



City of Columbus

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Minutes - Final Columbus City Council

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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, May 9, 2011

5:00 PM

City Council Chambers, Rm 231

REGULAR MEETING NO. 19 OF COLUMBUS CITY COUNCIL, MAY 9, 2011 at 5:00 P.M. IN COUNCIL CHAMBERS.

ROLL CALL

Present 7 - Hearcel Craig Zachary Klein A. Troy Miller Michelle Mills Eileen Paley
Priscilla Tyson Andrew Ginther

READING AND DISPOSAL OF THE JOURNAL

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley,
Priscilla Tyson, and Andrew Ginther

C0012-2011

THE CITY CLERK'S OFFICE RECEIVED THE FOLLOWING COMMUNICATIONS AS
OF WEDNESDAY May 3, 2011.

Transfer Type: C1, C2
To: Farzana LLC
DBA Sunderland Food Mart
6243 Sunderland Dr
Columbus OH 43229
From: Gnkaz LLC
DBA Sunderland Food Mart
6243 Sunderland Dr
Columbus OH 43229
Permit # 2655126

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

Columbus-Grove City OH 43123
Permit # 58969790005

Transfer Type: D1, D2, D3, D6
To: Yang Services International LLC
DBA The Inn Between Food & Spirit
30 S Young St 1st Fl Only
Columbus OH 43215
From: Cyrus Investors Inc
DBA The Inn Between
30 S Young St 1st Fl Only
Columbus OH 43215
Permit # 9814947

Transfer Type: D1, D2
To: Riley Food Systems LLC
5251 N Hamilton Rd
Columbus OH 43054
From: Caffè Apropos LLC
DBA Café Apropos
1st Fl & Patio
443 W Third Av
Columbus OH 43201
Permit # 73798220005

New Type: D1
To: Lima City LLC
DBA SI Senior Sandwiches & More
20 E Long St
Columbus OH 43215
Permit # 5202365

New Type: D5
To: Ailess LLC
DBA Dirty Franks Hot Dogs
248 S 4th St 1st Fl & Partial Bsmt
Columbus OH 43215
Permit # 0081601

New Type: D2
To: Polaris Innkeepers
DBA Fairfield Inn
& Patio
9000 Worthington Rd
Columbus OH 43082
Permit # 69850750005

Agenda Date: 05/09/11
Advertise Date: 05/14/11
Return Date: 5/23/11

RESOLUTIONS OF EXPRESSION**CRAIG****0069X-2011**

To recognize and honor the Komen Columbus Race for the Cure and the Susan G. Komen for the Cure for their tireless efforts to raise the funding needed for research in order to end breast cancer once and for all.

A motion was made by President Pro-Tem Craig, seconded by Tyson, that this matter be Adopted. The motion carried by the following vote:

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

GINTHER**0073X-2011**

To honor and congratulate Rebecca Berroyer on her retirement as President of UFCW Local 1059 after 20 years of dedicated service.

A motion was made by President Ginther, seconded by President Pro-Tem Craig, that this matter be Adopted. The motion carried by the following vote:

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

FR FIRST READING OF 30-DAY LEGISLATION

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

FINANCE: TYSON, CHR. MILLER PALEY GINTHER**FR 0619-2011**

To authorize the Finance and Management Director to enter into a contract with Action Pest Control, Inc. for the option to purchase Pest Control Services on an as needed basis; and to authorize the expenditure of one dollar to establish the contracts from the Mail, Print Services and UTC Fund. (\$1.00)

DEVELOPMENT: KLEIN, CHR. MILLER TYSON GINTHER**FR 0688-2011**

To authorize assessments for the cost of demolition of certain structures found to be public nuisances as set forth in the Columbus City Code.

RECREATION & PARKS: KLEIN, CHR. MILLS TYSON GINTHER

- FR [0642-2011](#) To authorize the City Auditor to set up a certificate in the amount of \$90,000.00 for various expenditures for labor, material and equipment in conjunction with golf course improvements; and to authorize the expenditure of \$90,000.00 from the Voted Recreation and Parks Bond Fund, specifically the Government Build America Bonds Fund 746. (\$90,000.00)

ADMINISTRATION: MILLER, CHR. PALEY TYSON GINTHER

- FR [0442-2011](#) To authorize the Director of Finance and Management, for the Department of Technology, on behalf of the Department of Public Utilities (DPU), to establish a purchase order with DLT Solutions, Inc. from a State Term Contract, for the purchase of AutoCAD/Autodesk subscription renewal and support services; and to authorize the expenditure of \$27,437.03 from the Department of Technology, Internal Services Fund; (\$27,437.03)

PUBLIC UTILITIES: PALEY, CHR. CRAIG KLEIN GINTHER

- FR [0548-2011](#) To authorize the Director of Public Utilities to enter into a construction contract with Kenmore Construction Co. Inc., for the Southerly Wastewater Treatment Plant Corrosion Prevention and Protective Coating Systems project; to transfer within and expend \$2,021,602.00 from the Sanitary Sewer Super Build America Bond Fund), and amend the 2011 Capital Improvements Budget. (\$2,021,602.00)

ZONING: MILLER, CHR. CRAIG KLEIN MILLS PALEY TYSON GINTHER

- FR [0538-2011](#) To rezone **104 LAURISTON LANE (43235)**, being 9.2± acres located on the west side of North High Street, opposite Dillmont Drive, **From:** L-AR-12, Limited Apartment Residential District, **To:** L-AR-12, Limited Apartment Residential and L-C-4, Limited Commercial Districts. (Rezoning # Z08-046).

- FR [0613-2011](#) To grant a Variance from the provisions of Section 3333.16, Fronting, of the Columbus City Codes for property located at **104 LAURISTON LANE (43235)**, to permit multi-unit residential development without frontage on a public right-of-way in conjunction with rezoning Z08-046. (CV10-041)

CA CONSENT ACTIONS

RESOLUTIONS OF EXPRESSION:

TYSON**CA** [0074X-2011](#)

To honor and recognize the Diocese of Southern Ohio Episcopal Church Women on the occasion of the Province V Annual Meeting, and to welcome Province V Annual Meeting attendees to Columbus.

This Matter was Adopted on the Consent Agenda.

FINANCE: TYSON, CHR. MILLER PALEY GINTHER**CA** [0612-2011](#)

To authorize the Finance and Management Director to enter into a contract for the option to purchase Geological Borings and Monitoring Wells with Moody's of Dayton, Inc.; to authorize the expenditure of \$1.00 to establish the contract from the Mail, Print Services and UTC Fund Account; and to declare an emergency. (\$1.00)

This Matter was Approved on the Consent Agenda.

DEVELOPMENT: KLEIN, CHR. MILLER TYSON GINTHER**CA** [0661-2011](#)

To accept the application AN10-007 of John L. Wilt, Tr. and Helen M. Wilt, Tr. for the annexation of certain territory containing 1.073± acres in Norwich Township.

This Matter was Approved on the Consent Agenda.

CA [0662-2011](#)

To accept the application AN10-006 of Julia E. Pfeifer for the annexation of certain territory containing 2.39 ± acres in Clinton Township.

This Matter was Approved on the Consent Agenda.

CA [0663-2011](#)

To accept the application AN10-004 of Randy L. Holt, property owner for the annexation of certain territory containing .755 ± acres in Jackson Township.

This Matter was Approved on the Consent Agenda.

CA [0687-2011](#)

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.

CA [0717-2011](#)

To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of one parcel of real property (722 Deshler Ave.) held in the Land Bank pursuant to the Land Reutilization Program; and to declare an

emergency.

This Matter was Approved on the Consent Agenda.

RECREATION & PARKS: KLEIN, CHR. MILLS TYSON GINTHER

- CA [0626-2011](#) To authorize the Director of Recreation and Parks to renew an existing contract for maintenance and support on the Activenet software application with The Active Network, LTD in accordance with the sole source procurement provisions of the Columbus City Codes; to modify the contract to provide a new vendor identification number for Active Network, LTD; to authorize the expenditure of \$85,000.00 from the Department of Recreation and Parks Operating Fund; and to declare an emergency. (\$85,000.00)

This Matter was Approved on the Consent Agenda.

PUBLIC SAFETY & JUDICIARY: MILLS, CHR. CRAIG PALEY GINTHER

- CA [0331-2011](#) To authorize and direct the Public Safety Director to modify and extend the contract for software support and maintenance services with Motorola, Inc. for the National Incident Based Reporting System for the Division of Police; to authorize the expenditure of \$216,736.00 from the General Fund; and to declare an emergency. (\$216,736.00)

This Matter was Approved on the Consent Agenda.

- CA [0519-2011](#) To authorize the Director of the Department of Finance and Management, on behalf of the Department of Public Safety, to establish a purchase order with Echo 24 from an existing Universal Term Contract (UTC) for the installation of fiber optics to various Public Safety facilities; to authorize the expenditure of \$452,592.50 from the Public Safety Capital Improvement Fund; and to declare an emergency. (\$452,592.50)

This Matter was Approved on the Consent Agenda.

- CA [0587-2011](#) To authorize and direct the Mayor of the City of Columbus to accept a sub-grantee 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 a FY09 Justice Assistance Grant (JAG), to authorize an appropriation of \$39,360.00 from the unappropriated balance for the General Government Grant Fund to the Division of Police for the East African Area Studies Group International Conference Project, and to declare an emergency. (\$39,360.00)

This Matter was Approved on the Consent Agenda.

PUBLIC SERVICE & TRANSPORTATION: PALEY, CHR. CRAIG MILLER GINTHER

- CA [0614-2011](#) To accept the plat titled "The Resubdivision of Lots 331- 352 of the Resubdivision of Portions of Village at Hilliard Run Section 1, Parts 1 and 2", from Dominion Homes Inc., an Ohio corporation, by Matthew J. Callahan, Vice President of Land Development; and to declare an emergency.

This Matter was Approved on the Consent Agenda.

- CA [0623-2011](#) To accept the plat titled "Ashbrook Run", from Ashbrook Run, LLC, an Ohio limited liability company, by Village Communities Corporation, an Ohio corporation, Managing Member, by Rowland S. Giller III, President and The Glen At Schirm Farms, LLC, an Ohio limited liability company, by Village Communities Corporation, an Ohio corporation, Managing Member, by Rowland S. Giller III, President; and to declare an emergency.

This Matter was Approved on the Consent Agenda.

- CA [0628-2011](#) To authorize the City of Columbus acting through the Director of Public Service to enter into an event agreement with Red, White, and Boom, Inc. to declare the responsibilities for each party concerning the Red, White, and Boom 2011 event; and to declare an emergency. (\$0.00)

This Matter was Approved on the Consent Agenda.

- CA [0653-2011](#) To authorize the Directors of Public Service and Public Utilities to execute a contract modification to the Guaranteed Maximum Reimbursement Agreement with Wagenbrenner Development, Inc. for the construction and inspection of public roadway and utility improvements on Grant Avenue in the Columbus Coated Fabrics area; to authorize Director of Public Service to utilize existing funding established for this project for the purpose of paying for these expenses; and to declare an emergency. (\$241,557.24)

This Matter was Approved on the Consent Agenda.**PUBLIC UTILITIES: PALEY, CHR. CRAIG KLEIN GINTHER**

- CA [0043X-2011](#) To declare a necessity to construct sanitary sewer improvements known as the Petzinger Road Sanitary Sewer Project, and to approve the plans, specifications, estimates and profiles in accordance with the assessment procedures of the Columbus City Charter, for the Division of Sewerage and Drainage.

This Matter was Adopted on the Consent Agenda.

- CA [0549-2011](#) To authorize the Director of Public Utilities to execute a planned contract modification to the professional services agreement with Chester Engineers, Inc. for the Southerly Wastewater Treatment Plant Corrosion Prevention and Protective Coating Systems; to transfer within and expend \$471,558.66 from the Sanitary Sewer Build America Bond and amend the 2011 Capital Improvements Budget. (\$471,558.66)

This Matter was Approved on the Consent Agenda.

- CA [0567-2011](#) To authorize the Director of Finance and Management to establish purchase orders from Universal Term Contracts with AT&T for local telephone and data line services for the Department of Public Utilities, to authorize the expenditure of \$60,000.00 from the Electricity Operating Fund, \$62,000.00 from the Sewer System Operating Fund, and \$208,000.00 from the Water Operating Fund. (\$330,000.00)

This Matter was Approved on the Consent Agenda.

CA [0635-2011](#)

To authorize the Director of Public Utilities to enter into a planned modification of the Boiler Maintenance Services contract with General Temperature Control, Inc., for the Division of Sewerage and Drainage, to authorize the expenditure of \$78,000.00 from the Sewerage System Operating Fund, and to declare an emergency. (\$78,000.00)

This Matter was Approved on the Consent Agenda.

APPOINTMENTS**CA** [A0059-2011](#)

Reappointment of Angela Mingo, Children's Hospital , 700 Children's Drive, Columbus, Ohio 43215 to serve on the Community Relations Commission with a term expiration date of December 31, 2013 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

CA [A0060-2011](#)

Reappointment of Rebecca Nelson, The Ohio State University 128 Lincoln Tower, Columbus, Ohio 43201 to serve on the Community Relations Commission with a new term expiration date of December 31, 2013 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

Passed The Consent Agenda

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

EMERGENCY, TABLED AND 2ND READING OF 30-DAY LEGISLATION**FINANCE: TYSON, CHR. MILLER PALEY GINTHER**[0618-2011](#)

To authorize the Finance and Management Director to enter into a contract with Airgas Great Lakes, Inc for the option to purchase Calibration and EPA Protocol Gases on an as needed basis, to authorize the expenditure of one dollar to establish the contracts from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$1.00)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

HEALTH, HOUSING & HUMAN SERVICES: CRAIG, CHR. MILLS TYSON GINTHER[0657-2011](#)

To amend the 2011 CIB; to authorize the City Auditor to transfer funds within the Housing Preservation Fund; to authorize the Director of the Department of Development to purchase six vacant lots from Samaritan Project Community Development Corporation to place in the City's Land Bank for future housing development; and to authorize the expenditure of

\$90,000.00 from the Housing Preservation Fund. (\$90,000.00)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

DEVELOPMENT: KLEIN, CHR. MILLER TYSON GINTHER

0668-2011

To authorize the Director of the Department of Development to enter into an Enterprise Zone Agreement with Carr Supply, Inc. for a tax abatement of sixty five percent (65%) for a period of seven (7) years on real property improvements in consideration of a proposed investment of \$2.3 million, the creation of seven (7) new permanent full-time positions and the retention of fifty one (51) permanent full time jobs.

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

0675-2011

To authorize the Director of the Department of Development to enter into a contract with the Greater Columbus Chamber of Commerce to pursue federal funding; to authorize the expenditure of \$25,000 from the General Fund; and to declare an emergency. (\$25,000.00)

A motion was made by Klein, seconded by President Pro-Tem Craig, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

RECREATION & PARKS: KLEIN, CHR. MILLS TYSON GINTHER

0606-2011

To authorize an appropriation of \$40,000.00 from the unappropriated balance of the Recreation and Parks Grant Fund to the Recreation and Parks Department for federal grant funding awarded to the Central Ohio Area Agency on Aging in connection with the American Recovery and Reinvestment Act (ARRA) - Chronic Disease and Diabetes Self-Management Program; and to declare an emergency. (\$40,000.00)

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

Abstained: 1 - Michelle Mills

Affirmative: 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Eileen Paley, Priscilla Tyson, and Andrew Ginther

ADMINISTRATION: MILLER, CHR. PALEY TYSON GINTHER

0505-2011

To authorize the Director of the Department of Technology to modify a contract with Unisys

Corporation for annual maintenance and support services; to waive the competitive bidding provisions of the Columbus City Code; and to authorize the expenditure of \$57,555.12 from the Information Services Division, Internal Services Fund. (\$57,555.12)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

0554-2011

To authorize the Director of the Department of Technology and the Director of the Department of Public Utilities to renew an annual contract with PerkinElmer Health Sciences, Inc., to provide computer programming software maintenance and support on the Laboratory Information Management System (LIMS); in accordance with sole source provisions of the Columbus City Code; and to authorize the expenditure of \$53,013.00 from the Department of Technology Internal Services Fund, and to declare an emergency. (\$53,013.00)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

PUBLIC SAFETY & JUDICIARY: MILLS, CHR. CRAIG PALEY GINTHER

0588-2011

To amend the Department of Public Safety's 2011 Capital Improvement Budget, to authorize the City Auditor to transfer funds between projects in the Safety Capital Fund, to authorize and direct the Finance and Management Director to issue a purchase order for custom tilt-cab pumpers for the Division of Fire from an existing Cooperative State of Ohio Term Contract established for such purpose by the State of Ohio Department of Administrative Services Purchasing Office with Sutphen Corporation, to authorize the expenditure of \$947,122.18 from the Department of Public Safety's Gov'l B.A.B's (Build America Bonds), and to declare an emergency. (\$947,122.18)

A motion was made by Mills, seconded by President Pro-Tem Craig, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

PUBLIC SERVICE & TRANSPORTATION: PALEY, CHR. CRAIG MILLER GINTHER

0070X-2011

To declare the necessity and intent to appropriate permanent easements in, over, under and through real estate in connection with the **Operation Sidewalks-Deshler at Lockbourne Project**, and to declare an emergency.

A motion was made by Paley, seconded by President Pro-Tem Craig, that this matter be Adopted. The motion carried by the following vote:

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

0622-2011

To authorize the Finance and Management Director to enter into a contract for the option to purchase Eight (8) Cubic Yard Front Loader Refuse Containers with Farmer's Refuse & Trucking Inc.; to accept a manufacturer's warranty period of one (1) year; to authorize the expenditure of \$1.00 to establish the contract from the Mail, Print Services and UTC Account; to waive the competitive bidding requirements of the City Code; and to declare an emergency. (\$1.00)

A motion was made by Paley, seconded by President Pro-Tem Craig, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

PUBLIC UTILITIES: PALEY, CHR. CRAIG KLEIN GINTHER**0654-2011**

To authorize the Director of Public Utilities to enter into an agreement with AEP Retail Energy for street light generation and transmission services and to declare an emergency.

A motion was made by Paley, seconded by President Pro-Tem Craig, that this matter be Approved. The motion carried by the following vote:

Abstained: 1 - Michelle Mills

Affirmative: 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Eileen Paley, Priscilla Tyson, and Andrew Ginther

ADJOURNMENT

ADJOURNED 5:46 PM

A motion was made by President Pro-Tem Craig, seconded by Tyson, to adjourn this Regular Meeting. The motion carried by the following vote:

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther