City of Columbus

Agenda - Final

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 3, 2010 | **5:00 PM** | **City Council Chambers, Rm 231**

REGULAR MEETING NO. 23 OF COLUMBUS CITY COUNCIL, MAY 3, 2010 at 5:00 P.M. IN COUNCIL CHAMBERS.

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

C0012-2010 THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY CLERK'S OFFICE AS OF WEDNESDAY APRIL 28, 2010:

New Type: D4
To: Hudson Street Hooligans LLC
2230-32 Summit
Columbus OH 43201
Permit # 4044901

New Type: C1, C2
To: Noor Market LLC
Noor Market
2427 W Broad St
Columbus OH 43204
Permit # 6432289

New Type: D2
To: Diapora Inc
2118 N High Street
Columbus OH 43201
Permit # 2120844

New Type: D5
To: Chocolate Columbus LLC
DBA Chocolate Café
Exclds Outdoor Patio
1855 Northwest Blvd
Columbus OH 43212
Permit # 1458948

New Type: D2
To: LD Enterprises of Ohio Inc
DBA Sushi Ting

2875 Olentangy River Rd
Columbus OH 43202
Permit # 4949422

New Type: D1
To: Ailess LLC
DBA Dirty Franks Hot Dogs
248 S 4th St 1st Fl & Partial Bsmt
Columbus OH 43215
Permit # 0081601

New Type: D5
To: Italian Pub Group Inc
4980-5010 Gender Rd
Columbus OH 43110
Permit # 41652500010

New Type: D3A
To: Little Palace LTD
1st Fl & Bsmt
238-40 S 4th St
Columbus OH 43215
Permit # 5239204

New Type: D5
To: NS Market Ventures LLC
5511 New Albany Road West
Columbus OH 43054
Permit # 6472471

New Type: D1
To: NS Market Ventures LLC
5525 New Albany Rd W
Columbus OH 43054
Permit # 64724710015

New Type: D1
To: NS Market Ventures LLC
5481 New Albany Rd W
Columbus OH 43054
Permit # 64724710010

New Type: C1, C2
To: Hibourne Inc
Stop By Market
1620 Lockbourne Rd
Columbus OH 43207
Permit # 3815541

Transfer Type: C1, C2
To: Jay Gurudev Inc
DBA High St BP

5385 N High St
Columbus OH 43214
From: Freight Sales Inc
DBA High St Duchess Shoppe
5385 N High St
Columbus OH 43214
Permit # 4255876

Transfer Type: D1, D2, D3
To: Little Palace LTD
1st Fl & Bsmt
238-40 S 4th St
Columbus OH 43215
From: Fourth & Rich Inc
DBA Little Palace
238-40 S 4th St 1st Fl & Bsmt
Columbus OH 43215
Permit # 5239204

Transfer Type: D5A, D6
To: MB Capital Investors LLC
DBA Ramada Plaza Columbus
4900 Sinclair Rd Bldg A B C & Patios
Columbus OH 43229
From: Bemar LLC
4900 Sinclair Rd Bldg A B C & Patios
Columbus OH 43229
Permit # 5378050

Transfer Type: D2, D2X, D6
To: Northstar Café Easton LLC
DBA Northstar Café
4015 Townsfair Way
Columbus OH 43219
From: Vinex Inc
DBA Maclaren Wine Specialties
1759 W Fifth Av
Columbus OH 43212
Permit # 64467250005

Advertise: 05/08/2010
Return: 05/14/2010

RESOLUTIONS OF EXPRESSION

GINTHER

0057X-2010 To declare the week of May 2, 2010 National Arson Awareness Week in Columbus, Ohio.

Sponsors: Andrew Ginther

ADDITIONS OR CORRECTIONS TO THE AGENDA

FIRST READING OF 30-DAY LEGISLATION

UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL

0547-2010 **FR** To authorize the Director of Public Utilities to execute a contract modification to the professional engineering services agreement with CH2M Hill, Inc. for the Jackson Pike Wastewater Treatment Plant Disinfection Chemical Handling Facility Improvements project; transfer within and expend $304,161.00 in funds from the B.A.B.s (Build America Bonds) Fund, and amend the 2010 Capital Improvements Budget to establish sufficient budget authority for this expenditure for the Division of Sewerage and Drainage. ($304,161.00)

0567-2010 **FR** To authorize the Director of Public Utilities to execute a contract modification to the professional engineering services agreement with Brown and Caldwell Ohio, LLC, for the Jackson Pike Wastewater Treatment Plant A Plant Wet Weather Hydraulic Improvements project; transfer within and expend $130,288.00 in funds from the B.A.B.s (Build America Bonds) Fund, to amend the 2010 Capital Improvements Budget to establish sufficient budget authority for this expenditure for the Division of Sewerage and Drainage. ($130,288.00)

0570-2010 **FR** To authorize and direct the Finance and Management Director to enter into a contract for the purchase of Luminaires with General Supply and Services, Inc. dba Gexpro for the Division of Power and Water; and to authorize the expenditure of $39,996.80 from the Electricity Operating Fund. ($39,996.80)

DEVELOPMENT: TYSON, CHR. GINTHER MILLER MENTEL

0216-2010 **FR** To adopt the Urban, Community, and/or Regional Commercial Overlays as provided for in Chapter 3372 of the Columbus Zoning Code for portions of South High Street, Indianola Avenue, North High Street, Fifth Avenue, Grandview Avenue, Olentangy River Road; and at other identified locations in the Fifth by Northwest Neighborhood and to clarify an existing building design standard in the UCO and CCO.

Sponsors: Priscilla Tyson

RULES & REFERENCE: MENTEL, CHR. GINTHER CRAIG PALEY

0154-2010 **FR** To amend Chapter 101 of the Columbus City Codes, 1959, to provide for the immediate availability of injunctive relief for violations of the City Codes.

Sponsors: Eileen Y. Paley

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

0613-2010 **FR** To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential District; 3332.05, Area district lot width requirements; 3332.14, R-2F area district requirements; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; 3332.27, Rear yard; 3342.18, Parking setback line; and 3342.28, Minimum number of parking spaces required, of the Columbus City Codes, for the property located at 529 SOUTH LAZELLE STREET (43206), to conform an existing three-unit dwelling with reduced development standards in the R-2F, Residential District (Council Variance #CV10-003).

CONSENT ACTIONS

RESOLUTIONS OF EXPRESSION

TAVARES

0060X-2010 **CA** To honor, recognize and celebrate the life of Margaret E. Sanders and extend our sincere condolences to her family and friends on the occasion of her passing, April 21, 2010.

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

0061X-2010 **CA** To recognize and honor Helen Evans upon her retirement from Gladden Community House on April 29, 2010.

Sponsors: Charleta B. Tavares

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

0541-2010 **CA** To designate the Columbus-Franklin County Finance Authority, Franklin County, Ohio as agent of the City of Columbus, Ohio for the purpose of allocating the City's Federal Recovery Zone Facility Bond volume cap limitation and issuing Federal Recovery Zone Facility Bonds in the City's recovery zone; to repeal ordinance number 0262-2010, passed February 24, 2010; and to declare an emergency.

0566-2010 **CA** To authorize the Finance and Management Director to enter into contract with API Security Services and Investigations, Inc. for security services at the Fleet Maintenance Facility at 4211 Groves Road; to authorize the Finance and Management Director to establish a purchase order to pay Corporate Security Services for services provided; to authorize the expenditure of $70,948.08 from the Fleet Services Fund; and to declare an emergency. ($70,948.08)

0569-2010 **CA** To authorize the Finance and Management Director to renew contracts on behalf of the Facilities Management Division with Carrier Commercial Service for comprehensive annual service and maintenance contracts for the chillers at 109 North Front Street, the Police Academy, and the Municipal Court building; and to authorize the expenditure of $43,672.00 from the General Fund. ($43,672.00)

0590-2010 **CA** To authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Advanced Engineering Consultants for professional services for the design and construction of energy efficient lighting upgrades for City Hall, 90 West Broad Street; to authorize the expenditure of $35,000.00 from the Gov'l B.A.B.'s (Build America Bonds); and to declare an emergency. ($35,000.00)

SAFETY: GINTHER, CHR. PALEY CRAIG MENTEL

0530-2010 **CA** To authorize and direct the Finance and Management Director to issue a purchase order for generator repairs for the Division of Fire from an existing Universal Term Contract with JD Power Systems LLC, to authorize the expenditure of $25,500.00 from the Safety Bond Fund, and to declare an emergency. ($25,500.00)

0581-2010 **CA** To authorize and direct the Director of Finance and Management to issue a purchase order from an existing UTC with Agilysys for the purchase of an EMC Network Storage Device for the Division of Police, to authorize the expenditure of $138,770.42 from the General Government Grant Fund; and

to declare an emergency. ($138,770.42)

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

0524-2010 **CA** To authorize the Director of Public Service to execute a professional engineering services contract modification with EMH&T for the design of the RiverSouth - Phase 1 Project; to authorize the transfer of funds within the Streets and Highways G.O. Bonds Fund and the Water Build America Bonds Fund; to authorize the expenditures of $44,995.65 from the Streets and Highways G.O. Bonds Fund, $31,765.34 from the Water Build America Bonds Fund, and to authorize the transfer within and expenditure of $23,820.72 from the Sanitary B.A.B.s Fund (Build America Bonds); and to declare an emergency. ($100,581.71)

ADMINISTRATION: MILLER, CHR. PALEY TAVARES MENTEL

0193-2010 **CA** To authorize the Director of the Department of Technology to (1) enter into contract and (2) modify and extend an existing contract with Computer Associates International, Inc. (CA, Inc.) for maintenance and support associated with the City's Help Desk business application, for the Department of Technology; to authorize the expenditure of $33,965.00 from the Information Services Fund; in accordance with the sole source procurement provisions of the Columbus City Codes; and to declare an emergency. ($33,965.00)

0516-2010 **CA** To authorize the Director of the Department of Technology and the Director of the Department of Columbus Public Health to modify and extend a contract with Language Access Network, LLC, for streaming video and phone-based interpretation services; to authorize the expenditure of $20,002.50 from the Department of Technology's Internal Services Fund; and to declare an emergency. ($20,002.50)

UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL

0631-2010 **CA** To authorize and direct the Finance & Management Director to enter into one (1) UTC contract for the option to purchase Potassium Permanganate with Bonded Chemicals Inc., to authorize the expenditure of one (1) dollar to establish the contract from the Mail, Print Services and UTC Fund; and to declare an emergency. ($1.00)

HOUSING : TAVARES, CHR. TYSON MILLER MENTEL

0561-2010 **CA** To amend Ordinance 1207-2008 to modify the boundaries and funding for a development agreement with Central Ohio Housing Development Organization, Inc. (a not-for-profit affiliate of the Columbus Housing Partnership) for infrastructure construction reimbursement as part of the American Addition Project; to increase the contract amount by $110,000.00; to amend the 2009 CIB; to authorize the expenditure of $110,000.00 from the Northland and Other Acquisitions Fund; and to declare an emergency. ($110,000.00)

0610-2010 **CA** To authorize the appropriation of $319,652.00 from the unappropriated balance of the General Government Grants Fund to the Health Department for the 2010 HOPWA Program; and to declare an emergency. ($319,652.00)

RECREATION & PARKS: TYSON, CHR. TAVARES PALEY MENTEL

0588-2010 **CA** To authorize and direct the Finance & Management Director to enter into seven (7) UTC contracts for the option to purchase Sporting Goods and Recreational Supplies with Cannon Sports, Inc., GL Sports, Riddell, S & S Worldwide, Sator Sports, Inc., and Sport Supply Group, Inc. dba BSN Sports; to authorize the expenditure of seven (7) dollars to establish the contract from the Mail, Print Services and UTC Fund; and to declare an emergency. ($7.00)

0592-2010 **CA** To authorize and direct the Director of Recreation and Parks to enter into contract with Kalkreuth Roofing & Sheet Metal, Inc. for the Roof Renovations 2010 - Item #5 Project; to authorize the expenditure of $69,500.00 and a contingency of $17,043.00 for a total of $76,300.00 with $59,257.10 from an existing Auditor's Certificate and $17,042.90 from the Voted 1999/2004 Parks and Recreation Bond Fund; and to declare an emergency. ($76,300.00)

APPOINTMENTS

A0035-2010 **CA** Appointment of Steven W. Copeland, 1885 West Mound Street, Columbus, Ohio 43223 to serve on the Charitable Solicitations Board with a term expiration June 30, 2013 (resume attached).

A0036-2010 **CA** Appointment of Meera Parthasarathy of 7574 Bevelhymer Rd. New Albany, Ohio 43054 to serve on the Rocky Fork Blacklick Accord with a term expiration date of June 9, 2011 (resume attached).

A0037-2010 **CA** Appointment of Mark Wagner of 5435 Ainsley Dr. Westerville, Ohio 43082 to serve on the Columbus Building Commission with a term expiration date of February 28, 2014 (resume attached).

A0038-2010 **CA** Appointment of Ralph Kramer of 1837 Westwood Ave. Columbus, Ohio 43212 to serve on the Columbus Building Commission with a term expiration date of February 28, 2014 (resume attached).

A0039-2010 **CA** Appointment of Jamie Roberson of 750 North High Street #10 H, Columbus, Ohio 43215 to serve on the Columbus Metropolitan Housing Authority filling an unexpired term expiring October 31, 2010 (resume attached). (replacing A0064-2008 and A0104-2009 - expiration date corrected)

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

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

0616-2010 To authorize and direct the Mayor to accept a grant and execute a memorandum of understanding from The Joyce Foundation in the amount of $75,000.00 to host the "Mayors Against Illegal Guns Ohio Regional Coordinator"; to authorize the appropriation of $75,000.00 from the unappropriated balance of the Private Grants Fund; and to declare an emergency. ($75,000.00)

SAFETY: GINTHER, CHR. PALEY CRAIG MENTEL

0535-2010 To authorize the City Auditor to transfer $31,200.00 within the Photo Red Light Fund and to authorize the Director of Public Safety to modify and extend the contract with Redflex Traffic Systems, Inc. for the continuation, maintenance, and limited expansion of the focus on safety photo red light enforcement program; to waive the competitive bidding requirements of

Columbus City Codes; and authorize the expenditure of $31,200.00 from the Photo Red Light Fund. ($31,200.00)

0563-2010 To authorize an appropriation of $1,992,320.00 from the unappropriated balance of the Law Enforcement Contraband Seizure Fund to the Division of Police, to purchase equipment, supplies, and services; and to declare an emergency. ($1,992,320.00)

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

0587-2010 To authorize the Director of Public Service to execute a professional engineering services contract modification with Glaus, Pyle, Schomer, Burns and Dehaven (GPD) in connection with the General Engineering Bridges 2008 project for the Division of Planning and Operations; to authorize the expenditure of $200,000.00 from the Streets and Highways G.O. Bonds Fund; to amend the 2010 Capital Improvements Budget; to authorize the transfer of cash and appropriation within the Streets and Highways G.O. Bonds Fund; and to declare an emergency. ($200,000.00)

0591-2010 To authorize the Director of Public Service to enter into contract with the Franklin County Engineer's Office for the Franklin County Bridge Rehabilitation contract; to reimburse the Franklin County Engineering Department up to $300,000.00 for the costs incurred by the County to provide necessary rehabilitation to City of Columbus bridges; to amend the 2010 CIB; to authorize the transfer and expenditure of $300,000.00 within the Streets and Highways G.O. Bonds Fund; to waive competitive bidding provisions of Chapter 329 of the Columbus City Code; and to declare an emergency. ($300,000.00)

ADMINISTRATION: MILLER, CHR. PALEY TAVARES MENTEL

0513-2010 To authorize the Department of Technology Director to renew an annual contract with Mount Carmel Health Systems, for software license, upgrade and related support, associated with the billing and information application, on behalf of the Department of Columbus Public Health in accordance with the sole source procurement provisions of the Columbus City Codes; to authorize the expenditure of $144,864.00 from the Department of Technology's Internal Services Fund; and to declare an emergency. ($144,864.00)

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

0578-2010 To authorize the City Auditor to transfer $99,000.00 within the general fund from the Department of Finance and Management to the Department of Public Service, Division of Refuse; to authorize and direct the City Attorney to pay the settlement amounts to Paul W. Dyer, Jr., plaintiff, and Todaro and Wagoner Co., L.P.A., and to the Ohio Attorney General, acting on behalf of the Ohio Bureau of Workers' Compensation, in the lawsuit entitled Paul W. Dyer, Jr. v. City of Columbus, et al. Case No. 07CVC12-16668, pending in the Franklin County Court of Common Pleas, to authorize the expenditure of the sum of Ninety-Nine Thousand Dollars ($99,000.00); and to declare an emergency.

UTILITIES: PALEY, CHR CRAIG GINTHER MENTEL

0402-2010 To authorize the Director of Finance and Management to establish a purchase order for the purchase of Light Duty Trucks with 32 Ford-Mercury, Inc. for the Division of Power and Water, to authorize the expenditure of $138,570.00 from the Water Systems Operating Fund. ($138,570.00)

0445-2010 To authorize the Director of Public Utilities to enter into a planned modification ("Phase 3") to modify the maximum monetary obligation under the Environmental Management Development and Implementation Assistance contract with GSP/OH, Inc. for the Division of Power and Water and Division of Sewerage and Drainage; to authorize the expenditure of $125,000.00 from Water Systems Operating Fund and $125,000.00 from the Sewer Systems Operating Fund. ($250,000.00)

0448-2010 This legislation authorizes the Director of Public Utilities to enter an engineering agreement with Prime Engineering and Architecture for the Brimfield Area Sanitary System Improvements Project; and authorizes the expenditure $44,944.15 in funds from the Build America Bond (B.A.B.s) Fund for the Division of Sewerage and Drainage. ($44,944.15)

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

0497-2010 To authorize and direct the Board of Health to modify a contract with Nationwide Children's Hospital for the provision of a WIC clinics; to authorize the expenditure of $9,314.00 from the Health Department Grants Fund; and to declare an emergency. ($9,314.00)

(TABLED 4/19/10)

0585-2010 To authorize and direct the Board of Health to accept a grant from the Greater Columbus Arts Council in the amount of $4,000.00, to authorize the appropriation of $4,000.00 from the Private Grants Fund, and to declare an emergency. ($4,000.00)

Sponsors: Charleta B. Tavares, Eileen Y. Paley and Priscilla Tyson

HOUSING: TAVARES, CHR. TYSON MILLER MENTEL

0614-2010 To authorize the appropriation of $283,655.00 from the General Government Grant Fund to the Department of Development; to authorize the Director of the Department of Development to enter into contract with the Community Shelter Board for the purpose of continuing the city's support for homeless emergency shelters; to authorize the expenditure of $283,655.00 from the General Government Grant Fund; and to declare an emergency. ($283,655.00)

0623-2010 To authorize the appropriation of $5,006,538.00 from the 2010 HOME Fund to the Department of Development; to authorize the expenditure of $4,573,057.30 from the 2010 HOME Fund to provide funding for various approved 2010 programs; and to declare an emergency. ($5,006,538.00)

0625-2010 To authorize the Director of the Department of Development to enter into a contract with the Community Development Collaborative of Greater Columbus to provide CHDO operating support; to authorize the expenditure of $260,326.90 from the HOME Fund; and to declare an emergency ($260,326.90).

DEVELOPMENT: TYSON, CHR. GINTHER MILLER MENTEL

0565-2010 To authorize the Director of the Department of Development to enter into a contract with Safeco Environmental, Inc. for the provision of asbestos abatement services on vacant structures within the municipal boundaries of the City of Columbus; to authorize the expenditure of up to $33,982 from the General Government Grant Fund; to waive the competitive bidding requirements of the Columbus City Code; and to declare an emergency ($33,982).

0598-2010 To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of three parcels of real property (00000 Parsons Ave.) held in the Land Bank pursuant to the Land Reutilization Program; and to declare an emergency.

RECREATION & PARKS: TYSON, CHR. TAVARES PALEY MENTEL

0476-2010 To authorize and direct the Recreation & Parks Director to modify the food concession contract (revenue) at Airport Golf Course with the food concessionaire Whitethorne Enterprises D.B.A. Ritz Catering Company; and to declare an emergency.

(TABLED 4/19/10)

0504-2010 To authorize the Director of the Recreation and Parks Department to enter into a management agreement with the Columbus Recreation and Parks Community Recreation Council for the management of the Champions Tennis Facility, and to declare an emergency.

(TABLED 4/19/10)

0584-2010 To authorize the appropriation and expenditure of $90,000.00 from Non-Bond Fund for fees payable to the Department of Public Utilities related to the construction of the new boathouse at Griggs Reservoir, and to declare an emergency. ($90,000.00)

0594-2010 To authorize and direct the Director of Recreation and Parks to enter into contract with Preferred Meal Systems, Inc. in conjunction with the 2010 Summer Food Services Program; to authorize the expenditure of $2,400,000.00 from the Recreation and Parks Grant Fund; and to declare an emergency. ($2,400,000.00)

0595-2010 To authorize and direct the Director of Recreation and Parks to enter into contract with Wingler Construction, Inc. for the Big Run Park Shelter Improvements Project; to authorize the expenditure of $129,000.00 and a contingency of $19,500.00 for a total of $148,500.00 from the Voted 1999/2004 Parks and Recreation Bond Fund; and to declare an emergency. ($148,500.00)

0606-2010 To authorize an appropriation in the amount of $75,000,000.00 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. ($75,000,000.00)

RULES & REFERENCE: MENTEL, CHR. GINTHER CRAIG PALEY

1537-2009 To enact a new Chapter 3312, "Off-Street Parking and Loading" chapter for the Columbus Zoning Code, Title 33, containing new standards and requirements; to repeal the existing Chapter 3342, "Off-Street Parking and Loading", in its entirety; to enact a new Chapter 3321, "General Site Development Standards" containing relocated general site standards from the prior Chapter 3342; and to make other needed changes in various code sections of Title 33 in order to accommodate the new and updated off-street parking and loading standards and requirements.

Sponsors: Priscilla Tyson

0286-2010 To amend various sections of Title 31 of the Columbus City Codes, 1959, concerning the organization and official action of the Brewery District Commission, German Village Commission, the Victorian Village Commission and the Historic Resources Commission, in order to allow for approval by a simple majority of a seated quorum.

Sponsors: Priscilla Tyson

ADJOURNMENT