



City of Columbus
Agenda - Final
Columbus City Council

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

ELECTRONIC READING OF MEETING DOCUMENTS AVAILABLE DURING COUNCIL OFFICE HOURS. CLOSED CAPTIONING IS AVAILABLE IN COUNCIL CHAMBERS. ANY OTHER SPECIAL NEEDS REQUESTS SHOULD BE DIRECTED TO THE CITY CLERK'S OFFICE AT 645-7380 BY FRIDAY PRIOR TO THE COUNCIL MEETING.

Monday, November 9, 2009

5:00 PM

City Council Chambers, Rm 231

**REGULAR MEETING NO. 50 OF COLUMBUS CITY COUNCIL, NOVEMBER 9, 2009
at 5:00 P.M. IN COUNCIL CHAMBERS.**

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

C0029-2009 THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY CLERK'S OFFICE AS OF WEDNESDAY NOVEMBER 4, 2009:

New Type: D5A
To: Satya and Prem LLC
DBA Comfort Suites
70 Chris Perry Ln
Columbus OH 43213
Permit # 7752623

New Type: D2, D6
TO: SSF II Inc
DBA BD S Mongolian Barbeque
& Patio
6242 Sawmill Rd
Columbus OH 43017
Permit # 84600950005

New Type: C1, C2, D6
To: Mehdi Inc
DBA Woodys Drive Thru
6733 Karl Rd
Columbus OH 43229
Permit # 58524500005

Transfer Type: D5
To: Yark LLC
954 N High St
Columbus OH 43201
From: Platinum Restaurant Group Inc
DBA Eddie Merlots
& Patio
1570 Polaris Pkwy

Columbus OH 43240
Permit # 9820540

Transfer Type: C1, C2, D6
To: Coughlin Investments Ltd
DBA Crown Beer Wine Drive Thru
1973 Hard Rd
Columbus OH 43085
From: TCK Inc
DBA P Js Drive Thru
1973 Hard Rd
Columbus OH 43085
Permit # 17717490015

Transfer Type: C1, C2
To: Waggnar CRM LLC
7700 Kennedy Rd
Columbus OH 43004
From: ARC Business Development Inc
7700 Kennedy Rd
Columbus OH 43004
Permit # 9336192

Transfer Type: C1, C2, D6
To: TI Sullivant Inc
DBA Alex Market
2991 Sullivant Av
Columbus OH 43204
From: 2991 Sullivant Ave Inc
DBA Alex Market
2991 Sullivant Av
Columbus OH 43204
Permit # 8773153

Transfer Type: D1, D2, D3, D3A, D6
To: Summit Project LLC
2210-16 Summit St & Patio
Columbus OH 43201
From: Bears Like Fish Ltd
Martin Management Services Rcvr
2210-16 Summit St & Patio
Columbus OH 43201
Permit # 8693322

Transfer Type: C1, C2, D6
To: Sanz Corp
DBA Sammy Carry Out
961 Oakland Park Av
Columbus OH 43224
From: Albast Inc
DBA Sammy Carry Out
961 Oakland Park Av

Columbus OH 43224
Permit # 77372070005

Advertise: 11/14/2009
Return: 11/24/2009

RESOLUTIONS OF EXPRESSION

PALEY

0171X-2009 To Celebrate The 30th Anniversary Season of Early Music in Columbus.

Sponsors: Eileen Y. Paley

TAVARES

0172X-2009 To honor and recognize Barbara Poppe for her dedicated service to the citizens of Columbus and congratulate her on her appointment as Executive Director of the United States Interagency Council on Homelessness.

Sponsors: Charleta B. Tavares, Hearcel Craig, Andrew Ginther, A. Troy Miller, Eileen Y. Paley, Priscilla Tyson and Michael C. Mentel

ADDITIONS OR CORRECTIONS TO THE AGENDA

FIRST READING OF 30-DAY LEGISLATION

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

1475-2009 FR To accept a Deed of Easement and a Highway Easement from the Board of Park Commissioners of the Columbus and Franklin County Metropolitan Park District, in conjunction with the redevelopment of that area identified as the Whittier Peninsula.

SAFETY : GINTHER, CHR. PALEY CRAIG MENTEL

1108-2009 FR To authorize the Finance and Management Director to issue a purchase order for Video Surveillance Consultant Services with Security Risk Management Consultants Inc. per the terms and conditions of a citywide Universal Term Contract; to amend the 2009 Capital Improvement Budget; to authorize the City Auditor to transfer \$250,000.00 between projects within the Safety Voted Bond Fund; to authorize the expenditure of \$250,000.00 from the Safety Voted Bond. (\$250,000.00)

DEVELOPMENT: GINTHER, CHR. CRAIG TYSON MENTEL

1368-2009 FR To authorize the Directors of Development and Public Service to amend the Design Agreement for the Columbus Coated Fabrics site with Wagenbrenner Development, Inc. by increasing the scope of work to include a traffic study of existing and projected conditions around the site and to increase the contract amount by \$18,700; to amend the 2009 CIB; and to authorize the expenditure of \$18,700.00 from the Development G.O. Bonds Fund. (\$18,700)

1510-2009 FR To amend Ordinance 1848-2008 to extend the signing deadline for the Enterprise Zone Agreement with High Street 2008, LLC.

UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL

- 1321-2009 FR To authorize the Director of Public Utilities to execute a contract with Miles-McClellan Construction Company, for the Southerly Wastewater Treatment Plant Support Facilities Project; to authorize the appropriation, transfer and expenditure of \$10,744,413.00 from the Sewer System Reserve Fund to the Ohio Water Pollution Control Loan Fund; for the Division of Sewerage and Drainage. (\$10,744,413.00)
- 1385-2009 FR To authorize the Director of Public Utilities to modify the contract for the purchase of wholesale electric power with American Municipal Power, Inc. for the Division of Power and Water and to authorize the expenditure of \$1,400,000.00.
- 1410-2009 FR To authorize and direct the Director of Public Utilities to modify and extend the contract for Refractory and Thermal Maintenance Services with Adrian L. Wallick Company for the Division of Sewerage and Drainage. (\$0)
- 1434-2009 FR To authorize the Finance and Management Director to enter into contracts with WESCO and ERMCO for the purchase of Transformers for the Division of Power and Water and to authorize the expenditure of \$334,244.00 from the Electricity Operating Fund. (\$334,244.00)
- 1447-2009 FR To authorize and direct the Finance and Management Director to enter into a contract for the purchase of Luminaires with General Supply and Services, Inc. dba Gexpro, on behalf of the Division of Power and Water; and to authorize the expenditure of \$92,518.65 from the Electricity Operating Fund. (\$92,518.65)

RULES & REFERENCE: MENTEL, CHR. GINTHER CRAIG PALEY

- 1443-2009 FR To amend various code sections in Title 41, Building Code, Title 45, Housing Code, and Title 47, Nuisance Abatement Code, to correct incorrect references and typographical errors and to repeal Chapters 4119 and 4121, in Title 41, dealing with antiquated regulations for fire zones that are no longer used and have been superseded by the Ohio Fire Code and Ohio Building Code requirements.
- Sponsors: Andrew Ginther

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

- 1401-2009 FR To rezone 1284 GEMINI PLACE (43240), being 5.99± acres located on the north side of Gemini Place, 1750± feet west of Lyra Drive, From: R, Rural District, To: L-C-4, Limited Commercial District (Rezoning # Z09-020).

CONSENT ACTIONS**RESOLUTIONS OF EXPRESSION****TAVARES**

- 0173X-2009 CA To honor Mr. Clarence Lumpkin for his dedicated service to the Linden Community and celebrate his accomplishments as he receives the Greater Linden Development Corporation "Lifetime Achievement Award"
- Sponsors: Charleta B. Tavares, Hearcel Craig, Andrew Ginther, Michael C. Mentel, A. Troy Miller, Eileen Y. Paley and Priscilla Tyson

FINANCE: MENTEL, CHR. TAVARES CRAIG PALEY

- 1453-2009 CA To authorize and direct the Finance and Management Director to enter into four (4) contracts for the option to purchase Smith & Kennedy Hydrant Parts with Trumbull Industries, Inc., Hydrflo, Inc., Ferguson Waterworks and Site Supply, Inc., to authorize the expenditure of \$4.00 to establish the contracts from the Mail, Print Services and UTC Fund Account; and to declare an emergency. (\$4.00)

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

- 1357-2009 CA To accept the plat titled "Towne Park Section 3" from M/I Homes of Central Ohio, LLC, an Ohio limited liability company, by Lloyd T. Simpson, Senior Vice President Land-Midwest Region; and to declare an emergency.
- 1358-2009 CA To accept the plat titled "The Lakes at Taylor Station Section 4" from M/I Homes of Central Ohio, LLC, an Ohio limited liability company, by Lloyd T. Simpson, Senior Vice President Land-Midwest Region; and to declare an emergency.
- 1466-2009 CA To authorize and direct the Finance and Management Director to enter into one contract for the option to purchase Winter Asphalt for the Department of Public Service with Apple Smith Corporation; to authorize the expenditure of one dollar to establish the contract from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$1.00)

SAFETY : GINTHER, CHR. PALEY CRAIG MENTEL

- 1395-2009 CA To authorize and direct the Public Safety Director to enter into contract with CareWorks USA Ltd. for prisoner medical claim services and access to Preferred Provider Networks for the Division of Police; to authorize the expenditure of \$73,000.00 from the General Fund; and to declare an emergency. (\$73,000.00)
- 1396-2009 CA To authorize and direct the Director of Public Safety, on behalf of the Division of Support Services, to enter into a contract with Motorola for backup maintenance services required for continued operation of the Police and Fire 800 MHz Radio System Infrastructure in accordance with the sole source provisions of the Columbus City Codes; to authorize the expenditure of \$52,026.72 from the General Fund; and to declare an emergency. (\$52,026.72)
- 1470-2009 CA To authorize and direct the Finance and Management Director to modify and extend the contract for the Fire Division for the option to rent Linens with Buckeye Linen Service; and to declare an emergency.

DEVELOPMENT: GINTHER, CHR. CRAIG TYSON MENTEL

- 1419-2009 CA To accept the application (AN09-003) of Garry L. and Pamela S. Rowe for the annexation of certain territory containing 4.8± acres in Plain Township.

ADMINISTRATION: MILLER, CHR. PALEY TAVARES MENTEL

- 1445-2009 CA To authorize and direct the Executive Director of the Civil Service Commission to modify and increase the contract with The Ohio State University for the administration of pre-employment physicals and cardiovascular stress testing of public safety applicants, to authorize the

expenditure of \$41,400.00 from the General Fund; and to declare an emergency (\$41,400.00).

- 1449-2009** CA To authorize the City Clerk to enter into a contract with Daystar Computer Systems, Inc., for the support and maintenance of Legistar, the City's electronic system for creating and submitting legislation in accordance with the sole source provisions of Section 329.07 of the Columbus City Codes, 1959; to authorize the expenditure of \$24,141.00 from the General Fund and to declare an emergency. (\$24,141.00)

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

- 1363-2009** CA To authorize the City Attorney to accept the 09-10 SVAA Domestic Violence Advocates grant award from the State of Ohio, Office of the Attorney General, in the amount of \$9,743.00 for the funding of the SVAA Domestic Violence Advocates program; to authorize the appropriation and expenditure of said funds; and to declare an emergency. (\$9,743.00)

- 1365-2009** CA To authorize the City Attorney to accept the 09-10 VOCA Domestic Violence grant award from the State of Ohio, Office of the Attorney General, in the amount of \$97,422.00 for the continued funding of the VOCA Domestic Violence Advocates program; to authorize the appropriation and expenditure of said funds; to authorize the transfer and appropriation of matching funds required by the acceptance of this grant award in the amount of \$32,474.00 from the General Fund; and to declare an emergency. (\$129,896.00)

- 1504-2009** CA To authorize the Director of the Department of Finance and Management to execute those documents necessary to purchase fee simple title to two lots owned by Lorenzo P. Baker IV located at the northwest corner of Cherry and Wall Streets, to expend \$52,000.00, from the Parking Garages Fund and to declare an emergency. (\$52,000.00).

UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL

- 1338-2009** CA To authorize the Director of Public Utilities to enter into an agreement with the Ohio Wetlands Foundation for a deposit against the purchase of wetland mitigation credits for the Division of Power and Water's Upground Reservoir project site; to authorize the transfer and expenditure of \$60,000.00 within the Water Works Enlargement Voted Bonds Fund; and to amend the 2009 Capital Improvements Budget. (\$60,000.00)

HEALTH, HOUSING & HUMAN SVC'S: TAVARES, CHR. TYSON MILLER MENTEL

- 1382-2009** CA To authorize the Director of Finance and Management to establish a purchase order with Trinity Biotech for the purchase of Uni-Gold HIV test kits for the Columbus Health Department in accordance with sole source provisions; to authorize the expenditure of \$28,500 from the Health Department Grants Fund; and to declare an emergency. (\$28,500)
- 1413-2009** CA To authorize and direct the Board of Health to enter into a contract with Key Cleaning Connection, LLC for janitorial services at five WIC offices; to authorize the expenditure of \$28,680 from the Health Department Grants Fund; and to declare an emergency. (\$28,680)
- 1414-2009** CA To authorize and direct the Board of Health to enter into a contract with Access 2 Interpreters, LLC for live interpretation and translation services at

WIC offices; to authorize the expenditure of \$35,000 from the Health Department Grants Fund; and to declare an emergency. (\$35,000)

- 1416-2009** CA To authorize and direct the Board of Health to accept this grant from the Columbus State Community College in the amount of \$99,719; to authorize the appropriation of \$99,719 from the unappropriated balance of the Health Department Grants Fund; and to declare an emergency. (\$99,719)
- 1424-2009** CA To authorize and direct the Board of Health to enter into a contract with Community For New Direction for drug, alcohol, and violence prevention and wellness education services; to authorize the expenditure of \$46,864 from the Health Department Grants Fund; and to declare an emergency. (\$46,864)
- 1425-2009** CA To authorize the Columbus Health Department to accept a grant from the Franklin County Board of Health in the amount of \$60,000 for the Project Love County Project; to authorize the appropriation of \$60,000 from the unappropriated balance of the Health Department Grants Fund; and to declare an emergency. (\$60,000)
- 1432-2009** CA To authorize and direct the City Auditor to transfer \$126,718 within the Health Department Grants Fund, to properly align appropriation with projected expenses for the continued operation of the Public Health Emergency Preparedness program; and to declare an emergency. (\$126,718)
- 1433-2009** CA To authorize and direct the Board of Health to accept a grant from the Homeland Security Department in the amount of \$321,421.00; to authorize the appropriation of \$321,421.00 from the unappropriated balance of the Health Department Grants Fund; and to declare an emergency. (\$321,421.00)
- 1459-2009** CA To authorize the Finance and Management Director to establish a purchase order with Halifax Security, Inc., for the purchase of security cameras at the Health Department; to authorize the expenditure of \$12,000.00 from the Health G.O. Bonds Fund; and to declare an emergency. (\$12,000.00)

RECREATION & PARKS: TYSON, CHR. TAVARES PALEY MENTEL

- 1367-2009** CA To authorize the appropriation of \$22,000.00 from the unappropriated balance of the Recreation and Parks Private Leisure Assistance for Youth (P.L.A.Y.) Fund to the Recreation and Parks Department for scholarships for economically disadvantaged youth; and to declare an emergency. (\$22,000.00)
- 1369-2009** CA To authorize and direct the Director of Recreation and Parks to submit a grant application to the Clean Ohio Conservation Fund for a grant administered by the Ohio Public Works; and to declare an emergency. (\$0.00)

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

FINANCE: MENTEL, CHR. TAVARES CRAIG PALEY

- 1506-2009** Authorizing the issuance of limited tax notes in the amount of not to exceed \$29,500,000 for transportation projects (\$29,500,000). Section 55(b) of the City Charter.
(DEPT. REQUEST TO WAIVE SECOND READING)
- 1507-2009** Authorizing the issuance of limited tax notes in an amount not to exceed

\$8,150,000 for the purpose of providing funds to refund certain outstanding special obligation bonds of the City (\$8,150,000). Section 55(B) of the City Charter.

(DEPT. REQUEST TO WAIVE SECOND READING)

- 1545-2009** To decrease appropriations in the general operating fund of the City of Columbus for fiscal year 2009 by \$8,364,380, to transfer of \$2,430,409 between various objects and divisions within the general fund; to authorize the subsequent transfer from the general fund of \$368,050 to the Recreation & Parks Operating Fund, to reduce existing encumbrances for fleet maintenance, postage, unemployment and other expenses, all to allow divisions to continue to operate through the end of 2009 without interruption, and to declare an emergency (\$10,794,789)

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

- 1366-2009** To authorize the Director of Public Service to enter into a reimbursement agreement with the City of Dublin up to \$650,000.00 for design and costs incurred in the acquisition of Right of Way; and to authorize the expenditure of up to \$650,000.00 to reimburse the City of Dublin from the Northland and Other Acquisitions Fund for the Emerald Parkway Improvement project for the Division of Design and Construction; and to declare an emergency. (\$650,000.00)

- 1477-2009** To vacate those public rights-of-way located on the Whittier Peninsula that are no longer necessary for public ingress and egress to this site; to retain a general utility easement in, over, across, on and through said public rights-of-way; to the extent they may apply to waive the competitive bidding provisions and the Land Review Commission requirements of Columbus City Codes; and to declare an emergency.

SAFETY : GINTHER, CHR. PALEY CRAIG MENDEL

- 1454-2009** To authorize and direct the Mayor of the City of Columbus to accept a FY2009 Forensic DNA Backlog Reduction Program award from the National Institute of Justice; to authorize the Crime Lab Manager as the official city representative to act in connection with this grant; to authorize an appropriation of \$215,461.00 from the unappropriated balance of the General Government Grant Fund to the Division of Police to cover the cost of the FY2009 Forensic DNA Backlog Reduction Grant Program activities and expenditures; and to declare an emergency. (\$215,461.00)

DEVELOPMENT: GINTHER, CHR. CRAIG TYSON MENDEL

- 0162X-2009** A Resolution of support for MORPC's application for funding to facilitate the development of a balanced growth plan for the Olentangy River Watershed; and further to express the City's intention to participate actively in the Watershed Planning Partnership.

Sponsors: Andrew Ginther, Eileen Y. Paley and Priscilla Tyson

ADMINISTRATION: MILLER, CHR. PALEY TAVARES MENDEL

- 1259-2009** To authorize the Director of Finance and Management, on behalf of the Department of Technology, to establish a purchase order with IBM

Corporation for the acquisition of software licenses, support and maintenance, training, and other associated services from a State Contract; to waive the provisions of competitive bidding of the Columbus City Codes; to authorize the expenditure of \$181,834.56 from the Information Services Fund; and to declare an emergency. (\$181,834.56)

1305-2009 To authorize the Finance and Management Director to extend the existing service agreement with Lease Harbor LLC, under the same terms and conditions for the first of two (2) additional one (1) year renewal terms, for the provision of web-based database management software, support, and related services for the administration of the City's real property and lease portfolio; and to authorize the expenditure of \$23,000.00 from the General Fund. (\$23,000)

1444-2009 To authorize and direct the Executive Director of the Civil Service Commission to modify and increase the contract with the Association for Psychotherapy, Inc. for the psychological screening of Department of Public Safety applicants, to authorize the expenditure of \$31,800.00 from the General Fund; and to declare an emergency (\$31,800.00).

UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL

1335-2009 To authorize the City Auditor to transfer \$3,257,113.00 between Object Levels within the Water System Operating fund; to authorize the Director of Finance and Management to establish Blanket Purchase Orders for water treatment chemicals from established Universal Term Contracts with Shannon Chemical, Bonded Chemical, US Aluminate, Pain Enterprises, Lucier Chemical, Univar USA, and Carmeuse Lime & Stone for the Division of Power and Water; to authorize the expenditure of \$3,410,237.19 from Water Systems Operating Fund; and to declare and emergency. (\$3,410,237.19)

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

1330-2009 To adopt the Consolidated Submission for Community Planning and Development Programs including the Consolidated Plan, the related Citizen Participation Plan, and the Action Plan; to authorize the filing of the Consolidated Submission with the U.S. Department of Housing and Urban Development; and to declare an emergency.
(TABLED 10/19/09)

1429-2009 To authorize and direct the Board of Health to accept grant funds from the Ohio Department of Health in the amount of \$1,941,141; to authorize the appropriation of \$1,941,141 from the Health Department Grants Fund; and to declare an emergency. (\$1,941,141)

1461-2009 To authorize and direct the Board of Health to enter into contract with the Franklin County Board of Health, to authorize the expenditure of \$1,277,514 from the Health Department Grants Fund; and to declare an emergency. (\$1,277,514)

ADJOURNMENT