



# City of Columbus

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

## Agenda - 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.***

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Monday, June 15, 2009

5:00 PM

City Council Chambers, Rm 231

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**REGULAR MEETING NO. 29 OF COLUMBUS CITY COUNCIL, MONDAY, JUNE 15,  
2009 at 5:00 P.M. IN COUNCIL CHAMBERS.**

#### **ROLL CALL**

#### **READING AND DISPOSAL OF THE JOURNAL**

##### **C0016-2009**

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE  
CITY CLERK'S OFFICE AS OF WEDNESDAY JUNE 10, 2009:

New Type: D5J  
To: 6136 Busch Corp  
DBA Crazy Louies Bar & Grill  
6136 Busch Blvd  
Columbus OH 43229  
Permit # 8201021

New Type: D2  
To: Jnyd LLC  
DBA Basi Italia  
811 Highland St  
Bsmt & Patio  
Columbus OH 43215  
Permit # 41876790010

New Type: D5J  
To: 401 LLC  
401 N Front St & Patio  
Columbus OH 43215  
Permit # 2849959

New Type: C1, C2  
To: V4LLC  
DBA Spiceworld  
1111 Worthington Woods

Columbus OH 43085  
Permit # 9179926

Transfer Type: D5  
To: Dave & Busters Inc  
DBA Dave & Busters  
1554 Polaris Pkwy Suite 206  
Columbus OH 43240  
From: Molika II Inc  
1155 Old West Henderson Rd & Patio  
Columbus OH 43220  
Permit # 19423950020

Transfer Type: C1, C2  
To: Amizara Management Inc  
DBA Squares Carryout  
5870 Columbus Sq  
Columbus OH 43231  
From: Cinkel LM LLC  
DBA Squares Carryout  
5870 Columbus Sq  
Columbus OH 43231  
Permit # 0173353

Transfer Type: C1, C2, D6  
To: IHS Group LLC  
DBA Clintonville Market  
4440-2 Indianola Av  
Columbus OH 43214  
From: 4440 Indianola Inc  
DBA Clintonville Market  
4440-2 Indianola Av  
Columbus OH 43214  
Permit # 41252560005

Advertise: 6/20/2009  
Return: 06/29/2009

## RESOLUTIONS OF EXPRESSION

### PALEY

**0092X-2009** To celebrate the 100th Year of The Neighborhood House.

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

[0094X-2009](#) To recognize the 100th Birthday of Jewish Family Services.

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

## TYSON

[0084X-2009](#) To recognize the 2009 Community Festival, ComFest.

**Sponsors:** Priscilla Tyson

## ADDITIONS OR CORRECTIONS TO THE AGENDA

### FR FIRST READING OF 30-DAY LEGISLATION

#### PUBLIC SERVICE & TRANSPORTATION: CRAIG, CHR. MILLER TAVARES MENTEL

FR [0763-2009](#) To authorize the City of Columbus Director of Public Service to apply on behalf of Keep Columbus Beautiful (affiliate member) to Keep America Beautiful to request funding from the new KAB-UPS community improvement grant partnership to support and expand KickButtColumbus! into an awareness and abatement effort to remove FAST FOOD LITTER from targeted ramps and interchanges leading into neighborhoods with highly visible destination areas and accept said grant if awarded; to authorize the appropriation of \$10,000.00 within the Private Grant Fund; and to authorize the expenditure of \$10,000.00 or so much thereof as may be needed for this purpose from the Private Grant Fund and to declare an emergency.

*(Request to amend to an emergency)*

FR [0766-2009](#) To authorize the Director of Public Service to expend \$74,200.00 or so much thereof as may be needed from the Street Construction, Maintenance and Repair Fund for the Division of Planning and Operations' use of the Franklin County 800 MHz and 450 MHz radio systems; and to authorize the Director of Public Service to modify the existing Public Service Radio System contract. (\$74,200.00)

FR [0785-2009](#) To authorize the Director of Public Service to expend \$66,677.71 from the Federal-State Highway Engineering Fund for the purpose of making final payment to CSX for the costs incurred by CSX for the construction of the railroad bridge over Hard Road as part of the Hard Road phase B project. (\$66,677.61)

#### DEVELOPMENT: GINTHER, CHR. CRAIG TYSON MENTEL

- FR [0544-2009](#) To adopt the Urban, Community, and/or Regional Commercial Overlays for portions of the Lockbourne Road corridor, portions of East Main and East Broad Streets, portions of Fifth and Cleveland Avenues, and portions of Bethel Road, SR 161, and Sawmill Road; and to adopt seven additional revisions to the commercial overlays to provide clarification on overlay applicability and extent and correct clerical discrepancies.
- FR [0838-2009](#) To accept the application (AN08-018) of Donald and Miriam Jordan for the annexation of certain territory containing 3.1 ± acres in Plain Township.

#### **HEALTH, HOUSING & HUMAN SVC'S TAVARES, CHR. TYSON MILLER MENDEL**

- FR [0787-2009](#) To authorize and direct the Health Department to accept additional grant funds from the Ohio Department of Health in the amount of \$30,500; to authorize the appropriation of \$30,500 from the unappropriated balance of the Health Department Grants Fund. (\$30,500)

#### **RULES & REFERENCE: MENDEL, CHR. GINTHER CRAIG PALEY**

- FR [0151-2009](#) To amend sections in Chapter 3381 of the Columbus Zoning Code, Title 33, Chapter 4114 of the Columbus Building Code, Title 41, and various sections of Title 11, Water, Sewer and Electricity Code, in order to remove local testing requirements for locally registered contractors; to create a new classification of Water Contractor; and to provide for emergency permitting for the completion of work when an unlicensed contractor is removed from a work site.

**Sponsors:** Andrew Ginther

#### **ZONING: TYSON, CHR. CRAIG GINTHER MILLER PALEY TAVARES MENDEL**

- FR [0662-2009](#) To grant a Variance from the provisions of Sections 3332.035, R-3, Residential District; 3332.18 (D), Basis of computing area; 3332.21, Building lines; 3332.27, Rear yard; 3342.28, Minimum number of parking spaces required; and 3342.29, Minimum number of loading spaces required, of the Columbus City Codes, for the property located at 657 SOUTH OHIO AVENUE (43205), to permit a youth and family services center with reduced development standards in the R-3, Residential District (Council Variance # CV08-041).
- FR [0713-2009](#) To rezone 2655 OAKSTONE DRIVE (43231), being 6.29± acres located at the southwest corner of Oakstone Drive and Newtown Drive, From: L-C-2, Limited Commercial District, To: L-C-2, Limited Commercial District and to declare an emergency. (Rezoning # Z08-069)

- FR [0817-2009](#) To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential District; 3332.18 (D), Basis of computing area; 3332.21, Building lines; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; 3332.27, Rear yard; 3342.06, Aisle; 3342.08, Driveway; 3342.09, Dumpster area; 3342.19, Parking space; and 3342.28, Minimum number of parking spaces required, of the Columbus City Codes for the property located at 374 EAST TOMPKINS STREET (43202), to conform an existing eight-unit apartment building with reduced development standards in the R-2F, Residential District (Council Variance #CV09-007).
- FR [1310-2008](#) To rezone 5157 NEW ALBANY ROAD (43054), being 0.31± acres located at the northwest corner of New Albany and Fodor Road, From: L-C-4, Limited Commercial District, To: CPD, Commercial Planned Development District. (Rezoning # Z07-031)

## CA CONSENT ACTIONS

## RESOLUTIONS OF EXPRESSION

### TAVARES

- CA [0090X-2009](#) To recognize ALLA BABA TEMPLE #53, A.E.A.O.N.M.S., Inc. and Illustrious Potentate Noble Charles E. Diggs III as they celebrate their annual Potentate's Charity Ball on Saturday, June 20, 2009.

**Sponsors:** Charleta B. Tavares

### TYSON

- CA [0085X-2009](#) To congratulate Stonewall Columbus on their 28th year, and to commend their efforts to provide services to central Ohio's GLBTQ community.

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

## PUBLIC SERVICE & TRANSPORTATION: CRAIG, CHR. MILLER TAVARES MENTEL

- CA [0855-2009](#) To appropriate and transfer \$12,970.00 in the General Permanent Improvement Fund; to authorize the Finance and Management Director to modify a contract with Mid Ohio Air Conditioning for the replacement of the existing air handler and condensing unit at the Division of Refuse Collection's Administrative Building, 2100 Alum Creek Drive; to authorize the expenditure of \$12,970.00 from the General Permanent Improvement Fund; and to declare an emergency. (\$12,970.00)

**SAFETY : GINTHER, CHR. PALEY CRAIG MENTEL**

- CA [0666-2009](#) To authorize and direct the Director of Public Safety to modify and extend the contract with LexisNexis Risk & Information Analysis for background investigative searches for the Division of Police in accordance with sole source procurement provisions of the Columbus City Codes, to authorize the expenditure of \$50,844.00 from the Law Enforcement Contraband Seizure Fund, and to declare an emergency; (\$50,844.00)
- CA [0760-2009](#) To authorize the Finance and Management Director to modify a contract on behalf of the Facilities Management Division with General Maintenance and Engineering Company for roof repairs at Fire Station No. 25, 739 West Third Avenue; and to authorize the expenditure of \$2,723.00 from the Safety Voted Bond Fund. (\$2,723.00)
- CA [0830-2009](#) To authorize and direct the Finance and Management Director to enter into one (1) contract for the option to purchase Pre-Owned Vehicles from Bob McDorman Chevrolet Inc.; to transfer \$20.00 between Object Levels within the Mail, Print Services and UTC Fund; 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)

**DEVELOPMENT: GINTHER, CHR. CRAIG TYSON MENTEL**

- CA [0778-2009](#) To accept the application (AN09-001) of Gregory J. Prorock for the annexation of certain territory containing 0.42 ± acres in Madison Township.
- CA [0780-2009](#) To accept the application (AN08-011) of ETI Corporation for the annexation of certain territory containing 4.26 ± acres in Franklin Township.
- CA [0823-2009](#) To authorize and direct the City Auditor to transfer \$2,371.00 between subfunds within the Area Commission Fund to provide monies in the proper subfunds for the 2009 funding of area commissions; and to declare an emergency. (\$2,371.00)
- CA [0845-2009](#) To authorize the Director of Development to enter into, on behalf of the City of Columbus, a First Amendment to the Metro Park Annexation Agreement with Plain Township and the Village of New Albany; and to declare an emergency.

**JUDICIARY & COURT ADMINISTRATION: PALEY, CHR. CRAIG TYSON MENTEL**

- CA [0803-2009](#) To authorize the Director of the Department of Finance and Management to amend a contract with the Franklin County Public Defender Commission and to expend an additional \$9,449.17 to cover additional costs due; and to declare an emergency (\$9,449.17)

**UTILITIES: PALEY, CHR. CRAIG GINTHER MENDEL**

- CA [0730-2009](#) To authorize the Director of Public to enter into an agreement with ms consultants, inc. for professional engineering services for the German Village Area Water Line Improvements Project; to authorize the transfer of \$22,758.40 within the Water Works Enlargement Voted Bonds Fund; to authorize the appropriation and transfer of \$128,809.99 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; and to authorize the expenditure of \$199,336.85 from the Water Works Enlargement Voted Bonds Fund; to amend the 2008 Capital Improvements Budget; for the Division of Power and Water. (\$199,336.85)

**HEALTH, HOUSING & HUMAN SVC'S: TAVARES, CHR. TYSON MILLER MENDEL**

- CA [0750-2009](#) To authorize the City Auditor to create a new subfund within the City's Special Purpose Fund to account for rabies clinic activities; to authorize an appropriation of \$15,000.00 from the unappropriated balance of the Special Purpose Fund; and to declare an emergency. (\$15,000)
- CA [0772-2009](#) To authorize the Director of the Department of Development to enter into contract with the Community Shelter Board to support the Homeless Prevention and Transition Programs; and to authorize the expenditure of \$116,590 from the 2009 Community Development Block Grant Fund (\$116,590.00)
- CA [0783-2009](#) To authorize and direct the Board of Health to modify and increase a contract for planning services with the Franklin County Board of Health, to authorize the expenditure of \$5,757.00 from the Health Department Grants Fund, and to declare an emergency. (\$5,757.00)

**EMERGENCY, TABLED AND 2ND READING OF 30-DAY LEGISLATION****FINANCE: MENDEL, CHR. TAVARES CRAIG PALEY**

- [0806-2009](#) To adopt a Capital Improvements Budget for the twelve months ending December 31, 2009 or until such a time as a new Capital Improvements Budget is adopted, establishing a project budget for capital improvements requiring legislative authorization in 2009, to authorize the City Auditor to transfer \$2,087,973.63 between projects within the Street and Highway Capital fund, \$3,392,852.00 between projects within the Recreation and Parks Capital Fund, and \$718,442.45 between funds within the Health G.O. Bond Fund and the Safety G.O. Bond Fund, to repeal Ordinance No. 0690-2008, as amended, and to declare an emergency.

**PUBLIC SERVICE & TRANSPORTATION: CRAIG, CHR. MILLER  
TAVARES MENDEL****0574-2009**

To authorize the appropriation and transfer of funds within the East Broad Street Growth Area Fund; to authorize the expenditure of \$6,000.00 from the East Broad Street Growth Area Fund and \$61,150.00 from the Streets and Highways G.O. Bonds Fund for construction inspection charges for the Division of Design and Construction; to authorize the City Auditor to establish Auditor's Certificates to provide for payment of construction inspection charges; and to authorize the expenditure of \$67,150.00 for inspection charges for the Division of Design and Construction. (\$67,150.00)

**0814-2009**

To authorize the expenditure of \$1,300,000.00 or so much thereof as may be necessary to allow the City Attorney's Office, Real Estate Division, to complete continue acquisition of the rights-of-way needed for the Parsons/Livingston Avenue Roadway Improvements project; to authorize the transfer of funds from the Streets and Highways G.O. Bonds Fund to the Fed-State Highway Engineering Fund; and to declare an emergency. (\$1,300,000.00)

**SAFETY : GINTHER, CHR. PALEY CRAIG MENDEL****0779-2009**

To authorize and direct the Finance and Management Director to enter into contract with Roy Tailors Uniform Company of Columbus, Inc. to purchase uniforms for the Division of Police from an existing Universal Term Contract, to authorize the expenditure of \$451,507.38 from the General Fund, Grant Funds and Law Enforcement Seizure Funds; and to declare an emergency. (\$451,507.38)

**ADMINISTRATION: MILLER, CHR. PALEY TAVARES MENDEL****0610-2009**

To authorize the Director of the Department of Finance and Management on behalf of the Department of Technology to modify and extend the contract with AssetWorks, Inc formerly known as Maximus Inc., for the annual license renewal on the Fleet Focus application utilized by the Fleet Management Division; to provide for the upgrade and modification of the Fleet Focus application; to waive the competitive bidding provisions of the Columbus City Codes; to provide for the change of the company name and Federal Identification number from Maximus Systems, Inc to AssetWorks, Inc.; to authorize the expenditure of \$139,444.95 from the Department of Technology Information Services Fund; and to declare an emergency. (\$139,444.95)

**UTILITIES: PALEY, CHR. CRAIG GINTHER MENDEL****0837-2009**

To authorize and direct the Finance and Management Director to enter into a contract for the option to purchase Isco Wastewater Monitoring



Equipment with Teledyne Isco, Inc., to authorize the expenditure of \$1.00 to establish the contract from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$1.00)

## **HEALTH, HOUSING & HUMAN SERVICES: TAVARES, CHR.**

### **TYSON MILLER MENDEL**

#### **0626-2009**

To approve the grant applications of various social service agencies seeking financial assistance to address an emergency human service need pursuant to Columbus City Codes, 1959; to authorize the Director of Development to execute grant agreements with various social service agencies; to authorize the expenditure of \$1,844,824 from the Emergency Human Services Fund; and to declare an emergency. (\$1,844,824)

#### **0627-2009**

To approve the grant applications of City Year seeking financial assistance to address an emergency human service need pursuant to Columbus City Codes, 1959; to authorize the Director of Development to execute grant agreements with City Year; to authorize the expenditure of \$63,050 from the Emergency Human Services Fund; and to declare an emergency. (\$63,050)

#### **0786-2009**

To authorize and direct the Board of Health to enter into a contract with IMPACT Community Action for the provision of physical intervention and weatherization services for homes at risk for injury and health hazards, to authorize the expenditure of \$110,000 from the Health Department Grants Fund; and to declare an emergency. (\$110,000)

#### **0813-2009**

To approve the grant application of Central Community House seeking financial assistance to address an emergency human service need pursuant to Columbus City Codes, 1959; to authorize the Director of Development to execute a grant agreement with Central Community House to provide the Child Care Services; to authorize the expenditure of \$23,118.00 from the Emergency Human Services Fund; and to declare an emergency. (\$23,118.00)

#### **0815-2009**

To approve the grant applications of Community Refugee and Immigration Services seeking financial assistance to address an emergency human service need pursuant to Columbus City Codes, 1959; to authorize the Director of Development to execute a grant agreement with Community Refugee and Immigration Services; to authorize the expenditure of \$66,319.00 from the Emergency Human Services Fund; and to declare an emergency. (\$66,319.00)

#### **0816-2009**

To approve the grant applications of the Columbus Urban League seeking financial assistance to address an emergency human service need pursuant to Columbus City Codes, 1959; to authorize the Director of Development to execute grant agreements with the Columbus Urban League to support the Victim's Assistance Program and the African-American Male Initiative; to authorize the expenditure of \$94,283.00 from the Emergency Human Services Fund; and to declare

an emergency. (\$94,283.00)

**0818-2009**

To approve the grant application of Neighborhood House Incorporated seeking financial assistance to address an emergency human service need pursuant to Columbus City Codes, 1959; to authorize the Director of Development to execute grant agreements with Neighborhood House Incorporated; to authorize the expenditure of \$8,406.00 from the Emergency Human Services Fund; and to declare an emergency. (\$8,406.00)

**WORKFORCE DEVELOPMENT: TAVARES, CHR. TYSON MILLER MENTEL**

**0621-2009**

To authorize the Director of the Department of Development to enter into contracts with the Columbus Literacy Council and Columbus Works for the provision of program services; to authorize the expenditure of \$79,489.00 from the Community Development Block Grant Fund; and to declare an emergency. (\$79,489.00)

**RECREATION & PARKS: TYSON, CHR. TAVARES PALEY MENTEL**

**0822-2009**

"To authorize the Director of the Recreation and Parks Department to grant consent and propose cooperation with the Ohio Department of Transportation (ODOT) for the development, construction and completion of the multi-use bike path along US-33 to the existing bike path at the I-670/Grandview interchange including construction of two bridges over the Scioto River, in which the City of Columbus will be responsible for the future maintenance of the bike path including the two bridges, and to declare an emergency."

**0827-2009**

To authorize the Director Recreation and Parks to execute instruments and documents as may be necessary to secure a Covenant Not To Sue (CNS) for the Northern Tier of the Whittier Peninsula including an environmental covenant, an Operation & Maintenance agreement, and any other additional documents and instruments that are necessary and incident thereto, and to declare an emergency. (\$0.00)

**ADJOURNMENT**