



City of Columbus

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Minutes - Final 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, February 6, 2012

5:00 PM

City Council Chambers, Rm 231

REGULAR MEETING NO. 7 OF COLUMBUS CITY COUNCIL, MONDAY, FEBRUARY 6, 2012 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 Mills, seconded by Tyson, 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

COMMUNICATIONS AND REPORTS RECEIVED BY CITY CLERK'S OFFICE

1 [C0005-2012](#) THE CITY CLERK'S OFFICE RECEIVED THE FOLLOWING COMMUNICATIONS
AS OF, WEDNESDAY, JANUARY 31, 2012:

New Type: D3A
To: Tokumaa Inc
DBA Awash Enjera
1399-1403 S Hamilton Rd
Columbus OH 43227
Permit #8958709

New Type: C1, C2
To: C S Ross Company
DBA Big Lots 410
4645 Morse Centre Rd
Columbus OH 43229
Permit #18427740250

New Type: D1
To: Mozarts Inc

DBA Vienna Ice Café
 1st Fl
 2899 N High St
 Columbus OH 43202
 Permit #62078090035

Transfer Type: C1, C2
 To: Suman Faisal LLC
 DA Mobil Mart
 2635 W Broad St
 Columbus OH 43204
 From: UDF Limited Partnership II
 DBA United Dairy Farmers 640
 2635 W Broad St
 Columbus OH 43204
 Permit #8688402

Transfer Type: D5, D6
 To: National Mold Remediation Inc
 520 S High St
 Columbus OH 43215
 From: Aruba Inc
 DBA Aruba Club
 4281 Eastland Sq Dr
 Columbus OH 43232
 Permit #6315754
 Transfer Type: C1, C2
 To: Rhonda Glover
 DBA Frebis One Stop
 1547 Frebis Av
 Columbus OH 43206
 From: Jeffrey Toler
 DBA Frebis Mini Mart
 1547 Frebis Av
 Columbus OH 43206
 Permit #7421264

Advertise Date: 02/11/12
 Return Date: 02/21/12
 Agenda Date: 02/06/12

Read and Filed

RESOLUTIONS OF EXPRESSION

TYSON

- 2 **0031X-2012** To recognize and celebrate Black History Month in Columbus, and to express the city's appreciation for the service of the Tuskegee Airmen and the work of the Ohio Memorial Chapter of the Tuskegee Airmen, Inc.

A motion was made by Tyson, seconded by Craig, that this Ceremonial Resolution 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

- 3 **0032X-2012** To recognize February 7, 2012, as National Black HIV/AIDS Awareness Day in Columbus.

A motion was made by Tyson, seconded by Craig, that this Ceremonial Resolution 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 PRESIDENT PRO TEM MILLER,
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**

HEALTH & HUMAN SERVICES: TYSON, CHR. MILLS PALEY GINTHER

- FR-1 [0055-2012](#) To authorize the Board of Health to enter into a revenue contract with the Franklin County Sheriff's Office for the provision of lab testing services in an amount not to exceed \$30,000.00. (\$30,000.00)

Read for the First Time

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

- FR-2 [0161-2012](#) To rezone 1404 CHESAPEAKE AVENUE (43212), being 0.64± acres located on the north side of Chesapeake Avenue, 980± feet east of North Star Road, From: R, Rural District, To: AR-1, Apartment Residential District (Rezoning # Z11-034).

Read for the First Time

- FR-3 [0162-2012](#) To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, Apartment residential district use; 3312.25, Maneuvering; 3333.055, Exception for single- or two-family dwelling; 3333.09, Area requirements; 3333.16, Fronting on a public street; 3333.18, Building lines; 3333.23(d), Minimum side yard permitted; and 3333.24, Rear yard, of the Columbus City Codes; for the property located at 1404 CHESAPEAKE AVENUE (43212), to permit two (2) two-unit dwellings on the same lot for four contiguous lots with reduced development standards in the AR-1, Apartment Residential District (Council Variance # CV11-034).

Read for the First Time

- FR-4 [0163-2012](#) To rezone 1438 CHESAPEAKE AVENUE (43212), being 0.32± acres located on the north side of Chesapeake Avenue, 820± feet east of North Star Road, From: R, Rural

District, To: AR-1, Apartment Residential District (Rezoning # Z11-035).

Read for the First Time

- FR-5** [0164-2012](#) To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, Apartment residential district use; 3312.25, Maneuvering; 3333.055, Exception for single- or two-family dwelling; 3333.09, Area requirements; 3333.16, Fronting on a public street; 3333.18, Building lines; 3333.23(d), Minimum side yard permitted; and 3333.24, Rear yard, of the Columbus City Codes; for the property located at 1438 CHESAPEAKE AVENUE (43212), to permit two (2) two-unit dwellings on the same lot for two contiguous lots with reduced development standards in the AR-1, Apartment Residential District (Council Variance # CV11-035).

Read for the First Time

- FR-6** [0165-2012](#) To rezone 1472 CHESAPEAKE AVENUE (43212), being 0.32± acres located on the north side of Chesapeake Avenue, 540± feet east of North Star Road, From: R, Rural District, To: AR-1, Apartment Residential District (Rezoning # Z11-036).

Read for the First Time

- FR-7** [0166-2012](#) To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, Apartment residential district use; 3312.25, Maneuvering; 3333.055, Exception for single- or two-family dwelling; 3333.09, Area requirements; 3333.16, Fronting on a public street; 3333.18, Building lines; 3333.23(d), Minimum side yard permitted; and 3333.24, Rear yard, of the Columbus City Codes; for the property located at 1472 CHESAPEAKE AVENUE (43212), to permit two (2) two-unit dwellings on the same lot for two contiguous lots with reduced development standards in the AR-1, Apartment Residential District (Council Variance # CV11-036).

Read for the First Time

CA CONSENT ACTIONS

RESOLUTIONS OF EXPRESSION:

MILLS

- CA-1** **0029X-2012** To recognize and thank COSI for their efforts in bringing the national exhibit, RACE: Are We So Different?, to Columbus.

This item was approved on the Consent Agenda.

- CA-2** **0033X-2012** To honor and recognize John E. Bickley upon his retirement as President and CEO of the YMCA of Central Ohio.

This item was approved on the Consent Agenda.

TYSON

- CA-3** **0030X-2012** To honor, recognize, and celebrate the life of The Honorable John Brennan, and to extend our sincerest condolences to his family, friends, and the city of Bexley on the occasion of his passing Monday, January 30, 2012.

This item was approved on the Consent Agenda.

HEALTH & HUMAN SERVICES: TYSON, CHR. MILLS PALEY GINTHER

- CA-4 0050-2012** To authorize and direct the Board of Health to accept a grant from the Ohio Department of Health in the amount of \$233,300.00; to authorize the appropriation of \$233,300.00 from the unappropriated balance of the Health Department Grants Fund; and to declare an emergency. (\$233,300.00)

This item was approved on the Consent Agenda.

- CA-5 0054-2012** To authorize the Board of Health to enter into contracts with two community service agencies for the provision of health education and risk reduction services related to HIV/AIDS for the period January 1, 2012 through December 31, 2012; to authorize the expenditure of \$220,000.00 from the Health Department Grants Fund to pay the costs thereof; and to declare an emergency. (\$220,000.00)

A motion was made by Craig, seconded by Paley, that this Ordinance be Approved. The motion carried by the following vote:

Abstained: 1 - Priscilla Tyson

Affirmative: 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, and Andrew Gintner

- CA-6 0056-2012** To authorize the Board of Health to enter into a contract with OSU Internal Medicine, LLC, for physician services for the CPH Sexual Health Clinic, to authorize the expenditure of \$56,176.00 from the Health Special Revenue Fund to pay the costs thereof, and to declare an emergency. (\$56,176.00)

This item was approved on the Consent Agenda.

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

- CA-7 0109-2012** To authorize the Director of the Public Service Department to execute those documents required to transfer a portion of the 20 foot north/south alley between Bryden Road and Rich Street; a portion of the 18 foot east/west alley south of Bryden road; and a portion of Tiffin Street north of Rich Street; and to declare an emergency.

This item was approved on the Consent Agenda.

PUBLIC UTILITIES: PALEY, CHR. CRAIG KLEIN GINTHER

- CA-8 2073-2011** To authorize the Director of Public Utilities to enter into a planned modification of the Disposal of Clean Fill contract with Shelly Materials, Inc., for the Division of Power and Water and Division of Sewerage and Drainage, to authorize the expenditure of \$60,000.00 from Water Systems Operating Fund and \$10,000.00 from the Sewer Systems Operating Fund. (\$70,000.00)

This item was approved on the Consent Agenda.

- CA-9 2334-2011** To correct Ordinance 1612-2011, passed October 24, 2011, which incorrectly stated the original contract amount for Ordinance 0846-2008 as \$672,000 instead of \$540,000. The correction changes the total contract amount from \$788,880.84 to \$656,880.84. There is no fiscal impact or change to the amount requested by the previous ordinance.
- This item was approved on the Consent Agenda.**
- CA-10 2348-2011** To authorize the Director of Finance and Management to establish a Blanket Purchase Order with Kemira Water Solutions, Inc., for the purchase of Liquid Ferric Chloride from an established Universal Term Contract for the Division of Sewerage and Drainage; and to authorize the expenditure of \$85,000.00 from the Sewerage System Operating Fund. (\$85,000.00)
- This item was approved on the Consent Agenda.**
- CA-11 2356-2011** To authorize the Director of Finance and Management to establish a Blanket Purchase Order for Fairbanks Morse Pump Parts and Services from an established Universal Term Contract with Pentair Pump Group, Inc. dba Fairbanks Morse, for the Division of Sewerage and Drainage; and to authorize the expenditure of \$140,000.00 from the Sewerage System Operating Fund. (\$140,000.00)
- This item was approved on the Consent Agenda.**
- CA-12 2357-2011** To authorize the Director of Finance and Management to establish Blanket Purchase Orders for the purchase of Screw Conveyor Parts from a Universal Term Contract with ML Separation and Conveying, Inc. for the Division of Sewerage and Drainage; and to authorize the expenditure of \$175,000.00 from the Sewerage System Operating Fund. (\$175,000.00)
- This item was approved on the Consent Agenda.**

APPOINTMENTS

- CA-13 [A0031-2012](#)** Appointment of Michael Jones, 2816 Kingsrowe Ct, Columbus, Ohio 43209 to serve on the Board of Zoning Adjustment replacing John Haytas with a new term expiration date of December 31, 2014 (resume attached).
- This item was approved on the Consent Agenda.**
- CA-14 [A0032-2012](#)** Appointment of Peter Wilkinson, 5669 Liberton Court, Dublin, Ohio 43017, to serve on the Columbus Veterans Advisory Board with a term ending on December 31, 2012.
- This item was approved on the Consent Agenda.**
- CA-15 [A0033-2012](#)** Appointment of Su Lok to serve on the Franklin Park Conservatory Joint Recreation District Board with a term expiring on January 31, 2015.
- This item was approved on the Consent Agenda.**
- CA-16 [A0034-2012](#)** Appointment of Dennis Welch to serve on the Franklin Park Conservatory Joint Recreation District Board with a term expiring on January 31, 2015.
- This item was approved on the Consent Agenda.**
- CA-17 [A0035-2012](#)** Appointment of Doug Wyatt to serve on the Franklin Park Conservatory Joint

Recreation District Board with a term expiring on January 31, 2015.

This item was approved on the Consent Agenda.

CA-18 [A0036-2012](#)

Appointment of Fred Ransier to serve on the Franklin Park Conservatory Joint Recreation District Board with a term expiring on January 31, 2015.

This item was approved on the Consent Agenda.

CA-19 [A0037-2012](#)

Appointment of John Glacken to serve on the Columbus Veterans Advisory Board with a term expiring on December 31, 2012.

This item was approved on the Consent Agenda.

CA-20 [A0038-2012](#)

Appointment of Javar Godfrey to serve on the Community Relations Commission with a term expiring on December 31, 2014.

This item was approved on the Consent Agenda.

CA-21 [A0039-2012](#)

Appointment of Keith Shumate to the Columbus Zoo and Aquarium Board for a term expiring on December 31, 2014.

This item was approved on the Consent Agenda.

CA-22 [A0040-2012](#)

Appointment of Katie McCann 164 Winthrop Road, Columbus, Ohio 43214 to serve on the Property Maintenance Appeals Board with a term expiration date of July 31, 2013. (resume attached).

This item was approved on the Consent Agenda.

CA-23 [A0041-2012](#)

Appointment of Fredrick Ted Goodman 840 North Park Street Columbus Ohio 43215 to serve on the University Area Review Board with a term expiration date of January 31, 2015 (resume attached).

This item was approved on the Consent Agenda.

Approval of the Consent Agenda

A motion was made by Craig , seconded by Paley, including all the preceding items marked as having been approved on the Consent Agenda. 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

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

FINANCE: TYSON, CHR. MILLER PALEY GINTHER

SR-1 0222-2012

Authorizing this issuance of unlimited tax bonds in an amount not to exceed \$204,080,000.00 for the purpose of providing funds to refund certain outstanding unlimited tax general obligation bonds of the City (\$204,080,000.00). Section 55(b) of the City Charter.

**A motion was made by Tyson, seconded by Craig, to Waive the 2nd Reading.
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

A motion was made by Tyson, seconded by Craig, that this Ordinance 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

SR-2 0223-2012

Authorizing the issuance of limited tax bonds in an amount not to exceed \$49,535,000.00 for the purpose of providing funds to refund certain outstanding general obligation bonds of the City (\$49,535,000.00). Section 55(b) of the City Charter.

**A motion was made by Tyson, seconded by Craig, to Waive the 2nd Reading.
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

A motion was made by Tyson, seconded by Craig, that this Ordinance 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 & HUMAN SERVICES: TYSON, CHR. MILLS PALEY GINTHER

SR-3 0047-2012

To authorize and direct the Board of Health to accept a grant from the Franklin County Board of Commissioners in the amount of \$1,747,929.00 for the continued operation of the Ben Franklin Tuberculosis Clinic; to authorize the appropriation of \$1,747,929.00 from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency. (\$1,747,929.00)

A motion was made by Tyson, seconded by Klein, that this Ordinance 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

SR-4 0057-2012

To authorize the Board of Health to enter into a contract with Columbus Neighborhood Health Centers, Inc., for APN services for the CPH Sexual Health Clinic, to authorize the expenditure of \$62,400.00 from the Health Special Revenue Fund to pay the costs thereof, to waive provisions of competitive bidding, and to declare an emergency. (\$62,400.00)

A motion was made by Tyson, seconded by Paley, that this Ordinance 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

SR-5 0059-2012

To authorize and direct the Board of Health to enter into a contract with Columbus

Neighborhood Health Center, Inc. to provide primary health care services at community-based health centers; to authorize the expenditure of \$4,929,260.00 from the Health Special Revenue Fund; to waive the provisions of competitive bidding; and to declare an emergency. (\$4,929,260.00)

A motion was made by Tyson, seconded by Craig, that this Ordinance 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

DEVELOPMENT: KLEIN, CHR. TYSON CRAIG GINTHER

SR-6 0205-2012 To approve and authorize the execution of two separate tax increment financing agreements between the City of Columbus and Wagenbrenner Development, Inc. (or its designee) to provide for the construction and financing of improvements within and around the tax increment financing areas and incentive district created by Ordinance 1283-2009, passed by the City Council October 19, 2009 and Ordinance 1799-2010 passed by the City Council on December 13, 2010; and to declare an emergency.

A motion was made by Klein, seconded by Tyson, that this Ordinance 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. TYSON MILLS GINTHER

SR-7 0098-2012 To authorize an appropriation of \$14,834.59 from the unappropriated balance of the Recreation and Parks Tree Replacement Fund to the Recreation and Parks Department for the purchase of trees and plant materials; and to declare an emergency. (\$14,834.59)

A motion was made by Klein, seconded by Craig, that this Ordinance 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

SR-8 0153-2012 To authorize and direct the transfer of \$182,489.00 from the Recreation and Parks Operating Fund to the Recreation and Parks Grant Fund for a Title III-A grant match; and to declare an emergency. (\$182,489.00)

A motion was made by Klein, seconded by Craig, that this Ordinance 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. KLEIN CRAIG GINTHER

SR-9 0097-2012

To authorize the transfer and appropriation of matching funds in the amount of \$35,667.00 for the 2012 VAWA Domestic Violence Prosecutor Grant for the continued funding of the Domestic Violence Prosecutors program. (\$35,667.00)

A motion was made by Mills, seconded by Klein, that this Ordinance 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

ADJOURNMENT

ADJOURNED AT 5:45 PM

A motion was made by Paley, 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