City of Columbus

Agenda - Tentative

Columbus City Council

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

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 17, 2010 | **5:00 PM** | **City Council Chambers, Rm 231**

REGULAR MEETING NO. 26 OF COLUMBUS CITY COUNCIL, MAY 17, 2010 at 5:00 P.M. IN COUNCIL CHAMBERS.

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

C0014-2010 THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY CLERK'S OFFICE AS OF WEDNESDAY MAY 12, 2010:

New Type: D3
To: Le Chocoholique Corp
601 N High St
Columbus OH 43215
Permit # 5074150

New Type: D3A
To: Holley Entertainment LLC
4401 Crossroads Center
Columbus OH 43232
Permit # 3924490

Stock Type: D1, D3, D3A
To: Trabue Tavern Inc
DBA Trabue Tavern
3582 Trabue Rd
Columbus OH 43204
Permit # 9030295

Transfer Type: D1, D3, D3A
To: Top Shelf Entertainment LLC
5610 Hall Rd
Columbus OH 43119
From: City Limits Café LLC
5610 Hall Rd
Columbus OH 43119
Permit # 8990213

Transfer Type: D5A, D6
To: ANR Columbus Hotel LLC

DBA Homewood Suites
115 Hutchinson Av
Columbus OH 43235
From: Crosswoods Hotel Investors LLC
115 Hutchinson Av
Columbus OH 43235
Permit # 0301980

Transfer Type: D5, D6
To: OTB Acquisition LLC
DBA On The Border Mexican Grill
& Cantina
4175 Morse Crossing & Patio
Columbus OH 43219-6015
From: Brinker Ohio Inc
DBA On The Border Mexican Cafe
4175 Morse Crossing & Patio
Columbus OH 43219-6015
Permit # 6600960

Transfer Type: D5, D6
To: We Are Family Restaurant Inc
DBA Panda Inn
1442-44-46 Bethel Rd
Columbus OH 43220
From: Tong & Xin Inc
DBA Panda Inn
1442-44-46 Bethel Rd
Columbus OH 43220
Permit # 9456280

Advertise: 05/22/2010
Return: 06/01/2010

RESOLUTIONS OF EXPRESSION

GINTHER

0076X-2010 To declare the week of May 16, 2010 National Emergency Medical Services Week in Columbus, Ohio.

Sponsors: Andrew Ginther

TAVARES

0058X-2010 To recognize and congratulate Cheryl A. Boyce upon her retirement as the Executive Director of the Ohio Commission on Minority Health.

Sponsors: Charleta B. Tavares

0074X-2010 To recognize the Office of Minority Health of Columbus Public Health for its exemplary effort in communicating and addressing health disparities in minority communities.

Sponsors: Charleta B. Tavares, Hearcel Craig, Andrew Ginther, A. Troy Miller, Eileen Y. Paley, Priscilla Tyson and Michael C. Mentel

TYSON

0077X-2010 To recognize National Bike Month and National Bike-to-Work Week in the City of Columbus.

Sponsors: Priscilla Tyson, Hearcel Craig, Andrew Ginther, A. Troy Miller, Eileen Y. Paley, Charleta B. Tavares and Michael C. Mentel

ADDITIONS OR CORRECTIONS TO THE AGENDA

FIRST READING OF 30-DAY LEGISLATION

FINANCE & ECONOMIC DEVELOPMENT: GINTHER, CHR. MILLER, TYSON MENTEL

0668-2010 **FR** To authorize the Finance and Management Director to renew a contract with Kone, Inc. for maintenance and service of elevators in various City facilities under the purview of the Facilities Management Division; and to authorize the expenditure of $158,800.00 from the General Fund. ($158,800.00)

0694-2010 **FR** To authorize the Director of the Department of Development to enter into an Enterprise Zone Agreement with Metro City Ventures, LLC. and Southwestern Acquisition, LLC. for a tax abatement of seventy-five percent (75%) for a period of ten (10) years on real property improvements in consideration of a proposed $1.59 million investment.

SAFETY: GINTHER CHAIR, PALEY CRAIG MENTEL

0687-2010 **FR** To authorize and direct the Finance and Management Director to sell to Officer Melissa Carlson for the sum of $1.00, a police canine with the registered name of "Altos", which has no further value to the Division of Police, and to waive provisions of the City Code-Sale of City Owned Personal Property. ($1.00)

UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL

0617-2010 **FR** To authorizes the Director of Public Utilities to enter into an engineering agreement with Black and Veatch in the amount of $2,663,185.00 for professional engineering services for the OSIS Augmentation and Relief Sewer (OARS), Phase 1 Project; to transfer within and expend $2,663,185.00 from the Sanitary Build America Bond (B.A.B.s) Fund; and to amend the 2010 Capital Improvements Budget to establish sufficient budget authority for this expenditure for the Division of Sewerage and Drainage. ($2,663,185.00)

RECREATION & PARKS: TYSON, CHR. TAVARES PALEY MENTEL

0673-2010 **FR** To authorize and direct the Director of Recreation and Parks to grant consent to the Leukemia and Lymphoma Society to apply for permission to sell alcoholic beverages at Waterfire Columbus on August 6 and August 27, 2010.

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

0713-2010 **FR** To rezone 50 CARDINAL PARK DRIVE (43213), being 4.13± acres located at the northeast corner of Cardinal Park Drive and Tolliver Road, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District (Rezoning # Z10-004).

CONSENT ACTIONS

RESOLUTIONS OF EXPRESSION:

GINTHER

0071X-2010 **CA** To recognize the OAPFF on the occasion of its 47th Biennial Conference, and to commend the organization for its services to Columbus Firefighters and to Firefighters statewide.

Sponsors: Andrew Ginther, Michael C. Mentel, Hearcel Craig, A. Troy Miller, Eileen Y. Paley, Charleta B. Tavares and Priscilla Tyson

MENTEL

0069X-2010 **CA** To honor and congratulate Molly C. Byrne on becoming the first woman and 70th President of the Shamrock Club of Columbus.

Sponsors: Michael C. Mentel

TYSON

0025X-2010 **CA** To recognize Columbus's 16th Annual Asian Festival, to be celebrated on May 29 and 30, 2010, at Franklin Park.

Sponsors: Priscilla Tyson

0072X-2010 **CA** To honor the service and volunteer efforts of the late Judy Camp, and to celebrate her recognition as the recipient of the Central Ohio Area Agency on Aging's 2010 Outstanding Service to Seniors Award.

Sponsors: Priscilla Tyson, Hearcel Craig, Andrew Ginther, A. Troy Miller, Eileen Y. Paley, Charleta B. Tavares and Michael C. Mentel

0075X-2010 **CA** To congratulate Stonewall Columbus on their 29th Year of Service to Central Ohio's GLBTQA Community.

Sponsors: Priscilla Tyson, Andrew Ginther, Eileen Y. Paley, Charleta B. Tavares, Michael C. Mentel, A. Troy Miller and Hearcel Craig

FINANCE & ECONOMIC DEVELOPMENT: GINTHER, CHR. MILLER, TYSON MENTEL

0688-2010 **CA** To authorize the appropriation of $584,482.20 from the Rocky Fork-Blacklick Tax Increment Financing Fund; to authorize and direct the payment of $584,482.20 to Metro Parks in accordance with the Metro Park Development Agreement; to authorize the expenditure of $584,482.20 from the Rocky Fork-Blacklick Tax Increment Financing Fund; and to declare an emergency. ($584,482.20)

0697-2010 **CA** To authorize the appropriation of $66,769.17 from the Crewville TIF Fund; to authorize and direct the payment of $66,769.17 to Nationwide Realty Investors, Ltd. dba Crewville, LTD in accordance with the Tax Increment Financing and Economic Development Agreement; to authorize the expenditure of $66,769.17 from the Crewville TIF Fund; and to declare an emergency. ($66,769.17)

SAFETY: GINTHER, CHR. PALEY CRAIG MENTEL

0604-2010 **CA** To authorize and direct the Director of Public Safety to enter into contract with ACISS Systems, Inc. for the purchase of an Intelligence/Case Management System for the Division of Police; to authorize the expenditure of $168,808.50 from the Government Grant and the Drug Seizure Funds; and to declare an

emergency ($168,808.50).

0660-2010 **CA** To authorize and direct the Director of Public Safety to modify and renew the contract with the Ohio Department of Public Safety, for the leasing of the LEADS equipment and interface for the Division of Police; to authorize the expenditure of $61,956.00 from the General Fund; and to declare an emergency. ($61,956.00)

0672-2010 **CA** To authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Jay-Car Construction Company, Inc. for the renovation of the apparatus bay floor at Fire Station No. 16, 1130 East Weber Road; to authorize the expenditure of $5,000.00 from the Safety Voted Bond Fund; and to declare an emergency. ($5,000.00)

0696-2010 **CA** To authorize and direct the Director of Public Safety to enter into a grant agreement with the State of Ohio, Department of Natural Resources, Division of Watercraft, to authorize an appropriation of $24,098.77 from the unappropriated balance of the General Government Grant Fund for the Division of Police for the operation of a Marine Patrol Program, and to declare an emergency. ($24,098.77)

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

0670-2010 **CA** To authorize and direct the Finance and Management Director to enter into one (1) contract for the option to purchase 300-Gallon Automated Refuse Containers and Replacement Parts with Rotonics Manufacturing, Inc.; to authorize the expenditure of one (1) dollar to establish this contract from the Mail, Print Services and UTC Fund; and to declare an emergency. ($1.00)

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

0067X-2010 **CA** To declare the necessity and intent to appropriate fee simple title and lesser interests in and to real estate in connection with the Emerald Parkway Roadway Improvement Project, and to declare an emergency.

0709-2010 **CA** To authorize the City Attorney to accept a supplemental grant award from the Franklin County Board of Commissioners, Office of Homeland Security and Justice Programs; the transfer of matching funds required by the acceptance of the grant; the appropriation of said funds for the Witness Assistance Program Database Project and Domestic Violence Advocate Training grant; and to declare an emergency. ($7,560.00)

UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL

0654-2010 **CA** To authorize and direct the Finance and Management Director to enter into a contract for the option to purchase Wemco Pump Parts with Environtech Pumpsystems Inc., dba Weir Specialty Pumps, in accordance with sole source provisions; to authorize the expenditure of $1.00 to establish the contract from the Mail, Print Services and UTC Fund Account, and to declare an emergency. ($1.00).

HEALTH AND HUMAN DEVELOPMENT COMMITTEE: TAVARES, CHR. TYSON GINTHER MENTEL

0620-2010 **CA** To authorize and direct the Board of Health to accept grant funds from the

Ohio Department of Health in the amount of $160,000.00 to authorize the appropriation of $160,000.00 from the Health Department Grants Fund, and to declare an emergency. ($160,000.00)

0621-2010 **CA** To authorize and direct the Board of Health to enter into contract with the Franklin County Board of Health, to authorize the expenditure of $160,000.00 from the Health Department Grants Fund; and to declare an emergency. ($160,000.00)

0634-2010 **CA** To authorize the Columbus Health Department to accept a grant from the Ohio Department of Health in the amount of $78,500.00; to authorize the appropriation of $78,500.00 from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency. ($78,500.00)

0664-2010 **CA** To authorize the Board of Health to enter into contract with KNS Services, Inc., for video monitoring equipment maintenance services; to authorize a total expenditure of $24,864.00 from the Health Special Revenue Fund; and to declare an emergency. ($24,864.00)

RECREATION & PARKS: TYSON, CHR. TAVARES PALEY MENTEL

0699-2010 **CA** To authorize the Director of Recreation and Parks to increase the local match funding in an agreement with the Ohio Department of Transportation for the development of a pedestrian/bikeway bridge; to authorize an expenditure of $77,800.00; and to declare an emergency. ($77,800.00)

APPOINTMENTS

A0092-2009 **CA** Appointment of Robert Fitrakis of 1240 Bryden Rd. Columbus, Ohio 43205 to serve on the Near East Area Commission with a tern expiration date of September 1, 2012 (resume attached).

A0040-2010 **CA** Reappointment of Councilmember Charleta Tavares, City Hall, 90 W. Broad St., Columbus, Ohio 43215 to serve on the Access Health Columbus Board of Directors effective July 1, 2010 and expiring on June 30, 2013 (resume attached).

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

FINANCE & ECONOMIC DEVELOPMENT: GINTHER, CHR. MILLER TYSON MENTEL

0675-2010 To authorize the City Auditor to establish a Post-Issuance Compliance Policy to help ensure the City's compliance with all pertinent legal requirements.

0686-2010 To authorize the Director of the Department of Finance and Management to enter into a sale contract for the conveyance of the City's interest in a 0.4759 acre property, commonly known as 175 South Third Street, to Capitol South Community Urban Redevelopment Corporation to execute a quit claim deed conveying such property and to enter into and execute other documents pertinent to such conveyance to waive the competitive bidding and Land Review Commission requirements of the Columbus City Codes (1959) Revised.

SAFETY: GINTHER, CHR. PALEY CRAIG MENTEL

0643-2010 To authorize and direct the City Attorney to settle Willett v. Haley, FCCCP Case No. 09-CVC-07-11126, to authorize the expenditure of the sum of

Forty-Five Thousand Dollars ($45,000.00) from the General Fund in settlement of this civil action, and to declare an emergency. ($45,000.00)

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

0628-2010 To authorize the Director of Public Service to advance funding to the Department of Public Utilities for professional engineering and construction services associated with roadway improvements to Richards Road and Glenmont Place areas; to amend the 2010 CIB; to authorize the transfer of cash and appropriation within the Streets and Highways G.O. Bonds Fund; to authorize the City Auditor to establish Auditor's Certificates and to authorize the expenditure of $120,000.00 from the Streets and Highways G.O. Bonds Fund for this purpose. ($120,000.00)

0652-2010 To authorize the Director of Public Service to enter into contract with Strawser Paving Company, Inc.; and to provide for the payment of construction administration and inspection services, in connection with the Resurfacing 2010 - Project 3 contract; to amend the 2010 CIB; to authorize the transfer of appropriation and cash within the Build America Bonds Fund; to authorize the expenditure of $690,049.26 from the Streets & Highways GO Bonds Fund; and to declare an emergency. ($690,049.26)

0693-2010 To authorize the expenditure of $49,040.00 within the Gov'l Build America Bonds Fund for the Division of Design and Construction; to amend the 2010 CIB; to authorize the transfer of cash and appropriation within the Build America Bonds Fund; and to declare an emergency. ($49,040.00)

0704-2010 To authorize the Director of Public Service to enter into a contract with Griffin Pavement Striping, Inc. for construction of the High Street Share the Road project for the Division of Mobility Options; to authorize the appropriation of funds within the Fed-State Highway Engineering Fund; to authorize the expenditure of $86,805.40 from the Fed-State Highway Engineering Fund; and to declare an emergency. ($86,805.40)

0741-2010 To authorize the Director of Public Service to enter into a contract with Nickolas Savko & Sons, Inc. for construction of the Parsons/Livingston Avenue Improvement project; to authorize the appropriation and expenditure of $15,804,875.36 from the Fed-State Highway Engineering Fund for construction and inspection; and to declare an emergency. ($15,804,875.36)

ADMINISTRATION: MILLER, CHR. PALEY TAVARES MENTEL

0399-2010 To authorize the Director of the Department of Technology (DoT) to renew an annual software license, maintenance and support agreement, for the BL/LIB Tape Library Management System, with B & L Associates Inc.; in accordance with the sole source procurement provisions of the Columbus City Codes; to authorize the expenditure of $14,185.00 from the Department of Technology, Information Services Fund; and to declare an emergency. ($14,185.00)

0525-2010 To authorize the Director of the Department of Technology to renew an annual contract for maintenance, support and upgrades provided by Oracle USA, Inc.; in accordance with sole source procurement provisions of the Columbus City Codes; to authorize the expenditure of $388,126.51 from the Department of Technology, Information Services Fund; and to declare an emergency. ($388,126.51)

0526-2010 To authorize the Director of the Department of Technology, on behalf of the Department of Public Utilities, to renew an annual agreement with Oracle USA, Inc. to provide computer programming software maintenance and support on the SPL/WAM system; in accordance with sole source procurement provisions of the Columbus City Codes; to authorize the expenditure of $61,733.83 from the Department of Technology Internal Service Fund; and to declare an emergency. ($61,733.83)

0575-2010 To accept Memorandum of Understanding #2010-01 executed between representatives of the City of Columbus and Columbus Municipal Association of Government Employees (CMAGE)/CWA Local 4502, which amends the Collective Bargaining Contract, August 24, 2008 through April 23, 2011; and to declare an emergency.

0636-2010 To authorize the Director of the Department of Human Resources to amend the existing contract with the law firm of Baker & Hostetler LLP for the purpose of providing ongoing assistance in the implementation of the collective bargaining agreement with FOP/Capital City Lodge #9, to authorize the transfer of $300,000.00 from the Department of Public Safety to the Department of Human Resources, to authorize the expenditure of $300,000 or so much thereof as may be necessary to compensate the contractor for services rendered; to waive the competitive bidding requirements of the Columbus City Codes; and to declare an emergency ($300,000.00).

0639-2010 To amend the Management Compensation Plan, Ordinance No. 1150-2007, as amended, by enacting Section 5(E)-U020, the classification of Utility Revenue Manager; and to declare an emergency.

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

0671-2010 To authorize and direct the Administrative and Presiding Judge of the Franklin County Municipal Court to enter into contract with Amethyst, Inc.; to authorize the expenditure of up to $65,472.00 with Amethyst, Inc. for a long-term treatment program integrated with sober housing for women; and to declare an emergency. ($65,472.00)

UTILITIES: PALEY, CHR CRAIG GINTHER MENTEL

0362-2010 To authorize the Director of Public Utilities to apply for, accept, and enter into nine Ohio Water Pollution Control Loan Fund Agreements with the Ohio Water Development Authority and the Ohio Environmental Protection Agency to assist in the project financing, for the Division of Sewerage and Drainage; and to designate a dedicated repayment source for the loans.

0514-2010 To amend Ordinance 1334-2009 by changing the funding source of this expenditure from the Sanitary Sewer Reserve Fund to the Sanitary Sewer Build America Bond Fund; to authorize the City Auditor to transfer within the Sanitary Sewer Build America Bond Fund (B.A.B.'s) for the Jackson Pike Wastewater Treatment Plant Digester Cover Rehabilitation Project, and to amend the 2010 Capital Improvements Budget to establish sufficient budget authority for this expenditure for the Division of Sewerage and Drainage. ($1,512,000.00)

0690-2010 To authorize the Director of Public Utilities to enter into an agreement with the

Ohio Wetlands Foundation for the balance due against the purchase of wetland mitigation credits for the Division of Power and Water's Upground Reservoir project site; to authorize the expenditure of $400,000.00 within the Water Build America Bonds Fund; and to declare an emergency. ($400,000.00)

HEALTH AND HUMAN DEVELOPMENT: TAVARES, CHR. TYSON GINTHER MENTEL

0663-2010 To authorize and direct the Board of Health to accept a grant from the Homeland Security Department in the amount of $321,421.00; to authorize the appropriation of $321,421.00 from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency. ($321,421.00)

0683-2010 To authorize and direct the Columbus Health Department to accept funds from the Foundation For Active Living in the amount of $25,000.00 to authorize the appropriation of $25,000.00 from the Health Department Grants Fund, and to declare an emergency. ($25,000.00)

HOUSING: TAVARES, CHR. TYSON MILLER MENTEL

0659-2010 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 (1072 E. Long Street) held in the Land Bank pursuant to the Neighborhood Stabilization Program; and to declare an emergency.

(TABLED 5/10/10)

0691-2010 To authorize the Director of the Department of Development to expend $140,589.00 of FY 2000 HOME Funds for Community Housing Development Organizations for eligible housing projects; and to declare an emergency. ($140,589.00)

DEVELOPMENT: TYSON, CHR. GINTHER MILLER MENTEL

0656-2010 To accept the application AN09-007 of Juan P. Ramirez for the annexation of certain territory containing 0.92 ± acres in Prairie Township.

0666-2010 To approve the Certified Local Government Grant for the completion of the repair of the historic tile roof of the Green Lawn Abbey mausoleum, known as Green Lawn Abbey, for Funding Year 2010 with the City Historic Preservation Officer acting as the Grant Project Coordinator.

0667-2010 To approve the Certified Local Government Grant for the hosting of the National Alliance for Preservation Commission's Commission Assistance and Mentoring Program, in summer 2010, with the City Historic Preservation Officer acting as the Grant Project Coordinator.

0702-2010 To authorize assessments for weed and solid waste removal on properties in violation of weed and solid waste regulations as set forth in the Columbus City Code; and to declare an emergency.

RECREATION & PARKS: TYSON, CHR. TAVARES PALEY MENTEL

0576-2010 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 Recreation and Parks' playgrounds to the Columbus Zoo and Aquarium as a part of the Melvin B. Dodge Summer Zoo Days; and to declare an emergency.

0583-2010 To authorize the expenditure of up to $5,000,000.00 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. ($5,000,000.00) and to declare an emergency

0638-2010 To authorize and direct the Director of Recreation and Parks to enter into various contracts for the provision of PASSPORT home care and assisted living services for older adults in Central Ohio, to authorize the expenditure of $70,000,000.00 from the Recreation and Parks Grant Fund, and to declare an emergency. ($70,000,000.00)

0644-2010 To authorize and direct the Director of Recreation and Parks to enter into sixteen (16) contracts for the provision of services to older adults in Central Ohio in connection with the Alzheimer's Respite and Senior Volunteer Programs administered by the Central Ohio Area Agency on Aging, to authorize the expenditure of $410,000.00 from the Recreation and Parks Grant Fund, and to declare an emergency. ($410,000.00)

0727-2010 To authorize the Director of Recreation and Parks to enter into agreement and execute a Memorandum of Understanding and a Lease Agreement with the Franklin County Metropolitan Park District for the maintenance of the greenway trail system and to provide safety and security services; and to declare an emergency.

RULES & REFERENCE: MENTEL, CHR. GINTHER CRAIG PALEY

1748-2008 To repeal Columbus Building Code Chapter 4117, Certificates of Occupancy, of the Columbus City Codes, 1959, in order to remove requirements that are either redundant or conflicting with state mandated code already covering all aspects of Certificates of Occupancy.

Sponsors: Priscilla Tyson

0165-2010 To repeal sections in Chapter 4125 and Chapter 4127 of the Columbus Building Code, Title 41, in order to remove code requirements that are either redundant or in conflict with updated state mandated model building codes and to amend Sections 4125.11, 4127.01, and 4127.03 to clarify existing code requirements.

Sponsors: Priscilla Tyson

ADJOURNMENT