



City of Columbus

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

Agenda

Columbus City Council

***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, July 13, 2009

5:00 PM

City Council Chambers, Rm 231

**REGULAR MEETING NO. 35 OF COLUMBUS CITY COUNCIL, JULY 13, 2009 at
5:00 P.M. IN COUNCIL CHAMBERS.**

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE
CITY CLERK'S OFFICE AS OF WEDNESDAY, JULY 8, 2009:

New Type: D1
To: Daniel L Pizzurro
DBA Rich Street Pub
1109 W Rich St
Columbus OH 43223
Permit # 69524490090

New Type: D5
To: Tommys Diner LLC
DBA Tommys Diner
914 W Broad St
Columbus OH 43222
Permit # 8980061

New Type: D5
To: Wink Properties LLC
314 N Hague Av Unit 2
Columbus OH 43204
Permit # 96947120005

Transfer Type: D2, D2X, D3, D3A, D6
To: Fifty Seven Fifty LLC
1081 Gemini Pl
Columbus, OH 43240
From: Pudas Inc

894 W Broad St & Patio
Columbus OH 43222
Permit # 2714627

Transfer Type: D5
To: Mary J Seel
DBA Colombinis
177 S Cypress Ave
Columbus OH 43223
From: Daniel L Pizzurro
DBA Westside Bar
2422 W Broad St 1st Fl Only
Columbus OH 43204
Permit # 7954983

Stock Type: C1, C2
To: Speedy Mart Mobil Inc
3377 E Livingston Ave
Columbus OH 43227
Permit # 8419010

Advertise: 07/18/2009
Return: 07/28/2009

ADDITIONS OR CORRECTIONS TO THE AGENDA

FR FIRST READING OF 30-DAY LEGISLATION

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

FR To authorize the Director of Public Service to execute a quitclaim deed, prepared by the City Attorney's Office, which will transfer and release any interest the City may still have in any land falling within the original limits of Railroad Street as shown on the plat of Park Addition as more fully described in the body of this legislation; and to the extent that they may apply to waive the competitive bidding and Land Review Commission provisions of Columbus City Code.

ADMINISTRATION: MILLER, CHR. PALEY TAVARES MENTEL

FR To authorize and direct the City Auditor to enter into an agreement with Clark, Schaefer, Hackett & Co., Certified Public Accountants, for professional auditing services for calendar year 2009 and to authorize the expenditure of \$338,000 from the General Fund (\$338,000)

UTILITIES: PALEY, CHR. CRAIG GINTHER MENDEL

- FR** To authorize the Director of Public Utilities to reimburse Nisource/Columbia Gas for relocation of gas utility lines, in connection with the Moler Road Stormwater System Improvements Project; to amend the 2009 Capital Improvements Budget; to authorize the transfer, and expenditure of \$71,628.66 from the Storm Sewer Bonds Fund for the Division of Sewerage and Drainage. (\$71,628.66)
- FR** To authorize the Director of Public Utilities to enter into an agreement for software upgrades, software support and software license fees, with Inflection Point Solutions, LLC, for the Pretreatment Information Management System (PIMS), to waive the provisions of competitive bids of the Columbus City Code, and to authorize the expenditure of \$63,000.00 from the Sewerage System Operating Fund. (\$63,000.00)
- FR** To authorize the Director of Finance and Management to enter into a purchase order with Utility Truck Equipment, Inc. for the purchase of a Heavy Duty, Tandem Axle Multi Reel Cable Trailer for the Division of Power and Water and to authorize the expenditure of \$24,990.00 from the Electricity Operating Fund. (\$24,990.00)
- FR** To authorize the Director of Finance and Management to establish Blanket Purchase Orders, for water treatment chemicals, from established Universal Term Contracts with Pain Enterprises, MeadWestvaco, and Bonded Chemicals for the Division of Power and Water, to authorize the expenditure of \$955,137.60 from Water Systems Operating Fund. (\$955,137.60)

RECREATION & PARKS: TYSON, CHR. TAVARES PALEY MENDEL

- FR** To authorize and direct the Director of Recreation and Parks to grant consent to Capital Crossroads Special Improvement District to apply for permission to sell alcoholic beverages at the following 2009 event: Independent's Day - September 19, 2009. (\$0.00)

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

- FR** To rezone 4393 WINCHESTER PIKE (43232), being 17.76± acres located on the south side of Winchester Pike, 2480± feet west of South Hamilton Road, From: R-1, Residential District, To: L-AR-4, Limited Apartment Residential District (Rezoning # Z09-008).

- FR** To rezone 280 EAST WHITTIER STREET (43230), being 2.5± acres located at the northeast corner of East Whittier and Jaeger Streets, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District. (Rezoning # Z09-005)
- FR** To rezone 1382 GRANDVIEW AVENUE (43212), being 0.81± acres located on the east side of Grandview Avenue, 125± feet north of West Third Avenue, From: C-4, Commercial and L-P-1, Limited Parking Districts, To: CPD, Commercial Planned Development District (Rezoning # Z09-012).
- FR** To grant a Variance from the provisions of Sections 3363.01, M-manufacturing district, and 3342.28, Minimum number of parking spaces required, of the Columbus City Codes; for the property located at 974 SOUTH FRONT STREET (43206), to permit an existing single-family dwelling with no parking spaces in the M, Manufacturing District and to declare an emergency (Council Variance # CV09-015).
- FR** To 5923 CHESTNUT HILL DRIVE (43230), being 4.3± acres located on the south side of Chestnut Hill Drive, 400± feet east of North Hamilton Road, From: L-C-4, Limited Commercial District, To: L-AR-12, Limited Apartment Residential and L-M, Limited Manufacturing Districts (Rezoning # Z09-006).
- FR** To grant a variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1 apartment residential district use; and 3333.255, Perimeter yard, of the City codes, for the property located at 5923 CHESTNUT HILL DRIVE (43230), to permit two-family dwellings within a multi-family residential development with a reduced perimeter yard in the L-AR-12, Limited Apartment Residential District (Council Variance # CV09-004).
- FR** To grant a Variance from the provisions of Sections 3332.02, R, Rural District and 3332.38, Private garage, for the property located at 2005 DYER ROAD (43123), to permit two single-family dwellings with a garage which exceeds 720 square feet, on a lot zoned in the R, Rural District. (Council Variance #CV06-065)

CA CONSENT ACTIONS

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

- CA** To authorize the Director of the Department of Public Service to execute those documents necessary for the City to grant encroachment easements for existing retaining walls within those public rights-of-way needed for the Parsons/Livingston Avenue Roadway Improvements Project and to declare an emergency.

SAFETY : GINTHER, CHR. PALEY CRAIG MENTEL

- CA** To authorize the Director of Finance and Management to enter into a contract for the acquisition of Radiological Detection and Bomb Disposal Products and Training for the Division of Fire from W L Bar, LLC, utilizing Homeland Security Grant funds in accordance with Sole Source Procurement Provisions of the Columbus City Codes; and to declare an emergency. (\$0.00)
- CA** To authorize and direct the Safety Director to enter into a maintenance contract with Sagem Morpho, Inc. for the Division of Police's Automated Fingerprint Identification System (AFIS) in accordance with sole source procurement provisions of the Columbus City Codes; to authorize the expenditure of \$516,615.17 from the General Fund and the Safety Grant Fund; and to declare an emergency. (\$516,615.17)
- CA** To authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Tyevco, Inc. for the renovation of the louvered wall, ninth floor, 120 Marconi Boulevard; to authorize the City Auditor to appropriate \$718,442.45 within the Safety Voted Bond Fund; to authorize the expenditure of \$37,460.00 from the Safety Voted Bond Fund; and to declare an emergency. (\$37,460.00)

DEVELOPMENT: GINTHER, CHR. CRAIG TYSON MENTEL

- CA** To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of one vacant parcel of real property (861-863 E. 5th Avenue) held in the Land Bank pursuant to the Land Reutilization Program; and to declare an emergency.
- CA** To authorize and direct the Director of the Department of Development to enter into an agreement of understanding with JDS Goodale, LLC

and to apply to the Ohio Department of Development for Clean Ohio grant funding of up to \$750,000 for the environmental clean up and redevelopment of the Kimball Midwest site at 580 West Goodale Blvd. in Columbus; and to declare an emergency.

ADMINISTRATION: MILLER, CHR. PALEY TAVARES MENTEL

CA To authorize and direct the Finance and Management Director to establish a purchase order, on behalf of the Department of Technology, from an existing Universal Term Contract, for software maintenance and support, associated with Veritas licenses, provided by DLT Solutions, Inc.,; to authorize the expenditure of \$85,977.86 from the Department of Technology's Information Services Fund; and to declare an emergency (\$85,977.86)

CA To authorize and direct the City Treasurer to modify and extend its contract for armored car services with Brink's Inc.; to authorize the expenditure of \$40,000 from various funds within the city; and to declare an emergency. (\$40,000.00)

CA To authorize the Director of Finance and Management Department on behalf of the Department of Technology to establish two Purchase Orders with Agilysys Inc. from pending Universal Term Contracts, for repairs, maintenance support and upgrades associated with the EMC mass storage device, Storage Area Network (SAN) Switch and Hewlett Packard servers; and to authorize the expenditure of \$280,140.00 from the Department of Technology's Information Services Fund; and to declare an emergency (\$280,140.00).

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

CA To declare the necessity and intent to appropriate construction easements in, over, under and through real estate in connection with the Alum Creek Drive Improvement Project, and to declare an emergency.

CA To authorize and direct the Franklin County Municipal Court Clerk to modify and extend contracts with Linebarger, Goggan, Blair & Sampson, LLP and Dana & Pariser L.P.A, for the provision of collection services; to authorize an expenditure up to \$540,000.00 from the Clerk's collection fund; and to declare an emergency. (\$540,000.00)

CA To authorize and direct the Administrative Judge of the Franklin County Municipal Court to accept a grant award from the State of Ohio, Department of Rehabilitation and Correction; to appropriate \$146,205 from the unappropriated balance of the general government grant fund to the Franklin County Municipal Court; to transfer \$11,500 from the

Municipal Court special revenue fund, probation fees, to the general government grant fund; and to declare an emergency. (\$157,705.00)

- CA** To authorize the Municipal Court Judges, through the Administrative/Presiding Judge, to enter into the first year of a potential four-year contract with Willo Security, Inc., for the provision of security guard services in the Municipal Court Building, to authorize the expenditure of \$315,00.00 from the Municipal Court Special Projects Fund; and to declare an emergency (\$315,000.00).

UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL

- CA** To authorize the Director of Public Utilities to reimburse the Franklin County Engineer's Office for the installation of stormwater sewers, in coordination with the Franklin County Engineer's Office's Asbury Manor Storm Sewer Assessment Project; to amend the 2009 Capital Improvements Budget; to authorize the transfer, and expenditure of \$23,435.72 from the Storm Sewer Bonds Fund, for the Division of Sewerage and Drainage. (\$23,435.72)

- CA** To authorize the Director of Public Utilities to enter into an agreement with EnviroCare International, Inc., for the purchase of two new hydraulic-atomizing biosolids incineration scrubber system units, in accordance with the sole source provisions of the Columbus City Code, in connection with the Jackson Pike Wastewater Treatment Plant Incinerator Hydraulic Scrubber Conversion project; to authorize the appropriation and transfer of \$221,820.00 from the Sanitary Sewer Reserve Fund to the Ohio Water Development Authority Loan Fund; to authorize the expenditure of \$221,820.00 from the OWDA Fund, for the Division of Sewerage and Drainage. (\$221,820.00)

- CA** To authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services; to authorize the transfer of \$60,000.00 within the Storm Sewer Bonds Fund; to amend the 2009 Capital Improvements Budget; to authorize the expenditure of \$60,000.00 from the Department of Public Utilities, Sewerage and Drainage, Storm Sewer Bonds Fund for costs in connection with the Northeast Neighborhood Stormwater System improvements Project; and to declare an emergency. (\$60,000.00).

- CA** To authorize the Director of the Department of Public Utilities to execute those documents necessary to release a certain blanket easement in relation to a certain 8.515 acre tract of real property located in the vicinity of Stanley Drive and Dresden Streets, at the request of the Franklin County Commissioners, in exchange for

replacement easements previously granted to the City of Columbus, Ohio.

- CA** To authorize the Director of Public Utilities to modify and increase the professional engineering services contract with AECOM USA Inc. (f.k.a. Metcalf & Eddy, Inc.); for the DRWP Treatment Capacity Increase Study & Evaluation Project; to authorize the transfer of \$354,386.56 within the Water Works Enlargement Voted Bonds Fund; to authorize the appropriation and transfer of \$572,501.44 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; and to authorize the expenditure of \$926,888.00 from the Water Works Enlargement Voted Bonds Fund; to amend the 2009 Capital Improvements Budget; for the Division of Power and Water. (\$926,888.00)
- CA** To authorize the Director of Public Utilities to enter into a service agreement with Simplex Grinnell for Security System Maintenance, Monitoring and Inspection for the Division of Sewerage and Drainage in accordance with the provisions of Sole Source procurement of the Columbus City Code, and to authorize the expenditure of \$22,031.40 from the Sewerage System Operating Fund. (\$22,031.40)
- CA** To authorize the Director of Public Utilities to enter into an agreement with Kleinschmidt Associates for professional engineering services for the O'Shaughnessy Dam 6th Independent Consultant's Inspection Project; to authorize the appropriation and transfer of \$48,300.00 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; and to authorize the expenditure of \$48,300.00 from the Water Works Enlargement Voted Bonds Fund; for the Division of Power and Water. (\$48,300.00)
- CA** To authorize the City Attorney to acquire fee simple title and lesser interests, to contract for professional services, to authorize the appropriation and transfer of \$17,150.00 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; and to authorize the expenditure of \$17,150.00 from the Water Works Enlargement Voted Bonds Fund; to amend the 2009 Capital Improvement Budget for the Division of Power and Water (Water) for costs in connection with the Lazelle Road Storage Tank Improvements Project; and to declare an emergency. (\$17,150.00)
- CA** To authorize the Director of Public Utilities to apply for, accept, and enter into up to eleven (11) Ohio Water Development Authority Local Government Agency Loan Program loan agreements, for the financing

of eleven Division of Power and Water construction projects; to designate a dedicated repayment source for the loans; and to declare an emergency.

CA To authorize the Director of the Department of Public Utilities to execute those documents necessary to accept 8.469 + acres of certain real property located at the south east corner of State Route 665 and the Scioto River in Hamilton township for water production purposes, in exchange for a deed of equal acreage to be granted to The National Lime and Stone Company, an Ohio corporation; to waive the Land Review Commission provisions of the Columbus City Codes (1959) and to declare an emergency

CA To authorize the Director of Public Utilities to modify and increase the construction contract with Complete General Construction Company due to unforeseen conditions found during construction on the West 5th Avenue Underpass Stormwater System Improvements Project, for the Division of Sewerage and Drainage; to authorize the transfer of \$72,783.00 within the Storm Sewer Bond Fund; to amend the 2009 Capital Improvements Budget to authorize the expenditure of \$72,783.00 within the Storm Sewer Bonds Fund.; and to declare an emergency. (\$72,783.00)

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

CA To authorize and direct The Columbus Health Department to accept a grant from the U.S. Department of Health and Human Services in the amount of \$750,000; to authorize the appropriation of \$750,000 from the unappropriated balance of the Health Department Grants Fund; and to declare an emergency. (\$750,000)

CA To authorize the Director of the Department of Development to enter into contracts with Watson General Contracting, LLC and Ransom Company for the provision of demolition services on vacant structures within the municipal boundaries of the City of Columbus; to authorize the expenditure of up to \$600,000 from the General Government Grant Fund; and to declare an emergency (\$600,000)

CA To authorize the Director of Finance and Management to establish a purchase order with OraSure for the purchase of OraQuick HIV antibody detection test kits for the Columbus Health Department in accordance with sole source provisions of Columbus City Codes; to authorize the expenditure of \$12,400 from the Health Department Grants Fund; and to declare an emergency. (\$12,400)

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 of the Columbus City Codes; to authorize the expenditure of \$20,000 from the Health Department Grants Fund; and to declare an emergency. (\$20,000)

CA To authorize and direct The Columbus Health Department to accept a grant from the U.S. Department of Agriculture in the amount of \$1,000; to authorize the appropriation of \$1,000 from the unappropriated balance of the Health Department Grants Fund; and to declare an emergency. (\$1,000)

CA To authorize the Director of Finance and Management to enter into a contract for the Health Department with KNS Services, Inc., for the purchase, installation, and programming of a card access control system and intercom for the 240 Parsons Avenue facility; to authorize the expenditure of \$4,580.00 from the Voted 1999, 2004 Health Department Bonds Fund; and to declare an emergency. (\$4,580.00)

CA To authorize the Director of Finance and Management to establish a purchase order with All About Drains for emergency home repair services for the Housing Division per the terms and conditions of the existing Universal Term Contract; to authorize the expenditure of \$14,761 from the Housing Preservation Fund; and to declare an emergency. (\$14,761)

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

FINANCE: MENDEL, CHR. TAVARES CRAIG PALEY

To authorize the Director of the Department of Finance and Management to enter into, grant and accept a Common Driveway Easement and Maintenance Agreement with Gowdy Partners III, LLC, an Ohio limited liability company, for the purpose of providing sufficient access to W. Third Avenue and to grant a Work Agreement to Gowdy Partners III, LLC, for the purpose of allowing Gowdy Partners III, LLC or its' agents, to enter onto City owned property to construct the common driveway and other site improvements, and the extent they may be applicable, to waive the competitive bidding and Land Review Commission requirements of the Columbus City Codes (1959) Revised; and to declare an emergency.

DEVELOPMENT: GINTHER, CHR. CRAIG TYSON MENDEL

To authorize the Director of the Department of Development to enter into an Economic Development Agreement with the City of Dublin, Ohio.

To authorize and direct the City Auditor to transfer \$389,900.77 from the Special Income Tax Fund to the General Fund; to authorize and direct the payment to the Columbus City School District, the Hilliard City School District and the Olentangy Local School District for income tax revenue sharing totaling \$1,559,603.08; to authorize the expenditure of \$1,559,603.08 from the General Fund; and to declare an emergency. (\$1,559,603.08)

To authorize and direct the City Auditor to make payments totaling \$226,149.54 in accordance with the Jobs Growth Incentive Program agreements to Advanced Engineering Consultants Ltd., eCommerce, Inc., Ohio State University Physicians, Inc., Ohio Valley Cable Services and Zyvex Performance Materials, Inc.; to authorize the expenditure of \$226,149.54 from the General Fund; and to declare an emergency. (\$226,149.54)

To authorize and direct the City Auditor to transfer \$207,351.77 from the Special Income Tax Fund to the General Fund; to authorize and direct the City Auditor to make payments totaling \$829,407.08 in accordance with the Downtown Office Incentive Program to various employers; to authorize the expenditure of \$829,407.08 from the General Fund; and to declare an emergency. (\$829,407.08)

To authorize and direct the Director of the Department of Development to enter into an agreement of understanding with Wagenbrenner Development, Inc. in conjunction with a Clean Ohio Revitalization Fund Round 7 grant application of up to \$3 million and to authorize the application the Columbus Department of Development plans to submit to the Ohio Department of Development for site clean up at the former 3M site at 1206 N. Fourth St. in the Weinland Park Neighborhood of Columbus; and to declare an emergency.

ADMINISTRATION: MILLER, CHR. PALEY TAVARES MENTEL

To authorize the Director of the Department of Technology and the Director of the Department of Human Resources to enter into contract with Trivantis Corporation, for software; training; maintenance and support associated with the CHRIS project; to authorize the expenditure of \$33,544.83 from the Department of Technology's Information Services Fund; to waive the competitive bidding provisions of the Columbus City Codes; and to declare an emergency. (\$33,544.83)

JUDICIARY & COURT ADMINISTRATION: PALEY, CHR CRAIG TYSON MENTEL

To authorize and direct the City Auditor to establish a new subfund within the Franklin County Municipal Court's special project fund for the receipt of monies related to the Court's Specialty Docket Programs and to authorize the appropriation and transfer of \$100,000 from the Public Safety Initiatives Fund . (\$100,000)

To authorize the Director of the Department of Finance and Management to enter into contract with the Franklin County Public Defender Commission to provide legal counsel to indigent persons charged with criminal offenses; to authorize the expenditure of \$1,335,093 from the General Fund; and to declare an emergency. (\$1,335,093)

UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL

To authorize the Director of Public Utilities to enter into a modification of the Water and Sewer Contracts with the City of Dublin, Ohio, and to consent to the annexation of approximately 277 acres located north of State Route 161/Post Road and west of Hyland-Croy Road to the City of Dublin

To authorize the Director of Public Utilities to apply for, accept, and enter into up to nine (9) Ohio Water Pollution Control Loan Fund Agreements with the Ohio Water Development Authority and the Ohio Environmental Protection Agency, including up to \$10 million in funding subsidies in the form of principal forgiveness loans from the American Recovery and Reinvestment Act (ARRA) of 2009 for Stimulus Projects, for the financing of eight Division of Sewerage and Drainage Division construction projects and one Division of Power and Water construction project; to designate a dedicated repayment source for the loans; and to declare an emergency.

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

To authorize the Director of the Department of Finance and Management to execute on behalf of the Columbus Health Department (Lessor), those documents necessary to enter into a lease agreement with the Columbus Neighborhood Health Centers, Inc. (Lessee) for the use of the City's neighborhood health center located at 2300 West Broad Street, commonly known as the Columbus West Family Health and Wellness Center, to provide primary health care services to the City's medically underserved residents; and to declare an emergency.

To authorize the Mayor of the City of Columbus to enter into a

consortium agreement for the purpose of submitting a competitive application to the U.S. Department of Housing and Urban Development under the Neighborhood Stabilization Program 2; to authorize the Mayor, as the Lead Applicant of the NSP2 Consortium, to apply for and accept grant funds from the U.S. Department of Housing and Urban Development under the Neighborhood Stabilization Program 2; and to declare an emergency.

RECREATION & PARKS: TYSON, CHR. TAVARES PALEY MENDEL

To authorize and direct the Director of Recreation and Parks to grant consent to various organizations to apply for permission to sell alcoholic beverages at the following 2009 events: Urban Scrawl Arts Festival and Waterfire Columbus.

ADJOURNMENT