



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, October 15, 2012

5:00 PM

City Council Chambers, Rm 231

REGULAR MEETING NO. 50 OF COLUMBUS CITY COUNCIL, MONDAY, OCTOBER 15, 2012 at 5:00 P.M. IN COUNCIL CHAMBERS.

ROLL CALL

Absent 3 - Michelle Mills Priscilla Tyson Andrew Ginther

Present 4 - Hearcel Craig Zachary Klein A. Troy Miller Eileen Paley

READING AND DISPOSAL OF THE JOURNAL

A motion was made by Craig, seconded by Paley, to Dispense with the reading of the Journal and Approve. The motion carried by the following vote:

Absent: 3 - Michelle Mills, Priscilla Tyson, and Andrew Ginther

Affirmative: 4 - Hearcel Craig, Zachary Klein, A. Troy Miller, and Eileen Paley

COMMUNICATIONS AND REPORTS RECEIVED BY CITY CLERK'S OFFICE

- 1 [C0035-2012](#) THE CITY CLERK'S OFFICE RECEIVED THE FOLLOWING COMMUNICATIONS AS OF, WEDNESDAY, OCTOBER 10, 2012:

New Type: D2
To: Mozarts Inc
DBA Vienna Ice Café
1st Fl
2899 N High St
Columbus OH 43202
Permit #62078090036

New Type: D5
To: 697 LP LLC
697 N 4th St
Columbus OH 43215
Permit # 8200720

New Type: D5
To: Nghiem V Tran
DBA ABC Grill
1755 E Dublin Granville Rd
Columbus OH 43229
Permit #9033088

New Type: C1, C2
To: 1785 Woodland Inc
DBA Woodland Express
185 Woodland Av
Columbus OH 43219
Permit # 8003683

New Type: D1
To: Juniors Premium Beverages LLC
237 King Av
Columbus OH 43201
Permit # 4412898

New Type: D2
To: Plantain Café LLC
DBA Plantain Café
77 E Gay St & Patio
Columbus OH 43215
Permit #6956439

Transfer Type: D5A D6
To: Pillar Hotels and Resorts LP
DBA Hyatt Place Columbus
Worthington
7490 Vantage Dr Exclds W/Side Pool
Columbus OH 43235
From: Archon Hospitality LP
DBA Hyatt Place Columbus
Worthington
7490 Vantage Dr Exclds W/Side Pool
Columbus OH 43235
Permit # 6926852

Transfer Type: D2, D2X, D3, D3A, D6
To: Nastys Sports Bar & Grill LLC
DBA Nastys Sports Bar & Grill
4561 Scioto Darby Creek Rd & Patio
Columbus OH 43026
From: Coughlin Investments LTD

4561 Scioto Darby Creek Rd & Patio
Columbus OH 43026
Permit # 6315694

Advertise Date: 10/20/12
Agenda Date: 10/15/12
Return Date: 10/23/12

Read and Filed

RESOLUTIONS OF EXPRESSION

GINTHER

- 2 [0183X-2012](#) To honor and recognize the 33rd Nationwide Children’s Hospital Columbus Marathon & 1/2 Marathon on Sunday, October 21, 2012.

A motion was made by Miller, seconded by Klein, that this Ceremonial Resolution be Adopted. The motion carried by the following vote:

Absent: 3 - Michelle Mills, Priscilla Tyson, and Andrew Ginther

Affirmative: 4 - Hearcel Craig, Zachary Klein, A. Troy Miller, and Eileen Paley

KLEIN

- 3 [0184X-2012](#) To endorse the Senior Services Levy on the November 6th, 2012 ballot as Issue 56.

A motion was made by Klein, seconded by Craig, that this Ceremonial Resolution be Adopted. The motion carried by the following vote:

Absent: 3 - Michelle Mills, Priscilla Tyson, and Andrew Ginther

Affirmative: 4 - Hearcel Craig, Zachary Klein, A. Troy Miller, and Eileen Paley

PALEY

- 4 [0179X-2012](#) To acknowledge and congratulate the Columbus area Lowe's Home Improvement Stores for the special relationship they maintain with the city of Columbus.

A motion was made by Paley, seconded by Craig, that this Ceremonial Resolution be Adopted. The motion carried by the following vote:

Absent: 3 - Michelle Mills, Priscilla Tyson, and Andrew Ginther

Affirmative: 4 - Hearcel Craig, Zachary Klein, A. Troy Miller, and Eileen Paley

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: 4 NEGATIVE: 0

DEVELOPMENT: KLEIN, CHR. TYSON CRAIG GINTHER

FR-1 [2139-2012](#) To dissolve the Job Creation Tax Credit Agreement between the City of Columbus and Exel Inc.; and to direct the Director of the Department of Development to notify as necessary the local and state tax authorities.

Read for the First Time

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

FR-2 [0123X-2012](#) To express the approval and support for the development of USBR 50, and request that the route is officially designated by AASHTO as soon as this can be achieved, and authorizes the posting of signs within the City of Columbus right-of-way identifying the route through the community once the official designation has been made.

Read for the First Time

PUBLIC UTILITIES: PALEY, CHR. CRAIG KLEIN GINTHER

FR-3 [1704-2012](#) To authorize the Director of Public Utilities to enter into a construction administration and inspection services agreement with Stantec Consulting Services for the 2012 Annual Lining Contract, Richards/Granden/Torrence Contract, and the 2012 General Construction Contract; to authorize a transfer within and expenditure of up to \$890,000.00 from the Sanitary Sewer General Obligation Bond Fund; and to amend the 2012 Capital Improvements Budget. (\$890,000.00)

Read for the First Time

FR-4 [2005-2012](#) To authorize the Director of Public Utilities to enter into an agreement with EMH&T, Inc. for professional engineering services for the Chase Road Area Water Line Improvements Project; and to authorize an expenditure up to \$172,014.06 from the Water Works Enlargement

Voted Bonds Fund; for the Division of Power and Water.
(\$172,014.06)

Read for the First Time

FR-5 [2008-2012](#) To authorize the Director of Public Utilities to modify and increase the professional engineering services agreement with Burgess and Niple, Inc. for the Hap Cremean Water Plant Treatment Improvements - Detailed Design Project; for the Division of Power and Water; to authorize a transfer and expenditure up to \$7,163,346.00 from the Water Works Enlargement Voted Bonds Fund; and to amend the 2012 Capital Improvements Budget. (\$7,163,346.00)

Read for the First Time

FR-6 [2011-2012](#) To authorize the Director of Public Utilities to execute a planned contract modification for the professional services agreement with URS Corporation-Ohio, Inc. for the Big Walnut Augmentation/Rickenbacker Sanitary Interceptor-Lockbourne Intermodal Project; to authorize the transfer within and expenditure of \$623,354.44 in funds from the Sanitary Sewer General Obligation Bond Fund to establish sufficient budget authority to cover the expenditure upon passage of the ordinance for the Division of Sewerage and Drainage. (\$623,354.44).

Read for the First Time

FR-7 [2027-2012](#) To authorize the Director of Public Utilities to modify and increase the agreement with CGI Technologies Solutions and Services for a Mobile Dispatching System; for the Division of Power and Water; to authorize a transfer and expenditure up to \$215,000.00 from the Water Build America Bonds Fund; and to amend the 2012 Capital Improvements Budget. (\$215,000.00)

Read for the First Time

FR-8 [2047-2012](#) To authorize the Director of Finance and Management to establish Blanket Purchase Orders for Heating Oil from an established State of Ohio Cooperative Purchase Contract with Great Lakes Petroleum Company for the Division of Sewerage and Drainage, and to authorize the expenditure of \$395,000.00 from the Sewerage System Operating Fund. (\$395,000.00)

Read for the First Time

FR-9 [2054-2012](#) To authorize the Director of Finance and Management to establish a purchase order with Environmental Express for the purchase of an Automated System for Oil and Grease Extraction for the Division of Sewerage and Drainage, and to authorize the expenditure of \$30,259.00 from the Sewer System Operating Fund. (\$30,259.00)

Read for the First Time

- FR-10** [2062-2012](#) To authorize the Director of Public Utilities to enter into a planned modification with Universal Fabricating & Construction Services Inc. dba Unifacs Steel Works LLC to provide Specialized Machining and Fabrication for the Department of Public Utilities, and to authorize the expenditure of \$100,000.00 from the Sewerage System Operating Fund. (\$100,000.00)

Read for the First Time

- FR-11** [2075-2012](#) To authorize the Director of Finance and Management to establish a purchase order with Hach Company for the purchase of an Ion Chromatography Platform for the Division of Sewerage and Drainage, and to authorize the expenditure of \$20,361.44 from the Sewer System Operating Fund. (\$20,361.44)

Read for the First Time

- FR-12** [2085-2012](#) To authorize the Director of Public Utilities to into an engineering agreement with Dynotec, Inc. for the Third Avenue CSO Increased Capture and Green Infrastructure project; to authorize the transfer of \$283,550.06; to authorize the expenditure of \$883,550.06 in from the Sanitary Sewer General Obligation Bond Fund; and amend the 2012 Capital Improvement Budget for the Division of Sewerage and Drainage. (\$883,550.06)

Read for the First Time

- FR-13** [2136-2012](#) To authorize the Director of Finance and Management to enter into a contract with Electrocomm Columbus Corp for the purchase and installation of one Motorola Communication System, for the Division of Sewerage and Drainage, and to authorize the expenditure of \$60,873.51 from the Sewerage System Operating Fund. (\$60,873.51)

Read for the First Time**ZONING: MILLER, CHR. CRAIG KLEIN MILLS PALEY TYSON GINTHER**

- FR-14** [2016-2012](#) To grant a Variance from the provisions of Section 3356.03, C-4 Permitted Uses, of the Columbus City Codes for the property located at 225 EAST ELEVENTH AVENUE (43201), to conform a single-unit dwelling in the C-4, Commercial District. (Council Variance #CV12-034)

Read for the First Time

- FR-15** [2018-2012](#) To rezone 4871 WARNER ROAD (43081), being 43.73± acres located on the south side of Warner Road, 1400± feet east of Ulry Road,

From: PUD-8, Planned Unit Development District, To: L-AR-12, Limited Apartment Residential District (Rezoning # Z12-024).

Read for the First Time

- FR-16** [2081-2012](#) To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential district; 3312.49, Minimum numbers of parking spaces required; 3321.05(B)(2), Vision clearance; 3332.05, Area district lot width requirements; 3332.21, Building lines; 3332.26, Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at 820 SOUTH FIFTH STREET & 223 EAST KOSSOUTH STREET (43206), to permit an apartment hotel (bed and breakfast) in an existing dwelling, and continuation of a retail gift shop on the same lot, with reduced development standards in the R-2F, Residential District, and to repeal Ordinance # 645-70, passed May 18, 1970(Council Variance # CV12-025).

Read for the First Time

- FR-17** [2099-2012](#) To grant a Variance from the provisions of Sections 3367.01, M-2, Manufacturing district, and 3312.49, Minimum numbers of parking spaces required, of the Columbus City Codes for the property located at 255 TAYLOR STATION ROAD (43213), to allow religious services in an existing building with reduced parking in the M-2, Manufacturing District. (Council Variance #CV12-035)

Read for the First Time

- FR-18** [2128-2012](#) To grant a variance from the provisions of Sections 3363.01, M-manufacturing districts; 3371.01(c)(f)(1), P-1 private parking district; 3312.27, Parking setback line; 3312.29, Parking space; 3321.05(B)(1), Vision clearance; 3312.49, Minimum numbers of parking spaces required; 3363.24, Building lines in an M-manufacturing district; and 3371.03, Building lines in commercial and manufacturing districts, of the Columbus City codes, for the property located at 697 NORTH FOURTH STREET (43215), to permit a 66-unit apartment building and a 2,250 square foot restaurant with reduced development standards in the M, Manufacturing and P-1, Private Parking Districts, and to repeal Ordinance # 0076-2012, passed January 30, 2012 (Council Variance # CV12-040).

Read for the First Time

- FR-19** [2130-2012](#) To rezone 3040 EAST SIXTH AVENUE (43231), being 0.55± acres located at the northwest corner of East Sixth Avenue and Gould Road, From: R-4, Residential District, To: L-C-2, Limited Commercial District (Rezoning # Z12-039).

Read for the First Time

FR-20 [2134-2012](#) To rezone 5509 NORTH HAMILTON ROAD (43230), being 4.42± acres located on the west side North Hamilton Road, 792± feet south of Blendon Brook Lane, From: L-C-4, Limited Commercial District, To: L-C-4, Limited Commercial District. (Rezoning # Z12-034)

Read for the First Time

FR-21 [2184-2012](#) To grant a Variance from the provisions of Section 3355.03, Permitted uses, and 3312.49, Minimum number of parking spaces required of the Columbus City Codes for the property located at 5509 NORTH HAMILTON ROAD (43205), to permit pet boarding with outside runs with reduced parking in the L-C-4, Limited Commercial District. (Council Variance #CV12-020).

Read for the First Time

ADDITIONS OR CORRECTIONS TO THE AGENDA

THE FOLLOWING RESOLUTION WAS REMOVED FROM THE CONSENT PORTION OF THE AGENDA AND VOTED ON EARLIER IN THE MEETING.

PALEY: Resolution #0179X-2012

CA CONSENT ACTIONS

RESOLUTIONS OF EXPRESSION:

RECREATION & PARKS: KLEIN, CHR. TYSON MILLS GINTHER

CA-2 [1622-2012](#) To establish an Auditor's certificate in the amount of \$610,000.00; and to authorize the expenditure of \$610,000.00 from the voted Recreation and Parks Bond Fund for the reimbursement of staff time related to the administration of 2012/2013 Capital Improvement Projects. (\$610,000.00)

This item was approved on the Consent Agenda.

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

CA-3 [2025-2012](#) To request that the Director of the Ohio Department of Transportation lower the prima-facie speed limit on Scioto and Darby Creek Road from Leap Road to Dublin Road from 50 miles per hour to 45 miles per hour, and to repeal any and all speed limit ordinances and resolutions on said roadway.

This item was approved on the Consent Agenda.

PUBLIC UTILITIES: PALEY, CHR. CRAIG KLEIN GINTHER

- CA-4** [1969-2012](#) To authorize the Director of Public Utilities to enter into a planned modification of the Specialty Maintenance Crafts Services contract with The Righter Company, Inc., for the Department of Public Utilities, and to authorize the expenditure of \$675,000.00 from the Sewerage System Operating Fund. (\$675,000.00)

This item was approved on the Consent Agenda.

- CA-5** [1989-2012](#) To authorize the Director of Public Utilities to enter into a cooperative agreement with the Geological Survey, United States Department of Interior, for Investigation of Water Resources in Central Ohio, and Ground Water Levels in Franklin County for the Division of Power and Water, and the Scioto River at Columbus for the Division of Sewerage and Drainage; and to authorize the expenditure of \$275,830.00 from the Sewer System Operating Fund, Storm Sewer Operating Fund, and the Water System Operating Fund. (\$275,830.00)

This item was approved on the Consent Agenda.

- CA-6** [1990-2012](#) To authorize the Director of Public Utilities to establish a purchase order to make payments to Delaware County for sewer services provided for Fiscal Year 2012, and to authorize the expenditure of \$750,000.00 from the Sewer System Operating Fund. (\$750,000.00)

This item was approved on the Consent Agenda.

- CA-7** [1994-2012](#) To authorize the Director of Public Utilities to pay operating license fees for the City's three water treatment plants to the Treasurer, State of Ohio, Ohio Environmental Protection Agency, for the Division of Power and Water; and to authorize the expenditure of \$211,546.00 from the Water Systems Operating Fund. (\$211,546.00)

This item was approved on the Consent Agenda.

- CA-8** [1997-2012](#) To authorize the Director of Public Utilities to enter into a planned modification of the Refractory and Thermal Systems Maintenance Services contract with Adrian L. Wallick Company, Inc., for the Division of Sewerage and Drainage, and to authorize the expenditure of \$475,000.00 from the Sewerage System Operating Fund. (\$475,000.00)

This item was approved on the Consent Agenda.

Approval of the Consent Agenda

A motion was made by Craig, seconded by Paley, including all the preceding items marked as having been approved on the Consent Agenda. The motion carried by the following vote

Absent: 3 - Michelle Mills, Priscilla Tyson, and Andrew Ginther

Affirmative: 4 - Hearcel Craig, Zachary Klein, A. Troy Miller, and Eileen Paley

DEVELOPMENT: KLEIN, CHR. TYSON CRAIG GINTHER

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

SR-1 2201-2012 To adopt the 2013 Action Plan Budget which implements year four of the five year "Consolidated Plan" for the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Shelter Grant (ESG) and Housing Opportunities for Persons with AIDS (HOPWA) programs; to authorize the filing of the plan application with the U. S. Department of Housing and Urban Development; and to declare an emergency

A motion was made by Klein, seconded by Craig, that this Ordinance be Tabled Indefinitely. The motion carried by the following vote:

Absent: 3 - Michelle Mills, Priscilla Tyson, and Andrew Ginther

Affirmative: 4 - Hearcel Craig, Zachary Klein, A. Troy Miller, and Eileen Paley

ADJOURNMENT

ADJOURNED AT 5:30 PM

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

Absent: 3 - Michelle Mills, Priscilla Tyson, and Andrew Ginther

Affirmative: 4 - Hearcel Craig, Zachary Klein, A. Troy Miller, and Eileen Paley