion on the Regular Meeting agenda and a Special Meeting shall be scheduled. The Special Meeting shall be announced at the Regular Meeting.

At the Special Meeting, the entire Commission shall vote, either present or by proxy. A two-thirds (2/3) vote of the entire Commission shall be required for officer removal.

At any time before voting by the entire Commission, for the purpose of removing a selected Commission Officer, that selected Commission Officer may resign the office.

#### Article VII. Meetings

Regular Meetings of the Commission shall be held at 7:00 p.m., on the second (2nd) Tuesday of each month. Each meeting shall be held in the Commission Area in an appropriate, large room convenient for Commissioners and the public and chosen by the Commission as its regular meeting place. Changes in meeting location and/or time may be directed by majority vote of the Commission and specified at least fifteen (15) days prior to the meeting. Notice of the meeting with an agenda shall be published in the City Bulletin prior to changing the meeting time or location. Written minutes must be prepared for each meeting. Minutes of the prior Regular Meeting must be distributed before convening each Commission meeting.

The Annual Meeting shall be the Regular Meeting in November at which time new Commissioners will be seated, Commissioners may be asked to serve past term, new officers will be elected, and annual reports will be received from Officers and committees.

Special Meetings may be called by the Executive Committee, the chairperson, or by a majority of the Commissioners in a Regular or Special Meeting. The meeting's purpose, date, time, and location shall be announced (per Article VII., Section 4.). No business will be considered at a Special Meeting unless it was announced, except in cases of emergency.

All Meetings shall be open to the public, and notice shall be published seven (7) days in advance in a newspaper of general circulation in the Commission area or by any other means possible and shall be the responsibility of the Public Relations Committee.

Quorum: A majority of the total number of potential Commissioners (per Article V., Section 1.) shall constitute a quorum for conducting business. Should the number of Commissioners fall below a level at which quorum can be attained due to disqualification, vacancy, or resignation, then the remaining Commissioners may accept resignations and fill vacancies as necessary to restore a quorum (per Article V., Section 6.).

Voting: A majority of Commissioners present and voting shall be required to approve any action. A tie vote is disapproval. The Chairperson shall state each issue in a positive form such as: "The question before the Commission is: Shall the application (request, proposal) for \_\_\_\_\_ be approved?"

The Order of Business for meetings shall be:

Call to Order (Quorum present)

Opening Prayer

Roll Call

Approval of Past Minutes

Distribution of Meeting Protocol and Recognition of the Acting Sergeant of Arms

Honored Guests' Presentations

Reading of New Correspondence

Standing Committee Reports

Special Committee Reports

Reports of Officers

Reports of Attendees to City Council

Reports of Liaison(s) to Other Commissions, Community Organizations, or Other Groups

Unfinished Business

New Business

New Officer Elections [Annual Meeting only]

Committee Member Appointments

Open Forum (subject to time limitations)

Adjournment

Closing Prayer and Refreshments (if available)

The Chairperson shall recognize members of the public who wish to address the Commission concerning issues under discussion. The Chairperson may uniformly limit debate to an equal amount of time for each side of an issue; and when appropriate, the issue may be referred by the Chairperson to the proper Committee for action and report at the following Commission meeting. Members of the public must adhere to the Rules for Non-Commissioner Attendees at Regular Commission Meetings. The following rules shall be enforced by the Chairperson and the acting Sergeant of Arms:

Individuals desiring to speak must come forward to the podium.

Each person may speak twice and may speak on one topic only each time.

Each person may speak for a maximum of three (3) minutes each time. Commissioners are requested to limit their comments to three (3) minutes; however, they are not limited to topic.

The acting Sergeant of Arms shall give a two and a half (2 ½) minute warning.

Topics may be referred by the Chairperson to a Committee Chairperson. Commissioners and Committee Chairpersons will be available after the meeting.

As a reminder, agenda items must be submitted to the Secretary prior to or on the last Monday of each month at the Executive Committee Meeting for consideration and placement on the next Regular Meeting's agenda. Any additional topics to be addressed must be submitted along with the individual's name to the Sergeant of Arms for inclusion in Open Forum. Open Forum shall be subject to time limitations.

Dissenting or Non-Concurring Reports may be filed with the Secretary by any Commissioner and shall be attached to the majority report.

The Executive Committee Meeting shall be the last Monday of each month at 7:00 p.m. The Executive Committee Meeting shall be the deadline for adding agenda items to the Regular Meeting agenda.

#### Article VIII. Committees

The Chairperson shall appoint Commissioners to serve as Chairpersons of the Standing Committees giving due consideration to their individual preferences and subject to approval by a majority vote of the Commissioners.

The Chairperson of a Standing Committee shall appoint the members of that Standing Committee, who may be Commissioners or Non-Commissioners, subject to approval by a majority vote of the Commissioners present. Non-Commissioner appointees shall have full voting privileges in all proceedings of the committee to which they are appointed.

The Committee Chairpersons are considered authorized by the Commission to speak on behalf of the Commission in the sole pursuit of their Committee's objectives.

Committee Members shall serve at the pleasure of the Committee Chairperson and their appointments shall expire at the next Annual Meeting.

The Chairperson shall be an ex-officio member of all committees, Standing and Special.

The Standing Committees and their responsibilities shall be:

The Executive Committee: All Commissioners and Committee Chairpersons shall serve as the Executive Committee to prepare the agenda for Commission meetings, determine the date and time of any special meetings, and plan the direction and scope of Commission activities.

The Planning Committee shall review existing pertinent area plans; supervise any intern for the area, if any; and recommend guidelines for the comprehensive economic, commercial, and physical development of the Commission area. The Committee shall examine proposed local legislation; monitor the implementation of approved plans; and shall develop means for citizen participation in planning which substantially affects the Commission area.

The Zoning and Code Enforcement Committee shall regularly receive, review, and make recommendations to the Commission on all applications for rezoning, variance, or special permit and zoning appeals pertaining to property wholly or partially within the Commission area based on comparison to the Comprehensive Plan and pertinent area plans, if any. The Community Services Committee shall promote the active cooperation of all segments of the Commission Area, including residents, organizations, associations, businesses, and institutions.

The Public Services Committee shall review the adequacy and operation of public services provided by the City and other public agencies to the Commission Area, and recommend priorities and improvements of the same.

The Parks and Recreation Committee shall review the adequacy and operation of the parks and recreation services provided by the City and other public agencies, and recommend priorities and improvements of the same. In addition, this committee shall recommend community-wide events such as parades or special events to aid in the development of community identity.

The Public Relations Committee shall conduct all public relations activities, including, but not limited to: establishing media contacts; advertising the existence of the Commission to the area; coordinating news releases, newsletters, and correspondence, and any other duties as requested by the Commission. The Committee shall report monthly as to the means used for meeting notification.

Historic Research and Preservation Committee shall encourage and support historic and preservation issues within the area

and research and document the physical and social history of the area. Requests for demolition shall be reviewed and monitored by the committee and recommendations shall be made to the Commission.

The Selection and Rules Committee shall review and recommend any amendments to the By-Laws and shall recommend MGA Citizens for nomination to fill vacancies on the Commission. The Chairperson of this Committee shall act as Parliamentarian of the Commission.

Special Committees: A Special Committee may be established for a specific purpose by the Chairperson or by majority vote of the Commission at any meeting. The size, powers, and the duties of any Special Committee shall be specified in the creating resolution. Membership may be accorded to Commissioners or to Non-Commissioners. Special Committees may be terminated by conditions set forth in the initiating action, or by a subsequent majority vote of the Commission.

Notice of all committee meetings and copies of all committee correspondence shall be filed with the Secretary and Chairperson of the Commission. Committee findings that propose action or resolution shall be submitted to the Secretary for inclusion in the agenda of a Regular Meeting of the Commission for consideration.

#### Article IX . Elections

The Elections Board shall consist of a minimum of five (5) MGA Citizens who have been MGA Citizens for at least one (1) year and who are appointed by the Chairperson with the approval of the Commission at the Regular Meeting in May of each year.

2. The Board shall appoint any necessary Officers; provide for printing and distributing necessary forms such as, but not limited to, petitions, ballots, and tallies; receive petitions; certify persons who have qualified as candidates; locate polling places; conduct the election; tally the votes; hear and decide complaints concerning the election or campaign; and certify the winning candidates to the Commission, the Mayor, the City Clerk, and the Department of Development, pursuant to C.C. 3313.08 and all other activities incidental thereto.

Candidates for selection shall not be members of the Elections Board or polling staffs in the year in which their names appear on the ballot.

Elections shall be by secret ballot and determined by plurality vote. Any MGA Citizen eighteen (18) years of age or older may be an elector. The Elections Board shall conduct each election on the third Saturday in September. Members shall take office at the next Annual Meeting.

Election Rules are included in these By-Laws:

#### MILO-GROGAN AREA COMMISSION ELECTION RULES

##### I. General Provisions

- A. "Board" shall mean the Elections Board of the Milo-Grogan Area Commission.
- B. Where not otherwise specified, all filings or actions shall be done at the Headquarters of the Board.
- C. When a date is set as a deadline, and that date falls on a Sunday, then the deadline shall be the following Monday at 4:30 p.m.

##### II. The Elections Board

- A. The Board shall be composed of five (5) persons who are MGA Citizens and have been for a minimum of one (1) year. A Milo-Grogan Area Citizen ("MGA Citizen") is any person who lives, works, owns a business, or owns property in the Milo-Grogan District (per Article III.). The Board shall be appointed by the Commission at the Regular Meeting in May of each year, one of whom the Commission will designate as Chairperson.
- B. Candidates for the Commission shall not be members of the Board or Polling Staff in the year in which their names appear on the ballot for election.
- C. The Board shall have all necessary Authority to conduct the election including the counting of ballots.

### III. Elections Board Duties

- A. The Board shall select a location and equip a Headquarters for the Board.
- B. The Board shall prepare and distribute to each prospective Candidate for Commissioner a petition paper, which shall include the following:
  1. The name of the candidate in bold print at the top of the petition.
  2. Space for a minimum of twenty-five (25) persons qualified to vote for the Candidate. Each line shall provide space for the printed name, home address, business address, and/or address of property owned in the Commission District, phone number, signature, and date.
  3. The petition shall conclude with an affidavit which contains the following statement: "Enter Name Here - (Candidate Must Be the Signer of the Affidavit) states that he or she is the circulator of this petition, that he or she did witness each and every signature, and he or she will observe the Election Rules and the By-Laws of the Milo-Grogan Area Commission."
  4. Petitions shall be made available on or before the first Saturday in August and returned no later than the last Saturday in August.
  5. No Candidate who fails to bring in the necessary signatures shall be allowed to run.
- C. The Board shall certify the validity of the circulated petitions, notify the Candidate(s) of petition certifications, and make public announcement of the names of certified Candidates no later than the first Saturday of September.
- D. The Board shall select the location of the poll(s).
- E. The Board shall devise the ballot format as follows:
  1. Each ballot shall list all Candidates who have filed valid petitions.
  2. Each ballot shall have a bold head "Vote for x of y Candidates," x being the number of seats open and y being the number of Candidates.
  3. No political party or organization other than the Commission shall be named on the ballot.
  4. The Board shall ensure that all ballots are properly accounted for after printing; recording the total printed, used, spoiled, and remaining.The Board shall enlist and assign volunteer workers to staff polling places and obtain equipment and supplies.  
The Board shall tally the votes and certify the results to the Commission at the following Commission Meeting and hold the results for twenty (20) days to resolve all challenges.
- H. The Board shall make final determination with regard to the eligibility of voters, handle the final determination of challenges of cast ballots, handle the final determination of all other questions arising during the election process, and make final determination of all election challenges.

### IV. Candidate Qualifications

- A. Each Candidate shall be eighteen (18) years of age or older. Valid documentation may be required.
- B. Each Candidate shall be a MGA Citizen for a minimum of one (1) year (per Article V., Section 1.).
- C. Each Candidate must file a nominating petition completed pursuant to the following requirements:
  1. Each petition must be signed by at least twenty-five (25) persons eighteen (18) years of age or older who are MGA Citizens (per Article III.).
  2. The petitions shall be circulated personally by the Candidate. The Board may grant exception to this requirement for disability demonstrated by the Candidate, but notice must be in writing.
  3. Each Candidate must complete and execute the affidavit at the end of the petition prior to its submission to the Board.
- D. No party or name of organization other than the Milo-Grogan Area Commission shall be used by any Candidate.
- E. Each Candidate shall be given a copy of these Election Rules.

### V. Voter Qualifications

- A. Each voter must be eighteen (18) years of age or older and must be a MGA Citizen.
- B. No voter shall cast more than one ballot.

### VI. Conduct of Elections

- A. Rules for Campaigning:
  1. No party or name of organization shall be used by any Candidate.
  2. Campaigning shall begin no earlier than the last Saturday of August.Campaign literature shall be regulated as follows:
  - a. Campaign literature may include only the Candidates' name, home address, place of employment or business, and/or

Candidates' positions on community issues.

- b. Campaign literature shall contain no derogatory statements or personal attacks on other Candidates.
  - c. Campaign literature shall be submitted to the Elections Board prior to distribution for its review, no earlier than the 28th of August and no later than fourteen (14) days prior to Election Day.
  - d. Any objections by the Board to campaign literature should be stated in writing by the Board and returned to the Candidate.
  - e. Campaign literature shall be considered accepted by the Board if the Board has taken no action within seven (7) days of Election Day or within seven (7) days from submission, whichever occurs first.
4. No Candidate shall expend more than \$100.00 for campaign purposes, including in-kind contributions.
  5. Each Candidate shall file a finance report listing all contributions, including in-kind contributions and expenditures, within seven (7) days of Election Day.
  6. All posters or other flyers shall be removed no later than the Wednesday following Election Day.
- B. Voting
1. The polls shall be open from 10:00 a.m. until 5:00 p.m.
  2. Each poll shall have ballots available.
  3. Each poll shall be supplied with a sealed Ballot Box and a register.
  4. Persons shall vote by:
    - a. Printing their name, home address, place of employment or business, and/or address of property owned on the register and signing it.
    - b. Placing X marks on the ballot in the box of the Candidates they support.
  5. The poll shall require evidence of voters' qualifications as necessary and as determined by the Board.
  6. No person may cast more than one ballot.
  7. Candidates may appoint in writing a witness to view the voting. NO person may campaign for his/her Candidate within one hundred (100) feet of the polling place.
  8. Absentee Ballots are to be addressed as follows:
    - a. Any person may vote absentee by requesting in writing an Absentee Ballot accompanied by a self-addressed stamped envelope to the Board within fourteen (14) days of Election Day. Ballot must be received before 5:00 p.m. on Election Day. Mailing instructions shall accompany ballot.
    - b. Absentee Ballots shall remain unopened until the counting of ballots.
- C. Counting the Ballots:
1. After the polls have closed, the registers and sealed Ballot Boxes shall be delivered to the Headquarters of the Board.
  2. The Board shall unseal each Ballot Box, count the ballots, compare the number to the appropriate register, and tally the votes.
  3. The Absentee Ballots shall be unsealed and counted by the Board.
  4. Witnesses may be present at the counting.
  5. After the count has been completed, all voted ballots and registers shall be placed in a sealed container.
  6. The sealed container shall be kept in a secure place until thirty (30) days after Election Day, at which time voted ballots and unused ballots may be destroyed under the supervision of the Elections Board.
- D. The Election Results:
1. Election results shall be posted by the Elections Board, within two (2) hours after Closing of elections, at Board Headquarters.
  2. Should the margin of plurality be less than one percent (1%) or there be a tie vote, there is to be an automatic recount.
  3. Challenges shall be filed in writing within ten (10) days of Election Day. A demand for a recount shall be considered a challenge. The challenge shall state the charge and the grounds. The Elections Board shall issue a written decision on the challenge within ten (10) days of the receipt of the challenge, and said decision shall be considered final.
  4. The candidate(s) receiving a plurality of votes cast shall be the winner(s).
  5. In the event of a tie vote, there shall be a review of attendance of Regular Meetings over the past twelve (12) months. The Candidate who has attended the higher number of Regular Meetings over the past twelve months shall be declared the winner. In the event that the tie still stands, the winner shall be decided by lot.
  6. Election results shall be certified by the Elections Board to the Commission and to the Mayor, the City Clerk, and the Department of Development, twenty (20) days after Election Day or after all challenges are resolved, whichever comes first.
- E. Calendar of Elections
1. The Elections Board shall be appointed by the Commission at the Regular Meeting in May of each year.

2. The election of the Commissioners shall be held the third Saturday of September of each year (per Article IX., Section 4.).
3. The Elections Board shall publicly announce the upcoming election the first Saturday of August.
4. Petitions shall be made publicly available on the first Saturday of August. Included in the public announcement shall be the deadline for filing petitions.
5. Petitions shall be filed no later than the last Saturday of August.
6. Campaigning shall begin no earlier than the last Saturday of August.
7. The Elections Board shall publicly announce the candidate(s) no later than the first Saturday of September.
8. Absentee Ballots must be requested, in writing, from the Board within fourteen (14) days of Election Day.
9. Absentee Ballots must be received by the Board no later than 5:00 p.m. on Election Day.
10. Election results shall be announced publicly by the Election Board by 7:00 p.m. on Election Day.
11. All posters or other flyers shall be removed no later than the Wednesday following Election Day.
12. Challenges shall be filed in writing within ten (10) days of Election Day.
13. The Elections Board shall issue a written decision on challenges within ten (10) days of receipt of the challenge.
14. Each candidate shall file a finance report listing all contributions, including in-kind contributions, and expenditures, within seven (7) days after Election Day.
15. Each newly-elected Commissioner shall submit to the Elections Board biographical information, as required by the City of Columbus, within seven (7) days of Election Day.
16. Election results shall be certified by the Elections Board to the Commission and to the Mayor, the City Clerk, and the Department of Development within twenty (20) days of Election Day.
17. Voted ballots and unused ballots may be destroyed under the supervision of the Elections Board thirty (30) days after Election Day.

VII. Penalties

- A. The Elections Board shall judge all violations of these Election Rules. Violations may result in disqualification and declaring candidate with next highest vote as elected.

The Elections Board shall follow the Election Rules for governing the elections. The Elections Board may suggest Amendments to these Election Rules, which shall be presented to the Commission at the beginning of a Regular Meeting. Should the Commission approve of said Amendment(s) prior to adjournment, such rule(s) shall take effect. The Commission may amend the Elect

**Legislation Number:** PN0137-2006

**Drafting Date:** 07/07/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** PUBLIC NOTICE CITY COUNCIL MEETING/POLICY FORUM POSTPONED

**Contact Name:** Scott Varner

**Contact Telephone Number:** 645-6798

**Contact Email Address:** sjvarner@columbus.gov

**Body**

**PUBLIC NOTICE CITY COUNCIL MEETING/POLICY FORUM POSTPONED**

**Notice/Advertisement Title:** PUBLIC NOTICE CITY COUNCIL MEETING/POLICY FORUM POSTPONED

**Contact Name:** Scott Varner

**Contact Telephone Number:** 614-645-6798

**Contact Email Address:** sjvarner@columbus.gov

**Council Policy Forum Postponed**

Columbus City Council's upcoming Policy Forum on Neighborhood Environment Safety, originally scheduled for Monday, July 17, has been postponed due to logistical issues.

The next regular City Council meeting with legislation being heard remains set for Monday, July 24, at 5:00pm in City Council Chambers.

Publish Date: 07/15/06

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**Legislation Number:** PN0138-2006

**Drafting Date:** 07/07/2006

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Health Housing Human services

**Contact Name:** Bo Chilton

**Contact Telephone Number:** (614) 645-8580

**Contact Email Address:** Rechilton@columbus.gov

**Body**

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**Legislation Number:** PN0139-2006

**Drafting Date:** 07/07/2006

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Public hearing on the Westside Health Center

**Contact Name:** Bo Chilton

**Contact Telephone Number:** (614) 645-8580

**Contact Email Address:** Rechilton@columbus.gov

**Body**

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**Legislation Number:** PN0149-2006

**Drafting Date:** 07/11/2006

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Graphics Commission July Meeting Agenda

**Contact Name:** Toni Gillum-Boehm

**Contact Telephone Number:** 614-645-5884

**Contact Email Address:** tgboehm@columbus.gov

**Body**

GRAPHICS COMMISSION AGENDA

CITY OF COLUMBUS, OHIO

JULY 18, 2006

The City Graphics Commission will hold a public hearing on TUESDAY, JULY 18, 2006 at 4:15 p.m. in the First Floor Hearing Room, Building Services Division, 757 Carolyn Avenue.

The City Graphics Commission hears requests for Variances, Special Permits, Appeals, Graphics Plans and certain Miscellaneous Graphics, as provided by the Columbus Graphics Code, Title 33, Article 15 of the City Codes.

SPECIAL NOTE TO APPLICANT: YOU OR YOUR REPRESENTATIVE MUST ATTEND THIS MEETING. It is the rule of the Commission to withdraw an application when a representative is not present.

SIGN LANGUAGE INTERPRETER: A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Building and Development Services Section is made aware of this need and given a reasonable notice of at least four (4) hours prior to the scheduled meeting time. To schedule an interpreter, please call 614-645-6373 or TDD 614-645-3293.

1. ODS No.: 06320-00022

Location: 5083-5095 NORTH HAMILTON ROAD, 43230, located at the southwest corner of former Broadview Rd. (vacated) and Hamilton Rd.

Area Comm./Civic: Northland Community Council

Existing Zoning: C-4, Commercial

Request: Variances.

3377.10, Permanent on-premises ground signs. To permit the installation of two ground signs on the same parcel, facing the same street frontage.

3377.11, Tenant panels and changeable copy. To permit the installation of a ground sign with 20% of the total graphic area devoted to identify the entire use instead of not less than 50% of the total graphic area.

Proposed Use: A shopping center.

Applicant:

Signcom Inc.

c/o Bruce Sommerfelt

527 W. Rich St.

Columbus, Ohio 43215

Property Owner:

Northstar Realty

4100 Regent St.

Columbus, Ohio 43215

Attorney/Agent:

The names and addresses of the adjacent property owners hereby notified were furnished by the applicant. You are not obligated to attend this meeting; however, you must be notified in accordance with law so that you can express your approval or disapproval of the variance or special permit, if you care to do so. ODS No.: 06320-00023

Location: 5217-5255 NORTH HAMILTON ROAD, 43230, located at the terminus of Thompson Rd., on the west side of Hamilton Rd.

Area Comm./Civic: Northland Community Council

Existing Zoning: C-4, Commercial

Request: Variance & Special Permit.

3377.10, Permanent on-premises ground signs. To permit the installation of two ground signs on the same parcel, facing

the same street frontage.

3377.11, Tenant panels and changeable copy. To permit the installation of a ground sign with 20% of the total graphic area devoted to identify the entire use instead of not less than 50% of the total graphic area.

3378.01, General provisions. To permit the installation of one, off-premises tenant panel on a permanent sign, located on an adjoining parcel, to identify a use.

Proposed Use: A shopping center.

Applicant:  
Signcom Inc.  
c/o Bruce Sommerfelt  
527 W. Rich St.  
Columbus, Ohio 43215

Property Owner:  
Northstar Realty  
4100 Regent St.  
Columbus, Ohio 43215

Attorney/Agent:

The names and addresses of the adjacent property owners hereby notified were furnished by the applicant. You are not obligated to attend this meeting; however, you must be notified in accordance with law so that you can express your approval or disapproval of the variance or special permit, if you care to do so.

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**Legislation Number:** PN0151-2006

**Drafting Date:** 07/12/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** PUBLIC HEARING ON PROPOSED ASSESSMENT PROGRAM FOR SIDEWALK CONSTRUCTION & DESIGN

**Contact Name:** Lelia Cady

**Contact Telephone Number:** 645-8509

**Contact Email Address:** lecady@columbus.gov

**Body**

**Notice of a Public Hearing**

Columbus City Council member Maryellen O'Shaughnessy, chair of council's public service & transportation committee, will convene a public hearing at **5:30 PM on Thursday, July 27, 2006** to discuss a proposed assessment program for the engineering, design and construction of sidewalks adjacent to private property.

**What:** **Public Hearing**  
**Construction Assessments: Sidewalk**

**When:** **Thursday, July 27, 2006**  
**5:30 PM**

**Where: City Council Chambers  
Second Floor City Hall  
90 West Broad Street**

**Free parking is available after 5:00 PM in the city hall surface lot on the north side of city hall. Enter the lot at Gay and Front Streets.**

**Speakers slips may be submitted on the day of the hearing at city hall's Front Street security desk.**

**Questions: Lelia Cady**

**Email: [lecadv@columbus.gov](mailto:lecadv@columbus.gov) <<mailto:lecadv@columbus.gov>>  
645-8509**

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**Legislation Number:** PN0152-2006

**Drafting Date:** 07/14/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** City Council Zoning Agenda 7/24/2006

**Contact Name:** Adam Knowlden

**Contact Telephone Number:** (614) 645-4605

**Contact Email Address:** [apknowlden@columbus.gov](mailto:apknowlden@columbus.gov)

**Body**

**REGULAR MEETING NO. 40**

**CITY COUNCIL (ZONING)**

**JULY 24, 2006**

**6:30 P.M.**

**COUNCIL CHAMBERS**

**ROLL CALL**

**READING AND DISPOSAL OF THE JOURNAL**

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

**ZONING: MENTEL, CHR. BOYCE HABASH HUDSON O'SHAUGHNESSY TAVARES THOMAS**

**0340-2006**

To rezone 5372 CENTRAL COLLEGE ROAD (43081), being 86.1± acres located on the north side of Central College Road, 3040± feet west of Harlem Road, From: R, Rural District, To: NE, Neighborhood Edge, NG, Neighborhood General, and NC, Neighborhood Center and TC, Town Center Districts (Rezoning # Z03-109).

**1053-2006**

To grant a Variance from the provisions of Sections 3332.039, R-4, Residential district uses; 3332.05, Area district lot width requirements; 3332.15, R-4 Area district requirements; 3332.21, Building lines; 3332.22, Building lines on corner lots; 3372.609, Setback requirements; 3332.25, Maximum side yard required; 3332.27, Rear yard; 3332.30(b), Vision

clearance; 3342.28(B)14, Minimum number of parking spaces required; of the Columbus City codes for the property located at 944 NORTH FOURTH STREET (43201), to permit a restaurant with reduced development standards in the R-4, Residential District (Council Variance # CV06-014).

**1063-2006**

To grant a Variance from the provisions of Section 3356.03, C-4, Permitted Uses, of the Columbus City Codes for the property located at 1835 ABERDEEN AVENUE (43211), to conform an existing single-family dwelling in the C-4, Commercial District (Council Variance # CV06-009).

**1071-2006**

To rezone 5797 SHANNON ROAD (43110), being 142.4± acres located on the south side of Shannon Road at the intersection of Shannon Road and Fitzpatrick Boulevard, From: PUD-8, Planned Unit Development and CPD, Commercial Planned Development Districts, To: PUD-8, Planned Unit Development and CPD, Commercial Planned Development Districts (Rezoning # Z06-013).

**1143-2006**

To rezone 8239 COLONIAL MEADOWS DRIVE (43035), being 5.36± acres located at the southeastern terminus of Colonial Meadows Drive, 780± feet south of East Powell Road, From: R, Rural District, To: L-C-4, Limited Commercial District. (Rezoning # Z06-026)

**1146-2006**

To grant a Variance from the provisions of Sections 3332.02, R, Rural District, and 3332.06, R-rural area district requirements, of the City of Columbus codes, for the property located at 2816 MORSE ROAD (43231), to permit a child day care center in the R, Rural District. (Council Variance # CV06-023)

**1196-2006**

To rezone 5359 BRANDENBERRY DRIVE (43228), being 1.57± acres located on the south side of Brandenberry Drive, 200± east of Norton Road, From: CPD, Commercial Planned Development District, To: PUD-6, Planned Unit Development District. (Rezoning # Z06-035)

**1209-2006**

To rezone 28 EAST MOLER STREET (43206), being 0.28± acres located at the northwest corner of Moler Street and City Park Avenue, From: C-4, Commercial District, To: L-AR-1, Limited Apartment Residential District (Rezoning # Z06-024).

**1211-2006**

To grant a Variance from the provisions of Sections 3333.18, Building lines, and 3332.22, Maximum side yard required, for the property located at 28 EAST MOLER STREET (43206), to permit reduced development standards for a five-unit dwelling in the L-AR-1, Limited Apartment Residential District (Council Variance #CV06-016).

**1214-2006**

To rezone 3575 LOCKBOURNE ROAD (43207), being 3.2± acres located on the west side of Lockbourne Road, 206± feet north of Maplewood Road, From: R, Rural District, To: R-1, Residential District. (Rezoning # Z06-043)

**1234-2006**

To rezone 2150 EAST POWELL ROAD (43230), being 15± acres located 1025± feet south of East Powell Road just west of the intersection with Greentree Drive. From: R, Rural District To: L-AR-12, Limited Apartment Residential District. (Rezoning # Z06-019).

**1250-2006**

To rezone 7440 EAST BROAD STREET (43004), being 11.2 ± acres located on the north side of East Broad Street, opposite Kingsmeadow Lane, From: R, Rural District, To: L-AR-12, Limited Residential District (Rezoning # Z06-027).

**1254-2006**

To grant a Variance from the provisions of Section 3333.02, AR-12, ARLD and AR-1, Apartment Residential District Use;

3333.255, Perimeter Yard; 3342.15, Maneuvering, of the Columbus City Codes for the property located at 7440 EAST BROAD STREET (43004), to allow two-family dwellings and stacked parking in the L-AR-12, Limited Apartment Residential District (Council Variance CV06-038).

**1258-2006**

To grant a Variance from the provisions of Sections 3309.148, Area districts; 3333.02, AR-12, ARLD and AR-1 apartment residential district use; 3333.11 ARLD area district requirements; 3333.15, Basis of computing area; 3333.18, Building lines; 3333.255, Perimeter yard; 3333.27(b), Vision clearance; 3342.08, Driveway; 3342.25(a), Vision clearance and 3342.28, Minimum number of parking spaces required of the City of Columbus codes, for the property located at 72 DOUGLASS STREET (43205), to conform an existing two-family and four (4) existing multi-family dwellings and to allow a restaurant in the ARLD, Apartment Residential District. (Council Variance # CV06-001)

**1263-2006**

To grant a Variance from the provisions of Section 3349.03, Permitted Uses; of the Columbus City Codes for the property located at 2240 SUNBURY ROAD (43219), to permit a single-family dwelling and accessory structures in the I, Institutional District (Council Variance # CV06-022).

**1273-2005**

To rezone 2400 MCCUTCHEON ROAD (43219), being 21.39± acres located at the southeast corner of McCutcheon Road and Stelzer Road, From: L-M-2 Limited Manufacturing, C-4, Commercial, and R-1, Residential Districts, To: CPD, Commercial Planned Development District (Z05-024).

**1322-2006**

To grant a Variance from the provisions of Section 3332.02, R, Rural district, of the Columbus City Codes for the property located at 6436 HARLEM ROAD (43054), to permit a daycare / Montessori school in the R, Rural District (Council Variance # CV06-012).

**1338-2006**

To grant a Variance from the provisions of Sections 3356.03, C-4, Permitted Uses, and 3342.28, Minimum number of parking spaces required of the Columbus City Codes for the property located at 3020 NORTH HIGH STREET (43202), to conform an existing four-family dwelling in the C-4, Commercial District with a reduction in the number of required parking spaces (Council Variance # CV06-034).

**1184-2006**

To rezone 9172 SOUTH OLD STATE ROAD (43035), being 14.5± acres located on the east side of South Old State Road, 347± feet north of Candlelite Lane, From: R, Rural District, To: PUD-8, Planned Unit Development District (Rezoning # Z05-050).

**1183-2006**

To rezone 700 FAIRWAY BOULEVARD (43213), being 3.87± acres located on the north side of Fairway Boulevard, 400± feet west of Etna Road, From: L-R, Limited Rural District, To: PUD-2, Planned Unit Development District (Rezoning # Z06-003).

**1275-2006**

To grant a Variance from the provisions of Sections 3332.029, R-4, Residential District; 3332.05, Area district lot width requirements; 3332.15, R-4, area district requirements; 3332.18(D) Basis of computing area; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; 3332.27, Rear yard; 3332.30, Vision clearance; 3342.28(A)(6) Minimum number of parking spaces required, for the property located at 773 DENNISON AVENUE (43215), to permit a second single-family dwelling (carriage house) and conform an existing single-family dwelling with reduced development standards on a lot zoned in the R-4, Residential District. (Council Variance #CV06-020)

**1212-2006**

To rezone 94 WEST THIRD AVENUE (43201), being 0.49± acres located at the northeast corner of West Third Avenue and Apollo Place (010-017064), From: AR-O, Apartment Residential/Office District, To: L-P-2, Limited Public Parking

District. (Rezoning # Z06-010).

**1231-2006**

To rezone 116 WEST STARR AVENUE (43201), being 0.77± acres located at the northeast corner of West Starr and Dennison Avenues, From: L-P-2, Limited Parking and P-2, Parking Districts, To: AR-O, Apartment Residential Office District (Rezoning # Z05-091).

**1240-2006**

To grant a Variance from the provisions of Sections 3333.15(c), Basis of computing area;, 3333.18(F), Building lines; 3333.24, Rear yard; 3333.27, Vision Clearance; 3342.15, Maneuvering; 3342.18, Parking setback line; 3342.28(A)5, Minimum number of parking spaces required; 3333.26(a), Height district; of the Columbus City Code, for the property located at 116 WEST STARR AVENUE (43201), to permit a multi-family development with reduced standards in the AR-O, Apartment Residential Office District (Council Variance # CV05-056).

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**Legislation Number:** PN0211-2005

**Drafting Date:** 10/07/2005

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** 2006 Meeting Schedule - City of Columbus Records Commission

**Contact Name:** Thamie Freeze

**Contact Telephone Number:** 614-645-7293

**Contact Email Address:** tjfreeze@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 2006 are scheduled as follows:

**Monday, February 6, 2006**

**Monday, May 8, 2006**

**Monday, September 25, 2006**

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) 645-7293.

Advertise: 10/2005 to 10/2006

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**Legislation Number:** PN0247-2005

**Drafting Date:** 12/07/2005

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title** OFFICIAL NOTICE - CIVIL SERVICE COMMISSION

**Notice/Advertisement Title:** OFFICIAL NOTICE-CIVIL SERVICE COMMISSION

**Contact Name:** Lois Washnock

**Contact Telephone Number:** 614.645.7531

**Contact Email Address:** Lwashnock1@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.