



# 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.***

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Monday, June 14, 2010

5:00 PM

City Council Chambers, Rm 231

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### **REGULAR MEETING NO. 31 OF COLUMBUS CITY COUNCIL, JUNE 14, 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 Miller, 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

#### **C0017-2010**

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY CLERK'S  
OFFICE AS OF WEDNESDAY JUNE 9, 2010:

New Type: C1, C2  
To: 2643 W Broad St Inc  
DBA Food Mart 2  
2288 Sullivant Ave  
Columbus OH 43223  
Permit # 9115415

Transfer Type: D5, D6  
To: Remark Investments LLC  
DAB Pig Tail Tavern  
5405 Byers Circle E & Patio  
Columbus OH 43229  
From: Ross Entertainment Inc  
DBA Pig Tail Tavern  
5405 Byers Circle E & Patio  
Columbus OH 43229  
Permit # 7292203

Transfer Type: C1, C2, D6

To: Truong Corporation  
DBA Ice Market  
2900 Westerville Rd  
Columbus OH 43224  
From: Bui & Company Inc  
DBA YBB Market  
2900 Westerville Rd  
Columbus OH 43224  
Permit # 9078258

Transfer Type: D5  
To: Rise Investments LLC  
DBA Suite 143  
Columbus OH 43214  
From: Rise Investments LLC  
122 E Main St & Patio  
Columbus OH 43215  
Permit # 73804800001

Advertise: 06/19/2010  
Return: 06/29/2010

## **RESOLUTIONS OF EXPRESSION**

### **ADDITIONS OR CORRECTIONS TO THE AGENDA**

#### **FR FIRST READING OF 30-DAY LEGISLATION**

**A MOTION WAS MADE BY COUNCILMEMBER TAVARES,  
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**     [0830-2010](#)     To authorize the Director of Public Service to expend \$75,000.00 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 450MHz radio systems. (\$75,000.00)

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

- FR**     [0797-2010](#)     To authorize the Director of Finance and Management to establish Blanket Purchase Orders with PVS Chemical Solutions Inc., for the purchase of Liquid Sodium Bisulfite from an established Universal Term Contract for the Division of Sewerage and Drainage; to authorize

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the expenditure of \$130,000.00 from the Sewerage System Operating Fund. (\$130,000.00)

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

**FR**      [0822-2010](#)

To grant a Variance from the provisions of Sections 3332.033, R-2, Residential District; 3332.12, R-2 area district requirements; 3332.19, Fronting on a public street; 3332.21, Building lines; and 3332.30, Vision clearance, of the Columbus City Codes, for the property located at **239 DERING AVENUE (43207)**, to permit three single-unit dwellings with reduced development standards on one lot zoned in the R-2, Residential District (Council Variance CV10-004).

**FR**      [0760-2010](#)

To rezone **4799 SAWMILL ROAD (43232)**, being 0.32± acres located at the northwest corner of Bethel and Sawmill Roads, **From:** CPD, Commercial Planned Development District, **To:** CPD, Commercial Planned Development District. (Rezoning # Z09-039)

**CA**      **CONSENT ACTIONS**

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

**CA**      [0824-2010](#)

To authorize the Director of Public Service to enter into contract with the Solid Waste Authority of Central Ohio (SWACO) to host a household hazardous collection event at the Division of Refuse Collection Alum Creek transfer station facility and to accept a reimbursement grant of up to \$2,500.00 from SWACO for costs incurred in hosting the event; and to declare an emergency. (\$2,500.00)

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

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

**CA**      [0678-2010](#)

To authorize the Director of the Department of Technology and the Director of Public Utilities to renew an existing contract with VESOFT Incorporated, for maintenance and support services, on behalf of the Department of Public Utilities; in accordance with the sole source procurement provisions of the Columbus City Codes; and to authorize the expenditure of \$1,850.00 from the Department of Technology's Information Services Fund; and to declare and emergency. (\$1,850.00)

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

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

**CA**      [0629-2010](#)

To authorize the Director of Public Utilities to execute a planned contract modification for the professional services agreement with Braun & Steidl Architects, Inc. for the Fairwood Facility Improvements project; to authorize the transfer of \$175,884.00 and expend a total of

\$\$175,884.00 in funds from within the Sanitary B.A.B.s (Build America Bonds) Fund; to authorize a transfer and expenditure of \$73,947.00 within the Water Build America Bonds (B.A.B.s) Fund; and to amend to the 2010 Capital Improvements Budgets for both the Sanitary Build America Bond and the Water Build America Bond Fund to establish sufficient budget authority to cover the expenditure upon passage of the ordinance for the Division of Sewerage and Drainage and the Division of Power and Water. (\$249,831.00).

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

CA [0714-2010](#)

To authorize the Director of Public Utilities to enter into an agreement with Dynamix Engineering, Ltd. for professional engineering services for the 910 Dublin Road and 3568 Indianola Avenue Building Improvements Project; and to authorize the expenditure of \$264,981.65 from the Water Build America Bonds Fund; for the Division of Power and Water. (\$264,981.65)

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

CA [0746-2010](#)

To authorize the Director of Finance and Management to establish a purchase order with Solid Waste Equipment Solutions, LLC for the purchase of a Portable Compost Trommel Screen with Trade-In for the Division of Sewerage and Drainage, and to authorize the expenditure of \$194,927.00 from the Sewerage System Operating Fund. (\$194,927.00)

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

CA [0751-2010](#)

To authorize the Director of Public Utilities to modify and increase the contract with Adrian L. Wallick Company for Refractory and Thermal Systems Maintenance Services for the Division of Sewerage and Drainage; and to authorize the expenditure of \$400,000.00 from the Sewerage System Operating Fund. (\$400,000.00)

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

CA [0770-2010](#)

To authorize the Director of Finance and Management to establish a Blanket Purchase Order for the purchase of Screw Conveyor Parts from a Universal Term Contract with ML Separation and Conveying Inc., for the Division of Sewerage and Drainage; and to authorize the expenditure of \$25,000.00 from the Sewerage System Operating Fund (\$25,000.00)

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

CA [0771-2010](#)

To authorize the Director of Finance and Management to establish a Blanket Purchase Order with ITT Water and Wastewater USA for the purchase of Flygt Pump and Mixer Parts and Services from an established Universal Term Contract for the Division of Sewerage and Drainage, and to authorize the expenditure of \$60,000.00 from the Sewerage System Operating Fund. (\$60,000.00)

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

**DEVELOPMENT: TYSON, CHR. GINTHER MILLER MENDEL**CA [0807-2010](#)

To accept the application AN09-010 of Marie S. Pfeiffer for the annexation of certain territory containing 1.893± acres in Clinton Township.

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

**RECREATION & PARKS: TYSON, CHR. TAVARES PALEY MENDEL**CA [0841-2010](#)

To authorize the Director of the Department of Public Utilities and the Director the Recreation and Parks Department, severally, to execute a Quitclaim Deed of Easement and any ancillary documents necessary to grant a perpetual utility easement to Columbia Gas Of Ohio, Inc. for the purpose of providing natural gas service to that city-owned real property, commonly known as the boathouse at Griggs Reservoir, and to declare an emergency.

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

**APPOINTMENTS**CA [A0047-2010](#)

Appointment of Alan Nevel, 6841 Snapdragon Way, Lewis Center, OH 43035 to serve on the Community Relations Commission replacing Bethmara Kessler for the duration of her unexpired term ending December 31, 2010 (resume attached).

**This Matter was Read and Approved on the Consent Agenda.**

CA [A0048-2010](#)

Appointment of Patricia S. Eshman, 4077 Glenmont Place, Columbus, OH 43214 to serve on the Community Relations Commission replacing Nancy J. Collier for the duration of her unexpired term ending December 31, 2010 (resume attached).

**This Matter was Read and Approved on the Consent Agenda.**

CA [A0051-2010](#)

Reappointment of Gerald Wheeler, 340 Virginia Court, Pataskala, Ohio 43062 to serve on the Columbus Veterans Advisory Board with a new term expiration date of December 31, 2011 (resume attached).

**This Matter was Read and Approved on the Consent Agenda.**

CA [A0052-2010](#)

Reappointment of Barbara B. Murray, WAC Veteran's Association, 2424 Merbrook Rd, Columbus, Ohio 43225 to serve on the Columbus Veterans Advisory Board with a new term expiration date of December 31, 2011 (resume attached).

**This Matter was Read and Approved on the Consent Agenda.**

CA [A0053-2010](#)

Reappointment of Carl W. Swisher, 1169 Lenore Avenue, Columbus, Ohio 43209 to serve on the Columbus Veterans Advisory Board with a new term expiration date of December 31, 2011 (resume attached)

**This Matter was Read and Approved on the Consent Agenda.**

- CA [A0054-2010](#) Reappointment of Christopher M. Gibson, 7161 Blessington Court, Dublin, Ohio 43017, to serve on the Columbus Veterans Advisory Board with a new term expiration date of December 31, 2011. (resume attached)
- This Matter was Read and Approved on the Consent Agenda.**
- CA [A0055-2010](#) Reappointment of Doug Lay, 5247 Southminster Road, Columbus, OH 43221 to serve on the Columbus Veterans Advisory Board with a new term expiration date of December 31, 2011 (resume attached).
- This Matter was Read and Approved on the Consent Agenda.**
- CA [A0056-2010](#) Reappointment of Frank Williams, DAV, P.O. Box 15099, Columbus, Ohio 43215 to serve on the Columbus Veterans Advisory Board with a new term expiration date of December 31, 2011 (resume attached).
- This Matter was Read and Approved on the Consent Agenda.**
- CA [A0057-2010](#) Reappointment of William Schmidt, America Ex-Prisoners of War, 1001 Parkview, Columbus, Ohio 43219 to serve on the Columbus Veterans Advisory Board with a new term expiration date of December 31, 2011 (resume attached).
- This Matter was Read and Approved on the Consent Agenda.**
- CA [A0058-2010](#) Reappointment of John Kirkpatrick, 6363 Sharon Woods Boulevard, Columbus, Ohio 43229 to serve on the Columbus Veterans Advisory Board as an alternate for Christopher M. Gibson with a new term expiration date of December 31, 2011. (resume attached)
- This Matter was Read and Approved on the Consent Agenda.**
- CA [A0059-2010](#) Reappointment of Francis Leroy Clendenen, 208 Wintergreen Loop, Pataskala, Oh. 43062 to serve on the Columbus Veterans Advisory Board with a new term expiration date of December 31, 2011 (resume attached).
- This Matter was Read and Approved on the Consent Agenda.**
- CA [A0060-2010](#) Appointment of Ellen Brandes - Mattingly, 6468 Kelsey Ct, Canal Winchester, OH 43110, to serve on the Veterans Advisory Board with a new term expiration date of December 31, 2011 (resume attached).
- This Matter was Read and Approved on the Consent Agenda.**
- CA [A0061-2010](#) Reappointment of John Theodore Mosure, 11330 Woodtown Road, Galena, Ohio 43021 to serve on the Columbus Veterans Advisory Board with a new term expiration date of December 31, 2011 (resume attached).
- This Matter was Read and Approved on the Consent Agenda.**
- CA [A0062-2010](#) Reappointment of Warren Motts, 5761 Ebright Road, Groveport, Ohio 43125 to serve on the Columbus Veterans Advisory Board with a new term expiration date of December 31, 2011 (resume attached).
- This Matter was Read and Approved on the Consent Agenda.**
- CA [A0063-2010](#) Appointment of Frank Byers, 1 Miranova Place, Suite 840, Columbus, Ohio 43215, to serve on the Franklin Park Conservatory Joint Recreation District Board, replacing Andy Bittinger, with a new term expiration of January 31, 2013 (resume attached).

**This Matter was Read and Approved on the Consent Agenda.**

- CA [A0064-2010](#) Appointment of Michael S. Brown 1142 Pennsylvania Ave., Columbus, OH 43201 to serve on the Downtown Commission replacing Elizabeth Lessner for the duration of her unexpired term ending June 1, 2012 (resume attached).

**This Matter was Read and 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****0818-2010**

To authorize the Director of Development to enter into a Jobs Growth Incentive Agreement with La Senza, Inc. equal to twenty-five percent (25%) of the amount of new income tax withheld on employees for a term of five (5) years in consideration of the company's proposed investment of \$1.2 million and the creation of 80 new permanent full-time jobs.

**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

**0843-2010**

To authorize the Director of the Development Department to execute those documents necessary to purchase that real property formerly known as Woodland Meadows in order to bring it into productive re-use; to amend the 2010 CIB; to transfer cash between projects within the same fund; to authorize and direct the City Auditor to transfer \$2,000,000.00 from the Special Income Tax Fund to the Northland and Other Acquisitions Fund; to authorize the City Auditor to appropriate \$2,010,000.00 within the Northland and Other Acquisitions Fund; to authorize the expenditure of \$2,010,000.00 from the Northland and Other Acquisitions Fund; and to declare an emergency. (\$2,010,000.00).

**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

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

**0743-2010**

To authorize the Director of the Department of Public Service to execute those documents required to transfer a portion of the un-named north-south alley adjacent to 590 East Weber Road, between Weber Road and the first alley north of Weber Road, to The Chafins.

**A motion was made by President Pro-Tem Craig, seconded by Ginther, 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

**0744-2010**

To authorize the Director of the Department of Public Service to execute those documents required to transfer a ten (10) foot strip of right-of-way adjacent to 1643 Aberdeen Avenue.

**A motion was made by President Pro-Tem Craig, seconded by Ginther, 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

**0813-2010**

To authorize the Director of Public Service to enter into a contract with Strawser Paving Company; and to provide for the payment of inspection services, in connection with the Resurfacing 2010 - Project 2 contract; to authorize and direct the City Auditor to transfer \$5,748,126.00 from the Special Income Tax Fund to the Streets and Highways G.O. Bonds Fund; to authorize the City Auditor to appropriate \$5,748,126.00 within the Streets and Highways G.O. Bonds Fund; and to authorize the expenditure of \$5,748,126.00 from the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$5,748,126.00)

**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

**ADMINISTRATION: MILLER, CHR. PALEY TAVARES MENTEL****0761-2010**

To authorize the Director of the Department of Technology and the Director of the Department of Columbus Public Health to renew an annual software support contract for SAS statistical license, provided by SAS Institute, Inc., for the Department of Columbus Public Health, in accordance with the sole source procurement provisions of the Columbus City Codes; to authorize the expenditure of \$8,730.00 from the Department of Technology's Information Services Fund. (\$8,730.00)

**A motion was made by Miller, 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

**0796-2010**

To authorize and direct the City Treasurer to modify and extend its contract for armored car services with Brink's Inc.; to authorize the expenditure of \$47,640.00 from various funds within the city; and to declare an emergency. (\$47,640.00)

**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

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

### **0568-2010**

To authorize the Director of Public Utilities to enter into a construction contract with The Great Lakes Construction Company, in connection with the Jackson Pike Wastewater Treatment Plant New Headworks project; to authorize the appropriation and expenditure of \$4,947,875.00 from the Ohio Water Pollution Control Loan Fund; to authorize the transfer and expenditure of \$34,500.00 within the Sanitary B.A.B.s (Build America Bonds) Fund; and to amend the 2010 Capital Improvements Budget, for the Division of Sewerage and Drainage. (\$4,982,375.00)

**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

### **0715-2010**

To authorize the Director of Public Utilities to enter into a planned modification of the professional engineering services contract with Brown and Caldwell Ohio, LLC in connection with the Sanitary System Overflow Elimination Project; to transfer within the Sanitary Build America Bond (B.A.B.'s) for this expenditure the amount of \$1,538,056.80; and to amend the 2010 Capital Improvements Budget; for the Division of Sewerage and Drainage. (\$1,538,056.80).

**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

### **0798-2010**

To authorize the Director of Finance and Management to issue a Blanket Purchase Orders for the purchase of Polymer from an established Universal Term Contract with Polydyne, Inc., for the Division of Sewerage and Drainage; to authorize the expenditure of \$1,400,000.00 from the Sewerage System Operating Fund and to declare an emergency. (\$1,400,000.00)

**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

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

### **0803-2010**

To authorize and direct the Director of Finance and Management to purchase security paper from the Treasurer, State of Ohio in accordance with the sole source provisions of the Columbus City Codes; to authorize the expenditure of \$10,000.00 from the Health Special Revenue Fund; and to declare an emergency. (\$10,000.00)

**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**

### **0722-2010**

To authorize and direct the Director of Recreation and Parks to accept a grant in the amount of \$39,590.00 and enter into agreement with the State of Ohio - Ohio Public Works Commission for land acquisition known as Mason Run Forested Floodplain, and to authorize an appropriation of \$39,590.00 from the unappropriated balance of the Recreation and Parks Grant Fund to the Recreation and Parks Department. (\$39,590.00)

**A motion was made by Tyson, 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

### **0793-2010**

To authorize and direct the Director of Recreation and Parks to grant consent to Bat-N-Rouge Charity Softball Game, Wellness Community of Greater Columbus, PBJ Connections, and Friends of the Lower Olentangy Watershed to apply for permission to sell alcoholic beverages at their 2010 Waterfire events, and to declare an emergency.

**A motion was made by Tyson, 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

## **ADJOURNMENT**

*ADJOURNED: 5:55 P.M.*

**A motion was made by President Pro-Tem Craig, seconded by Ginther, 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