



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, November 1, 2010

5:00 PM

City Council Chambers, Rm 231

REGULAR MEETING NO. 54 OF COLUMBUS CITY COUNCIL, NOVEMBER 1, 2010 at 5:00 P.M. IN COUNCIL CHAMBERS.

ROLL CALL

Present 7 - Andrew Ginther Charleta Tavares Hearcel Craig Priscilla Tyson Michael
Mentel A. Troy Miller Eileen Paley

READING AND DISPOSAL OF THE JOURNAL

**A motion was made by President Pro-Tem Craig, seconded by Ginther, to
Dispense with the reading of the Journal and Approve. The motion carried by
the following vote:**

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael
Mentel, A. Troy Miller, and Eileen Paley

C0034-2010

THE CITY CLERK'S OFFICE RECEIVED THE FOLLOWING COMMUNICATIONS AS
OF WEDNESDAY OCTOBER 27, 2010.

Transfer Type: D5, D6
To: Quarthouse Promo LLC
DBA Quarthouse
1st Fl & Mezzanine
303 S Front St
Columbus OH 43215
From: Lash Nightlife LLC
DBA Standard Lounge
1st Fl & Mezzanine
303 S Front St
Columbus OH 43215
Permit # 7133406

Transfer Type: C1, C2
To: Sajo Food LLC
DBA C Town Market and Deli
1st Fl
150 E State St
Columbus OH 43215

From: Shalash Properties LLC
DBA C Town
150 E State St 1st Fl
Columbus OH 43215
Permit # 7677245

Transfer Type: D5, D6
To: Y & H Presents LLC
& 2 Patios
482 S Front St
Columbus OH 43215
From: Brewery District Bar LLC
DBA After Five
482 S Front St & 2 Patios
Columbus OH 43215
Permit # 9804530

Transfer Type: D2, D2X, D3, D6
To: Cuisine of India Inc
DBA Cuisine of India
1025 Polaris Prkwy
Columbus OH 43240
From: Cuisine of India Inc
DBA Cuisine of India
8475 Sancus Blvd
Columbus OH 43240
Permit # 18452430001

Advertise: 11/6/2010
Return: 11/16/2010

ADDITIONS OR CORRECTIONS TO THE AGENDA

FR FIRST READING OF 30-DAY LEGISLATION

**A MOTION WAS MADE BY COUNCILMEMBER CRAIG,
SECONDED BY COUNCILMEMBER TYSON , TO WAIVE THE
READING OF THE TITLES OF FIRST READING LEGISLATION.
THE MOTION CARRIED THE FOLLOWING VOTE:
AFFIRMATIVE: 7 NEGATIVE: 0**

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

FR [1497-2010](#) To authorize the Director of Finance and Management to establish purchase orders with Toter, Incorporated for the purchase of mechanized collection containers and container parts for the Division of Refuse Collection per the terms and conditions of an existing citywide

contract; to authorize the expenditure of \$310,759.00 or so much thereof as may be needed from the Refuse Collection G.O. Bonds Fund.(\$310,759.00)

UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL

- FR** [1317-2010](#) To authorize the Director of Finance and Management to establish a Blanket Purchase Order, for Process Control Computer Maintenance, from an established Universal Term Contract with Telvent USA Corporation for the Division of Power and Water; and to authorize the expenditure of \$45,000.00 from Water Systems Operating Fund. (\$45,000.00)
- FR** [1440-2010](#) To authorize the Finance and Management Director to establish a Blanket Purchase Order, based on an existing Universal Term Contract with Motion Industries, for flocculator replacement parts, for the Division of Power and Water, and to authorize an expenditure of \$135,000.00 from the Water Build America Bonds Fund. (\$135,000.00)
- FR** [1450-2010](#) To authorize the Director of Public Utilities to modify and increase the professional engineering services agreement with DLZ Ohio, Inc. for the South Wellfield Expansion - Raw Water Line Project; for the Division of Power and Water; to authorize the transfer and expenditure of \$150,838.93 from the Water Works Enlargement Voted Bonds Fund; and to authorize an amendment to the 2010 Capital Improvements Budget. (\$150,838.93)
- FR** [1484-2010](#) To authorize the Director of Public Utilities to execute a construction contract with The Righter Co., Inc. for the Water Supply Facilities Elevator Replacement Project; for the Division of Power and Water; to authorize a transfer and expenditure of \$1,114,300.00 within the Water Build America Bonds Fund; and to amend the 2010 Capital Improvements Budget. (\$1,114,300.00)

DEVELOPMENT: TYSON, CHR. GINTHER MILLER MENTEL

- FR** [0144X-2010](#) A resolution of intention to participate in watershed planning partnerships to develop balanced growth plans for the Big Walnut Creek and Scioto River watersheds.
- FR** [1314-2010](#) To approve the nomination of the Old Beechwold Historic District to the Columbus Register of Historic Properties.

RECREATION & PARKS: TYSON, CHR. TAVARES PALEY MENTEL

- FR** [1294-2010](#) To establish an Auditor's certificate, and to authorize the expenditure of \$575,000.00 from the voted Recreation and Parks Bond Fund for the reimbursement of staff time related to the administration of the balance of 2010 Capital Improvement Projects and for the 2011 CIP Staff Time. (\$575,000.00)

**ZONING: MILLER, CHR. CRAIG GINTHER PALEY TAVARES
TYSON MENTEL****FR [1545-2010](#)**

To grant a Variance from the provisions of Sections 3363.01, M-Manufacturing district; 3312.13(A), Driveway; 3312.25, Maneuvering; 3312.27(3), Parking setback line; 3312.29, Parking space; and 3363.24(F), Building lines in an M-Manufacturing district, of the Columbus City Codes; for the property located at **771 SOUTH FRONT STREET (43206)**, to permit four dwelling units (a three-unit dwelling and a single-unit dwelling) with reduced development standards in the M, Manufacturing District (Council Variance # CV03-031).

FR [1346-2010](#)

To rezone **3408 SOUTH HIGH STREET (43207)**, being 2.13± acres located at the northeast corner of South High Street and Williams Road, **From:** C-4, Commercial, L-C-4, Limited Commercial, and R-2, Residential Districts, **To:** CPD, Commercial Planned Development District (Rezoning # Z09-040).

CA CONSENT ACTIONS**FINANCE & ECONOMIC DEVELOPMENT: GINTHER, CHR.
MILLER, TYSON MENTEL****CA [1486-2010](#)**

To authorize and direct the City Auditor to enter into contract for the bonding of the City Treasurer, Deputy City Treasurer, police up through the rank of sergeant, all other City employees and elected or appointed officials including all officially appointed members of City Boards and/or Commissions, forgery or alteration, money and securities on premises, money and securities off premises, money orders and counterfeit money, and computer fraud; to authorize the expenditure of \$127,753.00 from the General Fund; and to declare an emergency. (\$127,753.00)

This Matter was Approved on the Consent Agenda.

**PUBLIC SERVICE & TRANSPORTATION: CRAIG, CHR. PALEY
TAVARES MENTEL****CA [0150X-2010](#)**

To declare the necessity and intent to appropriate fee simple title and lesser interests in and to real estate in connection with the Hamilton Avenue & St. Clair Avenue Project, and to declare an emergency.

This Matter was Adopted on the Consent Agenda.

CA [1324-2010](#)

To authorize the appropriation and transfer of \$41,025.00 received from the City's insurance company for facility damage incurred in the windstorm in the fall of 2008 from the General Permanent Improvement Fund to the Street Construction Maintenance and Repair Fund for the Division of Planning and Operations; to authorize the expenditure of these funds for facility renovation and repair; and to authorize the City Auditor to establish an Auditor's Certificate for this purpose. (\$41,025.00)

This Matter was Approved on the Consent Agenda.

- CA [1391-2010](#) To authorize the Director of Public Service to enter into agreement with the Director of the Ohio Department of Transportation for the Hilliard-Rome Road(C.R. 3) widening and reconstruction project; and to declare an emergency. (\$0.00)

This Matter was Approved on the Consent Agenda.**UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL**

- CA [1292-2010](#) To authorize the Director of Public Utilities to enter into a professional engineering services agreement with Stantec Consulting Services Inc., for the Lower Olentangy River Ecosystem Restoration Project (5th Ave. Dam); to transfer within the G.O. Bond Fund for the expenditure of \$422,984.34; and to amend the 2010 Capital Improvements Budget, for the Division of Sewerage and Drainage; and to declare an emergency. (\$422,984.23)

This Matter was Approved on the Consent Agenda.

- CA [1372-2010](#) To authorize the Director of Finance and Management to establish a purchase order with Ohio Machinery Company dba Ohio Cat for the purchase of GME Trench Shoring for the Division of Sewerage and Drainage, and to authorize the expenditure of \$36,550.00 from the Sewerage System Operating Fund. (\$36,550.00)

This Matter was Approved on the Consent Agenda.

- CA [1393-2010](#) To authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services; to authorize the transfer of \$20,500.00 within the Storm B.A.B.s Fund; to authorize an amendment to the 2010 Capital Improvements Budget; and to authorize the expenditure of \$20,500.00 from the Storm B.A.B.s Fund for costs in connection with Leonard Avenue and Wildwood Avenue Stormwater System Improvement Project; and to declare an emergency. (\$20,500.00)

This Matter was Approved on the Consent Agenda.**Passed The Consent Agenda**

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

EMERGENCY, TABLED AND 2ND READING OF 30-DAY LEGISLATION**FINANCE & ECONOMIC DEVELOPMENT: GINTHER, CHR. MILLER TYSON MENTEL**[1322-2010](#)

To appropriate and authorize the expenditure of \$4,500,000.00 for principal redemption and

\$590,000.00 for interest payments on Columbus Notes applicable to the 2 City owned garages on 4th and Elm Streets and South Front Street; and to declare an emergency. (\$5,090,000.00)

A motion was made by Ginther, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

1551-2010

To authorize the Director of Development to enter into a real estate sale contract with Northland Village Developers, LLC for the sale of 19.8 acres of the City owned land located at the former Northland Mall site; to execute a Quit Claim Deed conveying specified portions of property, to the extent applicable; to waive the competitive bidding and land review provisions of the Columbus City Codes; and to declare an emergency.

A motion was made by Ginther, seconded by President Pro-Tem Craig, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

1558-2010

To authorize the issuance of unlimited tax bonds in the amount of not to exceed \$9,025,000.00 for sanitary sewer improvements (\$9,025,000.00). Section 55(B) of the City Charter.

A motion was made by Ginther, seconded by Tavares, that this matter be Waived the 2nd Reading. The motion carried by the following vote:

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

A motion was made by Ginther, seconded by President Pro-Tem Craig, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

1559-2010

To authorize the issuance of unlimited tax bonds in the amount of not to exceed \$26,325,000.00 for water system projects (\$26,325,000.00). Section 55(B) of the City Charter.

A motion was made by Ginther, seconded by Tyson, that this matter be Waived the 2nd Reading. The motion carried by the following vote:

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

A motion was made by Ginther, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

1560-2010

To authorize the issuance of limited tax notes in the amount of not to exceed \$25,000,000 for

transportation projects (\$25,000,000.00) .Section 55(b) of the City Charter.

A motion was made by Ginther, seconded by Tavares, that this matter be Waived the 2nd Reading. The motion carried by the following vote:

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

A motion was made by Ginther, seconded by Tavares, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

1561-2010

To authorize the issuance of limited tax notes in an amount not to exceed \$8,150,000.00 for the purpose of providing funds to refund certain outstanding notes of the City (\$8,150,000.00). Section 55(B) of the City Charter.

A motion was made by Ginther, seconded by Paley, that this matter be Waived the 2nd Reading. The motion carried by the following vote:

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

1561-2010

To authorize the issuance of limited tax ~~notes~~ bonds in an amount not to exceed \$8,150,000.00 for the purpose of providing funds to refund certain outstanding notes of the City (\$8,150,000.00). Section 55(B) of the City Charter.

A motion was made by Ginther, seconded by Tyson, that this matter be Amended as submitted to the Clerk. The motion carried by the following vote:

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

A motion was made by Ginther, seconded by Tyson, that this matter be Approved as Amended. The motion carried by the following vote:

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

1563-2010

To authorize the issuance of unlimited tax bonds in an amount not to exceed \$67,300,000.00 for the purpose of providing funds to refund either currently or in advance, certain outstanding unlimited tax general obligation bonds of the City (\$67,300,000.00). Section 55(B) of the City Charter.

A motion was made by Ginther, seconded by Tavares, that this matter be Waived the 2nd Reading. The motion carried by the following vote:

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

A motion was made by Ginther, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

1564-2010

To authorize the issuance of limited tax bonds in an amount not to exceed \$65,000,000.00 for the purpose of providing funds to refund, either currently or in advance, certain outstanding general obligation bonds of the City (\$65,000,000.00). Section 55(B) of the City Charter.

A motion was made by Ginther, seconded by Tavares, that this matter be Waived the 2nd Reading. The motion carried by the following vote:

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

A motion was made by Ginther, seconded by Tavares, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

SAFETY: GINTHER, CHR. PALEY CRAIG MENTEL**1524-2010**

To authorize and direct the Director of Public Safety to expend funds for the use of the Franklin County Correction Centers for the housing of City of Columbus prisoners; to authorize the expenditure of \$1,517,000.00 from the General Fund; and to declare an emergency. (\$1,517,000.00)

A motion was made by Ginther, seconded by Tavares, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

**PUBLIC SERVICE & TRANSPORTATION: CRAIG, CHR. PALEY
TAVARES MENTEL****1505-2010**

To authorize the Director of Finance and Management to establish a purchase order with Path Master, Inc. for the purchase of Audible Pedestrian traffic signal equipment per the terms and conditions of an existing universal term contract; to amend the 2010 CIB; to authorize the transfer of monies within the Build America Bonds Fund for the Division of Planning and Operations; to authorize the expenditure of \$49,400.00 from the Build America Bonds Fund; and to declare an emergency. (\$49,400.00)

A motion was made by President Pro-Tem Craig, seconded by Tyson, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

1513-2010

To authorize the Director of Public Service to modify the contract with Rumpke of Ohio, Incorporated to extend the timeframe by one year for subscription curbside-recycling collection services.

A motion was made by President Pro-Tem Craig, seconded by Miller, that this matter be Approved. The motion carried by the following vote:

Abstained: 1 - Michael Mentel

Affirmative: 6 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, A. Troy Miller, and Eileen Paley

ADMINISTRATION: MILLER, CHR. PALEY TAVARES MENTEL

1473-2010

To authorize the Director of the Department of Finance and Management for the Department of Technology to establish a purchase order with Lawson Software to purchase Lawson Process Flow Integrator (PFI) software licenses and training as part of the Columbus Human Resource Information System (CHRIS); 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 Information Services Capital Improvement Fund. (\$27,500.00)

A motion was made by Miller, seconded by President Pro-Tem Craig, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

1492-2010

To authorize the Director of the Department of Finance and Management, on behalf of the Department of Technology to establish a purchase order with Echo 24 from an existing Universal Term Contract (UTC) for fiber optic repair services associated with the Metronet fiber optic backbone; and to authorize the expenditure of \$105,832.00 from the Department of Technology Information Services Fund.; and to declare an emergency. (\$105,832.00)

A motion was made by Miller, seconded by President Pro-Tem Craig, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

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

1375-2010

To authorize and direct the Municipal Court Clerk to modify the contract with OSU/OARnet for the provision of VMware software licenses and maintenance services; to authorize an expenditure of \$18,879.45 from the Municipal Court Clerk computer fund; and to declare an emergency. (\$18,879.45)

A motion was made by Paley, seconded by President Pro-Tem Craig, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

UTILITIES: PALEY, CHR CRAIG GINTHER MENTEL

1396-2010

This legislation authorizes the Director of Public Utilities to execute a planned contract modification (#4) for professional engineering services with DLZ Ohio, Inc. in connection with the Olentangy-Scioto Interceptor Sewer (OSIS) Augmentation and Relief Sewer (OARS)

(Engineering & Design) from the Henry Street Regulator to the Jackson Pike Wastewater Treatment Plant; to authorize the transfer within and expenditure of \$2,153,622.82 from the Sanitary Build America Bond (B.A.B.'s) Fund; and to amend the 2010 Capital Improvements Budget. (\$2,153,622.82)

A motion was made by Paley, seconded by President Pro-Tem Craig, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

1478-2010

To authorize the Director of Public Utilities to modify and increase the professional engineering services agreement with Malcolm Pirnie, Inc. for the Comprehensive Water Master Plan and Water Distribution System Master Plan; for the Division of Power and Water; to authorize a transfer and an expenditure of \$1,142,225.00 from the Water Build America Bonds Fund; to authorize an amendment to the 2010 Capital Improvements Budget; and to declare an emergency. (\$1,142,225.00)

A motion was made by Paley, seconded by President Pro-Tem Craig, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

HOUSING: TAVARES, CHR. TYSON MILLER MENTEL

1499-2010

To authorize and direct the City Auditor to cancel \$1,500,000.00 from an Auditor's Certificate; to authorize and direct a transfer between OCA Codes within the General Government Grant Fund; to authorize the Director of the Department of Development to modify and increase the NSP2 Consortium Agreement with Campus Partners for Community Urban Redevelopment; to authorize the expenditure of \$1,500,000.00 from the General Government Grant Fund; and to declare an emergency. (\$1,500,000.00)

A motion was made by Tavares, seconded by President Pro-Tem Craig, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

RECREATION & PARKS: TYSON, CHR. TAVARES PALEY MENTEL

1495-2010

To authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services, and to expend \$41,000.00 from the Recreation and Parks Voted Bond Fund for costs in connection with the Bikeway Land Acquisitions Project, and to declare an emergency. (\$41,000.00).

A motion was made by Tyson, seconded by President Pro-Tem Craig, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

ADJOURNMENT

adjourned 5:47 PM

A motion was made by President Mentel, seconded by President Pro-Tem Craig, to adjourn this Regular Meeting. The motion carried by the following vote:

Affirmative: 7 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley