



City of Columbus

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Minutes - Final Columbus City Council

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OTHER SPECIAL NEEDS REQUESTS SHOULD BE DIRECTED
TO THE CITY CLERK'S OFFICE AT 645-7380 BY FRIDAY
PRIOR TO THE COUNCIL MEETING.***

Monday, June 22, 2009

5:00 PM

City Council Chambers, Rm 231

REGULAR MEETING NO. 31 OF COLUMBUS CITY COUNCIL, JUNE 22, 2009 at 5:00 P.M. IN COUNCIL CHAMBERS.

ROLL CALL

Present: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

READING AND DISPOSAL OF THE JOURNAL

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

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

C0017-2009

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE
CITY CLERK'S OFFICE AS OF WEDNESDAY JUNE 17, 2009:

Transfer Type: D2, D2X, D3, D3A
To: Jambo Grill Inc
901 E Dublin Granville Rd
Columbus OH 43229
From: Clifford Boling Jr
DBA Village Pub
274 E Innis Av 1st Fl & Bsmt
Columbus OH 43207
Permit # 4226553

Transfer Type: C1, C2, D6
To: Crystal Market LTD
DBA Coughline Market
1505 Schrock Rd
Columbus OH 43229
From: Anishi Inc

DBA Coughlins Express Mart
1505 Schrock Rd
Columbus OH 43229
Permit # 1841962

Advertise: 6/27/2009
Return: 07/06/2009

RESOLUTIONS OF EXPRESSION

PALEY

[0100X-2009](#)

To declare Saturday, June 27, 2009 "Bean Dinner Day" in the City of Columbus.

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

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

ADDITIONS OR CORRECTIONS TO THE AGENDA

FR FIRST READING OF 30-DAY LEGISLATION

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

DEVELOPMENT: GINTHER, CHR. CRAIG TYSON MENTEL

FR [0740-2009](#) To amend the 2009 Capital Improvements Budget; to authorize the transfer of cash between projects within the Northland and Other Acquisitions Fund; to authorize the Director of Development to enter into a Guaranteed Maximum Price Reimbursement Agreement with the Columbus Regional Airport Authority for the purpose of conducting a Traffic Impact Study considering NetJets facility expansion; and to authorize the expenditure of \$25,633 from the Northland and Other Acquisitions Fund. (\$25,633.00)

FR [0869-2009](#) To authorize the Director of the Department of Development to enter into a Jobs Growth Incentive agreement with Syscom Advanced Materials, Inc. in consideration of Syscom's proposed investment of \$1.1 million, the retention of 14 full-time permanent employees and the creation of 10 permanent full-time jobs.

- FR [0872-2009](#) To authorize the Director of Development to enter into an Enterprise Zone Agreement with WB Sports of Columbus, LLC for a tax abatement of seventy-five percent (75%) for a period of ten (10) years in consideration of a proposed \$7.0 million investment in acquisition costs and real property improvements.

UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL

- FR [0756-2009](#) To authorize the Director of Public Utilities to enter into an agreement with GE Fanuc Automation Americas Inc for Software Support and Maintenance for the Division of Sewerage and Drainage in accordance with the Sole Source provisions of Columbus City Code, and to authorize the expenditure of \$90,270.00 from the Sewerage System Operating Fund, (\$90,270.00)
- FR [0799-2009](#) To authorize the Director of Finance and Management to enter into a purchase order with CBS Arc Safe for the purchase of a Remote Racking System for the Division of Power and Water; and to authorize the expenditure of \$28,955.00 from the Electricity Operating Fund. (\$28,955.00)
- FR [0811-2009](#) To authorize the Director of Public Utilities to reimburse the Sawmill Athletic Club for over-payment of sewer commodity charges, to authorize a revenue reduction transaction of \$35,585.11. (\$35,585.11)
- FR [0819-2009](#) To authorize the Director of Finance and Management to establish a purchase order with Delaney and Associates Inc for the purchase of Penn Valley Pumps and Parts for the Division of Sewerage and Drainage; and to authorize the expenditure of \$59,419.00 from the Sewerage System Operating Fund. (\$59,419.00)
- FR [0829-2009](#) To authorize the Director of Public Utilities to enter into a service agreement in accordance with sole source provisions of the Columbus City Code with Tom Synnott Associates AKA tsa/Advet for software support of Falcon/DMS software for the Department of Public Utilities, to authorize the expenditure of \$9714.00 from the Sewerage System Operating Fund, \$8664.42 from the Water Operating Fund, \$2590.39 from the Stormwater Operating Fund, \$1362.19 from the Electricity Operating Fund. (\$22,331.00)
- FR [0840-2009](#) To authorize the Director of Public Utilities to contract with AA Programmed Janitorial and Building Maintenance, Inc. for Janitorial Services, for the Division of Sewerage and Drainage; and to authorize the expenditure of \$174,192.00 from the Sewerage System Operating Fund (\$174,192.00).

RULES & REFERENCE: MENDEL, CHR. GINTHER CRAIG PALEY

FR [0857-2009](#) To amend certain sections of Chapter 161 of the Columbus City Codes, 1959.

CA CONSENT ACTIONS**RESOLUTION OF EXPRESSION**

CA [0101X-2009](#) To recognize the 60th anniversary of the Maccabi Usa/Sports For Israel.

This Matter was Adopted on the Consent Agenda.

FINANCE: MENDEL, CHR. TAVARES CRAIG PALEY

CA [0848-2009](#) To authorize the Finance and Management Director to renew a contract with Kone, Inc. for the maintenance and service of elevators in various City facilities under the purview of the Facilities Management Division; to authorize the expenditure of \$156,800.00 from the General Fund; and to declare an emergency. (\$156,800.00)

This Matter was Approved on the Consent Agenda.

CA [0850-2009](#) To authorize and direct the Finance and Management Director to enter into two (2) contracts for the option to purchase Vehicle Preventive Maintenance (PM) Services from The McGlaughlin Oil Company/Fas Lube, Inc. and Valvoline Instant Oil Change; to authorize the expenditure of two (2) dollars to establish the contracts from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$2.00)

This Matter was Approved on the Consent Agenda.

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

CA [0766-2009](#) To authorize the Director of Public Service to expend \$74,200.00 or so much thereof as may be needed from the Street Construction, Maintenance and Repair Fund for the Division of Planning and Operations' use of the Franklin County 800 MHz and 450 MHz radio systems; and to authorize the Director of Public Service to modify the existing Public Service Radio System contract. (\$74,200.00)

This Matter was Approved on the Consent Agenda.

CA [0785-2009](#) To authorize the Director of Public Service to expend \$66,677.71 from the Federal-State Highway Engineering Fund for the purpose of

making final payment to CSX for the costs incurred by CSX for the construction of the railroad bridge over Hard Road as part of the Hard Road phase B project. (\$66,677.61)

This Matter was Approved on the Consent Agenda.

- CA** [0802-2009](#) To authorize the Director of Finance and Management to establish purchase orders for the purchase of thermoplastic pavement marking materials, glass beads and sign materials for the Division of Planning and Operations per the terms and conditions of four existing citywide universal term contracts with four vendors; to authorize the expenditure of \$139,953.40 from the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$139,953.40)

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

Abstained: 1 - Hearcel Craig

Affirmative: 6 - Andrew Ginther, Charleta Tavares, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

- CA** [0880-2009](#) To authorize the Director of Public Service to execute all easements, permits and ancillary documents, between the City and Columbus Southern Power Company, an Ohio corporation, necessary for the relocation of its existing overhead transmission lines over various right of way, in the vicinity of Neil Avenue and Vine Street; to authorize the Director of Public Utilities to execute a release of an existing general utility easement in a recorded Affidavit on Facts Relating to Title; and to declare and emergency.

This Matter was Approved on the Consent Agenda.

SAFETY : GINTHER, CHR. PALEY CRAIG MENTEL

- CA** [0846-2009](#) To amend the 2009 Capital Improvements Budget; to authorize the City Auditor to transfer \$4,011.50 between projects within the Safety Voted Bond Fund; to authorize the Finance and Management Director to modify a contract on behalf of the Facilities Management Division with Mid Ohio Air Conditioning Corporation for installation of two (2) Veltron CFM controls at the Central Safety Building, 120 Marconi Boulevard; to authorize the expenditure of \$4,011.50 from the Safety Voted Bond Fund; and to declare an emergency. (\$4,011.50)

This Matter was Approved on the Consent Agenda.

DEVELOPMENT: GINTHER, CHR. CRAIG TYSON MENTEL

- CA** [0838-2009](#) To accept the application (AN08-018) of Donald and Miriam Jordan for the annexation of certain territory containing 3.1 ± acres in Plain Township.

This Matter was Approved on the Consent Agenda.

- CA** [0861-2009](#) To authorize the submission of a petition to the Board of County Commissioners of Franklin County, Ohio, requesting a change in the boundary lines of Montgomery Township so as to make the boundary lines identical, with the corporate limits of the city of Columbus in the certain portions of Plain Township pursuant to the Annexation Agreement between the City of Columbus, Plain Township and New Albany; and to declare an emergency.

This Matter was Approved on the Consent Agenda.

- CA** [0876-2009](#) To authorize the Director of Development to modify various Empowerment Zone contracts with the Columbus Compact Corporation by extending the term of the contracts an additional 12 months; and to declare an emergency.

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

Abstained: 1 - Priscilla Tyson

Affirmative: 6 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Michael Mentel, A. Troy Miller, and Eileen Paley

ADMINISTRATION: MILLER, CHR. PALEY TAVARES MENTEL

- CA** [0615-2009](#) To authorize the Director of the Department of Technology on behalf of the Department of Public Utilities, to modify an annual renewal contract with Ventyx Inc., formerly known as Indus Utility Systems, Incorporated for maintenance, support and related services; to authorize the expenditure of \$563,591.00 from the Department of Technology Information Services Fund; and to declare an emergency. (\$563,591.00)

This Matter was Approved on the Consent Agenda.

- CA** [0761-2009](#) To realign the City of Columbus, Department of Technology's 2009 budget appropriation; to re-allocate the Department of Technology (DoT) cost allocation formula utilized by the Department of Public Utilities; and to declare an emergency. (\$0.00)

This Matter was Approved on the Consent Agenda.

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

- CA** [0787-2009](#) To authorize and direct the Health Department to accept additional grant funds from the Ohio Department of Health in the amount of \$30,500; to authorize the appropriation of \$30,500 from the unappropriated balance of the Health Department Grants Fund.

(\$30,500)

This Matter was Approved on the Consent Agenda.

- CA** [0826-2009](#) To authorize the Columbus Health Department to enter into a revenue contract with the City of Worthington for the provision of public health services in the amount of \$34,571, and to declare an emergency. (\$34,571)

This Matter was Approved on the Consent Agenda.

RECREATION & PARKS: TYSON, CHR. TAVARES PALEY MENTEL

- CA** [0821-2009](#) To authorize and direct the Director of Recreation and Parks to enter into contract with Jack Conie & Sons Corp. dba Conie Construction Company for the Water Resource Restoration Sponsorship Program (WRRSP) Quarry Wetland Project, to authorize the transfer of appropriation within grant 517038, to authorize the expenditure of \$103,000.00 from the Recreation and Parks Grant Fund and the Recreation and Parks Special Purpose Fund; and to declare an emergency. (\$103,000.00)

This Matter was Approved on the Consent Agenda.

APPOINTMENTS

- CA** [A0063-2009](#) Appointment of James Panzer of 220 East Sycamore St. Columbus, Ohio 43206 to serve on the German Village Commission with a term expiration date of June 30, 2012 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

- CA** [A0064-2009](#) Appointment of Edward Thiell of 628 Mohawk St. Columbus, Ohio 43206 to serve on the German Village Commission with a term expiration date of June 30, 2012 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

- CA** [A0065-2009](#) Appointment of Terrance O'Donnell of 615 City Park Ave. Columbus, Ohio 43206 to serve on the German Village Commission with a term expiration date of June 30, 2012 (resume attached).

This Matter was Read and Approved on the Consent Agenda.

Passed The Consent Agenda

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

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

FINANCE: MENDEL, CHR. TAVARES CRAIG PALEY[0079X-2009](#)

To adopt the 2010 Tax Budget and to authorize and direct the City Auditor to submit said budget to the County and to declare an emergency.

TABLED UNTIL 07/06/09 PENDING PUBLIC HEARING

A motion was made by President Mendel, seconded by Tavares, that this matter be Tabled to Certain Date. The motion carried by the following vote:

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mendel, A. Troy Miller, and Eileen Paley

[0868-2009](#)

To authorize the Director of Finance and Management to apply for and to accept American Recovery and Reinvestment Act funding of up to \$7,403,500 in formula allocation to the City of Columbus under the U.S. Department for the Energy's Efficiency and Conservation Block Grant; and to declare an emergency. (\$0.00)

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

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mendel, A. Troy Miller, and Eileen Paley

**PUBLIC SERVICE & TRANSPORTATION: CRAIG, CHR. MILLER
TAVARES MENDEL**[0781-2009](#)

To authorize the Director of Public Service to enter into a contract with the Franklin County Engineer for construction of the Cooke Road over Adena Brook structure for the Division of Planning and Operations; to authorize the expenditure of \$170,000.00 from the Streets and Highways G.O. Bonds Fund; to waive competitive bidding provisions of Chapter 329 of the Columbus City Code; and to declare an emergency. (\$170,000.00)

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

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mendel, A. Troy Miller, and Eileen Paley

[0796-2009](#)

To authorize the Director of Public Service to enter into contract with the Complete General Construction Company for construction of the Williams Roadway and Stormwater Pump Station Replacement Project for the Division of Design and Construction; to authorize the transfer of \$758,939.15 within and from the Storm Sewer Bonds Fund for the Division of Sewerage and Drainage to the State Issue II Street Projects Fund; to amend the 2009 Capital Improvements Budget; to authorize the expenditure of \$2,442,989.08 from the State Issue Two Street Projects Fund; and to declare an emergency. (\$2,442,989.08)

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

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

DEVELOPMENT: GINTHER, CHR. CRAIG TYSON MENTEL

[0544-2009](#)

To adopt the Urban, Community, and/or Regional Commercial Overlays for portions of the Lockbourne Road corridor, portions of East Main and East Broad Streets, portions of Fifth and Cleveland Avenues, and portions of Bethel Road, SR 161, and Sawmill Road; and to adopt seven additional revisions to the commercial overlays to provide clarification on overlay applicability and extent and correct clerical discrepancies.

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

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

ADMINISTRATION: MILLER, CHR. PALEY TAVARES MENTEL

[0820-2009](#)

To accept Memorandum of Understanding #2009-01 executed between representatives of the City of Columbus and the Columbus Municipal Association of Government Employees/CWA (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 Miller, seconded by Ginther, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL

[0854-2009](#)

To authorize and direct the Finance and Management Director to modify and extend the UTC for the option to purchase Specialty & Industrial Gases with DeLille Oxygen Company, Airgas Great Lakes, Inc and Valley National Gases, Inc.; 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:

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

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

[0824-2009](#) To authorize the appropriation of \$380,342 from the unappropriated balance of the General Government Grants Fund to the Health Department for the 2009 Housing Opportunities for Persons with AIDS (HOPWA) Program; and to declare an emergency. (\$380,342)

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

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

[0825-2009](#) To authorize the Board of Health to enter into a revenue contract with the Columbus City Schools for the provision of physician services in an amount not to exceed \$65,000; and to declare an emergency. (\$65,000)

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

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

RECREATION & PARKS: TYSON, CHR. TAVARES PALEY MENTEL

[0843-2009](#) To authorize and direct the Director of Recreation and Parks to accept two grants in the amount of \$450,874.00 and enter into seven (7) contracts for the expansion of congregate and home-delivered meals for older adults, to authorize an appropriation of \$450,874.00 from the unappropriated balance of the Recreation and Parks Grant Fund to the Recreation and Parks Department; and to declare an emergency. (\$450,874.00)

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

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

[0849-2009](#) To authorize and direct the Director of Recreation and Parks to enter into contract with the Columbus Public Schools Food Service in conjunction with the 2009 Summer Food Services Program, to authorize the expenditure of \$2,214,000.00 from the Recreation and Parks Grant Fund; and to declare an emergency. (\$2,214,000.00)

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 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

RULES & REFERENCE: MENTEL, CHR. GINTHER CRAIG PALEY

[0151-2009](#) To amend sections in Chapter 3381 of the Columbus Zoning Code,

Title 33, Chapter 4114 of the Columbus Building Code, Title 41, and various sections of Title 11, Water, Sewer and Electricity Code, in order to remove local testing requirements for locally registered contractors; to create a new classification of Water Contractor; and to provide for emergency permitting for the completion of work when an unlicensed contractor is removed from a work site.

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

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

THERE WILL BE NO COUNCIL MEETING ON MONDAY, JUNE 29. THE NEXT REGULAR MEETING WILL BE MONDAY, JULY 6. HAVE A SAFE AND HAPPY 4TH OF JULY!

ADJOURNMENT

ADJOURNED: 6:21 P.M.

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

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley