

# **Columbus City Bulletin**



**Bulletin #49  
December 9, 2006**

# Proceedings of City Council

Saturday, December 9, 2006



## SIGNING OF LEGISLATION

(With the exception of Ordinances 1920-2006 and 1926-2006 which were signed by Council President Pro-Tem, Michael C. Mentel on the night of the Council Meeting, *Monday December 4, 2006*; and by Mayor, Michael B. Coleman on Wednesday, *December 6, 2006* all other legislation listed in this bulletin was signed by Council President Matthew D. Habash , on the night of the Council meeting, *Monday, December 4, 2006*; Mayor, Michael B. Coleman on Wednesday, *December 6, 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, December 4, 2006

5:00 PM

Columbus City Council

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Columbus City Council

Journal

December 04, 2006

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**REGULAR MEETING NO. 55 OF COLUMBUS CITY COUNCIL, DECEMBER 4, 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 Mr. Boyce, seconded by Ms. Tavares, 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

**C0028-2006**

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY  
CLERK'S OFFICE AS OF WEDNESDAY NOVEMBER 29, 2006:

New Type: C1, C2  
To: New Asian Super Market Inc  
DBA New Asian Super Market  
3635 W Dublin-Granville Rd  
Columbus, Ohio 43235  
permit # 6360850

New Type: C1, C2  
To: Tamarkin Company  
DBA N High St Getgo 3512  
2845 N High St  
Columbus, Ohio 43202  
permit # 87906900605

New Type: C1, C2  
To: Arc Business Development Inc  
5601-91 Wolmer Temple Rd  
Dublin, Ohio 43016  
permit # 02541560015

New Type: C1  
To: Fouta Mountain LLC  
DBA Fouta Mountain  
853 E Hudson St  
Columbus, Ohio 43211

New Type: C1, C2  
To: One Maghreb Inc  
DBA Mobile Gas Station  
1466 Hamilton Rd  
Columbus, Ohio 43227  
permit # 65486970005

Transfer Type: C1, C2, D6  
To: Barasa Inc  
2275 Morse Rd & Drive Thru  
Columbus, Ohio 43229  
From: Abusalha 2 Inc  
DBA Mavericks Drive Thru  
2275 Morse Rd & Drive Thru  
Columbus, Ohio 43229  
permit # 0434141

Transfer Type: C1, C2  
To: Johyna III Inc  
DBA Stelzer Express Mart  
755 Stelzer Rd  
Columbus, Ohio 43219  
From: Al Maddi Inc  
DBA Stelzer Express Mart  
755 Stelzer Rd  
Columbus, Ohio 43219  
permit # 4343369

Transfer Type: D5  
To: Kelso GM Inc  
2941 N High St  
Columbus, Ohio 43202  
From: Imperial Sun Inc  
DBA Jing Chaun Resturant  
2680 E Dublin Granville Rd  
Columbus, Ohio 43231  
Leshan Sun  
permit # 4571450

Transfer Type: C1, C2, D6  
To: Nghiem Tran LLC  
DBA ABC Liquor  
1577 E Dublin Granville rd  
Columbus, Ohio 43229  
From: Sri-Krisna LLC  
DBA ABC Drive Thru 161

1577 E Dublin Granville Rd  
Columbus, Ohio 43229  
permit # 63814430005

Transfer Type: C1, C2  
To: Refugee Corner LLC  
DBA Noe Bixby Sunoco  
4755 Refugee Rd  
Columbus, Ohio 43232  
From: Stephen D Lucas Performance Inc  
DBA Noe Bixby Sunoco  
4755 Refugee Rd  
Columbus, Ohio 43232  
permit # 7268155

Transfer Type: D5, D6  
To: Jumpa Banquet & Catering LLC  
DBA Armandos Catering  
1048 Morse Rd  
Columbus, Ohio 43229  
From: Armandos Catering Co  
DBA Morse Banquet & Conference Center  
1048 Morse Rd  
Columbus, Ohio 43229  
permit # 4410978

Transfer Type: C1, C2  
To: Suzmod Inc  
DBA D&C Market  
1599 S 4th St 1st Fl & Bsmt  
Columbus, Ohio 43207  
From: Stellini Corp  
DBA D&C Market  
1599 S 4th St 1st Fl & Bsmt  
Columbus, Ohio 43207  
permit # 8720315

Transfer Type: C1, C2, D6  
To: Moazzam Inc  
DBA Kwik Stop Drive Thru  
1540 W Mound St  
Columbus, Ohio 43223  
From: Hiba Elahi Inc  
DBA Kwik Stop  
1540 W Mount St  
Columbus, Ohio 43223  
permit # 6072306

Stock Type: D1, D2, D3, D3A, D6  
To: Ruckmoor Restaurant Inc  
7496 N High St 1st Fl Bsmt & Patio  
Columbus, Ohio 43235

permit # 7580023

Liquor Agency Contract  
 To: Nghiem Tran LLC  
 DBA ABC Liquor  
 1571 E Dublin Granville Rd  
 Columbus, Ohio 43229  
 permit # 6381443

Advertise 12/9/06  
 Return 12/14/06

**Read and Filed**

## RESOLUTIONS OF EXPRESSION

### BOYCE

**0207X-2006** In memory of Tristan Nicholas Jordan Shy.

Sponsors: Kevin L. Boyce

**A motion was made by Mr. Boyce, seconded by Ms. Tavares, 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

## FIRST READING OF 30-DAY LEGISLATION

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

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

**2122-2006** FR To accept Memorandum of Understanding (MOU) #2006-07 executed between representatives of the City of Columbus and Columbus Municipal Association of Government Employees (CMAGE)/CWA Local 4502, which amends the Collective Bargaining Contract, August 24, 2005 through August 23, 2008.

**Read for the First Time**

### SAFETY & JUDICIARY: MENDEL, CHR. BOYCE THOMAS HABASH

**2179-2006** FR To authorize and direct the Director of Finance & Management to enter into a contract for the purchase of tasers and taser cartridges with Vance's Outdoors Inc., in accordance with the sole source procurement, to authorize the expenditure of \$140,975.00 from the Law Enforcement Drug Seizure and General Funds. (\$140,975.00)

**Read for the First Time**

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

**2114-2006** 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 23 Urban Paving Project from SR104 (Frank Road) to US23D/Livingston Avenue for the

Transportation Division. (\$0)

**Read for the First Time**

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

- 2104-2006** FR To amend Ordinance 2697-2003, passed December 17, 2003, by allowing for the reimbursement of program costs at the J. Ashburn Jr. Youth Center and by reducing the expenditure to \$20,000.

**Read for the First Time**

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

- 1972-2006** FR To authorize the Director of Public Utilities to enter into a contract with Fields Excavating, Inc. for the Scioto and Darby Creek 30" Water Main for the Division of Water, to authorize the City Auditor to transfer funds within the Waterworks Enlargement Voted 1991 Bonds Fund, and to authorize the expenditure of \$883,050.56 for construction and \$116,949.44 for inspection services by the Transportation Division from the Water Works Enlargement Voted 1991 Bonds Fund, (\$1,000,000.00)

**Read for the First Time**

- 2006-2006** FR To authorize the Director of Public Utilities to execute a construction contract with Complete General Construction Co.; to provide for payment of inspection, material testing and related services to the Transportation Division for the West Fifth Avenue Underpass SSI project; to authorize the transfer of \$206,968.04 within the Storm Sewer Bond Fund; and to authorize the expenditure of \$1,475,254.04 within the Storm Sewer Bond Fund. (\$1,475,254.04)

**Read for the First Time**

- 2030-2006** FR To authorize the Director of Finance and Management to establish a two (2) purchase orders for Personnel Carriers with MH Equipment and Century Equipment for the Division of Power and Water, and to authorize the expenditure of \$38,502.23 from the Water System Operating Fund. (\$38,502.23)

**Read for the First Time**

- 2039-2006** FR To authorize the Director of Public Utilities to execute a construction contract with the KMM&J Joint Venture, in connection with the Big Walnut Sanitary Trunk Sewer Extension, Part 1 Project; to authorize the expenditure of \$23,897,500.00 from the Voted Sanitary Bond Fund; for the Division of Sewerage and Drainage. (\$23,897,500.00)

**Read for the First Time**

- 2040-2006** FR To authorize the Director of Public Utilities to enter into an agreement for professional engineering services with EMH&T, Inc.; to authorize the transfer of \$100,840.20 within the Storm Sewer Bond Fund; for the Division of Sewerage and Drainage; and to authorize the expenditure of \$100,840.20 within the Storm Sewer Bond Fund. (\$100,840.20)

**Read for the First Time**

- 2052-2006** FR To authorize the Director of Finance and Management to establish a purchase order with MH Equipment Company for the purchase of a three-wheeled electric forklift truck for the Division of Power and Water, and to authorize the expenditure of \$23,608.12 from the Water System

Operating Fund. (\$23,608.12)

**Read for the First Time**

- 2053-2006** FR To authorize the Director of Public Utilities to enter into a planned modification of the contract with CH2M Hill , for Professional Engineering Services for the Hap Cremean Water Plant Sludge Pump Station Renovations and Electrical Upgrades, for the Division of Power and Water , and to authorize the expenditure of \$4,318,963.00 from Waterworks Enlargement Voted 1991 Bonds Fund. (\$4,318,963.00)

**Read for the First Time**

- 2082-2006** FR To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release certain waterline easements, located in the vicinity of Sunbury Road and Easton Way, at the request of Germain Real Estate Company, LLC, in exchange for a previously granted replacement.

**Read for the First Time**

- 2094-2006** FR To authorize the Director of Public Utilities to enter into a planned, professional engineering services contract modification with DLZ Ohio, Inc., for construction administration and inspection services in connection with the Big Walnut Sanitary Trunk Sewer Extension, Part 6F1 Project; to authorize the appropriation of \$134,429.73, the transfer of \$1,783,015.90 and the expenditure of \$2,880,815.90 within the Voted Sanitary Bond Fund, for the Division of Sewerage and Drainage. (\$2,880,815.90)

**Read for the First Time**

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

- 2220-2006** FR To amend Sections 2327.14 and 2327.15, and enact new Sections 2327.18 and 2327.19 of the Columbus City Codes, 1959, to clarify and enhance provisions of the code pertaining to the neglect, abandonment, confinement, cruelty, and conveyance of animals.

Sponsors: Michael C. Mentel

**Read for the First Time**

**CONSENT ACTIONS**

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

- 1906-2006** CA To authorize the Director of the Department of Technology to modify and renew a contract with NetPro Computing, Inc. for software maintenance and support, associated with the Active Directory application; to authorize the expenditure of \$10,650.00 from the information services fund (\$10,650.00)

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

- 1999-2006** CA To amend the 2006 Capital Improvements Budget; to authorize the transfer of cash between projects in the Construction Management Capital Improvement Fund; to authorize the Finance and Management Director to enter into contract for the Office of Construction Management with Mosaic Ltd. for an assessment of Facilities Management Division locations; to authorize the expenditure of \$50,000.00 from the Construction Management Capital Improvement Fund, and to declare an emergency. (\$50,000.00).

**A motion was made by Mr. Boyce, 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

- 2001-2006** CA To amend the 2006 Capital Improvements Budget; to authorize the transfer of cash between projects in the Construction Management Capital Improvement Fund; to authorize the expenditure of \$100,000.00 from the Construction Management Capital Improvement Fund for various facility renovations, and to declare an emergency. (\$100,000.00)
- This Matter was Approved on the Consent Agenda.**
- 2003-2006** CA To authorize the Director of Finance and Management, for the Department of Technology to purchase replacement desktop computers and computer related products and equipment on behalf of various city agencies from pre-established universal term contracts with Resource One and Smart Solutions; to authorize the expenditure of \$120,128.00 from the Department of Technology Internal Service Fund; and to declare an emergency. (\$120,128.00)
- This Matter was Approved on the Consent Agenda.**
- 2020-2006** CA To authorize the Finance and Management Director to enter into contract for the Office of Construction Management with HKI Associates, Inc. for professional engineering services associated with the renovation of the exterior of the building at 1393 East Broad Street; to authorize the expenditure of \$45,000.00 from the Construction Management Capital Improvement Fund, and to declare an emergency. (\$45,000.00).
- This Matter was Approved on the Consent Agenda.**
- 2038-2006** CA To authorize the Director of Finance & Management to establish a contract with Oce North America, Inc. for the purchase of a wide format color copier, scanner and plotter for the Department of Technology, on behalf of the Department of Public Service, Transportation Division, and to authorize the expenditure of \$44,447.20 from the Technology Department Information Services Fund; and to declare an emergency. (\$44,447.20)
- This Matter was Approved on the Consent Agenda.**
- 2047-2006** CA To authorize and direct the Finance & Management Director to enter into a citywide contract with PDT Communications, Ltd. for the option to purchase Interactive Voice Response (IVR), Call Center Management Response Information System (CCMIS) and Automated Call Response (ACL) software, hardware and related services and to authorize the expenditure of one dollar to establish the contract from the Purchasing/UTC Fund, and to declare an emergency. (\$1.00).
- This Matter was Approved on the Consent Agenda.**
- 2092-2006** CA To authorize the Finance and Management Director to renew a contract for the Facilities Management Division with Winnsapes for snow/ice removal at various City-owned locations; to authorize the expenditure of \$25,000.00 from the General Fund; and to declare an emergency. (\$25,000.00)

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

- 2098-2006 CA To authorize the Director of the Department of Technology to establish a contract, with Whiteboard Broadband Solutions, for professional services for a citywide connectivity plan, for the Department of Technology; to authorize the expenditure of \$61,500.00 from the Department of Technology's information services fund and \$35,000.00 from the Development Department's general fund; and to declare an emergency. (\$96,500.00)

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

- 2144-2006 CA To authorize the Director of the Department of Technology to enter into contract with Unisys Corporation for support services; to authorize the expenditure of \$46,561.00 from the information services fund, and to declare an emergency. (\$46,561.00)

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

- 2178-2006 CA To authorize and direct the Finance and Management Director to enter into a contract for the option to purchase Office Papers/UTC with RIS Paper Company and Sterling Paper Company and to authorize the expenditure of one dollar to each company to establish the contracts from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$2.00).

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

- 2197-2006 CA To authorize the Mayor's Office to accept a grant award from the Solid Waste Authority of Central Ohio to provide for the Get Green grant program, to appropriate \$210,909 from the unappropriated balance of the General Government Grant Fund to the Office of the Mayor, and to declare an emergency. (\$210,909).

**A motion was made by Mr. Boyce, 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

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

- 2159-2006 CA To authorize the Director of the Department of Development to modify a contract with the Columbus Downtown Development Corporation to extend the termination date to June 30, 2007; and to declare an emergency.

**This Matter was Approved on the Consent Agenda.****SAFETY & JUDICIARY: MENTEL, CHR. BOYCE THOMAS HABASH**

- 1920-2006 CA To accept the attached deeds for real property from various grantees to be used for the purposes of improving storm and sanitary sewer lines and appurtenances thereto.

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

- Abstained: 1 - President Habash  
Affirmative: 6 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas and President Pro-Tem Mentel
- 1934-2006** CA To authorize and direct the Safety Director to enter into a contract with Sagem Morpho, Inc. for six months maintenance for the current Automated Fingerprint Identification System (AFIS) for the Division of Police in accordance with the sole source procurement, to authorize the expenditure of \$158,254.14 from the General Fund, and to declare an emergency. (\$158,254.14)  
**This Matter was Approved on the Consent Agenda.**
- 1963-2006** CA To authorize an appropriation of \$38,262.94 from the unappropriated monies in the FY2006 Bulletproof Vest Partnership grant fund. (\$38,262.94)  
**This Matter was Approved on the Consent Agenda.**
- 1986-2006** CA To amend the 2006 Capital Improvement Budget, to authorize the transfer of cash between projects in the Safety Voted Bond Fund, to authorize the Director of Finance and Management to establish a purchase order with MCM Technology, LLC, for the purchase and installation of an asset management and maintenance tracking system specific to the Department of Public Safety, Division of Support Services, to authorize the expenditure of \$138,990.43 from the Public Safety's Safety Voted Bond Fund, and to declare an emergency. (\$138,990.43).  
**This Matter was Approved on the Consent Agenda.**
- 0186X-2006** CA To declare the necessity and intent to appropriate construction easements in, over, under and through real estate in connection with the Sawmill Road at West Case Road right turn lane Project, and to declare an emergency.  
**This Matter was Adopted on the Consent Agenda.**
- 0187X-2006** CA To declare the necessity and intent to appropriate fee simple title in and to real estate in connection with the Oakland Park Improvement Project, and to declare an emergency.  
**This Matter was Adopted on the Consent Agenda.**
- 2004-2006** CA To authorize and direct the Mayor of the City of Columbus to accept a subgrantee award and enter into a contract with the Franklin County Board of Commissioners via the Franklin County Office of Homeland Security and Justice Programs for the FY06 DV Unit Violence Against Women Act (VAWA) Grant and to authorize an appropriation of \$4,166.00 from the unappropriated balance of the General Government Grant Fund to the Division of Police for the purchase of a color printer and digital cameras and equipment to document Domestic Violence Unit cases. (\$4,166.00)  
**This Matter was Approved on the Consent Agenda.**
- 2045-2006** CA To authorize and direct the Administrative Judge of the Franklin County Municipal Court to modify and extend the contract with National Alliance for the Mentally Ill Ohio for provision of a crime prevention specialist for the Court's mental health docket; and to declare an emergency. (\$0.00)  
**A motion was made by Mr. Boyce, seconded by Ms. O'Shaughnessy, 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
- 2081-2006** CA To authorize and direct the City Auditor to appropriate and pre-encumber \$33,000.00 from the Public Safety Initiative Fund; to authorize and direct the Director of Finance and Management on behalf of the Division of Fire to expend \$33,000.00 from the Public Safety Initiative Fund, and to declare an emergency. (\$33,000.00)  
**This Matter was Approved on the Consent Agenda.**
- 2109-2006** CA To authorize and direct the Finance & Management Director to enter into contracts for the option to purchase Service and Training Ammunition/UTC with Vance Outdoors, Inc. and Kiesler Police Supply and to authorize the expenditure of two dollars to establish the contracts from the Purchasing/UT Contract Fund, and to declare an emergency. (\$2.00).  
**This Matter was Approved on the Consent Agenda.**
- 2118-2006** CA To authorize and direct the Finance & Management Director to enter into a citywide UTC contract for the option to purchase Automated Scheduling Management Software, Hardware and Related Services and to authorize the expenditure of one dollar to establish the contract from the Purchasing/UTC Fund, and to declare an emergency. (\$1.00).  
**This Matter was Approved on the Consent Agenda.**
- 2125-2006** CA To authorize and direct the Administrative Judge of the Franklin County Municipal Court to modify and extend the contract with Southeast, Inc. for provision of case management support for the Court's mental health docket; and to declare an emergency. (\$0.00)  
**This Matter was Approved on the Consent Agenda.**
- 2161-2006** CA To authorize the Franklin County Municipal Court Clerk to modify the contract with Fireproof Record Center for the provision of three months of offsite storage for the Franklin County Municipal Court Clerk's office; to authorize the expenditure of \$12,375.00 from Clerk's computerization fund; and to declare an emergency. (\$12,375.00)  
**This Matter was Approved on the Consent Agenda.**
- 2171-2006** CA To authorize and direct the Finance and Management Director to enter into one (1) UTC contract for the option to purchase Unmarked Vehicles with Graham Ford Inc., to authorize the expenditure of one (1) dollar to establish the contract from the Purchasing/UTC Contract Operation Fund, and to declare an emergency (\$1.00).  
**This Matter was Approved on the Consent Agenda.**
- 0193X-2006** CA To declare the necessity and intent to appropriate fee simple title and lesser interests in and to real estate in connection with the Lockbourne Road Roadway Improvement Project (Cooke Road Phase), and to declare an emergency.  
**This Matter was Adopted on the Consent Agenda.**
- 0194X-2006** CA To declare the necessity and intent to appropriate fee simple title and lesser interests in and to real estate in connection with the Morse Road

Improvement Phase II Project, and to declare an emergency.

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

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

**1948-2006** CA To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of a parcel of real property (828 Atcheson Street) held in the Land Bank pursuant to the Land Reutilization Program.

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

**2055-2006** CA To authorize assessments for weed and solid waste removal on properties in violation of weed and solid waste regulations as set forth in the Columbus City Code; and to declare an emergency.

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

**2091-2006** CA To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of a parcel of real property (1394-1396 E. Long Street ) held in the Land Bank pursuant to the Land Reutilization Program; and to declare an emergency.

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

**2199-2006** CA To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of a parcel of real property (897 E. Mound Street) held in the Land Bank pursuant to the Land Reutilization Program; and to declare an emergency.

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

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

**1875-2006** CA To authorize the Finance & Management Director to establish a contract with Affordable Choice Electric Inc. for the purchase of stand-by electrical generators for the Transportation Division; to amend the 2006 Capital Improvments Budget; to authorize the transfer of \$130,000 within the 1995, 1999, 2004 Voted Streets and Highways Fund; to authorize the expenditure of \$130,000.00 or so much thereof as may be needed from the 1995, 1999, 2004 Voted Streets and Highways Fund and to declare an emergency. (\$130,000.00)

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

**1927-2006** CA To authorize and direct the Finance and Management Director to enter into two (2) UTC contracts for the option to purchase Automotive Preventative Maintenance (PM) Services with The McGlaughlin Oil Co./Fas Lube, Inc. and Valvoline Instant Oil Change to authorize the expenditure of two (2) dollars to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$2.00).

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

**1973-2006** CA 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 the reconstruction of the US33 (Livingston Avenue) over Alum Creek Drive structure. ( \$0 )

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

- 2028-2006 CA To authorize the City Attorney to file the necessary complaints for the appropriation of fee simple title in and to real estate necessary for the Sidewalk Installation Program, COTA Routes Project, to authorize the expenditure of \$21,935.00 from the Transportation Division of the Federal State Highway Engineering Fund and to declare an emergency. (\$21,935.00)

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

- 2050-2006 CA To authorize the Director of Public Service to enter into a professional service contract with Jones Stuckey Ltd., Inc. for the preliminary engineering of the General Engineering Bridges project and to authorize the expenditure of \$300,000.00 from the 1995, 1999, 2004 Voted Streets and Highways Fund for the Transportation Division; and to declare an emergency (\$300,000.00).

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

- 2054-2006 CA To authorize the Public Service Director to assign all past, present, and future City of Columbus business transactions with Computran Systems Corporation to Computran Systems Engineering, L.L.C., and to declare an emergency. (\$-0-)

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

- 2086-2006 CA To authorize the Public Service Director to enter into agreement with the City of Hilliard for construction of the Hilliard Rome Road/Main Street widening project from Roberts Road to a point just south of Scioto Darby Road for the Transportation Division; to authorize the expenditure of \$250,000.00 from the 1995, 1999, 2004 Voted Streets and Highways Fund; and to declare an emergency. (\$250,000.00)

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

- 2115-2006 CA To authorize and direct the Finance & Management Director to enter into two (2) contracts for the option to purchase Repair of Auto/Truck Springs with Frame & Spring, Inc. and Jones Truck & Spring Repair, Inc. to authorize the expenditure of two (2) dollars to establish the contract from the Purchasing/Universal Term Contract Fund, and to declare an emergency. (\$2.00).

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

- 2173-2006 CA To accept the plat titled "Henderson Road, The Establishment Of An Access In The Existing Southerly Limited Access Right-Of-Way Line Thereof, City of Columbus, Ohio", from DO-AN Investments Ltd., by Frank Ciotola, President; and to declare an emergency.

**This Matter was Approved on the Consent Agenda.****HEALTH, HOUSING & HUMAN SERVICES: TAVARES, CHR. BOYCE THOMAS HABASH**

- 1992-2006 CA To authorize the Finance and Management Director to enter into contract for the Office of Construction Management with Hardlines Design Company for an assessment of the South Dorm at 240 Parsons Avenue; to authorize the expenditure of \$50,000.00 from the Health Voted Bond Fund, and to declare

an emergency. (\$50,000.00).

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

- 2000-2006 CA To authorize the Director of Finance and Management to establish a purchase order with Gen-Probe for the purchase of Chlamydia and gonorrhea test kits for the Columbus Health Department in accordance with sole source provisions; to authorize the expenditure of \$12,000 from the Health Special Revenue Fund and the Health Department Grants Fund; and to declare an emergency. (\$12,000)

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

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

- 1660-2006 CA To authorize the Director of Public Utilities to modify the professional engineering services contract with DLZ Ohio, Inc. for the Jackson Pike Wastewater Treatment Plant Sludge Handling and Dewatering Improvements Project; to authorize the appropriation and expenditure of \$467,063.10 from the Ohio Water Pollution Control Loan Fund, for the Division of Sewerage and Drainage; and to declare an emergency. (\$467,063.10)

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

- 1719-2006 CA To authorize the Director of Public Utilities to enter into contract with Inflection Point Solutions for consulting and support services for the development of requirements for a Lab Information Management System for the Department of Public Utilities and to authorize the expenditure of \$47,250.00 from the Sewerage System Operating Fund and \$47,250.00 from the Water Systems Operating Fund. (\$94,500.00)

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

- 1913-2006 CA To authorize the Director of Finance and Management to establish a purchase order with Hach Company for the purchase of a Water Distribution Monitoring System for the Division of Power and Water, and to authorize the expenditure of \$43,822.08 from the Water System Operating Fund. (\$43,822.08)

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

- 1923-2006 CA To authorize the Director of Finance and Management to establish a Blanket Purchase Order, for Process Control Computer Maintenance, from an established Universal Term Contract with TELVENT USA INC for the Division of Power and Water, to authorize the expenditure of \$27,831.00 from Water Systems Operating Fund, (\$27,831.00).

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

- 1942-2006 CA To authorize the Director of Public Utilities to enter into an reimbursement agreement with State Street Realty Partners, LLC for the construction of the Powell Road 12" Water Main and to authorize the expenditure of \$8,000.15 from the Water Works Enlargement Voted 1991 Bonds Fund for the Division of Water. (\$8,000.15)

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

- 1945-2006 CA To authorize the Director of Finance and Management to establish a purchase order with Ace Truck Body, Inc. for the purchase of two (2) Utility

Bodies for the Division of Power and Water, and to authorize the expenditure of \$45,642.00 from the Water System Operating Fund. (\$45,642.00)

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

- 1949-2006** CA To authorize the Director of Public Utilities to enter into an agreement for professional engineering services with Korda/Nemeth Engineering, Inc. to provide design engineering services for the Merwin Hill Area Sewer Improvements Project; to authorize the transfer of \$2,897.65 and the expenditure of \$52,897.65 from the Voted Sanitary Bond Fund; to amend the 2006 Capital Improvements Budget; for the Division of Sewerage and Drainage; and to declare an emergency. (\$52,897.65)
- This Matter was Approved on the Consent Agenda.**
- 1993-2006** CA To authorize the Director of Finance and Management to establish a purchase order with FYDA Freightliner Columbus, Inc. for the purchase of one (1) asphalt pothole patching truck for the Division of Power and Water, and to authorize the expenditure of \$130,780.00 from the Water System Operating Fund. (\$130,780.00)
- This Matter was Approved on the Consent Agenda.**
- 1994-2006** CA To authorize the Director of Public Utilities to enter into an agreement with 360water, Inc. for professional services for the Facilities and Safety Training Management & Documentation Services; to authorize the expenditure of \$150,000.00 from the Sewer System Operating Fund (\$150,000.00).
- This Matter was Approved on the Consent Agenda.**
- 2017-2006** CA To authorize the Director of Finance and Management to establish a Blanket Purchase Order for the Rental of Construction Equipment with Operator from Universal Term Contracts with Travco Construction Company and George J. Igel for the Division of Sewerage and Drainage; to authorize the expenditure of \$500,000.00 from the Sewerage System Operating Fund, and \$200,000.00 from the Storm Sewer Operating Fund and to declare an emergency. (\$700,000.00)
- This Matter was Approved on the Consent Agenda.**
- 2018-2006** CA To authorize the Director of Public Utilities to make payment to Delaware County for sewer services provided, to authorize an expenditure of \$500,000.00 from the Sewer System Operating Fund and to declare an emergency. (\$500,000.00)
- This Matter was Approved on the Consent Agenda.**
- 2027-2006** CA To authorize and direct the Finance & Management Director to establish a blanket order for odor control chemicals used during the wastewater treatment process at the Southerly Wastewater Treatment Plant from a Universal Term Contract, to authorize the expenditure of \$200,000.00 from the Sewerage System Operating Fund, and to declare an emergency. (\$200,000.00)
- This Matter was Approved on the Consent Agenda.**
- 2029-2006** CA To authorize the Director of Public Utilities to modify the contract with PDT Communications Ltd for installation, upgrade and support of the Customer Interaction Center for the Division of Operational Support, to authorize the

expenditure of \$8060.00 from the Water Operating Fund, \$10,920.00 from the Sewerage System Operating Fund, \$2,340.00 from the Stormwater Operating Fund and \$4,680.00 from the Electricity Operating Fund and to declare an emergency. (\$26,000.00)

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

- 2058-2006 CA To authorize the Director of Public Utilities to pay operating license fees for the three water treatment plants to the Treasurer, State of Ohio, Ohio Environmental Protection Agency, for the Division of Power and Water, and to authorize the expenditure of \$205,931.88 from the Water Systems Operating Fund, and to declare an emergency. (\$205,931.88)

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

- 2078-2006 CA To authorize and direct the Finance and Management Director to enter into two UTC contracts for the option to purchase Potassium Permanganate with F2 Industries and Carus Chemical Company, to authorize the expenditure of two dollars to establish the contracts from the Purchasing/UTC Fund, and to declare an emergency (\$2.00).

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

- 2079-2006 CA To authorize and direct the Finance and Management Director to enter into one UTC contract for the option to purchase Liquid Sodium Bisulfite with JCI Jones Chemicals, to authorize the expenditure of one dollar to establish the contract from the Purchasing/UTC Fund, and to declare an emergency (\$1.00).

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

- 2093-2006 CA To authorize and direct the Finance & Management Director to enter into a contract for the option to purchase Turbidity Analyzers and Controllers/UTC with Hach Company and to authorize the expenditure of one dollar to establish the contract from the Purchasing/UTC Fund, and to declare an emergency. (\$1.00).

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

- 2100-2006 CA To authorize and direct the Finance & Management Director to enter into a contract for the option to obtain Allis Chalmers Sludge Pump Parts with The Henry P. Thompson Company, to authorize the expenditure of \$1.00 to establish the contract from the Universal Term Contracts Fund, and to declare an emergency. (\$1.00)

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

- 2105-2006 CA To authorize and direct the Finance & Management Director to modify past, present and future purchase orders with USFilter Wastewater Group Inc, to reflect a name change to the company as a result of new ownership; and to declare an emergency.

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

- 2112-2006 CA To authorize the Director of Public Utilities to modify a contract with Liberty Mutual Insurance Company, for the Wastewater Treatment Facilities Instrumentation and Control (I&C) System Upgrade Project; to authorize the expenditure of \$855,557.00 within the Voted Sanitary Sewer Bond Fund for the Division of Sewerage and Drainage; and to declare an emergency. (\$855,557.00).

**A motion was made by Mr. Boyce, 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

- 2116-2006** CA To authorize and direct the Finance & Management Director to enter into five contracts for the option to purchase Electric Meters and Accessories with Hughes Supply, Inc; Reed City Supply; Wesco Distribution Inc.; Becker Electric; and Marwell Corporation to authorize the expenditure of five dollars to establish the contract from the Purchasing/UTC Fund, and to declare an emergency. (\$5.00).

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

- 2140-2006** CA To authorize the transfer of appropriations within the Sewer Operating-Sanitary Fund from the Division of Sewerage and Drainage to the Department of Public Utilities and the Division of Operational Support to provide funding necessary to cover the Department of Public Utilities and the Division of Operational Support personnel expenditures for the remainder of the year and to declare an emergency. (\$100,000.00)

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

- 2145-2006** CA To authorize and direct the Finance & Management Director to enter into five (5) contracts for the option to purchase Mainline Parts and Fire Hydrants with HD Supply-Waterworks, Ferguson Waterworks, Ohio Water & Waste Supply Co., Inc., Trumbull Industries, and Hydraflo, Inc., to authorize the expenditure of \$5.00 to establish the contracts from the Universal Term Contracts Fund, and to declare an emergency. (\$5.00).

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

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

- 2049-2006** CA To authorize and direct the Finance and Management Director to set up a purchase order with Textron Golf Turf and Specialty Products to provide adequate funding through December 31, 2006 for golf cars, in accordance with the terms of the Universal Term Contracts, to authorize the appropriation and expenditure of \$50,000.00 from the Golf Course Operations Fund, and to declare an emergency. (\$50,000.00)

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

- 2107-2006** CA To authorize and direct the transfer of \$125,000.00 between Objects within the Recreation and Parks Operating Fund 285 to properly align appropriations in order to complete necessary expenditures pertaining to utility costs and recreation and maintenance supply expences through the end of 2006, and to declare an emergency. (\$125,000.00)

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

- 2154-2006** CA To authorize and direct the Finance & Management Director to enter into four (4) UTC contracts for the option to purchase Photo ID Supplies, to authorize the expenditure of four (4) dollars to establish the contract from the Purchasing UTC Contract Fund, and to declare an emergency. (\$4.00).

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

- A0124-2006** CA Appointment of Dr. Augustus G. Parker III, Columbus Women's Care, Inc., 85 McNaughten Road, Suite 310, Columbus, Ohio 43213 to serve on the Columbus Board of Health replacing Dr. Wilburn Weddington with a new term expiration date of January 11, 2011. (resume attached)

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

- A0125-2006** CA Appointment of Meera Parthasarathy, AIA, NCARB, LEED, AP, 7574 Bevelhymmer Road, New Albany, OH 43054 to serve on a joint seat to the Rocky Fork - Blacklick Accord Implementation Panel with a term expiration date of June 9, 2008 (resume attached).

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

- A0126-2006** CA Appointment of Raymond A. Silverstein, 4136 Sudbrook Square East, New Albany, OH 43054, to serve on a joint seat to the Rocky Fork - Blacklick Accord Implementation Panel replacing Franz Geiger with a new term expiration date of June 9, 2009 (resume attached).

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

- A0127-2006** CA Appointment of William E. Carleton, RPA, 783 Katherine's Wood Drive, Columbus, OH 43235, to serve on a joint seat to the Rocky Fork - Blacklick Accord Implementation Panel with a new term expiration date of June 9, 2007 (resume attached).

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

- A0128-2006** CA Reappointment of George M. Kane, Jr., 112 Arden Road, Columbus, OH 43214, to serve on the University Area Review Board with a new term expiration of January 31, 2009. (resume attached).

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

- A0129-2006** CA Reappointment of Fredric A. Goodman, AIA, F. A. Goodman Architects, 16 East Poplar Avenue, Columbus, OH 43215, to serve on the University Area Review Board with a new term expiration date of January 31, 2009 (resume attached).

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

- A0130-2006** CA Re-appointment of Kathleen H. Ransier, Vorys, Sater, Seymour and Pease, 52 East Gay Street P.O. Box 1008 Columbus, Ohio 43216-1008 to serve on the Columbus Regional Airport Authority Board of Directors with a new term expiration of December 31, 2010 (resume attached).

**A motion was made by Mr. Boyce, seconded by Ms. O'Shaughnessy, that this matter be Read and 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

- A0131-2006** CA Re-appointment of Chad A. Jester, Nationwide, One Nationwide Plaza , Columbus, Ohio 43218 to serve on the Columbus Zoo Boardwith a new term expiration of December 31, 2009 (reume attached).

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

**Passed The Consent Agenda**

**A motion was made by Mr. Boyce, 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**

**1840-2006**

To authorize and direct the Finance & Management Director to modify and extend the citywide UTC contract for the option to purchase Long Distance Telephone Services with SBC Long Distance, LLC, dba AT&T Long Distance, to waive the provisions of competitive bidding 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

**1988-2006**

To amend Ordinance No. 2944-1999, as amended, by enacting Sections 5(E)-A231, the classification of Assistant Director (Jobs and Economic Development ) (U); Section 5(E)-A236, the classification of Assisstant Director (Community and Neighborhood Development) (U); Section 5(E)-I067, the classification of IT Technical Support Manager; Section 5(E)-O014, the classification of Occupational Safety and Health Officer; and to declare an emergency.

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

Affirmative: 5 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, President Pro-Tem Mentel and President Habash  
Negative: 2 - Ms. Tavares and Ms. Thomas

**2044-2006**

To authorize and direct the City Auditor to transfer funds within the General Fund; from the City Treasurer to the Parking Violations Bureau and to declare an emergency (\$37,040).

**A motion was made by Mr. Boyce, 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

2149-2006

To accept Memorandum of Understanding (MOU) #2006-06 executed between representatives of the City of Columbus and Columbus Municipal Association of Government Employees (CMAGE)/CWA Local 4502, which amends the Collective Bargaining Contract, August 24, 2005 through August 23, 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

2180-2006

To authorize and direct that the beneficiary of deceased employee, Lee R. Allen, be granted the life insurance benefit as directed in the 1973 collective bargaining contract between the City of Columbus and AFSCME; to authorize the expenditure of \$10,000 from the Employee Benefits Fund/Life Insurance; and to declare an emergency. (\$10,000)

**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

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

1956-2006

To authorize the Director of Development to enter into an Enterprise Zone Agreement with the Columbus Compact Corporation for a tax abatement of 75% for a period of ten years for real property improvements and 75% for a period of two years for personal property in consideration of a proposed \$2.5 million investment and the creation of 16 new jobs.

**A motion was made by Ms. Hudson, seconded by President Pro-Tem Mentel, 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

2007-2006

To authorize and direct the Director of the Columbus Department of Development to enter into an agreement with the Ohio Department of Development to receive and administer Clean Ohio assistant grant funds in an amount of \$750,000.00; to authorize the appropriation of \$750,000.00 from the General Government Grant Fund; to authorize and direct the Director of the Columbus Department of Development to enter into an agreement with Civil and Environmental Consultants to apply said grant funding for environmental clean up work at Wheatland Avenue Property in the Hilltop Area of Columbus; to authorize the expenditure of \$750,000.00 from the General Government Grant Fund; and to declare an emergency. (\$750,000.00)

**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:**

2057-2006

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

To amend Ordinance No. 1364-2006, passed on July 24, 2006, that authorized the Director of Development to enter into agreements with DSW Inc. and 4300 Venture 34910 LLC for tax abatements in order to clarify the jobs retention requirement and that the agreed upon number of jobs will be created through DSW Inc., its subsidiaries, and/or affiliates; and to declare an emergency.

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

Abstained: 2 - Ms. Hudson and Ms. Thomas

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

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

Abstained: 2 - Ms. Hudson and Ms. Thomas

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

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

Abstained: 2 - Ms. Hudson and Ms. Thomas

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

2080-2006

To authorize the Director of the Department of Development to enter into an incentive agreement based on payroll growth with Lifestyle Communities Ltd.; and to declare an emergency.

**A motion was made by Ms. Hudson, seconded by Ms. Tavares, that this matter be Taken from the Table. 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

**A motion was made by Ms. Hudson, seconded by Ms. Tavares, that this matter be Amended as submitted to the Clerk. 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

**A motion was made by Ms. Hudson, seconded by Ms. Tavares, that this matter be Approved as Amended. 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

**2189-2006** To authorize the Director of the Department of Development to enter into an agreement with e-Play, LLC for a Jobs Creation Tax Credit of 65% for a period of 8 years in consideration of the company's total capital investment of \$11,600,000, the retention and relocation of 17 full-time and 11 part-time employees and the creation of 119 new full time permanent positions; 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

**2190-2006** To authorize the Director of the Department of Development to enter into an agreement with BH Thermal Corporation for a Jobs Creation Tax Credit of 65% for a period of 8 years in consideration of the company's total investment of \$1,189,000, the retention of 155 full-time employees and the creation of 75 new full time permanent positions; 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

**2202-2006** To authorize the Director of Development to enter into an agreement with Rastra Ohio, Inc. for a Jobs Creation Tax Credit of 65% for a period of 8 years in consideration of the company's investment of \$3.9 million in new personal property and the creation of 47 permanent full-time jobs; 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:**

Abstained: 1 - President Pro-Tem Mentel

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

**2203-2006** To authorize the Director of Development to enter into an agreement with Genpak LLC for a Jobs Creation Tax Credit of 65% for a period of 8 years in consideration of the company's investment of \$7.7 million in real and personal property, the retention of 52 permanent full-time positions and the creation of 25 permanent full-time jobs; 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

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

**1417-2006** To authorize the reinstatement of 279 hours sick leave and 57 vacation leave hours (336 total hours) of accumulated sick leave and vacation leave to Firefighter Andy Trott, and to declare an emergency.

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
- 1426-2006** To authorize and direct the appropriation of \$250,000 within the permanent improvement fund to the Division of Fire for the purchase of thermal imaging cameras for use in fire rescue operations, and to declare an emergency (\$250,000).
- Sponsors: Michael C. Mentel
- A motion was made by President Pro-Tem Mentel, 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
- 1944-2006** To authorize and direct the Public Safety Director to contract for the purchase of security equipment from SimplexGrinnell, Berkshire Boys, Fortin Welding, Electronic Security Systems, Sonitrol, Davey Commercial, Stonewear and ADT/Sensormatic for the Division of Police, to authorize the expenditure of \$178,509.67 from the Buffer Zone Protection Program grant; and to waive the provisions of competitive bidding; and to declare an emergency. (\$178,509.67)
- A motion was made by President Pro-Tem Mentel, 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
- 2008-2006** To authorize and direct the City Attorney to settle the claims brought by Susan Stover (formerly Susan Parsley) against the City of Columbus in the United States District Court for the Southern District of Ohio, Eastern Division, Case No. 2:05-cv-229, to authorize the City Auditor to transfer \$140,000.00 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 One Hundred Forty Thousand and 00/100 Dollars (\$140,000.00) in settlement of this lawsuit, and to declare an emergency. (\$140,000.00)
- A motion was made by President Pro-Tem Mentel, 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
- DEVELOPMENT: O'SHAUGHNESSY, CHR. HUDSON TAVARES HABASH**
- 1859-2006** To accept the application (AN06-006) of Gregory A. Marietti, et al. for the annexation of certain territory containing 6.7 ± Acres in Perry Township.
- A motion was made by Ms. O'Shaughnessy, seconded by Ms. Tavares, 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

**1929-2006** To adopt the Greater Parsons Avenue Area Vision Plan as guide for the development, redevelopment, and the planning of future public improvements of the area.

**A motion was made by Ms. O'Shaughnessy, 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

**2056-2006** To authorize the Director of Development to amend four Empowerment Zone contracts with the Columbus Compact Corporation by extending the term of the contracts to December 31, 2007; 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

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

**2005-2006** To authorize the Public Service Director to enter into contract with Cale Parking Systems USA, Inc., Duncan Solutions, Inc., J.J. MacKay Canada Limited and Standard Parking to provide materials, labor and equipment at no cost to the city necessary to install and operate Pay and Display and Pay by Space meter systems at up to five locations in the Downtown and the Short North in connection with the Department's Pilot Multi-Space Parking Meter Project; to waive City Code provisions for competitive bidding; and to declare an emergency. (\$0.00)

**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

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

**2087-2006** To authorize and direct the City Auditor to transfer \$375,000 from the Emergency Human Services Fund and \$58,480 from the Finance and Management Department's citywide account to the Health Special Revenue Fund, to appropriate \$433,480 within the Health Special Revenue Fund, to authorize the Board of Health to modify and increase a contract with CNHC, Inc. for tenant improvement expenses, to authorize the expenditure of \$433,480 from the Health Special Revenue Fund, and to declare an emergency. (\$433,480.00)

**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

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

- 1650-2006** To authorize the Director of Finance and Management to establish a purchase order with Smart Solutions Inc for the purchase of servers from the Computer Hardware Universal Term Contract for the Division of Operational Support, to authorize the expenditure of \$29,400.00 from the Sewerage System Operating Fund, \$6,300.00 from the Storm Water Operating Fund, \$12,600.00 from the Electricity Operating Fund, \$21,700.00 from the Water Operating Fund and to declare an emergency. (\$70,000.00)
- A motion was made by Ms. Thomas, 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. 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
- 1882-2006** To authorize the Director of Public Utilities to enter into a contract with Complete General Construction Co. for the Fisher Road Booster Station Discharge Line for the Division of Power and Water, to amend the 2005 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 \$2,519,629.48 for construction and \$255,370.52 for inspection services by the Transportation Division from the Water Works Enlargement Voted 1991 Bonds Fund, (\$2,775,000.00)
- 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
- 1928-2006** To authorize the Director of Public Utilities to purchase a subscription, for the right to use the IRTHNet Services with AGT International for the Division of Operational Support, in accordance with the sole source provisions of the Columbus City Code Section 329.07 (c), to authorize the expenditure of \$12,180.00 from the Sewerage System Operating Fund; \$2,610.00 from the Storm Water Operating Fund; \$5,220.00 from the Electricity Operating Fund and \$8,990.00 from the Water Operating Fund. (\$29,000.00)
- 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
- 1970-2006** To authorize the transfer of appropriations within the Electricity Operating Fund to align budget authority with projected expenditures for the Division of Power and Water, and to declare an emergency. (\$1,046,900.00)
- 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
- 1989-2006** To authorize the Director of Public Utilities to modify an existing contract with

The Erora Group to reflect the consultant's name change to MDL Holding Company, LLC, and to extend and increase the contract for power supply planning and related services for the Division of Power and Water; to waive competitive bidding provisions of the Columbus City Code; to authorize the expenditure of \$90,000.00 from the Electricity Operating Fund; and to declare an emergency. (\$90,000.00)

**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

2021-2006

To authorize the Director of Public Utilities to obtain capacity and energy for the Division of Power and Water in accordance with terms and conditions of the contract with American Electric Power Service Corporation (AEPSC); to authorize the expenditure of \$4,312,900.00; and to declare an emergency. (\$4,312,900.00)

**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:**

Abstained: 1 - Ms. Thomas

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

2095-2006

To authorize the Director of Public Utilities to enter into an agreement with Children's Hospital that will result in the elimination of the Division of Power and Water's current South Substation, to convey the property to Children's Hospital, to waive provisions of Columbus City Code relating to sale of city-owned realty and to declare an emergency.

**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

2110-2006

To authorize the Director of Public Utilities to modify a contract with Kokosing Construction Company, Inc. for the Jackson Pike Wastewater Treatment Plant New Headworks Project; to authorize the transfer of \$1,525,000.00 within the Voted Sanitary Sewer Bond Fund; to amend the 2006 Capital Improvements Budget; to authorize the expenditure of \$1,525,000.00 within the Voted Sanitary Sewer Bond Fund for the Division of Sewerage and Drainage; and to declare an emergency. (\$1,525,000.00).

**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:**

Abstained: 1 - Ms. Thomas

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

2165-2006

To authorize the Finance & Management Director to issue purchase orders for the purchase of transformers for the Division of Power and Water from Wesco Aurora Utility and Van Tran Industries; to waive the competitive bidding provisions of Columbus City Code; to authorize the expenditure of \$279,646.00 from the Electricity Operating Fund; and to declare an

emergency. (\$279,646.00)

**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

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

**0867-2006**

To amend Chapters 2105, 2150, 2151, and 2155 of the Columbus City Codes, 1959, that relate to the Traffic Code and the Bureau of Parking Violations for general housecleaning purposes.

Sponsors: Kevin L. Boyce

**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

**1489-2006**

To amend Chapter 540 of the Columbus City Codes, 1959, relative to massage and bath establishments and the registration of masseuses and masseurs.

Sponsors: Michael C. Mentel

**A motion was made by President Pro-Tem Mentel, 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

**1960-2006**

To amend Chapter 901 of the Columbus City Codes 1959, to enact new construction inspection fees.

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

**2022-2006**

To modify and amend section 4113.79 of the Columbus Building Code, Title 41, of the Columbus City Code, 1959, in order to set a percentage for the recycling of demolition debris and establish reporting requirements to gauge the success of the program.

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

**2051-2006**

To supplement the Columbus City Codes, 1959, by creating a new section in Chapter 4113 of the Columbus Building Code, Title 41, numbered 4113.83, in order to provide for local plan review and installation inspection of medical

gas piping as allowed by option under state code.

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

## **ADJOURNMENT**

*ADJOURNED: 6:35 p.m.*

**A motion was made by Mr. Boyce, seconded by President Pro-Tem Mentel, to adjourn this Regular Meeting. 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, December 4, 2006

6:30 PM

Zoning Committee

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Zoning Committee

Journal

December 04, 2006

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#### **REGULAR MEETING NO. 56 OF CITY COUNCIL (ZONING), DECEMBER 4, 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**

**1926-2006**

To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, Apartment residential district use; 3333.18, Building lines; and 3342.28, Minimum number of parking spaces required, of the Columbus City Codes, for the property located at 829 WEST TOWN STREET (43222), to permit two (2) eighteen (18) unit apartment houses on the same lot with reduced development standards in the AR-1, Apartment Residential District.

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

Absent@vote: President Habash

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

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

Absent@vote: President Habash

Affirmative: Chair Mentel, Mr. Boyce, 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:**

Absent@vote: President Habash

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

**2096-2006**

To rezone 7468 EAST BROAD STREET (43004), being 1.15± acres located on the north side of East Broad Street, 65± feet east of Kingsmeadow Lane, From: R, Rural District, To: L-AR-12, Limited Apartment Residential District (Rezoning # Z06-065).

**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

**2097-2006**

To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD, and AR-1 Apartment residential district use, and 3342.15, Maneuvering, for the property located at 7468 EAST BROAD STREET (43004), to permit two-unit dwellings with reduced maneuvering in the L-AR-12, Limited Apartment Residential District. (Council Variance #CV06-050)

**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

**2103-2006**

To grant a Variance from the provisions of Sections 3356.05, C-4, Commercial district; 3342.08, Driveway; 3342.28, Minimum number of parking spaces required and 3356.11, C-4 district setback lines, of the Columbus City Codes for property located at 500 EAST DESHLER AVENUE (43206), to conform an existing single-family dwelling in the C-4, Commercial District.

**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

2153-2006

To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential district; 3332.18(D), Basis of computing area; and 3342.18, Minimum number of parking spaces required, for the property located at 601 SOUTH THIRD STREET (43206), to permit expansion of an existing dental office with reduced development standards in the R-2F, Residential District (Council Variance #CV06-054).

**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

2155-2006

To rezone 5301 ROBERTS ROAD (43026), being 0.68± acres located on the south side of Roberts Road, 300± feet west of Windflower Road, From: R-1, Residential District. To: CPD, Commercial Planned Development District. (Rezoning # Z06-066)

**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

2158-2006

To rezone 7525 SANCUS BOULEVARD (43085), being 0.96± acres located on the southwest corner of Sancus Boulevard and Worthington Woods Boulevard, From: CPD, Commercial Planned Development District. To: CPD, Commercial Planned Development District. (Rezoning # Z06-056)

**A motion was made by Chair Mentel, seconded by Hudson, that this matter be Waived the 2nd Reading. 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 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 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

2169-2006

To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential District, and 3342.28, Minimum number of parking spaces required of the Columbus City Codes for the property located at 541 SOUTH THIRD STREET (43215), to permit a restaurant with reduced parking in the R-2F, Desiderial District. (Council Variance #CV06-049).

**A motion was made by Chair Mentel, seconded by Hudson, 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 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

1470-2006

To rezone 4871 WARNER ROAD (43081), being 43.73± acres located on the south side of Warner Road, 1400± feet east of Ulry Road, From: PUD-8, Planned Unit Development District, To: PUD-6, Planned Unit Development District (Rezoning # Z06-049).

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

Abstained: Chair Mentel

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

*ADJOURNED: 6:55 p.m.*

**A motion was made by Chair Mentel, seconded by Hudson, to adjourn this Regular Meeting. 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

Legislation Number: 0186X-2006

Drafting Date: 11/01/2006

Current Status: Passed

Version: 1

Matter Type: Resolution

**Explanation**

**Background:**

The following is a resolution to declare the necessity and intent to appropriate construction easements in, over, under and through real estate in connection with the **Sawmill Road at West Case Road right turn lane 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 meet the Department of Transportation's project time line.

**Title**

To declare the necessity and intent to appropriate construction easements in, over, under and through real estate in connection with the **Sawmill Road at West Case Road right turn lane Project**, and to declare an emergency.

**Body**

WHEREAS, the City of Columbus is engaged in the **Sawmill Road at West Case Road right turn lane Project**; and,

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that it is immediately necessary to declare the necessity and intent to appropriate construction easements in, over, under and through the hereinbefore described real estate necessary for the aforementioned project so that there will be no delay in the project thereby preserving the public health, peace, property, safety, and welfare; now, therefore:

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

Section 1. That this Council hereby declares the necessity and intent to appropriate construction easements in, over, under and through the following described real estate necessary for the **Sawmill Road at West Case Road right turn lane Project**, Project #530161, pursuant to and in accordance with the Charter of the City of Columbus, Columbus City Code (1959) Revised, Chapter 909, the Constitution of the State of Ohio and Ohio Revised Code, Chapter 719; to-wit:

2T

**TEMPORARY CONSTRUCTION EASEMENT**

**0.012 ACRE**

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 4, Township; 2, Range 19, united States Military Lands and being part of Lot 182 of "Misty Meadows Section 3" as recorded in Plat Book 59, Page 29, said lot in the name of Lee B. Clevenger and Charlene Clevenger of record in Official Record 2482C13 and described as follows:

Beginning, for reference, at monument FCGS 0051 found marking the centerline intersection of Sawmill Road with West Case Road;

thence South 02° 39' 12" West, with the centerline of said Sawmill Road, 65.18 feet;  
thence North 87° 20' 48" West, leaving said centerline, 40.00 feet to the east right-of way line for said Sawmill Road, the True point of Beginning;  
thence with said east right-of-way line and with the south right-of-way for said West Case Road, the west and north line of said Lot 182, the following courses;  
North 02° 39' 12" East, 15.00 feet to a point of curvature;  
with a curve to the right, having a central angle of 90° 10' 23", a radius of 20.00 feet and an arc length of 31.48 feet, a chord bearing and chord distance of North 47° 44' 19," East, 28.33 feet to a point of tangency;  
South 87° 10' 35" East, 15.00 feet;  
thence across said Lot 182, the following courses;  
South 02° 49' 25" West, 10.00 feet;  
North 87° 10' 35" West, 15.00 feet to a point of curvature;  
With a curve to the left, having a central angle of 90° 10' 23", a radius of 10.00 feet and an arc length of 15.74 feet, a chord bearing and chord distance of South 47° 44' 19" West, 14.16 feet to a point of tangency;  
South 02° 39' 12" West, 15.00 feet;  
North 87° 20' 48" West, 10.00 feet to the True Point of Beginning. Containing 0.012 acre, more or less.

Section 2. That the City Attorney be and hereby is authorized to cause a written notice of the adoption of this resolution to be served upon the owners, persons in possession of or persons having a real or possible interest of record in the above described premises in the manner provided by law.

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

---

**Legislation Number:** 0187X-2006

**Drafting Date:** 11/02/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Resolution

### Explanation

**Background:**

The following is a resolution to declare the necessity and intent to appropriate fee simple title in and to real estate in connection with the **Oakland Park Improvement 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 meet the Department of Transportation's project time line.

### Title

To declare the necessity and intent to appropriate fee simple title in and to real estate in connection with the **Oakland Park Improvement Project**, and to declare an emergency.

WHEREAS, the City of Columbus is engaged in **the Oakland Park Improvement Project**; and,

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Transportation Division, in that it is immediately necessary to declare the necessity and intent to appropriate fee simple title in and to the hereinbefore described real estate necessary for the aforementioned project so that there will be no delay in the project thereby preserving the public health, peace, property, safety, and welfare; now, therefore:

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

Section 1. That this Council hereby declares the necessity and intent to appropriate fee simple title in and to the following described real estate necessary for the **Oakland Park Improvement Project, Project #440005**, pursuant to and in accordance with the Charter of the City of Columbus, Columbus City Code (1959) Revised, Chapter 909, the Constitution of the State of Ohio and Ohio Revised Code, Chapter 719; to-wit:

1WD

Situate in Quarter Township I, Township I, Range 18, United States Military Lands, City of Columbus, County of Franklin, State of Ohio, and being part of a 0.562 acre tract of land as conveyed to Oasis Properties Condominium Owners' Association by deed as recorded in Inst. No. 200312120393604 (all references to deeds, microfiche, plats, surveys, etc. refer to the records of the Franklin County Records Office, unless noted otherwise) and being more particularly bounded and described as follows:

Commencing for reference at a spike found at the intersection of the centerline of Oakland Park Avenue with the centerline of Reis Avenue;

Thence along the centerline of said Reis Avenue South four degrees twenty minutes twenty seconds West (S04°20'20"W) for twenty-five and 00/1 00 feet (25.00') to an iron pin found at the northeast corner of said 0.562 acre tract, said point also being the **TRUE POINT OF BEGINNING** of the herein described tract;

Thence continuing along the centerline of said Reis Avenue and the east line of said 0.562 acre tract South four degrees twenty minutes twenty seconds West (S04°20'20"W) for eight and 00/1 00 feet (8.00') to an iron pin set;

Thence leaving said centerline and said east line across said 0.562 acre tract North eighty-five degrees thirty-nine minutes forty seconds West (N85°39'40"W) for one hundred forty and 00/1 00 feet (140.00') to an iron pin set on the west line of said 0.562 acre tract;

Thence along the west line of said 0.562 acre tract North four degrees twenty minutes twenty seconds East (N04°20'20"E) for eight and 00/1 00 feet (8.00') to a point at the northwest corner of said 0.562 acre tract;

Thence along the north line of said 0.562 acre tract South eighty-five degrees thirty-nine minutes forty seconds East (S85°39'40"E) for one hundred forty and 00/100 feet (140.00') to the **TRUE POINT OF BEGINNING**, containing zero and 026/1 000 (0.026) acres, more or less.

This description was prepared from a field survey performed by Woolpert, Inc., in July 2003, with bearings based upon Ohio State Plane Coordinate System, South Zone, NAD83 (CORS). Said bearings originated from said coordinate system by GPS observations and observations of selected stations in the Ohio Department of Transportation Virtual Reference Station network. The portion of the centerline of Oakland Park Avenue having a bearing of South eighty-five degrees thirty-nine minutes forty seconds East (S85°39'40"E) and monumented as described herein, is designated the "basis of bearing" for this survey.

Iron pins set are 5/8" rebar, 30" in length, with a plastic plug placed on top inscribed with the name WOOLPERT", unless otherwise noted. All monuments found are in good condition unless otherwise noted.

Section 2. That the City Attorney be and hereby is authorized to cause a written notice of the adoption of this resolution to be served upon the owners, persons in possession of or persons having a real or possible interest of record in

the above described premises in the manner provided by law.

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

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**Legislation Number:** 0193X-2006

**Drafting Date:** 11/20/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Resolution

### Explanation

#### Background:

The following is a resolution to declare the necessity and intent to appropriate fee simple title and lesser interests in and to real estate in connection with the **Lockbourne Road Roadway Improvement Project (Cooke Road Phase)**.

#### Fiscal Impact:

N/A

**Emergency Justification:** is requested to allow right-of-way acquisition-related activities to begin without delay so that construction can begin as currently scheduled.

### Title

To declare the necessity and intent to appropriate fee simple title and lesser interests in and to real estate in connection with the **Lockbourne Road Roadway Improvement Project (Cooke Road Phase)**, and to declare an emergency.

### Body

WHEREAS, the City of Columbus is engaged in the **Lockbourne Road Roadway Improvement Project (Cooke Road Phase)**; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Sewerage and Drainage, in that it is immediately necessary to declare the necessity and intent to appropriate fee simple title and lesser interests in and to the hereinbefore described real estate necessary for the aforementioned project so that there will be no delay in the project thereby preserving the public health, peace, property, safety, and welfare; now, therefore:

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

Section 1. That this Council hereby declares the necessity and intent to appropriate fee simple title and lesser interests in and to the following listed parcels of real estate more fully described in **Exhibits A through N N** attached hereto and made a part hereof as though fully written herein, **Lockbourne Road Roadway Improvement Project (Cooke Road Phase) Project # 530103** pursuant to and in accordance with the Charter of the City of Columbus, Columbus City Code (1959) Revised, Chapter 909, the Constitution of the State of Ohio and Ohio Revised Code, Chapter 719; to-wit:

EXHIBIT      PARCEL NUMBER

A 1WD, T, T-1  
 B 2WD, WD-1, T  
 C 3WD, T  
 D 4WD, T  
 E 5T  
 F 8WD,WD-1, WD-2, T, T-1, T-2  
 G 9T  
 H 32S  
 I 33S, T  
 J 34S  
 K 35T  
 L 36T  
 M 37T  
 N 38WD, T  
 O 39WD, T  
 P 40WD, T  
 Q 43WD, T  
 R 45WD, T  
 S 46S, T  
 T 47T  
 U 48WD, T  
 V 51WD, T  
 W 52S, S-1, S-2, T, T-1  
 X 55WD, S, T  
 Y 56S  
 Z 57S  
 A A 58S  
 B B 60T  
 C C 61S,T  
 D D 65S,T  
 E E 67WD,S, T, T-1, A  
 F F 68WD, T  
 G G 69WD, T  
 H H 70T, A  
 I I 71T, A  
 J J 72WD, T  
 K K 75WD, T  
 L L 76S, T  
 M M 77WD, T  
 N N 78WD, T

Section 2. That the City Attorney be and hereby is authorized to cause a written notice of the adoption of this resolution to be served upon the owners, persons in possession of or persons having a real or possible interest of record in the above described premises in the manner provided by law.

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

**Legislation Number:** 0194X-2006

Drafting Date: 11/20/2006

Current Status: Passed

Version: 1

Matter Type: Resolution

**Explanation**

**Background:**

The following is a resolution to declare the necessity and intent to appropriate fee simple title and lesser interests in and to real estate in connection with the **Morse Road Improvement Phase II 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 meet the Transportation Department's project time line.

**Title**

To declare the necessity and intent to appropriate fee simple title and lesser interests in and to real estate in connection with the **Morse Road Improvement Phase II Project**, and to declare an emergency.

**Body**

WHEREAS, the City of Columbus is engaged in the Morse Road Improvement Phase II Project; and

WHEREAS, an emergency exists in the usual daily operation of the Public Service, Transportation Division, in that it is immediately necessary to declare the necessity and intent to appropriate fee simple title and lesser interests in and to the hereinbefore described real estate necessary for the aforementioned project so that there will be no delay in the project thereby preserving the public health, peace, property, safety, and welfare; now, therefore:

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

Section 1. That this Council hereby declares the necessity and intent to appropriate fee simple title and lesser interests in and to the following described real estate necessary for the Morse Road Improvement Phase II Project, Project # 650052, pursuant to and in accordance with the Charter of the City of Columbus, Columbus City Code (1959) Revised, Chapter 909, the Constitution of the State of Ohio and Ohio Revised Code, Chapter 719; to-wit:

Parcel 5S1 (0.010 AC.)  
Morse Road  
Permanent Drainage Easement

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 4, Township 2, Range 18, United States Military Lands, and being a part of a 0.288 acre tract as described in a Quit Claim Deed to Robert G. Caldwell and Ruth Ann Caldwell of record in Official Record 14622 I-17, all offsets reference the centerline of construction of Morse Road prepared by ms consultants, inc. for the City of Columbus, said Parcel 5S1 being more particularly bounded and described as follows:

Begging for Reference at a 1 inch diameter iron pin centerline monument for Morse Road at the intersection of Morse Road and Retail Ventures Boulevard found in a monument box at centerline Station 121+18.98;

Thence South 87°30'37" East with the centerline of Morse Road, a distance of 1452.89 feet to centerline Station 135+71.87;

Thence North 2°29'23" East a distance of 75.00 feet to an iron pin set in the westerly line of the said 0.288 acre tract, being in the easterly line of a 7.498 acre tract as described in a Deed to Medick-Kreiger Ford, Inc. of record in Deed Book 3552, Page 363, being 75.00 feet left of centerline Station 135+71.87,

being in the proposed northerly right of way line of Morse Road, and being the True Place of Beginning for the herein described parcel;

Thence North 3°56'35" East, along the westerly line of the said 0.288 acre tract, along the easterly line of the said 7.498 acre tract a distance of 8.24 feet to a point, being 83.24 feet left of centerline Station 135+72.07;

Thence crossing the said 0.288 acre tract by the following three (3) described courses:

1. South 87°30'37" East, a distance of 52.93 feet to an angle point, being 83.24 feet left of centerline Station 136+25.00;
2. South 2°29'23" West, a distance of 8.24 feet to a point in the proposed northerly right of way line of Morse Road, being 109.12 feet left of centerline Station 139+33.84;
3. Thence North 87°30'37" West crossing the said 0.288 acre tract along the proposed northerly right of way line of Morse Road a distance of 53.13 feet to the True Place of Beginning.

The above described parcel contains 0.010 acres from Auditor's Parcel number 010-024835-00.

The bearings for this description are based on the Ohio State Plane Coordinate System, South Zone and the North American Datum of 1983 (1986), established by a field traverse originating on Franklin County burbey control monuments "Clark Azimuth" and between these monuments is S0°39'58"W. This description was prepared by ms consultants, inc. from an actual field survey (2002) and existing records. Iron pins set are 5/8"x30" long rebar with plastic cap stamped 7912-ms consultants.

Parcel 5S2 (0.018 Ac)  
Morse Road  
Permanent Drainage Easement

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 4, Township 2, Range 18, United States Military Lands, and being a part of a 0.288 acre tract as described in a Quit Claim Deed to Robert G. Caldwell and Ruth Ann Caldwell fo record in Official Record 14622 I-77, all records are on file at the Recorder's Office, Franklin County, OH, all stations and offsets reference the centerline of construction of Morse Road prepared by ms consultants, inc. fo the City of Columbus, said temporary construction easement 5S2 being more particularly bounded and described as follows:

Beginning for Reference at a 1 inch diameter iron pin centerline monument for Morse Road at the intersection of Morse Road and Retail Ventures Boulevard found in a monumbent box at centerline 121+18.98;

Thence South 87°30'37" East with the centerline of Morse Road, a distance of 1452.76 feet to centerline Station 135+71.74;

Thence North 2°29'23" East a distance of 69.93 feet to an iron pin found in the existing northerly right of way line of Morse Road, being the southwesterly corner of the said 0.288 acre tract, being also the southeasterly corner of a 7.498 acre tract as described in a Deed to Medick-Krieger Ford, Inc. of record in Deed Book 3552, Page 363, being 69.93 feet left of centerline Station 135+71.74

Thence North 89°03'49" East, along the southerly line of the siad 0.288 acre tract, along the existing northerly right of way line of Morse Road a distance of 128.48 feet to a point being 77.61 feet left of centerline Station 137+00.00 and being the True Place of Beginning for the herein described parcel;

Thence crossing the said 0.288 acre tract by the following four (4) described courses"

1. Thence North 2°29'23" East a distacne of 12.39 feet to a point being 90.00 feet left of centerline Station 137+00.00;
2. North 87°48'57" East, a distance of 60.20 feet to an angle point, being 77.61 feet left of centerline Station 137+60.00;
3. South 2°29'23" West, a distance of 13.70 feet to apoint in the existing notherly right of way line of Morse Road, being 81.20 feet left of centerline Station 137+60.00
4. Thence South 89°03'49" West, along the southerly line of the siad 0.288 acre tract along the existing northerly right of way line of Morse Road a distance of 60.11 feet to the True Place of

Beginning.

The above described parcel contains 0.018 acres from Auditor's parcel 010-024835-00.

The bearings for this description are based on the Ohio State Plane Coordinate System South Zone and the North American Datum of 1983(1986), established by a field traverse originating on Franklin County survey control monuments "Clark Azimuth" and "Clark 1928 1982", located along Karl Road, south of Morse Road. The bearing between these monuments is S0°39'58"W. This description was prepared by ms consultants, inc. from an actual field survey (2002) and existing records. Iron pins set are 5/8"x30" long rebar with plastic cap stamped 7912-ms consultants.

PARCEL 14U  
MORSE ROAD  
PERMANENT UTILITY EASEMENT

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 4, Township 2, Range 18, United States Military Lands, and being a part of Lot 1 and Lot 2 in the Suburban Homesite Company's Allotment of 21.75 acres in Lot 4 Subdivision 16, southeast corner, Sharon Township, Franklin County, Ohio as numbered and delineated in Plat Book 17 pages 8, 9, and 10 and as described in a Limited Warranty Deed to Equilon Enterprises, LLC of record Instrument Number 200101250016276, all records are on file at the Recorder's office, Franklin County, Ohio, all stations and offsets reference the centerline of construction of Morse Road, unless otherwise stated, prepared by MS Consultants, Inc. for the City of Columbus, said Parcel 14U being more particularly bounded and described as follows:

BEGINNING FOR REFERENCE at a 1-inch diameter iron pin centerline monument for Morse Road found in a monument box at centerline Station 168+84.33;

Thence South 85°06'44" East with the centerline of Morse Road, a distance of 981.09 feet to a point at centerline Station 178+65.42;

Thence North 4°53'16" East a distance of 70.000 feet to an iron pin set in a westerly line of the said Lot 1, being 70.00 feet left of centerline Station 178+65.42, and being the TRUE PLACE OF BEGINNING for the herein described easement;

Thence North 3°56'11" East, along a westerly line of the said Lots 1 and 2, a distance of 10.00 feet to a point, being 80.00 feet left of centerline Station 178+65.26;

Thence crossing the said Lots 1 and 2 the following three (3) described courses:

1. South 85°06'44" East, a distance of 109.25 feet to a point, being 80.00 feet left of centerline Station 179+74.51;

2. Along the arc of a curve to the right, along a proposed northwesterly right-of-way line of Morse Road, having a radius of 55.00 feet, a central angle of 35°05'48", an arc length of 33.69 feet to an iron pin set at a point of tangency, being 70.00 feet left of centerline Station 179+42.89, said arc being subtended by a chord bearing South 77°20'21" West, chord length of 33.17 feet;

3. North 85°06'44" West, along a proposed northerly right-of-way line of Morse Road a distance of 77.47 feet to the TRUE PLACE OF BEGINNING.

The above-described easement contains 0.023 acres from Auditor's Parcel Number 010-104734-00.

The bearings for this description are based on the Ohio State Plane Coordinate System, South Zone and the North American Datum of 1983 (1986), established by a field traverse originating on Franklin County survey control monuments "Clark Azimuth" and "Clark 1928 1982", located along Karl Road, south of Morse Road. The bearing between these monuments is S0°39'58"W. This description was prepared by MS Consultants, Inc. from an actual field survey (2002) and existing records. Iron pins set are 5/8x30" long rebar with plastic cap stamped 7912-MS Consultants, Inc.

Parcel 40WD (0.022 Ac.)  
Morse Road  
Warranty Deed

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 1, Township 1, Range 18, United States Military Lands, and being a part of a 0.358 acre tract described in the Recorder's Office, Franklin County, Ohio, all stations and offsets reference the centerline of survey and construction of Morse Road prepared by ms consultants, inc. for the City of Columbus, said Parcel 40WD being more particularly described as follows:

Beginning for Reference at a 1" diameter iron pin centerline monument for Morse Road and Cleveland Avenue found in a monument box at centerline Sta. 180+49.60;

Thence N 85°06'44" with the centerline of Morse Road, a distance of 340.50 feet to a point at centerline Station 177+09.10;

Thence S04°53'16"W leaving the centerline of Morse Road at a right angle, a distance of 77.91 feet to a point in the southerly right of way line of Morse Road, at a northeast corner of said 0.358 acre tract, being in a westerly line of a 0.432 acre tract described in deed to Resource Property Investments, L.L.C., of record in Instrument Number 200311170366907, being 77.91 Right of Station 177+09.10 and being the True Place of Beginning for the parcel described herein (witness a iron pin found w/no cap, 76.49' Right of Station 177+09.00);

Thence S03°43'43"W leaving the southerly right of way line of Morse Road, along the easterly line of said 0.358 acre tract, the westerly of said 0.432 acre tract, distance of 9.09 feet to a iron pin set, being 87.00' Right of Station 177+09.29;

Thence N 85°06'44", crossing said 0.358 acre tract, a distance of 125.03 feet to an iron pin set in the westerly line of said 0.358 acre tract, the easterly line of a 8.954 acre tract as described in a deed to Columbus-Morse Road BNK Investors, L.L.C. of record in Instrument Number 19981222032992, being 87.00' Right of Station 175+84.26;

Thence N 03°43'43"E, along the westerly line of said 0.358 acre tract, the easterly line of said 8.954 acre tract, a distance of 6.19 feet to a point at the northwest corner of said 0.358 acre tract, the northeast corner of said 8.954 acre tract, in the southerly right of way line of Morse Road, being 80.81' Right of Station 175+84.13;

Thence S86°26'24"E, along the southerly right of way of Morse Road, the northerly line of said 0.358 acre tract, a distance of 125.00 feet the True Place of Beginning.

The above described tract contains 0.022 acres of land from Auditor's Parcel #010-139501.

Iron Pin(s) Set in the above description are 5/8 inch dia. Rebar 30" inches long with a yellow plastic cap stamped "7159-MS CONSULTANTS."

The bearings for this description are based on the Ohio State Plane Coordinate System, South Zone and the North American Datum of 1983(1986), established by a field traverse originating on Franklin County survey control monuments "Clark Azimuth" and "Clark 1928 1982", located along Karl Road, south of Morse Road. The bearing between these monuments is S 0°39'58"W. This description was prepared by ms consultants, inc. from an actual field survey (2002) and existing records.

Parcel 40T (0.037 Ac)  
Morse Road  
Temporary Construction Easement

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 1, Township 1, Range 18, United States Military Lands, and being part of a 0.358 acre tract described in a deed to Pallone Enterprises, Inc. of record in Deed Book 3524, Page 659, all records are on file in the Recorder's Office, Franklin County, Ohio, all stations and offsets reference the centerline of survey and construction of Morse Road prepared by ms consultants, inc. for the City of Columbus, said Parcel 40T

being more particularly described as follows:

Beginning for Reference at a 1" diameter iron pin centerline monument for Morse Road and Cleveland Avenue found in a monument box at centerline Sta. 180+49.60;

Thence N 85° 06' 44" W with the centerline of Morse Road, a distance of 340.5 feet to a point being at centerline station 177+09.10;

Thence S 04°53'16"W, leaving the centerline of Morse Road at a right angle, a distance of 77.91 feet to a point in the southerly right of way line of Morse Road, at a northeast corner of said 0.358 acre tract, being in a westerly line of a 0.432 acre tract described in a deed to Resource Property Investments, L.L.C. of record in Instrument Number 200311170366907, being 77.91' Right of Station 177+09.10 (witness a iron pin found w/no cap, 76.49' Right of Station 177+09.00)

Thence S 03°43'43"W leaving the southehrly right of way line of Morse Road, along the easterly line of said 0.358 acre tract, the westerly line of said 0.432 acre tract, distance of 9.09 feet to an iron pin set, being 87.00'Right of Station 177+09.29 and being the True Place of Beginning for the parcel described herein;

Thence S 03°43'43"W, continuing along the easterly line of said 0.358 acre tract, the westerly line of said 0.432 acre tract, a distacne of 18.00 feet to a point, being 105.00' Right of Station 177+09.65;

Thence through said 0.358 acre tract with the following four courses and distances:

1. N 85°06'44"W, a distance of 59.61 feet to a point, being 105.00' Right of Station 176+50.00;
2. N 4°53'16"E, a distance of 10.00 feet to a point, being 95.00' Right of Station 176+50.00
3. N 85°21'48"W, a distance of 65.57 feet to apoint in the westerline line of said 0.358 acre tract, the easterly line of a 8.954 acre tract as described in a deed to Columbus-Morse Road BNK Investors, L.L.C. of record in Instrument Number 199812220329592, being 95.29' Right of Station 175+84.43;  
Thence N 03°43'43"E, along the westerly line of said 0.358 acre tract, the easterly line of said 8.954 acre tract, a distance of 8.29 feet to an iron pin set, being 87.00 Right of Station 175+84.26;  
Thence S 85° 06'44" E, crossing said 0.358 acre tract, a distance of 125.03 feet to the True Place of Beginning.

The above described tract contains 0.037 acres of land from Auditor's Parcel 010-139501.

Iron Pin(s) Set in the above description are 5/8 inch dia. rebar 30" inches long with a yellow plastic cap stamped "7159-MS CONSULTANTS."

The bearings for this description are based on the Ohio State Plane Coordinate System, South Zone and the North American Datum of 1983(1986), established by a field traverse originating on Franklin County survey control monuments "Clark Azimuth" and "Clark 1928 1982", located along Karl Road, south of Morse Road. The bearing between these monuments is S 0° 39'58"W. This description was prepared by ms consultants, inc. from an actual field survey (2002) and existing records.

Parcel 41WD (0.033 Ac.)  
Morse Road  
Warranty Deed

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 1, Township 1, Range 18, United States Military Lands, and being part of a 0.432 acre tract described in a deed to Resource Property Investments L.L.C. of record in Instrument Number 200311170366907, all records are on file in the Recorder's Office, Franklin County, Ohio, all stations and offsets reference the centerline of survey and construction of Morse Road prepared by ms consultants, inc. for the City of Columbus, said Parcel 41WD more particularly described as follows:

Beginning for Reference at a 1" diameter iron pin centerline monument for Morse Raod and Cleveland Avenue found in a monument box at centerline Sta. 180+49.60;

Thence N 85° 06'44"W with the centerline of Morse Road, a distance of 255.66 feet to a point being at centerline Station 177+93.94;

Thence S 04° 53'16" W leaving the centerline of Morse Road at a right angle, a distance of 68.94

feet to a point in the southerly right of way line of Morse Road, at a northeast corner of said 0.432 acre tract, a northwest corner of a 1.292 acre tract described in a deed to LRC Morse Investors LTD., of record in Instrument Number 199907090175218, being 68.94' Right of Station 177+93.94 and being the True Point of Beginning for the parcel described herein;

Thence S 03°43'43" W leaving the southerly right of way line of Morse Road, along easterly line of said 0.432 acre tract, the westerly line of said 1.292 acre tract, distance of 18.06 feet to a pin set, being 87.00' Right of Station 177+94.30;

Thence N 85°06'44" W leaving the southerly right of way line of Morse Road, along the easterly line of said 0.432 acre tract, the easterly line of a 0.358 acre tract described in a deed to Pallone Enterprises, Inc. of record in Deed Book 3524, Page 659 being 87.00' Right of Station 177+09.29;

Thence N 03°43'43"E, along the westerly line of said 0.432 acre tract, the easterly line of said 0.358 acre tract, a distance of 16.09 feet to a point at the northwest corner of said 0.432 acre tract, in the southerly right of way line of Morse Road, being 70.91' Right of Station 177+08.96;

Thence S 86°26'24"E, along the southerly right of way of Morse Road, the northerly line of said 0.432 acre tract, a distance of 85.00 feet to the True Place of Beginning.

The above described tract contains 0.033 acres of land from Auditor's parcel 010-017692.

The bearings for this description are based on the Ohio State Plane Coordinate System, South Zone and the North American Datum of 1983(1986), established by a field traverse originating on Franklin County survey control monuments "Clark Azimuth" and "Clark 1928 1982", located along Karl Road, south of Morse Road. The bearing between these monuments is S 0°39'58" W. This description was prepared by ms consultants, inc. from an actual field survey (2002) and existing records. Iron pins set are 5/8"x30" long rebar with plastic cap stamped 7912-ms consultants.

Parcel 41T (0.034 Ac.)  
Morse Road  
Warranty Deed

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 1, Township 1, Range 18, United States Military Lands, and being part of a 0.432 acre tract described in a deed to Resource Property Investments L.L.C. of record in Instrument Number 200311170366907, all records are on file in the Recorder's Office, Franklin County, Ohio, all stations and offsets reference the centerline of survey and construction of Morse Road prepared by ms consultants, inc. for the City of Columbus, said Parcel 41T more particularly described as follows:

Beginning for Reference at a 1" diameter iron pin centerline monument for Morse Road and Cleveland Avenue found in a monument box at centerline Sta. 180+49.60;

Thence N 85° 06'44"W with the centerline of Morse Road, a distance of 255.66 feet to a point being at centerline Station 177+93.94;

Thence S 04° 53'16" W leaving the centerline of Morse Road at a right angle, a distance of 68.94 feet to a point in the southerly right of way line of Morse Road, at a northeast corner of said 0.432 acre tract, a northwest corner of a 1.292 acre tract described in a deed to LRC Morse Investors LTD., of record in Instrument Number 199907090175218, being 68.94' Right of Station 177+93.94

Thence S 03°43'43" W leaving the southerly right of way line of Morse Road, along easterly line of said 0.432 acre tract, the westerly line of said 1.292 acre tract, distance of 18.06 feet to a pin set, being 87.00' Right of Station 177+94.30 and being the True Place of Beginning for the parcel described herein;

Thence S 03°43'43" W leaving the southerly right of way line of Morse Road, along easterly line of said 0.432 acre tract, the westerly line of said 1.292 acre tract, distance of 13.00 feet to a point, being 100.00' Right of Station 177+94.57;

Thence through said 0.432 acre tract with the following two courses and distances:

1. S 83°22'59"W, a distance of 25.07 feet to a point, being 105.00' Right of Station 177+70.00;
2. N 85°06'44"W, a distance of 60.35 feet to a point in the westerly line of said 0.432 acre tract, the

easterly line of 0.358 acre tract described in a deed to Pallone Enterprises, Inc. of record in Deed Book 3524, Page 659, being 105' Right of Station 177+09.65

Thence N 03°43'43"E, along the westerly line of said 0.432 acre tract, the easterly line of said 0.358 acre tract, a distance of 18.00 feet to an iron pin set being 87.00' Right of Station 177+09.29

Thence S 85°06'44" E, crossing said 0.432 acre tract, a distance of 85.02 feet to the True Place of Beginning.

The above-described tract contains 0.034 acres of land from Auditor's parcel 010-017692.

Iron Pin(s) Set in the above description are 5/8 in dia. rebar 30" long with a yellow plastic cap stamped 7912-ms consultants.

The bearings for this description are based on the Ohio State Plane Coordinate System, South Zone and the North American Datum of 1983(1986), established by a field traverse originating on Franklin County survey control monuments "Clark Azimuth" and "Clark 1928 1982", located along Karl Road, south of Morse Road. The bearing between these monuments is S 0°39'58" W. This description was prepared by ms consultants, inc. from an actual field survey (2002) and existing records.

PARCEL 43 U (0.0055 Ac.)  
MORSE ROAD  
PERMANENT UTILITY EASEMENT

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 1, Township 1, Range 18 United States Military Lands, and being part of a 0.474 acre tract described in a deed to Triple Net LLC, of record in Instrument Number 199906100148452, all records are on file in the Recorder's Office, Franklin County, Ohio, all stations and offsets reference the centerline of survey and construction of Morse Road, unless otherwise noted, prepared by MS Consultants, Inc. for the City of Columbus, said Parcel 43 U being more particularly described as follows:

BEGINNING FOR REFERENCE at a 1" diameter iron pin centerline monument for Morse Road and Cleveland Avenue found in a monument box at centerline Sta. 180+49.60;

Thence N 85°06'44" W with the centerline of Morse Road, a distance of 171.01 feet to a point being at centerline Station 178+78.59;

Thence S 04°53'16" W leaving the centerline of Morse Road at a right angle, a distance of 66.98 feet to a point in the southerly right-of-way line of Morse Road, at a northeast corner of said 1.292 acre tract, a northwest corner of a 0.474 acre tract described in a deed to Triple Net LLC, of record in Instrument Number 199906100148452, being 66.98' Right of Station 178+78.59;

Thence S 03°39'06" W leaving the southerly right-of-way line of Morse Road, along the easterly line of said 1.292 acre tract, the westerly line of said 0.474 acre tract, distance of 20.02 feet to an iron pin set, being 87.00' Right of Station 178+79.02;

Thence S 85°06'44" E, crossing said 0.474 acre tract, a distance of 15.98 feet to a point being 87.00' Right of Station 178+95.00 and being the TRUE PLACE OF BEGINNING for the parcel described herein;

Thence continuing through said 0.474 acre tract with the following four courses and distances:

1. S 85°06'44" E, a distance of 40.00 feet to a point, 87.00' Right of Station 179+35.00;
2. S 04°53'14" W, a distance of 6.00 feet to a point, 93.00' Right of Station 178+35.00
3. N 85°06'44" W, a distance of 40.00 feet to a point, 93.00' Right of Station 178+95.00;

4. N 04°53'14" E, a distance of 6.00 feet to the TRUE PLACE OF BEGINNING.

The above-described tract contains 0.0055 acres of land, 0.0052 acres from Auditor's Parcel #010-103724, and 0.0003 acres from Auditor's Parcel #010-015539.

Iron Pin(s) Set in the above description is 5/8 inch dia. rebar 30 inches long with a yellow plastic cap stamped "7159-MS CONSULTANTS".

The bearings for this description are based on the Ohio State Plane Coordinate System, South Zone and the North American Datum of 1983 (1986), established by a field traverse originating on Franklin County survey control monuments "Clark Azimuth" and "Clark 1928 1982", located along Karl Road, south of Morse Road. The bearing between these monuments is S 0°39'58" W. this description was prepared by MS Consultants, Inc. from an actual field survey (2002) and existing records.

PARCEL 44 U (0.054 Ac.)  
MORSE ROAD  
PERMANENT UTILITY EASEMENT

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 2, Township 1, Range 17, United States Military Lands, and being part of a 0.953 acre tract described in a deed to Revco Discount Drug Centers, Inc., of record in Instrument Number 199706090017802, all records are on file in the Recorder's Office, Franklin County, Ohio, all stations and offsets reference the centerline of survey and construction of Morse Road, unless otherwise noted, prepared by MS Consultants, Inc. for the City of Columbus, said Parcel 44 U being more particularly described as follows:

BEGINNING FOR REFERENCE at a 1" diameter iron pin centerline monument for Morse Road and Cleveland Avenue found in a monument box at centerline Sta. 180+49.60 for Morse Road and Station 60+00.00 for Cleveland Avenue.

Thence S 85°50'18" E with the centerline of Morse Road, a distance of 322.31 feet to a point being at centerline Station 183+71.91;

Thence S 04°09'42" W leaving the centerline of Morse Road at a right angle, a distance of 67.00 feet to a point in the east line of said 0.953 acre tract, in the westerly line of a 0.1629 acre tract described in a deed to NGOC Van Bui, of record in Official Record 34368J15, being 67.00' Right of Station 183+71.91 and being the True Place of Beginning for the parcel described herein;

Thence through said 0.953 acre tract with the following nine (9) courses and distances;

1.88°14'21"W, a distance of 237.63 feet to a point of curvature, being 76.95' Right of Station 181+34.49;

2. Along the arc of a curve to the left, having a radius of 20.00 feet, a central angle of 88°01'56", an arc distance of 30.73 to a point of tangency, said arc being subtended by chord bearing S 47°44'41" W, a chord distance of 27.79 feet, being 93.84' Right of Station 181+15.31;

3. S 03°43'43" W, a distance of 52.42 feet to a point, being 65.00' Right of Cleveland Ave, Station 58+50.00;

4. N 86°16'15" W, a distance of 15.00 feet to a point, being 50.00 Right of Cleveland Ave. Station 58+50.00;

5. N 03°43'43" E along the westerly line of said 0.953 acre tract, a distance of 40.00 feet to a point being 109.62' Right of Station 181+00.43'
6. S 86°16'15" E, a distance of 4.00 feet to a point, being 109.59' Right of Station 181+04.43;
7. N 03°43'43" E, a distance of 12.36 feet to a point, being 97.23' Right of Station 181+04.33;
8. Along the arc of a curve to the right, having a radius of 30.00 feet, a central angle of 90°25'59", an arc distance of 47.35 feet to an iron pin set, said arc being subtended chord bearing N 48°56'43" E, a chord distance of 42.59 feet, being 67.00' Right of Station 181+34.33;
9. S 85°50'18" E, a distance of 237.58 feet to the TRUE PLACE OF BEGINNING.

The above-described tract contains 0.054 acres of land from Auditor's Parcel #010-238696.

Iron Pin(s) set in this description are based on the Ohio State Plane Coordinate System, South Zone and the North American Datum of 1983(1986), established by a field traverse originating on Franklin County survey control monuments "Clark Azimuth" and "Clark 1928 1982", located along Karl road, south of Morse Road. The bearing between these monuments is S 0°39'58" W. This description was prepared by MS Consultants, Inc. from an actual field survey (2002) and existing records.

PARCEL 16 U (0.007 Ac.) MORSE ROAD  
PERMANENT UTILITY EASEMENT

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 3, Township 2, Range 17, Untied States Military Lands, and being a part of a 0.742 acre tract and a 0.246 acre tract (0.988 acres together) described in a General Warranty Deed to Spiros Spantithos, of record Official Record 31581 A-06, all records are on file at the Recorder's Office, Franklin County, OH, all stations and offsets reference the centerline of construction of Morse Road prepared by MS Consultants, Inc. for the City of Columbus, said parcel 16 U being more particularly bounded and described as follows:

Beginning for Reference at a 1 inch diameter iron pin centerline monument for Morse Road at the centerline intersection of Morse Road and Cleveland Avenue found in a monument box at centerline Station 180+49.60 and Cleveland Avenue centerline Station 60+00.00;

Thence South 85°50'18" East with the centerline of Morse Road, a distance of 215.12 feet to a point at centerline Station 182+64.72;

Thence North 4°09'42" East a distance of 60.00 feet to an iron pin set in the westerly line of said 0.742 acre tract, the easterly line of a 0.506 acre tract as described in a General Warranty Deed to Oxford Coventry I, LLC. of record Instrument Number 200408040181851, being 60.00 feet left of centerline Station 182+64.72, being in a proposed northerly right-of-way line of Morse Road, and being the True Place of Beginning for the herein described easement;

Thence North 3°42'37" East, along the westerly line of the said 0.988 acre tract, along the easterly line of said 0.506 acre tract, a distance of 7.59 feet to a point, being 67.59 feet left of centerline Station 182+64.66;

Thence South 80°45'31" East, crossing the said 0.988 acre tract a distance of 85.67 feet to a point in a proposed northerly right-of-way line of Morse Road, being 60.00 feet left of centerline Station 183+50.00;

Thence North 85°50'18" West, along the proposed northerly right-of-way line of Morse Road a distance of 85.28 feet to the True Place of Beginning.

The above-described parcel contains 0.007 acres from Auditor's Parcel number 010-103151-00.

The bearings for this description are based on the Ohio State Plane Coordinate System, South Zone and the North American Datum of 1983(1986), established by a field traverse originating on Franklin County survey control monuments "Clark Azimuth" and "Clark 1928 1982 ", located along Karl Road, south of Morse Road. The bearing between these monuments is S0°39'58"W. This description was prepared by MS Consultants, Inc. actual field survey (2002) and existing records.

Section 2. That the City Attorney be and hereby is authorized to cause a written notice of the adoption of this resolution to be served upon the owners, persons in possession of or persons having a real or possible interest of record in the above described premises in the manner provided by law.

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

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**Legislation Number:** 0207X-2006

**Drafting Date:** 12/01/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Resolution

## Explanation

**Title**In memory of Tristan Nicholas Jordan Shy.

## Body

Columbus City Council extends sincere condolences to the family and friends of Tristan Nicholas Jordan Shy on the sorrowful occasion of his passing.

Early in life those around Tristan knew he was a special child. Born April 4, 1986, Tristan had an infectious smile and warm spirit that could fill a room. Tristan is a shining example of a person who demonstrated how much he cared for his community by his continuous involvement with organizations to improve it.

Tristan graduated from Linden McKinley High School in 2005 and was attending Otterbein University at the time of his death. As a member of the Columbus Youth Commission, his interest in local government and politics became evident and his hope was to pursue a career in this field in the future.

At the age of 15, Tristan found out why he was given an extra dose of everything good from the Father. After an accident while performing with his school choir, Tristan was diagnosed with a terminal illness that he battled with unwavering courage for the last 5 years of his brilliant life.

In Tristan's short time with us, he touched the lives of countless teens and adults alike. His positive disposition and willingness to share will be missed, but never forgotten.

As we continue in service to our communities, Tristan's legacy can live on in each of us through the contagious optimism that he shared so freely. As we reflect on his life and how fortunate we were to have been touched by a friend of God, let us remember "Precious in the sight of the Lord is the death of His saints."

Now let us comfort one another with the love of the Lord and in the knowledge that Tristan has fought the good fight and finished his course. Henceforth, there is laid up for him a crown of righteousness.

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 young man, Tristan Nicholas Jordan Shy, this 1st day of December 2006.

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**Legislation Number:** 0867-2006

**Drafting Date:** 04/28/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

#### **Explanation**

**BACKGROUND:** This legislation will amend various Chapters within Title 21, the Traffic Code, of the City Code for general housecleaning/updating purposes. Among the changes are the following: 1) this action will allow parking violation bureau staff to issue tickets where a vehicle does not display a front license plate, an inability already exercised by Columbus Police officers; 2) it recognizes the transfer of administrative authority for the residential parking permit program from Transportation to Parking Violation Bureau, an action which occurred last November; and 3) it mirrors a recent state law with respect to notifying the Bureau of Motor Vehicles to place a vehicle in registration hold.

#### **FISCAL IMPACT:**

No funding is required for this legislation.

#### **Title**

To amend Chapters 2105, 2150, 2151, and 2155 of the Columbus City Codes, 1959, that relate to the Traffic Code and the Bureau of Parking Violations for general housecleaning purposes.

#### **Body**

**WHEREAS**, the City of Columbus has the ability to enforce all local, police, sanitary, and other similar regulations as are not in conflict with the general laws of the State of Ohio pursuant to Article XVIII, Section 3 of the Ohio Constitution, and

**WHEREAS**, after a review of the abovementioned chapters of the Columbus City Codes, it was determined some general housecleaning/updating of various sections within the chapters was necessary; now therefore:

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

**Section 1.** That Chapters 2105, 2150, 2151, and 2155 of the Columbus City Codes, 1959, are hereby amended through the enactment of new sections 2105.21, 2150.03, 2150.04, 2150.12, 2151.01, 2151.21, and 2155.01 as follows. Furthermore, section 2150.09 is deleted in its entirety.

2105.21 Residential permit parking.

Whenever the public service director determines that parking congestion in the streets of a particular residential district or a portion of a residential district is such that the restriction or prohibition of parking to nonresidential users during certain

hours of the day and days of the week is necessary to reduce hazardous traffic conditions and to promote the health, safety and welfare of the residents of the district by providing adequate parking spaces to gain access to their residences, residential permit parking may be authorized in such districts. Such authorization shall be made only after a parking study has been conducted by the division of transportation and shall be implemented by regulations promulgated by the service director pursuant to Section 2105.03 of the City Codes. The issuance or renewal of a permit under this section shall not be granted until all outstanding parking infractions under the city code are paid in full. The establishment of residential permit parking shall not conflict with any other restrictions contained in this Traffic Code. (Ord. 1711-79; Ord. 1909-01 § 1 (part).)

2150.03 Parking ticket, service and liability.

(A) The parking tickets adopted by the Parking Violation Bureau in Section 2150.09 shall be used by law enforcement officers and Parking Violations Bureau enforcement personnel in all cases in which a person is charged with committing a parking infraction within the city of Columbus.

Each parking ticket shall contain provisions that advise the person upon whom it is served that the person must answer in relation to the parking infraction charged in the ticket and that certain penalties may result from a failure to timely answer, indicate the allowable answers that may be made and that the person will be afforded a hearing if he denies in his answer that he committed the parking infraction, specify the entity to which, the time within which, and the allowable manners in which the answer must be made, indicate the penalties that may result from failure to timely answer and the fine that arises from the parking infraction, warn that failure to timely answer or to appear at a requested hearing will be considered an admission of the parking infraction, and warn that a default civil judgment potentially may be entered against the person and, if different, the owner of the vehicle if the person fails to timely answer or to appear at a requested hearing. The parking ticket shall be the summons and complaint for purposes of this chapter.

(b) A law enforcement officer or Parking Violation Bureau enforcement personnel who issues a parking ticket for a parking infraction shall complete the ticket by identifying the parking infraction charged, recording the license plate number, type and make or model of the vehicle and indicating the date, time and place of the parking infraction charged. The officer shall sign the ticket and affirm the facts it contains and file a copy with the violations clerk. If the operator of the vehicle is present, the officer also shall record on the ticket the name of the operator in a space provided on the ticket for identification of the offender, and then shall personally serve the parking ticket upon the operator. If the operator of the vehicle is not present, the officer shall insert the word "owner" in the space provided on the ticket for identification of the offender and then shall constructively serve the parking ticket upon the owner of the vehicle by affixing the ticket to the vehicle in a conspicuous place. Constructive service of a parking ticket upon an owner of a vehicle by affixation as provided in this division, or by the procedure described in division (d) of this section has the same force and effect and potentially subjects both the owner and the operator of the vehicle whose act or omission resulted in the parking infraction, if different, to the same fine and the same penalties, fees and costs for failure to timely answer or to appear, if a hearing is requested, as if the parking ticket were personally served on both the owner and operator of the vehicle at the time of the violation.

(c) The original of a parking ticket issued pursuant to this section or any true copy of it shall be considered a record kept in the ordinary course of business of the city of Columbus and of the law enforcement agency whose officer issued it and shall be prima-facie evidence of the facts it contains.

(d) An operator of a vehicle who is not the owner of the vehicle, but who operates it with the express or implied permission of the owner is the agent of the owner for purposes of the receipt of parking tickets served in accordance with this section and personal service of a parking ticket upon the operator in accordance with this section constitutes constructive service upon the owner for purposes of this chapter. The operator of a rented or leased vehicle whose act or omission results in an alleged parking infraction shall not be considered an agent of the owner if the owner is engaged in the business of renting and leasing vehicles pursuant to a written rental or lease agreement and if the owner follows the procedures set forth in Section 2150.08.

(e) Except as provided in Section 2150.08, when a parking ticket is issued for a parking infraction and is served pursuant to this section, the operator of the vehicle whose act or omission resulted in the parking infraction for which the ticket was issued and the owner of the vehicle involved in the parking infraction, if different, are jointly liable for the parking infraction and any fine, penalty, fees and costs arising out of the parking infraction. Any owner of a vehicle who pays any

fine, penalty, fee and cost imposed for a parking infraction pursuant to this chapter may recover the amount paid from the operator of the vehicle whose act or omission resulted in the parking infraction.

(f) No person upon whom a parking ticket charging a parking infraction is personally or constructively served pursuant to this section shall be arrested as a result of the commission of the parking infraction.  
(Ord. 32-83: Ord. 2120-03 § 1 (part).)

#### 2150.04 Parking Violation Bureau.

(A) The city of Columbus parking violations bureau is hereby established pursuant to Section 4521.04 of the Ohio Revised Code. The parking violations bureau shall be a division within the office of the treasurer for the city of Columbus. The parking violations bureau has jurisdiction over each parking infraction that occurs within the territory of the city of Columbus. The Parking Violations Bureau will also issue Residential parking permits for areas established pursuant to Section 2105.21 of this Code. The issuance or renewal of a permit under this section shall not be granted until all outstanding parking infractions under this code are paid in full. Notwithstanding any other provision of law to the contrary, each parking infraction that occurs within the jurisdiction of the bureau and the enforcement of each such parking infraction shall be handled pursuant to and be governed by the provisions of Title 21 of this Code. ~~Chapter 4521 of the Ohio Revised Code as outlined in Chapter 2150.~~

(b) The operating costs of the parking violations bureau shall be paid by the city of Columbus. The city treasurer shall appoint a violations clerk, hearing examiners and the necessary clerical employees. No person shall be employed as a hearing examiner unless the person is an attorney admitted to the practice of law in this State or formerly was employed as a law enforcement officer.

(c) The fines, penalties, fees and costs established for a parking infraction shall be collected, retained and disbursed by the violations clerk if the parking infraction out of which the fine, penalties, fees and costs arose occurred within the jurisdiction of the bureau. The violations clerk shall issue tickets for parking infractions to law enforcement officers for the city of Columbus and prescribe conditions for issuance and accountability. The fine, penalties, fees and costs collected by a violations clerk for a parking infraction shall be disbursed by the clerk to the city of Columbus.

(d) The city treasurer shall have authority to contract with any non-governmental entity to provide services in processing, collecting and enforcing parking tickets issued by law enforcement officers and civil judgments and default civil judgments entered pursuant to this chapter. No contract shall affect the responsibilities of hearing examiners as prescribed in this chapter or the ultimate responsibility of the violations clerk to collect, retain and disburse fines, penalties, fees and costs for parking infractions and monies paid in satisfaction of judgments and default judgment entered pursuant to this chapter. All contracts entered into by the violations clerk shall be subject to approval of city council and the mayor. (Ord. 32-83: Ord. 2120-03 § 1 (part).)

#### ~~2150.09 Parking ticket adopted.~~

~~The following parking ticket is adopted to be used by law enforcement officers in all cases in which a person is charged with a parking infraction within the city of Columbus:~~

~~(Ord. 480-83.)~~

#### 2150.12 ~~Notice of third unpaid judgment or default judgment.~~ Unpaid Judgments.

(A) (1) If a judgment or default judgment is entered against a person pursuant to section 4521.08 of the Revised Code and Chapter 2150 of this code for a violation of an ordinance, resolution, or regulation that regulates the standing or parking of a vehicle in a disability parking space and the person has not paid the judgment or default judgment within ten days of the date of entry of the judgment, the parking violations bureau, joint parking violations bureau, or traffic violations bureau in which the judgment was entered may give notice of that fact to the registrar of motor vehicles. The notice, if given, shall be given not earlier than sixteen days nor later than three years after the date of entry of the judgment, and shall be in a form and manner, and contain such information, as the registrar prescribes.

~~(A) (2)~~ Pursuant to the provisions of Section 4521.10, Ohio Revised Code, the parking violations bureau is authorized to

give notice to the registrar of the Ohio Bureau of Motor Vehicles of the fact that three (3) or more judgments or default judgments have been entered against a person under the provisions of Section 4521.08, Ohio Revised Code and Chapter 2150 of this code. The notice, if given, shall be given not earlier than sixteen (16) days nor later than three (3) years after the date of entry of the third judgment or default judgment and shall be in a form and manner and contain such information as the registrar of the Ohio Bureau of Motor Vehicles prescribes.

(B) When a notice as provided in division (A) of this section is given to the registrar of the Ohio Bureau of Motor Vehicles and the judgments or default judgments are subsequently paid, dismissed, reversed on appeal, or it is discovered that such notice was given in error the parking violations bureau shall immediately notify the registrar of such fact in a form and manner as prescribed by the registrar.

If the notice was not given in error, the parking violations bureau shall charge the person a five dollar (\$5.00) processing fee for each judgment or default judgment for which notice has previously been given under this section to cover the costs of the bureau of motor vehicles in administering this section. Upon payment of that fee, together with the payment of all outstanding judgments and default judgments, the parking violations bureau shall provide such person a release to be presented at the time of registering or transferring the registration of a motor vehicle owned or leased by him and notify the registrar that the judgments have been paid. The total amount of such five dollar (\$5.00) fees collected under this section shall be transmitted monthly to the registrar of the Ohio Bureau of Motor Vehicles for deposit in the state highway safety fund established by Section 4501.06, Ohio Revised Code.

(C) The parking violations bureau shall comply with Section 4521.10, Ohio Revised Code and such rules as the registrar shall adopt pursuant to that section. (Ord. 2899-90.)

#### 2151.01 Parking prohibitions in specified places.

(1) No person shall stop, stand, or park a vehicle except when necessary to avoid conflict with any other traffic or to comply with the directions of a police officer or a traffic control device in any of the following places:

- (a) On a sidewalk, except a bicycle;
- (b) In front of or within five (5) feet of a public or private driveway;
- (c) Within an intersection;
- (d) Within ten (10) feet of a fire hydrant;
- (e) On a crosswalk;
- (f) Within twenty (20) feet of a crosswalk at an intersection, or, if there is no crosswalk, within twenty (20) feet of an intersection;
- (g) Within thirty (30) feet of, and upon the approach to, any flashing beacon, stop sign or traffic control device;
- (h) Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by a traffic control device;
- (i) Within fifty (50) feet of the nearest rail of a railroad crossing;
- (j) Within twenty (20) feet of the driveway entrance to any fire station and, on the side of a street opposite the entrance to any fire station, within seventy-five (75) feet of such entrance when it is properly posted with signs;
- (k) Alongside or opposite any street excavation or obstruction when such standing or parking would obstruct traffic;
- (l) Alongside any vehicle stopped or parked at the edge or curb of a street;
- (m) Upon any bridge or other elevated structure upon a street or within a street tunnel unless such bridge or tunnel is properly posted with a sign to allow parking;
- (n) Within one (1) foot of another parked vehicle;
- (o)(1) At any place designated as no parking pursuant to in violation of rules and regulations promulgated by the director of public service under the authority provided in Chapter 2105;
- (o)(2) At any place designated as no stopping pursuant to rules and regulations promulgated by the director of public service under the authority provided in Chapter 2105;
- (p) In front of all schools as defined in Section 2101.341, for a distance of seventy-five (75) feet in each direction from the main entrance to the school when properly posted with signs;
- (q) In front of all theaters for a distance of twenty-five (25) feet in each direction from the center of the main entrance when it is properly posted with signs;
- (r) Upon any street or alley twenty-three (23) feet or less in width when it is properly posted with signs;
- (s) In front of any church where conditions are such that they warrant a parking prohibition and for the distance that the Traffic Engineer deems advisable when it is properly posted with signs;

- (t) Upon any traffic control island or median that separates traffic on a street, highway, roadway or boulevard;
  - (u) In front of any auto-mail box for a distance of twenty (20) feet in each direction from the auto-mail box, when it is properly posted with signs;
  - (v) Within the right-of-way line of a controlled-access highway, freeway, expressway or thruway, except for emergency purposes;
  - (w) Upon a service road or upon the public property alongside a service road;
  - (x) Within twenty (20) feet of the junction of an alley and a street;
  - (y) In a public right-of-way, within ten (10) feet of a bulk refuse container;
  - (z) In a handicapped designated parking space as defined in Section 2155.01(h) unless the vehicle is a handicapped designated vehicle as defined in Section 2155.01(g) or a handicapped designated vehicle from a state other than Ohio entitled to reciprocity pursuant to Section 5502.03 of the Ohio Revised Code;
  - (aa) In front of, or within one (1) foot of, a wheelchair ramp;
  - (bb) Other than a motor bus, in a bus loading area, when such area has been officially designated and appropriately posted with a sign, except the driver of a passenger vehicle may stop temporarily therein for the purpose of, and while actually engaged in, loading or unloading passengers, when such stopping does not interfere with any motor bus entering or leaving such bus loading area;
  - (cc) Any place marked as a loading zone for any period of time longer than is necessary for the expeditious loading or unloading of passengers or merchandise.
- (2) A violation of any provision of this section constitutes the commission of a parking infraction pursuant to and governed by the provisions of Chapter 2150.(Ord. 1171-88: Ord. 2120-03 § 1 (part).)

2151.21 Failure to register or display.

- (a) No person shall park any vehicle upon the public streets or highways when any of the following apply:
  - (1) The owner has failed to annually file the application for registration or to pay the tax therefore, as required by Chapter 4503 of the Ohio Revised Code.
  - (2) The vehicle was acquired from a former owner who has registered the same in Ohio, while the vehicle displays the distinctive number or identification mark assigned to it upon its former registration.
  - (3) The vehicle displays a distinctive number or identification mark issued by or under the authority of another state without complying with the laws of Ohio relating to the registration and identification of motor vehicles.
  - (4) The vehicle displays license plates, including a validation sticker issued pursuant to Chapter 4503 of the Ohio Revised Code and license plates issued in another state, for any period of time which has expired, or any license plates issued in another state for which the period of reciprocal agreement with the state of issue has expired.
  - (5) The vehicle displays a license plate not legally registered and issued for such vehicle.
  - (6) The vehicle fails to display a valid front and rear license plate issued by the state of Ohio pursuant to Chapter 4503 of the Ohio Revised Code.
- (b) A violation of any provision of this section constitutes the commission of a parking infraction to be handled pursuant to and governed by the provision of Chapter 2150. (Ord. 2622-93: Ord. 2120-03 § 1 (part).)

2155.01 Definitions.

The following definitions shall apply to terms used in this chapter:

- (a) "Individual street parking space" means a portion of the paved surface of the street approximately twenty-three (23) feet in length extending from the sidewalk curb into the street a sufficient distance to accommodate a vehicle when the same is parked parallel to the curb with the right wheels thereof not more than four (4) inches from such curb or on a one (1) way street where parking is permitted on the left side of the street, when a vehicle shall be parked parallel to the curb with the left wheels thereof not more than four (4) inches from such curb.
- (b) "Parking" means the standing of a vehicle ~~upon a street, or off street parking lot, whether such vehicle is occupied or not and whether such vehicle is accompanied or not by an operator for a period of time in excess of two (2) minutes.~~ whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading, or in compliance with directions of a police officer or traffic control device.
- (c) "Parking meters" means a device which indicates thereon the length of time during which a vehicle may be parked in a particular place, which has as a part thereof a receptacle or chamber for receiving and storing required coins of United

States money, a slot or place in which such coin can be deposited, a time mechanism to indicate the passage of an interval of time during which parking is permissible, and which also displays an appropriate signal when the aforesaid interval of time has elapsed.

(d) "Vehicle" means any device in, upon, or by which any person or property is or may be transported upon a public street, except such devices as are used exclusively upon stationary rails or tracks and such devices as are propelled exclusively by human power.

(e) "Off-street parking lot" means any lot, piece, or parcel of land owned by the city and designated by council for the purpose of metered, time-regulated storing or parking of vehicles.

(f) "Individual off-street parking space" means a portion of the paved surface of the off-street parking lot approximately twenty (20) feet in length and nine (9) feet in width.

(g) "Handicapped designated vehicle" means a motor vehicle that displays either (1) a parking card issued under section 4503.44 of the Ohio Revised Code or (2) a special license plate issued under section 4503.44 of the Ohio Revised Code and is being operated by or for the transport of a handicapped person. For purposes of this section "handicapped person" means any person who has lost the use of one (1) or both legs or one (1) or both arms, who is blind or deaf, or so severely handicapped as to be unable to move about without the aid of crutches or a wheelchair, or whose mobility is restricted by a permanent cardiovascular, pulmonary, or other handicapping condition. When a motor vehicle displays a temporary parking pass, disabled veteran plate, permanent parking card from the appropriate state agency, or special license plate, that is being operated by or transporting a disabled or handicapped person, the motor vehicle shall have the decal or parking card clearly displayed on the left dashboard or in the left front windshield of enclosed vehicles so that the parking privilege information is on the front side of the card and is readily readable from outside the windshield. (ORC 4503.44)

(h) "Handicapped designated parking space" means parking spaces on public or private streets, parking lots and parking garages designated for the exclusive use of a handicapped designated vehicle and denoted as such in accordance with the requirements of the Ohio Revised Code Section 4511.69 (E), Ohio Revised Code Section 3781.111 (C), the Ohio Manual of Uniform Traffic Control Devices and the City of Columbus Transportation Division Sign Installation Manual.

(i) "Meter day" means any day that parking meters are enforced. (Ord. 581-88: Ord. 2120-03 § 1 (part).)

**Section 2.** That existing sections 2105.21, 2150.03, 2150.04, 2150.09, 2150.12, 2151.01, 2151.21, and 2155.01 are hereby repealed.

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

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**Legislation Number:** 1417-2006

**Drafting Date:** 07/20/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

On July 15, 2002, while on duty, Firefighter Andy Trott, was the driver of Ladder #13, which was on an emergency run with lights and sirens attempting to turn left onto North High St. from Arcadia. During the commission of the turn, he was unable to slow down, causing Ladder #13 to lose control. Ladder #13 traveled across High St. into a curb causing the vehicle to strike shrubs and a tree, and flipping on its side and sliding into the building located at 2711 N. High Street. As a result of that accident, Firefighter Trott suffered an open wound to the buttock, contusion of the lower left leg, sprained neck, sprained shoulder, sprained foot, open wound of back, sprained lumbosacral, degenerative joint disease in his shoulder, chronic sinusitis, protruding disc, spinal stenosis, and post traumatic stress.

After exhausting injury leave allowable under the current collective bargaining agreement, i.e., 180 days, Firefighter Trott

applied for an extension of injury leave of six months, i.e, and another 180 days. However, because the Board of Industrial Relations denied that request, he was forced to use 336 hours of his vacation and sick leave balances to enable him to continue medical treatment for his injuries.

City Council believes it is appropriate to reinstate said personal time since Firefighter Trott was faced with a situation involving danger to human life or destruction of property, and he responded as required by the Division's "System Manual" and "Standard Operating Procedures".

**Title**To authorize the reinstatement of 279 hours sick leave and 57 vacation leave hours (336 total hours) of accumulated sick leave and vacation leave to Firefighter Andy Trott, and to declare an emergency.

**Body**

WHEREAS, Firefighter Andy Trott was involved in an accident where he received injuries causing him to be off work, and

WHEREAS, his request for injury leave with pay was denied by the Board of Industrial Relations, and

WHEREAS, it was necessary for him to take leave in the amount of 336 hours to cover his time off due to his injury, and

WHEREAS, it is the intention of this ordinance to reinstate 279 hours of sick leave to his sick leave balance, and 57 hours of vacation leave to his vacation leave balance, and

WHEREAS, an emergency exists in the usual daily operation of the Division of Fire, Department of Public Safety that it is necessary to immediately restore sick and vacation leave to Firefighter Trott so that he may remain on duty and to preserve the public health, peace, property, safety, and welfare.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

**SECTION 1.** That the credit of 279 hours of sick leave and 57 hours of vacation leave be and it is hereby authorized and directed to be added to Firefighter Andy Trott's sick leave and vacation balances respectively, as accumulated.

**SECTION 2.** That the balance be adjusted accordingly to reflect this reinstatement of sick leave and vacation leave hours.

**SECTION 3.** 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:** 1426-2006

**Drafting Date:** 07/21/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**This ordinance allocates \$250,000 of Permanent Improvement Funds to the Division of Fire to purchase thermal imaging cameras. Such equipment significantly enhances rescue operations, allowing firefighters to "see" in smoke-filled environments to speed the location of potential victims. Quicker operations improve the odds for a successful

rescue while also increasing the safety factor for the rescue party. The division has been field testing several different units over the last six months. Subsequent legislation will authorize the expense.

Sufficient funding exists in the Permanent Improvement Fund to accommodate this purchase.

**Title**To authorize and direct the appropriation of \$250,000 within the permanent improvement fund to the Division of Fire for the purchase of thermal imaging cameras for use in fire rescue operations, and to declare an emergency (\$250,000).

**Body**

WHEREAS, thermal imaging cameras enhance fire rescue services by enabling firefighters to "see" in smoke-filled environment to speed the location of potential victims, thereby improving the safety of both potential victims and rescue personnel; and

WHEREAS, Council deems it necessary to expand the Division of Fire's capacity to address potential life-threatening fire events by directing the use of \$250,000 of permanent improvement funds for the purchase of said equipment; and

WHEREAS, this ordinance is submitted as an emergency measure to ensure the quickest deployment of said equipment for the public welfare, and

WHEREAS, an emergency exists in the usual daily operations of the City in that it is immediately necessary to appropriate funds to the Division of Fire to allow for the purchase of thermal imaging cameras 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 monies in the Fund known as the Permanent Improvement Fund, Fund No. 748, and from all monies estimated to come into said fund from any and all sources during the twelve months ending December 31, 2006, the sum of \$250,000 is hereby appropriated within project 748999.

**SECTION 2.** That the City Auditor is hereby authorized and directed to transfer said monies within the fund from Project 748999 to Project 340123, Fire Equipment, Division of Fire, Division 30-04, OCA Code 340123 .

**SECTION 3.** That City Council directs that said funds be used for the purchase of thermal imaging cameras.

**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:** 1470-2006

**Drafting Date:** 08/11/2006

**Version:** 3

**Current Status:** Passed

**Matter Type:** Ordinance

**Title**

To rezone **4871 WARNER ROAD (43081)**, being 43.73± acres located on the south side of Warner Road, 1400± feet east of Ulry Road, **From:** PUD-8, Planned Unit Development District, **To:** PUD-6, Planned Unit Development District **and to declare an emergency.** (Rezoning # Z06-049)

**Body**

**WHEREAS**, application #Z06-049 is on file with the Building Services Division of the Department of Development requesting rezoning of 43.73± acres from PUD-8, Planned Unit Development District, to PUD-6, Planned Unit Development 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 City Departments recommend approval of said zoning change because the requested PUD-6, Planned Unit Development District would permit ~~138~~ **104** single-family dwellings and 72 attached multi-family units on 43.73± acres with 12.97± acres of open space and total gross density of ~~4.8~~ **4.02** dwelling units per acre. The requested rezoning is consistent with the *Rocky Fork/ Blacklick Accord* (2003) with respect to land use recommendations, and through working with the site's natural characteristics, and the setback and treatment along Warner Road. The PUD-6 development plan and notes provide customary development standards and adequate buffering and screening throughout the site. The requested PUD-6, Planned Unit Development 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:

**4871 WARNER ROAD (43081)**, being 43.73± acres located on the south side of Warner Road, 1400± feet east of Ulry Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Section 3, Township 2, Range 16, United States Military Lands and being those tracts conveyed to Dominion Homes by deeds of record in Instrument Number 200507060131302 and Instrument Number 200506070109304 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and described as follows:

Beginning, at a point marking the intersection of the southerly right-of-way line of Warner Road with the westerly line of that 22 acre tract as conveyed to said Dominion Homes;

Thence with the perimeter of said Dominion Homes tracts, the following courses and distances:

South 86° 44' 29" East, a distance of 605.80 feet to a point;

South 01° 37' 12" West, a distance of 206.50 feet to a point;

South 87° 12' 33" East, a distance of 139.67 feet to a point;

South 03° 42' 28" West, a distance of 274.06 feet to a point;

South 86° 34' 44" East, a distance of 499.13 feet to a point; and

North 03° 31' 55" East, a distance of 480.74 feet to a point in said southerly right-of-way line of Warner Road;

Thence South 86° 44' 29" East, with said southerly right-of-way line, a distance of 50.00 feet to a point in the westerly line of that 2.869 acre tract conveyed to Michael W. and Mary A. Adkins;

Thence continuing with the perimeter of said Dominion Homes tract, the following courses and distances:

South 03° 31' 55" West, a distance of 1374.52 feet to a point;

North 85° 52' 57" West, a distance of 50.00 feet to a point;

North 85° 49' 03" West, a distance of 501.88 feet to a point;

South 03° 42' 28" West, a distance of 525.10 feet to a point;

North 87° 01' 54" West, a distance of 81.12 feet to a point;

North 86° 45' 50" West, a distance of 667.87 feet to a point;

North 03° 35' 11" East, a distance of 1891.45 feet to the Point of Beginning and containing 43.727 acres of land, more or less.

This description was prepared from existing records and is not to be used for deed transfer.

**To Rezone From:** PUD-8, Planned Unit Development District,

**To:** PUD-6, Planned Unit Development District.

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the PUD-6, 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-6, 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, "**ALBANY LANDING**," and said notes being titled, "**PUD PLAN NOTES**," both dated ~~August 11, 2006~~ **November 30, 2006** and signed by Jill S. Tangeman, Attorney for the Applicant.

**PUD PLAN NOTES:**

**APPLICATION:** Z06-049

**Location:** 4871 Warner Road; Columbus, OH 43081

**Applicant(s):** Village Communities, Inc.; c/o Jill S. Tangeman, Atty.; 52 East Gay Street; Columbus, OH 43215.

**Property Owner(s):** Dominion Homes, Inc.; 5000 Tuttle Crossing Boulevard, Dublin, OH 43016.

**Date of Text:** ~~August 11, 2006~~ **November 30, 2006**

**INTRODUCTION**

The 43.73± acre site was rezoned in 2005 to PUD-8 to allow for 294 detached single-family and townhouse units with approximately 10 acres of open space. The applicant is seeking this rezoning to PUD-6 for the purpose of altering the approved site plan to permit a mixture of detached single-family condominium units and ranch multi-family condominium units. The applicant proposes to reduce the number of approved units to ~~240~~ **176** and to allow for more than ~~42~~ **13** acres of open space.

**GENERAL**

1. Homes may be used as model homes for the purpose of marketing and sales. A manufactured modular building (or a

clubhouse or model home with parking) may be used as a sales office during the development of the project and the construction of homes therein. Attached ranch multi-family units will be constructed with a mixture of hardiplank and brick or stone.

## STREETS

2. The street alignments shall be developed as shown on this plan; however they are subject to refinement with final engineering and may be adjusted to reflect engineering, topographical or other site considerations established at the time of development. The director of development or the director's designee may approve adjustments to the street alignments upon submission of the appropriate data regarding the proposed adjustment.

3. Private streets shall be at least 22 feet in width for ranch multi-family units and 24' for single family detached units. Intersection details, including turning radii and tapers, will comply with the City of Columbus standards for 22' & 24' wide streets.

4. For single-family detached units (patio homes), the developer shall install the total number of trees equal to one street tree per thirty (30) lineal feet of street frontage for both sides of the street, which trees may be evenly spaced at 1 tree per 38' to 40', or grouped, and the remainder distributed throughout the site. Developer reserves the right to place trees based on the site conditions.

5. For attached ranch multi-family units, the developer shall install at least the equivalent of one street tree per thirty (30) lineal feet of street frontage, for both sides of street. If staggered, there shall be a maximum horizontal spacing (across street) of 30'. Street trees shall be installed at regular intervals, per the above. Developer reserves the right to place trees based on site conditions, and may redistribute the balance as grouped elsewhere throughout the site.

6. Street trees shall be 2-inch caliper minimum at the time of planting, and species shall not be mixed on individual streets.

7. For attached multi-family units, developer shall install decorative street lamps at regular intervals similar to City of Columbus standard spacing. Street light spacing on public street(s) shall be per City code. All lighting fixtures within the multi-family sub-area shall be similar in style or type. For single-family detached units (patio homes), developer shall install either a coach light (to be located on the home near front door) or a post light (to be located between the sidewalk and porch) All lighting fixtures within the patio homes area shall be similar in style or type.

8. If security lighting is used, it shall be motion detector type lighting.

9. Outdoor light poles shall not exceed eighteen (18) feet in height. All wiring shall be concealed and/or underground. Ground-mounted lighting shall be shielded and landscaped.

10. Concrete sidewalks shall be provided by the developer on both sides of private streets for the single-family detached units, except for single-loaded streets (including islands where no structures are located), which shall have sidewalks on the house side of the street only. Concrete sidewalks shall also be provided by the developer on the internal loop street as set forth on the site plan. A bike path will be installed as shown on the site plan with connections to the properties to the east and to the west.

11. Developer will install concrete sidewalk or multi-use path along the south side of Warner Road. Developer will also dedicate ten feet of additional right of way along Warner Road to the City of Columbus.

## PARKING

12. At least 2 enclosed spaces per dwelling unit shall be provided. Stacked parking in driveway of multi-family units shall be permitted.

13. Parking restrictions shall be controlled by appropriate signage displayed within the development and shall include that parking shall be limited to one side of the Street and that no parking shall be permitted on either side of any street within

61' of street intersection. Fire hydrants shall be located on the side of the street where no parking is permitted. Enforcement by the condominium / homeowner association shall be established by the rules and regulations of the condominium or homeowner association.

14. The owner, developer and or the association of homeowners must establish and maintain an agreement(s) with private towing company(s), which agreements authorize the private towing company(s) to remove/tow any vehicles parking in restricted areas. There may be one or more such agreements with one or more towing company for any times, lengths, terms, etc., as the association determines, so long as at least one such agreement shall always at all times be in force for the purposes of enforcement, removal, towing as required above. Towing agreements shall be filed with the Division of Fire, Fire Prevention Bureau upon execution of contract.

15. Signage regulating parking shall be installed consistent with City signage requirements for private streets, and parking requirements shall be enforced through an agreement between the association of homeowners and a private towing company. Such agreement, together with the association's governing documents, shall be filed with the Columbus Division of Fire consistent with Columbus City Code 3320.15(A) (6).

16. Parking is restricted to garages and on streets (as set forth above), and in driveways where applicable. In conjunction with note above, the owner, developer, their successors and assigns (including the association of homeowners) must provide and maintain adequate and proper signage to designate all no parking zones.

17. The owner, developer, or the owners association, as applicable, shall designate the City of Columbus as an authorized agent for the sole and specific purposes of enforcement of parking restrictions and the issuance of citations and/or removal of vehicles parked in violation of posted parking restrictions on private streets or alleys.

#### BUILDING SETBACKS

18. Minimum separation between buildings shall be at least 10 feet.

19. For single-family detached units located on private streets the minimum building setback shall be ~~36~~ **50** feet measured from the centerline of the street. Stoops/porches may encroach setback area up to 8' for single-family detached units. Minimum side yard building setback on corner single-family detached buildings shall be ~~36~~ **41** feet measured from the centerline of the street. Garages for single-family detached units will be no closer than 18' from the sidewalk. **Decks may encroach on rear yard setback by 12' for single-family detached units.** For attached ranch multi-family units located on private streets the minimum building setback shall be 21 feet measured from the centerline of the street. Stoops for ranch multi-family units may encroach setback area up to 3'. Minimum side yard building setback on corner ranch multi-family unit buildings shall be 21 feet measured from the centerline of the street.

#### LANDSCAPE

20. City of Columbus parkland dedication requirements were met as part of a development to the north (Albany Crossing). Therefore, there is no additional parkland dedication (whether fee in lieu or additional land) required for this community.

21. A landscape buffer with a 75% opacity within 5 years of planting will be provided for the northern 30' landscape buffer, as designated on the site plan. Plants will be installed as per plan (except where it may be necessary to adjust for proper drainage and engineering). If mounding is used, there shall be a maximum 3:1 slope.

22. Developer shall replace dead or decayed plant material within 6 months or by the next growing season. All efforts will be made to maintain existing trees, except where it is necessary for proper drainage and engineering. Existing trees will be maintained within a 75 foot distance from the centerline of the stream as indicated on the plan (tree preservation area).

23. Developer shall install street trees along Warner Road at a rate of 4 per 100 linear feet which may be evenly spaced, grouped, or used to supplement the existing tree line.

24. The development plan provides approximately ~~12~~ **13** acres of open space. All open space shall be maintained by an

owners association.

## MISCELLANEOUS

25. The subject site shall be developed in accordance with the attached Development Plan. The development plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time the development and engineering plans are completed. Any slight adjustment to the plan is subject to review and approval by the Director of the Department of Development, or his/her designee, upon submission of the appropriate data regarding the proposed adjustment.

26. The developer will maintain the hydrology of the wetlands area and will install a re-charge well if necessary to provide a sufficient level of water. In addition, the developer will grant the City of Columbus a conservation easement over the wetlands area and surrounding buffer to insure that the area is not disturbed.

27. This site is included within the Pay as We Grow plan for the northeast growth corridor. The developer has committed to paying \$2,300.00 per dwelling unit towards infrastructure costs.

**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:** 1489-2006

**Drafting Date:** 08/21/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### Explanation

Recent investigations conducted by the Columbus Division of Police, Vice Section, as well as the Franklin County Sheriff's Office highlight the need for stronger ordinances governing the massage industry within the City of Columbus. Since 2001 both the Columbus Police and the Sheriff's Office have been receiving complaints about prostitution activity occurring at several massage establishments within the City. These complaints have come from law enforcement officers, neighbors of the establishments, as well as unsuspecting customers who thought they were getting a massage, and were instead offered sex acts in exchange for money. This proposed legislation addresses the shortcomings of the current code that came to light only after the most recent changes were made to the massage ordinances. It will provide law enforcement with better tools to combat the prostitution inside the establishments, and provide those in need of massage therapy a clearer understanding of the difference between those individuals licensed by the State and those registered by the City.

During a series of investigations into the massage establishments licensed by the City, the Columbus Police and the Franklin County Sheriff's Office have obtained the elements for soliciting and/or prostitution on twenty separate occasions. Multiple search warrants have been executed at the establishments, and two women have been charged with felony counts of promoting prostitution. This legislation restricts the activity permitted in a registered establishment and prohibits the type of behavior that has proven to be a segue into prostitution activity. Moreover, the power of inspection as granted by this legislation will allow both law enforcement and licensing personnel to enter the establishments and ensure compliance with the Code. These changes, among others, are effective tools to dissuade those who have been using massage establishments for the purpose of prostitution from operating in the City of Columbus.

The most significant proposed change involves switching from a system of licensing massage establishments and personnel to a registry of these businesses and individuals. The current City Code gives the title "licensed massage technician" to any individual who fulfills the minimal requirements of the City Code and pays the applicable fee. This is similar to the title of "licensed massage therapist" bestowed by the State Medical Board of Ohio upon those who have successfully completed extensive coursework in the areas of biology, anatomy, and physiology. Changing the title "massage technician" to "registered masseuse or masseur" removes the suggestion of an affiliation with the practice of medicine and will allow the public to make a more informed choice when seeking massage services.

**Title**

To amend Chapter 540 of the Columbus City Codes, 1959, relative to massage and bath establishments and the registration of masseuses and masseurs.

**Body**

WHEREAS, recent investigations conducted by the Columbus Division of Police, Vice Section, as well as the Franklin County Sheriff's Office highlight the need for stronger ordinances governing the massage industry within the City of Columbus; and

WHEREAS, during a series of investigations into the massage establishments licensed by the City, the Columbus Police and the Franklin County Sheriff's Office have obtained the elements for soliciting and/or prostitution on twenty separate occasions; and

WHEREAS, this legislation is needed to more effectively restrict the activity permitted in a registered massage establishment and to prohibit the type of behavior that has proven to be a segue into prostitution activity; and

WHEREAS, there is a need to change the terms used in the Columbus City Code relative to persons performing massages who are not licensed by the State Medical Board; now therefore,

BE IT ORDAINED BY COUNCIL OF THE CITY OF COLUMBUS:

**Section 1.** That Chapter 540 of the Columbus City Codes, 1959, is hereby amended to read in its entirety as follows:

**Chapter 540 Massage and Bath Establishments and ~~Massage Technicians~~**

**540.01 Definitions**

(A) "Massage" means any method of pressure on or friction against or stroking, kneading, rubbing, tapping, pounding, vibrating, ~~moving, touching~~ or stimulating of ~~the external soft parts~~ soft tissues of the body with the hands or with the aid of any mechanical or electrical apparatus or appliance, with or without such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powder, creams, lotions, ointments or other similar preparations commonly used in this practice for a purpose other than ~~the treatment of disorders of the human body~~ the licensed practice of the limited branches of medicine, as defined in O.R.C. section 4731.15 under the jurisdiction of the State Medical Board of Ohio, including but not limited to therapeutic and relaxation massage.

(B) "Massage establishment" means any establishment having a fixed place of business where any person, firm, association or corporation engages in, or carries on, or permits to be engaged in or carried on any of the activities mentioned in subsection (A) above for any consideration whatsoever.

(C) "Bath establishment" means any establishment having a fixed place of business where any person, firm, association or corporation engages in, or carries on, or permits to be engaged in or carried on any activity involving any type of physical contact between a patron and an employee or operator, as defined in this section, when that contact is related to providing any form of sauna, shower, steam bath, electric light bath, shower bath, tub bath, hot tub bath, sponge bath, sun bath, mineral bath, Finnish, Swedish or Turkish bath, giving salt glows, administration of fomentation or public bathing in any form for any consideration whatsoever.

(D) "Out-call massage service" means any business, the function of which is to engage in or carry on massages at a location ~~designated by the customer or client rather than at~~ other than a massage establishment registered pursuant to this section.

(E) "~~Massage technician~~" "Registered Masseuse" or "Registered Masseur" means any person who, for any consideration whatsoever, engages in the practice of massage as defined in subsection (A) above.

- (F) "Employee" means any and all persons, other than the ~~massage technician, registered masseuse or masseur~~, who render any service to the operator and who receive compensation directly from the operator.
- (G) "Person" means any individual, partnership, firm, association, joint stock company, corporation or combination of individuals of whatever form or character.
- (H) "Operator" means the permit operator of a massage or bath establishment.
- (I) "Sexual or genital area" means the genitals, pubic area, buttocks, anus or perineum of any person, or the vulva or breasts of a female. (Ord. 1682-77; Ord. 973-02 § 1 (part

**540.02 License Registration required.**

- (A) No person shall engage in, conduct or carry on, or permit to be engaged in, conducted or carried on, in or upon any premises in the city of Columbus, the operation of a massage or bath establishment as herein defined ~~unless such establishment shall be licensed under this chapter~~ without first being properly registered with the City of Columbus in accordance with this chapter.
- (B) No person shall engage in the business of or be employed as a ~~massage technician registered masseuse or masseur~~ in the city of Columbus unless he or she has ~~obtained a license registered with the City of Columbus, Licensing Section, from the Section of Licenses.~~ (Ord. 1682-77; Ord. 973-02 § 1 (part).)

**540.03 Exemptions.**

- (A) The provisions of this chapter shall not apply to the following:
- (1) Hospitals, nursing homes and public health centers licensed by the state of Ohio;
  - (2) The offices of a person who is licensed or registered by the state of Ohio Medical Board ~~which that~~ are used while performing the licensed or registered profession;
  - (3) A licensed barber shop, beauty salon, school of cosmetology, or barber school while used to perform the licensed vocation;
  - (4) The offices of a licensed chiropractor or physical therapist while used to perform the licensed profession.
  - (5.) Any establishment where all massage services are provided by persons exempted by this Section.
- (B) The provisions of this chapter shall not apply to the following:
- (1) A person licensed or registered by the State Medical Board of Ohio while performing the licensed or registered profession;
  - (2) Licensed cosmetologists, registered barbers, registered barber apprentices, licensed chiropractors, licensed practical nurses, registered nurses, licensed physical therapists, licensed physical therapist assistants while performing the said profession or vocation;
  - (3) A person working under the direction or supervision of individuals mentioned in subsections (B)(1) and (2) hereof while performing the said profession or vocation. (Ord. 2088-77; Ord. 973-02 § 1 (part).)

**540.04 Application for massage or bath establishment ~~license registration~~; fee.**

- (A) Application for a ~~license registration~~ to operate a massage or bath establishment including a renewal ~~license registration~~ as required by Section 540.02(A) shall be made pursuant to this chapter and Chapter 501 of the Columbus City Codes at the office of the Section of Licenses on a form provided. Each application shall include a filling fee of one hundred fifty dollars (\$150.00) which shall not be refundable.
- (B) The application for a ~~license registration~~ to operate a massage or bath establishment shall specify the services to be administered, the identity of any person who will be directly or indirectly engaged in managing or operating the establishment, and the proposed place of business therefor.
- (C) In addition to the foregoing, the ~~applicant for a license, registrant~~, including any partner of a partnership, and any officer or director of a corporate applicant and any stockholder holding more than ten (10) percent of the stock of a corporate applicant, shall furnish the following information:
- (1) Name, address and social security number;
  - (2) A certified copy of the applicant's birth certificate which evidences that the applicant is at least eighteen (18) years of age;
  - (3) All residential addresses for the past three (3) years;
  - (4) The applicant's physical description, including height, weight, color of eyes and hair;
  - (5) The business, occupation or employment of the applicant for the three (3) years immediately preceding the date of application;

(6) The business history of the applicant regarding previous licenses or registrations obtained or refused from any governmental agency including revocations and suspensions and the reasons therefor;

(7) A set of fingerprints and a certified copy of applicant's Criminal history information, including date, time and place of convictions for all violations except traffic offenses as obtained from any local or state law enforcement agency;

(8) ~~A set of fingerprints obtained by the division of police and a~~ A recent two (2) inch by two (2) inch color photograph of the applicant;

(9) If the applicant is a corporation, or a partner of a partnership which is incorporated, the name of the corporation shall be set forth exactly as shown on its articles of incorporation. (Ord. 1682-77; Ord. 973-02 § 1 (part); Ord. 868-03 § 1 (part).)

#### **540.05 Issuance of license registration for massage or bath establishment.**

(A) The Section of Licenses, pursuant to the terms of this chapter and Chapter 501 of the Columbus City Codes, shall issue the license registration to an applicant to operate a massage or bath establishment at a specified location, unless the Section of Licenses finds:

(1) That the operation, as proposed by the applicant, if permitted, would not be in compliance with applicable laws, including, but not limited to, the building, health, planning, housing, zoning and fire codes of the city of Columbus, as well as the provisions of this chapter.

(2) That the application does not contain all the required information or the application contains a material misrepresentation;

(B) The Section of Licenses may refuse to ~~issue a license~~ register in accordance with this chapter to operate a ~~massage or bath establishment if the~~ any applicant, ~~or any other person who will be directly or indirectly engaged in the management or operation of the establishment, who~~ has been convicted of any ~~crime involving prostitution violation of Chapter 2907 of the Ohio Revised Code or similar state or local law~~, or ~~who~~ has been convicted of any crime related to the operation of any massage or bath establishment in any jurisdiction.

(C) A massage or bath establishment ~~license issued~~ certificate of registration issued pursuant to this chapter shall terminate at the expiration of one (1) year from the date of its issuance unless subject to suspension or revocation. (Ord. 1682-77; Ord. 973-02 § 1 (part).)

#### **540.06 Revocation or suspension of establishment license.**

(A) The Section of Licenses may ~~refuse to renew~~ revoke or suspend a massage or bath establishment ~~license registration~~ or may revoke or suspend such license where it finds:

(1) A section of this chapter or Chapter 501 of the Columbus City Codes was violated upon the establishment premises;

(2) A violation of the Ohio Revised Code or Columbus City Codes was committed upon the establishment premises, and was reasonably related to the management or operation of the establishment;

(3) A material misrepresentation was made upon the application for an establishment ~~license registration~~;

(4) An operator, or employee or agent of the operator, hindered, obstructed or prevented any inspection of the establishment authorized by this chapter or Chapter 501 of the Columbus City Codes;

(5) A person who is not a ~~licensed massage technician~~ registered masseuse or masseur has administered a massage at the premises of the massage establishment.

(B) The ~~refusal to renew~~, suspension or revocation of a massage or bath establishment license registration shall be made pursuant to the provisions of this chapter and Chapter 501 of the Columbus City Codes and the appeal of any such order shall be pursuant to the provisions of Chapter 505 of the Columbus City Codes. (Ord. 1682-77; Ord. 973-02 § 1 (part).)

#### **540.07 Application for ~~massage technician license~~ masseuse or masseur registration; fee.**

(A) Application for the ~~license~~ masseuse or masseur registration required by Section 540.02(B) including a renewal ~~license~~ masseuse or masseur registration shall be made pursuant to the terms of this chapter and Chapter 501 of the Columbus City Codes at the office of the Section of Licenses on a form provided. Each application shall include a filing fee of seventy-five dollars (\$75.00) which shall not be refundable.

(B) The application for a permit registration to operate as a ~~massage technician~~ registered masseuse or masseur shall contain the following information:

(1) Applicant's Name, residence address and social security number;

- (2) A physical description setting forth the applicant's weight, height, hair color and color of eyes;
- (3) A recent two (2) inch by two (2) inch color photograph of the applicant. ~~applicant and a set of fingerprints obtained by the division of police;~~
- (4) A certified copy of the applicant's birth certificate which evidences that the applicant is at least eighteen (18) years of age;
- (5) ~~The business, occupation and employment of the applicant for a three (3) year period preceding the date of application;~~
- (6) ~~(5) A copy of applicant's state of Ohio and nationwide current criminal history information, including date, time and place of convictions for all violations except traffic offenses. Current criminal history must be obtained by the applicant from the Columbus Division of Police or the Franklin County Sheriff's Office and sent to the City of Columbus, License Section. Any costs associated with obtaining the required criminal history shall be incurred by the applicant.~~
- (7) ~~Certification that the applicant has satisfactorily completed 160 hours of course instruction in anatomy, physiology and massage at a school of massage approved by the Ohio State Medical Board. (Ord. 1682-77; Ord. 973-02 § 1 (part); Ord. 868-03 § 1 (part).)~~

**540.08 Issuance of license registration for a massage technician masseuse/masseur.**

- (A) The Section of Licenses pursuant to this chapter and Chapter 501 of the Columbus City Codes shall ~~issue the license register the applicant~~ to engage in the business of or be employed as a ~~massage technician registered masseuse or masseur~~ in the city of Columbus ~~upon receipt of an application~~, unless the Section of Licenses finds:
- (1) That the application does not contain all the required information or the application contains material misrepresentations.
  - (B) The Section of Licenses may refuse to issue ~~a license~~ a certificate of registration to an applicant to engage in the business of, or be employed as, a ~~massage technician registered masseuse or masseur~~ if the applicant has been convicted of any ~~crime involving prostitution- violation of Chapter 2907 of the Ohio Revised Code or any similar state or local law~~ or has been convicted of any crime related to the operation of any massage or bath establishment in any jurisdiction.
  - (C) A ~~massage technician license~~ certificate of registration issued pursuant to this chapter shall terminate at the expiration of one (1) year from the date of its issuance unless subject to suspension or revocation. (Ord. 1682-77; Ord. 973-02 § 1 (part).)

**540.09 Revocation or suspension of massage technician license massage registration.**

- (A) The Section of Licenses may ~~refuse to renew revoke or suspend~~ a ~~massage technician license registration or may revoke or suspend such license~~ where it finds that the ~~massage technician registrant~~ has been convicted of any ~~crime involving prostitution- violation of Chapter 2907 of the Ohio Revised Code or any similar state or local law~~ or has been convicted of any crime related to the operation of any massage or bath establishment.
- (B) The ~~refusal to renew~~, suspension or revocation of a ~~massage technician license registration~~ shall be pursuant to the provisions of this chapter and Chapter 501 of the Columbus City Codes and the appeal of any such order shall be pursuant to the provisions of Chapter 505 of the Columbus

**540.10 Required facilities.**

No ~~license registration to conduct operate~~ a massage or bath establishment shall be issued, renewed or continued unless an inspection discloses that the establishment complies with each of the following minimum requirements:

- (A) A readable sign shall be displayed at the main entrance identifying the establishment as a massage establishment, provided also that all such signs shall be in compliance with the city of Columbus Graphics Code;
- (B) Adequate equipment for disinfecting and sterilizing any instruments or apparatus used for massage or bath services is provided;
- (C) Hot and cold running water is provided;
- (D) Closed cabinets are utilized for the storage of clean linen;
- (E) Adequate dressing and toilet facilities are provided for patrons' use;
- (F) All walls, ceilings, floors, steam or vapor rooms and all other physical facilities for the establishment are kept in good repair and maintained in a clean and sanitary condition.
- (G) Clean and sanitary towels and linen are provided for patrons receiving massage or bath services. No common use of towels or linen shall be permitted. (Ord. 1682-77; Ord. 973-02 § 1 (part).)

#### **540.11 Operating requirements.**

~~(A) No license to conduct a massage or bath establishment or to engage as a massage technician shall be issued, renewed, or continued unless each of the following provisions are complied with by the massage or bath establishment and/or massage technician:~~

~~(1) No massage technician shall administer a massage unless completely clothed in clean non-transparent garments at all times. The term "completely clothed" shall mean having on the upper portion of the body undergarments and either a blouse or shirt which covers all the upper body except the arms and on the lower body undergarments plus either pants or a skirt.~~

~~(2) The patron's private parts shall be covered by a towel, cloth, or undergarments when in the presence of a massage technician or massage or bath establishment employee.~~

~~(3) A massage technician shall display his or her license in a conspicuous place where the massage is being administered and where it is visible to the patron.~~

~~(4) A massage or bath establishment shall display its license in a conspicuous place where it is visible to all patrons entering the establishment.~~

~~(5) A massage technician shall not administer a massage to an individual of the opposite sex.~~

~~(6) The massage or bath establishment premises shall be subject to inspection by the Section of Licenses or its duly authorized representatives during the establishment's working or operating hours for the purpose of ensuring compliance with the provisions of this chapter.~~

~~(7) No massage technician or massage or bath establishment employee or operator shall fondle, touch or massage the sexual or genital area of any patron.~~

~~(8) A massage or bath establishment operator shall provide the names of all employees and any licensed massage technician working for the establishment to the Section of Licenses within two (2) days of the date the individual is employed.~~

~~(B) No massage technician registered masseuse or massage or bath establishment operator or employee shall knowingly recklessly violate a provision of Section 540.11(A). (Ord. 1682-77; Ord. 973-02 § 1 (part).)~~

#### **540.11 Prohibitions**

(A) No owner or operator of a massage or bath establishment shall recklessly do any of the following:

(1) Employ an un-registered masseur or masseuse;

(2) Employ any person under the age of eighteen; or

(3) Fail to post at the massage or bath establishment the current massage or bath establishment certificate or registration as well as the registrations of all masseuses or masseurs working at the establishment.

(B) No registered masseuse or masseur shall fail to display his or her certificate of registration in a conspicuous place where the massage is being administered and where it is visible to the patron.

(C) No person shall recklessly do any of the following while administering a massage to another individual:

(1) Place his or her hand upon, touch with any part of his or her body, fondle in any manner, or massage the sexual or genital area of themselves or of any other person;

(2) Perform, offer, or agree to perform any act which would require the touching of the sexual or genital area of themselves or of any other person;

(3) Touch, offer, or agree to touch the sexual or genital area of themselves or of any other person with any mechanical or electrical apparatus or appliance; or

(4) Wear unclean clothing, no clothing, transparent clothing, or clothing that otherwise reveals the sexual or genital areas of the masseur or masseuse.

(D) No registered masseur or masseuse shall perform massage at a massage or bath establishment that does not have a current, valid certificate of registration issued by the City of Columbus.

(E) No registered masseuse or masseur shall use the title "Licensed Massage Therapist" or the initials "L.M.T." or hold him or herself out to be so licensed unless licensed by the State Medical Board of Ohio.

(F) No massage or bath establishment shall permit any registered masseuse or masseur while employed by the establishment to use the title "Licensed Massage Therapist" or the initials "L.M.T." or hold him or herself out to be so licensed unless licensed by the State Medical Board of Ohio.

**540.12 Authority to Conduct Inspections**

(A) Upon display of the proper credentials, any License Officer or any other law enforcement officer authorized to enforce this chapter shall be granted entry to a massage or bath establishment at any time the establishment is open for business for the purpose of conducting an inspection to ensure compliance with this chapter.

(B) No person shall deny access to or in any way impede any License Officer or any other law enforcement officer authorized to enforce this chapter conducting an inspection of a registered massage or bath establishment, or any portion thereof, or fail to cooperate with the inspecting officials.

(C) No registered masseuse or masseur shall fail to provide their current City registration upon request by any License Officer or any other law enforcement officer authorized to enforce this chapter.

(D) No massage or bath establishment operator shall fail to provide a current massage or bath establishment registration upon request by any License Officer or any other law enforcement officer authorized to enforce this chapter.

**540.12 540.13 Out-call massage service.**

No ~~massage technician~~ registered masseuse or masseur or massage or bath establishment shall provide "out-call massage services" ~~which are not in compliance with the provisions of this chapter.~~ (Ord. 1682-77; Ord. 973-02 § 1 (part).)

**540.13 540.14 Transfer of licenses.**

(A) No license registration issued under this chapter shall be transferable to another person or location ~~without the express written authorization of the Section of Licenses.~~

(B) The change of ownership or location of a massage or bath establishment shall require the submission of a new application and the issuance of a new license registration. (Ord. 1682-77; Ord. 973-02 § 1 (part).)

**540.14 540.15 Rules and regulations.**

The Section of Licenses may make and enforce reasonable rules and regulations to carry out the intent of this chapter in accordance with Sections 501.05 and 501.06 of the Columbus City Codes. (Ord. 1682-77; Ord. 973-02 § 1 (part).)

**540.15 Application to current practices.**

~~(A) Any person who is actually engaged as a massage technician or an operator of a massage establishment upon the effective date of this section, shall have sixty (60) days from that day to comply with the provisions of this chapter.~~

~~(B) Provided, however, a person operating as a massage technician on the date of passage of this section and who is otherwise operating in compliance with this chapter and who enrolls within sixty (60) days from the effective date of this section in a school of massage, approved by the State Medical Board of Ohio, may continue to operate as a massage technician so long as said enrollment continues, but not to exceed a period of one (1) year.~~  
(Ord. 1682-77; Ord. 973-02 § 1 (part).)

**540.16 Severability.**

In the event any section or provision of this chapter shall be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of this chapter as a whole or any part thereof other than the part so declared to be invalid or unconstitutional. (Ord. 1682-77; Ord. 973-02 § 1 (part).)

**540.17 540.99 Penalty.**

Whoever violates any provision of this chapter shall be guilty of a misdemeanor of the first degree. (Ord. 973-02 § 1 (part).)

**Section 2.** That any person who is actually engaged as a licensed massage technician, licensed masseuse or

masseur, or a licensed operator of a massage or bath establishment upon the effective date of this ordinance, shall have sixty (60) days from that day to comply with the registration provisions enacted by this ordinance. Provided, however, that a person operating as a massage technician on the date of assage of this ordinance and who is otherwise operating in compliance with Chapter 540 of the Columbus City Codes and who attends within sixty (60) days from the effective date of this ordinance a school of massage, approved by the State Medical Board of Ohio, may continue to operate as a masseuse or masseur so long as said attendance continues, but not to exceed a period of one (1) year.

**Seton 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:** 1650-2006

**Drafting Date:** 09/18/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

The purpose of this legislation is to authorize the Director of Finance and Management to establish a purchase order with Smart Solutions Inc. in accordance with an established Universal Term Contract for the purchase of servers for the Division of Operational Support.

The Division of Operational Support is in the process of expanding and upgrading various technology programs within the Department of Public Utilities. There is a need to purchase additional servers to support the upgrades. The equipment needed will be purchased from of an established Universal Term Contract, FL-001717, expires June 30, 2007.

**SUPPLIER:** Smart Solutions Inc (34-1403269)

**FISCAL IMPACT:** \$70,000.00 is need for this purchase.

Emergency legislation is being requested so that the servers can be ordered and configured during the upgrade and installation of various technology programs and the expansion of the overall system. This purchase is part of the Department of Public Utilities Technology Plan.

**Title**

To authorize the Director of Finance and Management to establish a purchase order with Smart Solutions Inc for the purchase of servers from the Computer Hardware Universal Term Contract for the Division of Operational Support, to authorize the expenditure of \$29,400.00 from the Sewerage System Operating Fund, \$6,300.00 from the Storm Water Operating Fund, \$12,600.00 from the Electricity Operating Fund, \$21,700.00 from the Water Operating Fund and to declare an emergency. (\$70,000.00)

**Body**

WHEREAS, the Department of Public Utilities, Division of Operational Support is in the process of upgrading and expanding it's technology programs, and

WHEREAS, due the upgrade, additional servers will be needed, and

WHEREAS, the Division of Operational Support wishes to purchase the needed equipment from an established Universal

Term Contract with Smart Solutions on file with the Purchasing Office, and

WHEREAS, these upgrades and expansions are part of the Department of Public Utilities Technology Master Plan

WHEREAS, purchase order will be issued in accordance with the terms and specifications of Contract Number: FL001717 on file in the Purchasing Office; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Operational Support in that it is immediately necessary to establish a purchase order so that the servers can be ordered and configured during the upgrade and installation of various technology programs and the expansion of the overall system with Smart Solutions Inc 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 Finance and Management be and is hereby authorized to establish a purchase order with Smart Solutions Inc for the purchase of Computer Servers for the Division of Operational Support, in accordance with specifications on file in the Purchasing Office.

Section 2. That the expenditure of \$70,000.00 or so much thereof as may be needed, be and the same hereby is authorized as follows:

Fund 650

OCA: 600205  
Object Level 1: 06  
Object Level 3: 6649  
Amount: \$29,400.00

Fund 675

OCA: 600215  
Object Level 1: 06  
Object Level 3: 6649  
Amount: \$6,300.00

Fund 550

OCA: 600207  
Object Level 1: 06  
Object Level 3: 6649  
Amount: \$12,600.00

Fund 600

OCA: 600209  
Object Level 1: 06  
Object Level 3: 6649  
Amount: \$21,700.00

**TOTAL: \$70,000.00**

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:** 1660-2006

**Drafting Date:** 09/19/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

Explanation

1. BACKGROUND:

This legislation authorizes the Director of Public Utilities to modify the professional engineering services contract with DLZ-Ohio, Inc. for the Jackson Pike Wastewater Treatment Plant Sludge Handling and Dewatering Improvements Project. This legislation will additionally authorize the expenditure of funds from the supplemental loan from the Ohio Water Pollution Control Loan Fund.

2. PROFESSIONAL ENGINEERING SERVICES CONTRACT MODIFICATION:

The amount requested under this ordinance for the modification of the Dodson Stilson, Inc. professional engineering services contract is \$467,063.10. The contract total including this modification is \$7,847,732.50. These additional funds are needed to continue engineering services through an extended period of construction, provide training for plant operators, provide a greater degree of assistance with equipment start-up and performance testing than was originally planned, and provide additional engineering services that include investigation of the capacity of the Biofilter for odor control utilization by another project. Due to the complex and comprehensive nature of this project, this additional work could not be foreseen. Unless other unforeseen circumstances arise, this is expected to be the last modification of this contract.

3. PROFESSIONAL ENGINEERING SERVICES CONTRACT MODIFICATION INFORMATION:

The Division of Sewerage and Drainage has determined that these services cannot be performed by City personnel at this time, and has planned for the procurement of these services on a routine basis. The potential need for the additional work was foreseen and so stated in the original contract's explanation of legislation. This additional work is a direct, logical extension of the work included in the contract and is required immediately. It is not deemed either feasible or reasonable to suspend work with the entities currently under contract and undertake continuation of the work under a new procurement. The cost of the modification is a continuation of the contractor's current pricing structure, as verified by City staff.

4. FISCAL IMPACT: This legislation appropriates \$467,063.10 from the OWDA Loan of \$3,114,588.10 that will be utilized for the subject project. The remainder will be appropriated by a professional construction management services contract modification with H. R. Gray & Associates, Inc. and a construction contract modification with Kokosing Construction Company, I

Title To authorize the Director of Public Utilities to modify the professional engineering services contract with DLZ Ohio, Inc. for the Jackson Pike Wastewater Treatment Plant Sludge Handling and Dewatering Improvements Project; to authorize the appropriation and expenditure of \$467,063.10 from the Ohio Water Pollution Control Loan Fund, for the Division of Sewerage and Drainage; and to declare an emergency. (\$467,063.10)

Body Whereas, Contract No. CT19521 was authorized by Ordinance No.1355 -98, as passed by Columbus City Council on June 1, 1998 to provide professional engineering services for the Jackson Pike Wastewater Treatment Plant Sludge Handling and Dewatering Improvements Project, for the Division of Sewerage and Drainage; and

WHEREAS, the Ohio Water Development Authority (OWDA) approved a supplemental loan to the City of Columbus on July 27, 2006, identified as OWDA Loan Number 4032, for the above listed project with eligible costs including the construction contract modification, the professional engineering services contract modifications, and capitalized interest;

and

WHEREAS, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary for this Council to authorize the modification of contract with DLZ Ohio, Inc., which is necessary to continue construction the sludge thickening centrifuge system improvements at the Jackson Pike Wastewater Treatment Plant, at the earliest practicable date; 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 from the proceeds from the Ohio Water Development Authority Loan No. 4032, for the Jackson Pike Wastewater Treatment Plant Sludge Handling and Dewatering Improvements Project; and funds from unappropriated monies in Fund No. 666, the amount of \$467,063.10 for the cost of the professional engineering services contract modification is hereby appropriated to the Division of Sewerage and Drainage| Division 60-05| Fund 666| Proj. 650246| OCA Code 651246 | Object Level 6678.

Section 2. That the Director of Public Utilities be, and hereby is, authorized to execute a professional engineering services contract modification in the amount of \$467,063.10 with DLZ Ohio, Inc., 6121 Huntley Road, Columbus, Ohio 43229 for the Jackson Pike Wastewater Treatment Plant Sludge Handling and Dewatering Improvements Project in accordance with the terms and conditions as shown in the Modification on file in the office of the Division of Sewerage and Drainage.

Section 3. That for the purpose of paying the cost of the professional engineering services contract modification, the expenditure of \$467,063.10, or so much thereof as may be needed is hereby authorized from the Ohio Water Pollution Control Loan Fund as follows:

Division 60-05| Fund 666| Proj. 650246| OCA Code 651246 | Object Level 6678 | \$467,063.10

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 is the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 1719-2006

**Drafting Date:** 09/28/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

### **Explanation**

The purpose of this legislation is to authorize the Director of Public Utilities to enter into contract with Inflection Point Solutions to provide consulting and support for the development of requirement for a Lab Information Management System.

The Director of Public Utilities received proposals for SA002003 on June 6, 2006. List of respondents and scoring summary are attached. The purpose of RFP SA002003 is to begin implementation of LIMS/PIMS work recommended in the Department's recent Technology Master Plan (TMP). The work addressed in the proposal may be found in TMP recommendation 6.10 LIMS/PIMS.

Generally stated, the work recommended in 6.10 is to expand the LIMS currently in place in the Division of Sewerage and Drainage Surveillance Laboratory lab to include the Division of Power and Water's Water Quality Assurance Laboratory.

The current support company for the Division of Sewerage and Drainage LIMS has announced they will discontinue

support for the LIMS a few years in the future. This situation has created an opportunity allowing the Department to seek a new LIMS. To this end the Department of Public Utilities is proceeding with an assessment of available LIMS software packages and with an assessment of Departmental needs, as recommended on page 6-35 of the TMP.

The Department of Public Utilities will proceed with a needs assessment of the Department and base the selection of LIMS software on Departmental needs. Following the Departmental needs assessment an RFP will be let to acquire the needed LIMS software along with implementation services. It is intended that implementation services will include training and support for all LIMS users and support personnel.

The anticipated timeline for completing the stated needs assessment is the first quarter of 2007 with implementation of the software by the fourth quarter of 2007. The Department of Public Utilities anticipates the new Lab Information Management System to be on line by the fourth quarter of 2008.

**SUPPLIER:** Inflection Point Solutions (20-2009707)

**FISCAL IMPACT:** \$94,500.00 is needed for this service. The expenditure is budgeted within both division's operating fund.

**Title**

To authorize the Director of Public Utilities to enter into contract with Inflection Point Solutions for consulting and support services for the development of requirements for a Lab Information Management System for the Department of Public Utilities and to authorize the expenditure of \$47,250.00 from the Sewerage System Operating Fund and \$47,250.00 from the Water Systems Operating Fund. (\$94,500.00)

**Body**

WHEREAS, the Director of Public Utilities received proposals for SA002003 on June 6, 2006 for consulting and support to develop requirements for a new Lab Information Management System (LIMS) for the Department of Public Utilities Surveillance Laboratory and Water Laboratory, and

WHEREAS, the new system is in line with recommendations within the Department of Public Utilities Technology Master Plan, and,

WHEREAS, based on evaluation and scoring, the department recommended an award be made to Inflection Point Solutions, and

WHEREAS, the Department of Public Utilities anticipates implementation of the new software by fourth quarter of 2007 with the new system being on line in fourth quarter of 2008, 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 Inflection Point Solutions for consulting and support services for the development of requirements for a new Lab Management System for the Department of Public Utilities.

Section 2. That the expenditure of \$47,250.00 or so much thereof as may be needed, be and the same hereby is authorized from the Sewerage System Operating Fund, Fund No. 650, OCA 605105, Object Level 1: 03, Object Level 03: 3336 and \$47,250.00 from the Water Systems Operating Fund, Fund No. 600, OCA 601989, Object Level 1: 03, Object Level 03: 3336

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:** 1840-2006

**Drafting Date:** 10/11/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### Explanation

**BACKGROUND:** To modify the existing city-wide contract for the option to purchase Long Distance Telephone Services for the Department of Technology, the largest user, by extending the contract term to and including December 31, 2009. This will make the City's agreement with AT&T for Long Distance Telephone Services match the available service time frame for the City's agreement for Centrex Services (also with AT&T).

Formal competitive bids for Long Distance Telephone Services were opened by the Purchasing Office on May 27, 2004 in accordance with Section 329.06. (SA001111JY). A contract with SBC Long Distance, LLC, dba AT&T Long Distance, was established based on that bid process. Contract Compliance #74-2746907, expires 7/16/07. This company is not debarred according to the Federal Excluded Parties Listing or the State Auditor's Findings For Recovery Database.

1. Amount of additional funds: The estimated annual expenditure for the contract is \$70,000. The Department of Technology and various other city agencies must obtain approval to expend from their own budgeted funds for their estimated expenditures.
2. Reason additional needs were not foreseen: The needs were foreseen as extensions were included in the original contract and it is in the best interest of the city to add years to that extension to align the contract dates with the Centrex Services contract.
3. Reason other procurement processes not used: Not only is better pricing, terms or conditions not expected by re-bidding at this time, but the extension will enhance the city's position when negotiating terms and conditions for voice and data transmission services.
4. How cost was determined: The cost, terms and conditions are in accordance with the original agreement.

**FISCAL IMPACT:** No funding is required to extend the option contracts. Agencies must set aside their own funding for their estimated expenditures.

To maintain an uninterrupted supply of Long Distance Telephone Services to the agencies using the Universal Term Contract, this ordinance is be submitted as an emergency.

### Title

To authorize and direct the Finance & Management Director to modify and extend the citywide UTC contract for the option to purchase Long Distance Telephone Services with SBC Long Distance, LLC, dba AT&T Long Distance, to waive the provisions of competitive bidding and to declare an emergency.

### Body

WHEREAS, the Purchasing Office advertised and solicited formal bids, and established a contract for Long Distance Telephone Services with SBC Long Distance, LLC, dba AT&T Long Distance, based on that process; and

WHEREAS, the vendor has agreed to extend the existing contract at current prices and conditions to and including December 31, 2009, and it is in the best interest of the City to accept this extension; and

WHEREAS, this service is used to keep city personnel in direct voice communication to conduct city business; in order to

avoid a lapse in our ability to provide Long Distance Telephone Services to all agencies, this is being submitted for approval as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to modify and extend FL002312 for the option to purchase Long Distance Telephone 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 & Management Director be and is hereby authorized and directed to modify and extend FL002312 with SBC Long Distance, LLC, dba AT&T Long Distance, to and including December 31, 2009.

SECTION 2. That the Council of the City of Columbus finds it is in the best interest of the City that the provisions of City Code Section 329.06, formal competitive bidding, be and are hereby waived.

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:** 1859-2006

**Drafting Date:** 10/13/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**AN06-006**

**BACKGROUND:** This ordinance is submitted to present to Council the transcript of proceedings and papers relating to Annexation AN06-006 a certain petition for annexation as described in the ordinance which is attached hereto. More than sixty days have elapsed since September 21, 2006, the date of receipt from the Board of County Commissioners of Franklin County.

These are submitted in accordance with the Ohio Revised Code.

**FISCAL IMPACT:** Provision of municipal services for a proposed annexation area has no fiscal impact. However, provision of the stated services does represent cost to the city. The annexation of land also has the potential to create revenue to the city.

**Title**

To accept the application (AN06-006) of Gregory A. Marietti, et al. for the annexation of certain territory containing 6.7 ± Acres in Perry Township.

**Body**

**WHEREAS,** a petition for the annexation of certain territory in Perry Township was duly filed by Gregory A. Marietti, et al. on May 24, 2006; and

**WHEREAS,** the said petition was duly considered by the Board of County Commissioners of Franklin County, Ohio, and the annexation of said hereinafter described territory to the city of Columbus was approved by said Commissioners by order dated June 20, 2006; and

**WHEREAS,** the Board of County Commissioners of Franklin County certified the transcript of the proceedings in connection with the said annexation with the map and petition required in connection therewith to the City Clerk who received the same on September 21, 2006; and

**WHEREAS,** sixty days from the date of said filing have now elapsed in accordance with the provisions of the Ohio Revised Code; and

**WHEREAS,** it is in the best interest of the city of Columbus to accept the annexation of the territory sought to be annexed by the aforesaid petition; now, therefore,

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

**Section 1.** That the proposed annexation as applied for in the petition of Gregory A. Marietti, et al. being the majority of owner(s) of real estate in the territory sought to be annexed and filed with the Board of County Commissioners of Franklin County, Ohio May 24, 2006 in which said petition prayed for annexation to the city of Columbus, Ohio, of certain territory adjacent thereto as hereinafter described, and which said petition was approved for annexation to the city of Columbus by the Board of County Commissioners by order dated June 20, 2006, be and the same is hereby accepted and said territory is hereby annexed to the city of Columbus. Said territory is described as follows:

Situate in the State of Ohio, County of Franklin, and Township of Perry, being a part of Section 4, Township 2, Range 19, United States Military Lands, and being all of a 2 acre tract as conveyed to Wilson and Ruth Lee, of record in Official Record Deed Book 3473, page 76, being all of a 0.546 acre tract as conveyed to Wilson and Ruth Wilson of record in Instrument 200312100392019, being all of a 0.335 acre tract as conveyed to Wilson and Ruth Lee of record in Instrument 200312100392019, being all of a 0.779 acre tract conveyed to Gregory A. Marietti, of record in Instrument 200601100006590, being all of a 0.339 acre tract conveyed to Pamela and Jeffrey Lanum of record in Official Record Volume 34502 page G07, being all of a 0.547 acre tract conveyed to Pamela and Jeffrey Lanum of record in Official Record Volume 34502 page G07, be all of a 0.250 acre tract conveyed to Pamela and Jeffrey Lanum of record in Official Record Volume 33207 page G09, being all of a 0.3436 acre tract conveyed to James and Karen Brownfield of record in Official Record 22851 page B06, being all of a 0.5255 acre tract conveyed to Hobart Bethel of record in Deed Book 3350 page 696, being all of a 0.4745 acre tract conveyed to Robert and Barbara Moore of record in Deed Book 3382 page 88, and a portion of Postlewaite Road (currently held as perpetual easement), all of the above aforementioned references to the Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

beginning at the Southwest corner of the existing City of Columbus Corporation line as established by Ordinance No. 238-86, and recorded in Official Record 7043-F-05, also being the Southwest corner of a 1.349 acre tract conveyed to Pamela Bohrer of Official Record Number 1843, page I-07, and page I-10,

thence, in an Easterly direction, a distance of approximately 317 feet, along said existing City of Columbus Corporation line (Ord. No. 238-86), and along the Southern property line of said 1.349 acre Bohrer tract to the Northwest corner of a 0.454 acre tract conveyed to Christine Taynor of Official Record 18096, page G-04,

thence, in a Southerly direction, a distance of approximately 100 feet, along said existing City of Columbus Corporation line (Ord. No. 238-86) and along the Westerly property line said 0.454 acre Taynor tract to Southwest corner of said Taynor tract,

thence, in an Easterly direction, a distance of approximately 171 feet along the Southern property line of said 0.454 acre Taynor tract to the Southeast corner of said tract, also being an intersection point of the Westerly right of way line of Postlewaite Road,

thence, in a Northeasterly direction, a distance of approximately 212 feet, along said existing City of Columbus Corporation line (Ord. No. 238-86) and along the Easterly property line of said 0.454 acre Taynor tract and also said 1.349 acre Bohrer tract, also being the Easterly right of way line of Postlewaite Road, said point being an angle point in the existing City of Columbus Corporation line as established by Ord. No. 0932-02 and Instrument No. 200208300215314, to the Northeasterly corner of said 1.349 acre Bohrer tract,

thence, in an Easterly direction, a distance of approximately 45 feet, along the existing City of Columbus Corporation line as established by (Ord. No. 0932-02, Instrument No. 200208300215314), to the Northeast corner of said City of

Columbus Corporation line,

thence, in a Southwesterly direction, a distance of approximately 700 feet, along said existing City of Columbus Corporation line as established by Ordinance No. 0932-02, Instrument No. 200208300215314, also along an existing City of Columbus Corporation line as established by (Ord. No. 2118-00, Instrument No. 200011150231306), and also along the Easterly right of way line of Postlewaite Road, to the Southwest corner of a 1.55 acre tract conveyed to Olga Couri, established by Ordinance No. 2118-00, Instrument No. 200011150231306,

thence, in an Easterly direction, a distance of approximately 210 feet, along said existing City of Columbus Corporation line (Ord. No. 2118-00) along the Southern property line of said 1.55 acre conveyed to Olga Couri, to a point intersecting the interior Northeast corner of said Couri tract,

thence, in a Southwesterly direction, a distance of approximately 200 feet, along said City of Columbus Corporation line (Ord. No. 2118-00) along said Couri tract, to an intersection point along the Northern City of Columbus Corporation line as established by Ord. No. 1800-01, Instrument No. 200202120038716, also being the North property line of 3.0857 acre tract as conveyed to Bethel Medical LTD.,

thence, in a Westerly direction, a distance of approximately 174 feet, along said existing City of Columbus Corporation line (Ord. No. 1800-01), along said North property line of Bethel Medical LTD., to the Northwest corner of said 3.0857 acre tract conveyed to Bethel Medical LTD,

thence, in a Southwesterly direction, a distance of approximately 105 feet, along said City of Columbus existing Corporation line (Ord. No. 1800-01), along the Westerly property line of said Bethel Medical LTD, and also along the East Right of Way of Postlewaite Road, to an intersection point of an existing City of Columbus Corporation line as established by Ord. No. 1952-93, and Official Record 24303-H-02,

thence, in a Westerly direction, crossing said Postlewaite Road, a distance of approximately 52 feet, a long said City of Columbus Corporation line as established by Ord. No. 1952-93, and Official Record 24303-H-02,

thence, in a Southwesterly direction, a distance of approximately 60 feet, along the existing City of Columbus Corporation line as established by Ord. No. 1952-93, Official Record 24303-H-02, and also the west Right of Way line on Postlewaite Road,

thence, in a Westerly direction, a distance of approximately 35 feet, along said City of Columbus Corporation line, as established by Ord. No. 1952-93, Official Record 24303-H-02, and also being the Southern property line as Conveyed to James and Karen Brownfield Official Record 22851 Page B-06, also along the Northerly Right of Way line of Postlewaite Road to intersection point of existing City of Columbus Corporation line of Misc. Record 145-366 to the Easterly line of CSX Railroad,

thence, in a Northwesterly direction, a distance of approximately 178 feet, along said City of Columbus Corporation line of Misc. Record 145-366, and also the West property line of a 0.3436 acre tract as conveyed to James and Karen Brownfield of Official Record 22851 page B-06, and Easterly line and the Southwest corner of a .329 acre tract as Conveyed to Columbia Gas of Ohio, Official Record 33207, Page C-09, to the Northwest corner of said Brownfield tract,

thence, in a Northeasterly direction, a distance of approximately 79 feet, along said Postlewaite Road Right of Way, and also crossing a 0.329 acre tract sd conveyed by Columbia Gas of Ohio, Official Record 33207, page C-09, to the Northeast corner of said Columbia Gas of Ohio 0.329 acre tract,

thence, in a Westerly direction, a distance of approximately 171 feet, along the North property line of said 0.329 acre tract, as conveyed to Columbia Gas of Ohio, to an intersection point of an existing City of Columbus Corporation line, Misc. Record 145-366, and also the Northwest corner of said 0.329 acre Columbia Gas of Ohio tract, and the Easterly line of said CSX Railroad, and the Southerly line of a 0.250 acre tract conveyed to Jeffrey and Pamela Lanum Official Record 33207, page C-09,

thence, in a Northwesterly direction, a distance of approximately 651 feet along the existing City of Columbus Corporation line (Ord. No. 238-86), and also along said 0.250 acre Lanum tract, along said 0.547 acre Lanum tract, along said 0.339 acre Lanum tract, along said 0.779 Marietti tract, along said 0.335 acre Lee tract, along said 0.546 acre Lee tract, along said 2 acre Lee tract, to the TRUE PLACE OF BEGINNING, containing approximately 6.7 acres, more or less

**Section 2.** That the City Clerk is hereby authorized and directed to make three copies of this ordinance to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, and a certificate as to the correctness thereof, the City Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the Board of Elections thereof and do such other things as may be required by law.

**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:** 1875-2006

**Drafting Date:** 10/17/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

ExplanationThe December 2004 ice storm exposed vulnerability in the City's ability to maintain safe roads during severe adverse conditions. The loss of electrical power at the Transportation Division's outposts and other facilities supporting the outposts restricted the division's ability to provide cleared or passable streets to allow access by police, fire and emergency medical personnel and maintain public safety. Elimination of this deficiency requires that back-up emergency power be available at specific facilities until reliable permanent power is restored by the relevant public utility. The same vulnerability exists with respect to the public information exchange service provided to Columbus citizens by the 311 Call Center. This public information center must be available to dispense accurate and timely information to the public during periods of high anxiety.

Design firms were requested to render quotes to design back-up power systems for ten (10) different buildings now designated as part of Group A, Group B and Group C. Ordinance 1771-2005 passed by Council December 12, 2005 awarded a \$49,100.00 contract to Star Consultants, Incorporated, for the Group A locations. Ordinance 1283-2005 passed by City Council July 25, 2005 awarded a \$50,000.00 contract to GPD Group for the Group B locations. Ordinance 0224-2006 passed by Council February 27, 2006 awarded a \$32,000.00 contract to Star Consultants, Incorporated, for the Group C locations. Further, Ordinance 1663-2006 passed by Council October 16, 2006, provides for the installation of back-up power to 1881 East Twenty-Fifth Avenue, the Transportation Division's operational control center and training facility and back-up Police Division command center, by Dynalectric Company of Ohio for \$403,143.00 including inspection and permit fees.

Previous plans had the procurement of generators being undertaken by the contractor(s) responsible for installing the generators. The assembly of the generators by any manufacturer will likely take twelve weeks from the placement of an order. The Division is now pursuing their purchase without installation via this legislation to reduce the time duration of the project; these generators will then be provided to the installation contractor(s). The City is pursuing installation of these generators through the formal competitive bidding process with bids to be solicited in November.

Formal competitive bid SA002132 for generators at six (6) sites was solicited by the Purchasing Office and four (4) bids were received and opened on August 31, 2006.

The Transportation Division recommends that a contract be awarded to the lowest responsible, responsive and best bid, Affordable Choice Electric Inc., CC# 31-1461454 which expires March 28, 2008, for items 1 - 5 in the amount of \$130,000.00. JD Power Systems and Ohio CAT both had individual line items that were lower in price, however, both were deemed non-responsive due to terms and conditions contrary to those of the City. No award will be made on item 6 as new EPA standards will dictate a new bid for this item.

Fiscal Impact: Funds for the purchase of generators are available in the 1995, 1999, 2004 Voted Streets and Highways Fund in the facilities project. Funds were made available due to the cancellation of encumbrances from the Lane Avenue

and Spring Sandusky Interchange projects which have been completed.

Emergency action is requested to expedite the purchase of the generators to provide for their receipt and installation by May 5, 2007.

TitleTo authorize the Finance & Management Director to establish a contract with Affordable Choice Electric Inc. for the purchase of stand-by electrical generators for the Transportation Division; to amend the 2006 Capital Improvements Budget; to authorize the transfer of \$130,000 within the 1995, 1999, 2004 Votes Streets and Highways Fund; to authorize the expenditure of \$130,000.00 or so much thereof as may be needed from the 1995, 1999, 2004 Voted Streets and Highways Fund and to declare an emergency. (\$130,000.00)

BodyWHEREAS, the Transportation Division is pursuing the purchase of stand-by electrical generators to provide power to its facilities in the aftermath of possible natural and/or man-made events that may serve to disrupt normal service; and

WHEREAS, the Purchasing Office has solicited and received formal competitive bids for this purpose; and

WHEREAS, a lowest responsive, responsible and best bid was submitted by Affordable Choice Electric Inc.; and

WHEREAS, this ordinance amends the 2006 Capital Improvements Budget; and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that it is immediately necessary to establish a contract for the purchase of generators to provide for their installation by May 5, 2007; 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 hereby is authorized to establish a contract with Affordable Choice Electric Inc., 2935 East 14th Avenue, Columbus, Ohio 43219 in the amount of \$130,000.00 for the purchase of stand-by electrical generators for the Transportation Division.

SECTION 2. That the 2006 Capital Improvements Budget established within ordinance 1108-2006 be and hereby is amended as follows:

Project Number / Project / Current CIB Amount / amendment amount / CIB amount as amended  
590401/ Lane Avenue Widening & Improvements (Carryover ) / \$100,196.00 / (\$100,196.00) / 0.00 530034 / Spring Sandusky Interchange / \$60,697.35 (Carryover) / (\$29,804.00) (Carryover) / \$30,893.35 (Carryover)  
590130 / Facilities / \$1,936,942.65 (Carryover) / \$130,000.00 (Carryover) / \$2,066,942.65 (Carryover)

SECTION 3. That the transfer of \$130,000.00 within Fund 704 the voted 1995, 1999, 2004 Streets and Highways fund, Department No. 59-09, Transportation Division, be and hereby is authorized as follows:

TRANSFER FROM:

project number / project / Object Level 01/03 Codes / OCA Code / Amount

590401/ Lane Avenue Widening & Improvements / 06/6600 / 644385 / \$100,196.00

530034 / Spring Sandusky Interchange / 06/6600 / 644385 / \$29,804.00

Total Transfer From: \$130,000.00

TRANSFER TO:

project number / project / Object Level 01/03 Codes / OCA Code / Amount

590130 / Facilities / 06/6600 / 644385 / \$130,000.00

Total Transfer To: \$130,000.00

SECTION 4. That the expenditure of \$130,000.00 or so much thereof as may be necessary be and hereby is authorized

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 6640, OCA Code 644385 and project 590130 to pay the cost thereof.

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 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:** 1882-2006

**Drafting Date:** 10/17/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation** October 18, 2006 06-037-606

**BACKGROUND:** This contract provides for the Fisher Road Booster Station Discharge Line. Competitive bids were received and opened for this project at the office of the Director of Public Utilities on August 23, 2006. Seven (7) bids were received on this project. The most responsive and responsible bid was submitted by Complete General Construction Co., 1221 East Fifth Ave., Columbus, Ohio, 43219. Contract to be awarded to same. This ordinance also authorizes the expenditure of \$255,370.52 for inspection service by the Transportation Division

**CONTRACT COMPLIANCE NUMBER:** 31-4366382

**FISCAL IMPACT:** The 2006 C.I.B. is being amended and funds are being transferred to providing funding for this project.

<b>BIDDERS</b>	<b>AMOUNT</b>
Complete General Construction Company	\$2,519,629.48
John Eramo & Sons, Inc.	\$2,591,103.76
Nickolas Savko & Sons, Inc.	\$2,735,025.37
Fields Excavating, Inc.	\$2,737,474.15
Trucco Construction Co., Inc.	\$2,824,947.68
Kokosing Construction Company, Inc.	\$3,367,229.03
Reynolds, Inc.	\$3,929,581.26

**Title**To authorize the Director of Public Utilities to enter into a contract with Complete General Construction Co. for the Fisher Road Booster Station Discharge Line for the Division of Power and Water, to amend the 2005 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 \$2,519,629.48 for construction and \$255,370.52 for inspection services by the Transportation Division from the Water Works Enlargement Voted 1991 Bonds Fund, (\$2,775,000.00)

**Body**WHEREAS, the Director of Public Utilities did receive and open bids on August 23, 2006, for the Fisher Road Booster Station Discharge Line, and

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

WHEREAS, in the usual daily operations of the Division of Power and Water, Department of Public Utilities in that it is necessary to authorize the Director of Public Utilities to enter into a contract for the Fisher Road Booster Station Discharge Line for the Division of Power and 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 is hereby authorized to enter into a contract with Complete General Construction Co., 1221 East Fifth Ave., Columbus, Ohio, 43219, in the amount of \$2,519,629.48 for construction of the Fisher Road Booster Station Discharge Line for the Division of Power and Water, Department of Public Utilities, Contract No. 977, Project No. 690436, on the basis of the most responsive and responsible bid received on August 23, 2006.

Section 2. That the City Auditor is hereby authorized and directed to transfer funds within the Waterworks Enlargement Voted 1991 Bonds Fund, Fund No. 606, Department of Public Utilities, Division of Water, as follows:

From:

690448	McKinley Ave 36" Water Main, OCA Code 606448	\$2,443,674.74
690458	Waggoner Road 30" Water Main, OCA Code 609458	\$20,225.26

To:

690436	Fisher Booster Station Discharge Line, OCA Code 690436	\$2,463,900.00
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Section 3. That for paying the cost of construction, the expenditure of \$2,519,629.48 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 690436, Object Level Three Code 6629, Object Level One 06, Project No. 690436.

Section 4. That for paying the cost of inspection, the expenditure of \$255,370.52 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 690436, Object Level Three Code 6686, Object Level One 06, Project No. 690436.

Section 5. 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 6. That Section 1, Public Utilities/Water 60-09 of Ordinance 1108-2006 is hereby amended as follows:

PROJECT NO.	PROJECT	BUDGET	2006
690436	Fisher Road Booster Station Discharge Line	\$2,775,000	*(1)*
606448	McKinley Ave 36" Water Main	\$528,030	*(2)*

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

	2006 ORIGINAL BUDGET	2006 AMEMDED BUDGET	COMMENTS
*(1)*	\$311,100	\$2,775,000	AUTHORITY INCREASED by \$2,463,900
*(2)*	\$2,991,930	\$528,030	AUTHORITY DECREASED by \$2,463,900

Drafting Date: 10/19/2006

Current Status: Passed

Version: 1

Matter Type: Ordinance

### Explanation

**BACKGROUND:** This ordinance authorizes the Department of Technology Director to modify and renew a contract with NetPro Computing, Inc., for maintenance and support for the Active Directory software. The Active Directory, associated with the Windows operating system, is a repository application which collects crucial information about the system's various resources, including its applications, files and printers. It allows managers to share and manage information on network resources and its users thus providing the ability for their most efficient use. It also provides the ability to manage security services for internal desktop users, remote dial-up users and external customers and helps to eliminate redundant management tasks. Without this software and support, the City will have less opportunity to manage and secure Windows user accounts, clients, servers, and applications and is less able to manage its network resources efficiently. The original contract, associated with purchase order EL005716, expires December 20, 2006, was executed with the option to renew each year on the expiration or anniversary date.

**FISCAL IMPACT:** During fiscal year 2005, the Department of Technology (DoT) encumbered \$45,000.00, for the software and associated services with NetPro Computing, Inc., for the Active Directory application. Earlier this year, the department expended \$19,837.50 for additional modules. Funding for this modification, in the amount of \$10,650.00 is budgeted and available within the Department of Technology's Information Services budget; for a coverage period of twelve months, from December 20, 2006 through December 20, 2007.

**CONTRACT COMPLIANCE:** 860697648 Expires: 08/05/2008

### Title

To authorize the Director of the Department of Technology to modify and renew a contract with NetPro Computing, Inc. for software maintenance and support, associated with the Active Directory application; to authorize the expenditure of \$10,650.00 from the information services fund (\$10,650.00)

### Body

**WHEREAS**, this ordinance authorizes the Department of Technology Director to modify and renew a contract with NetPro Computing, Inc., for maintenance and support of an Active Directory software application, associated with Windows 2000 operating system; and

**WHEREAS**, the Active Directory is a repository which collects crucial information about the system's various resources, including its applications, files and printers; and

**WHEREAS**, the aforementioned function allows managers to share and manage information on network resources and its users thus providing the ability for their most efficient use; and

**WHEREAS**, the Active Directory also provides the ability to manage security services for internal desktop users, remote dial-up users and external customers and helps to eliminate redundant management tasks; and

**WHEREAS**, this expenditure of \$10,650.00 is available and budgeted in the information services fund; and

**WHEREAS**, it is necessary to modify and renew an existing contract with NetPro Computing, Inc. for the maintenance and support to ensure ongoing support for routine and daily operational activities for the public safety, health and welfare, now, therefore,

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

**Section 1.** That the Department of Technology Director is hereby authorized to modify and renew an existing contract

with Netpro Computing, Inc., for maintenance and support associated with the Active Directory software application; related to Windows operating system.

**Section 2:** That the expenditure of \$10,650.00 or so much thereof as may be necessary is hereby authorized to be expended from:

**Div.:**47-02| **Fund:** 514|**Subfund:** 001| **OCA Code:** 472415| **Obj. Level 1:**03| **Obj. Level 3:**3369| **Amount:** \$10,650.00.

**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:** 1913-2006

**Drafting Date:** 10/20/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

The purpose of this ordinance is to authorize the Director of Finance and Management to enter into contract with Hach Company for the purchase of a Water Distribution Monitoring System for the Division of Power and Water. This solution allows us to detect and respond to water quality and contamination events ensuring safe water to our customers. The lowest, responsive, responsible bid was Hach Company at \$43,822.08. They do not have MBE/FBE status.

The Purchasing Office opened formal bids on October 12, 2006. Two (2) bids were received. The apparent low bid was Rosemount Analytical, Inc. However after reviewing the bid Rosemount Analytical Inc. does not meet the specifications in several areas. They indicated on line 3.3.1.4 that their system cannot be expanded to include a total organic carbon analyzer or an autosampler. The bid did not include a free standing wheeled rack, line 3.3.6.3. The pH meter didn't meet any of our specifications, lines 3.3.4.1-3.3.4.3. Overall their bid indicated "no" on 10 of the 26 specifications. Therefore, it is in the City's best interest to award this contract to the lowest responsive, responsible and best bid as follows:

Supplier	CC#	Items to be Awarded
Hach Company	42-0704420	All Items

**Fiscal Impact:** The Division of Water budgeted \$75,000.00 for this purchase.

\$75,625.00 was expended for water distribution monitoring systems during 2005.

\$0 was expended for water distribution monitoring systems during 2004.

**Title**

To authorize the Director of Finance and Management to establish a purchase order with Hach Company for the purchase of a Water Distribution Monitoring System for the Division of Power and Water, and to authorize the expenditure of \$43,822.08 from the Water System Operating Fund. (\$43,822.08)

**Body**

WHEREAS, the Purchasing Office opened formal bids on October 12, 2006 for the purchase of a Water Distribution Monitoring System for the Division of Power and Water, and

WHEREAS, the Division of Power and Water recommends an award to be made to the lowest, responsive, and responsible bidder Hach Company and,

WHEREAS, this solution allows us to detect and respond to water quality and contamination events ensuring safe water to our customers, and

WHEREAS, A purchase order will be issued in accordance with the terms, conditions and specifications of Solicitation SA002174 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 purchase order with Hach Company for the purchase of a Water Distribution Monitoring System for the Division of Power and Water, in accordance with specifications on file in the Purchasing Office.

Section 2. That the expenditure of \$43,822.08 or so much thereof as may be needed, be and the same hereby is authorized from the Water System Operating Fund, Fund No. 600, OCA 601989, Object Level 1: 06, Object Level 03: 6697.

**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:** 1920-2006

**Drafting Date:** 10/22/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

#### **Explanation**

**Background:** The City of Columbus has been asked to accept various deeds for the purposes of improving storm and sanitary sewer lines and appurtenances thereto. The following legislation provides for the City to accept such deeds as listed in the body of this legislation.

**Fiscal Impact:** N/A

**Emergency Justification:** N/A

#### **Title**

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

#### **Body**

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

WHEREAS, by virtue of a DEED of EASEMENT recorded in the Franklin County, Ohio Recorder's Office on March, 31, 2006, as instrument 200603310060646, **Cassady Retail Ventures, LTD.**, has deeded property to the City of Columbus, to be used for the purpose of improving storm and sanitary sewer lines and appurtenances thereto; and

WHEREAS, by virtue of a DEED of EASEMENT recorded in the Franklin County, Ohio Recorder's Office on March 31, 2006 as instrument 200603310060645, **The Falls at Hayden Run, LTD**, has deeded property to the City of Columbus, to be used for the purpose of improving storm and sanitary sewer lines and appurtenances thereto; and

WHEREAS, by virtue of a DEED of EASEMENT recorded in the Franklin County, Ohio Recorder's Office on May, 19, 2006 as instrument 200605190098087, **Arena District CA I, LLC**, has deeded property to the City of Columbus, to be used for the purpose of improving storm and sanitary sewer lines and appurtenances thereto; and

WHEREAS, by virtue of a DEED of EASEMENT recorded in the Franklin County, Ohio Recorder's Office on May, 19, 2006 as instrument 200605190098085, **Burnham Square Condominium Home Owners Association**, has deeded property to the City of Columbus, to be used for the purpose of improving storm and sanitary sewer lines and appurtenances thereto; and

WHEREAS, by virtue of a DEED of EASEMENT recorded in the Franklin County, Ohio Recorder's Office on May 19, 2006 as instrument 200605190098082, **NWD Investments, LLC**, has deeded property to the City of Columbus, to be used for the purpose of improving storm and sanitary sewer lines and appurtenances thereto; and

WHEREAS, by virtue of a DEED of EASEMENT recorded in the Franklin County, Ohio Recorder's Office on May 19 2006 as instrument 200605190098080, **NWD 225 Nationwide LLC**, has deeded property to the City of Columbus, to be used for the purpose of improving storm and sanitary sewer lines and appurtenances thereto; and

WHEREAS, by virtue of a DEED of EASEMENT recorded in the Franklin County, Ohio Recorder's Office on May 19, 2006 as instrument 200605190098071, **Mount Carmel Health System**, has deeded property to the City of Columbus, to be used for the purpose of improving storm and sanitary sewer lines and appurtenances thereto; and

WHEREAS, by virtue of a DEED of EASEMENT recorded in the Franklin County, Ohio Recorder's Office on May 26, 2006 as instrument 200605260102884, **Portrait Homes-Villas at West Albany, LLC**, has deeded property to the City of Columbus, to be used for the purpose of improving storm and sanitary sewer lines and appurtenances thereto; and

WHEREAS, by virtue of a DEED of EASEMENT recorded in the Franklin County, Ohio Recorder's Office on May 5, 2006 as instrument 200605050086591, **CCBI XI, LLC**, has deeded property to the City of Columbus, to be used for the purpose of improving storm and sanitary sewer lines and appurtenances thereto; and

WHEREAS, by virtue of a DEED of EASEMENT recorded in the Franklin County, Ohio Recorder's Office on May 11, 2006 as instrument 200605110091282, **Portrait Homes-Gabriel's Landing LLC**, has deeded property to the City of Columbus, to be used for the purpose of improving storm and sanitary sewer lines and appurtenances thereto; and

WHEREAS, by virtue of a DEED of EASEMENT recorded in the Franklin County, Ohio Recorder's Office on May 5, 2006 as instrument 200605050086597, **The Traditions At Worthington Woods, LLC**, has deeded property to the City of Columbus, to be used for the purpose of improving storm and sanitary sewer lines and appurtenances thereto; and

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

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

Section 1. That the City of Columbus hereby accepts the property more fully described in the attached DEED of EASEMENT from **Cassady Retail Ventures, LTD.**, for real property to be used for purposes of improving storm and sanitary sewer lines and appurtenances thereto:

Section 2. That the City of Columbus hereby accepts the property more fully described in the attached DEED of EASEMENT from **The Falls at Hayden Run, LTD**, for real property to be used for purposes of improving storm and sanitary sewer lines and appurtenances thereto:

Section 3. That the City of Columbus hereby accepts the property more fully described in the attached DEED

of EASEMENT from **Arena District CA I, LLC**, for real property to be used for purposes of improving storm and sanitary sewer lines and appurtenances thereto:

Section 4. That the City of Columbus hereby accepts the property more fully described in the attached DEED of EASEMENT from **Burnham Square Condominium Home Owners Association**, for real property to be used for purposes of improving storm and sanitary sewer lines and appurtenances thereto:

Section 5. That the City of Columbus hereby accepts the property more fully described in the attached DEED of EASEMENT from **NWD Investments, LLC**, for real property to be used for purposes of improving storm and sanitary sewer lines and appurtenances thereto:

Section 6. That the City of Columbus hereby accepts the property more fully described in the attached DEED of EASEMENT from **NWD 225 Nationwide LLC**, for real property to be used for purposes of improving storm and sanitary sewer lines and appurtenances thereto:

Section 7. That the City of Columbus hereby accepts the property more fully described in the attached DEED of EASEMENT from **Mount Carmel Health System**, for real property to be used for purposes of improving storm and sanitary sewer lines and appurtenances thereto:

Section 8. That the City of Columbus hereby accepts the property more fully described in the attached DEED of EASEMENT from **Portrait Homes-Villas at West Albany, LLC**, for real property to be used for purposes of improving storm and sanitary sewer lines and appurtenances thereto:

Section 9. That the City of Columbus hereby accepts the property more fully described in the attached DEED of EASEMENT from **CCBI XI, LLC**, for real property to be used for purposes of improving storm and sanitary sewer lines and appurtenances thereto:

Section 10. That the City of Columbus hereby accepts the property more fully described in the attached DEED of EASEMENT from **Portrait Homes-Gabriel's Landing LLC**, for real property to be used for purposes of improving storm and sanitary sewer lines and appurtenances thereto:

Section 11. That the City of Columbus hereby accepts the property more fully described in the attached DEED of EASEMENT from **The Traditions At Worthington Woods, LLC**, for real property to be used for purposes of improving storm and sanitary sewer lines and appurtenances thereto:

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

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**Legislation Number:** 1923-2006

**Drafting Date:** 10/23/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The Purchasing Office has established a Universal Term Contract for Process Control Computer Maintenance with the company listed below. The Division of Power and Water would like to establish a Blanket Purchase Order, based on the current contract, for Process Control Computer Maintenance .

**Vendor Contract #**  
TELVENT USA INC

**CC# Compliance #**

FL001251

36433456

**FISCAL IMPACT:** The Division of Power and Water has encumbered 99,570.00 for this service in 2006. The additional funding continues these services through March of 2007.

\$114,963.00 was expended for Process Control Computer Maintenance 2005.

\$115,852.00 was expended for Process Control Computer Maintenance 2004.

**Title**To authorize the Director of Finance and Management to establish a Blanket Purchase Order, for Process Control Computer Maintenance, from an established Universal Term Contract with TELVENT USA INC for the Division of Power and Water, to authorize the expenditure of \$27,831.00 from Water Systems Operating Fund, (\$27,831.00).

**Body**WHEREAS, the Purchasing Office has established a Universal Term Contract (UTC) for Process Control Computer Maintenance, and

WHEREAS, in the usual daily operation of the Division of Power and Water, Department of Public Utilities, in that it is necessary to authorize the Director of Finance and Management to establish a Blanket Purchase Order, for Process Control Computer Maintenance, based on the above mentioned current UTC, 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 Director of Finance and Management be and is hereby authorized to establish Blanket Purchase Order, for Process Control Computer Maintenance, from current UTC, for the Division of Power and Water, Department of Public Utilities.

Section 2. That the expenditure of \$27,831.00 or as much thereof as may be needed, is hereby authorized from Water Works Fund 600, Department 60-09, Object Level One 03, Object Level Three numbers, vendors, contract number with expiration date, OCA Code, and amount listed below, to pay the cost thereof. This contract will expire on or after June 30, 2008.

<u>Vendor/</u> <u>Chemical</u>	<u>OCA</u>	<u>UTC #</u>	<u>Code</u>	<u>OBL 3</u>	<u>Amount</u>
TELVENT USA INC	FL001251	602417	3369		6,762.00
Process Control Computer Maintenance		602474	3369		6,828.00
Exp. June 30, 2008		602532	3369		6,177.00
	602649	3369			<u>8,064.00</u>
Grand Total					\$27,831.00

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

**Legislation Number:** 1926-2006

**Drafting Date:** 10/23/2006

**Version:** 3

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**Council Variance Application: CV06-057**

**APPLICANT:** Donald W. Kelley Associates; c/o David L. Hodge, Atty., Smith and Hale; 37 West Broad Street, Suite

725; Columbus, OH 43215.

**PROPOSED USE:** Two eighteen (18) unit apartment houses on one lot.

**FRANKLINTON AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. This variance will permit a thirty-six (36) unit multi-family development on 1.03 acres zoned for apartment residential use. A Council Variance is necessary because the AR-1, Apartment Residential District allows one (1) apartment house per lot or three (3) or more apartment houses as an apartment complex, while the applicant proposes developing two (2) eighteen (18) unit apartment houses on the same lot. The units will be designed for use by Mount Carmel College of Nursing students. Variances for building lines and minimum number of parking spaces are also requested. The site lies within the boundaries of *The Franklinton Plan* (2004). The application is consistent with the policy regarding future growth of Mount Carmel West Medical Center and related facilities, which supports the planned growth of the medical center provided that it is within the agreed-upon boundaries.

#### **Title**

To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, Apartment residential district use; 3333.18, Building lines; and 3342.28, Minimum number of parking spaces required, of the Columbus City Codes, for the property located at **829 WEST TOWN STREET (43222)**, to permit two (2) eighteen (18) unit apartment houses on the same lot with reduced development standards in the AR-1, Apartment Residential District **and to declare an emergency.**

#### **Body**

**WHEREAS**, by application #CV06-057, the owner of property at **829 WEST TOWN STREET (43222)**, is requesting a Council Variance to permit two (2) eighteen (18) unit apartment houses on the same lot with reduced development standards in the AR-1, Apartment Residential District; and

**WHEREAS**, Section 3333.02, AR-12, ARLD and AR-1, Apartment residential district use, permits one (1) apartment house, or three (3) or more apartment houses as an apartment complex, while the applicant proposes to construct two (2) apartment houses on the same lot; 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 3333.18, Building lines, requires a building line to be that distance equal to one-half of the designated right-of-way width of the frontage street, or thirty (30) feet, while the applicant proposes a minimum building line of nineteen (19) feet along West Town Street; and

**WHEREAS**, Section 3342.28, Minimum number of parking spaces required, requires two (2) parking spaces per dwelling unit, or seventy-two (72) parking spaces total, while the applicant proposes to provide ~~four (4)~~ **three (3)** on-site parking spaces, and otherwise provide parking for the residents in the parking garage located to the east of this development; and

**WHEREAS**, the Franklinton Area Commission recommends approval; and

**WHEREAS**, City Departments recommend approval and recognize a deficiency in the Zoning Code because the AR-1, Apartment Residential District allows the apartment house use, but only in the configurations of one per lot or three or more per lot (an apartment complex). This variance will permit a thirty-six (36) unit multi-family development comprised of two (2) eighteen (18) unit apartment houses on the same lot. The units will be designed for use by Mount Carmel College of Nursing students. Variances for building lines and minimum number of parking spaces are also requested. The site lies within the boundaries of *The Franklinton Plan* (2004). The application is consistent with the policy regarding future growth of Mount Carmel West Medical Center and related facilities, supports the planned growth of the medical center provided that it is within the agreed-upon boundaries; and

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

**WHEREAS**, said variances 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 **829 WEST TOWN STREET (43222)**, in using said property as desired; now, therefore:

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

**SECTION 1.** That a variance from the provisions of Sections 3332.02, AR-12, ARLD and AR-1, Apartment residential district use; 3333.18, Building lines; and 3342.28, Minimum number of parking spaces required of the Columbus City Codes are hereby granted for the property located at **829 WEST TOWN STREET (43222)**, insofar as said sections prohibit two (2) eighteen (18) unit apartment houses on the same lot, with a reduced building line from a required thirty (30) feet to nineteen (19) feet along West Town Street, and a reduction in the required number of parking spaces from seventy-two (72) to ~~four (4)~~**three (3)**; said property being more particularly described as follows:

**829 WEST TOWN STREET (43222)**, being 1.03± acres located at the southeast corner of West Town Street and Souder Avenue, and being more particularly described as follows:

**Parcel Number 010-04811**

Situated in the County of Franklin, in the State of Ohio, and in the City of Columbus and bounded and described as follows:

Being approximately 102.2 feet of the northern side of Lot Numbers 34, 35 and 36, all of Lot Numbers 37, 38, 39, 40 and 41 of B. F. Martins Western Addition Subdivision, Plat Book 2, Page 215, Recorded in the Office of the Franklin County Recorder.

Excepting there from the southwest portion of Lot 41, being approximately 22.6 feet in width and 75 feet in length and being known as Franklin County Parcel Number 010-031252.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for two eighteen (18) unit apartment houses on the same lot, or those uses permitted in the AR-1, Apartment Residential District.

**SECTION 3.** That this ordinance is further conditioned on substantial compliance with the registered site plan titled, "**MOUNT CARMEL NURSES HOUSING**," drawn by EMH&T, and elevations titled, "**MOUNT CARMEL NURSING SCHOOL APARTMENTS**," drawn by Craig W, Murdick Architect Ltd., both signed by David L. Hodge, Attorney for the Applicant, and dated November 17, 2006. The plans 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 plans 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:** 1927-2006

**Drafting Date:** 10/24/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

BACKGROUND: For the option to purchase Automotive Preventative Maintenance (PM) Services for Fleet Management. The term of the proposed option contract would be two (2) years. Contract is through August 31, 2008. The Purchasing Office opened formal bids on September 14, 2006.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA002146 GRW) Eight (MAJ:7, MBE:0, FBE:1) bids were solicited; Three (3) (MAJ:3, MBE: 0, FBE:0) bids were received.

The Purchasing Office is recommending award of primary and secondary contracts to the two (2) lowest, responsive, responsible and best bidders:

The McGlaughlin Oil Co./FAS Lube, Inc MAJ, CC#314412774 (expires 09/12/2008)

Valvoline Instant Oil Change, MAJ, CC#200865835 (expires 08/14/2008)

Total Estimated Annual Expenditure: Not provided by agency

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

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

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Purchasing UTC Contract Account. Fleet Management will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

### **Title**

To authorize and direct the Finance and Management Director to enter into two (2) UTC contracts for the option to purchase Automotive Preventative Maintenance (PM) Services with The McGlaughlin Oil Co./Fas Lube, Inc. and Valvoline Instant Oil Change to authorize the expenditure of two (2) dollars to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$2.00).

### **Body**

WHEREAS, the Purchasing Office advertised and solicited formal bids on September 14, 2006 and selected the lowest, responsive, responsible and best bids; and

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

WHEREAS, these services are used to repair and keep city equipment operational, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Fleet Management Division in that it is immediately necessary to enter into a contract(s) for an option to purchase Automotive Preventative Maintenance (PM) 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 Automotive Preventative Maintenance (PM) Services in accordance with Solicitation No. SA002146 GRW as follows:

The McGlaughlin Oil Co./FAS Lube Inc. All Items 1 (Primary) Amount: \$1.00  
Valvoline Instant Oil Change All Items, (Secondary) Amount: \$1.00

SECTION 2. That the expenditure of \$2.00 is hereby authorized from Purchasing UTC 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:** 1928-2006

**Drafting Date:** 10/24/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

The purpose of this legislation is to authorize the Director of Public Utilities to purchase a subscription for the Division of Operational Support for IRTHNet Prevention Ticket Management Services. The service is designed to automate dig requests processing, this will allow the Department of Public Utilities to focus on protecting underground facilities. There is not software or maintenance associated with this service. The service is offered to subscribers via the internet. This will be a renewable yearly subscription. The annual cost is \$27,000.00.

The Division of Operational Support, Damage Prevention Section requests to purchase a subscription with AGT International for the right to use IRTHNet service to manage the damage prevention ticket system in accordance with the Sole Source provisions of Columbus City Code Section 329.07(c). The Damage Prevention Section of DOS locate underground utilities for the Department of Public Utilities and will be receiving these locate requests through the Ohio Utilities Protection Service. This creates the need for the IRTHNet ticket management system to help route these requests to the correct locator and geographical area. The software utilized with this service was developed by AGT International and is the only software of this type to be directly connected to Ohio Utilities Protection Services (OUPS) which the Department of Public Utilities is a member. AGT International will provide 24 x 7 monitoring security and access.

The service will allow the Damage Prevention section to automatically process map definitions through the internet and the IRTHNet software will compare dig site data. IRTHNet uses the same land base that the One Call Center uses for creating the dig request. IRTHNet provides total automation for Positive Response to the excavator and One Call Center. Furthermore, the Ohio Utilities Protection Service (OUPS) uses IRTHNet for ticket creation.

**SUPPLIER:** AGT International (31-1137223)

**FISCAL IMPACT:** \$29,000.00 is needed for the initial subscription for this service. \$27,000.00 will be needed yearly for the subscription of this service.

**Title**To authorize the Director of Public Utilities to purchase a subscription, for the right to use the IRTNet Services with AGT International for the Division of Operational Support, in accordance with the sole source provisions of the Columbus City Code Section 329.07 (c), to authorize the expenditure of \$12,180.00 from the Sewerage System Operating Fund; \$2,610.00 from the Storm Water Operating Fund; \$5,220.00 from the Electricity Operating Fund and \$8,990.00 from the Water Operating Fund. (\$29,000.00)

**Body**

WHEREAS, the Department of Public Utilities, Division of Operational Support, Damage Prevention Section locates underground utilities for the Department of Public Utilities and will be receiving these locate request through the Ohio Utilities Protection Service, and

WHEREAS, IRTNet service is the only service of this type utilized by the Ohio Utilities Protection Service (OUPS) and the Department of Public Utilities is a member of OUPS, and

WHEREAS, the Division of Operational Support wishes to purchase a subscription for the right to use IRTNet Services through AGT International the developer of the software, and

WHEREAS, the IRTNet Service uses the same land base that the One Call Center uses for creating the dig request, and

WHEREAS, the subscription for the service will be purchased in accordance with the Sole Source Provision of Columbus City Code Section 329.07 (c), 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 purchase a subscription for the use of the IRTNet Service provided by AGT International, in accordance with the sole source provisions of Section 329.07(c) of the Columbus City Code, for the Division of Operational Support, Department of Public Utilities.

Section 2. That the expenditure of \$29,000.00 or as much thereof as may be needed, is hereby authorized as follows:

FUND: 650  
OCA Code 600205  
Object Level 1: 3  
Object Level 3: 3332  
Amount: \$12,180.00

FUND: 675  
OCA Code 600215  
Object Level 1: 3  
Object Level 3: 3332  
Amount: \$2,610.00

FUND: 550  
OCA Code 600207  
Object Level 1: 3  
Object Level 3: 3332

**Amount:** \$5,220.00

FUND: 600

**OCA Code** 600209

**Object Level 1:** 3

**Object Level 3:** 3332

**Amount:** \$8,990.00

**TOTAL AMOUNT:** \$29,000.00

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:** 1929-2006

**Drafting Date:** 10/24/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

#### **Explanation**

**BACKGROUND:** The Greater Parsons Avenue Area Vision Plan is the result of the efforts of a consortium of Southside community groups that challenged the City of Columbus to make a concerted effort and investment to stimulate economic revitalization of the Parsons Avenue corridor and deal with persistent problems of crime and property neglect. The Vision Plan provides a vision and recommendations for Parsons Avenue from Livingston Avenue on the north to State Route 104 on the south.

Through the Columbus Urban Growth Redevelopment Corporation, the City provided resources to the community to begin this study of market conditions and market potential for the Parsons Avenue corridor and its relationship to the surrounding Southside neighborhoods.

This effort incorporated an extensive series of meetings and workshops held with Southside organizations, the community and a Steering Committee formed from representatives of Southside organizations. Focus groups were held with members of the regions' real estate, development and lending communities. Many other stakeholders were contacted regarding their plans and their own assessment of Southside market forces.

The resulting Vision Plan document presents the Vision Statement and the Goals developed by the steering committee, a discussion of the Vision Plan Recommendations, a listing of Next Steps to advance the implementation of the Vision Plan, and a presentation of inspirations for the Priority Investment Locations.

The Vision Plan was endorsed by all major civic associations, the neighborhood business association, and other stakeholders on April 6, 2006.

**CITY DEPARTMENTS RECOMMENDATION:** Approval.

**FISCAL IMPACT:** No funding is required for this legislation.

#### **Title**

To adopt the Greater Parsons Avenue Area Vision Plan as guide for the development, redevelopment, and the planning of future public improvements of the area.

**Body**

**WHEREAS**, the Greater Parsons Avenue Area Vision Plan is intended to serve as a guide for development, redevelopment, and the planning of future public improvements; and

**WHEREAS**, neighborhood business, civic associations, and other stakeholders guided the development of the Greater Parsons Avenue Area Vision Plan; and

**WHEREAS**, committee meetings, presentations, and public presentations were conducted as part of the public planning process; and

**WHEREAS**, the recommendations of the Greater Parsons Avenue Area Vision Plan address neighborhood development and redevelopment issues and other community priorities; and

**WHEREAS**, neighborhood civic associations and other stakeholders have endorsed the Plan and recommended adoption by City Council; and

**WHEREAS**, after public notice a public hearing was held at which the Development Commission approved the Greater Parsons Avenue Area Vision Plan and recommended adoption to City Council; **now, therefore**,

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

**Section 1.** That the Greater Parsons Avenue Area Vision Plan is hereby adopted to establish a vision for development, redevelopment, and the planning of future public improvements.

**Section 2.** That all city of Columbus departments and divisions are hereby authorized and directed to use the Greater Parsons Avenue Area Vision Plan in initiating or reviewing projects within the planning area or adjacent areas and require that such projects generally conform to the plan.

**Section 3.** That the Department of Development is directed to monitor the use of the Greater Parsons Avenue Area Vision Plan, and to present to City Council any amendments necessary to keep the plan up-to-date.

**Section 4.** That copies of the Greater Parsons Avenue Area Vision Plan shall be kept on file in the Department of Development, Planning Division.

**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:** 1934-2006

**Drafting Date:** 10/24/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

Need: The Department of Public Safety Division of Police upgraded its existing Automated Fingerprint Identification

System (AFIS) in 2005. It is imperative for the Division of Police to maintain this technology which is crucial for fingerprint identification. The current maintenance contract ends in November 2006. The maintenance support of the AFIS system will be \$316,508.28 annually. This ordinance is requesting funding for six months of maintenance from December 2006 through May 2007 in the total amount of \$158,254.14.

Bid Information: The proprietary nature of AFIS technology and the prohibitive cost of conversion to a different system mandate the maintenance contract to our current system be purchased from the sole source provider of the existing proprietary system, Sagem Morpho, Inc.

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.

Contract Compliance No.: 33-0154789

Emergency Designation: Emergency legislation is necessary to expedite the payment of the maintenance contract since the current contract ends in November 2006.

**FISCAL IMPACT:**

Approximately \$172,000 was budgeted in the Police General Fund for a one year agreement.

**Title**

To authorize and direct the Safety Director to enter into a contract with Sagem Morpho, Inc. for six months maintenance for the current Automated Fingerprint Identification System (AFIS) for the Division of Police in accordance with the sole source procurement, to authorize the expenditure of \$158,254.14 from the General Fund, and to declare an emergency. (\$158,254.14)

**Body**

WHEREAS, the Division needs to have in place a maintenance agreement for the current Automated Fingerprint Identification System (AFIS); and

WHEREAS, the AFIS system is an invaluable tool to the law enforcement in the identification of fingerprints; and

WHEREAS, it is in the best interest of the City to enter into this contract in accordance with provisions of Section 329.07c (Sole Source) of the Columbus City Codes, 1959; and

WHEREAS, an emergency exists in the daily operation of the Division of Police, Department of Public Safety, in that it is immediately necessary to enter into a contract for maintenance of the AFIS system since the current contract ends in November 2006 and 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 Safety Director be and is hereby authorized and directed to enter into contract with Sagem Morpho, Inc. for the purchase of a six-month maintenance for the Automated Fingerprint Identification System (AFIS) for the Division of Police, Department of Public Safety.

Section 2. That said contract shall be awarded in accordance with the provisions of Section 329.07c (Sole Source) of the Columbus City Code, 1959.

Section 3. That the expenditure of \$158,254.14 or so much thereof as may be needed, be and the same is hereby authorized as follows:

DIV 30-03 | FUND 010 | OBJ LEV (01) 03 | OBJ LEV (03) 3372 | OCA 300798 |

Section 4. That for 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 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:** 1942-2006

**Drafting Date:** 10/25/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

October 27, 2006

06-036-606

**BACKGROUND:** To reimburse State Street Realty Partners, LLC for the material cost between an (8) inch water line and a Twelve (12) inch water line along Powell Rd. as per Columbus City Code Section 1105.15. The larger water line was requested by the Division of Power and Water to ensure adequate fire protection in the immediate area and to reinforce the overall distribution system.

**FISCAL IMPACT:** This project is included in the C.I.B. and is being funded from current monies.

**CONTRACT COMPLIANCE NUMBER:** 31-1736165

**Title**To authorize the Director of Public Utilities to enter into an reimbursement agreement with State Street Realty Partners, LLC for the construction of the Powell Road 12" Water Main and to authorize the expenditure of \$8,000.15 from the Water Works Enlargement Voted 1991 Bonds Fund for the Division of Water. (\$8,000.15)

**Body**WHEREAS, State Street Realty Partners, LLC hereinafter designated the developer, desires to provide water service to their development with the extension of an eight (8) inch water line; and

WHEREAS, the Division of Power and Water has requested that the developer increase the size of the proposed water line to twelve (12) inch to ensure adequate fire protection in the immediate area and to reinforce the overall distribution system, and

WHEREAS, it is the policy of the City to pay a developer the difference in material costs for installing a water line larger that is required for their development, as per Columbus City Code Section 1105.15, paragraph C-1, and

WHEREAS, in the usual daily operation of the Division of Power and Water, Department of Public Utilities, it has become necessary to authorize payment to the Developer for the installation of a twelve (12) inch water line along Powell Road for the preservation of the public health, peace, property, welfare and safety, Now, Therefore,

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

Section 1. That the Director of Public Utilities is hereby authorized to enter into an agreement with State Street Realty Partners, LLC, 273 Barrington Drive, Westerville, OH 43082 for the purpose of constructing a twelve (12) inch water line along Powell Road.

Section 2. That the expenditure of \$8,000.15 be and the same is hereby authorized from the Water Works Enlargement Voted 1991 Bonds Fund No. 606, Department 60, Division 09, OCA Code 642900, Object Level Three 6629, Object

Level One 06, Project No. 690026, for the aforesaid purpose.

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

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**Legislation Number:** 1944-2006

**Drafting Date:** 10/25/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

Need: The City of Columbus Division of Police was awarded a grant under the FY 2005 Buffer Zone Protection Program (BZPP) grant. These monies are to purchase security equipment for Polaris Fashion Ctr., Easton Town Ctr., Columbus Crew Stadium, Eastland Mall, Nationwide Area and Columbus City Center as approved by the U. S. Department of Homeland Security (DHS). Due to the uniqueness of each of these locations such as landscaping/décor and their already existing contracts with suppliers and security issues involving the equipment being purchased; each location is responsible for obtaining their quotes.

Bid Information: The individual locations are obtaining quotes on the approved equipment. The quotes are being submitted to City of Columbus Division of Police for approval and processing via the conditions of the grant. Due to already existing contracts and/or security issues for each of these locations, it is necessary to waive competitive bidding process and authorize the Director of Department of Public Safety to enter into the necessary contracts for each location identified. Electronic Security Services, Inc. in the amount of \$18,000.00 for Columbus City Center, Sonitrol Corporation in the amount of \$20,000.00 and Stonewear in the amount of \$25,000.00 for Crew Soccer Stadium, Fortin Welding in the amount of \$16,900.00, Berkshire Boys in the amount of \$1,500.00 and Stonewear in the amount of \$20,729.00 for Easton Towne Center, Davey Commercial Grounds Management in the amount of \$34,380.67 and ADT/Sensormatic in the amount of \$10,000.00 for Polaris Fashion Place and SimplexGrinnell LP in the amount of \$32,000.00 for Nationwide Arena. Total amount of expenditure for this request is \$178,509.67 from the Buffer Zone Protection Program grant.

Contract Compliance No.: SimplexGrinnell 582608861, Berkshire Boys 311634634, Fortin Welding 310873755, Electronic Security Systems 311697275, Sonitrol 310872419, Davey Commercial 340176110; Stonewear 880376201, ADT/Sensormatic 581814102

The listed 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.

Emergency Designation: Emergency legislation is requested for this ordinance so that all the requirements of the Buffer Zone Protection Program grant may be completed within the timelines of the grant award.

### **FISCAL IMPACT:**

There is no fiscal impact for the City General Fund Account. No matching funds are required and all grant expenditures will be reimbursed by the awarded grant funds.

### **Title**

To authorize and direct the Public Safety Director to contract for the purchase of security equipment from

SimplexGrinnell, Berkshire Boys, Fortin Welding, Electronic Security Systems, Sonitrol, Davey Commercial, Stonewear and ADT/Sensormatic for the Division of Police, to authorize the expenditure of \$178,509.67 from the Buffer Zone Protection Program grant; and to waive the provisions of competitive bidding; and to declare an emergency. (\$178,509.67)

**Body**

WHEREAS, the City of Columbus Division of Police was awarded a grant under the FY 2005 Buffer Zone Protection Program (BZPP) grant; and

WHEREAS, due to the uniqueness of each of these locations such as landscaping/décor and their already existing contracts with suppliers and security issues involving the equipment being purchased; each location is responsible for obtaining their quotes; and

WHEREAS, it is in the best interest of the City that competitive bidding be waived; 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 purchase security equipment for selected locations per the terms and conditions of the Buffer Zone Protection Program grant 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 Public Safety Director be and is hereby authorized and directed to enter into contracts for the purchase of security equipment as follows:

Electronic Security Services, Inc. | \$18,000.00 |  
Sonitrol Corporation. | \$20,000.00 |  
Stonewear | \$25,000.00 |  
Fortin Welding | \$16,900.00 |  
Berkshire Boys | \$1,500.00 |  
Stonewear | \$20,729.00 |  
Davey Commercial Grounds | \$34,380.67 |  
ADT/Sensormatic | \$10,000.00 |  
SimplexGrinnell LP | \$32,000.00 |

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 purchase.

Section 3. That the expenditure of \$178,509.67 or so much thereof as may be needed, be and same is hereby authorized as follows:

DIV 30-03 | FUND 220 | OBJ LEVEL (1) 06 | OBJECT LEVEL (3) 6647 | OCA # 336034 | AMOUNT \$80,000.00.  
DIV 30-03 | FUND 220 | OBJ LEVEL (1) 06 | OBJECT LEVEL (3) 6651 | OCA # 336034 | AMOUNT \$98,509.67

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 enforced 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:** 1945-2006

**Drafting Date:** 10/25/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

The purpose of this ordinance is to authorize the Director of Finance and Management to enter into contract with Ace Truck Body, Inc. for the purchase of Utility Bodies for the Division of Power and Water, Distribution Maintenance. These utility bodies will support various rehabilitation and maintenance projects for the division. The Division of Power and Water budgeted \$52,000.00 for this purchase. The low bid was Ace Truck Body, Inc. at \$45,642.00. They do not have MBE/FBE status.

The Purchasing Office opened formal bids on October 19, 2006. Three (3) bids were received. A tabulation of those bids is as follows:

1. Ace Truck Body, Inc. \$45,642.00
2. Kaffenbarger Truck Equipment Co. \$47,396.00
3. K.E. Rose Co. LLC \$49,286.40

**SUPPLIER:** Ace Truck Body, Inc. (31-0936828)

**Fiscal Impact:** The Division of Power and Water budgeted \$52,000.00 for this purchase.

\$19,900.00 was expended for utility bodies during 2005.

\$0 was expended for utility bodies during 2004.

### **Title**

To authorize the Director of Finance and Management to establish a purchase order with Ace Truck Body, Inc. for the purchase of two (2) Utility Bodies for the Division of Power and Water, and to authorize the expenditure of \$45,642.00 from the Water System Operating Fund. (\$45,642.00)

### **Body**

WHEREAS, the Purchasing Office opened formal bids on October 19, 2006 for the purchase of Utility Bodies for the Division of Power and Water, Distribution Maintenance, and

WHEREAS, the Division of Power and Water recommends an award be made to the lowest, responsive, responsible and best bidder Ace Truck Body, Inc. and,

WHEREAS, this equipment will support various water rehabilitation and maintenance projects performed by Distribution Maintenance, and

WHEREAS, A purchase order will be issued in accordance with the terms, conditions and specifications of Solicitation SA002198 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 purchase order with Ace Truck Body, Inc. for the purchase of two (2) Utility Bodies for the Division of Power and Water, in accordance with specifications on file in the Purchasing Office.

Section 2. That the expenditure of \$45,642.00 or so much thereof as may be needed, be and the same hereby is authorized from the Water System Operating Fund, Fund No. 600, OCA 602722, Object Level 1: 06, Object Level 03: 6651.

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:** 1948-2006

**Drafting Date:** 10/25/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### Explanation

**BACKGROUND:** One property currently held in the Land Bank has been approved for disposition. In order to complete the transfer, authorization is needed for the Director of the Department of Development to execute any and all agreements and deeds for conveyance of such real property. This parcel will be purchased by Teresa A. Thorpe for rehabilitation of a unit within a 4-family unit building at 828 Atcheson Street, Columbus, Ohio 43203.

**FISCAL IMPACT:** The City may first recover reimbursement of any and all expenses incurred on account of the acquisition, administration, management, maintenance and disposition of such land and such other expenses of the program as the City may apportion to such land from the sale proceeds.

### Title

To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of a parcel of real property (828 Atcheson Street) held in the Land Bank pursuant to the Land Reutilization Program.

### Body

**WHEREAS**, by Ordinance 2161-93 Council adopted and elected to use the Revised Code Chapter 5722, Land Reutilization Program, to facilitate effective reutilization of nonproductive land acquired through a sale pursuant to a foreclosure proceeding initiated by the Franklin County Treasurer, or through a sale of forfeited lands by the Franklin County Auditor or through a conveyance in lieu of foreclosure to foster either return of such land to tax revenue generating status or its devotion to public use; and

**WHEREAS**, a proposal for the sale of one parcel which has been acquired pursuant to Section 5722.03 for this program meet the Land Reutilization Program's Disposition Policies and Guiding Principles and has been approved; and

**WHEREAS**, such parcel of real estate is being sold at not less than fair market value in conformity with Ohio Revised Code Section 5722.07, competitive bidding is not required; and

**WHEREAS**, under 5722.07 "fair market value" means the appraised value of the nonproductive land made with reference to such redevelopment and reutilization restrictions as may be imposed by the electing subdivision as a condition of sale or as may be otherwise applicable to such land; and

**WHEREAS**, in order to complete the transfer of such property to the purchaser, authority is needed for the Director of the Department of Development to execute any and all necessary agreements and deeds of conveyance for such real property;  
**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 execute any and all necessary agreements and deeds to convey title of the following parcel of real estate:

PARCEL NUMBER: 010-031170  
ADDRESS: 828 Atcheson Street, Columbus, Ohio 43203  
PRICE: \$4,996.00  
USE: Residential

828 Atcheson Street, (010-031170)

Being a part of Lots 40 and 41 of the Richard Jones' Addition, as the same is of record in Plat Book 7, pages 14 and 15, Recorder's Office, Franklin County, Ohio and bounded and described as follows:

Beginning at an iron pipe in the south line of Lot 41 and 56.05 feet easterly from the southwest corner of Lot 41 thence in a northerly direction, (passing through the partition wall between House Number 826 and House Number 828) 60 feet to an iron pipe in the north line of Lot 40 and 56.05 feet easterly from the northwest corner of Lot 40; thence along the north line of Lot 40 easterly 13.85 feet to an iron pipe; thence southerly (passing thru the partition wall between House Number 828 and House Number 830) 60 feet to an iron pipe in the south line of Lot 41 and the north line of Atcheson Street; thence along said line westerly 13.85 feet to the place of beginning. More commonly known as 828 Atcheson Street. Subject to all easements, restrictions, and conditions of record.

**Section 2.** That for good cause shown, Section 329.29 of the Columbus City Codes, 1959, is hereby waived.

**Section 3.** That Council hereby finds that the selection process utilized in this matter is in accordance with the Land Bank Disposition Process created pursuant to the City's Land Reutilization Program and hereby approves the same.

**Section 4.** That this ordinance shall take effect and be in force from 30 days after its passage and approval by the Mayor, or thirty days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 1949-2006

**Drafting Date:** 10/25/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

TitleTo authorize the Director of Public Utilities to enter into an agreement for professional engineering services with Korda/Nemeth Engineering, Inc. to provide design engineering services for the Merwin Hill Area Sewer Improvements Project; to authorize the transfer of \$2,897.65 and the expenditure of \$52,897.65 from the Voted Sanitary Bond Fund; to amend the 2006 Capital Improvements Budget; for the Division of Sewerage and Drainage; and to declare an emergency. (\$52,897.65)

BodyWHEREAS, The Division of Sewerage and Drainage of the Department of Public Utilities is committed to extending sanitary sewer service to formerly unincorporated sections of Franklin County that have annexed into the City of Columbus; and

WHEREAS, the Director of the Department of Public Utilities received technical proposals for the development of construction plans and specifications for extending sanitary sewer infrastructure into an unserved area in the vicinity of Merwin Hill Drive and McCutcheon Road, which is located within the northeast quadrant of the City of Columbus; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities in that it is immediately necessary to cause the preparation of construction plans and specifications, and an estimate of cost to construct said

improvements for purposes of eliminating failing on-site sewer systems within the Merwin Hill project area; to authorize the transfer of funds within the Voted Sanitary Bond Fund; and to amend the 2006 Capital Improvements Budget; 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 hereby is authorized and directed to transfer a total of \$2,897.65 from within the Voted Sanitary Bond Fund No. 664| Division 60-05| Object Level Three No. 6676:

From:

Proj.: 650619| Strimple,Kilbourne & Minverva| OCA No. 642918| \$2,897.65

To:

Proj.: 650699| Merwin Hill Area Sewer| OCA No. 664699| \$2,897.65

Section 2. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the 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 3. 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 transferred under Section 1., above.

Section 4. That the Director of Public Utilities be, and hereby is, authorized to execute an agreement with Korda/Nemeth Engineering, Inc., 1650 Watermark Drive, Suite 200, Columbus, Ohio 43215 for the Division of Sewerage and Drainage, for professional engineering services in accordance with the terms and conditions on file in the office of the Division of Sewerage and Drainage.

Section 5. That the said engineering firm shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

Section 6. That for the purpose of paying the cost of the professional engineering services contract, the following expenditure, or as much thereof as may be needed, be and the same is hereby authorized as follows: Division 60-05, Voted Sanitary Bond Fund No. 664| Object Level Three 6676| OCA Code 664699| Amount \$52,897.65.

Section 7. That the 2006 Capital Improvements Budget Ordinance No. 1108-2006 is hereby amended as follows, in order to provide sufficient budget authority for the aforementioned professional engineering services agreement.

CURRENT:

650100-Sanitary Sewer Continengy - \$1,758,566.00

650699-Merwin Hill Area Sewer Imp.- \$52,877.00

AMENDED TO:

650100-Sanitary Sewer Continengy - \$1,758,545.00 (-\$21.00)

650699-Merwin Hill Area Sewer Imp.- \$52,898.00 (\$21.00)

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.

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**Legislation Number:** 1960-2006

**Drafting Date:** 10/26/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The Transportation Division within the Public Service Department has, among other duties, the coordination, direction, inspection and supervision of the construction of streets, highways, bridges, storm sewers, sanitary sewers, street lighting, water distribution lines, traffic control devices and any other city-owned or operated facility and such other related matters as may arise in connection with such construction.

The Development Services Special Revenue Fund was created to support the construction inspection activities of Transportation Division of the Department of Public Service. This fund is supported partly by the construction inspection fees collected by the Transportation Division from customers of its inspection services, including private developers and city agencies.

Expenses relating to the operation of construction inspection have increased yearly. For instance, collective bargaining agreements have obligated the City to wage increases ranging from 2% to 4% per year. Similarly, other operating expenses such as health insurance, workers compensation, information technology, fuel for vehicles, and utility expenses increase every year.

In reviewing revenues and expenses in conjunction with key customer base representatives, the Public Service Department finds that construction inspection rates must be increased to balance expenses with revenues. As result of this review, an interim schedule of implementation to revise current fees has been effected administratively, with a future fee schedule proposed herein for codification. This codified fee schedule will not only allow the Division to better budget and project revenue, but also will allow customers to better prepare for future changes and adjust their bidding processes accordingly. As implementation of these fees occurs, further minor modifications and refinements that prove necessary for continued customer service improvements will be evaluated and possibly submitted as future legislation.

**FISCAL IMPACT:** These fees reflect the City's costs associated with processes and expenses related to construction inspection. If fees do not cover operating expenses then these inspections must be funded from other sources. All fees are deposited to the development services special revenue fund.

**Title**

To amend Chapter 901 of the Columbus City Codes 1959, to enact new construction inspection fees.

**Body**

**WHEREAS**, the Department of Public Service and its partners of the construction industry have conducted a review of expenses and revenues in conjunction with the construction inspection process; and

**WHEREAS**, the cost of all services rendered by Transportation Division relating to construction inspection are to be made self-sustaining through the creation of the Development Services Special Revenue Fund; and

**WHEREAS**, this fund is to be supported, in part, by the fees collected by the Transportation Division for services associated with the construction inspection process; and

**WHEREAS**, as a result of this review, revised fees are being proposed to reflect an incremental fee increase; and

**WHEREAS**, as implementation of these fees occurs, further minor modifications and refinements that prove necessary for continued customer service improvements will be evaluated and possibly submitted as future legislation; and

**WHEREAS**, this fee schedule will not only allow the Division to better budget and project revenue, but also will allow the industry to better prepare for future changes and adjust their bidding process accordingly, now, therefore:

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

**Section 1.** That effective 12:01 A.M., January 1, 2007, existing Section 901.01 of the Columbus City Codes, 1959 be amended to read as follows:

**901.01 Agreements to improve street areas.**

Upon receipt of requests for the right and privilege to cause the improvement of any public street, avenue, boulevard or alley in the city, the director of public service is authorized to enter into agreements, granting such right and privilege, and such agreements shall contain the following provisions and conditions.

- (a) The pavements so constructed shall be in accordance with plans to be approved by the transportation administrator and the director of public service, which plans shall meet the standard minimum requirements as adopted by the city council.
- (b) The transportation administrator shall furnish detailed specifications, which shall be complied with in every respect.
- (c) The grades of the streets, alleys or other public ways to be so paved shall be as shown on the plans therefor and shall be recorded in the profile books in the office of the transportation administrator.
- (d) The city shall be held free and harmless from any and all claims for damages of every nature arising or growing out of the improvements so agreed to be made.
- (e) The party requesting such right and privilege shall pay the costs of inspection and the cost of fire hydrants and shall deposit, with the city treasurer through the transportation administrator, the sums of money estimated by the transportation administrator to be necessary therefor, and in the event that such estimated amounts are found to be insufficient shall deposit such additional amounts as are necessary upon demand. All unexpended monies so deposited shall be refunded.
- (f) Such party shall furnish a surety bond or an irrevocable letter of credit issued by a bank and subject to the provisions of Chapter 1305 of the Ohio Revised Code satisfactory to the director of public service, or an escrow agreement acceptable to the city attorney and director of public service, or a certified check upon a solvent bank of the city, in the sum of one hundred (100) percent of the estimated cost of the proposed improvements to guarantee the performance of the agreement.
- (g) Any violation of the terms of the agreement or noncompliance therewith shall constitute a breach of contract and the transportation administrator shall have the right and privilege to stop the work forthwith.
- (h) Upon completion of the work in accordance with the plans and specifications therefore, the pavements shall become the property of the city at no cost to the city and without encumbrance of any nature.
- (i) City council shall by ordinance establish and periodically amend a schedule of fees for the review of street plans. All fees are for the purpose of defraying costs incurred by the division of transportation for reviewing street plans to assure conformance to city specifications. Once the fee has been paid it shall not be refundable. The transportation administrator shall not release street plans for construction until the fee has been paid in full. All fees shall be paid to the city treasurer for deposit into the development services special revenue fund. The schedule of fees and service charges shall be posted in the office of the division of transportation, public service department.
- (j) All fees collected are for the purpose of paying for services rendered by the Transportation Division for coordinating, directing, inspecting and supervising the construction of streets, highways, bridges, storm sewers, sanitary sewers, street lighting, water distribution lines, traffic control devices and any other city-owned or operated facility and such other related matters as may arise in connection with such construction to assure conformance to city specifications. All fees shall be paid to the city treasurer for deposit into the building services special revenue fund. The schedule of fees shall be as follows:

<u>Classification</u>	<u>Hourly Rate</u>
<u>Construction Inspector I (FTR &amp; FTL)</u>	<u>\$52.00</u>
<u>Engineering Associate I</u>	<u>\$52.00</u>
<u>Engineer Aide I</u>	<u>\$52.00</u>
<u>Engineer Aide II</u>	<u>\$52.00</u>
<u>Engineering Associate II</u>	<u>\$55.00</u>
<u>Engineer-In-Training I</u>	<u>\$55.00</u>
<u>Surveyor-In-Training I</u>	<u>\$55.00</u>
<u>Engineer-In-Training II</u>	<u>\$62.00</u>
<u>Engineer I</u>	<u>\$62.00</u>
<u>Engineer II</u>	<u>\$62.00</u>

<u>Engineering Associate III</u>	<u>\$62.00</u>
<u>Engineer III</u>	<u>\$70.00</u>
<u>Engineer IV</u>	<u>\$70.00</u>
<u>Construction Materials Analysis Coordinator</u>	<u>\$70.00</u>
<u>Surveyor</u>	<u>\$70.00</u>
<u>Engineering Intern</u>	<u>\$40.00</u>
<u>Prevailing Wage Coordinator</u>	<u>\$48.00</u>

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

**Legislation Number:** 1963-2006

**Drafting Date:** 10/26/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

Need: An appropriation is needed for the ongoing Bulletproof Vest Partnership (BVP) program. This federal program provides funds directly to units of local government to assist in equipping law enforcement officers with armor vests. the program is designed to pay up to 50% of the approved application vests. Due to limited federal program funds the city application received only a partial award of the original request. This appropriation is needed to utilize the funding that was awarded for the continuing purchase of uniform items.

FISCAL IMPACT: There is no impact for the City General Fund Account since the funds will come from BVP-FY06 grant fund.

**Title**

To authorize an appropriation of \$38,262.94 from the unappropriated monies in the FY2006 Bulletproof Vest Partnership grant fund. (\$38,262.94)

**Body**

WHEREAS, the City of Columbus Division of Police has applied for and been awarded partial federal funding through the FY2006 Bulletproof Vest Partnership grant program; and

WHEREAS, the Division of Police has continued and additional uniform needs; now therefore

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

Section 1. That from the unappropriated monies in the FY2006 Bulletproof Vest partnership 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 grant period, the sum of \$38,262.94 is appropriated as follows:

<u>DIV</u>	<u>FD</u>	<u>OBJ#1</u>	<u>OBJ#3</u>	<u>OCACD</u>	<u>GRANT</u>	<u>AMOUNT</u>
30-03	220	02	2221	336003	336003	38,262.94

Section 2. That the monies appropriated in the foregoing Section 1 shall be paid upon order of the Director of Public Safety; and that order shall be drawn or money paid except by voucher, the form shall be approved by the City Auditor.

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:** 1970-2006

**Drafting Date:** 10/27/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### Explanation

**BACKGROUND:** This legislation requests transfer of \$1,046,900 from Object Level One: 01 and 06 to Object Level One: 02 within the Electricity Operating Fund 550. The need to transfer funding within the Electricity Operating Fund budget was identified in the third quarter budget review. A surplus in Object Level One: 01, Personal Services, is primarily due to personnel vacancies and a surplus in Object Level One: 06 is due to a deferment of purchases of commodities and large trucks. A projected deficit in Object Level One: 02, Materials and Supplies, is due to increased costs for purchased power and the need to encumber sufficient funds to pay power bills received prior to passage of the 2007 operating budget and establishment of a purchase order based on the new budget. This legislation will align the budget authority with projected expenditures.

Emergency action is requested in order that this transaction may be completed in order that funding will be available to establish an agreement for payment of purchase power invoices. An ordinance to establish funding for payment of purchase power has been prepared and is being processed for City Council's consideration.

**FISCAL IMPACT:** No increase in overall funding is requested. There is sufficient appropriation available in Object Level One: 01, Personal Services, and 06, Capital Outlay, for this requested transfer to Object Level One: 02, Materials and Supplies.

### Title

To authorize the transfer of appropriations within the Electricity Operating Fund to align budget authority with projected expenditures for the Division of Power and Water, and to declare an emergency. (\$1,046,900.00)

### Body

WHEREAS, the third quarterly review of the Electricity Operating Fund budget identified a surplus in Object Level One: 01, Personal Services, and Object Level One: 06, Capital Outlay, and a deficit in Object Level One: 02, Materials and Services; and

WHEREAS, additional funding is needed in Object Level One: 02 for purchased power costs; and

WHEREAS, surplus in Object Level One: 01, Personal Services, and 06, Capital Outlay, should be transferred to Object Level One: 02, Materials and Services, to align authority with projected expenditures; and

WHEREAS, emergency action is necessary in order that the transfer transaction may be completed to provide funding for a new purchase power contract; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Power and Water, in that it is immediately necessary to transfer budget appropriations within the Electricity Operating Fund to provide funding for purchased power 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 transfer appropriations within the Electricity Operating Fund 550, Dept./Div. No. 60-07, as follows:

FROM

Object Level One: 01  
OCA: 600700  
Object Level 3: 1000  
Amount \$546,900

Object Level One: 06  
OCA: 606723  
Object Level 3: 6000  
Amount: \$500,000

TO:

Object Level One: 02  
OCA: 600830  
Object Level Three: 2233  
Amount: \$1,046,900

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:** 1973-2006

**Drafting Date:** 10/27/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

This is consent legislation with the State of Ohio, Department of Transportation (ODOT) for a bridge reconstruction project on the US33 (Livingston Avenue) structure over Alum Creek. This past summer ODOT was conducting some concrete maintenance on the bridge and found a large amount of section loss on the cantilevered sidewalk. This situation is not considered a threat to public safety at this time; however, a contract will be let by ODOT in 2007 for the reconstruction of the sidewalks and bridge railing. The project is scheduled for construction in State Fiscal Year 2008. (FRA-US33-20.40 PID 82002)

**Fiscal Impact:** The estimated construction cost of the project is \$200,000.00, which will be funded by ODOT. There is no cost to the City of Columbus for this project. This legislation also authorizes the Director of Public Service to enter into the necessary agreements to complete this project.

**Title**

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 the reconstruction of the US33 (Livingston Avenue) over Alum Creek Drive structure. ( \$0 )

**Body**

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

**WHEREAS,** the State of Ohio has identified the need for the described project:

This is an emergency project to reconstruct the sidewalks and bridge railing on the FRA-US33-20.40 structure (Livingston Avenue over Alum Creek); now, therefore

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

**SECTION 1 - Consent Statement**

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

**SECTION 2 - Cooperation Statement**

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

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

The Ohio Department of Transportation shall assume and bear one hundred percent (100%) of the total costs of Preliminary Engineering, Right of Way, utility relocation (if applicable) and Construction.

The City agrees to assume and bear one hundred percent (100%) of the total costs of those features requested by the City which are not necessary for the improvement as determined by the State and Federal Highway Administration.

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

**SECTION 3 - Utilities and Right-of-Way Statement**

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

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

**SECTION 4 - Maintenance**

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

**SECTION 5 - Authority to Sign**

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

**SECTION 6** - This ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 1986-2006

**Drafting Date:** 10/31/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation** This legislation authorizes the City Auditor to transfer \$11,575 within Public Safety Bond Fund and amend the Capital Improvement Budget. The legislation also authorizes the Director of Finance and Management, on behalf of the Division of Support Services, to establish a purchase order with MCM Technology, LLC, for the purchase and installation of asset management and maintenance tracking system specific to the Department of Public Safety, Division of Support Services.

**Bid Information:** The Purchasing Office advertised and solicited competitive bids in accordance with the Columbus City Code; Section 329.06(a) bid SA002175JY. Four bids were received.

1. IBM - (compliant, not low bidder)	\$ 198,480.96
2. MCM Technology, LLC - (compliant and low bidder)	\$ 138,990.43
3. Aleier, Inc. - (compliant, not low bidder)	\$ 218,351.00
4. TMA Systems, LLC - (not compliant)	\$ 91,654.00

Contract Compliance: MCM Technology, LLC - #06-1649467

**Emergency Designation:** Emergency designation is requested due to the time issues in the implementation of Homeland Security Projects and mandated FCC requirements.

**FISCAL IMPACT:**

Funding for this expenditure is available in the Public Safety's Capital Improvement Fund. The transfer and amendment are necessary to properly align available cash and authority with projected expenditures.

**Title** To amend the 2006 Capital Improvement Budget, to authorize the transfer of cash between projects in the Safety Voted Bond Fund, to authorize the Director of Finance and Management to establish a purchase order with MCM Technology, LLC, for the purchase and installation of an asset management and maintenance tracking system specific to the Department of Public Safety, Division of Support Services, to authorize the expenditure of \$138,990.43 from the Public Safety's Safety Voted Bond Fund, and to declare an emergency. (\$138,990.43).

**Body** WHEREAS, the responsibility of the Police and Fire Communications Systems will continue to be that of the Department of Public Safety, Division of Support Services; and,

WHEREAS, the Division of Support Services has a need to establish a purchase order with MCM Technology, LLC, for the purchase and installation of asset management and maintenance tracking system specific to the Department of Public Safety, Division of Support Services; and,

WHEREAS, MCM Technology, LLC, submitted the best bid; and,

WHEREAS, it is necessary to transfer \$11,575 within Public Safety's Capital funds and amend the CIB to properly align budget authority and available cash with projected expenditures; and,

WHEREAS, an emergency exists in the usual daily operations of the Department of Public Safety, Division of Support

Services in that it is immediately necessary to establish a Purchase Order for the purchase and installation of an asset management and maintenance tracking system specific to the Department of Public Safety, Division of Support Services, in order to preserve the public peace, health, 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 amended within fund 701 as follows:

**CURRENT CIB**

Division 3002|Fund 701|Project No 320001|Amount \$1,310,000

Division 3003|Fund 701|Project No 330041|Amount \$89,822

**REVISED CIB**

Division 3002|Fund 701|Project No 320001|Amount \$1,321,575

Division 3003|Fund 701|Project No 330041| Amount \$78,247

**Section 2.** That the City auditor is hereby authorized and directed to transfer funds within the Safety Voted Bond as follows:

From:

Division 3003|Fund 701|Project No 330041|South Dorm Renovation|Amount \$11,575

To:

Division 3002|Fund 701|Project No 320001|Police & Fire Communications Systems|Amount \$11,575.

**Section 3.** That the Director of Finance and Management be and hereby authorized to establish a purchase order with MCM Technology, LLC, for the purchase and installation of asset management and maintenance tracking system specific to the Department of Public Safety, Division of Support Services.

**Section 4.** That this agreement is made in accordance with the Columbus City Code, Section 329.06(a).

**Section 5.** That for the purpose stated in Section 3 hereof, the expenditure of \$138,990.43 or so much thereof as may be needed, is hereby authorized from:

**Division 30-02/ Fund 701/Obj level 3, 3372/Project Number 320001/ OCA Code 642629/ Amount \$11,575.00**

**Division 30-02/Fund 701/Obj level 3, 6644/Project Number 320001/OCA Code 642629/ Amount \$127,415.43**

**Section 6.** 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:** 1988-2006

**Drafting Date:** 10/31/2006

**Version:** 2

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

The new classification of Assistant Director (Jobs and Economic Development) (U) and Assistant Director (Community and Neighborhood Development) (U) were approved by the Civil Service Commission at its October 2006 meeting. The Assistant Director (Jobs and Economic Development) will be responsible for assisting the Director in the direction of jobs

and economic development activities. The Assistant Director (Community and Neighborhood Development) will be responsible for assisting the Director in the direction of housing and neighborhood activities. After reviewing grade assignments for internal subordinate classifications, it is recommended that Pay Grade 96 be assigned.

The new classification of IT Technical Support Manager was approved by the Civil Service Commission at its October 2006 meeting. The IT Technical Support Manager will be responsible for managing the technical support section for the Department of Technology. After reviewing the market for classifications with similar responsibilities, it is recommended that Pay Grade 95 be assigned.

The classification of Occupational Safety and Health Officer was approved by the Civil Service Commission at its October 2006 meeting. The Officer will be responsible for coordinating the occupational safety and health program for a large department or multiple, smaller departments. After reviewing the market for classifications with similar responsibilities, it is recommended that Pay Grade 93 be assigned.

Emergency action is requested so that recruitment efforts can begin immediately.

The acceptance of this ordinance will indicate Council's approval.

Any budget impact will be absorbed within existing budget levels.

**Title** To amend Ordinance No. 2944-1999, as amended, by enacting Sections 5(E)-A231, the classification of Assistant Director (Jobs and Economic Development ) (U); Section 5(E)-A236, the classification of Assistant Director (Community and Neighborhood Development) (U); Section 5(E)-I067, the classification of IT Technical Support Manager; Section 5(E)-O014, the classification of Occupational Safety and Health Officer. ~~; and to declare an emergency.~~

**Body**

**WHEREAS**, the Civil Service Commission created the classifications of Assistant Director (Jobs and Economic Development ) (U), Assistant Director (Community and Neighborhood Development) (U), IT Technical Support Manager, and Occupational Safety and Health Officer at its October 2006 meetings; and

**WHEREAS**, it is necessary to assign pay grades to the subject classifications based on internal and external factors; **Now, Therefore and**

~~**WHEREAS**, an emergency exists in the usual daily operation of the City in that it is immediately necessary to amend the Management Compensation Plan so that recruitment efforts can begin immediately, 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.** To amend Ordinance No. 2944-1999, as amended, by enacting Sections 5(E)-A231, 5(E)-A236, 5(E)-I067, and 5(E)-O014 to read as follows:

Ord. Sec.	Class Code	Class Title	Pay Grade
5(E)-A231	0172	Assistant Director (Jobs and Economic Development) (U)	96
5(E)-A236	0168	Assistant Director (Community and Neighborhood Development) (U)	96
5(E)-I067	0559	IT Technical Support Manager	95
5(E)-O014	0279	Occupational Safety and Health Officer	93

~~Section 2. 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. 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:** 1989-2006

**Drafting Date:** 10/31/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

**BACKGROUND:** This ordinance waives the provisions of Chapter 329 of the Columbus City Code and authorizes the Director of Public Utilities to modify an existing contract, EL-004767, with The Erora Group to continue to provide power supply planning and related services for the Division of Power and Water. The modification will extend the contract an additional year and increase the consultant's hourly rate and the total amount of the contract. The modification will also reflect the consultant's name change from The Erora Group to MDL Holding Company, LLC. It is necessary to waive the provisions of Chapter 329 of the Columbus City Code for this modification as the term of the existing contract ends December 31, 2006 and did not provide for an extension.

**Amount of additional funds to be expended:** \$90,000.00

**Reasons additional goods/services could not be foreseen:**

Due to conditions set forth in the negotiated purchase power contract with American Electric Power it will be necessary to bid for 25% of our load requirements in 2007 and 50% in 2008, therefore, the division will continue to need professional power supply planning services. This modification will provide funding to continue services to assist the city in preparing for the next purchase power bid as well as other power supply planning services as specified in the contract during 2007. Negotiation of the terms of the new purchase power agreement were extremely complex and the consultant has unique knowledge of the divisions requirements. It is in the best interests of the City to allow continuation of the contract for services. The term of the contract will be extended from December 31, 2006 through December 31, 2007.

**Reasons other procurement processes are not used:** The existing contract is based upon the lowest responsive and responsible bid received and opened on August 4, 2004. Since the consultant assisted the division in preparing the proposal for purchased power and contract negotiations and is familiar with the terms of the purchase power contract and the division's operations, it would not be feasible or cost effective to start over with a new consultant.

**How cost of modification was determined:**

Estimated number of hours required at an hourly rate of \$200 per hour.

Emergency action is requested in order that the power supply planning services may continue without interruption. These services are critical to the daily operations of the Division of Power and Water at this time during the start of the new power supply contract with AEP and to prepare for future power needs.

**Contract Compliance Number:** 611339486

**FISCAL IMPACT:** \$50,000 was budgeted in the 2006 electricity operating fund for professional services relating to purchase power. Although, this expenditure exceeds the budgeted amount, there are sufficient funds in the current electricity operating budget for this expenditure. \$112,500 was encumbered in 2004 for said contract and there were no encumbered amounts in 2005 for this type of service.

### **Title**

To authorize the Director of Public Utilities to modify an existing contract with The Erora Group to reflect the consultant's name change to MDL Holding Company, LLC, and to extend and increase the contract for power supply planning and related services for the Division of Power and Water; to waive competitive bidding provisions of the Columbus City Code; to authorize the expenditure of \$90,000.00 from the Electricity Operating Fund; and to declare an emergency. (\$90,000.00)

**Body**

WHEREAS, power supply planning and related services are required by the Division of Power and Water in order to secure the best possible power supply and subsequent rates for its electric customers; and

WHEREAS, Contract Number EL004767, with The Erora Group, was authorized by Ordinance Number 1855-2004, passed November 22, 2004, for power supply planning and related services; and

WHEREAS, The Erora Group has changed its name to MDL Holding company, LLC; and

WHEREAS, it is immediately necessary to extend and increase the existing contract with MDL Holding company, LLC, formerly The Erora Group, to provide funding for power supply planning and related services needed for the daily operation of the Division of Power and Water; and

WHEREAS, the conditions set forth in the negotiated purchase power contract with American Electric Power will make it necessary to bid for load requirements during 2007 and the division will continue to need the consultant's professional power supply planning services; and

WHEREAS, the original contract had no provision to extend the contract beyond December 31, 2006, it is necessary to waive provisions of Chapter 329 of the Columbus City Code for this modification; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Power and Water, in that it is immediately necessary to modify an existing contract for power supply planning services to ensure that these critical services are uninterrupted, and 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 Public Utilities be and is hereby authorized to modify Contract Number EL004767 by changing the vendor name from The Erora Group to MDL Holding Company, LLC, extending the contract through December 31, 2007, and increasing the amount of the contract by \$90,000.00.

SECTION 2. That the provisions of Chapter 329 of Columbus City Codes, 1959, are hereby waived for aforesaid contract modification.

SECTION 3. That to pay the cost of the aforesaid contract modification, the expenditure of \$90,000.00, or so much thereof as may be needed, is hereby authorized from Electricity Operating Fund 550, Division No. 60-07, OCA Code 600830, Object Level Three 3336.

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.

**Drafting Date:** 10/31/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

Explanation

**Background:** This legislation authorizes the Finance and Management Director to enter into a professional services contract for the Facilities Management Division with Hardlines Design Company for a facility assessment of the South Dorm located at the Health Department headquarters at 240 Parsons Avenue. The ground and first floors of the building are planned to be used for an emergency response/preparedness center, a WIC clinic, and general office areas. The assessment will include architectural, mechanical, electrical, structural and Code assessments. Hardlines will also prepare a conceptual design layout for the WIC program, and prepare a budgetary estimate for the actual renovations.

Requests for Proposals were sent to eight firms: Braun & Steidl Architects, Inc., Hardlines Design Company (FBE), HKI Associates (MBE), Meacham & Apel Architects, Inc., Mull & Weithman Architects, Inc., O.A. Spencer, Inc. (MBE), and Shremshock Architects, Inc. The City received two proposals, from Hardlines Design Company and Shremshock Architects, Inc. Per City Codes 329.11, the Project Manager and Management Analyst II recommended Hardlines Design Company to the Finance and Management Director. The Finance and Management Director agreed to this recommendation. Hardlines was selected due to their research in the renovation of historic buildings. The cost of this contract was negotiated with Hardlines within the context of the available budget.

**Emergency action** is requested so that the assessment may proceed quickly, thereby facilitating the quick design of a needed WIC clinic.

**Fiscal Impact:** Sufficient funding for this project is available in the Health Voted Bond Fund. Hardlines Design Company Contract Compliance Number 31-1317832, expiration date 03/04/2007.

Title

To authorize the Finance and Management Director to enter into contract for the Office of Construction Management with Hardlines Design Company for an assessment of the South Dorm at 240 Parsons Avenue; to authorize the expenditure of \$50,000.00 from the Health Voted Bond Fund, and to declare an emergency. (\$50,000.00).

Body

**WHEREAS**, the Health Department desires to operate an emergency response/preparedness center, a WIC clinic, and general office areas at the South Dorm at 240 Parsons Avenue, and

**WHEREAS**, it is necessary to complete a full assessment of the structure before proceeding, and

**WHEREAS**, it is the recommendation of the Finance and Management Director to contract with Hardlines Design Company in order to provide these needed services, and

**WHEREAS**, an emergency exists in the usual daily operation of the Finance and Management Department, Office of Construction Management, in that it is immediately necessary to authorize the Finance and Management Director to contract Hardlines Design Company for a building assessment of the South Dorm at 240 Parsons Avenue, therefore:

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

**SECTION 1.** That the Finance and Management Director is hereby authorized to contract with Hardlines Design Company for an assessment of the South Dorm at 240 Parsons Avenue.

**SECTION 2.** That the expenditure of \$50,000.00, or so much thereof that may be necessary in regard to the action authorized in SECTION 1, be and is hereby authorized and approved as follows:

Division: 50-01

Fund: 706

Project: 500503

OCA Code: 501713

Object Level 1: 06

Object Level 3: 6681  
Amount: \$50,000.00

**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 or vetoes the same.

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**Legislation Number:** 1993-2006

**Drafting Date:** 11/01/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

The purpose of this ordinance is to authorize the Director of Finance & Management to enter into contract with FYDA Freightliner Columbus, Inc. for the purchase of an asphalt pothole patching truck for the Division of Power and Water, Distribution Maintenance. This vehicle will be used for various rehabilitation and maintenance projects for the division. The Division of Power and Water budgeted \$120,000.00 for this purchase. The low bid was FYDA Freightliner Columbus, Inc. at \$130,780.00. They do not have MBE/FBE status.

The Purchasing Office opened formal bids on October 26, 2006. Four (4) bids were received. A tabulation of those bids is as follows:

1. FYDA Freightliner Columbus, Inc. \$130,780.00
2. Center City International \$131,763.00
3. Graham Ford Inc. \$132,560.00 (without work deck)
4. Graham Ford Inc. \$133,360.00 (with work deck)

**SUPPLIER:** FYDA Freightliner Columbus, Inc. (31-0789102)

**Fiscal Impact:** The Division of Power and Water budgeted \$120,000.00 for this purchase. Sufficient funds remain to contract for purchase.

\$0 was expended for asphalt pothole patching trucks during 2005.

\$0 was expended for asphalt pothole patching trucks during 2004.

### **Title**

To authorize the Director of Finance and Management to establish a purchase order with FYDA Freightliner Columbus, Inc. for the purchase of one (1) asphalt pothole patching truck for the Division of Power and Water, and to authorize the expenditure of \$130,780.00 from the Water System Operating Fund. (\$130,780.00)

### **Body**

WHEREAS, the Purchasing Office opened formal bids on October 26, 2006 for the purchase of an asphalt pothole patching truck for the Division of Power and Water, Distribution Maintenance, and

WHEREAS, the Division of Power and Water recommends an award be made to the lowest, responsive, and responsible bidder FYDA Freightliner Columbus, Inc. and,

WHEREAS, this equipment will be used for various water rehabilitation and maintenance projects performed by Distribution Maintenance, and

WHEREAS, a purchase order will be issued in accordance with the terms, conditions and specifications of Solicitation SA002199 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 purchase order with FYDA Freightliner Columbus, Inc. for the purchase of a asphalt pothole patching truck for the Division of Power and Water, in accordance with specifications on file in the Purchasing Office.

Section 2. That the expenditure of \$130,780.00 or so much thereof as may be needed, be and the same hereby is authorized from the Water System Operating Fund, Fund No. 600, OCA 602730, Object Level 1: 06, Object Level 03: 6652.

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:** 1994-2006

**Drafting Date:** 11/01/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation. BACKGROUND:** This legislation authorizes the Director of Public Utilities to enter into a contract with 360Water, Inc. for the purposes of providing professional training and documentation services that are needed for the DPU, DOSD Facilities and Safety Training Management & Documentation Services contract.

This project will provide all mandatory safety training for the Department of Public Utility employees. It will also include process and equipment documentation and training at the wastewater treatment facilities.

2. Procurement Information: This procurement was conducted in accordance with the Request For Proposals (RFP) process set forth in Section 329.14, Columbus City Codes, 1959. The process was conducted as follows:

- a. Written notice of need was made to City Council on June 28, 2006
- b. The RFP was published in the "City Bulletin" on July 1, July 8, July 15, July 22, and July 29 2006.
- c. All Offeror's were required to obtain an Offeror's Information packet by July 24, 2006.
- d. Proposals were received on July 31, 2006 from one FBE firm.
- e. The single firm submitting a Proposal was: 360Water, Inc.
- f. A Presentation was not required of the Offerer.
- g. The evaluation and final ranking of the firm was based upon the criteria specified in the RFP.
- h. On August 17, 2006, the Evaluation Committee reported its ranking to the Director. The single firm was notified in writing of the final selection by the Director.
- i. Subsequent discussions and negotiations with the selected firm have resulted in further refinement of the scope of the work and results in this ordinance. The name and address of the selected firm is 360water, Inc., 1335 Holly Avenue, Columbus, Ohio 43212.

3. **Fiscal Impact:** There is sufficient authority in the Sewer System Operating Fund for this expenditure. The work on this contract is separated into four steps: Step 1 - Guide Specification Review, Step 2 - Project Specification Review, Step 3 - Services during Construction, Step 4 - Training Implementation. The contract will be funded incrementally through future contract modifications as subsequent portions of the work needs to be undertaken. The consultant has estimated the total cost for professional services to be \$750,000.00. Funding for subsequent phases of the contract are included in future

operating budget estimates.

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

**Title**

To authorize the Director of Public Utilities to enter into an agreement with 360water, Inc. for professional services for the Facilities and Safety Training Management & Documentation Services; to authorize the expenditure of \$150,000.00 from the Sewer System Operating Fund (\$150,000.00).

**Body**

WHEREAS, the procurement was conducted in accordance with the Request For Proposals (RFP) process set forth in Section 329.14, Columbus City Codes, 1959, and the Division's Evaluation Committee recommended a single firm for further consideration, and 360water, Inc. was selected from among the single firm; and

WHEREAS, the Division of Sewerage and Drainage, Department of Public Utilities, hereby requests this City Council to authorize the Director of Public Utilities to enter into an agreement for professional services with 360water, Inc. for the implementation of the DPU, DOSD Facilities and Safety Training Management & Documentation Services contract, at the earliest practical date; 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 enter into an agreement with 360water, Inc., for professional services for the DPU, DOSD Facilities and Safety Training Management & Documentation Services, in accordance with the terms and conditions as shown in the agreement on file in the office of the Division of Sewerage and Drainage.

Section 2. That the expenditure of \$150,000.00, is hereby authorized from the Sewer System Operating Fund, Fund No. 650, OCA Code 605006, OL1, 03, OL3, 3336 to pay the cost of the 360water, Inc., contract.

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:** 1999-2006

**Drafting Date:** 11/01/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**Background:** This legislation authorizes the Finance and Management Director to enter into a professional services contract for the Office of Construction Management with Mosaic Ltd. for professional services for the spatial planning and renovation of Facilities Management Division locations. Work will include the assessment/investigation of the facilities and the required needs, the preparation of specifications for use by the awarded general contractor as well as move management. Potential projects include the creation of a timeline for the implementation of the City's master plan as well as the relocation and consolidation of the 311 Call Center within 1111 East Broad Street. This ordinance also authorizes the transfer of cash within the Construction Management Capital Improvement Fund, and amends the 2006 Capital Improvement Budget to accommodate the aforementioned expenditure authorized by this ordinance.

Requests for Proposals were sent to four firms: Hardlines Design Company (FBE), Interior Space, Machisa Design Services, Inc. (MBE), and Mosaic Ltd (FBE). The City received one proposal, from Mosaic Ltd. Per City Codes 329.11,

the Finance and Management Director selected Mosaic Ltd. as their proposal demonstrated competence to do the required work.

**Emergency action** is requested so that the assessment may proceed quickly, thereby facilitating the quick design of the needed space.

**Fiscal Impact:** Sufficient funding for this project is available in the Construction Management Capital Improvement Fund. Mosaic Ltd. Contract Compliance Number 31-1635769, expiration date 09/15/2008.

Title

To amend the 2006 Capital Improvements Budget; to authorize the transfer of cash between projects in the Construction Management Capital Improvement Fund; to authorize the Finance and Management Director to enter into contract for the Office of Construction Management with Mosaic Ltd. for an assessment of Facilities Management Division locations; to authorize the expenditure of \$50,000.00 from the Construction Management Capital Improvement Fund, and to declare an emergency. (\$50,000.00).

Body

**WHEREAS**, the Finance and Management Department desires to evaluate locations of the Facilities Management Division in order to better utilize space; and

**WHEREAS**, the Finance and Management Department desires to create a timeline for implementing the City's master plan; and

**WHEREAS**, the Finance and Management Department desires to relocate and consolidate the 311 Call Center within 111 East Broad Street; and

**WHEREAS**, it is the recommendation of the Finance and Management Director to contract with Mosaic Ltd. in order to provide these needed services; and

**WHEREAS**, this ordinance also authorizes the transfer of cash within the Construction Management Capital Improvement Fund and amends the 2006 Capital Improvement Budget to accommodate the aforementioned expenditure authorized by this ordinance; and

**WHEREAS**, an emergency exists in the usual daily operation of the Finance and Management Department, Office of Construction Management, in that it is immediately necessary to authorize the Finance and Management Director to contract with Mosaic Ltd. for a building assessment of Facilities Management Division locations, 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:**

Dept/Div: 45-07|Fund: 733|Project Number 570030|Project Name - Facility Renovation|Amount \$9,510,035  
Dept/Div: 45-07|Fund: 733|Project Number 570031|Project Name - City Hall Renovations|Amount \$2,688,706

**REVISED CIB:**

Dept/Div: 45-50|Fund: 733|Project Number 570030|Project Name - Facility Renovation|Amount \$9,560,035  
Dept/Div: 45-50|Fund: 733|Project Number 570031|Project Name - City Hall Renovations|Amount \$2,638,706

**SECTION 2.** That the 2006 Capital Improvement Budget is hereby amended as follows:

The title "Facilities Management 45-07" be replaced with "Construction Management 45-50".

**SECTION 3.** That the City Auditor is hereby authorized and directed to transfer funds within the Construction Management Capital Improvement Fund as follows:

**FROM:**

Dept/Div: 45-50|Fund: 733|OCA Code: 450028|Project Number 570031|Project Name - City Hall Renovations|Amount \$50,000.00

**TO:**

Dept/Div: 45-50|Fund: 733|OCA Code: 450028|Project Number 570030|Project Name - Facility Renovation|Amount \$50,000.00

**SECTION 4.** That the Finance and Management Director is hereby authorized to contract with Mosaic Ltd. for an assessment of Facilities Management Division locations.

**SECTION 5.** That the expenditure of \$50,000.00, or so much thereof that may be necessary in regard to the action authorized in SECTION 4, be and is hereby authorized and approved as follows:

Division: 45-50  
Fund: 733  
Project: 570030  
Object Level 1: 06  
Object Level 3: 6620  
Amount: \$50,000.00

**SECTION 6.** That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the mayor neither approves or vetoes the same.

**Legislation Number:** 2000-2006

**Drafting Date:** 11/01/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The Columbus Health Department provides Chlamydia and gonorrhea testing for patients of the STD Clinic and various other clinics in the City of Columbus. The Columbus Health Department uses a highly effective DNA probe test kit for Chlamydia and gonorrhea testing. The DNA probe test kit has higher sensitivity, specificity, and transportability characteristics than other types of testing methods. Gen-Probe is the sole provider of the DNA probe test kit, which is the only FDA approved test kit available in the United States.

The Columbus Health Department, as a public health agency, receives discounted pricing for these DNA Probe test kits.

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

Gen-Probe's contract compliance - 330767987.

**FISCAL IMPACT:** Funding for this purchase is budgeted in the 2006 Health Special Revenue Fund and the Health Department Grants Fund.

**Title**

To authorize the Director of Finance and Management to establish a purchase order with Gen-Probe for the purchase of Chlamydia and gonorrhea test kits for the Columbus Health Department in accordance with sole source provisions; to authorize the expenditure of \$12,000 from the Health Special Revenue Fund and the Health Department Grants Fund; and to declare an emergency. (\$12,000)

**WHEREAS,** the Columbus Health Department provides Chlamydia and gonorrhea testing for patients of the STD Clinic and various other clinics in the City of Columbus; and,

**WHEREAS,** the Columbus Health Department is in need of DNA test kits to provide the Chlamydia and gonorrhea testing; and,

**WHEREAS,** Gen-Probe is the sole supplier of DNA probe test kits; 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 Gen-Probe for the immediate preservation of the public health, peace, property, safety and welfare, and to ensure a sufficient supply of test kits for testing of patients of various clinics; 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 Gen-Probe for the purchase of Chlamydia and gonorrhea test kits.

**SECTION 2.** That the total expenditure of \$7,500 is hereby authorized from the Health Special Revenue Fund, Fund No. 250, Department of Health, Department No. 50, Object Level One 02, Object Level Three 2293, OCA Code 502054.

**SECTION 3.** That the total expenditure of \$3,500 is hereby authorized from the Health Department Grants Fund, Fund No. 251, Department of Health, Department No. 50, Object Level One 02, Object Level Three 2293, OCA Code 506029, Grant Number 506029.

**SECTION 4.** That the total expenditure of \$1,000 is hereby authorized from the Health Department Grants Fund, Fund No. 251, Department of Health, Department No. 50, Object Level One 02, Object Level Three 2293, OCA Code 506129, Grant Number 506129.

**SECTION 5.** That this purchase is in accordance with the provisions of the Columbus City Code, Section 329.07(e), "Sole Source Procurement."

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

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**Legislation Number:** 2001-2006

**Drafting Date:** 11/01/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**Background:**

This ordinance authorizes the Finance and Management Department, Office of Construction Management, to make various expenditures for labor, materials, and equipment in conjunction with various facilities improvements that are unplanned but will be necessary. Work may include any type of renovation of City-owned facilities, such as electrical, HVAC, and plumbing. All work will be based on three estimates obtained from qualified contractors and will not exceed \$20,000.00 per job. Funding for these expenditures is from the Construction Management Capital Improvement Fund.

This ordinance also amends the 2006 Capital Improvements Budget and authorizes the transfer of cash between projects in the Construction Management Capital Improvement Fund.

**Emergency action** is requested to allow these projects to proceed in a timely manner and 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. Emergency action is also requested to allow the necessary funding to be available for needed expenditures.

**Fiscal Impact:** The Office of Construction Management budgeted \$1,000,000.00 in the 2006 Capital Improvements Budget for various facility renovations. This ordinance authorizes an expenditure of \$100,000.00.

**Title**

To amend the 2006 Capital Improvements Budget; to authorize the transfer of cash between projects in the Construction Management Capital Improvement Fund; to authorize the expenditure of \$100,000.00 from the Construction Management Capital Improvement Fund for various facility renovations, and to declare an emergency. (\$100,000.00)

**Body**

**WHEREAS**, various unexpected facility renovations will likely become necessary within the Finance and Management Department, Office of Construction Management; and

**WHEREAS**, it is necessary to amend the 2006 Capital Improvements Budget and transfer cash between projects in the Construction Management Capital Improvement Fund, and

**WHEREAS**, an emergency exists in the usual daily operation of the Finance and Management Department, Office of Construction Management, in that it is immediately necessary to transfer and establish these funds to have funding available for necessary expenditures to allow these projects to proceed in a timely manner, 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:**

Dept/Div: 45-50|Fund: 733|Project Number 570030|Project Name - Facility Renovation|Amount \$9,560,035  
Dept/Div: 45-50|Fund: 733|Project Number 570031|Project Name - City Hall Renovations|Amount \$2,638,706

**REVISED CIB:**

Dept/Div: 45-50|Fund: 733|Project Number 570030|Project Name - Facility Renovation|Amount \$9,660,035  
Dept/Div: 45-50|Fund: 733|Project Number 570031|Project Name - City Hall Renovations|Amount \$2,538,706

**SECTION 2.** That the City Auditor is hereby authorized and directed to transfer funds within the Facilities Management Capital Improvement Fund as follows:

**FROM:**

Dept/Div: 45-50|Fund: 733|OCA Code: 733000|Project Number 570031|Project Name - City Hall Renovations|Amount \$100,000.00

**TO:**

Dept/Div: 45-50|Fund: 733|OCA Code: 733000|Project Number 570030|Project Name - Facility Renovation|Amount \$100,000.00

**Section 3.** That the purchase of labor, materials, and equipment will likely become necessary for various facility renovations within the Finance and Management Department, Office of Construction Management.

**Section 4.** That the expenditure of \$100,000.00, or so much thereof as may be necessary, be and is hereby authorized

from the Construction Management Capital Improvement Fund No. 733, as follows, to pay the cost thereof. All work will be based on three estimates and will not exceed \$20,000.00 per contract or job. City Council recognizes that this ordinance does not identify the contractor(s) to whom the contract(s) will be awarded and understands that its passage will give the Finance and Management Director the final decision in determination of the lowest best responsive and responsible bidder for such contract(s). This Council is satisfied it is in the best interests of the City to delegate this contracting decision.

<u>Fund Type</u>	<u>Dept. No.</u>	<u>Fund</u>	<u>Project No.</u>	<u>Project Title</u>	<u>Object Level 3</u>	<u>OCA Code</u>	<u>Amount</u>
Cap. Proj.	45-50	733	570030	Facility Renovations	6601	733000	\$100,000.00

**Section 5.** 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 Finance and Management Director 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 6.** 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:** 2003-2006

**Drafting Date:** 11/01/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND**

This ordinance authorizes the Director of Finance and Management to establish blanket purchase orders, for the Department of Technology, on behalf of various city agencies, for the purchase of replacement desktop computers, computer related products and equipment. These purchases will be made from pre-established universal term contracts (UTC's), FL001696, with Resource One Computer Systems, Inc., expiration date March 31, 2007 and FL001717, with Smart Solutions, Inc., expiration date March 31, 2007.

The desktop computers, computer related products and equipment being replaced are outdated and/or obsolete and are used for the running of applications that are very important to the daily operation of various city agencies. Additionally, the desktop computers, computer related products and equipment being replaced do not meet the current minimal City of Columbus specifications/standards. As such, replacement of this equipment is crucial for continued efficiency of city operations. Funds for this purchase are budgeted and available in the 2006 Department of Technology's Internal Service Fund's Budget.

**FISCAL IMPACT**

Earlier this year, the Department of Technology legislated \$40,792.30 with Smart Solutions and \$429,839.90 with Resource One (Ordinance #'s 0982-2006, 0869-2006, 0755-2006, 1235-2006, 1681-2006 and 1758-2006) for the purchase of desktop computers and computer related products and equipment on behalf of various city agencies. Funds are budgeted and available in the 2006 Department of Technology's Internal Service Fund's Budget to fund this purchase, which in the aggregate totals \$120,128.00.

**EMERGENCY DESIGNATION:**

Emergency designation is being requested by the various city agencies to immediately facilitate this purchase as the equipment being purchased is crucial to city operations.

**CONTRACT COMPLIANCE**

311419297 -- Expiration 03/09/2007 Resource One Computer Systems, Inc.  
341403269 -- Expiration 06/04/2007 Smart Solutions, Inc.

**Title**

To authorize the Director of Finance and Management, for the Department of Technology to purchase replacement desktop computers and computer related products and equipment on behalf of various city agencies from pre-established universal term contracts with Resource One and Smart Solutions; to authorize the expenditure of \$120,128.00 from the Department of Technology Internal Service Fund; and to declare an emergency. (\$120,128.00)

**Body**

**WHEREAS**, this ordinance authorizes the Director of Finance and Management to establish purchase orders, for the Department of Technology, on behalf of various city agencies, for the purchase of replacement computer equipment; and

**WHEREAS**, desktop computers, computer related products and equipment used by various city agencies are obsolete and no longer meet the City's current minimal specifications/standards and are in need of replacement; and

**WHEREAS**, the replacement of these desktop computers and computer related products and equipment will mitigate computer related performance problems and will ensure that city agencies can continue to operate at peak efficiency; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Technology. the Department of Technology, on behalf of various city agencies, has an immediate need to purchase replacement desktop computers and computer related products and equipment from established universal term contracts with Resource One and Smart Solutions, 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 Finance and Management be and is hereby authorized to purchase replacement desktop computers and computer related products and equipment for the Department of Technology on behalf of various city agencies from established universal term contracts with Resource One and Smart Solutions.

**SECTION 2.** That the expenditure of \$120,128.00 or so much thereof as may be necessary is hereby authorized to be expended from:

Division 47-02 -- Fund 514 -- Subfund 001 -- OCA Code 472411 -- OBJ Level 1 02 -- OBJ Level 03 2193 -- Amount \$8,000.00 - Information Services/End User Computing

Division 47-01 -- Fund 514 -- Subfund 010 -- OCA Code 220247 -- OBJ Level 1 02 -- OBJ Level 03 2193 -- Amount \$25,101.00 - Income Tax

Division 47-01 -- Fund 514 -- Subfund 010 -- OCA Code 450147 -- OBJ Level 1 02 -- OBJ Level 03 2193 -- Amount \$3,760.00 - Finance and Management

Division 47-01 -- Fund 514 -- Subfund 010 -- OCA Code 590747 -- OBJ Level 1 02 -- OBJ Level 03 2193 -- Amount \$3,874.00 - Facilities Management

Division 47-01 -- Fund 514 -- Subfund 010 -- OCA Code 200147 -- OBJ Level 1 02 -- OBJ Level 03 2193 -- Amount \$1,745.00 - City Council

Division 47-01 -- Fund 514 -- Subfund 010 -- OCA Code 460047 -- OBJ Level 1 02 -- OBJ Level 03 2193 -- Amount \$1,135.00 - Human Resources

Division 47-01 -- Fund 514 -- Subfund 010 -- OCA Code 270147 -- OBJ Level 1 02 -- OBJ Level 03 2193 -- Amount

\$1,776.00 - Civil Service

Division 47-01 -- Fund 514 -- Subfund 010 -- OCA Code 500147 -- OBJ Level 1 02 -- OBJ Level 03 2193 -- Amount \$19,551.00 - Health

Division 47-01 -- Fund 514 -- Subfund 010 -- OCA Code 400147 -- OBJ Level 1 02 -- OBJ Level 03 2193 -- Amount \$3,651.00 - Mayor's Office

Division 47-01 -- Fund 514 -- Subfund 010 -- OCA Code 440147 -- OBJ Level 1 02 -- OBJ Level 03 2193 -- Amount \$51,535.00 - Development

**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 approved nor vetoes the same.

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**Legislation Number:** 2004-2006

**Drafting Date:** 11/01/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

Need: The City of Columbus Division of Police has been awarded funding through the S.T.O.P. Violence Against Women Act (VAWA) 2006 initiative. Acceptance and appropriation of the awarded funds are needed for the purchase of a color printer and digital cameras and equipment to document DV Unit cases. The City must act as a subgrantee to the Franklin County Board of Commissioners through the Franklin County Office of Homeland Security and Justice Programs according to the federal grant guidelines. Therefore, the Mayor is required to sign a subgrantee award and contract documents to accept the award on behalf of the city.

FISCAL IMPACT: There is no impact for the City General Fund Account. All appropriated funds are reimbursable by the grant, and the city, through the Division of Police, will use sworn salary for the grant match requirement.

**Title**

To authorize and direct the Mayor of the City of Columbus to accept a subgrantee award and enter into a contract with the Franklin County Board of Commissioners via the Franklin County Office of Homeland Security and Justice Programs for the FY06 DV Unit Violence Against Women Act (VAWA) Grant and to authorize an appropriation of \$4,166.00 from the unappropriated balance of the General Government Grant Fund to the Division of Police for the purchase of a color printer and digital cameras and equipment to document Domestic Violence Unit cases. (\$4,166.00)

**Body**

WHEREAS, the City of Columbus Division of Police has been awarded a FY2006 Violence Against Women Act (VAWA) grant for the purchase of a color printer and digital cameras and equipment to document Domestic Violence Unit cases; and

WHEREAS, the grant award period starts January 1, 2007 and there is a need to accept and appropriate the awarded funds; now therefore

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

Section 1. That the Mayor of the City of Columbus be and is hereby authorized and directed to enter into contract with the Franklin County Board of Commissioners to accept a FY06 Violence Against Women Act (VAWA) subgrantee award for the Domestic Violence Unit FY06 VAWA Project.

Section 2. That from the unappropriated monies in the General Government Grant Fund and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purposes during the grant period, the sum of \$4,166.00 is appropriated as follows:

DIV	FD	OBJ#1	OBJ#3	OCACD	GRANT	AMOUNT
30-03	220	02	2193	337007	337007	2,000.00
30-03	220	02	2206	337007	337007	2,166.00

Section 3. That the monies appropriated in the foregoing Section 2 shall be paid upon order of the Director of Public Safety; 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 this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 2005-2006

**Drafting Date:** 11/01/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

Pay and Display and Pay by Space are emerging, innovative parking technologies that are spreading throughout the United States and the world. Pilot projects are underway in numerous U.S. cities (Oakland and Berkeley, California; Portland, Oregon; Pittsburgh, Pennsylvania; Buffalo, New York; and Baltimore, Maryland).

The Public Service Department, Transportation Division, issued a Request for Information (RFI) to improve Columbus' existing meter operations by demonstrating the viability of and improve customer satisfaction and convenience with Pay and Display and pay by space meter systems. The project was formally advertised in the City Bulletin from June 9, 2006 through July 7, 2006 with responses due on July 7, 2006. The City received five responses to this RFI from Standard Parking, Parcxmart, Duncan Solutions, Inc., J.J. MacKay Canada Limited and Cale Parking Systems USA, Inc. All five companies participated in a demonstration session on July 27, 2006. Four vendors presented credible, valuable systems and have conducted or are conducting pilot demonstration projects in the above-noted communities. Parcxmart gave a demonstration on the use of a "smart card" but did not possess the necessary goods or services for providing Pay and Display and Pay by Space systems and has been excluded from further consideration at this time.

The Public Service Department proposes to conduct a demonstration project of the pay and display and pay by space meter systems. The demonstration project would run for six to eight months beginning approximately January 2007 to August 2007. Meter systems would be installed by the vendors with each vendor installing their particular type of meter system in a unique portion of the demonstration area. The Department in cooperation with the Public Safety Department and Parking Violations Bureau will track, monitor and evaluate each system according to established consumer acceptance, maintenance, enforcement, and budgetary criteria over the demonstration period. Public comment and feedback will be solicited and considered. At the conclusion of the demonstration period the Department will make a final report to City Council with a recommendation to proceed (or not proceed) with the Pay and Display and Pay by Space meter systems on an expanded basis. The demonstration area boundaries are Gay Street between Third Street and High Street; Marconi Boulevard between Nationwide Boulevard and the railroad tracks; Fulton Street between High Street and Front Street and two off-street parking lots located in the Short North (618 and 701 North High Street).

This legislation authorizes the Public Service Director to enter into contract with Cale Parking, Duncan Technologies, MacKay Meters and Standard Parking to provide materials, labor and equipment at no cost to the city, necessary to install and operate Pay and Display and Pay by Space meter systems in five locations in Downtown and the Short North and waives formal competitive bidding requirements to allow for the pilot project. Vendor contract compliance approval is pending with said approval being a condition of contract execution.

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

Emergency action is requested to commence the pilot multi-space parking meter demonstration project in a timely manner and meet vendor commitments.

Title

To authorize the Public Service Director to enter into contract with Cale Parking Systems USA, Inc., Duncan Solutions, Inc., J.J. MacKay Canada Limited and Standard Parking to provide materials, labor and equipment at no cost to the city necessary to install and operate Pay and Display and Pay by Space meter systems at up to five locations in the Downtown and the Short North in connection with the Department's Pilot Multi-Space Parking Meter Project; to waive City Code provisions for competitive bidding; and to declare an emergency. (\$0.00)

Body

**WHEREAS**, Pay and Display and Pay by Space are emerging, innovative parking technologies being deployed throughout the United States and the world; and

**WHEREAS**, the Public Service Director, through the Transportation Division, desires to initiate a Pilot Multi-Space Parking Meter Pilot project to improve Columbus' existing meter operations and increase customer satisfaction and convenience by demonstrating and evaluating the viability of Pay and Display and Pay by Space meter systems; and

**WHEREAS**, it is in the City's best interest that the provisions of competitive bidding be waived for the purpose of conducting said pilot project; and

**WHEREAS**, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that it is immediately necessary to enter into contracts with four vendors to provide materials, labor and equipment necessary to install and operate Pay and Display and Pay by Space meter systems in up to five locations in the Downtown and the Short North areas as a pilot project at no cost to the City in a timely manner, 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 contract with Cale Parking Systems USA, Inc., Duncan Solutions, Inc., J.J. MacKay Canada Limited and Standard Parking to provide materials, labor and equipment at no cost to the City necessary to install and operate Pay and Display and Pay by Space meter systems in up to five locations in the Downtown and the Short North areas as a pilot project.

**SECTION 2.** That the provisions of Chapter 329 of the Columbus City Codes, 1959, are hereby waived.

**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:** 2007-2006

**Drafting Date:** 11/01/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

**BACKGROUND:** Pursuant to ordinance No. 0141-2006, passed by Columbus City Council on February 8, 2006, the Columbus Department of Development applied for, and was awarded, a Clean Ohio Assistance Fund grant of \$750,000.00 from the Ohio Department of Development to perform environmental clean up at the Wheatland Avenue property in the Hilltop Area of Columbus.

The purpose of this legislation is to authorize an agreement between the Columbus Department of Development and the Ohio Department of Development to receive and administer the grant and to authorize Civil and Environmental Consultants to apply the grant funding toward the environmental cleanup at the project site.

The Wheatland Property is situated in the Hilltop Area on the north side of West Broad Street just east of Wheatland Avenue and west of the Ohio Department of Transportation headquarters. The site is 22 acres and was acquired by the City of Columbus from the State of Ohio in 2004 where it formerly served as a psychiatric hospital complex.

With input from Hilltop Area residents, the Columbus Department of Development requested and received developer proposals to convert the site to residential use. Dominion Homes was selected to construct approximately 100 new single-family homes on the site with an average estimated value of \$125,000 per home.

A recent Phase 2 environmental assessment (approved April 25, 2005, Ord. No. 0594-05) conducted by consultants for the Columbus Department of Development revealed the site will require asbestos removal, structural demolition and soil clean up to prepare the site for redevelopment.

In preparation for a Clean Ohio Assistance Fund Grant award, the Columbus Department of Development undertook a Request for Proposal process during May and June of this year where up to 25 bids were solicited to clean and prepare the Wheatland Avenue property under a Clean Ohio Grant should the City be awarded the grant. Civil and Environmental Consultants was selected as the successful bidder.

This legislation is submitted as an emergency to commence the Clean Ohio assistance grant process immediately.

**FISCAL IMPACT:** Funding for this legislation is provided by a Clean Ohio Assistance Fund grant from the Ohio Department of Development in the amount of \$750,000.00.

### **Title**

To authorize and direct the Director of the Columbus Department of Development to enter into an agreement with the Ohio Department of Development to receive and administer Clean Ohio assistance grant funds in an amount of \$750,000.00; to authorize the appropriation of \$750,000.00 from the General Government Grant Fund; to authorize and direct the Director of the Columbus Department of Development to enter into an agreement with Civil and Environmental Consultants to apply said grant funding for environmental clean up work at Wheatland Avenue Property in the Hilltop Area of Columbus; to authorize the expenditure of \$750,000.00 from the General Government Grant Fund; and to declare an emergency. (\$750,000.00)

**Body**

**WHEREAS**, the State of Ohio Clean Ohio Program will award \$40 million per year, for five years, to communities throughout Ohio for the purpose of clean up and redevelopment of contaminated or abandoned properties known as "brownfields"; and

**WHEREAS**, the City of Columbus contains brownfield properties which may qualify for Clean Ohio clean up and redevelopment grant funding; and

**WHEREAS**, the Columbus Department of Development has been involved with brownfield redevelopment since 1999 through its administration of the Columbus Brownfield Redevelopment Program and its associated task force; and

**WHEREAS**, Clean Ohio grant funding will greatly compliment the efforts of the Columbus Department of Development in helping to clean up and redevelop brownfield properties in Columbus; and

**WHEREAS**, the Columbus Department of Development has identified a brownfield property, which is eligible for the Clean Ohio grant assistance fund, at the Wheatland Avenue property where environmental clean up is required before redevelopment can occur; and

**WHEREAS**, the City was successful in its application to the State of Ohio for a Clean Ohio Assistance Fund grant of \$750,000.00 to perform demolition, soil cleanup and asbestos clean up work at the Wheatland Avenue property; and

**WHEREAS**, Agreements with the Ohio Department of Development and Civil and Environmental Consultants are required in order for the City to receive, administer and apply the Clean Ohio assistance grant of \$750,000.00, and;

**WHEREAS**, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to authorize the Director of the Columbus Department of Development to enter into agreements with the Ohio Department of Development and Civil and Environmental Consultants, for Clean Ohio assistance funding in order to commence the Clean Ohio assistance grant process immediately, 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 Columbus Department of Development is authorized to enter into a grant agreement with the Ohio Department of Development to receive and administer Clean Ohio assistance grant funds in the amount of \$750,000.00 for environmental clean up at the Wheatland Avenue property.

**Section 2.** That the sum of \$750,000.00 be and is hereby appropriated from the unappropriated balance of the General Government Grant Fund, Fund 220, Grant 446020, 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 Department of Development, Economic Development Division, Division No. 44-02, Grant 446020, Object Level One 03, Object Level Three 3336, OCA Code 446020.

**Section 3.** That the Director of the Columbus Department of Development is authorized to enter into an agreement with Civil and Environmental Consultants in the amount of \$750,000.00 for environmental clean up work at the Wheatland Avenue property.

**Section 4.** That for the purpose stated in Section 3, the expenditure of \$750,000.00 is hereby authorized from the General Government Grant Fund, Fund 220, Grant No. 446020, Department of Development, Economic Development Division, Division No. 44-02, Object Level Three, 3336, OCA Code 446020.

**Section 5.** That for 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.

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**Legislation Number:** 2008-2006

**Drafting Date:** 11/01/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation****BACKGROUND:** This Ordinance is submitted to settle the lawsuit known as Susan Parsley v. City of Columbus, Case No. 2:05-cv-229 in the United States District Court for the Southern District of Ohio, Eastern Division, in the amount of one hundred forty thousand dollars (\$140,000.00). Ms. Stover is a former employee of the City. Ms. Stover's employment was terminated on December 27, 2004 for being absent without leave after the City determined she was not eligible for Family and Medical Leave Act (FMLA) leave. This determination was erroneous. In her lawsuit against the City, Ms. Stover claims the City willfully interfered with her rights under the FMLA when it failed to designate her leave as FMLA leave resulting in her termination of employment. Ms. Stover also claimed the City failed to accommodate her disability and discriminated and retaliated against her in violation of Ohio Revised Code Chapter 4112.

**FISCAL IMPACT:** Funds have not been specifically budgeted for this settlement but are available in the appropriate amount.

**Title**To authorize and direct the City Attorney to settle the claims brought by Susan Stover (formerly Susan Parsley) against the City of Columbus in the United States District Court for the Southern District of Ohio, Eastern Division, Case No. 2:05-cv-229, to authorize the City Auditor to transfer \$140,000.00 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 One Hundred Forty Thousand and 00/100 Dollars (\$140,000.00) in settlement of this lawsuit, and to declare an emergency. (\$140,000.00)

**Body****WHEREAS**, on March 14, 2005, Susan Stover (formerly Susan Parsley) filed a lawsuit in the United States District Court for the Southern District of Ohio, Eastern Division, Case No. 2:05-cv-229 against the City of Columbus, in which she claimed violations of her rights under the Family Medical Leave Act (FMLA) and violations of state law;

**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 any 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, peace, 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 all claims against the City of Columbus, its officers, agents, and employees pending in the case known as Susan Parsley v. City of Columbus, Case No. 2:05-cv-229, in the United States District Court for the Southern District of Ohio, Eastern Division, by payment of the total of \$140,000.00 as a reasonable and fair amount and in the best interest of the City of Columbus.

Section 2. That the City Auditor be and hereby is authorized and directed to transfer \$140,000.00 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, as follows:

object level one	object level three	OCA	Amount
01	1128	300806	\$10,000.00
03	3324	300806	58,825.53
05	5569	300806	71,174.47

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, as follows:

object level one	object level three	OCA	Amount
01	1128	300806	\$10,000.00
03	3324	300806	58,825.53
05	5569	300806	71,174.47

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: \$10,000 representing income loss subject to all withholding and deductions to Susan Stover, Plaintiff; \$71,174.47 to Susan Stover, Plaintiff; and 58,825.53 to Mike Moore, counsel for Plaintiff.

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.

**Legislation Number:** 2017-2006

**Drafting Date:** 11/02/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

This legislation authorizes the Director of Finance and Management to establish a blanket purchase order for the Division of Sewerage and Drainage to obtain Rental of Construction Equipment with Operator from an established Universal Term Contract. Two (2) suppliers hold the contract for this service.

This contract is utilized for the rental of large equipment for various projects beyond the scope of the Division's personnel. It will be utilized by the Sewer Maintenance Operations Center to provide sanitary and storm sewer line maintenance and rehabilitation. The Purchasing Office has established Universal Term Contract for the option to obtain Rental of Construction Equipment with Operator. Items required will be obtained in accordance with this contract.

This ordinance is contingent on the passage of transfer ordinance number 2016-2006. Emergency legislation is requested so that there is not delays in construction and rehabilitation projects in the last part of 2006 and to provide funding to pay for services prior to passage of the 2007 operating budgets.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation SA001546 GRW. Fifty-six (MAJ:55, MBE:1, FBE:0) bids were solicited; three (MAJ:5) bids were received. Contract expires August 31, 2007.

**SUPPLIERS:**

Travco Construction Co. (71-0948514)

George J. Igel & Company Inc. (31-4214570)

**FISCAL IMPACT:** \$700,000.00 is budgeted and needed for this purchase. Sufficient funds are available to fund this contract.

\$2,700,000.00 has been encumbered in 2006

\$2,400,000.00 was spent in 2005

\$2,600,000.00 was spent in 2004

**Title**

To authorize the Director of Finance and Management to establish a Blanket Purchase Order for the Rental of Construction Equipment with Operator from Universal Term Contracts with Travco Construction Company and George J. Igel for the Division of Sewerage and Drainage; to authorize the expenditure of \$500,000.00 from the Sewerage System Operating Fund, and \$200,000.00 from the Storm Sewer Operating Fund and to declare an emergency. (\$700,000.00)

**Body**

WHEREAS, the Purchasing Office has established a Universal Term Contract for the option to obtain the Rental of Construction Equipment with Operator, with Travco Construction Company and George J. Igel. that expires August 30, 2007 and,

WHEREAS, the Division of Sewerage and Drainage utilizes this contract for sanitary and storm sewer line maintenance and rehabilitation projects, and

WHEREAS, a blanket purchase order will be established in accordance with the Universal Term Contract on file with the Purchasing Office, and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage in that it is immediately necessary to establish blanket purchase orders for the Rental of Construction Equipment with Operator so that there are not delays in construction and rehabilitation projects with Travco Construction Company and George J. Igel 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 Finance and Management be and is hereby authorized to establish a Blanket Purchase Order with Travco Construction Company and George J. Igel based on a Universal Term Contract for the Division of Sewerage and Drainage.

Section 2. That the expenditure of \$700,000.00 or so much thereof as may be needed, be and the same hereby is authorized from:

**Sewerage System Operating Fund, Fund No. 650 (Sewer Maintenance Operations Center)**

OCA 605089

Object Level 1: 03

Object Level 03: 3299

Amount: \$500,000.00

**Storm Sewer Operating Fund, Fund No. 675 (Stormwater Section)**

OCA 675002

Object Level 1: 03

Object Level 3: 3299.

Amount: \$200,000.00

**Total Amount Request: \$700,000.00**

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:** 2018-2006

**Drafting Date:** 11/02/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

This ordinance requests authority for the Director of Public Utilities to pay Delaware County for provision of sewer services incurred during Fiscal Year 2006, based on an agreement entered into in 1991 authorized by Ordinance No. 2424-91. This agreement authorizes discharge of sewage from Delaware County into the sewer system of the City of Columbus and from the City of Columbus system into the Delaware County sewer system in order to avoid duplication of wastewater treatment.

This ordinance is contingent upon passage of transfer ordinance 2016-2006

Emergency legislation is being requested so that payment of the last quarter of 2006 can be made without interruption.

**SUPPLIER:** Delaware County (31-6400065-015)

**FISCAL IMPACT:** \$500,000.00 is needed to cover the estimated charges for the final quarter of 2006.

**Title**

To authorize the Director of Public Utilities to make payment to Delaware County for sewer services provided, to authorize an expenditure of \$500,000.00 from the Sewer System Operating Fund and to declare an emergency. (\$500,000.00)

**Body**

WHEREAS, Ordinance No. 2424-91 authorized an agreement between the City of Columbus and Delaware County based on a determination that it is in the best economic interests of both parties to avoid duplication of sanitary wastewater treatment, and

WHEREAS, this agreement provides for payment by each party for services provided by the other party within certain service area boundaries, and

WHEREAS, funds are budgeted yearly by the Division of Sewerage and Drainage for these payments, and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage in that it is immediately necessary to establish a purchase order to ensure payment for the last quarter of 2006

services with Delaware County 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 is hereby authorized to make payment to Delaware County, based on an agreement authorized by Ordinance No. 2424-91, for provision of sewer services for Fiscal Year 2006.

Section 2. That the expenditure of \$500,000.00 or so much thereof as may be needed, be and the same hereby is authorized from the Sewerage System Operating Fund, Fund No. 650, OCA 605006, Object Level 1: 03, Object Level 03: 3407.

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:** 2020-2006

**Drafting Date:** 11/02/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

Explanation

**Background:** This legislation authorizes the Finance and Management Director to enter into a professional services contract for the Office of Construction Management with HKI Associates, Inc. for professional engineering services associated with the renovation of the exterior of the building at 1393 East Broad Street. The services will include the assessment and investigation of the facility with special attention to the exterior walls, man doors, and windows. Further services will include the assessment and investigation of the parking lot and walkways.

Requests for Proposals were sent to nine firms: Braun & Steidl Architects, Inc., Hardlines Design Company (FBE), Harris Design Services (MBE), HKI Associates (MBE), Meacham & Apel Architects, Inc., Mull & Weithman Architects, Inc., O.A. Spencer, Inc. (MBE), and Shremshock Architects, Inc. The City received two proposals, from HKI Associates, Inc. and Shremshock Architects, Inc. Per City Codes 329.11, the Project Manager and Management Analyst II recommended HKI Associates, Inc. to the Finance and Management Director. The Finance and Management Director agreed with this recommendation. HKI Associates Inc. was selected due to the work they performed on the Maloney Health Center assessment. HKI Associates, Inc. displayed a talent for identifying issues in existing structures. The cost of this contract was negotiated with HKI within the context of the available budget.

**Emergency action** is requested so that the assessment may proceed quickly, thereby facilitating the quick identification of problems areas at 1393 East Broad Street.

**Fiscal Impact:** Sufficient funding for this project is available in the Facilities Management Capital Improvement Fund. HKI Associates, Inc. Contract Compliance Number 31-1305016, expiration date 08/14/2008.

Title

To authorize the Finance and Management Director to enter into contract for the Office of Construction Management with HKI Associates, Inc. for professional engineering services associated with the renovation of the exterior of the building at 1393 East Broad Street; to authorize the expenditure of \$45,000.00 from the Construction Management Capital Improvement Fund, and to declare an emergency. (\$45,000.00).

Body

**WHEREAS**, the Finance and Management Department, Office of Construction Management, desires to evaluate the

exterior of 1393 East Broad Street due to recent discoveries of normal decay, and

**WHEREAS**, it is necessary to complete a full assessment of the exterior of the structure before proceeding to fix said problems, and

**WHEREAS**, it is the recommendation of the Finance and Management Director to contract with HKI Associates, Inc. in order to provide these needed services, and

**WHEREAS**, an emergency exists in the usual daily operation of the Finance and Management Department, Office of Construction Management, in that it is immediately necessary to authorize the Finance and Management Director to contract HKI Associates, Inc. for professional engineering services associated with the renovation of the exterior of the building at 1393 East Broad Street, therefore:

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

**SECTION 1.** That the Finance and Management Director is hereby authorized to contract with HKI Associates, Inc. for professional engineering services associated with the renovation of the exterior of the building at 1393 East Broad Street.

**SECTION 2.** That the expenditure of \$45,000.00, or so much thereof that may be necessary in regard to the action authorized in SECTION 1, be and is hereby authorized and approved as follows:

Department/Division No.: 45-50  
Fund: 733  
Project: 570032  
OCA Code: 733000  
Object Level 1: 06  
Object Level 3: 6681  
Amount: \$45,000.00

**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 or vetoes the same.

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**Legislation Number:** 2021-2006

**Drafting Date:** 11/02/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** As authorized by Ordinance Number 0837-2006, passed May 22, 2006, the City of Columbus, Department of Public Utilities, Division of Power and Water, through the request for Proposal (RFP) process and waiving the provisions of Columbus City Code Article 329.14, negotiated with suppliers to provide a full-requirements contract for capacity and energy system needs at a fixed-price for power. Six proposals were received. It was determined that American Electric Power Service Corporation (AEPSC) met all of our requirements and offered the lowest-priced and most responsive proposal. Upon acceptance of the negotiated price and terms, a contract, DL012676, was established on October 26, 2006, in the amount of \$1.00.

This legislation will authorize the Director of Public Utilities to obtain capacity and energy from AEPSC based upon the agreed upon terms and conditions of the contract and authorizes the expenditure in an amount estimated to cover capacity and energy charges during the interim period between the start of the contract, January 1, 2007, and the passage of the

2007 budget. Upon passage of the budget, additional funding will be requested to fund the needs for the remainder of 2007.

Emergency action is requested in order that the encumbering document may be established and funding in place so that service may begin January 1, 2007 and payments may be made in compliance with the terms of the contract.

Contract Compliance Number: 134922640.

FISCAL IMPACT: \$40,118,505 was budgeted in the 2006 Electricity Operating Fund for purchase power. This expenditure will exceed the budgeted amount, therefore, legislation is being processed to transfer appropriations within the Electricity Operating Fund to meet this need.

### Title

To authorize the Director of Public Utilities to obtain capacity and energy for the Division of Power and Water in accordance with terms and conditions of the contract with American Electric Power Service Corporation (AEPSC) ; to authorize the expenditure of \$4,312,900.00; and to declare an emergency. (\$4,312,900.00)

### Body

WHEREAS, Ordinance Number 0837-2006, passed May 22, 2006, waived the provisions of Columbus City Code Article 329.14, to authorize the Director of Public Utilities to negotiate and enter into contract for purchase power; and

WHEREAS, six proposals were received and through negotiations it was determined the American Electric Power Service Corporation (AEPSC) met all requirements and offered the lowest-priced and responsive proposal; and

WHEREAS, it is immediately necessary to provide funding for the purchase of capacity and energy prior to the expiration of the current contract; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Power and Water, of the Department of Public Utilities, in that it is immediately necessary to obtain and provide funding for capacity and energy 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 Public Utilities be and is hereby authorized to obtain capacity and energy for the Division of Power and Water in accordance with terms and conditions of the contract with American Electric Power Service Corporation (AEPSC).

SECTION 2. That the expenditure of \$4,312,900.00, or so much thereof as may be necessary, is hereby authorized from the Electricity Operating Fund 550, Division 60-07, OCA 600830, Object Level Three 2233.

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:** 2022-2006

**Drafting Date:** 11/03/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

## Explanation

### BACKGROUND:

For Columbus and Central Ohio to prosper in this new century, we must take measures today to assure responsible, sustainable growth for our community. One of the most important environmental challenges facing large metropolitan areas is the disposal of refuse in a safe, economical, and visionary manner. A large part of that waste stream is demolition debris, the by-product of a vigorous and growing economy and while every effort is made to find adaptive reuses for older buildings and structures, sometimes demolition is the only recourse. As part of the "Get Green Columbus" program, and in an effort to foster an environment where recycling is considered a primary alternative for the disposal of demolition debris, this proposed code change would require the recycling or reuse of debris generated from the demolition of all commercial and multi-family structures.

The goal of recycling or reusing 25 % percent of such demolition debris not only makes environmental sense, it also makes economic sense, saving space in landfills and reducing disposal costs. This effort will also foster creation of markets for waste so that it can be recycled into new and useful products; thereby allowing for future increases in both the markets for recycled debris as well as a potential increase and expansion of the demolition debris recycling program. The Columbus Building Commission reviewed this ordinance on July 18, 2006, and again at their monthly public meeting on September 19, 2006, at which time the Columbus Building Commission approved this code change and recommended its adoption by City Council.

### FISCAL IMPACT:

No funding is required for this legislation.

## Title

To modify and amend section 4113.79 of the Columbus Building Code, Title 41, of the Columbus City Code, 1959, in order to set a percentage for the recycling of demolition debris and establish reporting requirements to gauge the success of the program.

## Body

**WHEREAS,** for Columbus and Central Ohio to prosper in this new century, we must take measures today to assure responsible, sustainable growth for our community; and

**WHEREAS,** one of the most important environmental challenges facing large metropolitan areas is the disposal of refuse in a safe, economical, and visionary manner; and

**WHEREAS,** a large part of that waste stream is demolition debris, the by-product of a vigorous and growing economy and while every effort is made to find adaptive reuses for older buildings and structures, sometimes demolition is the only recourse; and

**WHEREAS,** as part of the "Get Green Columbus" program, and in an effort to foster an environment where recycling is considered a primary alternative for the disposal of demolition debris, this proposed code change would require the recycling or reuse of debris generated from the demolition of all commercial and multi-family structures; and

**WHEREAS,** the goal of recycling or reusing 25 % percent of such demolition debris not only makes environmental sense, it also makes economic sense, saving space in landfills and reducing disposal costs; and

**WHEREAS,** this effort will also foster the creation of markets for such wastes so that they can be recycled into new and useful products, thereby allowing for future increases in both the markets for recycled debris as well as a potential increase and expansion of the demolition debris recycling program; and

**WHEREAS,** the Columbus Building Commission reviewed this ordinance on July 18, 2006, and again at their

monthly public meeting on September 19, 2006, at which time the Columbus Building Commission approved this code change and recommended its adoption by City Council; now, therefore,

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

**Section 1.** That the existing Section 4113.79 of the Columbus City Codes, 1959, is hereby amended to read as follows:

**4113.79 Demolition permit.**

(A) A demolition permit shall be issued only to a demolition contractor duly registered with the department pursuant to a proper application accompanied by a notarized statement of the owner of the subject property that said department-registered demolition contractor is agent for such demolition. The work covered by such permit shall commence within fourteen (14) days after the issuance of the permit in a residential area and three (3) months, in a nonresidential area. The demolition permit in a residential area shall be valid for a period of three (3) months renewable for no more than two (2) additional three (3) month periods; a demolition permit in a nonresidential area shall be valid for a period of six (6) months renewable for no more than a six (6) month period. Renewals may be granted by the director, or designee, upon written request and for good cause shown including, but not limited to, a strike, an act of God or other unavoidable circumstance.

**Exception:** For the purposes of the environmental blight abatement program a demolition permit shall be issued to the director, or designee, for removal of an uninhabitable, blighting, single-story, accessory structure such as a garage or shed or similar building pursuant to a proper application.

**Exception:** A demolition permit shall be issued to an occupying homeowner pursuant to a proper application, provided that all work thereunder shall be: (1) done with the homeowner's hands; (2) in conformity with this code; and (3) limited to an uninhabitable, single-story, accessory structure such as a garage or shed only for a single-family residence occupied by no one except the occupying homeowner and family.

(B) A certificate of appropriateness is required prior to the issuance of a demolition permit for any listed property served by the historic resources commission, or any property located in an area served by an architectural review commission as set out in Chapters 3116, and 3319 through 3331, C.C.

(C) In a residential area, a demolition permit shall not be issued unless a written release is obtained from each utility having one (1) or more service connections within the building, including but not limited to gas, electric, water and sewer, stating that such respective service connection and appurtenant equipment: (1) has been removed or sealed and plugged in a safe manner; or (2) will be removed or sealed and plugged in a safe manner at the appropriate time in the event certain utilities are required for demolition procedures.

In a nonresidential area, such written release shall be required from each utility not required by the department-registered demolition contractor; a certificate shall be required from any other utility stating that it will follow through and shut off service at the appropriate time.

(D) If any discrepancies are found in the application the director, or designee, may order an inspection prior to the issuance of a permit. The director, or designee, may order an inspection at any time during the demolition to assure that all required procedures are being followed and that the site is not being used for salvage operations without a proper salvage yard permit, in violation of Chapter 3392 C.C.

(E) The historic resources commission or an architectural review commission, as set out ~~in Title 31 in Chapters 3116 and 3319 through 3331, C.C.~~, shall have forty-five (45) days after the application required by C.C. 3116.06 is received by the commission in which to provide the owner with written denial or a certificate of appropriateness for a demolition permit for property within its jurisdiction. Additional time for appeal may be required. Such permit shall be issued only upon a certificate of appropriateness.

An area commission as set out in Chapter 3111, C.C., shall have forty-five (45) days in which to make a recommendation regarding an application for a demolition permit for property within its jurisdiction. Such permit will not be issued prior to the appropriate body's response or expiration of said review period whichever occurs first.

(F) In a residential area, the demolition permit or a copy thereof shall be posted on the site in plain view no less than forty-eight (48) hours prior to commencement of demolition.

(G) Advance notification shall be made by the department-registered demolition contractor for the owner of the building to be demolished no less than forty-eight (48) hours prior to scheduled commencement of the demolition to the following:

- (1) Each adjoining property owner; and
- (2) The department.

(H) Demolition work in residential areas shall proceed only on weekdays, Monday through Friday, and only between the hours of 7:30 a.m. to 6:00 p.m. The director, or designee, is authorized to extend such days and/or hours only upon demonstration of unreasonable hardship or impracticability. In a nonresidential area, the hours of work will be approved by the director, or designee, and will be governed by location other than residential, traffic and surrounding environment. For the purpose of this section, apartment hotels, hotels and motels shall be included in the term "residential area."

(I) For all structures other than a one-, two-, or three-family dwellings or associated accessory structure, a demolition permit may be issued only after affidavits have been submitted by the applicant and placed on file with the Director attesting to that 25 percent, either by weight or by volume, of the resultant demolition debris shall be recycled. Waste that would be considered a hazardous material shall be excluded in from such percentage. Final inspections shall only be approved after the Department receives and approves a final analysis showing compliance with this section. Appeals to this requirement shall be heard by the Building Commission.

A licensed disposal or transfer facility shall be used for all non-recycled waste and a final analysis shall be provided prior to the final approval of the demolition permit indicated the percentage of recycling achieved and method and materials used. This provision shall not apply to emergency demolitions as required under this building code.  
~~The director, or designee, may order an inspection at any time during the demolition to assure that all required procedures are being followed and that the site is not being used for salvage operations without a proper salvage yard permit, in violation of Chapter 3392 C.C.~~

(J) The department-registered demolition contractor shall call for a final inspection upon completion of the demolition.

**Section 2.** That prior existing section 4113.79 of the Columbus City Codes, 1959, is hereby repealed.

**Section 3.** 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:** 2027-2006

**Drafting Date:** 11/03/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

The purpose of this legislation is to authorize the Director of Finance & Management to establish a blanket order for the purchase of odor control chemicals for the Division of Sewerage and Drainage, Southerly Wastewater Treatment Plant in accordance with an established Universal Term Contract. Odor control chemicals are used during the primary sludge dewatering process.

This ordinance is contingent on the passage of transfer ordinance 1234-2006. Furthermore, this ordinance is being submitted as an emergency measure so that there is not any delay of the supply chain for this chemical which is used for odor control of wastewater treatment. The contract expires on May 31, 2007.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation SA001112). Formal bids were opened on May 13, 2004. One hundred and thirty four (MAJ:127, M1A:6, F1:1) bids solicited; two (MAJ:2) bid received.

The Purchasing Office awarded the contract to the lowest, responsive and responsible bidder, Altivia. Altivia was purchased by US Filter and an assignment ordinance ( #1725-2006) was passed to change the name of the contract holder. Most recently, US Filter was purchased by Siemens and the Purchasing Office is in the process to change the name of the

contract holder for this Universal Term Contract.

**FISCAL IMPACT:** \$200,000.00 is needed for this purchase and is contingent on the passage of Ordinance #1234-2006.

**Title**

To authorize and direct the Finance & Management Director to establish a blanket order for odor control chemicals used during the wastewater treatment process at the Southerly Wastewater Treatment Plant from a Universal Term Contract, to authorize the expenditure of \$200,000.00 from the Sewerage System Operating Fund, and to declare an emergency. (\$200,000.00)

**Body**

**WHEREAS**, the Purchasing Office advertised and solicited formal bids on May 13, 2004 and selected the lowest, responsive, responsible and best bid; and

**WHEREAS**, the Purchasing Office awarded the contract to the lowest, responsive and responsible bidder, Altivia. Altivia was purchased by US Filter and an assignment ordinance (Ordinance # 1725-2006) was passed to change the name of the contract holder and,

**WHEREAS**, most recently, US Filter was purchased by Siemens and the Purchasing Office is in the process to change the name of the contract holder for this UTC.

**WHEREAS**, the Sewerage and Drainage Division uses odor control chemicals used during the primary sludge dewatering process; and

**WHEREAS**, this ordinance is being submitted for consideration as an emergency measure to ensure that the City continues to minimize offensive odors in the treatment of sewage in order to insure a better environment for our community without interruption because without emergency action, no less than thirty-seven days will be added to the procurement cycle and that timing puts the availability of supplies at risk; and

**WHEREAS**, an emergency exists in the usual daily operation of the Sewerage and Drainage Division in that it is immediately necessary to enter into a contract for an option to purchase odor control chemicals thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

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

**Section 1.** That the Director of Finance & Management be and is hereby authorized and directed to enter into a contract for an option to purchase odor control chemicals in accordance with Solicitation SA001112 for the Division of Sewerage and Drainage.

**Section 2.** That the expenditure of \$200,000.00 is hereby authorized from the Sewerage System Operating Fund, Fund 650, OCA: 605055, Object Level 1: 02, Object Level 03: 2204 to pay the cost thereof.

**Section 3.** That for the reasons 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.

Drafting Date: 11/03/2006

Current Status: Passed

Version: 1

Matter Type: Ordinance

### Explanation

#### Background:

The following legislation authorizes the City Attorney to file the necessary complaints for the appropriation of fee simple title in and to real estate necessary for the **Sidewalk Installation Program, COTA Routes Project**.

#### Fiscal Impact:

Funding for this project is from the Department of Public Service, Transportation Division of the Federal State Highway Engineering Fund.

**Emergency Justification:** Emergency action is requested to allow right-of-way acquisition-related activities previously authorized by the Ohio Department of Transportation to be initiated by the City Attorney's Office, Real Estate Division, as soon as possible so that right-of-way acquisition and utility relocation can be completed and certified to the State of Ohio on or before March 1, 2007, as required by the above-referenced Real Estate Agreement.

### Title

To authorize the City Attorney to file the necessary complaints for the appropriation of fee simple title in and to real estate necessary for the **Sidewalk Installation Program, COTA Routes Project**, to authorize the expenditure of \$21,935.00 from the Transportation Division of the Federal State Highway Engineering Fund and to declare an emergency. (\$21,935.00)

### Body

WHEREAS, the City of Columbus, Ohio, a municipal corporation, is engaged in the acquisition of certain real property interests for the **Sidewalk Installation Program, COTA Routes Project**; and

WHEREAS, the Council of the City of Columbus, Ohio, adopted **Resolution No. 0048X-2006, on the 3rd day of April, 2006**, and **Resolution No. 0153X-2006, on the 2nd day of October, 2006** 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 Service, Transportation Division, in that it is necessary to appropriate such real property interests so that there will be no delay in the aforementioned 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 fee simple title in and to the following described real property, be appropriated for the public purpose of the **Sidewalk Installation Program, COTA Routes Project, Project #530790**, 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 Code (1959), Chapter 909;

#### PARCEL 5-WD

Situated in the State of Ohio, Franklin County, City of Columbus, as conveyed to city national bank and trust co. by deed of record in D.V. 3510 PG. 85 (all records herein are from the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Begin, for reference at the centerline intersection of E. Dublin-Granville Road (S.R. 161) and





The Interactive Intelligence's CIC Telephone system used by the Department of Public Utilities runs on a Microsoft Server environment, and is located at 910 Dublin Road, Columbus, Ohio, Room 4111. The system currently handles all calls made to the Division of Power and Water and the Division of Sewerage and Drainage Customer Service Sections, DPW Sales Office, DPW Public Office and the DPW Distribution Maintenance/after-hours emergency line. After the upgrade and installation of new hardware and software, the system will be able to handle calls when the new combined Call Center for Public Utilities is in place including an off-site location at 1250 Fairwood Ave Columbus, Ohio and possibly 3500 Indianola Ave, Columbus, Ohio.

Business process changes within the Division of Power and Water and Division of Sewerage and Drainage have expanded the required availability of the system from 8:00 - 5:00 (Monday through Friday) to a present need for 24x7 services with automatic fail-over to minimize system downtime. The Division of Operational Support has two employees certified by Interactive Intelligence to provide first line support and daily maintenance. It is the intent of the Department of Public Utilities to secure second tier support for both the hardware and software, backed by the appropriate hardware manufacturers and Interactive Intelligence (Software Vendor), in order to provide all reasonable expectation of uninterrupted availability and to further assist the Division of Operational Support in acquiring new hardware including but not limited to servers, switches, patch panels and all necessary telephony cards.

The modification is needed for additional lines that are needed at the Sewer Maintenance Operation Center.

The Director of Public Utilities received Requests for Proposals on March 10, 2006. Five (5) proposals were received. A complete summary of scores and evaluations are attached. An evaluation committee after considering all criteria recommended award to be to PDT Communications Ltd, contract number EL006373.

**SUPPLIER:** PDT Communications Ltd (31-0109794)

**FISCAL IMPACT:** \$26,000.00 is need for this modification.

Emergency action is being requested so that the contract timelines and schedule can be coordinated without interruption to the upgrade of the CIC system.

#### **Title**

To authorize the Director of Public Utilities to modify the contract with PDT Communications Ltd for installation, upgrade and support of the Customer Interaction Center for the Division of Operational Support, to authorize the expenditure of \$8060.00 from the Water Operating Fund, \$10,920.00 from the Sewerage System Operating Fund, \$2,340.00 from the Stormwater Operating Fund and \$4,680.00 from the Electricity Operating Fund and to declare an emergency. (\$26,000.00)

#### **Body**

WHEREAS, The Interactive Intelligence's CIC Telephone system used by the Department of Public Utilities is in need of an upgrade to handle additional calls and service, and

WHEREAS, the Director of Public Utilities received Request for Proposals on March 10, 2006 for the installation, upgrade and support of the CIC, and

WHEREAS, five (5) proposals were received and a committee after review of all criteria and evaluated all proposals recommended an award to be made to PDT Communications, Ltd, and

WHEREAS, the new system be able to handle calls when the new combined Call Center for Public Utilities is in place including an off-site location at 1250 Fairwood Ave Columbus, Ohio and possibly 3500 Indianola Ave, Columbus, Ohio

and,

WHEREAS, it is the intent of the Department of Public Utilities to secure second tier support for both the hardware and software, backed by the appropriate hardware manufacturers and Interactive Intelligence (Software Vendor), in order to provide all reasonable expectation of uninterrupted availability and to further assist the Division of Operational Support in acquiring new hardware including but not limited to servers, switches, patch panels and all necessary telephony cards, and

WHEREAS, the Division of Operational Support wishes to modify contract number EL006373 with PDT Communications Ltd, and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Operational Support in that it is immediately necessary to modify the contract so that the contract timelines and schedule can be coordinated without interruption to the upgrade of the CIC system. with PDT Communications Ltd. 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 modify the contract with PDT Communications Ltd for installation, upgrade and support of the Customer Interaction Center for the Division of Operational Support .

Section 2. That the expenditure of \$26,000.00 or so much thereof as may be needed, be and the same hereby is authorized as follows:

FUND 600  
OCA: 600209  
Object Level 3336  
Amount: \$8060.00

FUND 650  
OCA: 600205  
Object Level 3336  
Amount: \$10,920.00

FUND 675  
OCA: 600215  
Object Level 3336  
Amount: \$2,340.00

FUND 550  
OCA: 600207  
Object Level 3336  
Amount: \$4,680.00

**TOTAL AMOUNT OF REQUEST: \$26,000.00**

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.

**Legislation Number:** 2038-2006

**Drafting Date:** 11/06/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

## **Explanation**

### **BACKGROUND:**

The purpose of this legislation is to authorize the Director of Finance and Management to enter into contract for the purchase of a wide format color copier, scanner and plotter for the Department of Technology, on behalf of the Department of Public Service, Transportation Division, with Oce North America, Inc. The wide format color copier, scanner and plotter will replace " end-of-life " equipment that is currently malfunctioning.

Bids were solicited by the Purchasing Office.

The Purchasing Office opened formal bids, SA002150 on September 28, 2006. Three (3) bids were received. A tabulation of the bids is listed below:

Franklin Imaging, \$38,741.00 - bid did not include service or ISO 9000 service department certification

Widecom Inc., \$12,400.00 - bid does not meet specification for the machine or service requirements.

Oce North America, Inc. - \$44,447.20

The bidder's lists included three potential bidders.

### **CONTRACT COMPLIANCE NUMBER:**

**Supplier:** Oce North America, Inc. - 061070101      **Expiration Date:** 02/06/2007

### **FISCAL IMPACT:**

Funds are available and budgeted for this expenditure.

### **EMERGENCY DESIGNATION:**

Emergency designation is being requested to immediately facilitate this purchase as the equipment being purchased is crucial to city operations.

## **Title**

To authorize the Director of Finance & Management to establish a contract with Oce North America, Inc. for the purchase of a wide format color copier, scanner and plotter for the Department of Technology, on behalf of the Department of Public Service, Transportation Division, and to authorize the expenditure of \$44,447.20 from the Technology Department Information Services Fund; and to declare an emergency. (\$44,447.20)

## **Body**

**WHEREAS**, the Department of Technology, on behalf of the Department of Public Service, Transportation Division, has a need for a wide format color copier, scanner and plotter, and

**WHEREAS**, the Purchasing Office opened formal bids on September 28, 2006 via SA002150 and three (3) bids were received, and

**WHEREAS**, a recommendation has been made to the lowest, responsive and responsible and best bidder, Oce North America, Inc. and

**WHEREAS**, a purchase order will be issued in accordance with the terms and specifications of Solicitation Number: SA002150 on file in the Purchasing Office; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Technology. The Department of Technology has an immediate need to encumber funds for the purchase of a wide format color copier, scanner and plotter,

such equipment being crucial to city operations, thereby preserving the public health, peace, property, safety and welfare; now, therefore

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

**SECTION 1.** That the Director of Finance & Management be and is hereby authorized to establish a contract with Oce North America, Inc. for the purchase of a wide format color copier, scanner and plotter for the Department of Technology, on behalf of the Department of Public Service, Transportation Division, in accordance with specifications on file in the Purchasing Office.

**SECTION 2.** That the expenditure of \$44,447.20 or so much thereof as may be necessary is hereby authorized to be expended from:

**Div.:** 47-01| **Fund:** 514| **Subfund:** 599| **OCA:** 514599| **Obj. Level 1:** 06| **Obj. Level 3:** 6649| **Amount:** \$44,447.20.

**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:** 2044-2006

**Drafting Date:** 11/07/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**In accordance with figures projected in the third quarter financial review, it is necessary to transfer projected character 01, and character 03 surpluses within the City Treasurer's 2006 budget to the Parking Violations Bureau.

The funds are being transferred to Character 06 for the purchase of 2 vehicles for the Parking Meter Collection section of the division. It has been over 5 years since any new vehicles have been purchased and the current fleet has vehicles over 10 years old still in operation. The maintenance and upkeep costs of these older vehicles are starting to exceed their value and thus, are in need of replacement. The 2 new vehicles will be purchased via the City's universal term contracts.

**Title**To authorize and direct the City Auditor to transfer funds within the General Fund; from the City Treasurer to the Parking Violations Bureau and to declare an emergency (\$37,040).

**Body**

WHEREAS: A need exists in the daily operation of the City Treasurer, Parking Violations Bureau that it is necessary to

transfer funds among characters within the budget to reflect projected expenditures in the third quarter financial review, and;

WHEREAS: a need exists in the daily operation of the Parking Violations Bureau to replace vehicles that are in need of replacement due to age and service needs.

WHEREAS: the transferred funds will be used to acquire 2 vehicles off the City's UTC's, and;

WHEREAS: an emergency situation exists in the usual daily operation of the Parking Violations Bureau, division of the City Treasurer, in order to meet the necessary year end budget requirements it is immediately necessary to transfer funds for the aforementioned purpose, 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 is hereby authorized to direct the appropriation and transfer of \$37,040 as follows:

Transfer From:

SUB-FUND	DEPT-DIV	NAME	OCA	OBJ LEVEL	AMOUNT
01-100	23-01	City Treasurer		230227 1101	\$22,000
01-100	23-01	City Treasurer		230227 3348	\$15,040

Transfer To:

SUB-FUND	DEPT-DIV	NAME	OCA	OBJ LEVEL	AMOUNT
01-100	23-03	Parking Violations		230301 6650	\$37,040

Section 3. That for the reasons stated in the preamble hereto, which is 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:** 2045-2006

**Drafting Date:** 11/07/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND**

This ordinance authorizes the Administrative Judge of the Franklin County Municipal Court to modify and extend its contract with the National Alliance for the Mentally Ill Ohio (NAMI Ohio) for provision of a crime prevention specialist in connection with grants from the Franklin County Office of Criminal Justice Programs (CEPG) and Homeland Security and the Alcohol, Drug and Mental Health Board of Franklin County (ADAMH) for the Court's mental health program docket.

The Court has received notification from the ADAMH Board that the term of the grant supporting this contract has been

extended until March 31, 2007.

NAMI Ohio's contract compliance number is 311073968.

**FISCAL IMPACT**

No additional funds will be added to this contract. The Court will use the funds available to extend the contract for the crime prevention specialist for the Court's mental health program docket.

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.

**Title**

To authorize and direct the Administrative Judge of the Franklin County Municipal Court to modify and extend the contract with National Alliance for the Mentally Ill Ohio for provision of a crime prevention specialist for the Court's mental health docket; and to declare an emergency. (\$0.00)

**Body**

**WHEREAS**, grants from the Franklin County Office of Criminal Justice Programs and Homeland Security and the Alcohol, Drug and Mental Health Board of Franklin County (ADAMH) have been awarded to assist in providing crime prevention support for the Franklin County Municipal Court's mental health docket; and

**WHEREAS**, National Alliance for the Mentally Ill (NAMI) Ohio has been the agency providing crime prevention support for the mental health docket; and

**WHEREAS**, the term for this grant has been extended until March 31, 2007 and there are funds remaining to extend beyond the end of 2006 with which to provide crime prevention support for the mental health docket; and

**WHEREAS**, an emergency exists in the usual daily operation of the city, in that it is immediately necessary to authorize the contract modification and extension with NAMI Ohio for continuation of enhanced services for the Court's mental health docket, 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 Administrative Judge of the Franklin County Municipal Court be and is hereby authorized to modify and extend the contract with NAMI Ohio for provision of contract crime prevention specialist support of the mental health docket for the period ending March 31, 2007.

**SECTION 2.** That the City Auditor is authorized to make any accounting changes necessary to ensure that these transactions are properly accounted for and recorded accurately on the city's financial records.

**SECTION 3.** 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:** 2047-2006

**Drafting Date:** 11/07/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

BACKGROUND: For the option to purchase Interactive Voice Response (IVR), Call Center Management Information System (CCMIS) and Automated Call Distribution (ACD) software, hardware and related services for the Department of Technology The term of the proposed option contract would be three (3) years. Contract is through December 31, 2009. There will be three (3) one years options to renew contingent upon agreement by both parties. The Purchasing Office opened formal bids on May 11, 2006.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.14 (Solicitation SA001942JY. One Hundred and Forty-Eight (148) (MAJ:139, MBE:8, FBE:1) bids were solicited; Ten (10) (MAJ:9, F1:1) bids were received.

The Purchasing Office, behalf of the Department of Technology is recommending award to:

PDT COMMUNICATIONS, LTD MAJ, CC: 32-0109794 (Expires 10-13-08)

Total Estimated Annual Expenditure: \$5 0,000.00

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

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

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Purchasing UTC Fund. The Department of Technology will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

#### **Title**

To authorize and direct the Finance & Management Director to enter into a citywide contract with PDT Communications, Ltd. for the option to purchase Interactive Voice Response (IVR), Call Center Management Response Information System (CCMIS) and Automated Call Response (ACL) software, hardware and related services and to authorize the expenditure of one dollar to establish the contract from the Purchasing/UTC Fund, and to declare an emergency. (\$1.00).

#### **Body**

WHEREAS, the Purchasing Office advertised and solicited formal bids on May 11, 2006 and selected the lowest, responsive, responsible and best bids; and

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

WHEREAS, because this software, hardware and related services for the IVR, CCMIS and ACL will be used to keep and maintain city agency communication systems functioning, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Technology in that it is immediately necessary to enter into a contract for an option to purchase IVR, CCMIS and ACL software, hardware and related 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 & Management Director be and is hereby authorized and directed to enter into the

following contract for an option to purchase IVR, CCMIS and ACL software, hardware and related services in accordance with Solicitation SA001942JY as follows:

PDT Communications, LTD, All Items; Amount: \$1.00

SECTION 2. That the expenditure of \$1.00 is hereby authorized from Purchasing UTC 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:** 2049-2006

**Drafting Date:** 11/07/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**Background:**

This ordinance will authorize the appropriation and expenditure of \$50,000.00 from the Recreation and Parks Golf fund 284 and will enable the Finance and Management Director to establish a purchase order with Textron Golf Turf and Specialty Products to provide adequate funding through December 31, 2006, to lease golf cars at the Columbus Municipal Golf Courses in accordance with the terms of the Universal Term Contracts.

The Purchasing Office has established Universal Term Contract #CT-17916 for the option to lease golf cars which began January 1, 1997, and by modification ends December 31, 2006;

And

The Purchasing Office has established Universal Term Contract #FL0029247 for the option to lease golf cars which began January 1, 2006 and shall be in effect to and including December 31, 2011.

The contracts are staggered for 2006 (last year of CT-17916 for Raymond, Turnberry, Walnut and Wilson Golf Courses, and first year of FL0029247 for Airport, Mentel, and Champions Golf Courses). Under the terms and conditions of the contracts the City annually renews and funds it lease.

Contract Compliance: Textron Golf Turf & Specialty Products 05-0315468.

Emergency legislation is requested to have funding available and to set up the purchase order for expenditures.

**Fiscal Impact:**

\$50,000 is required and budgeted in the Golf Course Operations Fund to meet the financial obligation of this contract.

**Title**

To authorize and direct the Finance and Management Director to set up a purchase order with Textron Golf Turf and Specialty Products to provide adequate funding through December 31, 2006 for golf cars, in accordance with the terms of the Universal Term Contracts, to authorize the appropriation and expenditure of \$50,000.00 from the Golf Course Operations Fund, and to declare an emergency. (\$50,000.00)

**Body**

**WHEREAS**, the Purchasing Office has established Universal Term Contracts for the option to lease riding golf cars; and

**WHEREAS**, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to enter into said purchase for expenditures; now, therefore

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

**Section 1.** That the Director of Finance and Management be and he is hereby authorized and directed to set up a purchase order with Textron Golf Turf and Specialty Products to provide adequate funding of the lease through December 31, 2006 for golf cars for the Recreation and Parks Department, in accordance with the terms and conditions of the Universal Term Contracts CT-17916 and FL0029247.

**Section 2.** That the City Auditor is hereby authorized to appropriate \$50,000.00 to the Recreation and Parks Golf Fund No. 284, Dept 51-03, OCA #516005, Object Level 3- 3305.

**Section 3.** That the expenditure of \$50,000.00, or so much thereof as may be necessary, be and is hereby authorized from the Golf Course Operations Fund, Department Number 51-03, Fund Number 284, as follows, to pay the cost thereof.

<u>Fund Type</u>	<u>Items</u>	<u>Object Level 3</u>	<u>OCA Code</u>	<u>Amount</u>
Operating	Golf Car Rental	3305	516005	\$50,000.00

**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:** 2050-2006

**Drafting Date:** 11/08/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**Background:** This legislation authorizes the Public Service Director to enter into a contract for the Transportation Division for a professional services engineering contract for the General Engineering Bridges project with Jones Stuckey Ltd., Inc. in the amount of \$300,000.00. Requested engineering services are primarily targeted towards the detailed evaluation and improvement of bridges and culverts. Associated services include the design of bridges and culverts, and the plans to repair existing structures. Any curb ramps that are needed will be designed to ADA specifications. The design will also investigate the need, if any, for additional storm water facilities.

A professional services contract for engineering is needed to assure timely completion of this design work and The Transportation Division does not maintain adequate staff or all of the various disciplines necessary to complete such design in house.

The selection process for the professional service contract has been done in accordance with provisions of Chapter 329.12 and 329.13 of Columbus City Codes 1959. Eleven firms submitted proposals: of these eleven, 9 were majority firms, 1

was a minority firm, and I was a female owned business

The evaluation committee determined that Jones Stuckey Ltd., Inc., CC #310723296, submitted the best overall proposal at a competitive price for this work.

Emergency action is requested so that this project can proceed in a timely manner. Plans for several of the projects to be included in this general engineering project need to be prepared as soon as possible to prevent possible safety issues with the bridges and culverts involved.

**Fiscal Impact:** Funds in the amount of \$300,000.00 are budgeted and available in the 1995, 1999, 2004 Voted Streets and Highways Fund for the Transportation Division.

**title**

To authorize the Director of Public Service to enter into a professional service contract with Jones Stuckey Ltd., Inc. for the preliminary engineering of the General Engineering Bridges project and to authorize the expenditure of \$300,000.00 from the 1995, 1999, 2004 Voted Streets and Highways Fund for the Transportation Division; and to declare an emergency (\$300,000.00).

**body**

**WHEREAS**, the Director of Public Service has identified the need to enter into a professional service contract for the preparation of preliminary engineering for the General Engineering Bridges project and;

**WHEREAS**, the Transportation Division received and evaluated proposals in accordance with the provisions of Section 329.13 of the Columbus City Codes, 1959; and

**WHEREAS**, a satisfactory proposal has been submitted by Jones Stuckey Ltd., Inc; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service, Transportation Division, in that the contract should go forth immediately so that the work may proceed without delay so that safety issues with bridges and culverts can be designed, 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 Public Service be and is hereby authorized to enter into a contract with Jones Stuckey Ltd., Inc, in the amount not to exceed \$300,000.00 for the preliminary engineering of the General Engineering Bridges project.

**Section 2.** That for the purpose of paying the cost thereof, the sum of \$300,000.00 or so much thereof as may be needed, is hereby 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 6682, OCA Code 644385, Project Number 530301 (City Bridge Rehabilitation), to pay the cost thereof.

**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.

**Drafting Date:** 11/08/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

## **Explanation**

### **BACKGROUND:**

As there has been strong growth in the field of medical gas installations coinciding with strong growth of the medical field at large, the state of Ohio has offered, as an option for local jurisdictions, the ability to assume the plan review and inspection function for medical gas installations. Fees to be charged, which were included in the most recent amendments to the Building Services Division Fee Schedule in anticipation of this change, are commensurate with those being charged by other local jurisdictions, including Franklin County, that have already exercised this option for local review and inspection.

Local regulation of the plan review, installation and inspection of such medical gas piping will allow for an increase in customer service in both the plan review area and in the area of required field inspections as more inspectors will be available locally than currently are assigned by the state to cover inspections in all of Ohio. This will assist in furthering the goal of creating a true "One-Stop Shop" as these additional services will provide a single point of contact for all plan review aspects, including the medical gas portion formerly handled under a separate process by the state of Ohio and for local scheduling of the resulting required inspection. The Columbus Building Commission reviewed this ordinance on September 19, 2006 and again at their monthly public meeting on October 17, 2006, at which time the Columbus Building Commission approved this code change and recommended its adoption by City Council.

### **FISCAL IMPACT:**

New fees, which were included in the most recent fee schedule amendments in anticipation of this change, are in line with other local jurisdictions that have exercised this option and are expected to cover all costs associated with the new plan review and inspection program.

## **Title**

To supplement the Columbus City Codes, 1959, by creating a new section in Chapter 4113 of the Columbus Building Code, Title 41, numbered 4113.83, in order to provide for local plan review and installation inspection of medical gas piping as allowed by option under state code.

## **Body**

**WHEREAS,** as there has been strong growth in the field of medical gas installations coinciding with strong growth of the medical field at large, the state of Ohio has offered, as an option for local jurisdictions, the ability to assume the plan review and inspection function for medical gas installations; and

**WHEREAS,** fees to be charged, which were included in the most recent amendments to the Building Services Division Fee Schedule in anticipation of this change, are commensurate with those being charged by other local jurisdictions, including Franklin County, that have already exercised this option for local review and inspection; and

**WHEREAS,** local regulation of the plan review, installation and inspection of such medical gas piping will allow for an increase in customer service in both the plan review area and in the area of required field inspections as more inspectors will be available locally than currently are assigned by the state to cover inspections in all of Ohio; and

**WHEREAS,** this will assist in furthering the goal of creating a true "One-Stop Shop" as these additional services will provide a single point of contact for all plan review aspects, including the medical gas portion formerly handled under a separate process by the state of Ohio and for local scheduling of the resulting required inspection; and

**WHEREAS,** the Columbus Building Commission reviewed this ordinance on September 19, 2006 and again at their monthly public meeting on October 17, 2006, at which time the Columbus Building Commission approved this code

change and recommended its adoption by City Council; now, therefore,

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

**Section 1.** That Columbus City Codes, 1959, is hereby supplemented by new Section 4113.83 to read as follows:

**4113.83 Nonflammable medical gas system.**

(A) No person shall alter, construct, install, and/or repair any nonflammable medical gas system, inhalation anesthetic system, and vacuum piping system defined by the Ohio Administrative Code (OAC) Chapters 4101:3 - 4101:13 - "Ohio Plumbing Code" (OPC) within the city without first obtaining a medical gas system permit from the department to perform such work. No owner, or person having charge of any property within the city, shall cause or allow any such work to be performed on such premises without a medical gas system permit having been first obtained therefore and the prescribed fee having been paid. Any person or company performing permitted work on a regulated system shall be appropriately certified and provide proof of such certification upon request at time of inspection.

(B) Definitions:

(1) A medical gas system is the complete system to convey medical gases for direct patient application from central supply systems (bulk tanks, manifolds, and medical compressors), with pressure and operating controls, alarm warning systems, related components, and piping networks extending to station outlet valves at patient use points.

(2) A medical vacuum system is a system consisting of central-vacuum producing equipment with pressure and operating controls, shutoff valves, alarm-warning systems, gauges, and a network of piping extending to and terminating with suitable station inlets at locations where patient suction may be required.

(C) Medical gas system permit fees shall be calculated according to the fee schedule and shall be paid before commencing work.

**Section 2.** That prior existing section 4113.83 of the Columbus City Codes, 1959, is hereby repealed.

**Section 3.** 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:** 2054-2006

**Drafting Date:** 11/08/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**Background:** This legislation authorizes the Public Service Director to reassign a service contract from Computran Systems Corporation to Computran Systems Engineering, L.L.C. This contract under City Purchase Order Number ED024678 is for software support services for the City's Computerized Traffic Signal System. The reassignment is necessary because there was an effective merger of the business interests of Computran Systems Corporation and Dunn Engineering Associates, who formed Computran Systems Engineering L.L.C. for that purpose.

This ordinance officially recognizes these changes as required by the City Auditor's Office and assigns all past, present, and future transactions with Computran Systems Corporation to Computran Systems Engineering, L.L.C.

**Emergency action** is requested to effect these changes as soon as possible to promote accurate recording of transactions

and allow uninterrupted business with this firm.

**Fiscal Impact:** No additional funding is required for these assignments.

**title**

To authorize the Public Service Director to assign all past, present, and future City of Columbus business transactions with Computran Systems Corporation to Computran Systems Engineering, L.L.C., and to declare an emergency. (\$-0-)

**body**

**WHEREAS**, the Public Service Department, Transportation Division, has engaged in an ongoing business relationship with Computran Systems Corporation; and

**WHEREAS**, Computran Systems Corporation has transitioned to Computran Systems Engineering, L.L.C.; and

**WHEREAS**, these changes have been documented by written communications from the vendor involved; and

**WHEREAS**, the City Auditor's Office requires that these changes be officially acknowledged by City Council; and

**WHEREAS**, to facilitate the Transportation Division's uninterrupted payments to these vendors, it is necessary to assign all past, present, and future business to their successor firms; and

**WHEREAS**, an emergency exists in the usual daily operation of the Transportation Division, Public Service Department, in that it is immediately necessary to make these assignments to promote accurate recording of transactions and allow uninterrupted business with these firms, 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 assign all past, present, and future City business relative to the software support services for the City's Computerized Traffic Signal System (ED024678) with Computran Systems Corporation to Computran Systems Engineering, L.L.C., 100 First Street Suite 300, Hackensack, NJ 07601, vendor number 204160738 and execute all documents relating thereto.

**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:** 2055-2006

**Drafting Date:** 11/08/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** This legislation authorizes the City Clerk to report to the Auditors of Franklin and Fairfield Counties in Ohio, all charges which are due to the City of Columbus, Department of Development and are certified for payment to said County Auditor in conformance with Sections 701.07 through 701.19 of the Columbus City Code for weed and solid waste removal. The 2001 Budget transferred responsibility for weed and solid waste abatement activities from the Columbus Health Department to the Department of Development. In the assessment period covered by this legislation (May 1st through October 31st, 2006), owners of 1290 properties within Columbus were notified to abate weed and solid waste nuisances. Those properties where violations were not abated were turned over to the Environmental Nuisance Weed and Solid Waste Program for compliance. Abatement was completed using the services of private and/or City contractors. This

legislation provides for assessment of the costs associated with the weed and solid waste abatement process.

Emergency action is required so that assessments can be placed on the January 2007 tax duplicate.

**FISCAL IMPACT:** No funding is required for this legislation. This legislation provides a mechanism for recovery of costs associated with the weed and solid waste abatement program.

**Title**

To authorize assessments for weed and solid waste removal on properties in violation of weed and solid waste regulations as set forth in the Columbus City Code; and to declare an emergency.

**Body**

**Whereas**, the owners of certain vacant lots and structures in the City of Columbus have allowed the growth of noxious weeds, grasses and/or the accumulation of solid waste on their properties; and

**Whereas**, said owners have been duly notified of the requirements of the law in such circumstances; and

**Whereas**, said owners have failed to provide mowing services and solid waste removal as set forth in Section 701.07 through Section 701.19 of the Columbus City Code; and

**Whereas**, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to authorize assessments for weed and solid waste removal on properties in violation of weed and solid waste regulations as set forth in the Columbus City Code in order to preserve 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 assessment of the owners of certain lots and structures in the City of Columbus who have failed to provide the necessary mowing and solid waste removal services required by Sections 701.07 through 701.19 of the Columbus City Code, be and is hereby authorized in order to cover costs incurred by the City of Columbus, Department of Development, Neighborhood Services Division, in carrying out the provisions of said sections.
- Section 2.** That the City Clerk shall report to the Franklin and Fairfield County Auditors all charges which are due to the City of Columbus, Department of Development, Neighborhood Services Division, and are certified for payment to the County Auditor in conformance with Sections 701.07 through 701.19 of the Columbus City Code.
- Section 3.** That said funds, upon reimbursement from the Franklin and Fairfield County Auditor, shall be deposited in the General Fund, Fund No. 010 and the Community Block Grant Fund, Fund No. 248, to repay the costs incurred for weed mowing and solid waste abatement services.
- Section 4.** 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.

**Drafting Date:** 11/08/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

**BACKGROUND:** This legislation authorizes the Director of the Department of Development to amend several Empowerment Zone contracts with the Columbus Compact Corporation by granting time extensions to Economic Opportunities contract DL007854, Neighborhood Life contract DL011081, and Community Values and Cultural Life contract DL011077. The original contracts were scheduled to expire on June 30, 2005. Per a Compact board-approved proposal, the modifications will extend the contracts through December 31, 2007, an extension of thirty (30) months. Additionally, DL010139 was scheduled to expire on August 31, 2006 and will be modified to extend through December 31, 2007, an extension of sixteen (16) months. This legislation is necessary to allow Columbus Compact's sub-recipient contracts allocated under these programs to close out and continue to administer on-going activities related to Round II centerpiece Initiatives of the Empowerment Zone Strategic Plan.

This legislation is presented as an emergency to provide the Columbus Compact with additional time to implement on-going programs without interruption.

**FISCAL IMPACT:** None. No additional funds are required.

### **Title**

To authorize the Director of Development to amend four Empowerment Zone contracts with the Columbus Compact Corporation by extending the term of the contracts to December 31, 2007; and to declare an emergency.

### **Body**

**WHEREAS**, the Director of the Department of Development desires to amend several Empowerment Zone (EZ) contracts: EZ Economic Opportunities contract DL 007854, EZ Neighborhood Life contract DL011081, and EZ Community Values and Cultural Life contracts DL011077 and DL010139 with the Columbus Compact Corporation by extending the contracts through December 31, 2007; and

**WHEREAS**, these amendments will provide the Columbus Compact Corporation with additional time to provide EZ Economic Opportunity, Community Values & Cultural Life and Neighborhood Initiatives on behalf of the City; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to amend the aforementioned contracts with the Columbus Compact Corporation by extending the time of the contracts through December 31, 2007, all for the preservation of the public health, peace, property, safety and welfare; NOW, THEREFORE,

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

**Section 1.** That the Director of the Department of Development is hereby authorized to amend Empowerment Zone Economic Opportunity Contract No. DL007854, Empowerment Zone Community Values & Cultural Life Contracts No. DL011077 & DL010139, and Empowerment Zone Neighborhood Life Contract No. DL011081 with the Columbus Compact Corporation by extending the contracts through December 31, 2007.

**Section 2.** That these modifications are awarded 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 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:** 2057-2006

**Drafting Date:** 11/08/2006

**Version:** 2

**Current Status:** Passed

**Matter Type:** Ordinance

### Explanation

**BACKGROUND:** The need exists to amend the Enterprise Zone and Jobs Creation Tax Credit legislation with DSW Inc. and 4300 Venture 34910 LLC. Columbus City Council approved an EZA and a JCTCA by Ordinance No. 1364-2006 on July 24, 2006. The legislation authorized the Director of Development to enter into an Enterprise Zone Agreement with DSW Inc. and 4300 Venture 34910 LLC (lessor) for a real estate tax abatement of 75% for a period of ten years and a personal property tax abatement of 75% for a period of three years and to enter into an agreement with DSW Inc. for a 65%/8 year Jobs Creation Tax Credit in consideration of a proposed \$6,500,000 investment in real property improvements, the investment of \$2,000,000 in personal property, the retention of 195 full-time permanent jobs and the creation of 75 full-time permanent jobs.

The project site is currently warehouse space located at 4030 East Fifth Avenue and is approximately 100 yards from their current headquarters site located at 4150 East Fifth Avenue. The project will convert 147,000 square feet of current warehouse space into a new headquarters. This amendment is needed so as to clarify the fact that (i) some of the retained jobs may from time to time be physically located at the DSW facility that is adjacent to the project site, and (ii) that the agreed upon number of jobs that DSW Inc. shall create or cause to be created will be created through DSW Inc., its subsidiaries, and/or affiliates.

This legislation is submitted as an emergency in order to allow DSW to begin investing and creating jobs as quickly as possible.

**FISCAL IMPACT:** No funding is required for this legislation.

### Title

To amend Ordinance No. 1364-2006, passed on July 24, 2006, that authorized the Director of Development to enter into agreements with DSW Inc. and 4300 Venture 34910 LLC for tax abatements in order to clarify the jobs retention requirement and that the agreed upon number of jobs will be created through DSW Inc., its subsidiaries, and/or affiliates. ~~and to declare an emergency.~~

### Body

**WHEREAS**, the Columbus City Council approved the authorization for the Director of Development to enter into an Enterprise Zone Agreement (EZA) and Jobs Creation Tax Credit Agreement (JCTCA) with DSW Inc. and 4300 Venture 34910 LLC on July 24, 2006 by Ordinance No. 1364-2006; and

**WHEREAS**, the Enterprise Zone Agreement (EZA) would provide a 75%/10 year incentive on real property improvements and a 75%/3 year incentive on personal property investment to DSW Inc. and 4300 Venture 34910 LLC and the Jobs Creation Tax Credit Agreement (JCTCA) would grant a 65%/8 year incentive to DSW Inc.; and

**WHEREAS**, DSW Inc. and 4300 Venture 34910 LLC agreed to build a new headquarters for DSW Inc. at 4030 East Fifth

Avenue in Columbus, a location approximately 100 yards from the current headquarters of DSW Inc. located at 4150 East Fifth Avenue by converting the 147,000 square feet of warehouse space into the new headquarters for DSW Inc.; and

**WHEREAS**, DSW Inc. and 4300 Venture 34910 LLC agreed to invest approximately \$6,500,000 in real property improvements within the City and invest in approximately \$2,000,000 in personal property within the City; and

**WHEREAS**, DSW Inc. agreed to retain 195 (one hundred ninety-five) full-time permanent jobs and create 75 (seventy-five) new full time permanent jobs; and

**WHEREAS**, a need exists to amend the legislation, Ordinance Number 1364-2006, to reflect the fact that DSW shall create or cause to be created (e.g., through its subsidiaries or affiliates) 75 (seventy-five) new full time permanent jobs;  
**NOW, THEREFORE and**

~~**WHEREAS**, an emergency exists in the usual daily operations of the Department of Development in that it is immediately necessary to amend the Enterprise Zone and Jobs Creation Tax Credit legislation with DSW Inc. and 4300 Venture 34910 LLC, created via Ordinance No. 1364-2006, all 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 Director of Development is hereby authorized to amend the existing legislation (Ordinance No. 1364-2006) that authorized the Director of Development to enter into an agreement with DSW Inc. and 4300 Venture 34910 LLC (lessor) for a real estate tax abatement of seventy-five percent (75%) for a period of ten (10) years and a personal property tax abatement of seventy-five percent (75%) for a period of three (3) years, and a 65%/8 year Jobs Creation Tax Credit, in consideration of a proposed \$6,500,000 investment in real property improvements, the investment of \$2,000,000 in personal property (machinery & equipment, furniture & fixtures, and stand-alone computers), to reflect that DSW Inc will retain 195 (ninety-five) full-time permanent jobs, and that DSW Inc. shall create or cause to be created (e.g., through its subsidiaries or affiliates: DSW Shoe Warehouse, Inc., eTailDirect LLC, Brand Technology Services LLC, Brand Care Services LLC) 75 (seventy-five) new full time permanent jobs.

**Section 2.** That the City of Columbus Enterprise Zone Agreement be signed by DSW Inc. and 4300 Venture 34910 LLC within ninety (90) days of passage of this ordinance, or this ordinance and the abatements authorized herein are null and void.

~~**Section 3.** That for 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 the 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:** 2058-2006

**Drafting Date:** 11/09/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** In 1993 the State of Ohio passed House Bill 152, which requires the Division of Power and Water to

pay operating license fees for the three water treatment plants. This fee is based upon the number of service connections. This is the 14th year for this payment. It is requested that this Ordinance be handled in an emergency manner in order to retain this operating license without an interruption. This fee is payable to the Treasurer, State of Ohio, Ohio Environmental Protection Association by December 31st. Their Federal Identification Number is 31-6402047 (082).

**FISCAL IMPACT:** The Division of Power and Water has allocated \$210,000.00 in the 2006 Budget for this expense.

\$ 204,000.00 was expended for this purpose in 2005.

\$ 201,393.92 was expended for this purpose in 2004.

**Title**

To authorize the Director of Public Utilities to pay operating license fees for the three water treatment plants to the Treasurer, State of Ohio, Ohio Environmental Protection Agency, for the Division of Power and Water, and to authorize the expenditure of \$205,931.88 from the Water Systems Operating Fund, and to declare an emergency. (\$205,931.88)

**Body**

WHEREAS, the State of Ohio passed House Bill 152 in 1993 requiring the Division of Power and Water to pay operating license fees for three water treatment plants, and

WHEREAS, an emergency exists in the daily operation of the Division of Power and Water, Department of Public Utilities, to authorize the Director of Public Utilities, in that it is immediately necessary to authorize the Director of Public Utilities to establish a purchase order to pay operating license fees, for three water treatment plants, to the Treasurer, State of Ohio, Ohio Environmental Protection Agency, for the immediate 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 Director of Public Utilities be and is hereby authorized to pay operating license fees, to the Treasurer, State of Ohio, Ohio Environmental Protection Agency, for the Division of Power and Water, Department of Public Utilities.

Section 2. That the expenditure of \$205,931.88 or as much thereof as may be needed is hereby authorized from Water Systems Operating Fund 600, Department 60-09, OCA Code 601989, Object Level One 03, Object Level Three 3401, to pay the cost thereof.

Section 3. 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:** 2078-2006

**Drafting Date:** 11/09/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

BACKGROUND: For the option to purchase Potassium Permanganate for the Power and Water Division. The term of the proposed option contract will be three (3) years. Contract is through March 31, 2010. The Purchasing Office opened formal bids on October 19, 2006.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation SA002192) Eight (MBE:0, FBE:0) bids were solicited; A total of five (5) bid proposals (MBE:0, FBE:0) were received.

The Purchasing Office is recommending award to the lowest, responsive, responsible and best bidders in compliance with the specifications.

F2 Industries, CC: 621864838 (expires 01/13/2008). Items 1A, 2A, and 3A  
Carus Chemical Company, CC: 360877400 (expires 03/09/2008). Items 1B, 2B, and 3B.

Total Estimated Annual Expenditure: \$435,400.00

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 Fund. Power and Water 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 two UTC contracts for the option to purchase Potassium Permanganate with F2 Industries and Carus Chemical Company, to authorize the expenditure of two dollars to establish the contracts from the Purchasing/UTC Fund, and to declare an emergency (\$2.00).

#### **Body**

WHEREAS, the Purchasing Office advertised and solicited formal bids on October 19, 2006 and selected the lowest, responsive, responsible and best bids; and

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

WHEREAS, Potassium Permanganate is used as an oxidizing agent to treat the City's potable water supply, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Power and Water Division in that it is immediately necessary to enter into a contract(s) for an option to purchase Potassium Permanganate, 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 contract(s) for the option to purchase Potassium Permanganate in accordance with Solicitation SA002192 as follows:

F2 Industries, Items 1A, 2A, and 3A \$1.00  
Carus Chemical Company, Items 1B, 2B, and 3B. \$1.00

SECTION 2. That the expenditure of \$2.00 is hereby authorized from Purchasing UTC 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:** 2079-2006

**Drafting Date:** 11/09/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

**BACKGROUND:** For the option to purchase Liquid Sodium Bisulfite for the Sewerage and Drainage Division. The term of the proposed option contract will be three (3) years. Contract is through March 31, 2010. The Purchasing Office opened formal bids on October 26, 2006.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation SA002208) Eight (MBE:0, FBE:0) bids were solicited; A total of five (5) bid proposals (MBE:0, FBE:0) were received.

The Purchasing Office is recommending award to the lowest, responsive, responsible and best bidder in compliance with the specifications.

JCI Jones Chemicals, Inc., CC#160809645 (expires 03/17/2007).

Total Estimated Annual Expenditure: \$ 105,000.00

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 Fund. Sewerage and Drainage 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 UTC contract for the option to purchase Liquid Sodium Bisulfite with JCI Jones Chemicals, to authorize the expenditure of one dollar to establish the contract from the Purchasing/UTC Fund, and to declare an emergency (\$1.00).

### **Body**

WHEREAS, the Purchasing Office advertised and solicited formal bids on October 26, 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, Liquid Sodium Bisulfite is used as a de-chlorination agent in the City's wastewater treatment process, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Sewerage and Drainage Division in that it is immediately necessary to enter into a contract(s) for an option to purchase Liquid Sodium Bisulfite, 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 contract(s) for the option to purchase Liquid Sodium Bisulfite in accordance with Solicitation SA002208 as follows:

**JCI Jones Chemicals, Inc.:** All Items: Amount: \$1.00

SECTION 2. That the expenditure of \$1.00 is hereby authorized from Purchasing UTC 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:** 2080-2006

**Drafting Date:** 11/10/2006

**Current Status:** Passed

**Version:** 2

**Matter Type:** Ordinance

Explanation

BACKGROUND:

The City of Columbus currently has an excessive amount of vacant office space in our downtown market. This high vacancy rate is having a negative impact on all business activity downtown and throughout the city. Lifestyle Communities, Ltd. is currently exploring downtown Columbus as a potential site for their relocation. They anticipate bringing 238 positions (74 new, 164 retained) downtown. This new job creation is estimated to generate \$6,300,000 of payroll and an additional \$126,000 annually in City income tax revenue in 2008. Expected job growth is 137 additional new jobs through 2013. Thus the Downtown Development Office recommends granting a financial incentive to Lifestyle Communities, Ltd based on the future growth of this employment base not only to retain these jobs in Columbus but also relocate them to Downtown of an amount equal to 50% of the new payroll taxes paid each year for five (5) years with the incentive extended for an additional three (3) years if total ~~full-time~~ employment by Lifestyle Communities reaches 306 at the end of calendar year 2012, for a total of eight (8) years.

Emergency action is requested in order to allow Lifestyle Communities, Ltd. to make a decision on the proposed relocation as quickly as possible.

FISCAL IMPACT:

No funding is required for this legislation.

Title

To authorize the Director of the Department of Development to enter into an incentive agreement based on payroll growth with Lifestyle Communities Ltd.; and to declare an emergency.

Body

WHEREAS, the City desires to increase employment opportunities and encourage establishment of new jobs in the City in order to improve the overall economic climate of the City and its citizens; and

WHEREAS, Lifestyle Communities, Ltd. is a leader in real estate development in Central Ohio and a prominent member of our business community and we desire to attract their corporate to headquarters Downtown; and

WHEREAS, the Department of Development has received a completed incentive application for the from Lifestyle Communities, Ltd.; and

WHEREAS, Lifestyle Communities, Ltd. estimates that it will create 74 new jobs and retain 164 jobs at a new building to be constructed at 230 West St (in the Arena District) with a projected payroll of \$6.3 million generating estimated City of Columbus income tax revenue of \$126,000 annually; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, is that it is immediately necessary to enter into an incentive agreement with Lifestyle Communities, Ltd. in order to preserve the public peace, health, property, safety and welfare; NOW, THEREFORE,

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

Section 1. That the Director of the Department of Development is hereby authorized to enter into a financial incentive agreement with Lifestyle Communities, Ltd for an annual cash payment equal to 50% of the total income tax withholding for the new positions located in downtown Columbus for a term of five (5) years based on the estimated addition of 74 new jobs and 164 retained at 230 West St. in the Arena District.

The incentive will be extended for an additional three (3) years if total ~~full-time~~ employment by Lifestyle Communities reaches 306 at the end of calendar year 2012, for a total of eight (8) years.

Section 2. This employment at Lifestyle Communities, Ltd. is the result of retaining 164 jobs and creating 74 new jobs at the Downtown site as defined in Columbus City Code Title 33 Section 3359.03 downtown district boundary.

Section 3. The proposed 15-year lease at 230 West St. in the Arena District will qualify Lifestyle Communities, Ltd. for a five (5) year incentive term with a three (3) year performance-based extension. The term beginning in calendar year 2008, with the incentive payment made in the first quarter of the following year based on actual City of Columbus income tax withholding paid by employees for the preceding year.

Section 4. There exists the possibility of additional investment in streetscape improvement. This project may be eligible for funding out of the Downtown Streetscape subject to meeting the public right-of-way improvement criteria, pending availability of funds, and future legislation.

Section 5. Each year of the term of the agreement with Lifestyle Communities, Ltd. that a payment is due, the City's obligation to pay the incentive is expressly contingent upon the passing of an ordinance appropriating and authorizing the expenditure of monies sufficient to make such payment and the certification of the City Auditor pursuant to Section 159 of the Columbus City Charter.

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 passage if the Mayor neither approves nor vetoes the same.

**Drafting Date:** 11/10/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**ExplanationBACKGROUND:**

**Need:** The Fire Division is in need to purchase carboxyhemoglobin detectors and CPR cardiac support pumps for use by Columbus Fire EMS personnel; this legislation is to authorize and direct the City Auditor to appropriate and pre-encumber \$33,000.00 from the Public Safety Initiative Fund. This ordinance also authorizes and directs the Director of Finance and Management on behalf of the Division of Fire to expend \$33,000.00 from the Public Safety Initiative Fund at a future date. Use of these funds has been discussed and approved by City Council for the purchase of this equipment.

**Bid Information:** N/A ~ this ordinance is only to pre-encumber funding; funds for said EMS supplies will be expended only after a competitive bidding process has taken place.

**Contract Compliance:** N/A

**Emergency Designation:** Emergency action is requested to make funding immediately available to procure said EMS supplies.

**FISCAL IMPACT:**

**Budgeted Amount:** Funds exist within the Public Safety Initiative Fund for this purchase. TitleTo authorize and direct the City Auditor to appropriate and pre-encumber \$33,000.00 from the Public Safety Initiative Fund; to authorize and direct the Director of Finance and Management on behalf of the Division of Fire to expend \$33,000.00 from the Public Safety Initiative Fund, and to declare an emergency. (\$33,000.00)

Body**WHEREAS,** the Fire Division is in need to purchase carboxyhemoglobin detectors and CPR cardiac support pumps for use by EMS personnel, and

**WHEREAS,** it is now necessary to pre-encumber funds for said EMS supplies that will be competitively bid at a later time, and

**WHEREAS,** an emergency exists in the usual daily operation of the Department of Public Safety, Division of Fire in that it is necessary to pre-encumber funds for the aforementioned reasons 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 he is hereby authorized to expend, as needed, funds for EMS supplies for use by Columbus Fire EMS personnel.

**Section 2.** That the appropriation and expenditure of \$33,000.00, or so much thereof as may be necessary, be and is hereby authorized by the Department of Public Safety, Division of Fire, from the Public Safety Initiative Fund 016, Object Level Three 2207, OCA 300316.

**Section 3.** That the procurement of the aforementioned supplies shall be conducted in accordance with the provisions of Section 329.06 unless otherwise provided in Sections 329.07, 329.13, 329.22 or 329.24.

**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:** 2086-2006

**Drafting Date:** 11/10/2006

**Current Status:** Passed

**Explanation**

**Background:** The City of Columbus is involved with the City of Hilliard and the Ohio Department of Transportation in a project to widen Hilliard Rome Road. This project consists of the widening of Hilliard Rome Road/Main Street from Roberts Road northward to a point just south of Scioto Darby Road. The project length is 3.1 kilometers (1.92 miles). The project includes street lighting, sidewalks, curbs, enclosed drainage, and 3 meter shoulders (10 feet) for a bike lane between the traveled lane of cars and the curb.

The project will be sold through the Ohio Department of Transportation with the City of Hilliard being the lead local agency. Most of the project is within the Hilliard corporate limits. The intersection at Roberts Road is within the corporate limits of the City of Columbus.

The planned sale for the project is in February, 2007. The design consultant is DLZ Ohio. City ordinance 1323-94, passed July 11, 1994 authorized the Public Service Director to enter into a cooperative agreement with the City of Hilliard to share in the design and construction costs of the improvement. The Ohio Department of Transportation will be finalizing the engineering estimate of the project, then will send the estimate to Hilliard for payment of the local share, prior to the sale date. The City of Columbus will need to send its portion of the local funding to Hilliard once Hilliard receives an invoice from ODOT. This legislation is being prepared in advance of the sale so the City of Columbus can send its share of the project in a timely manner. This ordinance authorizes \$250,000.00 to be spent for the City of Columbus local share, taking into account the recent trend of higher than expected estimates and addition of contingency funds.

**Emergency action** is requested to provide payment to the City of Hilliard in advance of the sale of the project for the local share. The City of Hilliard is the lead agency and will be invoiced by ODOT for the local share which includes City of Columbus funding.

**Fiscal Impact:** The total cost of the project (including design and real estate) is estimated at \$18,638,632.00. The current estimated cost of construction including construction inspection is \$13,000,000.00. This is a Federal Aid Project, so FHWA will fund 80% of the project with the remaining 20% of the project funded by the local agencies. The estimated total local share is \$2,600,000.00. The local share is split 75% by Hilliard funds and 25% Columbus funds.

OPWC funds have been awarded to the project in the amount of \$2,390,000.00. The OPWC funds directly reduce the local share so the local share minus the OPWC funds is \$210,000.00. Columbus' share of this amount would be \$52,500.00. This legislation authorizes up to \$250,000.00 to be expended from the 1995, 1999, 2004 Voted Streets and Highways Fund. This amount adds contingency funds for a higher than expected estimate from the Ohio Department of Transportation. Final construction estimates for other recent projects have been higher than previously expected due to threefold increases in petroleum products and steel. Cement costs have increased up to twice what was experienced only a year ago. \$1,500,000.00 is budgeted in the upcoming 2006 bond sale for Hilliard Rome Road. Due to the need for these funds now and the availability of funds from the 2005 bond sale in the Federal State Match Project this project is being legislated now.

**title**

To authorize the Public Service Director to enter into agreement with the City of Hilliard for construction of the Hilliard Rome Road/Main Street widening project from Roberts Road to a point just south of Scioto Darby Road for the Transportation Division; to authorize the expenditure of \$250,000.00 from the 1995, 1999, 2004 Voted Streets and Highways Fund; and to declare an emergency. (\$250,000.00)

**body**

**WHEREAS,** The City of Columbus is involved in a project to widen Hilliard Rome Road/Main Street from Roberts Road to a point just south of Scioto Darby Road ; and

**WHEREAS,** the City of Hilliard will be the lead local agency for this project; and

**WHEREAS,** the Ohio Department of transportation will be bidding this project and invoicing the City of Hilliard for the

local share of this project; and

**WHEREAS**, it is necessary to authorize the Public Service Director to enter into an agreement with the City of Hilliard and The Ohio Department of Transportation and to authorize the expenditure of \$250,000.00 for the City of Columbus share of this project; and

**WHEREAS**, the City of Columbus will need to provide its share of the local funding to the City of Hilliard once this invoice is received; and

**WHEREAS**, an emergency exists in the usual daily operation of the Transportation Division in that it is necessary to prepare legislation in advance of the invoice so that the City's share of this project can be paid to Hilliard when needed, 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 with The City of Hilliard and the Ohio Department of Transportation for the construction of the Hilliard Rome Road Improvement project in the amount of \$250,000.00 or so much thereof as may be necessary for the Transportation Division in accordance with the specifications and plans on file in the office of the Public Service Director, which are hereby approved.

**SECTION 2.** That for the purpose of paying the cost of the contract, the sum of \$250,000.00 or so much thereof as may be necessary be and hereby is authorized to be expended from Fund 704, the 1995, 1999, 2004 Voted Streets and Highways Fund, Department 59-09, Transportation Division, Object Level One Code 06, Object Level Three Code 6631, OCA Code 644385 and project 530208.

**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:** 2087-2006

**Drafting Date:** 11/13/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

In April of 2006, the Facilities Management Division, through a contract with HKI and Associates, began investigating water penetration issues at the John Maloney Health Center. During the course of this investigation, significant problems were identified within the core structure of the facility. Due to the extent of these problems, it was determined that repairing the facility was cost prohibitive. After inspections by the Building Services Division, it was determined that the building should be vacated. The facility was vacated in late August. Demolition of the health center, which housed the Columbus Neighborhood Health Centers, Inc. (CNHC), began on September 25, 2006. CNHC temporarily relocated services to other facilities in the system until a new leased space could be identified. Leased space has been identified within the Great Southern Shopping Center, located at 3781 Great Southern Boulevard. This ordinance authorizes the transfer of \$375,000 from Emergency Human Services Fund and \$58,480 from Finance and Management's citywide account to the Health Department to pay for tenant improvements necessary to construct approximately 7,000 square feet of clinic space. The purpose of this transfer is to fund the tenant improvement expenses of CNHC, Inc. by modifying and increasing the contract between CNHC, Inc. and the Health Department. Paying these costs up front will result in lower annual rent payments over the term of the lease.

Emergency action is requested to ensure needed funds for the modification and increase of a contract with CNHC, Inc., will be immediately available.

CNHC, Inc. Contract Compliance number is 31-1533908.

**FISCAL IMPACT:** Funding is available within the Emergency Human Services fund and Finance and Management's citywide account to cover these unplanned lease expenses.

**Title**

To authorize and direct the City Auditor to transfer \$375,000 from the Emergency Human Services Fund and \$58,480 from the Finance and Management Department's citywide account to the Health Special Revenue Fund, to appropriate \$433,480 within the Health Special Revenue Fund, to authorize the Board of Health to modify and increase a contract with CNHC, Inc. for tenant improvement expenses, to authorize the expenditure of \$433,480 from the Health Special Revenue Fund, and to declare an emergency. (\$433,480.00)

**Body**

**WHEREAS**, it was necessary to demolish the John Maloney Health Center due to significant issues within the core structure of the facility; and,

**WHEREAS**, the Columbus Neighborhood Health Centers, Inc has found new leased space in the Great Southern Shopping Center to relocate the operations once housed at the John Maloney Health Center; and,

**WHEREAS**, there are improvements necessary to renovate the 7,000 square feet of leased space so as to ready it for use as a clinic; and,

**WHEREAS**, it is necessary to transfer and appropriate \$375,000 from the Emergency Human Services Fund and \$58,480 from Finance and Management's citywide account into the Health Special Revenue Fund to pay for the necessary improvements; and,

**WHEREAS**, the Health Department has a need to modify and increase a contract with CNHC, Inc. to fund these tenant improvement expenses; and,

**WHEREAS**, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to modify and increase a contract with Columbus Neighborhood Health Centers, Inc. to expedite necessary improvements so the clinic can open as soon as possible, 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 is hereby authorized and directed to transfer \$433,480 as follows:

TRANSFER FROM

Fund: Emergency Human Services Fund |Division:50-01| Fund:232| Obj. Level 3: 5501| OCA:903914| Amount: \$375,000  
Fund: General Revenue Fund |Division:45-01| Fund:010| Obj. Level 10: 5501| OCA:904508| Amount: \$58,480

TRANSFER TO

Fund: Health Special Revenue |Division:50-01| Fund:250| Obj. Level 1: 80| Obj. Level 3:0886|OCA:503219| Amount:  
\$433,480

**SECTION 2.** That from the unappropriated cash balance in the Health Special Revenue Fund, Fund number 250, the sum of \$433,480 is hereby appropriated to the

Health Special Revenue Fund, Fund number 250, Object Level 1 - 3, Object Level 3 - 3337.

**SECTION 3.** That the Board of Health is hereby authorized to modify and increase a contract with Columbus Neighborhood Health Centers, Inc., for the period January 1, 2006 through December 31, 2006.

**SECTION 4.** That the expenditure of \$433,480.00 is hereby authorized from the Health Special Revenue Fund, Fund No. 250, Division No. 50-01, Object Level One 03, Object Level Three 3337, OCA Code 503219.

**SECTION 5.** 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:** 2091-2006

**Drafting Date:** 11/13/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

#### **Explanation**

**BACKGROUND:** One property currently held in the Land Bank has been approved for disposition. In order to complete the transfer, authorization is needed for the Director of the Department of Development to execute any and all agreements and deeds for conveyance of such real property. This parcel will be purchased by Patricia Young for a side yard to her home at 1398 E. Long Street.

**FISCAL IMPACT:** No funding is required for this legislation. The City may first recover reimbursement of any and all expenses incurred on account of the acquisition, administration, management, maintenance and disposition of such land and such other expenses of the program as the City may apportion to such land from the sale proceeds.

Emergency action is requested in order to expedite the side yard expansion efforts.

#### **Title**

To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of a parcel of real property (1394-1396 E. Long Street ) held in the Land Bank pursuant to the Land Reutilization Program; and to declare an emergency.

#### **Body**

**WHEREAS,** by Ordinance 2161-93 Council adopted and elected to use the Revised Code Chapter 5722, Land Reutilization Program, to facilitate effective reutilization of nonproductive land acquired through a sale pursuant to a foreclosure proceeding initiated by the Franklin County Treasurer, or through a sale of forfeited lands by the Franklin County Auditor or through a conveyance in lieu of foreclosure to foster either return of such land to tax revenue generating status or its devotion to public use; and

**WHEREAS,** a proposal for the sale of one parcel which has been acquired pursuant to Section 5722.03 for this program meet the Land Reutilization Program's Disposition Policies and Guiding Principles and has been approved; and

**WHEREAS,** such parcel of real estate is being sold at not less than fair market value in conformity with Ohio Revised Code Section 5722.07, competitive bidding is not required; and

**WHEREAS,** under 5722.07 "fair market value" means the appraised value of the nonproductive land made with reference to such redevelopment and reutilization restrictions as may be imposed by the electing subdivision as a condition of sale or

as may be otherwise applicable to such land; and

**WHEREAS**, in order to complete the transfer of such property to the purchaser, authority is needed for the Director of the Department of Development to execute any and all necessary agreements and deeds of conveyance for such real property; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development, Land Redevelopment Office in that it is immediately necessary to convey title of said parcel of real estate, 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 execute any and all necessary agreements and deeds to convey title of the following parcel of real estate:

PARCEL NUMBER: 010-025925  
ADDRESS: 1394-1396 E. Long Street  
PRICE: \$500.00  
USE: Side Yard Landscape Expansion

1394-1396 E. Long Street (010-025925)  
Being Lot Number Ninety (90) EASTWOOD HEIGHTS ADDITION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, Page 109, Recorder's Office, Franklin County, Ohio.

**Section 2.** That for good cause shown, Section 329.29 of the Columbus City Codes, 1959, is hereby waived.

**Section 3.** That Council hereby finds that the selection process utilized in this matter is in accordance with the Land Bank Disposition Process created pursuant to the City's Land Reutilization Program and hereby approves the same.

**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:** 2092-2006

**Drafting Date:** 11/13/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

Explanation

**BACKGROUND:** This ordinance authorizes the Finance and Management Director to renew a contract for snow/ice removal at 757 Carolyn Avenue, 750 Piedmont Road, 1000 North Hague Avenue, and the Health Department at 240 Parsons Avenue.

The original contract was awarded based on bids received October 7, 2003, and was authorized by Ord. 0029-2004 (passed March 9, 2004) covering all of 2004, including snow/ice removal as well as landscaping. After renewal in 2005, the snow/ice removal portion was renewed for all of 2006 by Ord. 2148-2005 (passed December 14, 2005) and the

landscaping portion for 2006 was renewed by Ord. 0747-2006 (passed May 3, 2006). This ordinance renews the contract for the third of four one-year renewal options. This renewal will cover the period January 1, 2007 through December 31, 2007. This ordinance only provides funding for the snow/ice removal portion of the contract. Funding for the landscaping portion of the contract will be requested in spring 2007.

**Emergency action** is requested so that snow and ice removal will not be suspended at the end of the current term, December 31, 2006.

**Fiscal Impact:** The cost of this contract renewal is \$25,000.00. In 2006, the cost of this contract was \$77,000.00. In 2005, the cost of this contract was \$75,545.68, including landscaping, as well as snow/ice removal. In 2004, a total of \$61,181.25 was spent on the original contract and the snow/ice removal renewal. The Facilities Management Division budgeted \$77,000.00 in the 2006 General Fund budget for this contract. Winnsapes Contract Compliance Number 31-1313521, exp. 07/08/2007.

Title

To authorize the Finance and Management Director to renew a contract for the Facilities Management Division with Winnsapes for snow/ice removal at various City-owned locations; to authorize the expenditure of \$25,000.00 from the General Fund; and to declare an emergency. (\$25,000.00)

Body

**WHEREAS**, it is necessary to provide snow/ice removal at various City-owned locations, and

**WHEREAS**, renewing the contract with Winnsapes accomplishes this necessary goal, and

**WHEREAS**, an emergency exists in the usual daily operation of the Facilities Management Division in that it is immediately necessary to authorize the Finance and Management Director to renew a contract for the Facilities Management Division with Winnsapes for snow/ice removal at various City locations to ensure that services continue uninterrupted, 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 is hereby authorized to renew a contract for the Facilities Management Division with Winnsapes, for snow/ice removal at various City-owned facilities.

**SECTION 2.** That the expenditure of \$25,000.00, or so much thereof that may be necessary in regard to the action authorized in SECTION 1, be and is hereby authorized and approved as follows:

Division: 45-07  
Fund: 010  
OCA Code: 450044  
Object Level 1: 03  
Object Level 3: 3377  
Amount: \$25,000.00

**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 or vetoes the same.

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**Legislation Number:** 2093-2006

**Drafting Date:** 11/13/2006

**Current Status:** Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: For the option to purchase Turbidity Analyzers and Controllers for the Public Utilities Department, Power and Water Division. The term of the proposed option contract would be for a period of two (2) years from the date of execution by the City to and including August 31, 2008. The contract has a one year extension option subject to mutual agreement. The Purchasing Office opened formal bids on November 2, 2006.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA002214). Eleven (11) bids were solicited (MAJ: 9, FBE:2, ); Three (3) bids were received (MAJ: 3).

The Purchasing Office is recommending award of one contract to the responsive, responsible and best bidder:

Hach Company MAJ, CC# 420704420 Expires 3/14/08, Award Item 1.

Total Estimated Annual Expenditure: \$25,592.00

This Company is not debarred according to the Excluded Parties listing of the Federal Government and is not listed in the Auditor of State database for Findings for Recovery.

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 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 & Management Director to enter into a contract for the option to purchase Turbidity Analyzers and Controllers/UTC with Hach Company and to authorize the expenditure of one dollar to establish the contract from the Purchasing/UTC Fund, and to declare an emergency. (\$1.00).

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids that opened on November 2, 2006 and Three (3) companies responded with quotes with Hach Company meeting the bid requirements and offering the lowest prices, and

WHEREAS, the Public Utilities Department, Power and Water Division recommended award to the lowest, responsive, responsible and best bid and the Purchasing Office agrees, 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 Turbidity Analyzers and Controllers are supplied without interruption to maintain the water treatment control system at the Morse Road Water Plant, 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 a contract(s) for an option to purchase Turbidity Analyzers and Controllers, 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 contract for an option to purchase of Turbidity Analyzers and Controllers in accordance with Solicitation SA002214 as follows:

Hach Company, Item 1., Amount \$1.00.

SECTION 2. That the expenditure of \$1.00 is hereby authorized from Purchasing UTC 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:** 2095-2006

**Drafting Date:** 11/13/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

This ordinance authorizes the Director of Public Utilities to enter into an agreement with Children's Hospital that will result in the elimination of the Division of Power and Water's current South Substation located at 572 Wager Street. Children's Hospital needs the land that the South Substation occupies in order for them to build their new patient tower. In exchange for this site, the hospital has agreed to have the current circuits that originate out of this substation converted to higher voltage. The Division of Power and Water can then route power to the area from other substations. A new substation would not be required. This will allow the Division to abandon the South Substation site. When the conversion is complete, and the station is abandoned, the City will turn over the site to Children's Hospital.

Emergency action is requested in order to allow an agreement to be entered into prior to the end of the year so the hospital can meet their construction timetable.

Fiscal Impact: Children's Hospital will pay for conversion of the affected electrical circuits and removal of the substation.

### **Title**

To authorize the Director of Public Utilities to enter into an agreement with Children's Hospital that will result in the elimination of the Division of Power and Water's current South Substation, to convey the property to Children's Hospital, to waive provisions of Columbus City Code relating to sale of city-owned realty and to declare an emergency.

### **Body**

WHEREAS, the City is the owner of the fee simple title to the real property; and

WHEREAS, an electric substation owned by the City of Columbus and operated by the City's Division of Power and Water, is located on property needed by Children's Hospital for construction of a new patient tower; and

WHEREAS, the South Substation provides electricity to a portion of the electric distribution system owned by the City; and

WHEREAS, Children's Hospital desires to acquire the property and have the South Substation removed there from; and

WHEREAS, the South Substation cannot be eliminated until other facilities are constructed and installed so that the City may continue to provide electricity through the South Distribution System; and

WHEREAS, the City is willing to convey the property to Children's Hospital and to remove the City's transformers and other equipment from the property if Children's Hospital pays the costs of designing, constructing and installing the facilities upgrades and of removing the City's transformers and other equipment from the property, all upon the terms and conditions more specifically set forth in this agreement; and

WHEREAS, in order to allow conveyance of said property Section 329.29 of Columbus City Code pertaining to sale of city-owned realty is waived, and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, in that it is immediately necessary to authorize the Director of Public Utilities, to enter into an agreement with Children's Hospital to allow the elimination of the Division of Power and Water's current South Substation and conversion of electrical circuits, in an emergency manner to allow an agreement to be entered into prior to the end of the year so the hospital can meet their construction timetable, 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 the Department of Public Utilities is hereby authorized to enter into an agreement with Children's Hospital to allow the elimination of the Division of Power and Water's current South Substation and conversion of electrical circuits.

**SECTION 2.** That the Director of Public Utilities is hereby authorized to convey the property to Children's Hospital and to remove the City's transformers and other equipment from the property if the hospital pays the costs of designing, constructing and installing the facilities and of removing the City's transformers and other equipment from the property, all upon the terms and conditions more specifically set forth in the agreement.

**SECTION 3.** That Section 329.29 of Columbus City Codes pertaining to sale of city-owned realty is hereby waived.

**SECTION 3.** That for the reasons set forth 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:** 2096-2006

**Drafting Date:** 11/13/2006

**Version:** 2

**Current Status:** Passed

**Matter Type:** Ordinance

### **Explanation**

#### **Rezoning Application # Z06-065**

**APPLICANT:** Portrait Homes Ohio, LLC; c/o David Perry, Agent; 145 East Rich Street, 3rd Floor; Columbus, Ohio 43215.

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

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (6-0) on October 12, 2006.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The requested L-AR-12, Limited Apartment Residential District would permit a maximum of two (2) dwelling units on the 1.15-acre site. The site is proposed to be developed in conjunction with the 11.2 acre site to the north and west with access to East Broad Street only allowed through that adjacent parcel. The limitation text commits to the same development standards as the adjacent 11.2 acre site. The proposed development is consistent with the zoning and development patterns of the area. There is a companion council variance, CV06-050, which proposes to allow two-unit dwellings and stacked parking on the site.

### **Title**

To rezone **7468 EAST BROAD STREET (43004)**, being 1.15± acres located on the north side of East Broad Street, 65± feet east of Kingsmeadow Lane, **From:** R, Rural District, **To:** L-AR-12, Limited Apartment Residential District **and to declare an emergency.** (Rezoning # Z06-065).

**Body**

**WHEREAS**, application #Z06-065 is on file with the Building Services Division of the Department of Development requesting rezoning of 1.15± acres From: R, Rural District, To: L-AR-12, Limited Apartment Residential 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 City Departments recommend approval of said zoning change because the proposed development is consistent with the zoning and development patterns of the area. The requested L-AR-12, Limited Apartment Residential District would permit a maximum of two (2) dwelling units on the 1.15-acre site. The site is proposed to be developed in conjunction with the 11.2 acre site to the north and west with access to East Broad Street only allowed through that adjacent parcel. The limitation text commits to the same development standards as the adjacent 11.2 acre site, 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:

**7468 EAST BROAD STREET (43004)**, being 1.15± acres located on the north side of East Broad Street, 65± feet east of Kingsmeadow Lane, and being more particularly described as follows:

**LEGAL DESCRIPTION**

7468 East Broad Street, Columbus, Ohio 43004  
(1.147 ACRES)

Situated in the State of Ohio, County of Franklin, Township of Jefferson, Quarter Township 4, Township 1, Range 16, United States Military Lands, being all of the remainder of the 4.21 acre tract conveyed to Annis L. Brake by deed of record in Instrument Number 200305200150381 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning for Reference, at a monument found marking an angle point in the centerline of East Broad Street (State Route 16, 110' wide), being Station 306+17.79 of FRA/LIC-16-10.30/0.00 on file at the Ohio Department of Transportation;

thence South 81° 50' 35" West, a distance of 225.60 feet, with said centerline of East Broad Street, to the southeast corner of 44 WD conveyed to The State of Ohio by deed of record in Official Record 16439 B15 and the southwest corner of 45 WD conveyed to The State of Ohio by deed of record in Official Record 16572 A12;

thence North 04° 06' 05" East, a distance of 56.28 feet, with the line common to said 44 WD and 45 WD, to an iron pin set in the northerly right-of-way line of said East Broad Street, at a common corner of said 44 WD and 45 WD, the original 3.59 acre tract conveyed to East Side Grace Brethren Church of Columbus, Ohio by deed of record in Deed Book 3336, Page 691, and said remainder of 4.21 acre tract, being the TRUE POINT OF BEGINNING;

thence South 81° 50' 35" West, a distance of 164.24 feet, with said northerly right-of-way line of East Broad Street and the line common to said remainder of 4.21 acre tract and said 44 WD, to a ½" rebar found at the common corner of said remainder of 4.21 acre tract, said 44 WD, 38 WD conveyed to the State of Ohio by deed of record in Official Record 16464 D11 and the 4.34 acre tract conveyed as Tract II to James A. Geiger, Trustee and Victoria L. Geiger, Trustee, by deed of record in Instrument Number 200502230032593;

thence North 03° 51' 45" East, a distance of 327.86 feet, with the line common to said remainder of 4.21 acre tract and said 4.34 acre tract, to a ½" rebar found at the common corner of said remainder of 4.21 acre tract and the 2.788 acre tract conveyed as Tract I to James A. Geiger, Trustee and Victoria L. Geiger, Trustee, by deed of record in Instrument Number 200502230032593;

thence South 85° 31' 54" East, a distance of 161.87 feet, with the line common to said remainder of 4.21 acre tract and said 2.788 acre tract, to an iron pin set in the easterly line of said original 3.59 acre tract;

thence South 04° 06' 05" West, a distance of 291.95 feet, with the line common to said remainder of 4.21 acre tract and original 3.59 acre tract, to the TRUE POINT OF BEGINNING, containing 1.147 acres, more or less.

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

Bearings are based on the Ohio State Plane Coordinate System per NAD83 (1986 Adjustment), South Zone. Control for bearings was from the coordinates of monuments FCGS 5011 and FCGS 4409, having a bearing of South 09° 48' 44" West, as established by the Franklin County Engineering Department.

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.

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

**To:** L-AR-12, Limited Apartment Residential District.

**SECTION 2.** That a Height District of Thirty-five (35) feet is hereby established on the L-AR-12, Limited Apartment Residential District on this property.

**SECTION 3.** That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved L-AR-12, Limited Apartment Residential District and Application among the records of the Building Services Division as required by Section 3370.03 of the Columbus City Codes; said text being titled "**DEVELOPMENT TEXT**," dated October 17, 2006 and signed by David B. Perry, agent for the applicant, and Donald Plank, attorney for the applicant, and the text reading as follows:

**DEVELOPMENT TEXT**

**L-AR-12, LIMITED APARTMENT RESIDENTIAL DISTRICT**

**1.2 +/- ACRES**

**EXISTING DISTRICT:** R, Rural District

**PROPOSED DISTRICT:** L-AR-12, Limited Apartment Residential

**ADDRESS:** 7468 East Broad Street, Columbus, OH 43004

**OWNER:** Annis L. Brake c/o Dave Perry, Agent, The David Perry Co., 145 East Rich Street, Columbus, OH 43215 and Donald Plank, Attorney, Plank and Brahm, 145 East Rich Street, Columbus, OH 43215

**APPLICANT:** Portrait Homes - Ohio, LLC c/o Dave Perry, Agent, The David Perry Co., 145 East Rich Street, Columbus, OH 43215 and Donald Plank, Attorney, Plank and Brahm, 145 East Rich Street, Columbus, OH 43215

**DATE OF TEXT:** October 17, 2006

**APPLICATION NUMBER:** Z06-065

**INTRODUCTION:**

The subject property is 1.2 ± acres generally located on the north side of East Broad Street, west of Waggoner Road and opposite (north of) the intersection of Kingsmeadow Lane and East Broad Street. Applicant proposes to develop the property in conjunction with adjacent property zone L-AR-12 to the north and west.

**1. PERMITTED USES:** Those uses listed in Section 3333.02 (AR-12) Apartment Residential, of the Columbus City Code and permitted accessory uses.

**2. DEVELOPMENT STANDARDS:** Unless otherwise specified herein, the applicable development standards of Chapter 3333 Apartment Districts, shall apply.

**A. Density, Height, Lot and/or Setback Commitments.**

1. There shall be no more than 3 dwelling units within the 1.2 acre area being rezoned.
2. No building shall exceed 1 1/2 stories above grade.
3. The minimum parking setback along East Broad Street shall be 60 feet.
4. The east perimeter yard shall be 25 feet.

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

1. There shall be no direct vehicular access to East Broad Street. All vehicular access shall be from/to a private street to be built on the abutting 11.2 +/- acres to the north and west. The 11.2 +/- acres has a full turning movement curbcut on East Broad Street.

2. All on site streets will be private. The private streets shall be designed with a minimum pavement width of 22 feet.

- a. Parking restrictions shall be installed per current City policy on signage for private streets and alleys/lanes. They shall include that parking be limited to one side of the street where street widths are less than 26 ft., no parking shall be permitted on either side of any street within 61 ft. of the midpoint of street intersections, and that there will be no parking on alleys/lanes. Fire hydrants shall be located on the side of the street where no parking is permitted.
- b. The owner, developer, and/or the Homeowners Association must establish and maintain an agreement(s) with a private towing company(s), which authorizes the private towing company(s) to remove/tow any vehicles parked in restricted areas. There may be one or more such agreements with one or more towing company(s) for any times/lengths, terms, etc. as the owner, developer, and/or Homeowners Association determines, so long as at least one such agreement shall always, at all times be in force for the purposes of enforcements/removal/towing as required above. Towing agreements shall be filed annually with the Columbus Division of Fire, Fire Prevention Bureau, Plans Review Office, upon execution of contract.
- c. The owners, developer, and/or Homeowners Association shall designate the City of Columbus as an authorized agent for the sole and specific purposes of enforcement of parking restrictions and the issuance of citations and/or removal of vehicles parked in violation of posted parking restrictions on private streets and alley/lanes.
- d. Intersection details concerning turning radii, parking restrictions and intersection configurations shall conform with the Fire Vehicle Access Plan.

3. A five (5) foot wide sidewalk shall be provided along and parallel to East Broad Street.
4. An internal four (4) foot wide sidewalk shall be provided along one (1) side of any internal private street.

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

1. The frontage along East Broad Street shall be landscaped with street trees placed every forty (40) feet, subject to adjustment of spacing based on driveway location and clear vision requirements. The trees shall be approximately evenly spaced and planted in the right of way, subject to approval of the City Forester and Public Service Department, or otherwise shall be planted adjacent to the right-of-way.
2. The East Broad Street parking setback shall be maintained in live vegetation except as required for compliance with storm water detention/retention requirements. Entrance feature walls, fencing and/or landscaping are also permitted in the setback subject to no fence or wall shall exceed six (6) feet in height in the East Broad Street Parking setback. Randomized tree planting at the rate of three (3) trees per 100 lineal feet of East Broad Street street frontage shall also be included within the setback. The trees shall be placed randomly to simulate natural hedgerow. These trees are in addition to the street trees required in No. 1, above.
3. A minimum of one (1) tree per dwelling unit shall be planted on site.
4. All trees and landscaping shall be well maintained. Weather permitting, dead items shall be replaced within six (6) months.
5. The minimum size of trees at the time of planting shall be as follows: Deciduous - 2 ½ inch caliper; Ornamental - 1 ½ inch caliper; Evergreen - 5 feet in height.
6. All parking areas adjacent to East Broad Street shall have headlight screening parallel to the frontage, with a minimum height of 36 inches measured from the elevation of the nearest section of East Broad Street. Headlight screening shall be in the form of an evergreen hedge or other landscaping, earth mounding or walls. The height of headlight screening may be reduced as needed adjacent to curb cuts to provide adequate vision clearance.
7. Mounding, if any, shall have a minimum slope of 3:1.

**D. Building Design and/or Interior-Exterior Treatment Commitments.**

1. Building materials shall be traditional and natural in appearance, such as wood, brick, stone, stucco, EIFS, glass and/or hardi-plank. Vinyl and other materials are permitted as long as they are natural in appearance. Vinyl siding shall be limited to an upgraded quality and a thickness of .044 mils or greater. Dimensional asphalt shingles shall be used.

**E. Dumpsters, Lighting, Outdoor Display Areas and/or Other Environmental Commitments.**

1. All private street lighting fixtures shall be fully shielded cut-off fixtures (down lighting) or decorative lantern or luminaire-style fixtures.
2. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturer's type to insure aesthetic compatibility.
3. Except for decorative lighting, all other light poles shall be metal or fiberglass and such light poles shall be of the same color. Light poles shall not exceed a maximum of 14 feet in height.
4. Building-mounted area lighting within the parcel shall utilize fully shielded cut-off style fixtures and be designed in such a way to minimize off-site light spillage.
5. All new or relocated utility lines shall be installed underground, unless a public utility does not permit underground installation in a particular location or instance.

6. It is the developer's intention to obtain a dumpster waiver. Subject to approval of a Dumpster Waiver, refuse collection shall be provided by private hauler. All residents shall have a private refuse container(s). If a dumpster waiver is not granted or if revoked by the City of Columbus or if the Condominium Association requests refuse service by the City of Columbus, dumpsters will be provided in accordance with applicable city code.

**F. Graphics and Signage Commitments.**

1. All graphics shall conform to Article 15 of the Columbus City Code, as it applies to the AR-12, Apartment Residential Districts. Any variance to the applicable requirements of the AR-12 district shall be submitted to the Columbus Graphics Commission.

**G. Miscellaneous**

1. The site is subject to the Parkland Dedication Ordinance (PDO). PDO fees, as applicable, shall be paid prior to the issuance of a Certificate of Zoning Clearance.

2. A temporary sales office shall be permitted prior to the development of a model dwelling unit(s).

**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.~~**

**Legislation Number:** 2097-2006

**Drafting Date:** 11/13/2006

**Current Status:** Passed

**Version:** 2

**Matter Type:** Ordinance

**Explanation**

**Council Variance Application: CV06-050**

**APPLICANT:** Portrait Homes Ohio, LLC; c/o Donald Plank; Plank & Brahm; 145 East Rich Street, Third Floor; Columbus, Ohio 43215.

**PROPOSED USE:** To permit two-unit dwellings with reduced maneuvering in the L-AR-12, Limited Apartment Residential District.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The L-AR-12, Limited Apartment Residential District allows dwellings with three or more units. This variance will allow two-unit dwellings in the L-AR-12 district. Additionally, the access and maneuvering requirements for the parking spaces in the attached garages are requested to be varied to allow stacked parking. The proposed stacked parking will not reduce the amount of required parking, but will provide additional parking on the site. Staff supports this request as the two-unit dwellings with maneuvering variances are consistent with the zoning and development patterns of the area. This application is a companion council variance to rezoning application Z06-065, which is a request to rezone from R, Rural District to L-AR-12, Limited Apartment Residential District to allow multi-family residential development. The site could be developed with the larger adjacent parcel.

**Title**

To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD, and AR-1 Apartment residential district use, and 3342.15, Maneuvering, for the property located at **7468 EAST BROAD STREET (43004)**, to permit two-unit dwellings with reduced maneuvering in the L-AR-12, Limited Apartment Residential District **and to declare an emergency.**(Council Variance #CV06-050)

**WHEREAS**, by application No. CV06-050, the owner of property at **7468 EAST BROAD STREET (43004)**, is requesting a Council variance to permit two-unit dwellings with reduced maneuvering in the L-AR-12, Limited Apartment Residential District; and

**WHEREAS**, Section 3333.02, AR-12, ARLD and AR-1, Apartment residential district use, does not allow two-unit dwellings unless the lot was separately owned and of record on January 14, 1959, or on a lot in a recorded subdivision of record on January 14, 1959 or platted between January 14, 1959 and July 16, 1986, while the applicant proposes a two-family dwelling; 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 3342.15, Maneuvering, requires every parking space to have sufficient access and maneuvering area, while the applicant proposes to build dwelling units with two car garages, but to also permit two stacked parking spaces in the driveways in front of the garages, which is the access and maneuvering space for the parking spaces in the garages; and

**WHEREAS**, City Departments recommend approval because the two-unit dwellings with maneuvering variances are consistent with the zoning and development patterns of the area. The L-AR-12, Limited Apartment Residential District allows dwellings with three or more units. This variance will allow two-unit dwellings in the L-AR-12 district. Additionally, the access and maneuvering requirements for the parking spaces in the attached garages are proposed to be varied to allow stacked parking. The proposed stacked parking will not reduce the amount of required parking, but will provide additional parking on the site. This application is a companion council variance to rezoning application Z06-065, which is a request to rezone from R, Rural District to L-AR-12, Limited Apartment Residential District to allow multi-family residential development. The site could be developed in conjunction with the larger adjacent parcel; 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 **7468 EAST BROAD STREET (43004)**, in using said property as desired; now, therefore:

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

**Section 1.** Variances from the provisions of Sections 3333.02, AR-12, ARLD, and AR-1 Apartment residential district use, and 3342.15, Maneuvering, for the property located at **7468 EAST BROAD STREET (43004)**, insofar as said sections prohibit a two-unit dwelling with stacked parking in the driveway, said property being more particularly described as follows:

**LEGAL DESCRIPTION**

7468 East Broad Street, Columbus, Ohio 43004  
(1.147 ACRES)

Situated in the State of Ohio, County of Franklin, Township of Jefferson, Quarter Township 4, Township 1, Range 16, United States Military Lands, being all of the remainder of the 4.21 acre tract conveyed to Annis L. Brake by deed of record in Instrument Number 200305200150381 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning for Reference, at a monument found marking an angle point in the centerline of East Broad Street (State Route 16, 110' wide), being Station 306+17.79 of FRA/LIC-16-10.30/0.00 on file at the Ohio Department of Transportation;

thence South 81° 50' 35" West, a distance of 225.60 feet, with said centerline of East Broad Street, to the southeast corner of 44 WD conveyed to The State of Ohio by deed of record in Official Record 16439 B15 and the southwest corner of 45 WD conveyed to The State of Ohio by deed of record in Official Record 16572 A12;

thence North 04° 06' 05" East, a distance of 56.28 feet, with the line common to said 44 WD and 45 WD, to an iron pin set in the northerly right-of-way line of said East Broad Street, at a common corner of said 44 WD and 45 WD, the original 3.59 acre tract conveyed to East Side Grace Brethren Church of Columbus, Ohio by deed of record in Deed Book 3336, Page 691, and said remainder of 4.21 acre tract, being the TRUE POINT OF BEGINNING;

thence South 81° 50' 35" West, a distance of 164.24 feet, with said northerly right-of-way line of East Broad Street and the line common to said remainder of 4.21 acre tract and said 44 WD, to a ½" rebar found at the common corner of said remainder of 4.21 acre tract, said 44 WD, 38 WD conveyed to the State of Ohio by deed of record in Official Record 16464 D11 and the 4.34 acre tract conveyed as Tract II to James A. Geiger, Trustee and Victoria L. Geiger, Trustee, by deed of record in Instrument Number 200502230032593;

thence North 03° 51' 45" East, a distance of 327.86 feet, with the line common to said remainder of 4.21 acre tract and said 4.34 acre tract, to a ½" rebar found at the common corner of said remainder of 4.21 acre tract and the 2.788 acre tract conveyed as Tract I to James A. Geiger, Trustee and Victoria L. Geiger, Trustee, by deed of record in Instrument Number 200502230032593;

thence South 85° 31' 54" East, a distance of 161.87 feet, with the line common to said remainder of 4.21 acre tract and said 2.788 acre tract, to an iron pin set in the easterly line of said original 3.59 acre tract;

thence South 04° 06' 05" West, a distance of 291.95 feet, with the line common to said remainder of 4.21 acre tract and original 3.59 acre tract, to the TRUE POINT OF BEGINNING, containing 1.147 acres, more or less.

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

Bearings are based on the Ohio State Plane Coordinate System per NAD83 (1986 Adjustment), South Zone. Control for bearings was from the coordinates of monuments FCGS 5011 and FCGS 4409, having a bearing of South 09° 48' 44" West, as established by the Franklin County Engineering Department.

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.

**Section 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for one two-unit dwelling and/or those uses permitted in the L-AR-12, Limited Apartment Residential District.

**Section 3.** That this ordinance is further conditioned on every dwelling unit not having less than a two-car attached garage.

**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:** 2098-2006

**Drafting Date:** 11/13/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**ExplanationBACKGROUND:**

The City of Columbus is the 15th largest city in the country, with a population of over 700,000 and encompassing nearly 220 square miles. Within the City of Columbus local governing body, the work force is comprised of approximately 8,000 employees. Of these 8,000 employees more than half utilize personal computers and are linked by the City's network. This network is comprised of City owned fiber; leased lines; wireless point to point; and broadband services, necessary to perform daily operational duties and responsibilities. Also, the network provides services to City residents, allowing access and connectivity to the Internet and other City Information Technology (IT) services. Additionally, the City's commercial community has invested in several fiber projects which provide bandwidth for companies to either move their business to the City or support increased business operations of current Columbus based companies.

With regards to connecting to Information Technology (IT), a plan is required to address three key components of the City, with those components being work force, business development, and residents. This legislation will provide for this plan and ultimately result in more effective use of today's assets and implementation of newer technologies for these key components. However, in preparation to implement this plan, the Department of Technology (DoT) exercised due diligence by completing the competitive process in compliance with Columbus City Code Section 329, awarding professional service contracts through the requests for proposals (RFP). Through this process, an RFP was prepared, posted on the City's solicitation web-site, and mailed to potential offerors who responded to the solicitation notice. Out of this process DoT received five (5) offers.

While DoT performed the RFP process an evaluation committee was formed. This committee consisted of voting members represented by the Department of Technology, the EBOCO Office and Ohio Super Computer Center. Also, out of this process, with the five (5) companies who submitted offers (listed below); interviews were held; calls were made to the references of each of the five offerors; and the results were conveyed to the evaluation team. Next, the evaluation team reviewed and evaluated the offers; a final vote was taken, with Whiteboard Broadband Solutions scoring the highest. The result of this process was the recommendation that the award be made to Whiteboard Broadband Solutions, in the amount of \$96,500.00. This company, Whiteboard Broadband Solutions, has exhibited an understanding of the needs of the Department of Technology and the City of Columbus. They have provided many references and examples of past success in large city, county and state projects. Also, on this project, Whiteboard Broadband Solutions is partnering with an MBE company, PolicyWorks, L.L.C (contract compliance number 300193496, expiration date: 8/9/2008).

Five Offerors:

Whiteboard Broadband Solutions

CCG

Blackwell Consulting

Innovate

Total Systems Integration (TSI)

This legislation authorizes the Director of the Department of Technology to establish a contract with Whiteboard Broadband Solutions, for professional consulting services associated with the IT connectivity plan.

Funds for this project are available within the Department of Technology information services budget and The Development Department general fund.

**EMERGENCY:** There is an immediate need to establish a contract with Whiteboard Broadband Solutions to continue daily operations associated with IT connectivity.

**FISCAL IMPACT:** There has been no previous cost for this type of contract; nor with the selected vendor, Whiteboard Broadband Solutions. However, funding has been identified for this project as shared cost between The Department of Technology, information services and The Development Department. As the associated costs for this project, The Department of Technology's associated cost, from the 2006 information services internal services budget will be \$61,500.00 and The Development Department's associated cost is \$35,000.00 from their general fund.

**CONTRACT COMPLIANCE:**

Contract Compliance Number 311738545 Expiration Date: 3/20/2008

**Title**To authorize the Director of the Department of Technology to establish a contract, with Whiteboard Broadband Solutions, for professional services for a citywide connectivity plan, for the Department of Technology; to authorize the expenditure of \$61,500.00 from the Department of Technology's information services fund and \$35,000.00 from the Development Department's general fund; and to declare an emergency. (\$96,500.00)

**Body****WHEREAS**, the Department of Technology seeks services to assist in developing an IT citywide connectivity plan; and

**WHEREAS**, with regards to connecting to Information Technology (IT), a plan is required to address three key components of the City; work force, business development, and residents; and

**WHEREAS**, this legislation will authorize the Director of the Department of Technology to establish a contract for services associated with the IT connectivity plan, from Whiteboard Broadband Solutions; and

**WHEREAS**, the Department of Technology (DoT) exercised due diligence by completing the competitive process in compliance with Columbus City Code Section 329, awarding professional service contracts through the requests for proposals (RFP); and

**WHEREAS**, there is sufficient budget authority available in the 2006 Department of Technology's information services budget and the Development Department's general fund, as shared cost for this plan; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Technology in that it is immediately necessary to establish a contract with Whiteboard Broadband Solutions, for a citywide connectivity plan for the Department of Technology to support daily operations of all City agencies, citizens and businesses, 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 establish a contract for developing a citywide connectivity plan with Whiteboard Broadband Solutions.

**SECTION 2.** That the expenditure of \$96,500.00 or so much thereof as may be necessary is hereby authorized to be expended from:

**Div.:** 47-02| **Fund:** 514| **Subfund:** 001| **OCA:** 280735| **Obj. Level 1:** 03| **Obj. Level 3:** 3336| **Amount:** \$61,500.00

**Div.:** 44-01|**Fund:** 010|**OCA:** 440307|**Obj. Level 1:** 03| **Obj. Level 3:** 3336| **Amount:** \$35,000.00

**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.

**Legislation Number:** 2100-2006

**Drafting Date:** 11/14/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** For the option to establish a UTC contract for Allis Chalmers Sludge Pump Parts for the Department of Public Utilities, Division of Power and Water. The term of the proposed option contract would be approximately two (2) years, expiring December 31, 2008, with the option to extend for one (1) additional year. The Purchasing Office opened formal bids on October 26, 2006.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA002203). 28 bids were solicited: (MBE-0, FBE-1, MAJ-27). 2 bids were received: (MAJ-2):

The lowest bidder, Werner Process Equipment, was deemed non-responsive due to submission of unfavorable and unacceptable terms and conditions. The Purchasing Office is recommending award to the overall lowest, responsive, responsible and best bidder as follows:

The Henry P. Thompson Co., Items 1-55, Contract Compliance #31-0515994, expires 2/25/08  
Total Estimated Annual Expenditure: \$40,000.00, Department of Public Utilities, Division of Power and Water.

The 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 Findings for Recovery Certified Search.

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 Contract Fund. The Department of Public Utilities, Division of Power and Water will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

**Title**

To authorize and direct the Finance & Management Director to enter into a contract for the option to obtain Allis Chalmers Sludge Pump Parts with The Henry P. Thompson Company, to authorize the expenditure of \$1.00 to establish the contract from the Universal Term Contracts Fund, and to declare an emergency. (\$1.00)

**Body**

WHEREAS, the Purchasing Office advertised and solicited formal bids on October 26, 2006 and selected the overall lowest responsive, responsible and best bidder; 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 maintain a supply of Allis Chalmers Sludge Pump Parts, 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 a contract for the option to obtain Allis Chalmers Sludge Pump Parts, 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 contract for the option to purchase Allis Chalmers Sludge Pump Parts in accordance with Solicitation SA002203 as follows: The Henry P. Thompson Company, Items 1-55 only, Amount \$1.00

SECTION 2. That the expenditure of \$1.00 is hereby authorized from Universal Term Contracts Fund, 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 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:** 2103-2006

**Drafting Date:** 11/14/2006

**Current Status:** Passed

**Version:** 2

**Matter Type:** Ordinance

### Explanation

**APPLICANT:** Lyle A. Jones Jr.; c/o David M. Neubauer, Atty.; 334 West Third Avenue; Columbus, Ohio 43201.

**PROPOSED USE:** Conform an existing single-family dwelling.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The applicant seeks a variance to conform an existing single-family dwelling in the C-4 district and to allow a lot split at a later date. The C-4, Commercial District does not permit single-family dwellings. The site lies within the boundaries of *The Near Southside Plan* (1997), although said *Plan* contains no specific recommendation regarding this site. The applicant also requests variances to standards including a decreased minimum driveway width from twenty (20) feet to fourteen (14) feet, to have zero (0) parking spaces when a minimum of two (2) parking spaces are required and to have building setbacks decreased from the minimum of ten (10) feet to zero (0) feet. The area contains a mixture of commercial and residential uses and therefore continuance of the single-family use would be consistent with the land use pattern of the area. Maintaining this dwelling as an occupied single-family dwelling would not add to the abundance of vacant houses in the area as identified in *The Near Southside Plan* (1997). No recommendation is being made regarding the hardship aspect of this request.

### Title

To grant a Variance from the provisions of Sections 3356.05, C-4, Commercial district; 3342.08, Driveway; 3342.28, Minimum number of parking spaces required and 3356.11, C-4 district setback lines, of the Columbus City Codes for property located at **500 EAST DESHLER AVENUE (43206)**, to conform an existing single-family dwelling in the C-4, Commercial District **and to declare an emergency.**

### Body

**WHEREAS**, by application No. CV06-055, the owner of property at **500 EAST DESHLER AVENUE (43206)**, is requesting a Council Variance to permit a single-family residence in the C-4, Commercial District; and

**WHEREAS**, Section 3356.05, C-4, Commercial district, permits residential uses only above certain commercial uses, while the applicant proposes to conform an existing single-family dwelling on the property; 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 allow for the sale of the property by the end of 2006 for the immediate preservation of the public peace, property, health and safety; and**

**WHEREAS**, Section 3342.08, Driveway, requires a minimum driveway width of twenty (20) feet for commercial uses, while the applicant proposes to use the existing fourteen (14) foot wide driveway; and

**WHEREAS**, Section 3342.28, Minimum Number of Parking Spaces Required, requires two (2) off-street parking spaces for each single-family dwellings, while applicant proposes to have zero (0) off-street parking spaces; and

**WHEREAS**, Section 3356.11, C-4 district setback lines, requires buildings to have a setback of ten (10) feet from the right-of-way, while the applicant proposes to maintain the existing zero (0) foot setback; and

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

**WHEREAS**, the City Departments recommend approval because the area contains a mixture of commercial and residential uses and therefore continuance of the single-family use would be consistent with the land use pattern of the area. As there is an abundance of vacant houses in the area, maintaining this site with a single-family dwelling would prevent this dwelling from becoming vacant; 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 **500 EAST DESHLER AVENUE (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 from the provisions of Sections 3356.05, C-4, Commercial District; 3342.08, Driveway; 3342.28, Minimum number of parking spaces required, of the Columbus City Codes for property located at **500 EAST DESHLER AVENUE (43206)**, insofar as said sections prohibit a single-family dwelling in the C-4, Commercial District, a decreased minimum driveway width from twenty (20) feet to fourteen (14) feet, zero (0) parking spaces when a minimum of two (2) parking spaces are required, building setbacks decreased from the minimum of ten (10) feet to zero (0) feet, said property being more particularly described as follows:

Being 35.29 feet off of the east end of Lot 42 of Frederick Klein's Subdivision to the City of Columbus, as the same is numbered and delineated on the recorded plat thereof, Plat Book 4, page 236, 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 single-family dwelling, or those uses permitted in the C-4, commercial District.

**Section 3.** That this ordinance is further conditioned on a commitment by the owner to maintain the existing building footprint in conformance with the site plan titled "**Survey of 0.026 Acres Lying In Part of Lot 42 Frederick Kleins Subdivision Plat Book 4, Page 236, City of Columbus, County of Franklin, State of Ohio,**" drawn by Landmark Survey Group, Inc., dated April 27, 2006, and signed by Scott D. Grunde and contained within the legal description for this ordinance.

**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:** 2105-2006

**Drafting Date:** 11/14/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**BACKGROUND:** To change the company name and Federal Identification number for contract FL002221 for the purchase of Altivia VX-456 for the Department of Public Utilities. This ordinance authorizes the assignment of all past, present and future business resulting from FL002221 by the City of Columbus with US Filter Wastewater Group Inc, FID 954328532 to Siemens Water Technologies Group., FID 043063901, ACT through 11/13/09.

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

**FISCAL IMPACT:** No funds are required to modify the option contract. Each agency must set aside their own funding for their estimated expenditures.

In order to maintain an uninterrupted of services to City agencies using this Universal Term Contract, this ordinance is being submitted as an emergency.

**Title**

To authorize and direct the Finance & Management Director to modify past, present and future purchase orders with USFilter Wastewater Group Inc, to reflect a name change to the company as a result of new ownership; and to declare an emergency.

**Body**

**WHEREAS**, the Finance & Management Department/Purchasing Office established the contract with USFilter Wastewater Group Inc for the option to purchase Altivia VX-456; and

**WHEREAS**, Siemens Water Technologies Group., purchased USFilter Wastewater Group Inc, in addition to notifying the City of the purchase, Siemens Water Technologies Group., has agreed to honor the past, present and future purchase orders established from contract FL002221, and

**WHEREAS**, an emergency exists in the usual daily operation of the Finance and Management Department/Purchasing Office in that it is immediately necessary to modify contract FL002221, 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 modify contract FL002221 and all past, present and future purchase orders pursuant to that contract to reflect the change of the company name and FID number from USFilter Wastewater Group Inc, FID 954328532 to Siemens Water Technologies Group., FID 043063901.

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

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

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**Legislation Number:** 2107-2006

**Drafting Date:** 11/14/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**Background:**

This ordinance will transfer \$125,000.00 between Objects within the Recreation and Parks Operating Fund 285 to properly

align appropriations in order to complete necessary expenditure pertaining to utility costs and meet recreation and maintenance supply expenses through the end of 2006.

This ordinance is submitted as an emergency to allow the financial transaction to be posted in the City's accounting system as soon as possible. Up-to-date financial posting promotes accurate accounting and financial management. Additionally, emergency action is required to have funding available for necessary expenditures.

This ordinance is done in conjunction with the 2006 Third Quarter Review.

**Fiscal Impact:**

\$125,000.00 is being transferred between Objects within the Recreation and Parks Operating Fund 285, as shown in Section 1 of this ordinance.

**Title**

To authorize and direct the transfer of \$125,000.00 between Objects within the Recreation and Parks Operating Fund 285 to properly align appropriations in order to complete necessary expenditures pertaining to utility costs and recreation and maintenance supply expenses through the end of 2006, and to declare an emergency. (\$125,000.00)

**Body**

**WHEREAS**, it is necessary to properly align appropriations in order to complete necessary expenditures pertaining to utilities and recreation and maintenance supply expenses; and

**WHEREAS**, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to transfer 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 the transfer of \$125,000.00 between Objects within the Recreation and Parks Operating Fund be and is hereby authorized to properly align appropriations in order to complete necessary expenditures pertaining to utility and recreation and maintenance supply expenses, as follows:

**FROM:**

<u>Fund No.</u>	<u>OCA Code</u>	<u>Object Level 3</u>	<u>Amount</u>
285	510107	1160	\$ 15,000.00
285	510107	1166	\$ 90,000.00
285	510107	1173	<u>\$ 20,000.00</u>
		TOTAL	\$125,000.00

**TO:**

<u>Fund No.</u>	<u>OCA Code</u>	<u>Object Level 3</u>	<u>Amount</u>
285	510495	2273	\$15,000.00
285	510297	2269	\$10,000.00
285	510297	3314	<u>\$100,000.00</u>
		TOTAL	\$125,000.00

**SECTION 2.** 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 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:** 2109-2006

**Drafting Date:** 11/14/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

Explanation

BACKGROUND: For the option to purchase Service and Training Ammunition for the Public Safety Department, Police Division. The term of the proposed option contract would be from the date of execution by the City to and including September 30, 2008. The Purchasing Office opened formal bids on November 9, 2006.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation SA002229). Six (6) companies were solicited (MAJ: 3, FBE:2, MBE: 1 ); Three (3) bids were received (MAJ: 3).

The Purchasing Office is recommending award of one contract each to the responsive, responsible and best bidder for each item (Two suppliers):

Vance Outdoors, Inc. MAJ, CC# 542072038 Expires 2/29/08, Award Item 1.

Total Estimated Annual Expenditure: \$38,520.00

Kiesler Police Supply MAJ, CC# 351361847 Expires 7/12/08, Award Item 2.

Total Estimated Annual Expenditure: \$26,000.00

These Companies are not debarred according to the Excluded Parties listing of the Federal Government and are not listed in the Auditor of State database for Findings for Recovery.

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 UT Contract 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 & Management Director to enter into contracts for the option to purchase Service and Training Ammunition/UTC with Vance Outdoors, Inc. and Kiesler Police Supply and to authorize the expenditure of two dollars to establish the contracts from the Purchasing/UT Contract Fund, and to declare an emergency. (\$2.00).

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids that opened on November 9, 2006 and Three (3) companies responded with quotes with Vance Outdoors, Inc. meeting the bid requirements and offering the lowest prices for Item 1., and Kiesler Police Supply meeting the bid requirements and offering the lowest prices for Item 2., and

WHEREAS, the Public Safety Department, Police Division recommended award to the lowest, responsive, responsible and best bidders and the Purchasing Office agrees, 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 that service and training ammunition is supplied without interruption to maintain personal and public safety, 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 a contract(s) for an option to purchase service and training ammunition, 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 service and training ammunition in accordance with Solicitation No. SA002229 as follows:

Vance Outdoors, Inc., Item 1., Amount \$1.00.  
Kiesler Police Supply, Item 2., Amount \$1.00

SECTION 2. That the expenditure of \$2.00 is hereby authorized from Purchasing 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:** 2110-2006

**Drafting Date:** 11/14/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

1. **BACKGROUND:**

A. **Need:** This legislation authorizes the Director of Public Utilities to modify the construction contract with Kokosing Construction Company, Inc. for the Jackson Pike Wastewater Treatment Plant New Headworks Project. The Kokosing Construction Company, Inc. modification amount requested under this ordinance is \$1,525,000.00. The contract total including this modification is \$15,140,900.00. These additional funds will provide for the cost of several changes in contract work that have become necessary to complete the construction and to settle a Contractor's claim for compensation for Project Schedule delay due to multiple changes to the original work. Due to the complex and comprehensive nature of this project, this additional work could not be foreseen, and it is not practical or feasible to undertake a new procurement to deliver these services. This legislation will additionally authorize the expenditure of funds within the Sanitary Sewer Bond Fund.

B. **Contract Compliance No.:** 311023518 (MAJ)

C. **Emergency Designation:** The Division of Sewerage and Drainage hereby requests City Council to concur in the designation of this ordinance as an emergency measure, in order to assure that the construction contract work may continue uninterrupted and avoid possible delays, thereby assuring minimum final costs to the City in the establishing these vital plant facilities.

2. **FISCAL IMPACT:** Monies for these projects were included in the recent bond sale and sufficient authority is in the 2006 Capital Improvements Budget. A transfer and amendment is needed to place the amounts in the correct project.

3. **PROJECT LOCATION:** This project is located at the Jackson Pike Wastewater Treatment Plant.

### **Title**

To authorize the Director of Public Utilities to modify a contract with Kokosing Construction Company, Inc. for the Jackson Pike Wastewater Treatment Plant New Headworks Project; to authorize the transfer of \$1,525,000.00 within the Voted Sanitary Sewer Bond Fund; to amend the 2006 Capital Improvements Budget; to authorize the expenditure of \$1,525,000.00 within the Voted Sanitary Sewer Bond Fund for the Division of Sewerage and Drainage; and to declare an emergency. (\$1,525,000.00).

**Body**

**WHEREAS**, Contract No. EL002508 was authorized by Ordinance No. 1051-2002, as passed by Columbus City Council on July 1, 2002 for purposes of authorizing the Director of Public Utilities to enter a construction contract with Kokosing Construction Company, Inc. for the Jackson Pike Wastewater Treatment Plant New Headworks Project; and

**WHEREAS**, Modification No. 1 authorized by Ordinance No. 1786-2004, as passed by Columbus City Council on November 1, 2004 provided additional construction contingency funding that was estimated to be necessary; and

**WHEREAS**, it is necessary to authorize the transfer of monies within the Voted Sanitary Sewer Bond Fund to provide sufficient funding for the aforementioned project expenditure; and

**WHEREAS**, it is necessary to authorize an amendment to the 2006 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

**WHEREAS**, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary for this Council to authorize the Director of Public Utilities to modify the construction contract for the Jackson Pike Wastewater Treatment Plant New Headworks Project, at the earliest practical date in order to ensure that the construction contract work may proceed uninterrupted and avoid possible delays, thereby assuring minimum final costs to the City in the establishing of these vital plant facilities 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 hereby is, authorized to modify Contract No. EL002508 with Kokosing Construction Company, Inc., 886 McKinley Avenue, Columbus, Ohio 43222 for construction of the Jackson Pike Wastewater Treatment Plant New Headworks Project in order to provide for additional work in accordance with the terms and conditions as shown in the Modification on file in the office of the Division of Sewerage and Drainage.

**Section 2.** That for the purpose of paying the cost of the construction contract modification, the following expenditure, or as much thereof as may be needed, be and the same is hereby authorized as follows: Division 60-05; Fund 664; Project-Jackson Pike Wastewater Treatment Plant New Headworks, Project No. 650252; Object Level3 6624; OCA Code 655183; Amount \$1,525,000.00.

**Section 3.** That the 2006 Capital Improvements Budget Ordinance No. 1108-2006 is hereby amended as follows, to provide sufficient budget authority for the execution of the cost agreement increase stated in Section 1 herein:

**CURRENT:**

650252: JPWWTP New Headworks - \$462,927.00

650351: WWTF Construction and Contingencies - \$2,938,293.00

**AMENDED:**

650252: JPWWTP New Headworks - \$1,987,927.00 (+\$1,525,000.00)

650351: WWTF Construction & Contingencies - \$1,413,293.00 (-\$1,525,000.00)

**Section 4.** That the City Auditor is hereby authorized to transfer \$1,525,000.00 within the Voted Sanitary Sewer Bond Fund, Fund 664, Division of Sewerage and Drainage, Division 60-05, FROM: Project Name Wastewater Treatment Facilities Construction and Contingencies, Project No. 650351, Object Level3 6676, OCA 642918; TO: Project Name

JWWTP New Headworks, Project No. 650252, Object Level3 6624, OCA 655183.

**Section 5.** That the City Auditor is hereby authorized to transfer any unencumbered balance in the project account to the unallocated balance 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 no longer required for said project; except that no transfer shall be made from a project by monies from more than one source.

**Section 6.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**Section 7.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure 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:** 2112-2006

**Drafting Date:** 11/14/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

1. **BACKGROUND:**

A. **Need:** This legislation authorizes the Director of Public Utilities to modify the construction contract with Liberty Mutual Insurance Company for the Wastewater Treatment Facilities Instrumentation and Control (I&C) System Upgrade Project. The original contract was signed with The Superior Electric Company, which defaulted on the contract. The Completion Surety, Liberty Mutual Insurance Company, entered into a Take-over Agreement with the City for the completion of the Contract Work. The Contract Work is being completed by the Surety's Completion Contractor, The Superior Group. The Liberty Mutual Insurance Company modification amount requested under this ordinance is \$855,557.00. The contract total including this modification is \$11,484,157.00. These additional funds will provide for the cost of several changes in contract work that have become necessary to complete the I&C Upgrade and to settle several Contractor's claims for compensation. Due to the complex and comprehensive nature of this project, this additional work could not be foreseen, and it is not practical or feasible to undertake a new procurement to deliver these services. This legislation will additionally authorize the expenditure of funds within the Sanitary Sewer Bond Fund.

B. **Contract Compliance No.:** The Contract Compliance No. for the Completion Contractor is 200354904 (MAJ).

C. **Emergency Designation:** The Division of Sewerage and Drainage hereby requests City Council to concur in the designation of this ordinance as an emergency measure, in order to assure that the construction contract work may proceed uninterrupted and avoid possible delays, thereby assuring minimum final costs to the City in the establishing of these vital plant facilities.

2. **FISCAL IMPACT:** Monies for this project were included in the recent bond sale and sufficient authority is in the 2006 Capital Improvements Budget.

3. **PROJECT LOCATION:** This project is located at the Jackson Pike and Southerly Wastewater Treatment Plants.

To authorize the Director of Public Utilities to modify a contract with Liberty Mutual Insurance Company, for the Wastewater Treatment Facilities Instrumentation and Control (I&C) System Upgrade Project; to authorize the expenditure of \$855,557.00 within the Voted Sanitary Sewer Bond Fund for the Division of Sewerage and Drainage; and to declare an emergency. (\$855,557.00).

**Body**

**Whereas**, Contract No. EL001712 was authorized by Ordinance No.1698-2001, as passed by Columbus City Council on October 15, 2001 for purposes of authorizing the Director of Public Utilities to enter a construction contract for the Wastewater Treatment Facilities Instrumentation and Control (I&C) System Upgrade Project; and

**WHEREAS**, Modification No. 1 authorized by Ordinance No. 2572-2003, as passed by Columbus City Council on January 26, 2004 provided additional construction contingency funding that was estimated to be necessary; and

**Whereas**, the original contract was signed with The Superior Electric Company; and

**Whereas**, on or about January 22, 2004, The Superior Electric Company notified the City of default under the Contract; and

**WHEREAS**, the Contract's Completion Surety, Liberty Mutual Insurance Company, entered into a Take-over Agreement with the City for the completion of the Work on Contract J198B/S61B; and

**WHEREAS**, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary for this Council to authorize the Director of Public Utilities to modify the construction contract for the Wastewater Treatment Facilities Instrumentation and Control (I&C) System Upgrade Project at the earliest practical date in order to ensure that the construction contract work may proceed uninterrupted and avoid possible delays, thereby assuring minimum final costs to the City in the establishing of these vital plant facilities., 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 hereby is, authorized to modify Contract No. EL001712 with Liberty Mutual Insurance Company, 450 Plymouth Road, Suite 400, Plymouth Meeting, Pennsylvania 19462 for construction of the Wastewater Treatment Facilities Instrumentation and Control (I&C) System Upgrade Project in order to provide for additional work in accordance with the terms and conditions as shown in the Modification on file in the office of the Division of Sewerage and Drainage.

**Section 2.** That for the purpose of paying the cost of the construction contract modification, the following expenditure, or as much thereof as may be needed, be and the same is hereby authorized as follows: Division 60-05; Fund 664; Project-Wastewater Treatment Facilities Instrumentation and Control (I&C) System Upgrade, Project No. 650348; Object Level3 6624; OCA Code 654348; Amount \$855,557.00.

**Section 3.** That the City Auditor is hereby authorized to transfer any unencumbered balance in the project account to the unallocated balance 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 no longer required for said project; except that no transfer shall be made from a project by monies from more than one source.

**Section 4.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**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 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:** 2115-2006

**Drafting Date:** 11/15/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### Explanation

BACKGROUND: For the option to purchase Repair of Auto/Truck Springs for Fleet Management. The term of the proposed option contract would be two (2) years. Contract is through October 31, 2008. The Purchasing Office opened formal bids on November 2, 2006.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation SA002223 CGW. Four (MAJ:4, MBE:0, FBE:4) bids were solicited; three (3) (MAJ:3) bids were received.

The Purchasing Office is recommending award of primary and secondary contracts to the lowest, responsive, responsible and best bidders:

Frame & Spring, Inc. MAJ, CC#311370086 (Expires 8-4-07)

Jones Truck & Spring Repair, Inc. MAJ, CC#310934536 (Expires 11-15-08)

Total Estimated Annual Expenditure: Division did not provide.

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

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

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Purchasing UTC Contract Account. Fleet Management will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

### Title

To authorize and direct the Finance & Management Director to enter into two (2) contracts for the option to purchase Repair of Auto/Truck Springs with Frame & Spring, Inc. and Jones Truck & Spring Repair, Inc. to authorize the expenditure of two (2) dollars to establish the contract from the Purchasing/Universal Term Contract Fund, and to declare an emergency. (\$2.00).

### Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on November 2, 2006 and selected the lowest, responsive, responsible and best bids; and

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

WHEREAS, because these parts are necessary to repair and maintain various city vehicles, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Fleet Management Division in that it is immediately necessary to enter into a contract(s) for an option to purchase of Repair of Auto/Truck Springs, 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 contract(s) for an option to purchase Repair of Auto/Truck Springs in accordance with Solicitation SA002223 CGW as follows:

Frame & Spring, Inc.: All Items (Primary) Amount: \$1.00

Jones Truck & Spring Repair, Inc.: All Items (Secondary) Amount: \$1.00

SECTION 2. That the expenditure of \$2.00 is hereby authorized from Purchasing 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:** 2116-2006

**Drafting Date:** 11/15/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** For the option to purchase Electric Meters and Accessories for the Department of Public Utilities, Division of Operational Support. The term of the proposed option contract would be through October 31, 2007. The Purchasing Office opened formal bids on August 24, 2006. The contract may be extended for two additional one year periods, on a year by year basis, subject to mutual agreement by the city and the contractors. The estimated annual expenditure for the bid items is \$215,958.13.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation SA002121. Fifty-eight bids were solicited (MAJ:54:, MBE:4, FBE:0); Eight (MAJ: 8) bids were received.

These companies are not debarred according to the Excluded Parties listing of the Federal Government and are not listed in the Auditor of States database for Findings for Recovery.

The Purchasing Office is recommending award of 5 contracts to the lowest, responsive, responsible and best bidders:

Hughes Supply, Inc., MAJ, CC: 370798775, expires 5/18/07, \$109,620.37

Reed City Supply, MAJ, CC: 381783949, expires 3/25/08, \$32,654.77

Wesco Distribution, Inc., MAJ, CC: 251723345, 1/15/07, \$61,813.62

Becker Electric, MAJ, CC: 310553243, 8/18/08, \$8,302.32

Marwell, MAJ, CC: 953322955, 5/27/07, \$3,567.05

No bids were received on items 40, 44, 45, 50, 51, 52, 61, 62, 63, 89, 91, 95, 98, 99, 107, 108, and 172. These items will be informally bid as needed.

Reed City Power Line Supply was low bidder on items 1, 2, 5, 6, 7, 8, 9,14, 15, 24, 25, 27, and 28. However they were non-responsive to the specification, therefore they are not recommended for award of these items. Hughes Supply Inc., the lowest, responsive, responsible and best bidder is recommended for award of these items.

Reed City Power Line Supply was the low bidder on item 57, however, due to local vendor credit, Hughes Supply is recommended for award of this item.

Reed City Power Line Supply was low bidder on items 85, 86, 90, 92, 96, 97, 100, 101 and 102, however, with local vendor credit, the award recommendation is to Becker Electric.

Brayden Automation Corp. was low bidder on item 47, but it is not in the best interest of the city to issue a separate contract for this one item, as the administrative cost for issuing and managing the contract will not be cost effective. Therefore, this item is to be awarded to Reed City Power Line Supply, the next low bidder.

Sensus Metering Systems was low bidder on items 2 and 28, however they were non-responsive to the specification and are not to be recommended for an award.

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 these option contracts is budgeted in the Purchasing UTC 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 & Management Director to enter into five contracts for the option to purchase Electric Meters and Accessories with Hughes Supply, Inc; Reed City Supply; Wesco Distribution Inc.; Becker Electric; and Marwell Corporation to authorize the expenditure of five dollars to establish the contract from the Purchasing/UTC Fund, and to declare an emergency. (\$5.00).

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on August 24, 2006 and selected the lowest, responsive, responsible and best bids; and

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

WHEREAS, in order to ensure electric meters and accessories are supplied without interruption to new and existing public utility/electricity projects, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities/Operational Support Division in that it is immediately necessary to enter into contracts for an option to purchase Electric Meters and Accessories, 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 contract(s) for an option to purchase Electric Meters and Accessories in accordance with Solicitation No. SA002121 as follows:

Hughes Supply Inc.: Items 1 -39, 56, 57, 65, 66, 67, 68, 69, 88, 105, 106, and 178. Amount: \$1.00

Reed City Supply: Items 41, 42, 43, 47, 53, 54, 55, 58, 59, 60, 64, 81, 82, 83, 84, 93, 141-171, 173, 174, 175, 176, and 177. Amount \$1.00.

Wesco Distribution: Items 48, 49, and 109-140. Amount \$1.00.

Becker Electric: Items 70, 71, 85, 86, 87, 90, 92, 94, 96, 97, 100, 101, 102, 103 and 104. Amount \$1.00.

Marwell Corporation: Items 46, and 72-80. Amount \$1.00.

SECTION 2. Items 40, 44, 45, 50, 51, 52, 61, 62, 63, 89, 91, 95, 98, 99, 107, 108 and 172 will not be awarded as no responsive bid was received for these items.

SECTION 3. That the expenditure of \$5.00 is hereby authorized from the Purchasing UTC Fund, Organization Level 1: 45-50, Fund: 05-517, Object Level 3: 2270, OCA: 450020, to pay the cost thereof.

SECTION 4. 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:** 2118-2006

**Drafting Date:** 11/15/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

#### **Explanation**

BACKGROUND: For the option to purchase Automated Scheduling Management Software, Hardware and Related Services for the Department of Public Safety, the largest user. The term of the proposed option contract will be three (3) years. Contract is through December 31, 2009. There will be three (3), one year options to renew contingent upon agreement by both parties. The Purchasing Office opened formal bids on October 26, 2006.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.14 (Solicitation SA00002159JY). Six (6) (MAJ:2, MBE:2, FBE:2) bids were solicited; One (1) (MAJ:1) bid was received.

The Purchasing Office, on behalf of the Department of Public Safety is recommending award to:

Principal Decision Systems International (PDSI), CC#77-0258909 (Expires 07-02-2008)

Total Estimated Annual Expenditure: \$60,000.00

This company is not debarred according to the Federal Excluded Parties Listing or listed on 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. The Department of Public Safety will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

#### **Title**

To authorize and direct the Finance & Management Director to enter into a citywide UTC contract for the option to purchase Automated Scheduling Management Software, Hardware and Related Services and to authorize the expenditure of one dollar to establish the contract from the Purchasing/UTC Fund, and to declare an emergency. (\$1.00).

WHEREAS, the Purchasing Office advertised and solicited formal bids on October 26, 2006 and selected the lowest, responsive, responsible and best bids; and

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

WHEREAS, because this Software, Hardware and Related Services for the Automated Scheduling Management system to keep and maintain city agency scheduling systems functioning in the most efficient and practical ways possible, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Safety in that it is immediately necessary to enter into a contract for an option to purchase Automated Scheduling Management Software, Hardware and Related 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 & Management Director be and is hereby authorized and directed to enter into the following contract for an option to purchase Automated Scheduling Management Software, Hardware and Related Services in accordance with Solicitation SA002159JY as follows:

Principal Decision Systems International, All Items; Amount: \$1.00

SECTION 2. That the expenditure of \$1.00 is hereby authorized from Purchasing 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:** 2125-2006

**Drafting Date:** 11/15/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

#### **BACKGROUND**

This ordinance authorizes the Administrative Judge of the Franklin County Municipal Court to modify and extend the contract with Southeast, Inc. for provision of case management services in connection with grants from the State of Ohio, Department of Alcohol and Drug Addiction Services (ODADAS) and the Alcohol, Drug and Mental Health Board of Franklin County (ADAMH) for the Court's mental health program docket.

The Franklin County Municipal Court has received notice from the ADAMH Board that the term of the grant that supports this ongoing contract for case management support has been extended until March 31, 2007.

Southeast, Inc. contract compliance number is 310940189.

**FISCAL IMPACT**

No additional funds will be added to this contract. The Court will use the funds available to extend the contract for the case management services for the Court's mental health program docket.

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.

**Title**

To authorize and direct the Administrative Judge of the Franklin County Municipal Court to modify and extend the contract with Southeast, Inc. for provision of case management support for the Court's mental health docket; and to declare an emergency. (\$0.00)

**Body**

**WHEREAS**, grants from the State of Ohio, Department of Alcohol and Drug Addiction Services have been awarded to assist in providing case management support for the Franklin County Municipal Court's mental health docket; and

**WHEREAS**, Southeast, Inc. has been the agency providing case management support for the mental health docket; and

**WHEREAS**, the term for this grant has been extended until March 31, 2007 and there are funds remaining to extend beyond the end of 2006 with which to provide case management support for the mental health docket; and

**WHEREAS**, an emergency exists in the usual daily operation of the city, in that it is immediately necessary to authorize the contract modification and extension with Southeast, Inc. for continuation of enhanced services for the Court's mental health docket, 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 Administrative Judge of the Franklin County Municipal Court be and is hereby authorized to modify and extend the contract with Southeast, Inc. for provision of contract case management support of the mental health docket for the period ending March 31, 2007.

**SECTION 2.** That the City Auditor is authorized to make any accounting changes necessary to ensure that these transactions are properly accounted for and recorded accurately on the city's financial records.

**SECTION 3.** 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:** 2140-2006

**Drafting Date:** 11/16/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**Background:**

This legislation requests transfer of funding between Object Level Ones within the existing appropriations of the Sewer Operating-Sanitary Fund from the Division of Sewerage and Drainage to the Department of Public Utilities and the Division of Operational Support.

Earlier this year appropriations were transferred from the Division of Sewerage and Drainage to the Department of Public Utilities and the Division of Operational Support. These transfers were due to the consolidation of the safety and fleet services within the Director's Office and the consolidation of customer, revenue and field services within the Division of Operational Support.

These transfers have left a surplus of funds within the Sewer Operating-Sanitary Fund for the Division of Sewerage and Drainage and a shortfall of funds for the Department of Public Utilities and the Division of Operational Support. Due to the fact that not enough money was transferred earlier in the year it is now necessary to transfer appropriations within the Sewer Operating-Sanitary Fund in order to cover the Department of Public Utilities and the Division of Operational Support personnel expenditures for the remainder of the year.

**Fiscal Impact:**

No increase in overall department funding is requested. Transfer of funds will occur within the existing appropriations of the divisions and the department. Funds will be transferred within the Sewer Operating-Sanitary Fund from Object Level One appropriations of the Division of Sewerage and Drainage to the Department of Public Utilities and the Division of Operational Support.

**Title**

To authorize the transfer of appropriations within the Sewer Operating-Sanitary Fund from the Division of Sewerage and Drainage to the Department of Public Utilities and the Division of Operational Support to provide funding necessary to cover the Department of Public Utilities and the Division of Operational Support personnel expenditures for the remainder of the year and to declare an emergency. (\$100,000.00)

**Body**

WHEREAS, a consolidation and transfer of safety and fleet services to the Director's Office of the Department of Public Utilities made it necessary to transfer appropriations within the Sewer Operating-Sanitary Fund from the Division of Sewerage and Drainage to the Department of Public Utilities; and

WHEREAS, a consolidation and transfer of customer, revenue and field services to the Division of Operational Support made it necessary to transfer appropriations within the Sewer Operating-Sanitary Fund from the Division of Sewerage and Drainage to the Division of Operational Support; and

WHEREAS, these transfers have left a surplus of funds within the Sewer Operating-Sanitary Fund for the Division of Sewerage and Drainage and a shortfall of funds for the Department of Public Utilities and the Division of Operational Support; and

WHEREAS, due to the fact that not enough money was transferred earlier in the year it is now necessary to transfer appropriations within the Sewer Operating-Sanitary Fund in order to cover Department of Public Utilities and Division of Operational Support personnel expenditures for the remainder of the year; and

WHEREAS, an emergency exists in the usual daily operations of the Department of Public Utilities and the Division of Operational Support, in that it is immediately necessary to authorize the transfer of appropriations within the Sewer Operating-Sanitary Fund in order to cover the Department of Public Utilities and the Division of Operational Support personnel expenditures for the remainder of the year 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 City Auditor is hereby authorized to transfer appropriations within the Sewer Operating-Sanitary Fund from the Division of Sewerage and Drainage to the Department of Public Utilities and the Division of Operational

Support as follows:

**From:**

Department 60-05  
Fund: 650  
OCA: 605006  
Object Level: 1112  
Amount: \$100,000.00

**Total:** \$100,000.00

**To:**

Department 60-01  
Fund: 650  
OCA: 600056  
Object Level: 1000  
Amount: \$35,000.00

Department 60-02  
Fund: 650  
OCA: 600205  
Object Level: 1000  
Amount: \$65,000.00

**Total:** \$100,000.00

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:** 2144-2006

**Drafting Date:** 11/16/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** Near the end of 2005, the Department of Technology engaged in the purchase of new equipment, from Unisys Corporation, associated with mainframe servers (Libra system), which allow the Department to analyze; examine; integrate and process the city's payroll/personnel, Police and LEADS (Law Enforcement Agencies Data System) applications, along with other applications necessary for daily operations. The Unisys equipment is a unique system that is manufactured solely by Unisys Corporation and is a proprietary system. As part of the original purchase, authorized by ordinance 1934-2005, the Department was provided options for support services.

The result of this legislation is to authorize the Director of the Department of Technology to enter into contract with Unisys Corporation, for support services from February, 2006 through June 30, 2007 associated with the Libra system.

**FISCAL IMPACT:** The Libra system was new equipment, established through ordinance 1934-2005, in the amount of

\$570,790.00. Of this amount, to-date, the Department has expended \$485,216.00 for the equipment. However, the Department has not expended any funds toward support services associated with the new Libra system. This is the first year for a support services contract for the Libra system, provided by Unisys Corporation, in the amount of \$46,561.00, bringing the aggregate contract total to \$46,561.00. Funding for services provided by this ordinance is budgeted and available within the 2006 Department of Technology's information services fund.

**EMERGENCY:** There is an immediate need to enter into contract with Unisys Corporation in order to maintain support and services for the Libra system, which supports the Police LEADS and payroll applications.

**CONTRACT COMPLIANCE NUMBER:** 38-0387840 Expires: 03/26/2007

**Title**To authorize the Director of the Department of Technology to enter into contract with Unisys Corporation for support services; to authorize the expenditure of \$46,561.00 from the information services fund, and to declare an emergency. (\$46,561.00)

**Body**

**WHEREAS**, the Department of Technology engaged in the purchase of new equipment, from Unisys Corporation, associated with mainframe servers (Libra system), which allow the Department to analyze; examine; integrate and process the city's payroll/personnel, Police and LEADS (Law Enforcement Agencies Data System) applications; and

**WHEREAS**, as part of the original purchase, authorized by ordinance 1934-2005, the Department was provided options for support services; and

**WHEREAS**, the result of this legislation is to authorize the Director of the Department of Technology to enter into contract with Unisys Corporation, for support services from February, 2006 through June 30, 2007 associated with the Libra system; and

**WHEREAS**, funding for services provided by this ordinance is budgeted and available within the 2006 Department of Technology's information services fund; and

**WHEREAS**, this is the first year for a support services contract for the Libra system, provided by Unisys Corporation; and

**WHEREAS**, an emergency exists in the usual daily operation of the Information Services Division in that it is immediately necessary enter into contract with Unisys Corporation for support services, to maintain uninterrupted support and services for the police LEADS and payroll applications, for the preservation of the public health, peace, property, safety and welfare; now, therefore

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

**SECTION 1:** That the Director of the Department of Technology be and is hereby authorized to enter into contract support services, with Unisys Corporation, related to operation of the Libra system.

**SECTION 2:** That the expenditure of \$46,561.00 or so much thereof as may be necessary is hereby authorized to be expended from:

Division: 47-02|Fund: 514|Subfund: 001|OCA: 280768 | Object level one: 03| Object level three code: 3372| Amount: \$46,561.00

**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:** 2145-2006

**Drafting Date:** 11/16/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** For the option to establish five (5) UTC contracts to purchase Mainline Parts and Fire Hydrants for the Department of Public Utilities, Division of Power and Water. The term of the proposed option contracts would be two (2) years, expiring November 30, 2008, with the option to extend for one (1) additional year. The Purchasing Office opened formal bids on October 5, 2006.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation SA002077). 16 bids were solicited: (MBE-0, FBE-1, MAJ-15). 5 bids received: (MAJ-5). The Purchasing Office is recommending award to the lowest, responsive, responsible and best bidders as follows:

HD Supply-Waterworks (formerly Hughes Supply/National Waterworks), lowest responsive bidder for Items 12-15, 20, 21, 24, 25, 29, 30, 31, 34, 35, 36, 40, 43-69, 71-76, 84-88, 95, 101-105, 107, 111-115, 141, 144, 145, 147-150, 206-208, 210, 212-218, 274, 278, 298, 300, 301, 303, 307, 308, 315, 318, 329, 337, 340, 346, 347, 348, 350, 364, 367, 373, 374, 379, 401, 404, 405, 407, 409, 411-415, 433, 434, 444, 445, 447-449, 469, 482-490, 492-497, 499-507, 516, 519, 520-524, 538, 539, 542, 544, 546, 549, 567, 569, 584, 585, 598, 601, 615, 617-619, 621, 665, 667, 671-673, 679, 780, 791, 815, 824, 825 and 830, MAJ, CC#59-0559446, expires 2/16/07, \$1,00, Estimated annual expenditure \$150,000

Ferguson Waterworks, lowest responsive bidder for Items 1-10, 22, 23, 26, 27, 39, 70, 78, 79, 89-94, 96-100, 106, 116, 117, 121, 122, 128-140, 151-169, 179-203, 219-273, 275-277, 279-297, 302, 304-306, 309-314, 316, 317, 319-328, 331-336,

338, 339, 341-345, 349, 353, 358, 360, 361, 363, 365, 417-432, 435-443, 446, 450, 451, 453-468, 470, 471, 508, 512-514, 517, 518, 531, 532, 535-537, 540, 541, 543, 545, 547, 548, 550-566, 568,

570-572, 575, 577-581, 632-648, 664, 666, 668, 670, 674, 676-678, 782, 788-790, 792-811, 893 and 951, MAJ, CC#54-1211771, expires 8/9/08, \$1.00, Estimated annual expenditure \$250,000

Ohio Water & Waste Supply, Inc., lowest responsive bidder for Items 11, 28, 32, 33, 37, 38, 41, 42, 77, 80-83, 108-110, 123-127, 142, 143, 146, 170-178, 205, 209, 211, 299, 330, 354, 370, 371, 375-378, 400, 402, 403, 406, 408, 410, 416, 452, 472, 475, 476, 478-480, 509-511, 515, 525-530, 533, 534, 573, 574, 576, 583, 586, 595-597, 599, 600, 602-614, 616, 620, 622, 623, 649, 650, 669, 675, 781, 783-787, 812-814, 816, 817-823, 826-829, 874-892, 894-911, 916-932, and 938, MAJ, CC#31-1253267, expires 1/25/08, \$1.00, Estimated annual expenditure \$250,000

Trumbull Industries, lowest responsive bidder for Items 832, 833, 840, 841, 844, 845, 848-850, 853, 858-861, 863-865, 867-873, 937, 942, 944-946 and 948, MAJ, CC#34-0653551, expires 3/3/08, \$1.00, Estimated annual expenditure \$75,000

Hydraflo, Inc., lowest responsive bidder for Item 831, 839, 843, 846, 847, 851, 852, 912, 913, 914 and 915, MAJ, CC#76-0138320, expires 11/14/08, \$1.00, Estimated annual expenditure \$50,000

For Items not listed, no bids were received.

The companies are 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 Findings for Recovery Certified Search.

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 these option contracts is budgeted in the Universal Term Contract Fund. The Department of Public Utilities, Division of Power and Water will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

**Title**

To authorize and direct the Finance & Management Director to enter into five (5) contracts for the option to purchase Mainline Parts and Fire Hydrants with HD Supply-Waterworks, Ferguson Waterworks, Ohio Water & Waste Supply Co., Inc., Trumbull Industries, and Hydraflo, Inc., to authorize the expenditure of \$5.00 to establish the contracts from the

Universal Term Contracts Fund, and to declare an emergency. (\$5.00).

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on October 5, 2006 and 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 maintain a supply of Mainline Parts and Fire Hydrants, 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 five (5) contracts for the option to purchase Mainline Parts and Fire Hydrants, 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 the option to purchase Mainline Parts and Fire Hydrants in accordance with Solicitation SA002156 as follows:

HD Supply-Waterworks, lowest responsive bidder for Items 12-15, 20, 21, 24, 25, 29, 30, 31, 34, 35, 36, 40, 43-69, 71-76, 84-88, 95, 101-105, 107, 111-115, 141, 144, 145, 147-150, 206-208, 210, 212-218, 274, 278, 298, 300, 301, 303, 307, 308, 315, 318, 329, 337, 340, 346, 347, 348, 350, 364, 367, 373, 374, 379, 401, 404, 405,407, 409, 411-415, 433, 434, 444, 445, 447-449, 469, 482-490, 492-497, 499-507, 516, 519, 520- 524, 538, 539, 542, 544, 546, 549, 567, 569, 584, 585, 598, 601, 615, 617-619, 621, 665, 667, 671-673, 679, 780, 791, 815, 824, 825 and 830: \$1.00

Ferguson Waterworks, lowest responsive bidder for Items 1-10, 22, 23, 26, 27, 39, 70, 78, 79, 89-94, 96-100, 106, 116, 117, 121, 122, 128-140, 151-169, 179-203, 219-273, 275-277, 279-297, 302, 304-306, 309-314, 316, 317, 319-328, 331-336, 338, 339, 341-345, 349, 353, 358, 360, 361, 363, 365, 417-432, 435-443, 446, 450, 451, 453-468, 470,471,508,512-514, 517, 518, 531, 532, 535-537, 540, 541, 543, 545, 547, 548, 550-566, 470, 471, 508, 512-514, 531, 532, 535-537, 540, 541, 543, 545, 547, 548, 550-566, 568,

570-572,575,577-581,632-648,664,666,668,670,674,676-678,782,788-790, 792-811, 893 and 951: \$1.00

Ohio Water & Waste Supply, Inc., lowest responsive bidder for Items 11, 28, 32, 33, 37, 38, 41, 42, 77, 80-83, 108-110, 123-127, 142, 143, 146, 170-178, 205, 209, 211, 299, 330, 354, 370, 371, 375-378, 400, 402, 403, 406, 408, 410, 416, 452, 472, 475, 476, 478-480, 509-511, 515, 525-530, 533, 534, 573, 574, 576, 583, 586, 595-597, 599, 600, 602-614, 616, 620, 622, 623, 649, 650, 669, 675, 781, 783-787, 812-814, 816, 817-823, 826-829, 874-892, 894-911, 916-932, and 938: \$1.00

Trumbull Industries, lowest responsive bidder for Items 832, 833, 840, 841, 844, 845, 848-850, 853, 858-861, 863-865, 867-873, 937, 942, 944-946 and 948: \$1.00

Hydraflo, Inc., lowest responsive bidder for Item 831, 839, 843, 846, 847, 851, 852, 912, 913, 914 and 915: \$1.00

SECTION 2. That the expenditure of \$5.00 is hereby authorized from Universal Term Contracts Fund, 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 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:** 2149-2006

**Drafting Date:** 11/16/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation** Memorandum of Understanding (MOU) #2006-06 was executed by representatives of the City and Columbus Municipal Association of Government Employees (CMAGE)/CWA Local 4502. This MOU amends the Collective Bargaining Contract by amending Appendix B, the classification of Electronic System Specialist. The passage of this ordinance indicates Council's acceptance of MOU #2006-06, a copy of which is attached hereto.

**Title** To accept Memorandum of Understanding (MOU) #2006-06 executed between representatives of the City of Columbus and Columbus Municipal Association of Government Employees (CMAGE)/CWA Local 4502, which amends the Collective Bargaining Contract, August 24, 2005 through August 23, 2008; and to declare an emergency.

**Body** Whereas, representatives of the City and CMAGE/CWA Local 4502 entered into MOU #2006-06, a copy of which is attached hereto, to amend the Collective Bargaining Contract between the City and CMAGE/CWA Local 4502, August 24, 2005 through August 23, 2008, by amending the classification of Electronic System Specialist; 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 CMAGE/CWA Local 4502, by accepting MOU #2006-06, 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 MOU #2006-06 amends the Collective Bargaining Contract between the City and CMAGE/CWA Local 4502, August 24, 2005 through August 23, 2008.

**Section 2.** That City Council, in the best interest of the City, hereby recognizes and accepts MOU #2006-06, a copy of which is attached hereto, executed between representatives of the City and CMAGE/CWA Local 4502, to be effective the beginning of the first payperiod of 2007.

**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:** 2153-2006

**Drafting Date:** 11/16/2006

**Version:** 2

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**Council Variance Application: CV06-054**

**APPLICANT:** Andrea Mulholland; c/o Darryl G. Rogers, Architect; 264 South Third Street; Columbus, Ohio 43215

**PROPOSED USE:** To expand an existing dental office.

**GERMAN VILLAGE COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. A dental office was originally permitted on the site by council variance in 1970 and altered when another council variance was approved in 1995. This request would allow the applicant to expand the dental office by 89 square feet. Variances are also being requested to allow the lot coverage to exceed 50%, with a maximum of 52.95%, and to vary the parking requirement from nine (9) to the existing five (5) spaces.

Approval of this request will not introduce a new or incompatible use into the neighborhood.

**Title**

To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential district; 3332.18(D), Basis of computing area; and 3342.18, Minimum number of parking spaces required, for the property located at **601 SOUTH THIRD STREET (43206)**, to permit expansion of an existing dental office with reduced development standards in the R-2F, Residential District **and to declare an emergency.** (Council Variance #CV06-054)

**Body**

**WHEREAS**, by application No. CV06-054, the owners of property at **601 SOUTH THIRD STREET (43206)**, are requesting a Council variance to permit expansion of an existing dental office in the R-2F, Residential District; and

**WHEREAS**, Section 3332.037, R-2F, Residential district, prohibits dental offices, while the applicant proposes to expand an existing dental office permitted by a previous council variance (CV95-016); 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 3332.18(D), Basis of computing area, prohibits buildings from occupying more than fifty (50) percent of the lot area, while the applicant proposes building lot coverage of 52.95%; and

**WHEREAS**, Section 3342.28, Minimum number of parking spaces required, requires nine (9) spaces for the dental office, while the applicant proposes to maintain the existing five (5) spaces; and

**WHEREAS**, The German Village Commission recommends approval; and

**WHEREAS**, City Departments recommend approval because this variance will not introduce a new or incompatible use into the neighborhood. A dental office was originally permitted on the site by council variance in 1970 and altered when another council variance was approved in 1995. This request would allow the applicant to expand the dental office by 89 square feet. Variances are also being requested to allow the lot coverage to exceed 50%, with a maximum of 52.95%, and to vary the parking requirement from nine (9) to the existing five (5) spaces; 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 **601 SOUTH THIRD STREET (43206)**, in using said property as desired; now, therefore:

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

**Section 1.** Variances from the provisions of Sections 3332.037, R-2F, Residential district; 3332.18(D), Basis of computing area; and 3342.18, Minimum number of parking spaces required,, for the property located at **601 SOUTH THIRD STREET (43206)**, insofar as said sections prohibit a 2,120 square foot dental office with 52.95% lot coverage and five (5) parking spaces, said property being more particularly described as follows:

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

BEING a part of the east half of Inlot Number SEVEN HUNDRED FIFTEEN (715) in John McGown's Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Deed Book "G", page 70, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

BEGINNING at an iron pin set in the west line of Third Street which iron pin is distant 24.70 feet north measured along said west line from a cross set in concrete at the south-east corner of said lot 715, said cross being also distant north 394.53 feet measured along the west line of Third Street from the intersection of said west line with the north line of Sycamore Street (66.0 feet wide); thence westerly and parallel to the south line of Willow Alley 42 feet to an iron pin; thence northerly and parallel to the west line of Third Street 10 feet to an iron pin; thence westerly and parallel with the South line of Willow Alley 31.75 feet to an iron pin in the west line of the east one-half of Lot No. 715 which iron pin is distant northerly 34.70 feet from the southwest corner of said easterly one-half of Lot No. 715; thence northerly and parallel to the west line of Third Street 26.2 feet to an iron pin in the south line of said Willow Alley; thence easterly with the south line of Willow Alley ; thence easterly with the south line of Willow Alley 93.75 feet to its intersection with the west line of Third Street (82.5 feet wide); thence southerly with the west line of Third Street 36.2 feet to the place of beginning, according to a survey by Byron T. Jones, Registered Surveyor, May, 1948.

**Section 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a dental office, or those uses permitted in the R-2F, Residential District.

**Section 3.** That Ordinance 927-95, passed May 1, 1995, is hereby repealed.

**Section 4.** That this ordinance is further conditioned that the building shall be a maximum of 2,120 square feet.

**Section 5.** That this ordinance is further conditioned that the building expansion be consistent with the Certificate of Appropriateness from the German Village Commission and the drawings titled, "**601 South Third Street, 1 of 2 and 2 of 2**", signed and dated by the applicant Darryl G. Rogers, architect, November 17, 2006. Any slight adjustments to the site plan and/or elevations 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 6.** That this ordinance is further conditioned on the applicant obtaining all applicable permits.

**Section 7.** ~~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:** 2154-2006

**Drafting Date:** 11/16/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

Explanation

BACKGROUND: For the option to purchase Photo ID Supplies for the Recreation and Parks Department, the biggest user. The term of the proposed option contract would be two (2) years. Contract is through December 31, 2008. The Purchasing Office opened formal bids on September 7, 2006.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation SA002140 MEL) Seventeen (MAJ:17, MBE:0, FBE:0) bids were solicited; Eleven (11) (MAJ:11) bids were received.

The Purchasing Office is recommending award of contracts to the lowest, responsive, responsible and best bidders as follows:

Lamination Service MAJ CC# 621058511(Expires 11/16/08) \$7,260.17

Laube Imaging Products MAJ CC# 341824461 (Expires 8/3/08) , \$1,802.52  
One Source Industries, MAJ CC# 593631833 (Expires 4/2/08), \$3,529.00  
ID Card Systems, Inc., MAJ CC# 020551938 (Expires 11/15/08), \$972.00  
Total Estimated Annual Expenditure: \$29,881.00

Although low bid for Item #2, The Iris Companies and ID Card Systems were deemed non-responsive to Requirements in Section 3.2 of the bid specifications.

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

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

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Purchasing UTC Contract Account. The Recreation and Parks Department will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

Title

To authorize and direct the Finance & Management Director to enter into four (4) UTC contracts for the option to purchase Photo ID Supplies, to authorize the expenditure of four (4) dollars to establish the contract from the Purchasing UTC Contract Fund, and to declare an emergency. (\$4.00).

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on September 7, 2006 and selected the lowest, responsive, responsible and best bids. Eleven (11) bids were received; 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, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into four contract(s) for an option to purchase Photo ID Supplies to ensure uninterrupted supply of materials, 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 Photo ID Supplies with Solicitation SA002140 MEL as follows:

Lamination Service, Inc., Item# 1, 2, 3, 4, 7 and 8, Amount: \$1.00  
Laube Imaging Products, Item# 5, Amount: \$1.00  
One Source Industries, Item# 6, Amount: \$1.00  
ID Card Systems, Item# 9, Amount: \$1.00

SECTION 2. That the expenditure of \$4.00 is hereby authorized from Purchasing UTC 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:** 2155-2006

**Drafting Date:** 11/16/2006

**Version:** 2

**Current Status:** Passed

**Matter Type:** Ordinance

### **Explanation**

#### **Rezoning Application Z06-066**

**APPLICANT:** Brian M. Murray; c/o David Perry, Agent; The David Perry Company; 145 East Rich Street, 3rd Floor; Columbus, Ohio 43215 and Donald T. Plank, Atty.; Plank and Brahm; 145 East Rich Street, 3rd Floor; Columbus, Ohio 43215.

**PROPOSED USE:** Office, day care and veterinarian uses.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (5-0) on October 12, 2006.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The requested CPD, Commercial Planned Development District is consistent with the land use recommendations in the *West Columbus Interim Development Concept* (1991) and would permit controlled office, daycare and veterinarian development consistent with established zoning and development patterns of the area. The proposed limitation text includes customary use restrictions and buffering provisions along the north and east property lines.

### **Title**

To rezone **5301 ROBERTS ROAD (43026)**, being 0.68± acres located on the south side of Roberts Road, 300± feet west of Windflower Road, **From:** R-1, Residential District. **To:** CPD, Commercial Planned Development District **and to declare an emergency.** (Rezoning # Z06-066)

### **Body**

**WHEREAS**, application #Z06-066 is on file with the Building Services Division of the Department of Development requesting rezoning of 0.68± acres from the R-1, Residential District to the CPD, Commercial Planned Development 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 sell the property as soon as possible for the immediate preservation of the public peace, property, health and safety; and**

**WHEREAS**, the requested CPD, Commercial Planned Development District is consistent with the land use recommendations in the *West Columbus Interim Development Concept* (1991) and would permit controlled office, daycare and veterinarian development consistent with established zoning and development patterns of the area. The proposed limitation text includes customary use restrictions and buffering provisions along the north and east property lines, 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:

**5301 ROBERTS ROAD (43026)**, being 0.68± acres located on the south side of Roberts Road, 300± feet west of Windflower Road, and being more particularly described as follows:

**0.677 Acres**

**Legal Description for Zoning Purposes Only**

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Virginia Military Surveys 6554 and 7029, being part of the premises conveyed to Charles F. and Rosemary Schwaigert (Deed Book 2273, Page 243) and part of the premises conveyed to Rosemary Schwaigert (O.R.V. 15449 H-18) and being more particularly described as follows:

Commencing at the centerline intersection of Roberts Road and Rome-Hilliard Road;

Thence, along the centerline of Roberts Road, South 85°46'00" East, 1,148.31 feet to a point;

Thence, South 04°51'00" East, 50.63 feet to a point at **THE TRUE POINT OF BEGINNING** of this description;

Thence, **South 85°46'00" East, 200.00 feet** to a point;

Thence, **South 04°51' 00" East, 149.37 feet** to a point;

Thence, **North 85°46' 00" West, 200.00 feet** to a point;

Thence, **North 04°51'00" West, 149.37 feet** to the place of beginning, **CONTAINING 0.677 Acres.**

**To Rezone From:** R-1, Residential 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, "**5301 ROBERTS ROAD**," signed by Donald Plank, Attorney for the Applicant, and David B. Perry, Agent for the Applicant dated October 17, 2006; and text titled, "**DEVELOPMENT TEXT**," signed by Donald Plank, Attorney for the Applicant, and David B. Perry, Agent for the Applicant dated October 17, 2006, and the text reading as follows:

**DEVELOPMENT TEXT**

**CPD, Commercial Planned Development**

**0.677± Acres**

**EXISTING DISTRICT:** R-1, Residential District

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

**PROPERTY ADDRESS:** 5301 Roberts Road, Columbus, OH 43026

**OWNER:** Rosemary Schwaigert c/o David B. Perry, Agent, The David Perry Co., 145 East Rich Street, 3rd Floor,

Columbus, OH 43215 and Donald Plank, Attorney, Plank and Brahm, 145 East Rich Street, Columbus, OH 43215

**APPLICANT:** Brian M. Murray c/o David B. Perry, Agent, The David Perry Co., 145 East Rich Street, 3rd Floor, Columbus, OH 43215 and Donald Plank, Attorney, Plank and Brahm, 145 East Rich Street, Columbus, OH 43215

**DATE OF TEXT:** October 17, 2006

**APPLICATION NUMBER:** Z06-066

**1. INTRODUCTION:**

The subject site is 0.677 ± acres zoned R-1, Residential located on the south side of Roberts Road, 250+ feet east of Potts Place. The City of Columbus has recently acquired right of way from the site for the Roberts Road widening and improvement project. Roberts Road is designated a 4-2 arterial on the Thoroughfare plan. The site was developed with a single family dwelling in Norwich Township, but the character of the area has changed with development on Roberts Road. Applicant proposes to rezone the property to the CPD, Commercial Planned Development District to permit certain uses of the C-2, Commercial District. Applicant proposes to change the use of the dwelling for C-2 uses and may redevelop the site in the future. The plan titled "5301 Roberts Road", hereafter referred to as "The Plan", dated October 17, 2006 and signed October 17, 2006 by David B. Perry, Agent, and Donald Plank, Attorney, is submitted with this application as the site development plan while the existing house remains. If the site is redeveloped, this site plan shall not be applicable.

**2. PERMITTED USES:** The following uses shall be permitted:

All office uses of Chapter 3353, C-2, Commercial District, adult/child day care and/or veterinarian office.

**3. PROHIBITED USES:** The following uses are prohibited:

Monopole Telecommunications Antenna, billboard, drive-thru/pickup window as a primary or accessory use.

**4. DEVELOPMENT STANDARDS:** Except as specified herein, or as depicted on The Plan, the applicable development standards shall be as specified in the C-2, Commercial District.

**A. Density, Height, Lot and/or Setback Commitments.**

1. Building setbacks shall be as depicted on The Plan for as long as the existing house, including the option of building an addition to the house, remains. If the site is redeveloped, meaning the existing house is razed, any site development shall comply with applicable code required building setback(s).

2. There shall be a 10 foot pavement setback along the east and south property lines.

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

1. Upon change of use of the house to commercial use, the existing driveway of the house will be removed and the existing Roberts Road curbcut closed.

2. Vehicular access for any commercial use shall be from a new driveway located approximately as depicted. The site shall be accessed via one (1) full turning movement curb cut located approximately as depicted on The Plan, subject to final design and engineering approval by the Division of Transportation, which may include splitting the driveway on the common property line of 5301 Roberts Road and 5309 Roberts Road. An easement for vehicular access shall be provided

to the property owner of parcel 560-154699 (5309 Roberts Road), abutting the subject site to the west, for use of the new Roberts Road curbcut on this property if 5309 Roberts Road is rezoned to a commercial zoning district. The owner of 5309 Roberts Road shall grant an easement to 5301 Roberts Road for construction of the driveway across the common property line and for shared use of the driveway, as may be applicable, if 5309 Roberts Road is rezoned to a commercial zoning district.

3. Parking and vehicle circulation areas shall be designed as depicted on The Plan, while the existing building remains.
4. Right of way totaling 50 feet from centerline is required by the City of Columbus. Right of way totaling 50 feet from centerline presently exists.

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

1. All parking/pavement setback areas depicted on The Plan shall be maintained in live vegetation, other than sidewalks, as depicted, other than as may be required to install a dumpster, if required, while the house remains. Parking in addition to the 12 spaces shown on the Plan may also be provided, if desired.
2. A street tree row shall be established along Roberts Road. The street tree row shall contain one (1) tree for approximately every 50 feet of lineal frontage. Skyline Honey Locust, or similar trees, shall be used. The trees shall be approximately evenly spaced and planted approximately five (5) feet from edge of right-of-way after Roberts Road widening improvements are completed, unless the City of Columbus plants street trees as part of the Roberts Road widening/improvements. Tree spacing may be adjusted for sight distance requirements.
3. Parking lot screening in compliance with applicable requirements of Chapter 3342 will be provided along the east and south property lines. Screening along the west property line shall only be required as long as the abutting property to the west is zoned in a residential zoning district and also only to the extent that screening does not conflict with placement/design of the new driveway, as may be required by the Division of Transportation.
4. Landscaping requirements of this section and as depicted on The Plan shall be the applicable landscaping requirements for the site and shall supercede requirements of Chapter 3342.
5. All trees and landscaping shall be well maintained. Weather permitting, dead items shall be replaced within six months.
6. The minimum size of trees at the time of planting shall be as follows: Deciduous - 2 ½ inches, Ornamental - 1 ½ inches, Evergreen - 5 feet, Shrubs - 2 gallon.
7. The base of the ground sign, if any, shall be landscaped.

**D. Building Design and/or Interior-Exterior Treatment Commitments.**

1. No building shall exceed two (2) stories above grade.
2. Building(s) shall be finished on all sides/elevations with the same level and quality of finish.
3. There shall be no roof mounted mechanical equipment. Ground mounted mechanical or utility equipment shall be fully screened from view from any perimeter property line by landscaping or a fence or wall.
4. Building illumination shall be permitted provided such light source is concealed. No colored light shall be used to light the exterior of any building.

**E. Dumpsters, Lighting, Outdoor Display Areas and/or Other Environmental Commitments.**

1. All parking lot lighting, except decorative lighting, such as at pedestrian entrances to the buildings, shall be cut-off fixtures (down lighting).
2. All parking lot light poles and fixtures shall be a dark color and shall be from the same or similar manufacturer's type to insure aesthetic compatibility.
3. Parking lot light poles shall not exceed a maximum of 14 feet in height and not located within 10 feet of the south and east property lines.
4. Building mounted lighting, except decorative lighting at building entrances, shall utilize cut-off style fixtures. All lighting shall be installed to minimize any light spillage offsite.
5. All new or relocated utility lines shall be installed underground, unless the applicable utility company requires above ground installation.

**F. Graphics and Signage Commitments.**

1. All graphics shall conform to Article 15 of the Columbus City Code, as it applies to the C-2, Commercial District. Any variance to the applicable requirements of the C-2, Commercial District, shall be submitted to the Columbus Graphics Commission.
2. Any ground sign shall be monument-style.

**G. CPD Requirements:**

1. Natural Environment and Existing Land Uses. The site is flat and is developed with a single family dwelling. The site abuts the south side of Roberts Road, a 4-2 arterial.
2. Existing Land Use: Existing single family dwelling.
3. Transportation and Circulation: The site is located on the south side of Roberts Road, east of Potts Place.
4. Visual Form of the Environment: The property fronts on an arterial right of way but is isolated from other development. Designated C-2 uses are appropriate for the site.
5. Proposed Development: Change of use of existing house for designated C-2 uses, optional future addition to the house and optional future site redevelopment with uses permitted by text.
6. Behavior Pattern. The CPD site is situated on the south side of Roberts Road, a 4-2 arterial. Access will be from Roberts Road.
7. Emissions: No adverse effect from emissions shall result from the proposed development.

**H. Deviation from C-2 Standards.**

1. 3353.09 C-2 district setback lines, which Section requires that the Roberts Road building setback line is a minimum of 50 feet, while the existing building is 20 +/- feet from the south right of way line and applicant proposes to build an addition to the existing building by extending the existing building to the east. The building is not

parallel to Roberts Road, so the addition, as depicted on the Plan, will be 19 +/- feet from Roberts Road.

**I. Miscellaneous.**

1. The plan titled "5301 Roberts Road", hereafter referred to as "The Plan", dated October 17, 2006 and signed October 17, 2006 by David B. Perry, Agent, and Donald Plank, Attorney, is submitted with this application as the site development plan while the existing house remains, subject to minor adjustment with final engineering and design. Any such minor change shall be reviewed and approved by the Development Director or designee.

2. The site is exempt from the \$400.00/acre Parkland Dedication Ordinance fee since it is less than one (1) acre.

**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:** 2158-2006

**Drafting Date:** 11/17/2006

**Current Status:** Passed

**Version:** 2

**Matter Type:** Ordinance

**Explanation**

**Rezoning Application Z06-056**

**APPLICANT:** BP Products North America, Inc.; c/o Ryan Shrimplin, Agent; WD Partners; 1201 Dublin Road; Columbus, OH 43215.

**PROPOSED USE:** Change building elevations and graphics commitments for existing fuel sales facility with convenience store and car wash.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (5-0) on September 14, 2006.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The requested CPD, Commercial Planned Development District will maintain the existing commitments for the existing fuel-sales facility while relieving the applicant of the obligation to seek a rezoning for every future change to the exterior of the facility.

**Title**

To rezone **7525 SANCUS BOULEVARD (43085)**, being 0.96± acres located on the southwest corner of Sancus Boulevard and Worthington Woods Boulevard, **From:** CPD, Commercial Planned Development District. **To:** CPD, Commercial Planned Development District. (Rezoning # Z06-056)

**Body**

**WHEREAS**, application #Z06-056 is on file with the Building Services Division of the Department of Development requesting rezoning of 0.96± acres from the CPD, Commercial Planned Development District to the CPD, Commercial Planned Development District; and

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

**WHEREAS**, the requested CPD, Commercial Planned Development District will maintain the existing commitments for the existing fuel-sales facility while relieving the applicant of the obligation to seek a rezoning for every future change to the exterior of the facility, 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:

**7525 SANCUS BOULEVARD (43085)**, being 0.96± acres located on the southwest corner of Sancus Boulevard and Worthington Woods Boulevard, and being more particularly described as follows:

**LEGAL DESCRIPTION**

**BP PRODUCTS NORTH AMERICA, INC.**

**7525 SANCUS BOULEVARD - .962 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Section 2, Township 2, Range 18, United States Military Lands and being 0.252 acre of the 0.596 acre tract conveyed to Giuseppe A. Pingue, Sr., by deed of record in Official Record 14483J03 and 0.710 acre of the 16.00 acre tract conveyed to Giuseppe A. Pingue, by deed of record in Official Record 8773F20, all references being to records in the Recorder's Office, Franklin County, Ohio and bounded and described as follows:

Beginning for reference at a railroad spike found at the intersection of the centerline of Worthington Woods Boulevard with the centerline of Sancus Boulevard;

thence North 86° 49' 58" West, along the centerline of Worthington Woods Boulevard, a distance of 60.00 feet to a point;

thence South 3° 10' 02" West, crossing Worthington Woods Boulevard, a distance of 40.00 feet to an iron pin set in the southerly right-of-way line of Worthington Woods Boulevard at a point of curvature of a curve to the right and being the TRUE POINT OF BEGINNING of the tract herein intended to be described;

thence along the arc of said curve (Delta = 90° 00' 00". Radius = 20.00 feet), a chord bearing and distance of South 41° 49' 58" East, 28.28 feet to an iron pin set at a point of tangency in the westerly right-of-way line of Sancus Boulevard (80 feet in width);

thence South 3° 10' 02" West, along said right-of-way line of Sancus Boulevard, a distance of 190.00 feet to an iron pin found;

thence North 86° 49' 58" West, a distance of 200.00 feet to an iron pin found;

thence North 3° 10' 02" East, a distance of 210.00 feet to an iron pin set in the southerly right-of-way line of Worthington Woods Boulevard;

thence South 86° 49' 58" East, along said right-of-way line of Worthington Woods Boulevard, a distance of 180.00 feet to the point of beginning, containing 0.962 acre (41, 914 Square Feet), more or less.

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

Bearings contained herein are based on the same meridian as the southerly right-of-way line of Worthington Woods Boulevard (South 86° 49' 58" East), of record in Plat Book 63, Pages 55 and 56.

**To Rezone From:** CPD, Commercial Planned Development 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 plans being titled, "**C1 SITE LAYOUT**," and "**L1 LANDSCAPE PLAN**," signed by P.W. Brasse, Regional Portfolio Manager for the Applicant both dated October 12, 2006; and text titled, "**COMMERCIAL PLANNED DEVELOPMENT TEXT**," signed by P.W. Brasse, Regional Portfolio Manager for the Applicant, dated October 12, 2006, and the text reading as follows:

**COMMERCIAL PLANNED DEVELOPMENT (CPD) TEXT**

**PROPOSED DISTRICT:** CPD District  
**PROPERTY ADDRESS:** 7525 Sancus Boulevard, Columbus, OH 43085  
**OWNER:** Giuseppe Pingue, Sr.  
**APPLICANT:** BP Products North America, Inc.  
**DATE OF TEXT:** October 12, 2006  
**APPLICATION NUMBER:** Z06-056

**1. INTRODUCTION**

The property subject to this rezoning is developed with a BP convenience store (which also contains a deli called "Wild Bean Café"), gas station, and car wash, and is located on the southwest corner of Sancus and Worthington Woods Boulevards. BP rezoned the property to CPD in 1994 to permit the current uses. In the 1994 rezoning, BP committed to specific graphics for the convenience store, canopy, and car wash. In 2001, the property was rezoned (CPD) to allow BP to update the structures. As part of these rezonings, BP committed to specific building elevations and graphics as well as site and landscaping plans.

Currently, BP has a new proposal to "reimage" the existing convenience store building by repainting the exterior and modifying the existing wall signage to reflect the new color scheme and logo for the Wild Bean Café. Because the proposed reimage does not conform to the previously committed elevations and graphics, the property must again be rezoned to update the elevations. In addition, the current CPD text requires any changes to the committed graphics package to be approved by the Graphics Commission as a variance.

Rather than pursue these approvals, BP is proposing to eliminate the committed building elevations requirement and to modify the Graphics Commission requirement to only apply in instances of variances. Both requirements impose an unnecessary hardship on BP by requiring extensive public review procedures for minor modifications such as changing the building colors, re-facing and relocating existing wall signs, etc. BP asserts that the new CPD text will provide sufficient safeguards to ensure these types of aesthetic changes do not adversely impact the community. Furthermore, it should be noted that this rezoning will not affect the committed site plan and landscaping plan.

**2. PERMITTED USES**

A convenience store and deli with gasoline sales, canopy and car wash.

**3. DEVELOPMENT STANDARDS**

A. Unless otherwise specified in this text or the site plan, the applicable development standards shall be those contained in Chapter 3355, C-4 (Commercial) and Section 3357.18 of the City of Columbus Code.

B. Site Plan Commitments

1. The property shall be developed in accordance with the submitted site plan. The site plan may be slightly adjusted to reflect engineering, topographical, or other site plan data that is developed at the time the final development and engineering plans are completed. Any slight adjustment to the site plan shall be reviewed and may be approved by the Director of the Department of Development, or the Director's designee, upon submission of the appropriate data regarding the proposed adjustment. The general layout and the site concept shall, however, conform to the site plan.

C. Landscaping Commitments

1. The property shall be landscaped in accordance with the submitted landscape plan. The landscape plan may be slightly adjusted to reflect engineering, topographical, or other site plan data that is developed at the time the final development and engineering plans are completed. Any slight adjustment to the landscape plan shall be reviewed and may be approved by the Director of the Department of Development, or the Director's designee, upon submission of the appropriate data regarding the proposed adjustment. The general plant types and the landscaping concept shall, however, conform to the landscape plan.

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

Lighting

1. All external lighting shall be cut-off fixtures (down-lighting) and shall be designed to prevent off-site spillage.
2. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturers type to insure compatibility.
3. Light poles in the parking lot shall be of a color in harmony with the buildings and canopy on the site.
4. Light poles in the parking lot shall not exceed twenty-eight (28) feet in height.

Outdoor Display Areas

1. Outdoor display areas shall be allowed in front of the convenience store along the sidewalk, four (4) feet in depth and twelve (12) feet in width, plus an area four (4) feet by four (4) feet at the ends of the pump islands. In addition, an outside storage area shall be allowed immediately behind the convenience store, four (4) feet in depth and fifteen (15) feet in width, if it is screened from the private drive by landscaping or other suitable buffer.
2. The maximum height for any outside display area shall be three (3) feet.
3. Outdoor display areas shall only contain those items normally and customarily sold by a convenience store and other seasonal items and products, including but not limited to firewood, mulch, flowers, and Christmas decorations.

D. 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 and any variance to those requirements must be submitted to the Columbus Graphics Commission for consideration.
2. Sign setbacks along Sancus Boulevard and Worthington Woods Boulevard shall be maintained as shown on the site plan.
3. The ground sign at the corner of Sancus Boulevard and Worthington Woods Boulevard shall not exceed ten (10) feet in height as measured from the top of the curb.
4. Ground sign exterior materials shall be consistent with the exterior materials of the buildings.
5. Only internally illuminated and non-illuminated graphics shall be utilized. Future exterior graphics utilizing electronic message displays and/or individual changeable letters shall be prohibited. Fuel pricing and advertisement graphics for the deli shall be allowed.
6. Graphics on the canopy shall be allowed.

4. **CPD REQUIREMENTS**

A. Natural Environment

The site has already been developed. All landscaping shown on the landscape plan shall be maintained in good health.

B. Existing Land Use

The site is currently developed with a convenience store (containing a deli), gasoline pumps, a canopy, and a car wash.

C. Transportation and Circulation

The site is located at the southwest corner of Sancus Boulevard and Worthington Woods Boulevard. There are two curb cuts, one on each street, connected by an access drive that runs behind the buildings on the site.

Car Wash Bypass Lane

A bypass lane shall be provided for the car wash with a mountable curb as shown on the site plan.

D. Visual Form of Environment

Height

The buildings and canopy shall not exceed twenty-five (25) feet in height.

E. View and Visibility

Dumpster

The dumpster shall be located as shown on the site plan and shall be screened on all sides with a wood fence and a gate six (6) feet in height.

F. Proposed Development

No new development or redevelopment is proposed at this time.

G. Behavior Patterns

Traffic ingress and egress is via the two existing curb cuts on Sancus Boulevard and Worthington Woods. An access drive runs behind the buildings on the site to allow adequate circulation for delivery trucks.

H. Emissions

The existing development is equipped with a vapor recovery system that captures fuel emissions from the pumps. Refuse is handled by the existing dumpster.

**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:** 2159-2006

**Drafting Date:** 11/17/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** This legislation authorizes the Director of the Department of Development to modify contract DL010798 with the Columbus Downtown Development Corporation (CDDC) by extending the contract termination date from June 30, 2006 to June 30, 2007. The CDDC requests an extension of their 2005 agreement to continue work toward the final implementation of the emerging RiverSouth Master Plan as well as to move forward with the Mayor's Strategic Business Plan for Downtown. Under this agreement the CDDC implements and oversees downtown development projects and programs as well as forges public-private partnerships with the goal of generating private investment for downtown.

Emergency action is requested so program activities can be continued without interruption.

**FISCAL IMPACT:** No additional funds are needed for this modification.

**Title**

To authorize the Director of the Department of Development to modify a contract with the Columbus Downtown Development Corporation to extend the termination date to June 30, 2007; and to declare an emergency.

**Body**

**WHEREAS,** the Director of the Department of Development desires to modify Contract DL010798 with the Columbus Downtown Development Corporation by extending the contract from June 30, 2006 to June 30, 2007; and

**WHEREAS,** this modification will allow the Columbus Downtown Development Corporation to continue to implement and oversee downtown development projects and programs as well as to forge public-private partnerships with the goal of generating private investment for downtown; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to approve this Ordinance so this contract can be extended without interruption, 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 the Director of the Department of Development is hereby authorized to modify Contract DL010798 with the Columbus Downtown Development Corporation by extending the contract termination date from June 30, 2006 to June 30, 2007.
- Section 2.** That this modification is made pursuant to Section 329.16 of the Columbus City Code.
- Section 3.** 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 adoption and approval by the Mayor, or ten days after adoption if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 2161-2006  
**Drafting Date:** 11/17/2006  
**Version:** 1  
**Current Status:** Passed  
**Matter Type:** Ordinance

**Explanation**

**Background:** This ordinance authorizes and directs the Franklin County Municipal Clerk's Office to modify and extend the contract with Fireproof Record Center for an additional three months for the provision of offsite storage services needed for the process of converting Civil, Criminal, Traffic, Environmental files into electronic images.

Purchase order number ED028334 authorized the expenditure of \$17,000.00 with Fireproof Record Center for three months of offsite storage services for the Civil, Criminal, Traffic, Environmental case files. The Clerk is requesting an expenditure of \$12,735.00 for an additional three months of storage services with Fireproof Record Center. The additional time is necessary to assess the future offsite storage needs and options of the Franklin County Municipal Clerk's office.

**Emergency:** For ongoing and uninterrupted storage services.

**Fiscal Impact:** \$12,375.00 is available within the Municipal Court Clerk's 2006 computer fund appropriations.

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:** 31- 4366184, expires 07/05/2008

**Title**

To authorize the Franklin County Municipal Court Clerk to modify the contract with Fireproof Record Center for the provision of three months of offsite storage for the Franklin County Municipal Court Clerk's office; to authorize the expenditure of \$12,375.00 from Clerk's computerization fund; and to declare an emergency. (\$12,375.00)

**Body**

**Whereas**, the additional time is necessary for the Franklin County Municipal Clerk to assess the future offsite storage needs and options of the Franklin County Municipal Clerk's office; and

**Whereas**, it is in the best interest of the City to modify and extend the contract with Fireproof Record Center, pursuant 329.16; and

**Whereas**, an emergency exists in the usual daily operations of the Franklin County Municipal Court Clerk's office, in that it is immediately necessary to modify and extend the contract and authorize an expenditure with Fireproof Record Center for the purchase of three months of offsite storage for the Franklin County Municipal Court Clerk's office for ongoing and uninterrupted storage services thereby preserving the public health, peace, safety, and welfare; now, therefore,

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

**Section 1.** The Franklin County Municipal Court Clerk is hereby authorized to modify the contract with Fireproof Record Center for the purchase of three months of offsite storage services.

**Section 2.** That pursuant to 329.16 of the Columbus City Code, Council finds it in the best interest of the city to modify the contract with Fireproof Record Center.

**Section 3.** That the expenditure sum of \$12,375.00 or so much thereof as may be necessary is hereby authorized to be expended from the Franklin County Municipal Court computer fund, organization 2601, fund 227, oca code 260208, object level one 03, object level 03: 3336 - \$12,375.00.

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

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**Legislation Number:** 2165-2006

**Drafting Date:** 11/17/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

BACKGROUND: This legislation authorizes the Finance & Management Director to issue purchase orders for transformers for the Division of Power and Water using an informal bid process and waives the competitive bidding provisions of the Columbus City Code. The Purchasing Office opened formal bids October 20, 2005 and established universal term contracts for the purchase of transformers. However, due to rapidly increasing metals costs, vendors have been unable to honor the UTC prices.

Due to the immediate need for replacement transformers to maintain the reliability of the city's electrical distribution system and for new customer installations, an informal bid for transformers was solicited. The Purchasing Office opened informal bids on November 16, 2006 and two bids were received. It is recommended that Items 2, 3, 4, 5, 6 and 7 be awarded to the only bidder for these items, Wesco Aurora Utility, in the amount of \$114,672. An award is recommended to Van Tran Industries, in the amount of \$164,974.00, for Items 10, 11, 15, 16, 17, 18 and 19 as the only bidder for these items.

Contract Compliance: Wesco Aurora Utility - 251723345 expires - 1/15/2007  
Industries - 742568917 expires - 8/27/2007

Van Tran

Emergency action is requested in order that the purchase orders may be established prior to the end of 2006 to meet the Division of Electricity's immediate need for replacement transformers.

**FISCAL IMPACT:** \$80,000 was budgeted for the purchase of transformers in the 2006 Electricity Operating Budget. In addition, \$900,000 was budgeted for equipment as may be needed for customer installations. \$112,352 was spent in 2005 and \$179,484 was spent in 2004 from Electricity Operating Fund and the Voted Street Lighting and Electricity Distribution Improvements Fund for the purchase of transformers.

**Title**

To authorize the Finance & Management Director to issue purchase orders for the purchase of transformers for the Division of Power and Water from Wesco Aurora Utility and Van Tran Industries; to waive the competitive bidding provisions of Columbus City Code; to authorize the expenditure of \$279,646.00 from the Electricity Operating Fund; and to declare an emergency. (\$279,646.00)

**Body**

WHEREAS, the Department of Public Utilities, Division of Power and Water, has an immediate need to purchase replacement transformers to maintain the reliability of the city's electrical distribution system and for new customer installations; and

WHEREAS, due to rapidly increasing metals costs, the Division of Power and Water has been unable to obtain transformers from existing universal term contracts for transformers; and

WHEREAS, there is insufficient time to obtain formal bids to meet the Division's needs for transformers; and

WHEREAS, it is in the best interest of the City of Columbus to waive the formal competitive bidding provisions of Columbus City Code to purchase transformers based upon an informal competitive bidding process; and

WHEREAS, emergency action is necessary to meet the Division of Power and Water's immediate need for replacement transformers; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Power and Water, in that it is necessary to purchase transformers 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 Finance & Management Director be and is hereby authorized to purchase transformers for the Division of Power and Water based upon informal competitive bids received November 16, 2006, SO024106, as follows:

Wesco Aurora Utility	\$114,672.00
Van Tran Industries	\$164,974.00

SECTION 2. Pursuant to Section 329.27 of the Columbus City Codes, 1959, it is determined to be in the best interest of the City of Columbus that the provisions of Section 329.06 for competitive sealed bidding be and are hereby waived for this purchase.

SECTION 3. That to pay the cost of the aforesaid purchase, the expenditure of \$279,646.00 , or so much thereof as may be needed, is hereby authorized from the Electricity Operating Fund 550, Division Number 60-07, OCA Code 606749, Object Level Three 6621.

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:** 2169-2006

**Drafting Date:** 11/17/2006

**Current Status:** Passed

**Version:** 3

**Matter Type:** Ordinance

### Explanation

#### Council Variance Application: CV06-049

**APPLICANT:** 541 Third, LLC; c/o Michael T. Shannon, Atty.; Crabbe, Brown & James, LLP; 500 South Front Street, Suite 1200; Columbus, OH 43206.

**PROPOSED USE:** Restaurant.

**CITY DEPARTMENTS' RECOMMENDATION:** Disapproval. The applicant seeks a variance to allow a restaurant in the R-2F, Residential District. The building previously housed a bakery and restaurant. The applicant also requests a variance to provide only ~~seven~~ **four (7 4)** parking spaces while seventy-nine (79) are required. The City Department's recommendation is for disapproval because the Transportation Division has determined that the parking space reduction cannot be supported. No recommendation is being made regarding the hardship aspect of this request.

### Title

To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential District, and 3342.28, Minimum number of parking spaces required of the Columbus City Codes for the property located at **541 SOUTH THIRD STREET (43215)**, to permit a restaurant with reduced parking in the R-2F, Desidential District **and to declare an emergency.** (Council Variance #CV06-049).

### Body

**WHEREAS**, by application #CV06-049, the owner of property at **541 SOUTH THIRD STREET (43215)**, is requesting a Variance to permit a restaurant with reduced development standards in the R-2F, Residential District; and

**WHEREAS**, Section 3332.037, R-2F, Residential district, does not permit commercial uses, while the applicant proposes a restaurant in an existing building on the property; 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 due to pending contractual obligations for the property for the immediate preservation of the public peace, property, health and safety; and**

**WHEREAS**, Section 3342.28, Minimum number of parking spaces required, requires 1 (one) parking space per seventy-five (75) square feet or seventy-nine (79) parking spaces, while the applicant is proposing to provide ~~seven~~ **four (7 4)** parking spaces; and

**WHEREAS**, City Departments recommend disapproval because the applicant seeks a variance to allow a restaurant in the R-2F, Residential District. The building previously housed a bakery and restaurant. The applicant also requests a variance to provide only ~~seven~~ **four (7 4)** parking spaces while seventy-nine (79) are required. The City Department's recommendation is for disapproval because the Transportation Division has determined that the parking space reduction cannot be supported; 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 **541 SOUTH THIRD STREET (43215)**, 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 3332.037, R-2F, Residential district, and 3342.28, Minimum number of parking spaces required; of the Columbus City Codes for the property located at **541 SOUTH THIRD STREET (43215)**, insofar as said sections prohibit a restaurant with ~~seven~~ **four (4)** parking spaces where seventy-nine (79) parking spaces would be required said property being more particularly described as follows:

**541 SOUTH THIRD STREET (43215)**, being 0.15± acres located at the southwest corner of South Third and Hoster Streets, and being more particularly described as follows:

**Legal Description**

**541 South Third Street, Columbus, Ohio**

Tract 1-

Situated in the State of Ohio, County of Franklin, and City of Columbus, and bounded and described as follows:

Being the Northeast Quarter of Inlot Number Seven Hundred and Nine (709) of McGown's Subdivision, of record in Deed Book "G", page 70, Recorder's Office, Franklin County, Ohio.

Tract 2-

Situated in the State of Ohio, County of Franklin, and City of Columbus, and bounded and described as follows:

Being the Northeast Quarter of Inlot Number Seven Hundred and Nine (709) of McGown's Subdivision to said city, called "South Columbus", as said Inlot is numbered and delineated on the recorded plat thereof, of record in Deed Book "G", page 70, Recorder's Office, Franklin County, Ohio.

Tract 3-

Situated in the State of Ohio, County of Franklin, and City of Columbus, and bounded and described as follows:

Being the East half of the south half of Inlot Number Seven Hundred and Nine (709) of McGown's Addition, also three feet in width off the north side of Lot One (1) of Jacob Kaefer's Subdivision of Inlots 710 and 711 as by plat in Plat Book 2, page 62, 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 restaurant, or those uses permitted in the R-2F, Residential District.

**SECTION 3.** That this ordinance is further conditioned on a commitment by the owner to maintain the existing building footprints in conformance with the site plan titled "**RESTAURANT 541 SOUTH THIRD STREET**" dated November 20, 2006, and signed by Michael T. Shannon, attorney for the Applicant. The Subject Site shall be developed in accordance with the site plan. The site plan may be slightly adjusted to reflect engineering, topographical or other site data developed at the time of development and engineering plans are completed. Any slight adjustment to the plans shall be

reviewed and may be approved 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 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.~~ **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:** 2171-2006

**Drafting Date:** 11/20/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

**BACKGROUND:** For the option to purchase Unmarked Vehicles for the Division of Police. The term of the proposed option contract will be one (1) year. Contract is through December 31, 2007. The Purchasing Office opened formal bids on November 16, 2006.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA002227 GRW) Eleven (MAJ:11, MBE:0, FBE:0) bids were solicited; Three (3) (MAJ:3) bids were received.

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

Graham Ford, Inc. MAJ, CC#340901877 (expires 05/17/2008).

Total Estimated Annual Expenditure: \$100,00.00

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. Division of Police 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 Unmarked Vehicles with Graham Ford Inc., to authorize the expenditure of one (1) dollar to establish the contract from the Purchasing/UTC Contract Operation Fund, and to declare an emergency (\$1.00).

### **Body**

WHEREAS, the Purchasing Office advertised and solicited formal bids on November 16, 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, these vehicles will replace high mileage/high maintenance units currently in the Division of Police fleet, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Police in that it is immediately necessary to enter into a contract(s) for an option to purchase Unmarked Vehicles, 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 Unmarked Vehicles in accordance with Solicitation No. SA002227 GRW as follows:

Graham Ford Inc.: All Items: Amount: \$1.00

SECTION 2. That the expenditure of \$1.00 is hereby authorized from Purchasing UTC 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:** 2173-2006

**Drafting Date:** 11/20/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation** DO-AN Investments Ltd., by Frank Ciotola, President, has submitted the plat titled "Henderson Road, The Establishment Of An Access In The Existing Southerly Limited Access Right-Of-Way Line Thereof, City of Columbus, Ohio", to the City Engineer's Office for review and approval. DO-AN Investments desires to establish a vehicular access point from Henderson Road to a certain 3.236 acre tract, located on the southeast corner of Henderson and Reed Roads, now owned by DO-AN Investments L

**Title**

To accept the plat titled "Henderson Road, The Establishment Of An Access In The Existing Southerly Limited Access Right-Of-Way Line Thereof, City of Columbus, Ohio", from DO-AN Investments Ltd., by Frank Ciotola, President; and to declare an emergency.

**Body**

WHEREAS, the plat titled "Henderson Road, The Establishment Of An Access In The Existing Southerly Limited Access Right-Of-Way Line Thereof, City of Columbus, Ohio" (hereinafter "plat"), has been submitted to the City Engineer's Office for approval and acceptance; and

WHEREAS, DO-AN Investments Ltd. desires to establish a vehicular access point from Henderson Road to a certain 3.236 acre tract located on the southeast corner of Henderson and Reed Roads now owned by DO-AN Investments Ltd.; and

WHEREAS, after investigation the City has determined there will be no detrimental effect upon the citizens of the City of Columbus if this limited access is broken to allow for ingress onto the DO-AN Investments Ltd. property; and

WHEREAS, in consideration for granting this access, DO-AN Investments Ltd has agreed to construct a dedicated right turn lane into this access point, to construct missing sidewalks along Henderson Road and to construct ADA compliant curb ramps where necessary, at the intersection of Reed and Henderson Roads; and

WHEREAS, after examination, it has been found to be in the best interest of the City to accept said plat; 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 acceptance of this plat so development of this parcel can proceed as currently scheduled 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 plat titled "Henderson Road, The Establishment Of An Access In The Existing Southerly Limited Access Right-Of-Way Line Thereof, City of Columbus, Ohio", on file in the office of the City Engineer, Transportation Division, be and the same is hereby accepted.

**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:** 2178-2006

**Drafting Date:** 11/20/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** For the option to purchase Office Papers by City agencies. The term of the proposed option contract would be from the date of contract execution up to and including January 31, 2008 with the option to renew for two additional one year periods on a year for year basis. The Purchasing Office opened formal bids on November 16, 2006.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA001968). Sixteen (16) bids were solicited (MAJ: 13, M1A: 1, FBE: 2); Two (2) bids were received (MAJ: 2).

The Purchasing Office is recommending award of one contract each (two contracts) to the responsive, responsible and best bidder for specific items:

RIS Paper Company MAJ, CC# 135585947 Expires 11/20/08, Award all items under Item 1 (Recycled Paper), 3, 4 and for half cases.

Sterling Paper Company MAJ , CC#314317038 Expires 5/9/2008, Award all items under Item 2.

Total Estimated Annual Expenditure: \$350,000.00

These Companies are not debarred according to the Excluded Parties listing of the Federal Government and are not listed in the Auditor of State database for Findings for Recovery.

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 Contract Account. 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 Office Papers/UTC with RIS Paper Company and Sterling Paper Company and to authorize the expenditure of one dollar to each company to establish the contracts from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$2.00).

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids (SA002233) that opened on November 16, 2006 and two (2) companies responded with RIS Paper Company meeting the bid requirements and offering the lowest prices for all items listed under Item 1 (Recycled Paper), Item 3, Item 4 and for half cartons, and with Sterling Paper Company, meeting the bid requirements and offering the lowest prices for all items listed under Item 2., and

WHEREAS, the Finance and Management Department, Purchasing Office recommends award to 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 that City Agencies can continue to meet their written and printed communication needs without interruption, 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 a contract(s) for an option to purchase Office Papers, 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 for an option to purchase Office Papers in accordance with Solicitation No. SA00002233 as follows:

RIS paper Company, All items listed under Item 1, Item 3, Item 4, and for half cases, Amount \$1.00.  
Sterling Paper Company. All items listed under Item 2. Amount \$1.00.

SECTION 2. That the expenditure of \$2.00 is hereby authorized from Purchasing 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:** 2180-2006

**Drafting Date:** 11/20/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**Background:** Lee Roy Allen was employed with the Sanitation Division, of the Public Service Department from 1968 until his disability retirement in 1973. Under the 1973 agreement between the City of Columbus and the American

Federation of State, County and Municipal Employees Union (AFSCME) he qualified to receive an extension of Group Term Life Insurance Benefits in the event of total disability up to \$10,000 under a Premium Waiver program.

Mr. Allen's beneficiary has come forward is seeking collection of Mr. Allen's Life Insurance benefit. Midland Mutual Life Insurance Company, the life insurance administrator during the time of Mr. Allen's disability has ceased its operations. The merged company, Reassurance Life Insurance Company did not pick up the Premium Waivers and the old records can not be located. However, the Auditor's office has confirmed that Mr. Allen's life insurance benefit has not been collected. Evidence has also established that Mr. Allen met the criteria as defined under the 1973 union contract. Therefore, this legislation is to request that Mr. Allen's beneficiary be granted the \$10,000 life insurance benefit outlined in the AFSCME contract effective in 1973.

**Fiscal Impact:** The 1973 AFSCME contract language provided a payment of \$10,000 for life insurance during the continuance of the disability. Funding for this is available in the Employee Benefits Fund/Life Insurance. To authorize the expenditure for life insurance benefit of \$10,000 to the beneficiary of Lee R. Allen.

To authorize the Human Resources Director to expend \$10,000 from the Employee Benefits Fund/Life Insurance, or so much as may be necessary to pay the benefit; and to declare an emergency. (\$10,000)

#### **Title**

To authorize and direct that the beneficiary of deceased employee, Lee R. Allen, be granted the life insurance benefit as directed in the 1973 collective bargaining contract between the City of Columbus and AFSCME; to authorize the expenditure of \$10,000 from the Employee Benefits Fund/Life Insurance: and to declare an emergency. (\$10,000)

#### **Body**

**WHEREAS**, Lee R Allen, a disability retired employee of the City of Columbus was eligible for the life insurance benefits under the 1973 collective bargaining contract between the City of Columbus and AFSCME; and

**WHEREAS**, the City of Columbus intends to grant Lee R. Allen's beneficiary the life insurance benefit in the amount of \$10,000; and

**WHEREAS**, City could not collect the disability benefit from the City's current life insurance administrator or from the life insurance administrator at the time of Mr. Allen's disability retirement; and

**WHEREAS**, the City of Columbus intends to pay the life insurance benefit from the Employee Benefits Fund/Life Insurance to the beneficiary of Lee R. Allen, in the amount of \$10,000; and

**WHEREAS**, an emergency exists in the usual daily operations of the Department of Human Resources in that it is immediately necessary to pay the life insurance benefit of \$10,000 to the beneficiary of deceased employee, Lee R. Allen, 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 Human Resources Director is hereby authorized to expend and direct payment of the life insurance benefits in the amount of \$10,000 to the beneficiary of deceased employee, Lee R. Allen.

**SECTION 2.** That the purpose as stated in section 1, the appropriation and expenditure of \$10,000, or so much thereof as necessary, be and is hereby authorized from the Department of Human Resources, Division No. 46-01, Employee Benefits Fund 502, OCA 461000, Object level three 3362.

**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:** 2189-2006

**Drafting Date:** 11/21/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The need exists to enter into a Municipal Jobs Creation Tax Credit Agreement with e-Play, LLC (e-Play). The Ohio Jobs Creation Tax Credit law (O.R.C. Section 718.158) requires the City to enter into a Council-approved agreement between the City and participating companies.

Founded in 2005, e-Play focuses on the manufacture, distribution, and technological support of their kiosk-based DVD vending equipment. Currently in the infancy of its expansion, the company has been in the planning and developing stages of its business. Using patent-protected technology e-Play's machines are able to deliver recently released and cataloged DVD movies via freshly burned DVDs to customers in less than 30 seconds. e-Play promotes this system as a compact entertainment store (the kiosk has a 3 foot x 3 foot footprint) ultimately allowing a business to offer a choice to customers of over 1,000 titles. e-Play machines will be located in drug stores, gas stations, restaurants, big box retailers and other similar locations. Current central Ohio kiosk locations include four Meijer stores, two Wendy's restaurants, and at Port Columbus in Terminals A, B, and C.

Due to business expansion, the company is proposing to relocate their operations from their current 12,000 square foot facility in Prospect, Ohio to a more efficient 13,000 square foot space at 1177 Olentangy River Road in Columbus. This facility will allow for future company growth.

The project will result in a total capital investment of \$11,600,000, the retention and relocation of 17 full-time and 11 part-time employees, and the creation of 119 new full time permanent positions.

The Department of Development recommends a 65%/8 year Jobs Creation Tax Credit.

This legislation is presented as an emergency in order to allow e-Play, LLC to begin investing and creating jobs as quickly as possible.

**FISCAL IMPACT:** No funding is required for this legislation.

**Title**

To authorize the Director of the Department of Development to enter into an agreement with e-Play, LLC for a Jobs Creation Tax Credit of 65% for a period of 8 years in consideration of the company's total capital investment of \$11,600,000, the retention and relocation of 17 full-time and 11 part-time employees and the creation of 119 new full time permanent positions; and to declare an emergency.

**Body**

**WHEREAS,** pursuant to Section 122.17 of the Ohio Revised Code, the State of Ohio is authorized to establish the Tax Credit Authority and to execute agreements with taxpayers of the State of Ohio for the purpose of

granting these taxpayers job creation tax credits against their corporate franchise tax or income tax, which tax credits are provided to create new jobs in the State of Ohio; and

**WHEREAS,** the Ohio Department of Development approved a 45%/5 year Jobs Creation Tax Credit for e-Play, LLC; and

**WHEREAS,** pursuant to Section 718.15 of the Ohio Revised Code (the "City Act") a municipal corporation is authorized to grant local income tax credits to taxpayers who have received tax credits from the State; and

**WHEREAS,** contingent on the City granting a Jobs Creation Tax Credit, e-Play, LLC will expand into Columbus, relocate 17 (seventeen) full-time and 11 (eleven) part-time jobs with an annual payroll of \$816,000.00, create 119 (one-hundred nineteen) new full time permanent jobs with an annual payroll of \$5,872,214.40, invest \$11,600,000 in machinery and equipment; and

**WHEREAS,** receiving these tax credits from the State and the City is a critical factor in e-Play, LLC's decision to go forward with the project in the City of Columbus; and

**WHEREAS,** an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to enter into an agreement with e-Play, LLC in order to allow it to begin investing and creating jobs as quickly as possible, all 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 hereby finds and determines that the project will (1) create jobs in the State and City; (2) the project is economically sound and will benefit the people of the State and City by increasing opportunities for employment and strengthening the economy of the State and City; and (3) receiving the aforementioned tax credit is a critical factor in the decision by e-Play, LLC to go forward with the project.

**Section 2.** That the City Council hereby finds and determines that the project meets all the requirements of the City Act.

**Section 3.** That the Director of the Department of Development is hereby authorized and directed to enter into and execute an 8-year, 65% Jobs Creation Tax Credit Agreement with e-Play, LLC.

**Section 4.** That the City of Columbus Jobs Creation Tax Credit Agreement be signed by e-Play, LLC within 90 days of passage of this ordinance, or the credit, authorized herein is null and void.

**Section 5.** That for 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 the passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 2190-2006

**Drafting Date:** 11/21/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The need exists to enter into a Municipal Jobs Creation Tax Credit Agreement with BH Thermal Corporation (BriskHeat®). The Ohio Jobs Creation Tax Credit law (O.R.C. Section 718.158) requires the City to enter into a Council-approved agreement between the City and participating companies.

BriskHeat® was founded as Briscoe Manufacturing by retired Major General Earnest Briscoe following the Second World War and serviced the U.S. military and government with the firm's very durable and flexible multi-stranded knit and braided heating element. BriskHeat® quickly gained the reputation in numerous industries as the top heating solutions provider. Their proven knit and braid technology, state-of-the-art CNC machines and three-dimensional computer aided design software, along with their experience, production flexibility, and durable product allow BriskHeat® to provide top heating solutions. Applications include flow/viscosity control, freeze protection, gas/vacuum bake out, condensation for heating any surface including pipes, valves, tanks, hoppers, tubes, troughs, drums, pumps, and industries such as semiconductor, food processing, petrochemical, laboratory, plastics injection and molding, and original equipment manufacturers.

Due to business growth, the company is proposing to expand their operations at a nearby leased facility. The leased facility will be located at 460 East Starr Avenue. The corporate headquarters and current production facility will be maintained at 1055 Gibbard Avenue.

The project will result in a total investment of \$1,189,000, the retention of 155 (one-hundred fifty-five) full-time employees, and the creation of 75 (seventy-five) new full time permanent positions.

The Department of Development recommends a 65%/8 year Jobs Creation Tax Credit.

This legislation is requested to be considered as an emergency in order to allow BriskHeat® to begin investing and creating jobs as quickly as possible.

**FISCAL IMPACT:** No funding is required for this legislation.

#### **Title**

To authorize the Director of the Department of Development to enter into an agreement with BH Thermal Corporation for a Jobs Creation Tax Credit of 65% for a period of 8 years in consideration of the company's total investment of \$1,189,000, the retention of 155 full-time employees and the creation of 75 new full time permanent positions; and to declare an emergency.

#### **Body**

**WHEREAS,** pursuant to Section 122.17 of the Ohio Revised Code, the State of Ohio is authorized to establish the Tax Credit Authority and to execute agreements with taxpayers of the State of Ohio for the purpose of granting these taxpayers job creation tax credits against their corporate franchise tax or income tax, which tax credits are provided to create new jobs in the State of Ohio; and

**WHEREAS,** the Ohio Department of Development will be offering a 30%/7 year Jobs Creation Tax Credit for BH Thermal Corporation; and

**WHEREAS,** pursuant to Section 718.15 of the Ohio Revised Code (the "City Act") a municipal corporation is authorized to grant local income tax credits to taxpayers who have received tax credits from the State; and

**WHEREAS,** contingent on the City granting a Jobs Creation Tax Credit, BH Thermal Corporation will expand within Columbus, retain 155 (one-hundred fifty-five) full-time jobs with an annual payroll of \$1,800,000, create 75 (seventy-five) new full time permanent jobs with an annual payroll of \$1,602,588, invest \$1,189,000; and

**WHEREAS**, receiving these tax credits from the State and the City is a critical factor in BH Thermal Corporation's decision to go forward with the project in the City of Columbus; and

**WHEREAS**, an emergency exists in the usual daily operation of the Columbus Department of Development in that it is immediately necessary to enter into an agreement with BH Thermal Corporation in order to allow BriskHeat® to begin investing and creating jobs as quickly as possible, all 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 hereby finds and determines that the project will (1) create jobs in the State and City; (2) the project is economically sound and will benefit the people of the State and City by increasing opportunities for employment and strengthening the economy of the State and City; and (3) receiving the aforementioned tax credit is a critical factor in the decision by BH Thermal Corporation to go forward with the project.
- Section 2.** That the City Council hereby finds and determines that the project meets all the requirements of the City Act.
- Section 3.** That the Director of the Department of Development is hereby authorized and directed to enter into and execute an 8-year, 65% Jobs Creation Tax Credit Agreement with BH Thermal Corporation.
- Section 4.** That the City of Columbus Jobs Creation Tax Credit Agreement be signed by BH Thermal Corporation within 90 days of passage of this ordinance, or the credit, authorized herein is null and void.
- Section 5.** That for 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 the passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 2197-2006

**Drafting Date:** 11/21/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation** BACKGROUND AND FISCAL IMPACT:

The City of Columbus has been awarded a grant from the Solid Waste Authority of Central Ohio (SWACO) for an environmental stewardship program called "Get Green". This ordinance is needed to accept and appropriate \$210,909 in grant money to fund this program.

This grant is for the period December 1, 2006 through November 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 SWACO and does not generate revenue or require a City match.

**Title** To authorize the Mayor's Office to accept a grant award from the Solid Waste Authority of Central Ohio to provide

for the Get Green grant program, to appropriate \$210,909 from the unappropriated balance of the General Government Grant Fund to the Office of the Mayor, and to declare an emergency. (\$210,909).

**Body**

WHEREAS, the City been awarded a grant in the amount of \$210,909 from the Solid Waste Authority of Central Ohio (SWACO) for the Get Green program; and

WHEREAS, it is in the best interest of the City of Columbus for the Mayor's Office to accept this grant and to appropriate the grant funds; and

WHEREAS, an emergency exists in the usual daily operation of the Office of the Mayor in that it is necessary to accept a grant from SWACO and appropriate said grant funds in order to preserve 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 Mayor be and he is hereby authorized and directed to accept a grant award from the Solid Waste Authority of Central Ohio (SWACO) for an environmental stewardship program called "Get Green" for the period December 1, 2006 through November 30, 2007.

Section 2. That from the unappropriated monies in the General Government Grant Fund, Subfund No. 220, and from any and all sources estimated to come into said fund and unappropriated for any other purpose during the fiscal year ending December 31, 2006, the sum of \$210,909 is appropriated to the Mayor's Office, Division: 40-01, Fund 220, OCA Code:404001, Grant No. 404001, Object Level 1 01 as follows:

OL3 1101 \$146,595  
OL3 1121 13,927  
OL3 1150 20,628  
OL3 1160 20,303  
OL3 1171 2,126  
OL3 1173 7,330

Section 3. That the monies in Section 2 shall be paid upon order of the Mayor; 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 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:** 2199-2006

**Drafting Date:** 11/21/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** One property currently held in the Land Bank has been approved for disposition. In order to complete the transfer, authorization is needed for the Director of the Department of Development to execute any and all agreements and deeds for conveyance of such real property. This parcel will be purchased by Cary Bolden for \$4,318.00 for the rehabilitation of the structure at 897 E. Mound Street.

**FISCAL IMPACT:** No funding is required for this legislation. The City may first recover reimbursement of any and all expenses incurred on account of the acquisition, administration, management, maintenance and disposition of such land and such other expenses of the program as the City may apportion to such land from the sale proceeds.

**EMERGENCY JUSTIFICATION:** Emergency action is requested in order to meet the rehab schedule of the purchaser.

**Title**

To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of a parcel of real property (897 E. Mound Street) held in the Land Bank pursuant to the Land Reutilization Program; and to declare an emergency.

**Body**

**WHEREAS**, by Ordinance 2161-93 Council adopted and elected to use the Revised Code Chapter 5722, Land Reutilization Program, to facilitate effective reutilization of nonproductive land acquired through a sale pursuant to a foreclosure proceeding initiated by the Franklin County Treasurer, or through a sale of forfeited lands by the Franklin County Auditor or through a conveyance in lieu of foreclosure to foster either return of such land to tax revenue generating status or its devotion to public use; and

**WHEREAS**, a proposal for the sale of one parcel which has been acquired for this program meet the Land Reutilization Program's Disposition Policies and Guiding Principles and has been approved; and

**WHEREAS**, such parcel of real estate is being sold at not less than fair market value in conformity with Ohio Revised Code Section 5722.03; and

**WHEREAS**, in order to complete the transfer of such property to the purchaser, authority is needed for the Director of the Department of Development to execute any and all necessary agreements and deeds of conveyance for such real property; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development, Land Redevelopment Office in that it is immediately necessary to convey title of said parcel of real estate in order to meet the rehab schedule of the purchaser, 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 execute any and all necessary agreements and deeds to convey title of the following parcel of real estate:

PARCEL NUMBER: 010-045527

BUYER: Cary Bolden

ADDRESS: 897 E. Mound St.

PRICE: \$4,318.00

USE: Rehabilitation of structure at 897 E. Mound St.

897 E. Mound Street Parcel #010-045527

Being Lot Number Twenty-Seven(27) in John and Henry Miller's Subdivision, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 1, Page 111, Recorder's Office, Franklin County, Ohio.

**Section 2.** That for good cause shown, Section 329.29 of the Columbus City Codes, 1959, is hereby waived.

**Section 3.** That Council hereby finds that the selection process utilized in this matter is in accordance with the Land Bank Disposition Process created pursuant to the City's Land Reutilization Program and hereby approves the same.

**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:** 2202-2006

**Drafting Date:** 11/22/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

#### **Explanation**

**BACKGROUND:** The need exists to enter into a Jobs Creation Tax Credit Agreement with Rastra Ohio, Inc. (Rastra). The Ohio Tax Credit Legislation (Section 718.15 of the Ohio Revised Code) authorizing such agreements became effective January 14, 1993 and requires the City to enter a Council-approved agreement between the City and a participating company.

Rastra is a manufacturer that uses a revolutionary "green" building system for houses, apartments, commercial and industrial buildings. The company was established in Europe in the 1970's by an engineering firm headed by Karl Holik, the President of Rastra. A holding company located in Liechtenstein, owns the intellectual property rights to Rastra's building system. The North American subsidiary is headquartered in Scottsdale, Arizona. Rastra's patented Insulated Concrete Form panels are a proven, alternative building material that can be used in place of most types of conventional construction methods including wood framing, masonry block, steel frame, and prefab concrete. The material is derived from post-consumer plastics and is mixed with concrete. Rastra panels, used in Europe for 30 years and the United States for 10 years, significantly reduce energy consumption. The panels are seven times stronger than wood-frame construction. Because of the construction, the panels won't burn, are resistant to tornadoes, hurricanes, earthquakes, mold, rodents and termites, and are adaptable to any architectural style.

Rastra Ohio, Inc. is proposing to lease a 12,000 square foot facility built by SWACO at the Jackson Pike location.

Emergency action is requested in order to allow the project to begin as soon as possible.

**FISCAL IMPACT:** No funding is required for this legislation.

#### **Title**

To authorize the Director of Development to enter into an agreement with Rastra Ohio, Inc. for a Jobs Creation Tax Credit of 65% for a period of 8 years in consideration of the company's investment of \$3.9 million in new personal property and the creation of 47 permanent full-time jobs; and to declare an emergency.

#### **Body**

**WHEREAS,** pursuant to Section 122.17 of the Ohio Revised Code, the State of Ohio is authorized to establish the Tax Credit Authority and to execute agreements with taxpayers of the State of Ohio for the purpose of granting these taxpayers job creation tax credits against their corporate franchise tax or income tax, which tax credits are provided to create new

jobs in the State of Ohio; and

**WHEREAS,** the Ohio Department of Development approved a 25%/5 year Jobs Creation Tax Credit for Rastra Ohio, Inc. on September 25, 2006; and

**WHEREAS,** pursuant to Section 718.15 of the Ohio Revised Code (the "City Act") a municipal corporation is authorized to grant local income tax credits to taxpayers who have received tax credits from the State; and

**WHEREAS,** contingent on the City granting a Jobs Creation Tax Credit, Rastra Ohio, Inc. will locate in Columbus creating 47 full-time permanent jobs with an annual payroll of \$1.6 million, investing \$3.9 million in machinery & equipment and furniture & fixtures and increasing job opportunities and strengthening the economy of the city; and

**WHEREAS,** receiving these tax credits from the State and the City is a critical factor in Rastra Ohio, Inc.'s decision to go forward with the project in the City of Columbus; and

**WHEREAS,** an emergency exists in the usual daily operation of the Columbus Department of Development in that it is immediately necessary to enter into an agreement with Rastra Ohio, Inc. to begin investing and creating jobs as quickly as possible, all 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 hereby finds and determines that the project will (1) create jobs in the State and City; (2) the project is economically sound and will benefit the people of the State and City by increasing opportunities for employment and strengthening the economy of the State and City; and (3) receiving the aforementioned tax credit is a critical factor in the decision by Rastra Ohio, Inc. to go forward with the project.
- Section 2.** That the City Council hereby finds and determines that the project meets all the requirements of the City Act.
- Section 3.** That the Director of the Department of Development is hereby authorized and directed to enter into and execute an 8-year, 65% Jobs Creation Tax Credit Agreement with Rastra Ohio, Inc.
- Section 4.** That the City of Columbus Jobs Creation Tax Credit Agreement be signed by Rastra Ohio, Inc. within 90 days of passage of this ordinance, or this ordinance and the credit herein shall be null and void.
- Section 5.** That for 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 the passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 2203-2006

**Drafting Date:** 11/22/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The need exists to enter into a Jobs Creation Tax Credit Agreement with Genpak LLC. The Ohio Tax Credit Legislation (Section 718.15 of the Ohio Revised Code) authorizing such agreements became effective January 14, 1993 and requires the City to enter a Council-approved agreement between the City and a participating company.

Genpak LLC (Genpak) is a leading manufacturer of single use food service packaging. Headquartered in Glenn Falls, New York, the company has been in business since 1969. Presently, the company has 16 facilities in the United States and Canada, including an existing facility in Columbus, at 800 Kaderly Drive on the City's west side. Genpak produces the widest assortment of "to-go containers" in the industry, being best known for Styrofoam hinged containers.

Genpak's food service containers include plastic, foam and laminated dinnerware, salad and soup bowls, supermarket trays, and bakery and ovenable products. Genpak's customers include Sysco, Performance Food Group, Dean Foods and US Foodservice.

Genpak's Columbus facility produces food containers for KFC, this facility's largest customer. Genpak's manufacturing process consists of processing raw materials into sheets of plastic, which are then stamped into various food containers. The Columbus facility is Genpak's only facility that produces the ovenable line of food packaging.

Due to increased business, Genpak needs to expand in order to add equipment for an additional product line. The company is proposing to purchase, renovate and move its operation into a building at 845 Kaderly Drive, across the street from its current facility. The new facility would add an additional 37,000 square feet to accommodate additional equipment, warehousing, shipping, and employee parking.

Genpak is also considering its Louisville, KY and Scottsburg, IN facilities as possible sites for this expansion.

This legislation is submitted as an emergency order to allow the project to begin as soon as possible.

**FISCAL IMPACT:** No funding is required for this legislation.

#### **Title**

To authorize the Director of Development to enter into an agreement with Genpak LLC for a Jobs Creation Tax Credit of 65% for a period of 8 years in consideration of the company's investment of \$7.7 million in real and personal property, the retention of 52 permanent full-time positions and the creation of 25 permanent full-time jobs; and to declare an emergency.

#### **Body**

**WHEREAS,** pursuant to Section 122.17 of the Ohio Revised Code, the State of Ohio is authorized to establish the Tax Credit Authority and to execute agreements with taxpayers of the State of Ohio for the purpose of granting these taxpayers job creation tax credits against their corporate franchise tax or income tax, which tax credits are provided to create new jobs in the State of Ohio; and

**WHEREAS,** the Ohio Department of Development has offered Genpak LLC a 25%/5 year Jobs Creation Tax Credit; and

**WHEREAS,** pursuant to Section 718.15 of the Ohio Revised Code (the "City Act") a municipal corporation is authorized to grant local income tax credits to taxpayers who have received tax credits from the State; and

**WHEREAS,** contingent on the City granting a Jobs Creation Tax Credit, Genpak LLC will relocate & expand within Columbus, retaining 52 full-time positions with an annual payroll of \$1.7 million and creating 25 full-time permanent jobs with an annual payroll of \$588,000, investing \$7.7 million in real property improvements and personal property increasing job opportunities and strengthening the economy of the city; and

**WHEREAS,** receiving these tax credits from the State and the City is a critical factor in Genpak LLC's decision to go forward with the project in the City of Columbus; and

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

immediately necessary to enter into an agreement with Genpak LLC to begin investing and creating jobs as quickly as possible, all 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 hereby finds and determines that the project will (1) create jobs in the State and City; (2) the project is economically sound and will benefit the people of the State and City by increasing opportunities for employment and strengthening the economy of the State and City; and (3) receiving the aforementioned tax credits is a critical factor in the decision by Genpak LLC to go forward with the project.

**Section 2.** That the City Council hereby finds and determines that the project meets all the requirements of the City Act.

**Section 3.** That the Director of the Department of Development is hereby authorized and directed to enter into and execute an 8-year, 65% Jobs Creation Tax Credit Agreement with Genpak LLC.

**Section 4.** That the City of Columbus Jobs Creation Tax Credit Agreement be signed by Genpak LLC within 90 days of passage of this ordinance, or this ordinance and the credit herein shall be null and void.

**Section 5.** That for 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 the 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 - December 14, 2006 11:00 am

SA002251 - R & P/SPORTING GOODS & REC SUPPLIES

BID NOTICES - PAGE # 1

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: It is the intent of the City of Columbus, Recreation and Parks Department to secure bids to purchase, on as needed basis, various sporting good and recreational supplies and to provide an inventory for use in our recreation facilities, for a period of two (2) years.

1.2 Classification: The supplies will support a variety of recreational programs such as summer camps, baseball, volleyball, basketball, gymnastics, tennis, and after schools programs. The universal term contract(s) resulting from this bid proposal will provide an option to purchase and delivery of athletic and sporting good supplies on as needed basis for the Recreation and Parks Department.

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: November 18, 2006

SA002253 - OAKLAND PARK IMPROVEMENTS

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ADVERTISEMENT FOR BIDS

Sealed proposals will be received by the City of Columbus Transportation Division, 109 N. Front Street, 3rd Floor, Room 301, Columbus, Ohio 43215 until 3:00 P.M. local time, and publicly opened and read at 109 N. Front Street, 2nd Floor, Room 205 at 3:00 P.M. on December 14, 2006, for OAKLAND PARK IMPROVEMENTS, Drawer 1991 E. The work for which proposals are invited consists of constructing curb ramps and replacing curb, sidewalk and drive/alley approaches, and such other work may be necessary to complete the contract in accordance with the plans and specifications.

Copies of the Contract Documents and the plans are on file in the office of the Transportation Division Administrator, 109 N. Front Street, 3rd Fl., Columbus, OH 43215 and are available to prospective bidders at the non-refundable cost of \$100 for full size plans, \$30 for half size plans and \$10 for plans on disc. A prospective bidder must verify that their name is added to an electronic log sheet upon receiving a copy of contract documents and plans. Your addition to the log is verified when you receive a computer generated receipt. The City of Columbus will use this log sheet in order to advise prospective bidders of any addendums to the contract and/or plans. Failure to be entered onto the electronic log sheet will result in rejection of any proposal and failure to refer to any addendum in a proposal will be considered non-responsive.

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 OAKLAND PARK IMPROVEMENTS.

All materials submitted in response to this advertisement for bids will become the property of the City and will not be returned. All materials submitted in response to this advertisement for bids will be considered public records subject to disclosure as contemplated by Ohio Revised Code Section 149.43. All materials received will be open to the public once the sealed proposals are publicly opened and read.

**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 be expressed in dollars and cents or as a percentage of the bid amount, and shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

**PREVAILING WAGE RATE**

Bidders must comply with the prevailing wage rates on Public Improvements in Franklin County and the City of Columbus, Ohio as determined by the Ohio Bureau of Employment 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 & Materials Specifications, 2002 edition, will be required to assure the faithful performance of the work.

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

**SUBSURFACE DATA**

Subsurface data was not obtained for project.

**PRE-BID CONFERENCE**

There will not be a pre-bid conference for this project.

**CONTRACT COMPLETION**

The City will issue a Notice to Proceed on or about April 2, 2007. All work is to be complete by July 31, 2007.

**CONSTRUCTION AND MATERIAL SPECIFICATIONS**

Numbered paragraphs to which reference is made in the Bid Submittal Documents refer to the City of Columbus, Ohio, Construction and Materials Specifications, 2002 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 109 N. Front St, 3rd Floor, Columbus, Ohio 43215 (614) 645-8376, and at the office of the Director of Public Utilities, 910 Dublin Rd., 4th Floor, Columbus, Ohio 43215 (614) 645-6141.

**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. 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.

\*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 interests of the City.

**PLANS ARE AVAILABLE ON:**

November 27, 2006

ORIGINAL PUBLISHING DATE: November 21, 2006

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

BID OPENING DATE - December 19, 2006 11:00 am

SA002259 - r&p-barnett park and sprayground

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ADVERTISEMENT FOR BIDS

Sealed proposals will be received by the Recreation and Parks Commission of the City of Columbus, Ohio, at its office at 200 Greenlawn Ave., until 11:00 a.m. on Tuesday, December 19, 2006, and publicly opened and read immediately thereafter for:

BARNETT PARK IMPROVEMENTS

The work for which proposals are invited consists of pavement removal, asphalt paving, concrete curb and pavement, drainage, lighting, utilities, playground and sprayground installation, open shelter with mechanical room, restroom restoration, site furnishings and landscaping and other such work as may be necessary to complete the contract in accordance with the plans and specifications

Copies of the Project Manual/Specifications and the plans are on file and available to prospective bidders on 12/4/06 at Atlas Blueprint, 374 W. Spring St., Columbus, Ohio 43215, (614) 224-5149, [www.atlasblueprint.com](http://www.atlasblueprint.com) upon a non-refundable payment per bid set. Contact Atlas Blueprint for the cost. Payment shall be made payable to Atlas Blueprint. Questions about the project should be directed in writing to Mollie O'Donnell - Fax: 614-645-5767 or e-mail: [mhodonnell@columbus.gov](mailto:mhodonnell@columbus.gov).

Proposals must be submitted on the proper forms, P-1 through P-35, contained in the Project Manual/Specifications. The Proposal section in its entirety must be submitted in a sealed envelope marked "BARNETT PARK IMPROVEMENTS."

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 10 percent of the Bidder's Proposal, conditioned upon execution of the contract and the furnishing of a performance bond in the event the contract is awarded to the bidder. The amount of the bid bond shall be expressed either as a percentage of the total bid (10%) or numerically in dollars and cents. The amount indicated in the proposal bond shall include the total amount of the bid including all alternates submitted which increase the bid. The bond amount shall be equal to or exceed 10 percent of this total amount.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements 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 will be required to assure the faithful performance of the work. Bonds shall be with a surety or sureties licensed to conduct business in the State of Ohio, according to Section 103.5 of the City of Columbus Construction and Materials Specifications, latest edition.

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

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BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

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 the Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., Room 301, 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 Number or a completed application for certification. Any questions or inquiries concerning this should be directed to the Equal Business Opportunities Commission Office, 109 N. Front Street, 4th Floor, Columbus, Ohio 43215 (614) 645-4764.

**BID CANCELLATION AND REJECTIONS**

The right is reserved by the Executive Director of Recreation and Parks of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, 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.

**OSHA/EPA/ADA 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 requirement.

Thomas L. Kaplin, President  
Recreation and Parks Commission

Trudy A. Bartley, Interim Executive Director  
Recreation and Parks Department

ORIGINAL PUBLISHING DATE: November 29, 2006

SA002260 - r&p-goodale park terrace

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BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ADVERTISEMENT FOR BIDS

Sealed proposals will be received by the Recreation and Parks Commission of the City of Columbus, Ohio, at its office at 200 Greenlawn Ave., until 11:00 a.m. on Tuesday, December 19, 2006, and publicly opened and read immediately thereafter for:

Goodale Park Terrace Improvements

The work for which proposals are invited consists of constructing masonry columns, electrical work, lighting, ornamental fencing, iron railings, landscaping and other such work as may be necessary to complete the contract in accordance with the plans and specifications

Copies of the Project Manual/Specifications and the plans are on file and available to prospective bidders on 2/14/06 at Atlas Blueprint, 374 W. Spring St., Columbus, Ohio 43215, (614) 224-5149, [www.atlasblueprint.com](http://www.atlasblueprint.com) upon a non-refundable payment per bid set. Contact Atlas Blueprint for the cost. Payment shall be made payable to Atlas Blueprint.

Questions about the project should be directed to Rick Miller, 645-3385

Proposals must be submitted on the proper forms, P-1 through P-36, contained in the Project Manual/Specifications. The Proposal section in its entirety must be submitted in a sealed envelope marked "Goodale Park Terrace Improvements."

PRE-BID CONFERENCE

A Pre-bid Conference will be held December 12, 2006, at 10:00 am at 120 W. Goodale Blvd., Goodale Park Shelterhouse

Bidders are strongly urged to attend. Failure to attend will not disqualify a bidder. However, bidders shall comply with and be responsible for the bid specifications and information discussed at the pre-bid conference

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.

Section 102.08 of the CMSC is revised and amended as follows:

"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 10 percent of the Bidder's Proposal, conditioned upon execution of the contract and the furnishing of a performance bond in the event the contract is awarded to the bidder. The amount of the bid bond shall be expressed either as a percentage of the total bid (10%) or numerically in dollars and cents. The amount indicated in the proposal bond shall include the total amount of the bid including all alternates submitted which increase the bid. The bond amount shall be equal to or exceed 10 percent of this total amount. "

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements included in the Bid Submittal Documents regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

**THE CITY BULLETIN**  
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A contract performance and payment bond of 100 percent of the amount of the contract will be required to assure the faithful performance of the work. Bonds shall be with a surety or sureties licensed to conduct business in the State of Ohio, according to Section 103.5 of the City of Columbus Construction and Materials Specifications, latest edition.

**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 the Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., Room 301, 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 Number or a completed application for certification. Any questions or inquiries concerning this should be directed to the Equal Business Opportunities Commission Office, 109 N. Front Street, 4th Floor, Columbus, Ohio 43215 (614) 645-4764.

**BID CANCELLATION AND REJECTIONS**

The right is reserved by the Executive Director of Recreation and Parks of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, 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.

**OSHA/EPA/ADA 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 requirement.

Thomas L. Kaplin, President  
Recreation and Parks Commission

Trudy Bartley, Interim Director  
Recreation and Parks Department

ORIGINAL PUBLISHING DATE: November 30, 2006

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA002261 - r&p-livingston park lighting

ADVERTISEMENT FOR BIDS

Sealed proposals will be received by the Recreation and Parks Commission of the City of Columbus, Ohio, at its office at 200 Greenlawn Ave., until 11:00 a.m. on Tuesday, December 19, 2006, and publicly opened and read immediately thereafter for:

Livingston Park Lighting Improvements

The work for which proposals are invited consists of the removal of existing poles and concrete footings and for the installation of new ornamental iron lights, electrical panel, conduit and wiring by directional boring and other such work as may be necessary to complete the contract in accordance with the plans and specifications

Copies of the Project Manual/Specifications and the plans are on file and available to prospective bidders on 2/14/06 at Atlas Blueprint, 374 W. Spring St., Columbus, Ohio 43215, (614) 224-5149, [www.atlasblueprint.com](http://www.atlasblueprint.com) upon a non-refundable payment per bid set. Contact Atlas Blueprint for the cost. Payment shall be made payable to Atlas Blueprint.

Questions about the project should be directed to Rick Miller, 645-3385

Proposals must be submitted on the proper forms, P-1 through P-36, contained in the Project Manual/Specifications. The Proposal section in its entirety must be submitted in a sealed envelope marked "Livingston Park Lighting Improvements."

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.

Section 102.08 of the CMSC is revised and amended as follows:

"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 10 percent of the Bidder's Proposal, conditioned upon execution of the contract and the furnishing of a performance bond in the event the contract is awarded to the bidder. The amount of the bid bond shall be expressed either as a percentage of the total bid (10%) or numerically in dollars and cents. The amount indicated in the proposal bond shall include the total amount of the bid including all alternates submitted which increase the bid. The bond amount shall be equal to or exceed 10 percent of this total amount. "

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements included in the Bid Submittal Documents regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

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A contract performance and payment bond of 100 percent of the amount of the contract will be required to assure the faithful performance of the work. Bonds shall be with a surety or sureties licensed to conduct business in the State of Ohio, according to Section 103.5 of the City of Columbus Construction and Materials Specifications, latest edition.

**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 the Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., Room 301, 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 Number or a completed application for certification. Any questions or inquiries concerning this should be directed to the Equal Business Opportunities Commission Office, 109 N. Front Street, 4th Floor, Columbus, Ohio 43215 (614) 645-4764.

**BID CANCELLATION AND REJECTIONS**

The right is reserved by the Executive Director of Recreation and Parks of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, 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.

**OSHA/EPA/ADA 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 requirement.

Thomas L. Kaplin, President  
Recreation and Parks Commission

Trudy Bartley, Interim Director  
Recreation and Parks Department

ORIGINAL PUBLISHING DATE: November 30, 2006

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA002264 - r&p-berliner ball diamond fence

ADVERTISEMENT FOR BIDS

Sealed proposals will be received by the Recreation and Parks Commission of the City of Columbus, Ohio, at its office at 200 Greenlawn Ave., until 11:00 a.m. on Tuesday, December 19th, 2006, and publicly opened and read immediately thereafter for:

Berliner Park Softball Field Fence Renovations: Re-bid

The work for which proposals are invited consists of the tear out and replacement of 5300+/- feet of 12', 10', 6' chain link fence fabric and other such work as may be necessary to complete the contract in accordance with the plans and specifications

Copies of the Project Manual/Specifications and the plans are on file and available to prospective bidders on 12/4/06 at Atlas Blueprint, 374 W. Spring St., Columbus, Ohio 43215, (614) 224-5149, [www.atlasblueprint.com](http://www.atlasblueprint.com) upon a non-refundable payment per bid set. Contact Atlas Blueprint for the cost. Payment shall be made payable to Atlas Blueprint.

Questions about the project should be directed to Steve Hiland 645-5765

Proposals must be submitted on the proper forms, P-1 through P-36, contained in the Project Manual/Specifications. The Proposal section in its entirety must be submitted in a sealed envelope marked "Berliner park softball field fence renovations."

PRE-BID CONFERENCE

No pre-bid conference

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.

Section 102.08 of the CMSC is revised and amended as follows:

"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 10 percent of the Bidder's Proposal, conditioned upon execution of the contract and the furnishing of a performance bond in the event the contract is awarded to the bidder. The amount of the bid bond shall be expressed either as a percentage of the total bid (10%) or numerically in dollars and cents. The amount indicated in the proposal bond shall include the total amount of the bid including all alternates submitted which increase the bid. The bond amount shall be equal to or exceed 10 percent of this total amount. "

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements included in the Bid Submittal Documents regarding prevailing rates of wages to be paid.

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**CONTRACT PERFORMANCE AND PAYMENT BOND**

A contract performance and payment bond of 100 percent of the amount of the contract will be required to assure the faithful performance of the work. Bonds shall be with a surety or sureties licensed to conduct business in the State of Ohio, according to Section 103.5 of the City of Columbus Construction and Materials Specifications, latest edition.

**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 the Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., Room 301, 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 Number or a completed application for certification. Any questions or inquiries concerning this should be directed to the Equal Business Opportunities Commission Office, 109 N. Front Street, 4th Floor, Columbus, Ohio 43215 (614) 645-4764.

**BID CANCELLATION AND REJECTIONS**

The right is reserved by the Executive Director of Recreation and Parks of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, 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.

**OSHA/EPA/ADA 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 requirement.

Thomas L. Kaplin, President  
Recreation and Parks Commission

Trudy Bartley, Interim Director  
Recreation and Parks Department

ORIGINAL PUBLISHING DATE: December 01, 2006

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA002265 - FMD - EMER. REPAIR VAR. DOORS

ADVERTISEMENT FOR BIDS

EMERGENCY REPAIR OF VARIOUS DOORS UNDER THE PURVIEW OF THE DIVISION OF FACILITIES MANAGEMENT

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 640 Nationwide Blvd., Second Floor, Columbus, Ohio 43215 until 3:00 p.m. local time, and publicly opened and read at the hour and place on TUESDAY, DECEMBER 19, 2006 for EMERGENCY REPAIR OF VARIOUS DOORS UNDER THE PURVIEW OF THE DIVISION OF FACILITIES MANAGEMENT. The work for which bids are invited consist of a service contract for repair and/or replacement of door parts (overhead, man doors, etc.) at various City of Columbus locations under the purview of the Facilities Management Division.

Copies of the Contract Documents will be available at the Pre-Bid meeting. Bid specifications will be available after the pre-bid meeting at the Division of Facilities Management, 90 W. Broad Street, Room B-16 and 640 Nationwide Blvd. The first set 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: EMERGENCY REPAIR OF VARIOUS DOORS UNDER THE PURVIEW OF THE DIVISION OF FACILITIES MANAGEMENT.

FAILURE TO RETURN THE BID PACKET AND REQUIRED INFORMATION MAY RESULT IN REJECTION OF THE PROPOSAL.

PRE-BID MEETING

A pre-bid meeting will be held Friday, December 8, 2006 at 10:00 a.m., at 640 Nationwide Blvd., second floor conference room, Columbus, Ohio 43215.

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

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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.

**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 Finance and Management 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**

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BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

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: December 02, 2006

BID OPENING DATE - December 20, 2006 3:00 pm

SA002250 - O'SHAUGHNESSY DAM OUTLET WORKS RENOVATE

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 until 3:00 P.M. local time, on December 20, 2006 and publicly opened and read at the hour and place for construction of the O'Shaughnessy Dam Miscellaneous Improvements - Outlet Works Renovation, Contract No. 1038 , Project No. 690472 . The work for which proposals are invited consists of furnishing of all materials; equipment and labor necessary to provide for the replacement of cast iron sluice gates with new stainless steel sluice gates, installing new electric gate actuators, replacing existing steel bar screens with new hot dipped galvanized bar screens, installing new floating trash booms, miscellaneous concrete, steel and electrical work, and such other work as may be necessary to complete the contract in accordance with the plans and specifications. Copies of the Bid Submittal Documents will be on file and available to be purchased by prospective bidders on or after November 27, 2006 at Atlas Blueprint, 374 West Spring Street, Columbus, Ohio 43215; at 614-224-5149 or via Plan Well at [www.atlasblueprint.com](http://www.atlasblueprint.com) upon payment of \$36.00 per set. Payment shall be made to Atlas Blueprint. No refunds will be made.

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:

O'SHAUGHNESSY DAM  
MISCELLANEOUS IMPROVEMENTS - OUTLET WORKS RENOVATION  
CONTRACT NO. 1038 , PROJECT NO. 690472

CONTACT PERSON

The City of Columbus Contact person for this project is Jeff Brooks of the Division of Water's Technical Support Section, Phone (614) 645-7100.

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.

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**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 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.

**PRE-BID CONFERENCE:**

A pre-bid conference for this project will be held on December 4, 2006 at 9:00 a.m., at the O'Shaughnessy Dam

**CITY BULLETIN DATES**

- 1). November 25, 2006
- 2). December 2, 2006
- 3). December 9, 2006

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BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

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 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 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:** November 17, 2006

SA002255 - DOPW - POWER LINE CLEARANCE

**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 December 20, 2006 and publicly opened and read at the hour and place for Power Line Clearance. The work for which proposals are invited consists of furnishing all labor, material and equipment for tree trimming around Distribution and Street Lighting circuits and such other work as may be necessary to complete the contract in accordance with the plans and specifications. 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 Bid for Power Line Clearance.

**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 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

**THE CITY BULLETIN**  
**BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS**

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.

**ENVIRONMENTALLY PREFERABLE**

**CREDIT:** In evaluating bids or offers for materials, supplies, equipment, construction and services, preference will be given to an environmentally preferable bidder who offers a product or service equal to or superior to that of a non-environmentally preferable bidder or offeror and that the environmentally preferable bid or offer does not exceed by more than 5% (up to a maximum of \$20,000) the lowest responsive and responsible and best bid from any non-environmentally preferable bid or offer. The environmentally preferable bidder will be required to demonstrate to the city agency procuring the product or service how their bid is equal to or superior to that of a non-environmentally preferable bidder. Where the bidder or offeror is local, the applicable credit for a local bidder or offeror shall be calculated first.

**CITY BULLETIN DATES**

- 1) December 2, 2006
- 2) December 9, 2006

**BID PACKAGES WILL BE AVAILABLE FOR PURCHASING, BY CHECK OR MONEY ORDER ONLY, MONDAY, DECEMBER 4, 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; dmcsweeney2@columbus.gov**  
**ORIGINAL PUBLISHING DATE: November 22, 2006**

**BID OPENING DATE - December 28, 2006 11:00 am**

**SA002262 - FLEET/AUTOMOTIVE LIGHTING PARTS**

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 Automotive Lighting, Parts & Supplies for use in repairing City Vehicles through 1/31/09.

1.2 **Classification:** Bids are invited on a discount basis. Bidder shall identify on the proposal pages each applicable price list and the percentage discount to be applied to that price list.

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: November 30, 2006**

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

BID OPENING DATE - January 4, 2007 11:00 am

SA002245 - Emergency Repair Contractors UTC-Housing

1.1 Scope: It is the intent of the City of Columbus, Department of Development, Housing Division to establish an eligible list of companies, firms or businesses to perform emergency repair work at residential properties within the city limits of Columbus, Ohio, and enter into 2 year term contracts, ending March 31, 2009, with successful bidders in each category to perform such work. An emergency repair program operated by the City's Housing Division, in conjunction with U.S. Department of Housing and Urban Development (HUD) was established to assist low-income homeowners with repairs that constitute an emergency condition, and such condition if not corrected, will cause the homeowner to vacate his/her home. Total estimated annual expenditures for all contract is \$400,000.

1.2 Classification: Services required are Heating, Plumbing, Electrical and Conveying Systems (stairway lifts or vertical platform lifts) contractors. Contractors must provide free cost estimates of work to be performed and be available on a 24 hour, 7 day a week basis, with a 24 hour emergency response time. Prospective contractors are required to complete a Bidders Response Form quoting hourly rates and related charges, submit copies of current Worker's Compensation Certificate and Certificate of Insurance, as defined within.

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: November 18, 2006

SA002263 - Police/Digital Copier/Scanner/Printers

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

NOTE: THIS IS A REBID WITH NEW SPECIFICATIONS (PRIOR BID NUMBER IS SA002212)

1.0 Scope and Classification:

1.1 Scope: The City of Columbus Department of Public Safety is seeking bids to immediately supply the Division of Police with one (1) color and two (2) monochrome digital copier/scanner/printers and associated maintenance and supplies to meet the Division's need for mass communications reproduction in an effective and efficient manner.

1.1.1 The supplier will be required to install new, unused equipment, maintain equipment, train personnel and supply all expendables except paper.

1.1.2 The Division of Police needs installation of new equipment to be conducted in a way so that continuing service is able to be provided to the Division. The equipment will be connected to our network for printing.

1.2 Classification: All suppliers are required to bid fixed, firm pricing for 36 month lease period with a fair market type buyout option at the end of the lease term. The buyout quote is to be a not-to-exceed dollar amount since the City requires to know the total cost of the contract. Buyout option price (not to exceed dollar amount) at the end of the term to be provided with bid. There shall be a 36 month agreement for maintenance, parts and supplies (OEM) for digital copier/scanner/printers expressed as a cost per copy (paper and staples excluded).

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: November 30, 2006

BID OPENING DATE - January 11, 2007 11:00 am

SA002257 - Small Electric Motors UTC

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: The City of Columbus is obtaining bids to establish an option contract(s) to provide various agencies of the City of Columbus with a "Catalog" offer to purchase various Electric Motors ranging from 1/40 horsepower to 50 horsepower. The city may purchase any small electric motor in the catalog and/or price list from the successful bidder after a purchase order for the listed items is issued. The proposed contract will be in effect for 2 years, through April 30, 2009, with an additional one year option to extend. The City estimates spending sixty thousand dollars (\$60,000.00) annually for this contract.

1.2 Classification: Bidders are required to bid a percentage discount from various Manufacturer catalogs, and provide a price list and date, if the catalog does not provide pricing information. A copy of each catalog/price list must accompany each bid.

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: December 02, 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

**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:** 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:** 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:** PN0181-2006

**Drafting Date:** 09/06/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** University Review Board Meeting Schedule

**Contact Name:** Ken Klare

**Contact Telephone Number:** 614-645-8654

**Contact Email Address:** keklare@columbus.gov

**Body**

Typically held on the fourth Thursday of the month with the submittal deadline being 10 days prior, the regular monthly meeting of the University Area Review Board is scheduled be held on the following dates:

Thursday, September 28, 2006

Thursday, October 26, 2006

Thursday, November 30, 2006

Thursday, December, 28, 2006

Meetings are held at 109 N. Front Street, Room 205 at 6:30 p.m. Copies of the agenda may be obtained by calling 645-8654 or by e-mailing keklare@columbus.gov. A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Planning Office is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule an interpreter, please call 645-8654 or TDD 645-6802.

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**Legislation Number:** PN0219-2006

**Drafting Date:** 11/01/2006

**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:** 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 2007 are scheduled as follows:

**Monday, February 5, 2007**

**Monday, May 7, 2007**

**Monday, September 24, 2007**

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.

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**Legislation Number:** PN0235-2006

**Drafting Date:** 11/21/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title: Public Service**

**Notice/Advertisement Title:** Director's Orders

**Contact Name:** Sandra L LaVaughn

**Contact Telephone Number:** 614-645-7881

**Contact Email Address:** sllavaughn@columbus.gov

**Body**

Placement of Traffic Control Devices as recommended by the Transportation Division.

Effective Date 11-20-06

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**Legislation Number:** PN0238-2006

**Drafting Date:** 11/24/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**Public Briefing on Mayor's proposed Budget

**Notice/Advertisement Title:**Public Hearing on Mayor's proposed Budget

**Contact Name:** Kym Nelson

**Contact Telephone Number:** 645-0852

**Contact Email Address:** KJNelson@columbus.gov

**Body**

Budget Briefing  
December 13, 2006  
5:00-7:00 pm  
Council Chambers

Columbus City Council will hold a Public Briefing regarding the Mayor's proposed budget on December 13, 2006 at 5:00 pm in Council Chambers. Various Administration Department Directors will be present to provide Council a policy overview of the changes requested in their respective budgets in comparison to the 2006 Budget, and to answer questions posed by Council members.

If time remains at the close of presentations, public comment will be taken. All speakers during this period must complete a speaker slip before 6:00 pm on the day of the hearing. Speaker slips are located at City Hall in the lobby of the Front Street entrance. Public comment is limited to 3 minutes.

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**Legislation Number:** PN0241-2006

**Drafting Date:** 11/28/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Director's Order

**Contact Name:** Sandra L LaVaughn

**Contact Telephone Number:** 645-7881

**Contact Email Address:** sllavaughn

**Body**

Placement of Traffic Control Devices as recommended by the Transportation Division.  
Effective date 11-20-06

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**Legislation Number:** PN0243-2006

**Drafting Date:** 11/29/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Building Commission December Meeting Agenda

**Contact Name:** Debbie Payne

**Contact Telephone Number:** 614-645-6416

**Contact Email Address:** baeastman@columbus.gov

**Body**

COLUMBUS BUILDING COMMISSION AGENDA

DECEMBER 12, 2006

757 CAROLYN AVENUE

HEARING ROOM - LOWER LEVEL

1. APPROVAL OF OCTOBER 17, 2006 MEETING MINUTES

(Continued from October 17, 2006 meeting)

2. ADJUDICATION ORDER: A/O2006-025CB

Request allowance for installation of the Jay R. Smith Figure No. 7140 floodgate backwater valve in existing structures having a 3-inch sewer main (primarily residential structures).

3. ADJUDICATION ORDER: A/O2006-032CB

Address: 5740-5766 Albany Reserve Dr.

Applicant: Albany Reserve - Scott Newcomb

Appeal: Transfer electrical contractor for 2nd time

4. ADJUDICATION ORDER: A/O2006-034STG

Address: 2950 Groveport Rd.

Applicant: Joe Ettayem

Appeal: Working Without Refrigeration Permit

5. ADJUDICATION ORDER: A/O2006-035JCS

Address: 5238 Algean Drive

Applicant: Owens Corning Basement

Appeal: Ceiling Height in Basement

6. CODE CHANGE

Eliminating Registrations and Requiring Full Permits

7. ITEMS FROM THE FLOOR (as approved by Board)

A sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Building Services Division is made aware of this need and given a reasonable notice of at least four (4) hours before the scheduled meeting time. To schedule an interpreter, please call 645-6079 or TDD 645-3293. Should you have any questions regarding this policy, please contact the City of Columbus, Human Resources Department, at 645-63 73.

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**Legislation Number:** PN0245-2006

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

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Property Maintenance Appeals Board December Meeting Agenda

**Contact Name:** Toni Gillum-Boehm

**Contact Telephone Number:** 614-645-5884

**Contact Email Address:** tgboehm@columbus.gov

**Body**

PROPERTY MAINTENANCE APPEALS BOARD

Monday, December 18, 2006

1:00 PM - 757 Carolyn Avenue

Hearing Room

1. Approval of prior meeting minutes

2. Case Number PMA-107

Appellant: Edward T. McClellan, Esq

Property: 103-107 Eighteenth Street

Inspector: Annie Gease

Order #: 06441-01733

3. Case Number PMA-106

Appellant: Paul W. Leithart, II

Property: 620 E. Town Street, Apt. S

Inspector: Noell Rader

Order #: 06440-03780

4. Case Number PMA-105

Appellant: Paul W. Leithart, II

Property: 620 E. Town Street, Apt. R

Inspector: Noell Rader

Order #: 06440-03796

5. Case Number PMA-111

Appellant: Robyn Pigman

Property: 230-232 CHITTENDEN AVENUE

Inspector: Greg Davis

Order #: 06475-10976

6. Case Number PMA-112

Appellant: Mark D. Tuvelle

Property: 49 S. YALE AVENUE

Inspector: Mike O'Keefe

Order #: 06475-11783

7. Case Number PMA-113

Appellant: Michael Siewert

Property: 177 NORTH EIGHTEENTH

Inspector: Maria Babb

Order #: 06440-04613

8. Case Number PMA-114

Appellant: Myroslava M. Mudrak

Property: 5712 ASPENDALE DRIVE

Inspector: Patricia Austin

Order #: Sidewalk 5712

NOTE: A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Regulations Division is made aware of this need and given a reasonable notice of at least four (4) hours before the scheduled meeting time. To schedule an interpreter, please call Toni Gillum at 645-5884 or TDD 645-3293.

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**Legislation Number:** PN0246-2006

**Drafting Date:** 12/06/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Board of Zoning Adjustment December Meeting Agenda

**Contact Name:** Denise Powers

**Contact Telephone Number:** 614-645-1788

**Contact Email Address:** dapowers@columbus.gov

**Body**

BOARD OF ZONING ADJUSTMENT AGENDA  
CITY OF COLUMBUS, OHIO  
DECEMBER 19, 2006

The Columbus Board of Zoning Adjustment will hold a public hearing on the following applications on TUESDAY, DECEMBER 19, 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.: 06310-00090

Location: 215 KING AVENUE (43201), located at the south west corner of King Avenue and Forsythe Avenue.

Area Comm./Civic: University Area 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 additional off-street parking spaces from 9 to 0.

Proposal: To create two outdoor seating areas in the front and rear of an existing restaurant, which total 607 sq. ft. (Front:

297 sq. ft.; Rear: 310 sq. ft.).

Applicant(s):

Suzan Mustafa  
1683 Birchcrest Road  
Columbus, Ohio 43221

Property Owner(s):

Seymour & Leora Ludwig  
852 Neil Avenue  
Columbus, Ohio 43201

Case Planner:

Dave Reiss  
645-7973  
DJReiss@Columbus.gov

2. ODS No.: 06310-00091

Location: 198 CONCORD PLACE (43206), located on the north side of Concord Place, approximately 200 feet west of Jaeger Street.

Area Comm./Civic: German Village Society.

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 31'.
2. 3332.14, R-2F area district requirements. To reduce the lot size from 5,000 sq.ft. to 2,790 sq.ft.
3. 3332.19, Fronting. To not front a public street.
4. 3332.26, Minimum side yard permitted. To reduce the minimum side yard from 3' to 0'6".
5. 3332.25, Maximum side yards required. To reduce the sum of the side yards from 20% to 8% of the lot width.
6. 3342.28, Minimum number of parking spaces required. To reduce the number of off-street parking spaces from 2 to 1.
7. 3342.24, Surface. To allow a gravel parking and maneuvering space.

Proposal: A lot split resulting in two residential lots.

Applicant(s):

Barbara D. Birch  
6428 Norfolk Drive  
Reynoldsburg, Ohio 43068

Property Owner(s):

Applicant

Case Planner:

Jamie Freise  
645-6350  
JFFreise@Columbus.gov

3. ODS No.: 06310-00091

Location: 199 WHITTIER STREET (43206), located on the south side of Whittier Street, approximately 200 feet west of Jaeger Street.

Area Comm./Civic: German Village Society.

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 31'.
2. 3332.14, R-2F area district requirements. To reduce the lot size from 5,000 sq.ft. to 1,550 sq.ft.
3. 3332.21, Building lines. To reduce the building line from 10' to 0'.
4. 3332.26, Minimum side yard permitted. To reduce the minimum side yard from 3' to 0'.
5. 3342.18, Parking setback line. To reduce the parking setback line from 10' to 0'.
6. 3342.28, Minimum number of parking spaces required. To reduce the number of off-street parking spaces from 2 to 1.

Proposal: A lot split resulting in two residential lots.

Applicant(s):

Barbara D. Birch  
6428 Norfolk Drive  
Reynoldsburg, Ohio 43068

Property Owner(s): Applicant

Case Planner:

Jamie Freise  
645-6350  
JFFreise@Columbus.gov

4. ODS No.: 06310-00092

Location: 2370 GRASMERE AVENUE (43211), located on the east side of Grasmere Avenue, 180± feet south of Hudson Street.

Area Comm./Civic: South Linden Area Commission

Existing Zoning: R-3, Residential District

Request: Variance(s) to Section(s):

1. 3342.11, Landscaping. To allow the lot area between the right-of-way and the parking setback line to be paved for other than a necessary driveway.
2. 3342.18, Parking setback line. To reduce the minimum parking setback line from 25 feet to zero along Grasmere Avenue.

Proposal: To allow an asphalt parking area to remain in the front yard within the required landscaped setback area.

Applicant(s):

Carol & Ernest Pace  
2370 Grasmere Ave.  
Columbus, OH 43211

Property Owner(s): Applicants

Case Planner:

Denise Powers  
645-1788

DAPowers@Columbus.gov

5. ODS No.: 06310-00093

Location: 3875 SUNBURY ROAD (43219), located on the west side of Sunbury Road, approximately 250' north of McCutcheon Road.

Area Comm./Civic: None

Existing Zoning: R, Rural District

Request: Variance(s) to Section(s):

1. 3332.38, Private garage. To increase the allowable square footage of a garage to exceed 720 sq.ft.

Proposal: To construct an 2,044 sq.ft. garage.

Applicant(s):

James Cooley  
3875 Sunbury Road  
Columbus, Ohio 43219

Property Owner(s): Applicant

Case Planner:

Jamie Freise  
645-6350  
JFFreise@Columbus.gov

6. ODS No.: 06310-00094

Location: 6320 HAYDEN RUN ROAD (43026), located at the northeast corner of Bow Falls Dr. and Hayden Run Rd.

Area Comm./Civic: None

Existing Zoning: NC, Neighborhood Center District

Request: Variance(s) to Section(s):

1. 3320.15 B. 7., Thoroughfares. To permit the establishment of an alley using a boulevard design instead of two, 22 ft. lane widths (44 ft.) with two-way traffic flow.

Proposal: To develop an alley with a 43 ft. wide boulevard feature instead of a 44 ft. wide alleyway.

Applicant(s):

Steven D. Schehl, P.E.  
5500 New Albany Rd.  
Columbus, Ohio 43054

Property Owner(s):

The Falls at Hayden Run, Ltd.  
2800 Corporate Exchange Dr.  
Columbus, Ohio 43231

Case Planner:

Denise Powers

645-1788  
DAPowers@Columbus.gov

7. ODS No.: 06310-00095

Location: 116 EAST TOMPKINS STREET (43202), located on the north side of East Tompkins Street, approximately 70 feet east of Monroe Street.

Area Comm./Civic: Universtiy Area Commission

Existing Zoning: R-2F, Residential District

Request: Variance(s) to Section(s):

1. 3332.38, Private garage. To increase the allowable square footage of a garage to exceed 720 sq.ft.

Proposal: To construct an 814 sq.ft. garage.

Applicant(s):  
Andrew Morlani  
116 E. Tompkins Street  
Columbus, Ohio 43202

Property Owner(s): Applicant

Case Planner:  
Jamie Freise  
645-6350  
JFFreise@Columbus.gov

8. ODS No.: 06310-00096

Location: 1500 SOUTH 4TH STREET (43207), located at the southeast corner of Southwood Ave. & S. 4th St.

Area Comm./Civic: Save Our South Side Civic Association

Existing Zoning: R-2F District

Request: Variance(s) to Section(s):

1. 3342.18, Parking setback line. To reduce the minimum parking setback from 25 ft. to 10 ft. along Markison Ave.  
2. 3342.28, Minimum number of parking spaces required. To reduce the required number of additional parking spaces from 96 to 69 (27 spaces).

Proposal: To construct a building addition onto an existing elementary school.

Applicant(s):  
J. Jeffrey McNealey  
41 S. High St.  
Columbus, Ohio 43215

Property Owner(s):  
Columbus Board of Education  
270 E. State St.  
Columbus, Ohio 43215

Case Planner:  
Dave Reiss  
645-7973  
DJReiss@Columbus.gov

9. ODS No.: 06310-00085

Location: 2466 NEIL AVENUE (43202), located on the east side of Neil Ave., 91± ft. north of W. Blake Ave.

Area Comm./Civic: University Area Commission

Existing Zoning: R-2F District

Request: Variance(s) to Section(s):

1. 3342.24, Surface. To permit the establishment of a gravel parking area behind a single-family residence.
2. 3372.541, Landscaped area and treatment. To provide less than 10% of the lot area with grass and/or other live vegetation, most of which must be behind the most rear portion of the principal residential building.
3. 3372.521 A. Supplemental parking requirements. To allow parking and maneuvering in a required landscaped area.
4. 3372.521 D. Supplemental parking requirements. To not provide paving and striping to delineate parking spaces.

Proposal: To allow a gravel parking area to remain for three vehicles behind a single-family dwelling.

Applicant(s):  
Sandra M. Bolzenius  
2466 Neil Ave.  
Columbus, Ohio 43202

Property Owner(s) Same as applicant.

Case Planner:  
Dave Reiss  
645-7973  
DJReiss@Columbus.gov

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**Legislation Number:** PN0247-2005

**Drafting Date:** 12/07/2005

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**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.

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**Legislation Number:** PN0247-2006

**Drafting Date:** 12/07/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** City Council Zoning Agenda for 12/11/2006

**Contact Name:** Adam Knowlden

**Contact Telephone Number:** (614) 645-8623

**Contact Email Address:** apknowlden@columbus.gov

**Body**

**REGULAR MEETING NO. 58**

**CITY COUNCIL (ZONING)**

**DECEMBER 11, 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**

**2031-2006**

To amend Ordinance #0820-2006 (Z04-095), passed March 10, 2003, by repealing Section 3 and replacing it with a new Section 3 thereby modifying the CPD text and site plan to allow a revised sidewalk and landscaping design for property located at 2700 BETHEL ROAD (43220).

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**Legislation Number:** PN0248-2006

**Drafting Date:** 12/07/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

Health, Housing and Human Services Budget Hearing

**Body**

Columbus City Councilwoman Charleta B. Tavares, Chair of the Health, Housing and Human Services Committee will conduct a public hearing to discuss the budget for her committee. The hearing will take place in Council Chambers located at the City Hall building, 90 W. Broad St. Columbus OH 43215. The hearing will start at 5:00 PM on December 18, 2006.

Public input is welcomed. You may fill out a speaker slip on the day of the hearing between the hours of 8:00 am - 5:30 pm in the welcome center of City Hall, Rm 231. For more information you may contact Bo Chilton at 645.8580.

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**Legislation Number:** PN0250-2006

**Drafting Date:** 12/07/2006

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Title**SCHEDULE FOR 2007 PROPOSED BUDGET

**Notice/Advertisement Title:**SCHEDULE FOR 2007 PROPOSED BUDGET

**Contact Name:** Kym Nelson

**Contact Telephone Number:**645-0852

**Contact Email Address:** replace with non-bold contact email address

**Body**2007 BUDGET SCHEDULE

November 16, 2006 Ordinances filed in City Clerk's office

November 20, 2006 Mayor's Proposed Budget Ordinances appear on Council  
Agenda (*and tabled indefinitely pending public hearings*)

Budget ordinances have to be published in City Bulletin 2 weeks prior to public hearings.

December 2, 2006 Mayor's proposed Budget Ordinances appear in City Bulletin for  
First Time (Public Notice Section)

December 9, 2006 Mayor's proposed Budget Ordinances Appear in City Bulletin for  
2nd Time

December 13, 2006 Budget Briefing - Presentation by Mayors Administration 5:00 pm,  
Council Chambers,

December 18, 2006 Health Housing Human Services Budget Hearing 5:00 pm, Council  
Chambers

January 3, 2007 Health Housing Human Services Budget Hearing 5:30 pm, Council  
Chambers

January 10, 2007 Jobs and Economic Development Budget Hearing 4:00 pm, Council  
Chambers

January 11, 2007 Public Comment Hearing 5:30 pm, Council Chambers

January 18, 2007 City Council Budget Retreat, 8:30 a.m. -4:30 p.m., Location to be  
Determined, President Matt Habash

January 15, 2007 No Council meeting - MLK Day

January 22, 2007 Council Meeting - Budget Ordinances on the agenda for 2nd reading,  
to be Amended and Tabled to 2/05/07

January 27, 2007 First publication of ordinances as amended in Public Notice section of City Bulletin

February 3, 2007 2nd publication of ordinances as amended in Public Notice Section of City Bulletin

February 5, 2007 Anticipated passage date of the budget ordinances as amended

Feb 10, 2007 Ordinances published in the City Bulletin (Ordinance section) as amended (must be published within 20 days of passage per City Charter)

PLACEMENT OF TRAFFIC CONTROL DEVICES AS RECOMMENDED BY THE  
TRANSPORTATION DIVISION  
EFFECTIVE DATE: 11-03-06

Whereas, an emergency exists in the usual daily operation of the Department of Public Service, Transportation Division, in that certain traffic control devices must be authorized immediately in order to preserve the public health, peace, property, and safety; now, therefore,

Under the power vested in me by Chapters 2105 and 2155 of the Traffic Code of Columbus, Ohio, I hereby determine that based on studies conducted by and recommendations made by the Transportation Division, that the following traffic regulations are necessary and I hereby authorize on the effective date of this order, or as soon thereafter as practical, the installation and/or removal of appropriate traffic control devices as follows:

**PARKING REGULATIONS**

The parking regulations on the 559 foot long block face along the E side of BELMONT AVE from KING AVE extending to EIGHTH AVE shall be

Range in feet	Code Section	Regulation
0 - 25	2105.17	NO STOPPING ANYTIME
25 - 132	2105.21	NO PARKING 8AM - 8PM WEEKDAYS EXCEPT CITY PERMIT N K
132 - 152	2105.17	NO STOPPING ANYTIME
152 - 170		(NAMELESS ALLEY)
170 - 190	2105.17	NO STOPPING ANYTIME
190 - 387	2105.21	NO PARKING 8AM - 8PM WEEKDAYS EXCEPT CITY PERMIT N K
387 - 417	2105.17	NO STOPPING ANYTIME
417 - 435		(NAMELESS ALLEY)
435 - 475	2105.17	NO STOPPING ANYTIME
475 - 565	2105.21	NO PARKING 8AM - 8PM WEEKDAYS EXCEPT CITY PERMIT N K
565 - 590	2105.17	NO STOPPING ANYTIME

The parking regulations on the 287 foot long block face along the S side of EIGHTH AVE from BELMONT AVE extending to MICHIGAN AVE shall be

Range in feet	Code Section	Regulation
0 - 20	2105.17	NO STOPPING ANYTIME
20 - 254	2105.21	NO PARKING 8AM - 8PM WEEKDAYS EXCEPT CITY PERMIT N K
254 - 287	2105.17	NO STOPPING ANYTIME

The parking regulations on the 287 foot long block face along the S side of EIGHTH AVE from PERRY ST extending to BELMONT AVE shall be

Range in feet	Code Section	Regulation
0 - 68	2105.17	NO STOPPING ANYTIME
68 - 258	2105.21	NO PARKING 8AM - 8PM WEEKDAYS EXCEPT CITY PERMIT N K
258 - 287	2105.17	NO STOPPING ANYTIME

The parking regulations on the 345 foot long block face along the S side of EIGHTH AVE from MICHIGAN AVE extending to PENNSYLVANIA AVE shall be

Range in feet	Code Section	Regulation
0 - 50	2105.17	NO STOPPING ANYTIME
50 - 315	2105.21	NO PARKING 8AM - 8PM WEEKDAYS EXCEPT CITY PERMIT N K
315 - 345	2105.17	NO STOPPING ANYTIME

The parking regulations on the 1224 foot long block face along the N side of EIGHTH AVE from PERRY ST extending to NEIL AVE shall be

Range in feet	Code Section	Regulation
0 - 30	2105.17	NO STOPPING ANYTIME
30 - 553	2105.21	NO PARKING 8AM - 8PM WEEKDAYS EXCEPT CITY PERMIT N K
553 - 690	2105.17	NO STOPPING ANYTIME
690 - 946	2105.21	NO PARKING 8AM - 8PM WEEKDAYS EXCEPT CITY PERMIT N K
946 - 1001	2105.03	HANDICAPPED PARKING ONLY
1001 - 1040	2105.17	NO STOPPING ANYTIME
1040 - 1058		(NAMELESS ALLEY)
1058 - 1224	2105.17	NO PARKING ANY TIME

The parking regulations on the 288 foot long block face along the N side of KING AVE from BELMONT AVE extending to MICHIGAN AVE shall be

Range in feet	Code Section	Regulation
0 - 29	2105.17	NO STOPPING ANYTIME
29 - 258	2105.17	NO STOPPING 10AM - 8PM FOOTBALL DAYS 4PM - 1AM FOOTBALL NIGHTS
29 - 258	2105.17	NO STOPPING 7AM - 9AM WEEKDAYS
29 - 258	2105.21	NO PARKING 9AM - 8PM WEEKDAYS EXCEPT CITY PERMIT N K
258 - 288	2105.17	NO STOPPING ANYTIME

The parking regulations on the 350 foot long block face along the N side of KING AVE from MICHIGAN AVE extending to PENNSYLVANIA AVE shall be

Range in feet	Code Section	Regulation
0 - 102	2105.14	BUS STOP ONLY
102 - 317	2105.21	NO PARKING 9AM - 8PM WEEKDAYS EXCEPT CITY PERMIT N K
102 - 317	2105.17	NO STOPPING 7AM - 9AM WEEKDAYS
102 - 317	2105.17	NO STOPPING 10AM - 8PM FOOTBALL DAYS 4PM - 1AM FOOTBALL NIGHTS
317 - 350	2105.17	NO STOPPING ANYTIME

The parking regulations on the 596 foot long block face along the E side of MICHIGAN AVE from KING AVE extending to EIGHTH AVE shall be

Range in feet	Code Section	Regulation
0 - 30	2105.17	NO STOPPING ANYTIME
30 - 129	2105.21	NO PARKING 8AM - 8PM WEEKDAYS EXCEPT CITY PERMIT N K
129 - 155	2105.17	NO STOPPING ANYTIME
155 - 173		(NAMELESS ALLEY)
173 - 199	2105.17	NO STOPPING ANYTIME
199 - 391	2105.21	NO PARKING 8AM - 8PM WEEKDAYS EXCEPT CITY PERMIT N K
391 - 421	2105.17	NO STOPPING ANYTIME
421 - 439		(NAMELESS ALLEY)
439 - 469	2105.17	NO STOPPING ANYTIME
469 - 553	2105.21	NO PARKING 8AM - 8PM WEEKDAYS EXCEPT CITY PERMIT N K
553 - 596	2105.17	NO STOPPING ANYTIME

The parking regulations on the 596 foot long block face along the W side of MICHIGAN AVE from KING AVE extending to EIGHTH AVE shall be

Range in feet	Code Section	Regulation
0 - 30	2105.17	NO STOPPING ANYTIME
30 - 125	2105.21	NO PARKING 8AM - 8PM WEEKDAYS EXCEPT CITY PERMIT N K
125 - 155	2105.17	NO STOPPING ANYTIME
155 - 173		(NAMELESS ALLEY)
173 - 203	2105.17	NO STOPPING ANYTIME
203 - 394	2105.21	NO PARKING 8AM - 8PM WEEKDAYS EXCEPT CITY PERMIT N K
394 - 421	2105.17	NO STOPPING ANYTIME
421 - 439		(NAMELESS ALLEY)
439 - 466	2105.17	NO STOPPING ANYTIME
466 - 554	2105.21	NO PARKING 8AM - 8PM WEEKDAYS EXCEPT CITY PERMIT N K
554 - 596	2105.17	NO STOPPING ANYTIME

The parking regulations on the 596 foot long block face along the E side of PENNSYLVANIA AVE from KING AVE extending to EIGHTH AVE shall be

Range in feet	Code Section	Regulation
0 - 30	2105.17	NO STOPPING ANYTIME
30 - 125	2105.21	NO PARKING 8AM - 8PM WEEKDAYS EXCEPT CITY PERMIT N K
125 - 155	2105.17	NO STOPPING ANYTIME
155 - 173		(NAMELESS ALLEY)
173 - 203	2105.17	NO STOPPING ANYTIME
203 - 391	2105.21	NO PARKING 8AM - 8PM WEEKDAYS EXCEPT CITY PERMIT N K
391 - 421	2105.17	NO STOPPING ANYTIME
421 - 439		(NAMELESS ALLEY)
439 - 471	2105.17	NO STOPPING ANYTIME
471 - 566	2105.21	NO PARKING 8AM - 8PM WEEKDAYS EXCEPT CITY PERMIT N K
566 - 596	2105.17	NO STOPPING ANYTIME

The parking regulations on the 596 foot long block face along the W side of PENNSYLVANIA AVE from KING AVE extending to EIGHTH AVE shall be

Range in feet	Code Section	Regulation
0 - 42	2105.17	NO STOPPING ANYTIME
42 - 125	2105.21	NO PARKING 8AM - 8PM WEEKDAYS EXCEPT CITY PERMIT N K
125 - 155	2105.17	NO STOPPING ANYTIME
155 - 173		(NAMELESS ALLEY)
173 - 203	2105.17	NO STOPPING ANYTIME
203 - 391	2105.21	NO PARKING 8AM - 8PM WEEKDAYS EXCEPT CITY PERMIT N K
391 - 421	2105.17	NO STOPPING ANYTIME
421 - 439		(NAMELESS ALLEY)
439 - 469	2105.17	NO STOPPING ANYTIME
469 - 566	2105.21	NO PARKING 8AM - 8PM WEEKDAYS EXCEPT CITY PERMIT N K
566 - 596	2105.17	NO STOPPING ANYTIME

The parking regulations on the 588 foot long block face along the E side of PERRY ST from KING AVE extending to EIGHTH AVE shall be

Range in feet	Code Section	Regulation
0 - 154	2105.17	NO STOPPING ANYTIME
154 - 165		(NAMELESS ALLEY)
165 - 194	2105.17	NO STOPPING ANYTIME
194 - 376	2105.17	NO PARKING ANY TIME
376 - 419	2105.17	NO STOPPING ANYTIME
419 - 429		(NAMELESS ALLEY)
429 - 474	2105.17	NO STOPPING ANYTIME
474 - 556	2105.21	NO PARKING 8AM - 8PM WEEKDAYS EXCEPT CITY PERMIT N K
556 - 588	2105.17	NO STOPPING ANYTIME

The parking regulations on the 590 foot long block face along the W side of PERRY ST from KING AVE extending to EIGHTH AVE shall be

Range in feet	Code Section	Regulation
0 - 152	2105.17	NO STOPPING ANYTIME
152 - 170		(NAMELESS ALLEY)
170 - 200	2105.17	NO STOPPING ANYTIME
200 - 387	2105.21	NO PARKING 8AM - 8PM WEEKDAYS EXCEPT CITY PERMIT N K
387 - 417	2105.17	NO STOPPING ANYTIME
417 - 435		(NAMELESS ALLEY)
435 - 475	2105.17	NO STOPPING ANYTIME
475 - 564	2105.21	NO PARKING 8AM - 8PM WEEKDAYS EXCEPT CITY PERMIT N K
564 - 590	2105.17	NO STOPPING ANYTIME

Any existing traffic restrictions, prohibitions or traffic control devices which conflict with these orders shall be declared null and void and shall be removed.

BY ORDER OF: HENRY GUZMÁN, PUBLIC SERVICE DIRECTOR

cc: City Bulletin  
Traffic Bureau  
Deputy Chief Patrol Subdivision  
East

**PLACEMENT OF TRAFFIC CONTROL DEVICES AS RECOMMENDED BY THE  
TRANSPORTATION DIVISION**

**EFFECTIVE DATE:**

Whereas, an emergency exists in the usual daily operation of the Department of Public Service, Transportation Division, in that certain traffic control devices must be authorized immediately in order to preserve the public health, peace, property, and safety; now, therefore,

Under the power vested in me by Chapters 2105 and 2155 of the Traffic Code of Columbus, Ohio, I hereby determine that based on studies conducted by and recommendations made by the Transportation Division, that the following traffic regulations are necessary and I hereby authorize on the effective date of this order, or as soon thereafter as practical, the installation and/or removal of appropriate traffic control devices as follows:

**PARKING REGULATIONS**

The parking regulations on the 212 foot long block face along the E side of CIVIC CENTER DR from MOUND ST extending to NOBLE ST shall be

Range in feet	Code Section	Regulation
0 - 25	2105.17	NO STOPPING ANYTIME
25 - 86	2105.17	4 HOUR PARKING METERS 8AM - 6PM EXCEPT SUNDAYS AND HOLIDAYS
25 - 86	2105.17	NO STOPPING 3AM - 6AM WEEKDAYS
86 - 212	2105.17	NO STOPPING ANYTIME

The parking regulations on the 213 foot long block face along the E side of CIVIC CENTER DR from NOBLE ST extending to MAIN ST shall be

Range in feet	Code Section	Regulation
0 - 67	2105.17	NO STOPPING ANYTIME
67 - 154	2105.17	4 HOUR PARKING METERS 8AM - 6PM EXCEPT SUNDAYS AND HOLIDAYS
67 - 154	2105.17	NO STOPPING 3AM - 6AM WEEKDAYS
154 - 213	2105.17	NO STOPPING ANYTIME

The parking regulations on the 170 foot long block face along the S side of MAIN ST from CIVIC CENTER DR extending to JEWETT ST shall be

Range in feet	Code Section	Regulation
0 - 47	2105.17	NO STOPPING ANYTIME
47 - 132	2105.17	4 HOUR PARKING METERS 8AM - 6PM EXCEPT SUNDAYS AND HOLIDAYS
47 - 132	2105.17	NO STOPPING 3AM - 6AM WEEKDAYS
132 - 170	2105.17	NO STOPPING ANYTIME

The parking regulations on the 172 foot long block face along the S side of MAIN ST from JEWETT ST extending to SECOND ST shall be

Range in feet	Code Section	Regulation
0 - 47	2105.17	NO STOPPING ANYTIME
47 - 112	2105.17	4 HOUR PARKING METERS 8AM - 6PM EXCEPT SUNDAYS AND HOLIDAYS
47 - 132	2105.17	NO STOPPING 3AM - 7AM
112 - 132	2105.17	4 HR PARKING HDCP ONLY 8AM - 6PM EXCEPT SUNDAYS & HOLIDAYS
132 - 172	2105.17	NO STOPPING ANYTIME

The parking regulations on the 170 foot long block face along the N side of MOUND ST from CIVIC CENTER DR extending to JEWETT ST shall be

Range in feet	Code Section	Regulation
0 - 24	2105.17	NO STOPPING ANYTIME
24 - 150	2105.17	NO STOPPING 3AM - 6AM WEEKDAYS
24 - 150	2105.17	4 HOUR PARKING METERS 8AM - 6PM EXCEPT SUNDAYS AND HOLIDAYS
150 - 170	2105.17	NO STOPPING ANYTIME

The parking regulations on the 174 foot long block face along the N side of MOUND ST from JEWETT ST extending to SECOND ST shall be

Range in feet	Code Section	Regulation
0 - 12	2105.17	NO STOPPING ANYTIME
12 - 127	2105.17	NO STOPPING 3AM - 6AM WEEKDAYS
12 - 127	2105.17	4 HOUR PARKING METERS 8AM - 6PM EXCEPT SUNDAYS AND HOLIDAYS
127 - 174	2105.17	NO STOPPING ANYTIME

The parking regulations on the 166 foot long block face along the N side of NOBLE ST from CIVIC CENTER DR extending to JEWETT ST shall be

Range in feet	Code Section	Regulation
0 - 21	2105.17	NO STOPPING ANYTIME
21 - 147	2105.17	4 HOUR PARKING METERS 8AM - 6PM EXCEPT SUNDAYS AND HOLIDAYS
21 - 147	2105.17	(STATUTORY RESTRICTIONS APPLY)
147 - 166	2105.17	NO STOPPING ANYTIME

The parking regulations on the 170 foot long block face along the S side of NOBLE ST from JEWETT ST extending to SECOND ST shall be

Range in feet	Code Section	Regulation
0 - 20	2105.17	NO STOPPING ANYTIME
20 - 43	2105.17	4 HOUR PARKING METERS 8AM - 6PM EXCEPT SUNDAYS AND HOLIDAYS
43 - 71	2105.17	4 HR PARKING HDCP ONLY 8AM - 6PM EXCEPT SUNDAYS & HOLIDAYS
71 - 170	2105.17	NO STOPPING ANYTIME

Any existing traffic restrictions, prohibitions or traffic control devices which conflict with these orders shall be declared null and void and shall be removed.

BY ORDER OF: HENRY GUZMÁN, PUBLIC SERVICE DIRECTOR

cc: City Bulletin  
Traffic Bureau  
Deputy Chief Patrol Subdivision  
East

**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:** PN0238-2006

**Drafting Date:** 11/24/2006

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Title**Public Briefing on Mayor's proposed Budget

**Notice/Advertisement Title:**Public Hearing on Mayor's proposed Budget

**Contact Name:** Kym Nelson

**Contact Telephone Number:** 645-0852

**Contact Email Address:** KJNelson@columbus.gov

**Body**

Budget Briefing  
December 13, 2006  
5:00-7:00 pm  
Council Chambers

Columbus City Council will hold a Public Briefing regarding the Mayor's proposed budget on December 13, 2006 at 5:00 pm in Council Chambers. Various Administration Department Directors will be present to provide Council a policy overview of the changes requested in their respective budgets in comparison to the 2006 Budget, and to answer questions posed by Council members.

If time remains at the close of presentations, public comment will be taken. All speakers during this period must complete a speaker slip before 6:00 pm on the day of the hearing. Speaker slips are located at City Hall in the lobby of the Front Street entrance. Public comment is limited to 3 minutes.



# City of Columbus Legislation Report

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

**File Number: 1980-2006**

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## Emergency

**File Number:** 1980-2006

**File Type:** Ordinance

**Status:** Tabled Indefinitely

**Version:** 1

**Controlling Body:** Finance Committee

**File Name:** 2007 Selected Other Funds Ordinance

**Introduced:** 10/31/2006

**Requester:** Finance Drafter

**Cost:**

**Final Action:**

**Auditor Cert #:**

**Auditor:** When assigned an Auditor Certificate Number I, the City Auditor, hereby certify that there is in the treasury, or anticipate to come into the treasury, and not appropriated for any other purpose, the amount of money specified hereon, to pay the within Ordinance.

**Contact Name/No.:** Steve Wentzel X55437

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## Floor Action (Clerk's Office Only)

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### Mayor's Action

### Council Action

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date Passed/ Adopted

\_\_\_\_\_  
President of Council

\_\_\_\_\_  
Veto

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Clerk

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### Title:

To make appropriations for the 12 months ending December 31, 2007, for selected other funds for various divisions, to authorize the City Auditor to make transfers as may be necessary, and to declare an emergency.

### Sponsors:

### Indexes:

### Attachments:

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## History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:	
1	Finance Drafter	11/15/06	Sent for Approval	FINANCE DIRECTOR				
	<b>Action Note:</b>	sjwentzel						
1	FINANCE DIRECTOR	11/15/06	Reviewed and Approved	Finance Drafter				
	<b>Action Note:</b>	jstaylor						
1	Finance Drafter	11/16/06	Sent for Approval	Auditor Inbox				
	<b>Action Note:</b>	sjwentzel						
1	Auditor Reviewer	11/16/06	Reviewed and Approved	Auditor Reviewer				
1	CITY AUDITOR	11/16/06	Reviewed and Approved	Finance Drafter				
	<b>Action Note:</b>	HJD/bam						
1	Finance Drafter	11/16/06	Sent to Clerk's Office for Council	City Clerk Inbox				
	<b>Action Note:</b>	sjwentzel						
1	Columbus City Council	11/20/06	Tabled Indefinitely				Pass	
	<b>Action Note:</b>	TABLED PENDING PUBLIC HEARINGS						

**EBOCO:** Following review and approval, when required, the Equal Business Opportunity Commission Office certifies compliance with Title 39 as of date listed.

**City Attorney:** Following review and approval, when required, this ordinance has been reviewed by the City Attorney's Office as to its form and legality only.

### Explanation

This ordinance makes appropriations and authorizes transfers for the 12 months ending December 31, 2007, in various divisions and departments for selected funds other than the General Fund or Operating Funds.

### Title

To make appropriations for the 12 months ending December 31, 2007, for selected other funds for various divisions, to authorize the City Auditor to make transfers as may be necessary, and to declare an emergency.

### Body

**WHEREAS**, the matter herein provided for constitutes an emergency in that it is immediately necessary to appropriate funds for the various city departments for the 12 months beginning January 1, 2007, and ending December 31, 2007, and

**WHEREAS**, the matter herein constitutes an emergency in that it is immediately necessary to appropriate and authorize the transfer of these funds 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, OHIO:**

**SECTION 1.** That from the monies in the fund known as the Recreation and Parks Debt Service Fund, Fund No. 411, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2007, there be and hereby are appropriated for the Object Level Ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2007:

**Division No. 22-01 - City Auditor**

OCA - 900894  
Object - 10  
OL3 - 5501  
Purpose - Debt Transfer  
Amount - \$ 773,932

**Total - \$ 773,932**

**SECTION 2.** That from the monies in the fund known as the Hotel-Motel Tax Fund, Fund No. 231, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2007, there be and hereby are appropriated for the Object Level 1's for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2007:

**Division No. 20-01 - City Council**

OCA - 200204  
Object - 03  
Purpose - Services for Operation and Maintenance  
Amount - \$ 4,200,000

OCA - 200214  
Object - 03  
Purpose - Services for Operation and Maintenance  
Amount - \$ 4,200,000

**Total - \$ 8,400,000**

**SECTION 3.** That from the unappropriated monies in the fund known as the Capitol South Fund, Fund No. 481, 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, 2007, there be and hereby are appropriated the following sums for use during the 12 months ending December 31, 2007:

**Division No. 45-01 - Department of Finance and Management**

OCA - 901133  
Object - 10  
OL3- 5501  
Purpose - Principal  
Amount- \$999,834

OCA - 901158  
Object - 10  
OL3- 5501  
Purpose - Interest

Amount- \$376,646

**Total - \$1,376,480**

**SECTION 4.** That from the unappropriated monies in the Airport Operating Fund, Fund No. 944, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2007, there be and hereby are appropriated for the Object Level Ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2007:

**Division No. 60-10 - Airports**

OCA - 601245

Object - 04

OL3- 4410

Purpose - Bond Principal Payment

Amount- \$1,750,000

OCA - 601245

Object - 07

OL3- 7411

Purpose - Bond Interest Payment

Amount- \$59,779

**Total - \$1,809,779**

**SECTION 5.** That from the monies in the funds known as the Sewer System Revenue Bond Reserve Fund and Water System Revenue Bond Reserve Fund, and from all monies estimated to come into said funds from any and all sources during 2007, there be and hereby are appropriated the following sums:

**Sewer Division 60-05 - Fund 656 Sewer System Revenue Bond Fund**

OCA - 605824

Object - 04

OL3- 4407

Purpose - Bond Principal Payment

Amount- \$12,890,000

OCA - 605824

Object - 07

OL3- 7408

Purpose - Bond Interest Payment

Amount- \$4,943,700

**Total - \$17,833,700**

**Water Division 60-09 - Fund 601 Water System Revenue Bond Fund**

OCA - 602987

Object - 04

OL3- 4407

Purpose - Bond Principal Payment

Amount- \$6,335,000

OCA - 602987

Object - 07  
OL3- 7408  
Purpose - Bond Interest Payment  
Amount- \$1,402,250

**Total - \$7,737,250**

**SECTION 6.** That from the unappropriated monies in the fund known as the Special Income Tax Fund, Fund No. 430, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2007, there be and hereby are appropriated the following sums for use during the 12 months ending December 31, 2007, for the payment of principal and interest on outstanding notes and bonds, bond and note issuance costs, bond counsel costs, and tipping fees:

**Division No. 22-01 - City Auditor**

OCA - 220749  
Object - 04  
OL3- 4425  
Purpose - OPWC  
Amount- \$463,000

OCA - 901975  
Object - 10  
OL3- 5501  
Purpose - Bond Principal Payment  
Amount- \$88,719,636

OCA - 901983  
Object - 10  
OL3- 5501  
Purpose - Bond Interest Payment  
Amount- \$38,811,276

**Total - \$127,993,912**

**Division No. 59-02 - Refuse Collection**

OCA - 593715  
Object - 03  
OL3- 3389  
Purpose - Tipping Fee- Refuse Disposal  
Amount- \$4,666,667

OCA - 593954  
Object - 03  
OL3- 3389  
Purpose - Tipping Fee- Refuse Disposal  
Amount- \$4,666,667

OCA - 594341  
Object - 03  
OL3- 3389  
Purpose - Tipping Fee- Refuse Disposal  
Amount- \$4,666,666

**Total - \$14,000,000**

**Division No. 24-01 - City Attorney**

OCA - 240259

Object - 03

OL3- 3324

Purpose - Bond Counsel Expense

Amount- \$150,000

**Total - \$150,000**

**Division No. 45-01 - Finance and Management Department**

OCA - 450148

Object - 03

OL3- 3336

Purpose - Professional Services

Amount- \$126,800

OCA - 450148

Object - 03

OL3- 3352

Purpose - Printing Costs

Amount- \$25,000

OCA - 450148

Object - 03

OL3- 3353

Purpose - Advertising

Amount- \$10,000

OCA - 450148

Object - 03

OL3- 3348

Purpose - Banking/Financial/Bond Services \*

Amount- \$78,000

OCA - 450148

Object - 03

OL3- 3332

Purpose - Subscriptions

Amount- \$3,200

**Total - \$243,000**

**\* Variable rate storm debt and 1996 variable rate debt**

**SECTION 7.** That from the unappropriated monies in the fund known as the Easton TIF Debt Service Fund, Fund No. 401, 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, 2007, there be and hereby are appropriated the following sums for use during the 12 months ending December 31, 2007:

**Division No. 44-01 - Development**

OCA - 401001  
Object - 05  
OL3- 5548  
Purpose - Debt Transfer  
Amount- \$2,031,683

**Total - \$2,031,683**

**SECTION 8.** That from the unappropriated monies in the fund known as the Polaris TIF Debt Service Fund, Fund No. 402, 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, 2007, there be and hereby are appropriated the following sums for use during the 12 months ending December 31, 2007:

**Division No. 44-01 - Development**

OCA - 402405  
Object - 05  
OL3- 5548  
Purpose - Debt Transfer  
Amount- \$1,253,943

**Total - \$1,253,943**

**SECTION 9.** That from the unappropriated monies in the fund known as the Brewery District TIF Debt Service Fund, Fund No. 409, 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, 2007, there be and hereby are appropriated the following sums for use during the 12 months ending December 31, 2007:

**Division No. 44-01 - Development**

OCA - 409001  
Object - 10  
OL3- 5501  
Purpose - Debt Transfer - Series A  
Amount- \$28,210

OCA - 409005  
Object - 10  
OL3- 5501  
Purpose - Debt Transfer - Series B  
Amount- \$94,724.77

OCA - 409001  
Object - 10  
OL3- 5501  
Purpose - Debt Transfer - Series B  
Amount- \$35,775.23

**Total - \$158,710**

**SECTION 10.** That from the unappropriated monies in the fund known as the Waggoner Road TIF Debt Service Fund, Fund No. 410, 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, 2007, there be and hereby are appropriated the following sums for use during the 12 months ending December 31, 2007:

**Division No. 44-01 - Development**

OCA - 410300  
Object - 10  
OL3- 5501  
Purpose - Debt Transfer  
Amount- \$60,000

**Total - \$60,000**

**SECTION 11.** That from the unappropriated monies in the fund known as the Municipal Court Computer Fund, Fund No. 227, Computer Systems, Subfund 002, 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, 2007, there be and hereby are appropriated the following sums for use during the 12 months ending December 31, 2007:

**Division No. 26-01 - Municipal Court Clerk**

OCA 260208  
Object - 04  
OL3- 4410  
Purpose - Bond Principal Payments  
Amount- \$120,000

OCA 260208  
Object - 07  
OL3- 7411  
Purpose - Bond Interest Payments  
Amount- \$95,400

**Total - \$215,400**

**SECTION 12.** That the monies in the foregoing Sections 1 through 11 shall be paid upon the order of the respective departments for which the appropriations are made except that small claims may be paid as authorized by Chapter 335 of the Columbus City Code, 1985, as amended; and except that payments or transfers between departments, divisions or funds of the City may be made by the City Auditor; that payments for premiums for official bonds, depository commissions, employees' hospitalization, life insurance, pensions, dental insurance, and prepaid legal services, shall be made on the order and approval of the Director of the Department of Finance and Management or City Auditor; that the monies appropriated in the foregoing Section 1 shall be paid upon the order of the City Auditor; that the monies appropriated in the foregoing Section 2 shall be paid upon the order of the President of Council or City Clerk; that the monies appropriated in the foregoing Section 3 shall be paid upon the order of the Director of the Department of Finance and Management; that the monies appropriated in the foregoing Section 4 shall be paid upon the order of the Public Utilities Director; that the monies appropriated in the foregoing Section 5 shall be paid by upon the order of the Director of the Department of Public Utilities, that the monies appropriated in the foregoing Section 6 shall be paid by upon the order of the City Auditor or the City Attorney or the Director of the Department of Finance and Management or the Director of the Department of Public Safety or the Director of the Department of Public Service; that the monies appropriated in the foregoing Sections 7, 8, 9 and 10 shall be paid by upon the order of the Director of Development, that the monies appropriated in the foregoing Section 11 shall be paid upon the order of the Municipal Court Clerk, 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 14.** Except in the matter of payrolls providing for the payment of salaries of officers and employees regularly employed by the City and extraordinary emergencies, no warrant shall be issued in liquidation of vouchers, unless the department contracting the expense shall have first obtained an order duly certified that there are sufficient funds appropriated to the credit of the proper fund from which the expenditure is to be made, which certificate must be obtained prior to the incurrence of the obligation, and the head of any department or division authorized to contract expenditures will be held personally responsible for any obligation incurred contrary to the provisions of this section. Such certificate shall not be issued for obligations pertaining to "Capital Outlay" in programs or activities funded by federal or state categorical grants without the prior approval of the Director of the Department of Finance and Management.

**SECTION 15.** That with the exception of the provisos (reasons) established in previous sections, as stated in the reason paragraphs following each subdepartment's appropriation, it is understood that this Council is not making specific appropriations for each item of every classification hereinbefore contained but only for the total for each department and subdepartment, as shown in the final column. The itemized classification shall, however, constitute limitations on the powers of the several department heads as granted in Sections 7, 8, 9 and 10 and no such officer shall make any expenditure for any other purpose in any amount beyond that of the particular classification; provided, however, that transfers may be made from one Object Level 1 to another, within any one department or division. Transfers of sums exceeding \$25,000.00 shall be authorized only by resolution of Council. Transfers of sums of \$25,000.00 or less, shall only be approved pursuant to a letter over the signatures of the head of the department, the Director of the Department of Finance and Management, the City Auditor, and the Chairman of the Committee of Finance and Administration.

**SECTION 16.** That the City Auditor is hereby authorized and directed to pay obligations of various departments pertaining to preceding years obligations from current appropriations up to a maximum of \$25,000.00 per obligation.

**SECTION 17.** 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 of Columbus Legislation Report

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

**File Number: 1981-2006**

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## Emergency

**File Number:** 1981-2006

**File Type:** Ordinance

**Status:** Tabled Indefinitely

**Version:** 1

**Controlling Body:** Finance Committee

**File Name:** 2007 Sinking Fund Appropriation Ordinance

**Introduced:** 10/31/2006

**Requester:** Finance Drafter

**Cost:**

**Final Action:**

**Auditor Cert #:**

**Auditor:** When assigned an Auditor Certificate Number I, the City Auditor, hereby certify that there is in the treasury, or anticipate to come into the treasury, and not appropriated for any other purpose, the amount of money specified hereon, to pay the within Ordinance.

**Contact Name/No.:** Steve Wentzel X55437

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## Floor Action (Clerk's Office Only)

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### Mayor's Action

### Council Action

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date Passed/ Adopted

\_\_\_\_\_  
President of Council

\_\_\_\_\_  
Veto

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Clerk

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### Title:

To make appropriations for the 12 months ending December 31, 2007 for the Sinking Fund - Bond Note Retirement Funds, and to declare an emergency.

### Sponsors:

### Indexes:

**Attachments:** Ord #1981-2006 RequirementsforDebt Service.xls

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## History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:	
1	Finance Drafter	11/15/06	Sent for Approval	FINANCE DIRECTOR				
	<b>Action Note:</b>	sjwentzel						
1	FINANCE DIRECTOR	11/15/06	Reviewed and Approved	Finance Drafter				
	<b>Action Note:</b>	jstaylor						
1	Finance Drafter	11/16/06	Sent for Approval	Auditor Inbox				
	<b>Action Note:</b>	sjwentzel						
1	Auditor Reviewer	11/16/06	Reviewed and Approved	Auditor Reviewer				
1	CITY AUDITOR	11/16/06	Reviewed and Approved	Finance Drafter				
	<b>Action Note:</b>	HJD/bam						
1	Finance Drafter	11/16/06	Sent to Clerk's Office for Council	City Clerk Inbox				
	<b>Action Note:</b>	sjwentzel						
1	Columbus City Council	11/20/06	Tabled Indefinitely				Pass	
	<b>Action Note:</b>	TABLED PENDING PUBLIC HEARING						

**EBOCO:** Following review and approval, when required, the Equal Business Opportunity Commission Office certifies compliance with Title 39 as of date listed.

**City Attorney:** Following review and approval, when required, this ordinance has been reviewed by the City Attorney's Office as to its form and legality only.

### Explanation

This ordinance makes appropriations for the 12 months ending December 31, 2007 for the Sinking Fund - Bond and Note Retirement Funds. The appropriation authority allows the Trustees of the Sinking Fund to make general obligation debt service payments.

### Title

To make appropriations for the 12 months ending December 31, 2007 for the Sinking Fund - Bond Note Retirement Funds, and to declare an emergency.

### Body

WHEREAS, the matter herein provided for constitutes an emergency, in that it is immediately necessary to appropriate funds for the Sinking Fund - Bond and Note Retirement Funds for the 12 months beginning January 1, 2007 in order that funds may be legally expended, and for the immediate preservation of the public health, peace, property, safety and welfare of the City of Columbus; Now, Therefore:

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

SECTION 1. That from the monies in the funds known as the Sinking Fund, Bond and Note Retirement Funds, in the custody of the Sinking Fund Trustees, and from all monies estimated to come into said funds during the year ending December 31, 2007, the following amounts are appropriated for the payment of the principal and interest on bonds and notes coming due during the year of 2007, and administrative expenses therefore, and the Council hereby confers upon the Sinking Fund the responsibility of administering the principal and interest payments on outstanding bond and note debt.

**REQUIREMENTS FOR DEBT SERVICE (refer to attachment Ord# 1981-2006 RequirementsForDebt Service.xls)**

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.



# City of Columbus Legislation Report

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

**File Number: 2089-2006**

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## Emergency

**File Number:** 2089-2006

**File Type:** Ordinance

**Status:** Tabled Indefinitely

**Version:** 1

**Controlling Body:** Finance Committee

**File Name:** 2007 Other Funds Appropriations

**Introduced:** 11/13/2006

**Requester:** Finance Drafter

**Cost:**

**Final Action:**

**Auditor Cert #:**

**Auditor:** When assigned an Auditor Certificate Number I, the City Auditor, hereby certify that there is in the treasury, or anticipate to come into the treasury, and not appropriated for any other purpose, the amount of money specified hereon, to pay the within Ordinance.

**Contact Name/No.:** Jane Dunham/8059

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## Floor Action (Clerk's Office Only)

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### Mayor's Action

### Council Action

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date Passed/ Adopted

\_\_\_\_\_  
President of Council

\_\_\_\_\_  
Veto

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Clerk

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### Title:

To make appropriations for the 12 months ending December 31, 2007, for other funds for various divisions, to authorize the City Auditor to make transfers as may be necessary and to declare an emergency.

### Sponsors:

### Indexes:

### Attachments:

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## History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:	
1	Finance Drafter	11/13/06	Sent for Approval	FINANCE DIRECTOR				
	<b>Action Note:</b>	jadunham						
1	FINANCE DIRECTOR	11/13/06	Reviewed and Approved	Finance Drafter				
	<b>Action Note:</b>	jstaylor						
1	Finance Drafter	11/15/06	Sent for Approval	Auditor Inbox				
	<b>Action Note:</b>	jadunham						
1	Auditor Reviewer	11/15/06	Reviewed and Approved	Auditor Reviewer				
1	CITY AUDITOR	11/15/06	Reviewed and Approved	Finance Drafter				
	<b>Action Note:</b>	HJD/bam						
1	Finance Drafter	11/16/06	Sent to Clerk's Office for Council	City Clerk Inbox				
	<b>Action Note:</b>	jadunham						
1	Columbus City Council	11/20/06	Tabled Indefinitely				Pass	
	<b>Action Note:</b>	TABLED PENDING PUBLIC HEARINGS						

**EBOCO:** Following review and approval, when required, the Equal Business Opportunity Commission Office certifies compliance with Title 39 as of date listed.

**City Attorney:** Following review and approval, when required, this ordinance has been reviewed by the City Attorney's Office as to its form and legality only.

### Explanation

This ordinance makes appropriations and transfers for the 12 months ending December 31, 2007, in various divisions and departments for funds other than the general fund.

### Title

To make appropriations for the 12 months ending December 31, 2007, for other funds for various divisions, to authorize the City Auditor to make transfers as may be necessary and to declare an emergency.

### Body

WHEREAS, the matter herein provided for constitutes an emergency in that it is immediately necessary to appropriate funds for the various city departments for the 12 months beginning January 1, 2007 and ending December 31, 2007, and

WHEREAS, the matter herein constitutes an emergency in that it is immediately necessary to appropriate and authorize the transfer of these funds 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, OHIO:

SECTION 1. That from the monies in the fund known as the employee benefits fund, fund no. 502, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2007, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2007:

Division No. 4601 - Human Resources

Obj Level 1 01  
Amount \$1,539,366

Obj Level 1 02  
Amount \$39,000

Obj Level 1 03  
Amount \$766,343

TOTAL Fund No. 502 \$2,344,709

SECTION 2. That from the monies in the fund known as the Technology, fund no. 514, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2007, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2007:

Division No. 4701 - Technology Administration

Obj Level 1 01  
Amount \$3,107,460

Obj Level 1 02  
Amount \$1,909,637

Obj Level 1 03  
Amount \$5,529,480

Obj Level 1 06  
Amount \$832,080

TOTAL \$11,378,657

Division No. 4702 - Division of Information Services

Obj Level 1 01  
Amount \$10,816,495

Obj Level 1 02  
Amount \$389,648

Obj Level 1 03  
Amount \$5,555,355

Obj Level 1 04  
Amount \$1,795,660

Obj Level 1 06  
Amount \$222,856

Obj Level 1 07  
Amount \$585,762

TOTAL \$ 19,365,776

TOTAL Fund No. 514 \$ 30,744,433

SECTION 3. That from the monies in the fund known as the print services fund, fund no. 517, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2007, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2007:

Division No. 4550 - Finance and Management Print Services

Obj Level 1 01  
Amount \$129,485

Obj Level 1 02  
Amount \$37,500

Obj Level 1 03  
Amount \$81,750

TOTAL Fund No. 517 \$ 248,735

SECTION 4. That from the monies in the fund known as the land acquisition services fund, fund no. 525, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2007, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2007:

Division No. 2403 - Land Acquisition

Obj Level 1 01  
Amount \$701,748

Obj Level 1 02  
Amount \$10,150

Obj Level 1 03  
Amount \$91,949

TOTAL Fund No. 525 \$803,847

SECTION 5. That from the monies in the fund known as the fleet management services fund, fund no. 513, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2007, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2007:

Division No. 5901 - Public Service Administration

Obj Level 1 01  
Amount \$567,651

Obj Level 1 03  
Amount \$34,543  
TOTAL \$ 602,194

Division No. 5905 - Fleet Management

Obj Level 1 01  
Amount \$8,220,359

Obj Level 1 02  
Amount \$13,231,290

Obj Level 1 03  
Amount \$3,778,240

Obj Level 1 04  
Amount \$1,030,000

Obj Level 1 05  
Amount \$5,000

Obj Level 1 06  
Amount \$80,000

Obj Level 1 07  
Amount \$1,182,416  
TOTAL \$ 27,527,305

TOTAL Fund No. 513 \$28,129,499

SECTION 6. That from the monies in the fund known as the health special revenue fund, fund no. 250, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2007, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2007:

Division No. 5001 - Health

Obj Level 1 01  
Amount \$16,483,953

Obj Level 1 02  
Amount \$530,530

Obj Level 1 03  
Amount \$10,188,766

Obj Level 1 05  
Amount \$8,900

Obj Level 1 10  
Amount \$180,000

TOTAL in Fund no. 250 \$27,392,149

SECTION 7. That from the monies in the fund known as the recreation and parks operation and extension fund, fund no. 285, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2007, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2007:

Division No. 5101 - Recreation and Parks

Obj Level 1 01  
Amount \$24,898,575

Obj Level 1 02  
Amount \$898,810

Obj Level 1 03  
Amount \$7,463,630

Obj Level 1 05  
Amount \$106,500

Obj Level 1 10  
Amount \$182,000

TOTAL in Fund no. 285 \$33,549,515

SECTION 8. That from the monies in the fund known as the golf course operations fund, fund no. 284, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2007, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2007:

Division No. 5103 - Division of Golf

Obj Level 1 01  
Amount \$3,647,732

Obj Level 1 02  
Amount \$385,000

Obj Level 1 03  
Amount \$1,278,118

Obj Level 1 05  
Amount \$3,000

Obj Level 1 06  
Amount \$30,000

TOTAL in Fund no. 284 \$5,343,850

SECTION 9. That from the monies in the fund known as the development services fund, fund no. 240, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2007, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2007:

Division No. 4401 - Development Administration

Obj Level 1 01  
Amount \$516,325

TOTAL \$516,325

Division No. 4403 - Building Services

Obj Level 1 01  
Amount \$11,548,178

Obj Level 1 02  
Amount \$87,225

Obj Level 1 03  
Amount \$2,142,771

Obj Level 1 05  
Amount \$61,800

TOTAL \$13,839,974

Division No. 5901 - Service Administration

Obj Level 1 01  
Amount \$374,845

Obj Level 1 03  
Amount \$54,284

TOTAL \$429,129

Division No. 5909 - Transportation

Obj Level 1 01  
Amount \$9,400,502

Obj Level 1 02  
Amount \$106,500

Obj Level 1 03  
Amount \$2,234,195

Obj Level 1 05  
Amount \$3,000

Obj Level 1 06

Amount \$244,000

TOTAL \$11,988,197

TOTAL in Fund no. 240 \$26,773,625

SECTION 10. That from the monies in the fund known as the street construction, maintenance and repair fund, fund no. 265, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2007, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2007:

Division No. 5901 - Public Service Administration

Obj Level 1 01

Amount \$2,265,179

Obj Level 1 03

Amount \$207,263

TOTAL \$2,472,442

Division No. 5902 - Refuse Collection

Obj Level 1 01

Amount \$1,401,692

Obj Level 1 02

Amount \$1,500

Obj Level 1 03

Amount \$5,000

TOTAL \$1,408,192

Division No. 5909 - Transportation

Obj Level 1 01

Amount \$25,254,145

Obj Level 1 02

Amount \$550,952

Obj Level 1 03

Amount \$13,944,187

Obj Level 1 05

Amount \$89,100

Obj Level 1 06

Amount \$943,900

Obj Level 1 10

Amount \$200,000

TOTAL \$40,982,284

TOTAL in Fund no. 265 \$44,862,918

SECTION 11. That from the monies in the fund known as the sewerage system operating fund, fund no. 650, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2007, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2007:

Division No. 6005 - Sewerage and Drainage

Obj Level 1 01  
Amount \$36,261,269

Obj Level 1 02  
Amount \$6,132,510

Obj Level 1 03  
Amount \$42,129,290

Obj Level 1 04  
Amount \$45,668,161

Obj Level 1 05  
Amount \$755,000

Obj Level 1 06  
Amount \$5,363,950

Obj Level 1 07  
Amount \$31,205,660

Obj Level 1 10  
Amount \$15,428,310

TOTAL \$182,944,150

Division No. 6001 - Public Utilities Administration

Obj Level 1 01  
Amount \$3,344,956

Obj Level 1 02  
Amount \$162,254

Obj Level 1 03  
Amount \$466,246

Obj Level 1 06  
Amount \$13,608

TOTAL \$3,987,064

Division No. 6002 - Operational Support

Obj Level 1 01  
Amount \$5,704,127

Obj Level 1 02  
Amount \$188,157

Obj Level 1 03  
Amount \$4,749,129

Obj Level 1 05  
Amount \$5,760

Obj Level 1 06  
Amount \$248,400

TOTAL \$10,895,573

TOTAL in Fund no. 650 \$197,826,787

SECTION 12. That from the monies in the fund known as the storm sewer maintenance fund, fund no. 675, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2007, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2007:

Division No. 6015 - Storm Sewer

Obj Level 1 01  
Amount \$1,515,134

Obj Level 1 02  
Amount \$14,000

Obj Level 1 03  
Amount \$13,869,386

Obj Level 1 04  
Amount \$6,911,900

Obj Level 1 05  
Amount \$137,112

Obj Level 1 06  
Amount \$42,000

Obj Level 1 07  
Amount \$6,162,709

TOTAL \$28,652,241

Division No. 6001 - Public Utilities Administration

Obj Level 1 01  
Amount \$2,415,814

Obj Level 1 02  
Amount \$117,183

Obj Level 1 03  
Amount \$336,732

Obj Level 1 06  
Amount \$9,828

TOTAL \$2,879,557

Division No. 6002 - Operational Support

Obj Level 1 01  
Amount \$4,119,607

Obj Level 1 02  
Amount \$135,891

Obj Level 1 03  
Amount \$3,429,926

Obj Level 1 05  
Amount \$4,160

Obj Level 1 06  
Amount \$179,400

TOTAL \$7,868,984

TOTAL in Fund no. 675 \$39,400,782

SECTION 13. That from the monies in the fund known as the electricity enterprise fund, fund no. 550, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2007, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2007:

Division No. 6007 - Electricity

Obj Level 1 01  
Amount \$8,407,145

Obj Level 1 02  
Amount \$57,634,805

Obj Level 1 03  
Amount \$6,807,249

Obj Level 1 04  
Amount \$5,546,329

Obj Level 1 05  
Amount \$191,500

Obj Level 1 06  
Amount \$2,057,000

Obj Level 1 07  
Amount \$1,353,618

TOTAL \$81,997,646

Division No. 6001 - Public Utilities Administration

Obj Level 1 01  
Amount \$316,887

Obj Level 1 02  
Amount \$10,453

Obj Level 1 03  
Amount \$263,838

Obj Level 1 05  
Amount \$320

Obj Level 1 06  
Amount \$13,800

TOTAL \$605,298

Division No. 6002 - Operational Support

Obj Level 1 01  
Amount \$185,817

Obj Level 1 02  
Amount \$9,014

Obj Level 1 03  
Amount \$25,903

Obj Level 1 06  
Amount \$756

TOTAL \$221,490

TOTAL in Fund no. 550 \$82,824,434

SECTION 14. That from the monies in the fund known as the water system revenue, fund no. 600, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2007, there be and

hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2007:

Division No. 6009 - Water System

Obj Level 1 01  
Amount \$26,134,707

Obj Level 1 02  
Amount \$20,335,723

Obj Level 1 03  
Amount \$21,004,339

Obj Level 1 04  
Amount \$27,947,290

Obj Level 1 05  
Amount \$300,000

Obj Level 1 06  
Amount \$1,465,500

Obj Level 1 07  
Amount \$13,224,662

Obj Level 1 10  
Amount \$7,662,250

TOTAL \$118,074,471

Division No. 6001 - Public Utilities Administration

Obj Level 1 01  
Amount \$3,344,956

Obj Level 1 02  
Amount \$162,254

Obj Level 1 03  
Amount \$466,246

Obj Level 1 06  
Amount \$13,608

TOTAL \$3,987,064

Division No. 6002 - Operational Support

Obj Level 1 01  
Amount \$5,704,127

Obj Level 1 02  
Amount \$188,157

Obj Level 1 03  
Amount \$4,749,129

Obj Level 1 05  
Amount \$5,760

Obj Level 1 06  
Amount \$248,400

TOTAL \$10,895,573

TOTAL in Fund no. 600 \$132,957,108

SECTION 15. That from the monies in the fund known as the computer system procurement & maintenance fund, fund no. 227, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2007, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2007:

Division No. 2501 - Municipal Court Judges Subfund 001

Obj Level 1 01  
Amount \$199,562

Obj Level 1 02  
Amount \$86,200

Obj Level 1 03  
Amount \$255,150

TOTAL \$540,912

Division No. 2601 - Municipal Court Clerk Subfund 002

Obj Level 1 01  
Amount \$735,846

Obj Level 1 02  
Amount \$66,800

Obj Level 1 03  
Amount \$550,905

Obj Level 1 06  
Amount \$10,000

Obj Level 1 07  
Amount \$100,400

Obj Level 1 10  
Amount \$120,000

TOTAL \$1,583,951

TOTAL in Fund no. 227 \$2,124,863

SECTION 16. That from the monies in the fund known as the municipal court special projects fund, fund no. 226, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2007, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2007:

Division No. 2501 - Municipal Court Judges

Obj Level 1 01  
Amount \$984,242

Obj Level 1 02  
Amount \$46,700

Obj Level 1 03  
Amount \$459,000

TOTAL in Fund no. 226 \$1,489,942

SECTION 17. That from the monies in the fund known as the collection fee fund, fund no. 295, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2007, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2007:

Division No. 2401 - City Attorney

Obj Level 1 03  
Amount \$500,000

TOTAL \$500,000

Division No. 2601 - Municipal Court Clerk

Obj Level 1 01  
Amount \$83,167

Obj Level 1 03  
Amount \$390,000

TOTAL \$473,167

TOTAL in Fund no. 295 \$973,167

SECTION 18. That the existing appropriations in funds for capital projects at December 31, 2007 are hereby reappropriated to the same division object level 1 and purpose originally authorized by the Council and that the outstanding encumbrances in those subfunds at December 31, 2007, are hereby re-encumbered.

SECTION 19. That the monies in the foregoing Sections 1 through 18 shall be paid upon the order of the respective department for which the appropriations are made except that small claims in amounts not to exceed Two Thousand Five

Hundred (\$2,500.00) may be paid as authorized by Chapter 335 of the Columbus City Code, 1985, as amended; and except that payments or transfers between departments, divisions or funds of the City may be made by the City Auditor; that payments for premiums for official bonds, depository commissions, employees' hospitalization, life insurance, pensions, dental insurance, and prepaid legal services, shall be made on the order and approval of the Director of the Department of Finance and Management or City Auditor; that the monies appropriated in the foregoing Section 1 shall be paid upon the order of the Director of the Department of Human Resources; that the monies appropriated in the foregoing Section 2 shall be paid upon the order of the Director of the Department of Technology; that the monies appropriated in the foregoing Section 3 shall be paid upon the order of the Director of Finance and Management; that the monies appropriated in the foregoing Section 4 shall be paid upon the order of the City Attorney; that the monies appropriated in the foregoing Section 5 shall be paid upon the order of the Director of the Department of Public Service; that the monies appropriated in the foregoing Section 6 shall be paid upon the order of the Health Commissioner; that the monies appropriated in the foregoing Sections 7 and 8 shall be paid upon the order of the Director of the Department of Recreation and Parks; that the monies appropriated in the foregoing Section 9, Divisions 44-01 and 44-03 shall be paid upon the order of the Director of the Department of Development; that the monies appropriated in the foregoing Section 9, Divisions 59-01 and 59-09, shall be paid upon the order of the Director of the Department of Public Service; that the monies appropriated in the foregoing Section 10 shall be paid upon the order of the Director of the Department of Public Service; that the monies appropriated in the foregoing Sections 11, 12, 13, and 14 shall be paid upon the order of the Director of the Department of Public Utilities; that the monies appropriated in the foregoing Section 15, Division 25-01 shall be paid upon the order of the Administrative Judge or for Division 26-01 shall be paid upon the order of Municipal Court Clerk; that the monies appropriated in the foregoing Section 16 shall be paid upon the order of the Administrative Judge; that the monies appropriated in the foregoing Section 17, Division 24-01 shall be paid upon the order of the City Attorney or, for Division 26-01 shall be paid upon the order of the Municipal Court Clerk; 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 20. Except in the matter of payrolls providing for the payment of salaries of officers and employees regularly employed by the City and extraordinary emergencies, no warrant shall be issued in liquidation of vouchers, unless the department contracting the expense shall have first obtained an order duly certified that there are sufficient funds appropriated to the credit of the proper fund from which the expenditure is to be made, which certificate must be obtained prior to the incurrence of the obligation, and the head of any department or division authorized to contract expenditures will be held personally responsible for any obligation incurred contrary to the provisions of this section. Such certificate shall not be issued for obligations pertaining to "Capital Outlay" in programs or activities funded by federal or state categorical grants without the prior approval of the Director of the Department of Finance and Management.

SECTION 21. That with the exception of the provisos (reasons) established in previous sections, as stated in the reason paragraphs following each subdepartment's appropriation, it is understood that this Council is not making specific appropriations for each item of every classification hereinbefore contained but only for the total for each department and subdepartment, as shown in the final column. The itemized classification shall, however, constitute limitations on the powers of the several department heads as granted in Section 21 and no such officer shall make any expenditure for any other purpose in any amount beyond that of the particular classification; provided, however, that transfers may be made from one object level 1 to another, within any one department or division. Transfers of sums exceeding \$25,000.00 shall be authorized only by resolution of Council. Transfers of sums of \$25,000.00 or less shall only be approved pursuant to a letter over the signatures of the head of the department, the Director of the Department of Finance and Management, the City Auditor, and the Chairman of the Committee of Finance and Administration.

SECTION 22. That the City Auditor is hereby authorized and directed to pay obligations of various departments pertaining to preceding years obligations from current appropriates up to a maximum of \$25,000.00 per obligation.

SECTION 23. 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 of Columbus Legislation Report

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

**File Number: 2090-2006**

## Emergency

**File Number:** 2090-2006

**File Type:** Ordinance

**Status:** Tabled Indefinitely

**Version:** 1

**Controlling Body:** Finance Committee

**File Name:** 2007 General Fund Appropriation

**Introduced:** 11/13/2006

**Requester:** Finance Drafter

**Cost:** \$631,460,000.00

**Final Action:**

**Auditor Cert #:**

**Auditor:** When assigned an Auditor Certificate Number I, the City Auditor, hereby certify that there is in the treasury, or anticipate to come into the treasury, and not appropriated for any other purpose, the amount of money specified hereon, to pay the within Ordinance.

**Contact Name/No.:** Jane Dunham/8509

## Floor Action (Clerk's Office Only)

### Mayor's Action

### Council Action

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date Passed/ Adopted

\_\_\_\_\_  
President of Council

\_\_\_\_\_  
Veto

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Clerk

**Title:** To make appropriations for the 12 months ending December 31, 2007, for each of the several Object Level 1s for which the City of Columbus has to provide from the monies known to be in the treasury of said City of Columbus, in the fund known as the General Fund, during the said 12 months from the collection of all taxes and from other sources of revenue the amount of \$630,000,000, in the fund known as the Safety Staffing Contingency Fund the amount of \$1,000,000 and in the fund known as the Public Safety Initiative Fund the amount of \$460,000, and to declare an emergency. (\$631,460,000).

**Sponsors:**

**Indexes:**

**Attachments:** GF Budget by Division.xls

## History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:	
1	Finance Drafter	11/13/06	Sent for Approval	FINANCE DIRECTOR				
	<b>Action Note:</b>	jadunham						
1	FINANCE DIRECTOR	11/13/06	Reviewed and Approved	Finance Drafter				
	<b>Action Note:</b>	jstaylor						
1	Finance Drafter	11/15/06	Sent for Approval	Auditor Inbox				
	<b>Action Note:</b>	jadunham						
1	Auditor Reviewer	11/15/06	Reviewed and Approved	Auditor Reviewer				
1	CITY AUDITOR	11/15/06	Reviewed and Approved	Finance Drafter				
	<b>Action Note:</b>	HJD/bam						
1	Finance Drafter	11/16/06	Sent to Clerk's Office for Council	City Clerk Inbox				
	<b>Action Note:</b>	jadunham						
1	Columbus City Council	11/20/06	Tabled Indefinitely				Pass	
	<b>Action Note:</b>	TABLED PENDING PUBLIC HEARING						

**EBOCO:** Following review and approval, when required, the Equal Business Opportunity Commission Office certifies compliance with Title 39 as of date listed.

**City Attorney:** Following review and approval, when required, this ordinance has been reviewed by the City Attorney's Office as to its form and legality only.

### Explanation

This ordinance appropriates monies within the General Fund, the Safety Staffing Contingency Fund and the Public Safety Initiative Fund to the various departments, commissions, and offices of the government of the City of Columbus for the twelve months ending December 31, 2007.

### Title

To make appropriations for the 12 months ending December 31, 2007, for each of the several Object Level 1s for which the City of Columbus has to provide from the monies known to be in the treasury of said City of Columbus, in the fund known as the General Fund, during the said 12 months from the collection of all taxes and from other sources of revenue the amount of \$630,000,000, in the fund known as the Safety Staffing Contingency Fund the amount of \$1,000,000 and in the fund known as the Public Safety Initiative Fund the amount of \$460,000, and to declare an emergency. (\$631,460,000).

### Body

WHEREAS, the matter herein provided for constitutes an emergency in that it is immediately necessary to appropriate funds to the various city departments, commissions, and offices for a 12 month period beginning January 1, 2007, and ending December 31, 2007, 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, OHIO:

Section 1. That from the monies in the fund known as the "Fund for General Purposes", otherwise known as the General Fund, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2007, there be and hereby are appropriated to the use of the several departments, commissions and offices and Object Level 1s for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2007:

See Attachment: GF Budget by div.xls

SECTION 2. That from the monies in the fund known as the safety staffing contingency fund, fund no. 014, and from all revenues estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2007, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2007:

Division No. 5905 - Division of Fleet Management

Obj Level 1 06  
Amount \$1,000,000

TOTAL in Fund no. 014 \$1,000,000

SECTION 3. That from the monies in the fund known as the public safety initiative fund, and from all revenues estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2007, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2007:

Division No. 3004 - Division of Fire

Obj Level 1 01  
Amount \$428,879

Obj Level 1 02  
Amount \$23,421

Obj Level 1 03  
Amount \$7,700

TOTAL in Fund no. 016 \$460,000

Section 4. That the monies appropriated in the foregoing Sections 1 through 3 shall be paid upon the order of the respective department directors or Elected Officials for which the appropriations are made except that small claims in amount not to exceed Two Thousand Five Hundred Dollars (\$2,500.00) may be paid as authorized by Chapter 335 of the Columbus City Code, 1959, as amended; and except that payments or transfers between departments, divisions or funds of the City may be made by the City Auditor; and except that payments for premiums for official bonds, depository commissions, employees' hospitalization, life insurance, pensions, dental insurance and prepaid legal services, shall be made on the order and approval of the Director of the Department of Finance and Management or City Auditor; and except that the monies appropriated in the foregoing Section 1, Division No. 20-01, be paid upon the order of the City Clerk or President of City Council; 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 5. Except in the matter of payrolls providing for the payment of the salaries of officers and employees regularly employed by the City and extraordinary emergencies, no warrant shall be issued in liquidation of vouchers, unless the department contracting the expense shall have first obtained an order duly certified that there are sufficient funds

appropriated to the credit of the proper fund from which the expenditure is to be made, which certificate must be obtained prior to the incurrence of the obligation, and the head of any department or division authorized to contract expenditures will be held personally responsible for any obligation incurred contrary to the provisions of this section. Except that such certificate shall not be issued for obligations pertaining to "Capital Outlay" in programs or activities funded by federal or state categorical grants without the prior approval of the Director of the Department of Finance and Management; such prior approval must be obtained before submission of any requisition for items coded as "Capital Outlay" to the Department of Finance and Management. The Director of the Department of Finance and Management will review such requests for conformity with the approved budget.

Section 6. That with the exception of the provisos (reasons) established in previous sections, as stated in the reason paragraphs following each subdepartment's appropriation, it is understood that this Council is not making specific appropriations for each item of every classification hereinbefore contained but only for the total for each department and subdepartment, as shown in the final column. The itemized classification shall, however, constitute limitations on the powers of the several department heads as granted in Section 2 and no such officer shall make any expenditure for any other purpose in any amount beyond that of the particular classification, provided, however, that transfers may be made from one Object Level 1 to another, within any one department or division. Transfer of sums exceeding \$25,000.00 shall be authorized only by the resolution of Council. Transfers of sums of \$25,000.00 or less shall only be approved pursuant to a letter over the signatures of the head of the department, the Director of the Department of Finance and Management, the City Auditor, and the Chairman of the Committee of Finance and Administration.

Section 7. That the City Auditor is hereby authorized and directed to pay obligations of various departments pertaining to preceding years' obligations from current appropriations up to a maximum of \$25,000.00 per obligation.

Section 8. That the City Auditor shall transfer funds included in the General Fund, Object Level 1 10 of the Department of Finance and Management to the "Anticipated Expenditure Fund" in the fourth quarter of 2007, if authorized to do so by the Finance Director (\$1,850,000).

Section 9. 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 of Columbus  
City Bulletin Report**

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

**Legislation Number:** PN0250-2006

**Drafting Date:** 12/07/2006

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Title**SCHEDULE FOR 2007 PROPOSED BUDGET

**Notice/Advertisement Title:**SCHEDULE FOR 2007 PROPOSED BUDGET

**Contact Name:** Kym Nelson

**Contact Telephone Number:**645-0852

**Contact Email Address:** replace with non-bold contact email address

**Body**2007 BUDGET SCHEDULE

November 16, 2006 Ordinances filed in City Clerk's office

November 20, 2006 Mayor's Proposed Budget Ordinances appear on Council  
Agenda (*and tabled indefinitely pending public hearings*)

Budget ordinances have to be published in City Bulletin 2 weeks prior to public hearings.

December 2, 2006 Mayor's proposed Budget Ordinances appear in City Bulletin for  
First Time (Public Notice Section)

December 9, 2006 Mayor's proposed Budget Ordinances Appear in City Bulletin for  
2nd Time

December 13, 2006 Budget Briefing - Presentation by Mayors Administration 5:00 pm,  
Council Chambers,

December 18, 2006 Health Housing Human Services Budget Hearing 5:00 pm, Council  
Chambers

January 3, 2007 Health Housing Human Services Budget Hearing 5:30 pm, Council  
Chambers

January 10, 2007 Jobs and Economic Development Budget Hearing 4:00 pm, Council  
Chambers

January 11, 2007 Public Comment Hearing 5:30 pm, Council Chambers

January 18, 2007 City Council Budget Retreat, 8:30 a.m. -4:30 p.m., Location to be  
Determined, President Matt Habash

January 15, 2007 No Council meeting - MLK Day

January 22, 2007 Council Meeting - Budget Ordinances on the agenda for 2nd reading,  
to be Amended and Tabled to 2/05/07

January 27, 2007 First publication of ordinances as amended in Public Notice section

of City Bulletin

February 3, 2007 2nd publication of ordinances as amended in Public Notice Section  
of City Bulletin

February 5, 2007 Anticipated passage date of the budget ordinances as amended

Feb 10, 2007 Ordinances published in the City Bulletin (Ordinance section) as  
amended (must be published within 20 days of passage per City Charter)