



# City of Columbus

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

## Agenda - 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.***

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Monday, May 16, 2011

5:00 PM

City Council Chambers, Rm 231

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**REGULAR MEETING NO. 21 OF COLUMBUS CITY COUNCIL, MAY 16, 2011 at  
5:00 P.M. IN COUNCIL CHAMBERS.**

### **ROLL CALL**

### **READING AND DISPOSAL OF THE JOURNAL**

#### **C0013-2011**

THE CITY CLERK'S OFFICE RECEIVED THE FOLLOWING  
COMMUNICATIONS AS OF WEDNESDAY May11, 2011.

New Type: D5

To: Fu Sakura Japanese Steak House Inc  
4210 Stelzer Rd  
Columbus OH 43219  
Permit # 76771690005

Transfer Type: C1, C2

To: Hudson Express Carry Out Inc  
DBA Hudson Express Carry Out  
1818 E Hudson St  
Columbus OH 43211  
From: 1818 Kindda Inc  
DBA Hudson & Joyce Carry Out  
1818 E Hudson St  
Columbus OH 43211  
Permit # 4044841

Transfer Type:

D2, D2X, D3, D6

To: Cumin Indian Restaurant Inc  
1025 Polaris Pkwy  
Columbus OH 43240  
From: Cuisine Of India Inc  
DBA Cuisine Of India  
1025 Polaris Pkwy  
Columbus OH 43240

Permit # 1849529

Stock Type: D5, D6  
To: Slapsy Maxies Inc  
& Patio  
1019-1023 Mediterranean Av  
Columbus OH 43229  
Permit # 8225402

Advertise: 05/21/2011  
Return: 06/10/2011

## RESOLUTIONS OF EXPRESSION

### GINTHER

**0079X-2011** To express support for the Office of the Ohio Consumers' Counsel and urge the Ohio General Assembly to preserve the mission of the OCC by restoring funding to their budget.

**Sponsors:** Hearcel Craig, Zachary M. Klein, A. Troy Miller, Michelle M. Mills, Eileen Y. Paley, Priscilla Tyson and Andrew Ginther

### MILLS

**0041X-2011** To declare the week of Week of May 15-21, 2011, as Emergency Medical Services (EMS) Week in Columbus.

**Sponsors:** Michelle M. Mills

### FROM THE FLOOR:

**LA** **0083X-2011** To strongly urge Governor John Kasich to veto legislation passed by the Ohio General Assembly allowing gun-permit holders to carry concealed weapons into bars, restaurants and open-air arenas that serve alcohol.

**Sponsors:** Michelle M. Mills, Hearcel Craig, Andrew Ginther, Zachary M. Klein, A. Troy Miller, Eileen Y. Paley and Priscilla Tyson

## ADDITIONS OR CORRECTIONS TO THE AGENDA

### FR FIRST READING OF 30-DAY LEGISLATION

### ADMINISTRATION: MILLER, CHR. PALEY TYSON GINTHER

- FR     [0259-2011](#)     To authorize the Director of the Department of Technology to renew a contract with Decade Software Company, LLC, for the EnvisionConnect software license maintenance and support services, on behalf of the Columbus Public Health Department, in accordance with the sole source provisions of the Columbus City Code; and to authorize the expenditure of \$78,300.00 from the Department of Technology Internal Services Fund. (\$78,300.00)
- FR     [0537-2011](#)     To authorize the Director of the Department of Technology and the Director of the Department of Building and Zoning Services, to renew an annual subscription service contract for user access licenses and support with the National Fire Protection Association (NFPA) electronic fire codes; in accordance with the sole source provisions of the Columbus City Code; and to authorize the expenditure of \$27,500.00 from the Department of Technology Internal Services Fund. (\$27,500.00)

**PUBLIC UTILITIES: PALEY, CHR. CRAIG KLEIN GINTHER**

- FR     [0678-2011](#)     To authorize the Director of Finance and Management to establish Blanket Purchase Orders with PVS Chemical Solutions Inc., for the purchase of Wastewater Treatment Chemicals from an established Universal Term Contract for the Division of Sewerage and Drainage; and to authorize the expenditure of \$73,000.00 from the Sewerage System Operating Fund. (\$73,000.00)

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

- FR     [0719-2011](#)     To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential District; 3332.05, Area district lot width requirements; and 3332.14, R-2F area district requirements, of the Columbus City Codes; for the property located at 135 EAST MAYNARD AVENUE (43202), to conform an existing three-unit dwelling with reduced development standards in the R-2F, Residential District and to declare an emergency (Council Variance #CV11-007).

**CA     CONSENT ACTIONS**

**RESOLUTIONS OF EXPRESSION:**

**CRAIG**

- CA     [0078X-2011](#)     To honor, recognize and celebrate the life of Kai Steven Lamar and to extend our sincerest condolences to his family and friends on the occasion of his death on Wednesday, May 4, 2011
- CA     [0080X-2011](#)     To recognize the Isabelle Ridgway Care Center on their 99th Anniversary of embracing and embodying their core values of Respect,

Companionship, and Family for the elderly.

**Sponsors:** Hearcel Craig, Zachary M. Klein, A. Troy Miller, Michelle M. Mills, Eileen Y. Paley, Priscilla Tyson and Andrew Ginther

## KLEIN

CA [0077X-2011](#) To recognize May 21, 2011 as National Kids to Parks Day

**Sponsors:** Zachary M. Klein, Hearcel Craig, A. Troy Miller, Michelle M. Mills, Eileen Y. Paley, Priscilla Tyson and Andrew Ginther

## MILLS

CA [0075X-2011](#) To recognize and commend Fire Battalion Chief Robert D. Jackson for his 37 ½ years of distinguished service to the City of Columbus on his retirement from the Columbus Division of Fire on May 18, 2011.

**Sponsors:** Michelle M. Mills, Hearcel Craig, Zachary M. Klein, A. Troy Miller, Eileen Y. Paley, Priscilla Tyson and Andrew Ginther

## FINANCE: TYSON, CHR. MILLER PALEY GINTHER

CA [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)

CA [0648-2011](#) To authorize the Director of Finance and Management to execute those documents necessary to enter into contract with Pewamo Ltd., a Domestic Limited Liability Company, for the sale of City-owned surplus property located on Duvall Road, Ashville, Ohio 43103 and to execute those documents necessary to grant fee simple title; and to declare an emergency.

CA [0649-2011](#) To authorize the Director of Finance and Management to execute those documents necessary to enter into contract with Ronald J. and Deborah A. Jahn, for the sale of City-owned surplus property located on Little Walnut Road, Ashville, Ohio 43103 and to execute those documents necessary to grant fee simple title; and to declare an emergency.

CA [0656-2011](#) To authorize and direct the Finance and Management Director to modify past, present and future contracts and purchase orders with Nortrax-Great Lakes Inc. to Murphy Tractor & Equipment Company; and to declare an emergency. (\$0)

- CA     [0716-2011](#)     To authorize an amendment to the 2011 Capital Improvements Budget in order to adjust the budget authority as a result of previously passed transportation ordinances and to declare an emergency.

**RECREATION & PARKS: KLEIN, CHR. MILLS TYSON GINTHER**

- CA     [0634-2011](#)     To authorize and direct the Director of Recreation and Parks to extend the contract with Real Living Business for building management and maintenance services for the Central Ohio Area Agency on Aging for an additional twelve months beginning July 1, 2011; to authorize the expenditure of up to \$200,000.00 from the Recreation and Parks Grant Fund; and to declare an emergency. (\$200,000.00)

- CA     [0638-2011](#)     To authorize and direct the Director of Recreation and Parks to enter into contract with Columbus Asphalt Paving, Inc. for the Alum Creek Trail - Stone Cliff Connector Project; to authorize the expenditure of a base bid of \$76,621.50 and a contingency of \$1,633.50 for a total of \$78,255.00 from the Voted Recreation and Parks Bond Fund 702; to amend the 2011 Capital Improvements Budget, and to declare an emergency. (\$78,255.00)

- CA     [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, Fund 746 Gov't B.A.B.S. (Build America Bonds). (\$90,000.00)

- CA     [0665-2011](#)     To authorize and direct the Director of Recreation and Parks to enter into contract with Franklin County Metro Parks for Whittier Peninsula Improvements; to authorize the transfer of \$300,000.00 within the Recreation and Parks Voted Bond Fund; to authorize the expenditure of \$300,000.00 from the Recreation and Parks Voted Bond Fund; and to declare an emergency. (\$300,000.00),

- CA     [0666-2011](#)     To authorize and direct the Director of Recreation and Parks to enter into a Guaranteed Maximum Reimbursement Agreement with Community Arts Project, Inc., doing business as the Martin Luther King Center hereinafter designated the "MLK Center", for the renovation of Garfield School and surrounding grounds; to authorize the transfer of \$600,000.00 within the Recreation and Parks Voted Bond Fund; to authorize the expenditure of \$600,000.00 from the Recreation and Parks Voted Bond Fund; and to declare an emergency. (\$600,000.00),

**Sponsors:**    Zachary M. Klein and Priscilla Tyson

- CA     [0672-2011](#)     To authorize and direct the Director of Recreation and Parks to enter into a Guaranteed Maximum Reimbursement Agreement with Franklin County Historical Society, dba COSI, for the renovation of the COSI facility and surrounding grounds; to authorize the transfer of \$500,000.00 within the Recreation and Parks Voted Bond Fund; to

authorize the expenditure of \$500,000.00 from the Recreation and Parks Voted Bond Fund; and to declare an emergency. (\$500,000.00),

- CA     [0742-2011](#)     To authorize and direct the Director of Recreation and Parks to grant consent to an organization to apply for permission to sell alcoholic beverages at the Pride 2011 Beer Garden Block Party; and to declare an emergency. (\$0.00)

**ADMINISTRATION: MILLER, CHR. PALEY TYSON GINTHER**

- CA     [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 SERVICE & TRANSPORTATION: PALEY, CHR. CRAIG MILLER GINTHER**

- CA     [0699-2011](#)     To authorize the expenditure of \$1,000.00 from the appropriated balance of the private grant fund within the Department of Public Service, Division of Refuse Collection; and to declare an emergency. (\$1,000.00)
- CA     [0708-2011](#)     To accept the plat titled "Village at Albany Crossing Section 7", from Dominion Homes, Inc., an Ohio corporation, by Matthew J. Callahan, Vice President of Land Operations; and to declare an emergency.

**PUBLIC UTILITIES: PALEY, CHR. CRAIG KLEIN GINTHER**

- CA     [0329-2011](#)     To authorize the Public Utilities Director to enter into agreement with the Director of the Ohio Department of Transportation for reimbursement for the installation of street lighting poles near an ODOT Bridge Project; to authorize the Director of Public Service to enter into agreements necessary for the rehabilitation of the US 23 (4th Street) over Convention Center Connector and Railroad structure; to authorize the transfer and expenditure of \$15,790.00 within the Electricity Bonds Fund; to authorize amendments to the 2011 Capital Improvements Budget; to authorize and direct the City Auditor to appropriate and transfer \$7,000.00 from the Special Income Tax Fund to the Streets and Highways G.O. Bonds Fund; to authorize the City Auditor to appropriate \$7,000.00 within the Streets and Highways G.O. Bonds Fund; to authorize the expenditure of \$7,000.00 from the Streets and Highways G.O. Bonds Fund and to declare an emergency. (\$22,790.00)

- CA     [0597-2011](#)     To authorize the Director of Public Utilities to enter into a professional services contract with Resource International, Inc. in the amount of \$300,000 for General Engineering Services for the Division of Sewerage and Drainage; to transfer within and expend \$200,000.00 from the Sanitary Sewer General Obligation Bond Fund; to expend \$100,000.00 from the Storm Build America Bonds Fund; to amend the 2011 Capital Improvements Budget; and to declare an emergency. (\$300,000)
- CA     [0680-2011](#)     To authorize and direct the Director of Public Utilities to modify all contracts and agreements with Crace Construction Company by assigning past, present and future contracts and agreements to Crace Construction Company Liquidating Trust, and to declare an emergency. (\$0)
- CA     [0689-2011](#)     To authorize the Director of Finance and Management to establish a Blanket Purchase Order with Bonded Chemicals from a Universal Term Contract for the purchase of Wastewater Treatment Chemicals for the Division of Sewerage and Drainage, to authorize the expenditure of \$297,000.00 from the Sewerage System Operating Fund, and to declare an emergency. (\$297,000.00)
- CA     [0695-2011](#)     To authorize the Director of Public Utilities to enter into a Guaranteed Maximum Reimbursement agreement with BJM Company, Inc. pursuant to Section 186 of the Columbus City Charter for the construction of needed improvements to the Refugee Road Storm Sewer for the Division of Sewerage and Drainage; to amend the 2011 Capital Improvements Budget; to authorize the transfer and expenditure of \$300,254.03 from the Storm Recovery Zone Super Build America Bonds Fund; and to declare an emergency. (\$300,254.03)

## APPOINTMENTS

- CA     [A0061-2011](#)     Appointment of Charles Hillman, Columbus Metropolitan Housing Authority, 880 E. 11th Ave., Columbus, Ohio 43211 to serve on the Joint Columbus and Franklin County Housing Advisory Board replacing Dennis Guest with a new term expiration date of December 31, 2012 (resume attached)
- CA     [A0062-2011](#)     Reappointment of Kenneth Danter, Danter Company, 30 Spruce Street, Columbus, OH 43215 to serve on the Joint Columbus & Franklin County Housing Advisory Board with a new term expiration date of December 31, 2013 (resume attached).
- CA     [A0063-2011](#)     Reappointment of Joseph Kasberg, 9906 Long Road, Canal Winchester, OH 43110 to serve on the Joint Columbus & Franklin County Housing Advisory Board with a new term expiration date of December 31, 2013 (resume attached).



- CA     [A0064-2011](#)     Reappointment of Sharon Francis, 2006 Hegemon Crest Drive, Columbus, Ohio 43219 to serve on the Joint Columbus and Franklin County Housing Advisory Board, with a new term expiration of December 31, 2012 (resume attached).
- CA     [A0065-2011](#)     Appointment of Terry Brown, 444 South Westgate Avenue, Columbus, Ohio 43204 to serve on the Joint Columbus and Franklin County Housing Advisory Board replacing Khaled Shammout, with a new term expiration date of December 31, 2013 (resume attached)
- CA     [A0066-2011](#)     Reappointment of Chad Jester, One Nationwide Plaza, 36th floor, Columbus, OH 43215 to serve on the Community Shelter Board of Trustees with a new term expiration of June 30, 2014 (resume attached)
- CA     [A0067-2011](#)     Reappointment of Colleen Buzza, 4385 Cordova Drive, New Albany, Ohio 43054 to serve on the Community Shelter Board of Trustees, with a new term expiration date of June 30, 2013 (resume attached).
- CA     [A0068-2011](#)     Reappointment of Teresa McWain, American Electric Power, 1 Riverside Plaza, Columbus, Ohio, 43215 to serve on the Community Shelter Board of Trustees with a new term expiration date of June 30, 2014. (resume attached)
- CA     [A0069-2011](#)     Appointment of Robert Patterson, 2664 Diane Place, Columbus, Ohio, 43207 to serve on the Sewer and Water Advisory Board replacing Richard Fahey with a new term expiration date of September 13th, 2012. (resume attached)

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

### **FINANCE: TYSON, CHR. MILLER PALEY GINTHER**

- [0715-2011](#)     To amend the 2011 Capital Improvements Budget; to authorize the City Auditor to transfer \$87,424.00 between projects within the Construction Management Capital Improvement Fund; to authorize the Finance and Management Director to modify a contract on behalf of the Office of Construction Management with Lithko Restoration Technologies, LLC for the renovation of the 98-102 North Front Street parking garage; to authorize the expenditure of \$160,593.00 from the Construction Management Capital Improvement, Gov'l B.A.B.'s (Build America Bonds) Fund; and to declare an emergency. (\$160,593.00)

### **HEALTH, HOUSING & HUMAN SERVICES: CRAIG, CHR. MILLS TYSON GINTHER**

- [0691-2011](#)     To authorize and direct the Board of Health to enter into a contract with the Ohio Hispanic Coalition for promotoras services; to authorize the total expenditure of \$32,000.00 from the Health Special Revenue Fund; and to declare an emergency (\$32,000.00).



**0692-2011**

To authorize and direct the Board of Health to enter into a contract with Access 2 Interpreters, LLC for interpretation and translation services; to authorize the total expenditure of \$158,000.00 from the Health Special Revenue Fund and to declare an emergency (\$158,000.00).

**DEVELOPMENT: KLEIN, CHR. MILLER TYSON GINTHER****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.

*(REQUEST TO AMEND AS SUBMITTED TO THE CLERK)*

**RECREATION & PARKS: KLEIN, CHR. MILLS TYSON GINTHER****0624-2011**

To authorize an appropriation in the amount of \$83,000,000.00 from the unappropriated balance of the Recreation and Parks Grant Fund to the Recreation and Parks Department to provide home care and assisted living services to older adults in connection with the PASSPORT and Assisted Living Medicaid Waiver Programs in Central Ohio; and to declare an emergency. (\$83,000,000.00)

**0625-2011**

To authorize the expenditure of up to \$80,000,000.00 from the Recreation and Parks Grant Fund in order to increase various contracts for the provision of PASSPORT home care and Assisted Living services administered by the Central Ohio Area Agency on Aging; and to declare an emergency. (\$80,000,000.00)

**0659-2011**

To authorize and direct the Director of Recreation and Parks to enter into a guaranteed maximum price agreement under section 186 of the Columbus City Charter with Columbus Downtown Development Corporation for the administration of the Columbus Commons Project; to waive the competitive bidding provisions of Chapter 329 of the Columbus City Codes; to authorize the transfer of \$1,000,000.00 within the Recreation and Parks Voted Bond Fund; to authorize the expenditure of \$1,000,000.00 from the Recreation and Parks Voted Bond Fund; and to declare an emergency. (\$1,000,000.00),  
(REPEALED BY ORDINANCE 1123-2011 PASSED 07/25/2011)

**0664-2011**

To authorize and direct the Director of Recreation and Parks to enter into contract with Franklin Park Conservatory for the implementation of the Franklin Park Master Plan; to authorize the transfer of \$1,300,000.00 within the Recreation and Parks Voted Bond Fund; to authorize the expenditure of \$1,300,000.00 from the Recreation and Parks Voted Bond Fund; and to declare an emergency. (\$1,300,000.00),

**Sponsors:** Zachary M. Klein and Priscilla Tyson

- 0682-2011** To authorize the transfer of \$4,735,968.25 within the Recreation and Parks Voted Bond Fund; to amend the 2011 Capital Improvements Budget; and to declare an emergency. (\$4,735,968.25)
- 0747-2011** To authorize the Director of Recreation and Parks to enter into an agreement with the Columbus Zoological Park Association to provide in-kind services in conjunction with the Melvin B. Dodge Summer Zoo Days 2011; and to declare an emergency.

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

- 0701-2011** To authorize the appropriation of \$40,000.00 for 2011 from the unappropriated balance of the Franklin County Municipal Court Judges home incarceration program fund for all anticipated expenses associated with the electronic monitoring services; and to declare an emergency. (\$40,000.00)
- 0718-2011** To authorize and direct the Administrating and Presiding Judge of the Franklin County Municipal Court to enter into contract with Alcohol Monitoring Systems, Inc. for continuation of the monitoring services associated with the continuous alcohol monitoring devices to authorize the expenditure of up to \$40,000 for monitoring services; to waive the competitive bidding provisions of the Columbus City Code; and to declare an emergency. (\$40,000.00)

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

- 0681-2011** To authorize the Director of Public Service to enter into contract with Complete General Construction for the Bridge Rehabilitation - Annual Citywide Contract Project; to provide for the payment of inspection services in connection with the project; to authorize and direct the City Auditor to transfer \$1,437,500.00 from the Special Income Tax Fund to the Streets and Highways G.O. Bonds Fund; to authorize the City Auditor to appropriate \$1,437,500.00 within the Streets and Highways G.O. Bonds Fund; to authorize the expenditure of \$1,437,500.00 from the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$1,437,500.00)
- 0726-2011** To authorize the Director of Public Service to enter into contract with Complete General Construction for the Pedestrian Safety Improvements - Lane Avenue Sidewalks Project; to provide for the payment of inspection services in connection with the project; to authorize the City Auditor to appropriate and transfer \$211,409.72 from the Special Income Tax Fund to the Streets and Highways G.O. Bonds Fund; to authorize the City Auditor to appropriate \$211,409.72 within the Streets and Highways G.O. Bonds Fund and \$25,822.93 within the Special Purpose Fund; to authorize the transfer of funds from the Streets and Highways G.O. Bonds Fund and the Special Purpose Fund to the Fed-State Highway Engineering Fund; to appropriate

\$1,968,296.07 from the Fed-State Highway Engineering Fund and \$71,456.34 in the Local Government Grant Fund; to authorize the expenditure of \$1,918,940.73 from the Fed-State Highway Engineering Fund and \$71,456.34 in the Local Government Grant Fund; and to declare an emergency. (\$1,990,397.07)

**PUBLIC UTILITIES: PALEY, CHR. CRAIG KLEIN GINTHER**

**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)

**0596-2011**

To authorize the Director of Public Utilities to enter into a professional services contract with R.W. Armstrong & Associates, Inc. in the amount of \$300,000 for General Engineering Services for the Division of Sewerage and Drainage; to transfer within and expend \$200,000.00 from the Sanitary Sewer General Obligation Bond Fund; to expend \$100,000.00 from the Storm Build America Bonds Fund; to amend the 2011 Capital Improvements Budget; and to declare an emergency. (\$300,000.00)

**ADJOURNMENT**