



# 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, October 25, 2010

5:00 PM

City Council Chambers, Rm 231

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**REGULAR MEETING NO. 52 OF COLUMBUS CITY COUNCIL, OCTOBER 25, 2010  
at 5:00 P.M. IN COUNCIL CHAMBERS.**

### **ROLL CALL**

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

#### **C0033-2010**

THE CITY CLERK'S OFFICE RECEIVED THE FOLLOWING  
COMMUNICATIONS AS OF WEDNESDAY OCTOBER 20, 2010.

Transfer Type: D1, D2, D3, D3A, D6

To: Khue P Tran

DBA Mikado

5253-5261 W Pointe Plaza

Columbus OH 43026

From: Blazin Wings Inc

DBA Buffalo Wild Wings

Grill & Bar

110 Hutchinson Av

Columbus OH 43235

Permit # 9032944

New Type: D5

To: SSF II Inc

DBA BD S Mongolian Barbeque

& Patio

6242 Sawmill Rd

Columbus OH 43017

Permit # 86400950005

New Type: D5

To: AED Enterprises LLC

DBA Deweys Pizza

1327 W Fifth Av

Columbus OH 43212

Permit # 00661240065

Transfer Type: D5, D6  
To: Dublin Hospitality LTD  
DBA Inchins Bamboo Garden  
6642 Sawmill Rd  
Columbus OH 43235  
From: A K Group Inc  
6150 Sunbury Rd Unit B  
Columbus OH 43081  
Permit # 23225180005

Transfer Type: C2, C2X, D6  
To: Westerville Food Mart Inc  
2682 Westerville Rd  
Columbus OH 43224  
From: Walter Foods Inc  
DBA Walters IGA Foodliner  
2682 Westerville Rd  
Columbus OH 43224  
Permit # 9555086

Transfer Type: C1, C2  
To: 1818 Kindda Inc  
DBA Hudson & Joyce Carry Out  
1820 E Hudson St  
Columbus OH 43211  
From: Hudson & Joyce Drive Thru Inc  
DBA Hudson & Joyce Carry Out  
1820 E Hudson St  
Columbus OH 43211  
Permit # 2455358

New Type: D2  
To: Organic Trails Cafes LLC  
DBA Third & Hollywood  
1433 W Third Ave & Patio  
Columbus OH 43212  
Permit # 65721610015

New Type: D2  
To: Frostielock Inc  
1351 Lockbourne Rd  
Columbus OH 43206  
Permit # 29493150015

Advertise: 10/30/2010

Return: 11/10/2010

## RESOLUTIONS OF EXPRESSION

### PALEY

[0147X-2010](#) To express support for Issue 4 to maintain the exceptional service and valuable resources provided by the Columbus Metropolitan Library.

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

### TAVARES

[0145X-2010](#) To recognize and celebrate Ohio Hispanic Coalition on its 20th Anniversary on October 29th, 2010.

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

## ADDITIONS OR CORRECTIONS TO THE AGENDA

### FR FIRST READING OF 30-DAY LEGISLATION

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

FR [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)

FR [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.

#### UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL

FR [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)

- FR [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)

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

- FR [1502-2010](#) To rezone 3401 JACKSON PIKE (43123), being 5.5± acres generally located 1700± feet east of Jackson Pike, and 3,100± feet north of Interstate 270, From: EQ, Excavation and Quarrying District, To: M, Manufacturing District (Rezoning # Z10-017).

#### CA CONSENT ACTIONS

#### RESOLUTIONS OF EXPRESSION:

#### PALEY

- CA [0148X-2010](#) To honor and recognize the South Side Settlement House's Tenth Annual Arts Freedom Awards, and to congratulate this year's award winners.
- Sponsors:** Eileen Y. Paley, Hearcel Craig, Andrew Ginther, A. Troy Miller, Charleta B. Tavares, Priscilla Tyson and Michael C. Mentel
- CA [0149X-2010](#) To honor, recognize, and celebrate the life of Dan Charles and to extend our sincerest condolences to his family and friends on the occasion of his passing, Monday, October 4, 2010
- Sponsors:** Eileen Y. Paley, Priscilla Tyson, Charleta B. Tavares, A. Troy Miller, Andrew Ginther, Hearcel Craig and Michael C. Mentel

#### TYSON

- [0146X-2010](#) To honor and recognize the Columbus Museum of Art for representing the United States in the centennial exhibition at the National Museum of Fine Arts in Santiago, Chile.

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

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

- CA [1429-2010](#) To authorize the Finance and Management Director to extend the existing Service Agreement with Lease Harbor LLC, under the same terms and conditions for the final one (1) year renewal term, for the provision of web-based database management software, support, and related services for the administration of the City's real property and lease portfolio; and to authorize the expenditure of \$23,000.00 from the General Fund. (\$23,000)
- CA [1446-2010](#) To authorize the City Auditor to enter into contract with The Shamrock Companies, Inc. for the production of 2010 personalized income tax forms for the Office of the City Auditor, Division of Income Tax; to authorize the expenditure of \$49,140.00; and to declare an emergency (\$49,140.00).
- CA [1479-2010](#) To authorize the City Auditor to modify and increase the current contract with First Data Government Solutions to provide for ongoing hosting and development services for the Income Tax E-File/E-Pay processing system; to authorize and direct the City Auditor to authorize the expenditure of \$170,000.00; and to declare an emergency. (\$170,000.00).

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

- CA [1439-2010](#) To authorize and direct the City Auditor to transfer \$13,344.90 from Fire Division's General Fund operating budget to the General Government Grant fund to account for the City's matching funds for the Safety Intervention Grant; to authorize and direct the Finance and Management Director to issue a purchase order for EMS medical supplies from existing Universal Term Contracts established for such purposes with BoundTree Medical LLC, to authorize the expenditure of \$23,906.69 from the General Government Grant Fund; and to declare an emergency. (\$23,906.69)

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

- CA [1496-2010](#) To designate portions of sidewalk as shared-use path on Neil Avenue from Long Street to Nationwide Boulevard and Cleveland Avenue from McCoy Street to Jack Gibbs Boulevard.
- CA [1498-2010](#) To accept the plat titled "Reynolds Crossing Section 1 Part 3" from Dominion Homes, Inc., an Ohio Corporation, by Matthew J. Callahan, Vice President Land Development; and to declare an emergency.

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

- CA     [1305-2010](#)     To authorize the Director of Public Utilities to enter into a professional engineering services agreement with Evans, Mechwart, Hambleton & Tilton, Inc ( EMH&T), for Sullivant Avenue Sewer System Inflow & Infiltration Remediation Project in order to comply with the consent order as contained in the Wet Weather Management Plan; to authorize the transfer within and the expenditure of \$907,607.49 from the Sanitary B.A.B.s (Build America Bonds) Fund; and to amend the 2010 Capital Improvement Budget, (\$907,607.49)
- CA     [1323-2010](#)     To authorize the Director of Public Utilities to enter into an agreement with GE Fanuc Automation Americas, Inc. dba GE Fanuc Intelligent Platforms, Inc. for Software Licenses, Support and Maintenance for the Division of Sewerage and Drainage in accordance with the Sole Source provisions of Columbus City Code, and to authorize the expenditure of \$100,171.96 from the Sewerage System Operating Fund. (\$100,171.96)
- CA     [1338-2010](#)     To authorize the Finance and Management Director to enter into a contract with Van Tran Industries for the purchase of Transformers for the Division of Power and Water and to authorize the expenditure of \$79,470.00 from the Electricity Operating Fund. (\$79,470.00)
- CA     [1379-2010](#)     To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release portions of certain sewer easements, located in the vicinity of New Bond Street and Easton Loop West, at the request of Easton Town Center II, LLC, a Delaware Limited Liability Company in exchange for replacement easements previously granted to the City of Columbus, Ohio.
- CA     [1388-2010](#)     To authorize the Director of Public Utilities to modify an existing contract with Asplundh Tree Expert Co. for power line clearance services for the Division of Power and Water; to authorize the expenditure of \$132,000.00 from the Electricity Operating Fund. (\$132,000.00)
- CA     [1402-2010](#)     To authorize the Director of Public Utilities to renew a membership with the National Association of Clean Water Agencies for the Division of Sewerage and Drainage and to authorize the expenditure of \$26,566.00 from the Sewerage System Operating Fund (\$26,566.00)
- CA     [1408-2010](#)     To authorize the Director of Public Utilities to enter into an agreement for professional engineering services with EMH&T, Inc.; Existing Detention Basins Evaluation Project for the Division of Sewerage and Drainage; and to authorize the expenditure of \$372,433.13 within the Storm B.A.B.s (Build America Bonds) Fund. (\$372,433.13).

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

- CA [1512-2010](#) To authorize and direct the Board of Health to enter into contract with the Franklin County Board of Health, to authorize the expenditure of \$326,226.00 from the Health Department Grants Fund, and to declare an emergency. (\$326,226.00)

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

- CA [1472-2010](#) To accept the application (AN10-003) of Goldenroot, LLC (owner/petitioner) for the annexation of certain territory containing 1.326 ± acres in Clinton Township.
- CA [1474-2010](#) To accept the application (AN10-002) of Fayez F. Bekheit & Sonia G. Bishara, property owners for the annexation of certain territory containing 3.3 ± acres in Washington Township.
- CA [1508-2010](#) To authorize and direct the Clerk of Council to execute and sign a petition on behalf of the City of Columbus to be presented to the Board of County Commissioners of Franklin County, Ohio by Hilliard Grand Apartments, LLC to create a new community authority named the "West Hilliard Community Authority" under Ohio Revised Code Chapter 349 for the benefit of the City of Hilliard; and to declare an emergency.

**EMERGENCY, TABLED AND 2ND READING OF 30-DAY LEGISLATION****FINANCE & ECONOMIC DEVELOPMENT: GINTHER, CHR. MILLER TYSON MENTEL**

- [1469-2010](#) To authorize the Director of Development to enter into an Enterprise Zone Agreement with Polaris Medical Office Development, LLC for a tax abatement of seventy-five percent (75%) for a period of ten (10) years in consideration of a \$14.7 million investment in real and personal property and the creation of 21 new full-time permanent positions.
- [1515-2010](#) To authorize the Director of the Department of Development to enter into an Enterprise Zone Agreement with The Coca-Cola Company for a tax abatement on real property improvements of seventy-five percent (75%) for a period of ten (10) years and a Job Creation Tax Credit Agreement of sixty-five percent (65%) for a period of (six) 6 years; and to declare an emergency. (AMENDED BY ORDINANCE 0085-2011 PASSED 1/24/11)

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

- [1506-2010](#) To appropriate and transfer \$1,303,713.00 within the General Permanent Improvement Fund; to authorize the Finance and Management Director to issue a purchase order to Statewide Ford Lincoln Mercury Inc. for the purchase of marked police cruisers for the Division of Police; to authorize the expenditure of \$1,303,713.00 from

the General Permanent Improvement Fund; to waive the competitive bidding provisions of Columbus City Codes; and to declare an emergency. (\$1,303,713.00)

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

**1405-2010**

To authorize the Director of Finance and Management to enter into various contracts for the assembly of four dump trucks, plows and accessories in accordance with Ohio Department of Transportation and State of Ohio contracts for the Division of Planning and Operations; to amend the 2010 CIB; to authorize the transfer of appropriation within the Local Transportation Improvement Fund and cash between the Local Transportation Improvement Fund and the Street and Highway Improvement Fund and within the Streets and Highways G.O. Bonds Fund; to authorize the expenditure of \$484,837.08 from the Street and Highway Improvement Fund and the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$484,837.08)

*(TABLED 10/18/10; REQUEST TO BE DEFEATED AND REPLACED WITH 1534-2010)*

**1534-2010**

To authorize the Director of Finance and Management to establish purchase orders for the purchase and assembly of four dump trucks, plows and accessories in accordance with Ohio Department of Transportation and State of Ohio contracts for the Division of Planning and Operations; to amend the 2010 CIB; to authorize the transfer of appropriation within the Local Transportation Improvement Fund and cash between the Local Transportation Improvement Fund and the Street and Highway Improvement Fund and within the Streets and Highways G.O. Bonds Fund; to authorize the appropriation of funds and expenditure of \$485,257.08 from the Street and Highway Improvement Fund and the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$485,257.08)

**1410-2010**

To authorize the Director of Finance and Management to participate in the Ohio Department of Transportation contracts for the purchase of machinery, materials, supplies or other articles which the Department has entered into pursuant to the Ohio Revised Code; to waive the competitive bidding provisions of the Columbus City Codes, 1959, for purchases made under this cooperative purchasing program; and to declare an emergency.

*(TABLED 10/18/10; REQUEST TO AMEND AS SUBMITTED TO CLERK)*

**1426-2010**

To authorize the Finance and Management Director to enter into a contract for the purchase of three tow-behind rollers from The McLean Company and to authorize the expenditure of \$142,296.00 from the Streets and Highways G.O. Bonds Fund for the Division of Planning and Operations. (\$142,296.00)



- [1431-2010](#) To authorize the Finance and Management Director to enter into a contract for the purchase of one force feed loader from The McLean Company and to authorize the expenditure of \$190,900.00 from the Streets and Highways G.O. Bonds Fund for the Division of Planning and Operations. (\$190,900.00)
- [1442-2010](#) To authorize the Director of the Department of Public Service to execute those documents required to transfer a portion of the Broadway Place right-of-way, and a portion of the adjacent east/west alley, to Columbus City Schools and to waive the Land Review Commission and the competitive bidding provisions of Columbus City Codes.
- [1480-2010](#) To authorize the Director of Finance and Management to establish purchase orders with Benjamin Steel, Lightle Enterprises of Ohio, LLC, and Midwest Security Products for the purchase of parking meter commodities per the terms and conditions of an existing universal term contract and per the results of bids; to amend the 2010 CIB; to authorize the transfer of monies within the Build America Bonds Fund for the Division of Mobility Options; to authorize the expenditure of \$38,606.00 from the Build America Bonds Fund; and to declare an emergency. (\$38,606.00)

**ADMINISTRATION: MILLER, CHR. PALEY TAVARES MENTEL**

- [1411-2010](#) To authorize the Director of the Department of Technology to enter into an agreement with Becker Software for annual software maintenance and support services, in accordance with the sole source procurement provisions of the Columbus City Codes; and to authorize the expenditure of \$250.00 from the Department of Technology Internal Service Fund. (\$250.00)
- [1420-2010](#) To authorize the Director of the Department of Finance and Management for the Department of Technology, on behalf of the Department of Building and Zoning Services, to purchase replacement servers for its Accela application from Agilysys using an existing UTC(FL004390); to authorize a \$140,000.00 transfer of funds within the Department of Technology Information Services Fund; and to authorize the expenditure of \$72,760.75 from the Department of Technology Information Services Fund; and to declare an emergency. (\$72,760.75)

**UTILITIES: PALEY, CHR CRAIG GINTHER MENTEL**

- [1161-2010](#) To authorize the Director of Public Utilities to execute a planned contract modification with Malcolm Pirnie, Inc., for Professional Program Management Services for the Division of Sewerage and Drainage under the Wet Weather Management Plan; to authorize the transfer within \$145,600.00 and the expenditure of \$8,395,600.00 from

the Sanitary B.A.B.s (Build America Bonds) Fund; and to amend the 2010 Capital Improvements Budget to establish sufficient budget authority to cover the expenditure upon passage of the ordinance for the Division of Sewerage and Drainage. (\$8,395,600.00)

**1174-2010**

To authorize the Director of Public Utilities to enter into a planned modification of the professional engineering services contract with Stantec Consulting Services, Inc. in connection with the Early Ditch Relief Area I&I Project; to transfer within the G.O. Bond Fund for this expenditure the amount of \$1,325,501.35; and to amend the 2010 Capital Improvements Budget; for the Division of Sewerage and Drainage. (\$1,325,501.35).

**1279-2010**

To authorize the Director of Public Utilities to execute a contract with Kokosing Construction Company, Inc. for the Parsons Avenue Water Plant Sludge Disposal - Lagoons 1 & 3 Project; for the Division of Power and Water; to authorize the appropriation and transfer of \$7,557,996.11 from the Water System Reserve Fund to the Ohio Water Development Authority (OWDA) Fund; to authorize the appropriation and expenditure of \$7,557,996.11 from the Ohio Water Development Authority (OWDA) Fund; and to amend the 2010 Capital Improvements Budget. (\$7,557,996.11)

**HEALTH AND HUMAN DEVELOPMENT: TAVARES, CHR. TYSON GINTHER  
MENTEL****1466-2010**

To authorize and direct the Columbus Health Department to accept a grant from the Ohio Department of Public Safety to fund the Safe Communities Program in the amount of \$122,400.00; to authorize the appropriation of \$122,400.00 from the unappropriated balance of the Health Department Grants Fund; and to declare an emergency. (\$122,400.00)

**HOUSING: TAVARES, CHR. TYSON MILLER MENTEL****1507-2010**

To authorize and direct the transfer of \$70,000.00 within the General Government Grant Fund, Lead Grant; to authorize the Director of the Department of Development to expend \$75,344.05 from the General Government Grant Fund for various expenses associated with the Lead Safe Columbus program; and to declare an emergency. (\$75,344.05)

**DEVELOPMENT: TYSON, CHR. GINTHER MILLER MENTEL****1518-2010**

To authorize the Director of the Department of Development to enter into a Memorandum of Understanding with Preferred Real Estate Investments II, LLC to provide for infrastructure improvements and balanced development; and to declare an emergency.

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

- 1448-2010** To authorize and direct the Director of Recreation and Parks to enter into an agreement with the Ohio Department of Natural Resources Clean Ohio Trails Fund; to accept a Clean Ohio Trails Fund grant for a one-mile section of the Alum Creek Trail from Sunbury Ridge Drive to Brittany Hills; to appropriate the funds for the construction of an asphalt trail, bridge, and culverts; and to declare an emergency. (\$410,000.00)
- 1451-2010** To authorize the transfer of \$607,163.52 within the voted Recreation and Parks Bond Fund and \$363,608.00 within the Governmental B.A.B.s (Build America Bonds) Fund; to amend the 2010 Capital Improvements Budget; and to declare an emergency. (\$970,771.52)
- 1458-2010** To authorize the appropriation of \$44,112.00 from the unappropriated balance of the Recreation and Parks Private Leisure Assistance for Youth (P.L.A.Y.) Fund to the Recreation and Parks Department for scholarships for economically-disadvantaged youth; and to declare an emergency. (\$44,112.00)

**RULES & REFERENCE: MENTEL, CHR. GINTHER CRAIG PALEY**

- 1300-2010** To amend various code sections in Title 23 of the Columbus City Codes, 1959, to correct inaccurate references and to mirror language used in the Ohio Revised Code.
- Sponsors:** Eileen Y. Paley
- 1483-2010** To Amend Article XI, "Neglected Properties Registry," of Title 47, "Nuisance Abatement Code," of the Columbus City Codes, 1959, with the enactment of "Penalties for Disappearing Real Property Owner" consisting of one section numbered 4711.11
- Sponsors:** Charleta B. Tavares

**ADJOURNMENT**