



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, May 14, 2012

5:00 PM

City Council Chambers, Rm 231

REGULAR MEETING NO. 25 OF COLUMBUS CITY COUNCIL, MONDAY, MAY 14, 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 Craig, 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 [C0016-2012](#) THE CITY CLERK'S OFFICE RECEIVED THE FOLLOWING
COMMUNICATIONS AS OF, WEDNESDAY, May 9, 2012:

Transfer Type: C1, C2
To: Arshad Columbus LLC
DBA Save Way Mini Mart
2585 W Broad St
Columbus OH 43204
From: Red Flag LLC
DBA Save Way Mini Mart
2585 W Broad St
Columbus OH 43204
Permit #0276534

Transfer Type: D1
To: House Beer LLC
843 N High St
Columbus OH 43215
From: Porters Pub LLC

& Patio
5225 N High St
Columbus OH 43214
Permit #40045730005

Transfer Type: D1, D3, D6
To: Gallos Pit BBQ LLC
DBA Gallos Pit BBQ & Patios
2234 W Dublin Granville Rd
Columbus OH 43085
From: Hogs Again LLC
Jack Harris RCVR
DBA Hoggys Linworth & Patios
2234 W Dublin Granville Rd
Columbus OH 43085
Permit #3905275

Transfer Type: C1, C2
To: 935 Mary Jo Inc
DBA Mary Jos
935 Sullivant Av
Columbus OH 43223
From: Manar Kittaneh
935 Sullivant Av
Columbus OH 43223
Permit # 6425263

Transfer Type: D5
To: Kingdom Investment Services LLC
DBA The Stompin Ground
1108 E Livingston Av
Columbus OH 43205
From: Kelly Enterprises Inc
DBA Office Lounge
1108 E Livingston Av
Columbus OH 43205
Permit #4647850

Advertise Date: 5/19/12
Agenda Date: 5/14/12
Return Date: 5/24/12

Read and Filed

RESOLUTIONS OF EXPRESSION

GINTHER

- 2 [0098X-2012](#) To recognize and honor the Komen Columbus Race for the Cure and the Susan G. Komen for the Cure for their tireless efforts to raise the funding needed for research in order to end breast cancer once and for all.

A motion was made by Ginther, 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

KLEIN

- 3 [0097X-2012](#) To recognize The Ohio Machine of Major League Lacrosse for its 2012 inaugural season.

A motion was made by Klein, 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

TYSON

- 4 [0101X-2012](#) To honor and recognize the Pickerington High School Central Tigers for winning the 2012 OHSAA Division I Boys Basketball State Championship.

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 COUNCILMEMBER CRAIG, SECONDED BY COUNCILMEMBER PALEY TO WAIVE THE READING OF THE TITLES OF FIRST READING LEGISLATION. THE MOTION CARRIED THE FOLLOWING VOTE: AFFIRMATIVE: 7 NEGATIVE:

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

- FR-1 [0755-2012](#) To authorize the payment of \$11,952.83 for vacation time and benefits which have accumulated in excess of the maximum amount established by salary ordinance for Fire Division personnel. (\$11,952.83)

Read for the First Time

PUBLIC UTILITIES: PALEY, CHR. CRAIG KLEIN GINTHER

- FR-2 [0677-2012](#) To authorize the Director of Public Utilities to execute a construction contract with U.S. Utility Contractor Company for Phase 2 of the Street Lighting Circuit Program; and to authorize the expenditures of \$552,535.78 within the Electricity G. O. Bonds Fund for the Division of Power and Water (Power). (\$552,535.78)

Read for the First Time

- FR-3 [0678-2012](#) To authorize the Director of Public Utilities to execute a construction contract with Jess Howard Electric Company for Phase 3 of the Street Lighting Circuit Program; and to authorize the expenditures of \$887,473.66 within the Electricity G. O. Bonds Fund for the Division of Power and Water (Power). (\$887,473.66)

Read for the First Time

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

- FR-4 [0976-2012](#) To grant a Variance from the provisions of Sections 3356.03, C-4 Permitted Uses; and 3372.604(A), Setback requirements, of the Columbus City codes; for the property located at 1644 NORTH HIGH STREET (43201), to permit a maximum of seven apartment units within an existing mixed-use building with an increased building setback in the C-4, Commercial District (Council Variance # CV12-012).

Read for the First Time

CA CONSENT ACTIONS

RESOLUTIONS OF EXPRESSION:

CRAIG

- CA-1 [0099X-2012](#) To honor and recognize Armed Forces Day in Columbus, Ohio.

This item was approved on the Consent Agenda.

- CA-2 [0103X-2012](#) To honor and recognize the 50th Anniversary of the Forest Park Civic Association.

This item was approved on the Consent Agenda.

GINTHER

- CA-3** [0102X-2012](#) To recognize, commemorate and celebrate Finance Fund on the occasion of their 25th anniversary of service to Columbus and communities throughout Ohio.
- This item was approved on the Consent Agenda.

FINANCE: TYSON, CHR. MILLER PALEY GINTHER

- CA-4** [0574-2012](#) To authorize the City Auditor to transfer \$100,000.00 within General Fund of the office of City Council to align budget authority with projected expenditures and to declare an emergency. (\$100,000.00)
- This item was approved on the Consent Agenda.

DEVELOPMENT: KLEIN, CHR. TYSON CRAIG GINTHER

- CA-5** [0967-2012](#) To accept application AN11-011 filed by Richard and Cindy Williamson for the annexation of certain territory containing .562 ± acres in Prairie Township.
- This item was approved on the Consent Agenda.
- CA-6** [1004-2012](#) To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of one parcel of real property (786 South Seventeenth Street) held in the Land Bank pursuant to the Land Reutilization Program and Neighborhood Stabilization Program; and to declare an emergency.
- This item was approved on the Consent Agenda.
- CA-7** [1058-2012](#) To authorize the transfer of \$84,525.00 within the Department of Development, Housing Division, Community Development Block Grant Fund; and to declare an emergency. (\$84,525.00)
- This item was approved on the Consent Agenda.

RECREATION & PARKS: KLEIN, CHR. TYSON MILLS GINTHER

- CA-8** [0867-2012](#) To authorize and direct the Director of Recreation and Parks to modify and extend a contract with Catholic Social Services, Inc. in connection with the Title IIIA Nursing Home Transitions; to authorize the expenditure of \$80,000.00 from the Recreation and Parks Grant Fund; and to declare an emergency. (\$80,000.00)
- This item was approved on the Consent Agenda.

- CA-9** [0885-2012](#) To authorize the City Attorney to acquire fee simple title and lesser interests in an approximate 25 +/--acre tract of real property near Galloway Road and Alkire Road owned by Braumiller Development, LLC, an Ohio limited liability company, contract for professional services, and to expend up to \$60,000.00 from the Department of the Recreation and Parks Voted Bond Fund for costs in connection with the Department of the Recreation and Parks; and to declare an emergency. (\$60,000.00).

This item was approved on the Consent Agenda.

- CA-10** [0970-2012](#) To authorize the Finance and Management Director to enter into contracts for the option to purchase Recreation and Parks Wearing Apparel with Midwest Graphics & Awards and with Great Opportunities Inc., DBA Sportsales, 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 item was approved on the Consent Agenda.

- CA-11** [0994-2012](#) To authorize and direct the Director of the Recreation and Parks Department to apply for and accept a grant in the amount of \$35,000.00 from the Walmart Foundation received through the National Recreation and Parks Association to expand the department's summer food program; to appropriate these funds to the Recreation and Parks Private Grant Fund; and to declare an emergency. (\$35,000.00)

This item was approved on the Consent Agenda.

TECHNOLOGY: MILLER, CHR. KLEIN MILLS GINTHER

- CA-12** [0834-2012](#) To authorize the Director of the Department of Finance and Management, on behalf of the Department of Technology, to establish two (2) purchase orders from two (2) pre-existing Universal Term Contracts (UTCs) for the acquisition of equipment and maintenance with Pomeroy IT Solutions and Blue Apple Technologies, LLC associated with Metronet's EOL network equipment upgrade project; and to authorize the expenditure of \$144,553.07 from the Department of Technology, Information Services Division, Capital Improvement Bond Fund. (\$144,553.07).

This item was approved on the Consent Agenda.

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

- CA-13** [0968-2012](#) To authorize the Director of Public Service to enter into contract with Chemcote, Inc. and to provide for the payment of construction

administration and inspection services, in connection with the Columbus Housing Initiatives - The Charles Roadway Improvements project; to amend the 2012 Capital Improvements Budget; to authorize the transfer of monies within the Streets and Highways G.O. Bonds Fund; to authorize the expenditure of \$97,177.58 from the Streets and Highways G.O. Bonds Fund for the Development Department; and to declare an emergency. (\$97,177.58)

This item was approved on the Consent Agenda.

CA-14 [0985-2012](#)

To authorize the Director of Public Service to expend \$171,052.21 or so much thereof as may be necessary to reimburse the Street Construction, Maintenance and Repair Fund for traffic sign and signal installation, permanent pavement marking, roadway improvement design and construction expenses, salaries, overhead, overtime, materials and other direct costs incurred by the Fund in connection with the Division of Planning and Operations' capital improvements program; to amend the 2012 C.I.B.; to authorize the transfer and expenditure of monies within the Streets and Highways G.O. Bond Fund for the Department of Public Service; and to declare an emergency. (\$171,052.21)

This item was approved on the Consent Agenda.

CA-15 [0095X-2012](#)

To declare the necessity and intent to appropriate highway and permanent easements in, over, under, across, and through certain real estate in connection with the Warner Road Project Phase I, and to declare an emergency.

This item was approved on the Consent Agenda.

PUBLIC UTILITIES: PALEY, CHR. CRAIG KLEIN GINTHER

CA-16 [0777-2012](#)

To authorize the Finance and Management Director to establish Blanket Purchase Orders, based on existing Universal Term Contracts; for parts needed to refurbish settling basins and flocculation channels at the Hap Cremean Water Treatment Plant; for the Division of Power and Water; to authorize a transfer within and an expenditure up to \$325,000.00 from the Water Works Enlargement Voted Bonds Fund; and to amend the 2012 Capital Improvements Budget. (\$325,000.00)

This item was approved on the Consent Agenda.

CA-17 [0839-2012](#)

To authorize the Director of Public Utilities to enter into a planned modification of Electric Motor Maintenance Services contract with Mid Ohio Electric Company for the Division of Power and Water and Division of Sewerage and Drainage, to authorize the expenditure of \$77,000.00 from Water Operating Fund and \$150,000.00 from the

Sewerage System Operating Fund. (\$227,000.00)

This item was approved on the Consent Agenda.

- CA-18** [0841-2012](#) To authorize the Director of Public Utilities to modify and increase the Hap Cremean Water Plant Sludge Lagoon Improvements agreement with ms consultants, inc.; for construction administration / construction inspection services for Part 5 of the project; to authorize a transfer and expenditure up to \$731,912.00 within the Water Works Enlargement Voted Bonds Fund; for the Division of Power and Water; and to amend the 2012 Capital Improvements Budget. (\$731,392.00)

This item was approved on the Consent Agenda.

- CA-19** [0863-2012](#) To authorize the Director of Public Utilities to enter into a Reimbursement Agreement with the Franklin County Engineer's Office, for replacement of a culvert at Cooke Road over Adena Brook; known as the Cooke Road 20-Inch Water Main Improvements Project; to authorize the deposit up to \$400,000.00 within the Water Permanent Improvement Fund; and to declare an emergency.

This item was approved on the Consent Agenda.

- CA-20** [0869-2012](#) To authorize the Director of Public Utilities to enter into a Guaranteed Maximum Reimbursement agreement with GAY STREET CONDOMINIUM, LLC., pursuant to Section 186 of the Columbus City Charter for the construction of needed improvements to the Long Street Sewer for the Division of Sewerage and Drainage; to authorize the transfer within and expenditure up to \$124,582.07 from the Sanitary Sewer General Obligation Bond Fund; to authorize an amendment to the 2012 Capital Improvements Budget; and to declare an emergency. (\$124,582.07)

This item was approved on the Consent Agenda.

APPOINTMENTS

- CA-21** [A0074-2012](#) Appointment of Lucy Wolfe 2800 Eastcleft Drive, Columbus, Ohio 43221 to serve on the Livingston Avenue Area Commission with a term expiration date of December 31, 2014.

This item was approved on the Consent Agenda.

- CA-22** [A0075-2012](#) Appointment of Robert Leighty 1280 South Fourth Street Columbus Ohio 43206 to serve on the Columbus South Side Area Commission with a term expiration date of December 31, 2012 (resume attached).

This item was approved on the Consent Agenda.

- CA-23** [A0076-2012](#) Appointment of Jim Lashbrook 371 Roys Avenue Columbus Ohio

43204 to serve on the Greater Hilltop Area Commission with a term expiration date of July 31, 2012 (resume attached).

This item was approved on the Consent Agenda.

Approval of the Consent Agenda

A motion was made by Craig, seconded by Tyson, 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 [0949-2012](#) To authorize the Finance and Management Director to renew and modify a contract with Kone, Inc. for maintenance and service of elevators in various City facilities under the purview of the Facilities Management Division; to authorize the expenditure of \$205,357.00 from the General Fund and Construction Management Capital Improvement Fund; and to declare an emergency. (\$205,357.00)

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

ADMINISTRATION: CRAIG, CHR. MILLER PALEY GINTHER

SR-2 [1003-2012](#) To accept Memorandum of Understanding #2012-01 executed between representatives of the City of Columbus and American Federation of State, County and Municipal Employees (AFSCME), Ohio Council 8, Local 1632, which amends the Collective Bargaining Contract, April 1, 2011 through March 31, 2014; and to declare an emergency.

A motion was made by Craig, 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-3 [0774-2012](#) To authorize the Director of Recreation and Parks to enter into a contract with the Columbus Zoological Park Association to provide transportation, shirts and novelties for children from the Recreation

and Parks playground program to the Columbus Zoo and Aquarium as a part of the Melvin B. Dodge Summer Zoo Days; 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

SR-4 [0966-2012](#)

To authorize the City Auditor to set up a certificate in the amount of \$232,202.00 for various expenditures for labor, material and equipment in conjunction with park improvements; to authorize the transfer of \$214,702.00 within the Recreation and Parks Fund 702; to authorize the transfer of \$17,500.00 within the Recreation and Parks Fund 746, to amend the 2012 Capital Improvement Budget; to authorize the expenditure of \$232,202.00 from the Voted Recreation and Parks Bond Fund; and to declare an emergency. (\$232,202.00)

A motion was made by Klein, seconded by Paley, 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-5 [0971-2012](#)

To authorize the expenditure of \$77,504.71 from the Recreation and Parks Bond Fund 746 Governmental B.A.B. (Build America Bonds) and \$122,495.29 from the Recreation and Parks Voted Bond Fund 702 for facility improvements; to authorize the transfer of \$765,335.96.00 within the Recreation and Parks Fund 702; to amend the 2012 Capital Improvement Budget; and to declare an emergency.

A motion was made by Klein, seconded by Paley, 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-6 [0702-2012](#)

To authorize and direct the City Attorney to settle the case of Virgil E. Jones, Sr. v. Megan Faenza, et al., pending in the Franklin County Court of Common Pleas; to authorize the expenditure of the sum of Forty-two Thousand Six Hundred Dollars (\$42,600.00) in settlement of this lawsuit; and to declare an emergency.

A motion was made by Mills, 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 SERVICE & TRANSPORTATION: PALEY, CHR. CRAIG MILLER GINTHER

SR-7 [0879-2012](#) To authorize the Director of Public Service to enter into contract with John Eramo & Sons, Inc. and to provide for the payment of construction administration and inspection services, in connection with the Arterial Street Rehabilitation - Fairwood Avenue/Watkins Road-Koebel Road project; to amend the 2012 Capital Improvements Budget; to authorize the transfer of monies within the Streets and Highways G.O. Bonds Fund, Storm Recovery Zone Super BABs Fund and Storm Sewer Bonds Fund ; to authorize the appropriation of funds within the Street and Highway Improvement Fund; to authorize the expenditure of \$2,297,445.82 from the Streets and Highways G.O. Bonds Fund and the Street and Highway Improvement Fund for the Division of Design and Construction, \$1,462,537.80 from the Storm Recovery Zone Super BABs Fund and Storm Sewer Bonds Fund for the Division of Sewerage and Drainage; and to declare an emergency. (\$3,759,983.61)

A motion was made by Paley, 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 [0916-2012](#) To authorize the Director of Public Service to enter into a professional service contract with HNTB Ohio, Inc. for the design of the Traffic Signal Installation - Columbus Traffic Signal System Phase C Project for the Division of Design and Construction; to amend the 2012 Capital Improvement Budget; to authorize the transfer and expenditure of \$1,100,000.00 within the Streets and Highways G.O. Bonds Fund; and to declare an emergency (\$1,100,000.00).

A motion was made by Paley, 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 UTILITIES: PALEY, CHR. CRAIG KLEIN GINTHER

SR-9 [0421-2012](#) To authorize and direct the Director of Public Utilities to accept and enter into an Intergovernmental Agreement with Franklin County Emergency Management & Homeland Security Agency for a U.S. Homeland Security Grant; for the purchase and installation of fiber optic cabling at the Hap Cremean Water Plant; to authorize the Director of Public Utilities to establish a contract with Echo 24 Inc.; to waive the provisions of competitive bidding; for the Division of Power and Water; in the amount of \$185,000.00; within the Water Grant Fund; to appropriate the funds necessary to construct the project; and to declare an emergency. (\$185,000.00)

A motion was made by Paley, 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-10 [0687-2012](#)

To authorize the Director of Public Utilities to enter into a construction contract with Complete General Construction Company, in connection with the Mound Street, I71 Sewer Separation Project; to authorize the transfer of funds within the Sanitary Sewer General Obligation Bond Fund, to authorize the expenditure of \$1,554,187.62, and amend the 2012 Capital Improvement Budget. (\$1,554,187.62)

A motion was made by Paley, 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

ADJOURNMENT

ADJOURNED AT 5:47 PM

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

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