



# City of Columbus

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

## 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, November 8, 2010

5:00 PM

City Council Chambers, Rm 231

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### **REGULAR MEETING NO. 56 OF COLUMBUS CITY COUNCIL, NOVEMBER 8, 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 Tavares, seconded by Tyson, 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

#### **C0035-2010**

THE CITY CLERK'S OFFICE RECEIVED THE FOLLOWING COMMUNICATIONS AS  
OF THURSDAY NOVEMBER 4, 2010.

Transfer Type: D2, D2X, D3, D3A  
To: BBS Grill Inc  
60 N Wilson Rd  
Columbus OH 43204  
From: Timiter Inc  
DBA Blue Diamond Lounge  
1980 Oakland Park Av 1st Fl & Patio  
Columbus OH 43224  
Permit # 0346930

New Type: D1  
To: J Gumbos LLC  
31 E Gay St  
Columbus OH 43215  
Permit # 41792730005

Transfer Type: D2  
To: N and D Restaurants Inc  
DBA Red Lobster #81

2147 S Hamilton Rd  
Columbus OH 43227  
From: Northstar Café LLC  
4239-43 N High St & 2 Patio  
Columbus OH 43214  
Permit # 62785950180

Transfer Type: D1, D3  
To: El Triunfo LLC  
DBA Poblanos Restaurant  
1200 Noe Bixby Rd  
Columbus OH 43213  
From: KTS Chaus LLC  
DBA Bruce Lee Dragon Restaurant  
3777 E Livingston Av  
Columbus OH 43228  
Permit # 24858010005

New Type: C1, C2  
To: Energy Management LLC  
2800 Sullivant Av  
Columbus OH 43204  
Permit # 2519602

Transfer Type: C2, D1, D6, D8  
To: Katzingers LLC  
DBA Katzingers Delicatessen  
475 S 3rd St  
Columbus OH 43215  
From: Katzingers Inc  
DBA Katzingers Deli  
475 S Third St  
Columbus OH 43215  
Permit # 4516438

Liquor Agency Contract  
To: Tamarkin CO  
DBA Giant Eagle 6504  
4747 Sawmill Rd  
Columbus OH 43220  
Permit # 87906900235

Advertise: 11/13/2010  
Return: 11/23/2010

## **RESOLUTIONS OF EXPRESSION**

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

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

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

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

FR [1544-2010](#)

To amend the 2010 Capital Improvement Budget; to authorize the transfer of cash between projects within the same fund; to authorize the Director of Development to enter into a reimbursement agreement with Campus Partners for Community Urban Redevelopment for \$44,452.79 to cover cost overruns in a City capital project; and to authorize the expenditure of \$44,452.79 from the Northland and Other Acquisitions Fund. (\$44,452.79)

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

FR [1210-2010](#)

To repeal any and all previous speed limit ordinances and resolutions on Atlas Street and Nike Drive and to raise the speed limit on Nike Drive from 25 MPH to 35 MPH and Atlas Street from 25 MPH to 40 MPH.

FR [1566-2010](#)

To authorize the Director of Finance and Management to establish a purchase order with Rotonics Manufacturing, Inc. 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 \$472,209.00 or so much thereof as may be needed from the Refuse Collection G.O. Bonds Fund. (\$472,209.00)

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

FR [1428-2010](#)

To authorize the Director of the Department of Technology, on behalf of the Department of Building and Zoning Services, to modify and extend an existing agreement, with Accela, Inc. to continue with Phase II upgrades and enhancements to a computer system utilized by the City of Columbus. (\$0.00)

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

FR [1523-2010](#)

To authorize the Finance and Management Director to establish Blanket Purchase Orders with Hersey Meters Company and Neptune Equipment Company, for the purchase of water meters

and appurtenances, for the Division of Power and Water, to authorize a transfer and an expenditure of \$400,000.00 from the Water Build America Bonds Fund, and to amend the 2010 Capital Improvements Budget. (\$400,000.00)

## DEVELOPMENT: TYSON, CHR. GINTHER MILLER MENDEL

FR [1586-2010](#)

To assess certain properties for the cost for demolishing structures found to be public nuisances.

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

FR [1539-2010](#)

To amend Chapter 1105 of the Columbus City Codes, 1959, to enact new water rates for the year beginning January 1, 2011, and to repeal the existing Sections being amended.

FR [1540-2010](#)

To amend Chapter 1147 of the Columbus City Codes 1959, to enact new sanitary sewer service rates for the year beginning January 1, 2011, and to repeal the existing Sections being amended

FR [1541-2010](#)

To amend Section 1105 of the Columbus City Codes, 1959, effective January 1, 2011, to increase water special charges, and to repeal the existing Section being amended.

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

FR [1287-2010](#)

To rezone **1354 KING AVENUE (43214)**, being 0.41± acres located on the north side of King Avenue, 167± feet east of Grandview Avenue, **From:** AR-3, Apartment Residential District, **To:** L-C-4, Limited Commercial District. (Rezoning # Z10-001)

FR [1572-2010](#)

To grant a Variance from the provisions of Sections 3363.01, M-Manufacturing district; of the Columbus City Codes for property located at **941 SOUTH FRONT STREET (43215)**, to conform a single-unit dwelling in the M, Manufacturing District.

## CA CONSENT ACTIONS

**RESOLUTIONS OF EXPRESSION:****TAVARES**CA [0152X-2010](#)

To Honor and Recognize Sister Beverly Jean Beavers as she assumes the position of 39th Grand Worthy Matron for the State of Ohio, Order of Eastern Star.

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

**FINANCE & ECONOMIC DEVELOPMENT: GINTHER, CHR.  
MILLER, TYSON MENTEL**CA [1549-2010](#)

To authorize and direct the Finance and Management Director to modify past, present and future purchase orders with Ron Otto Enterprises, Inc. dba PAC/Services; and to declare an emergency.

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

CA [1565-2010](#)

To authorize and direct the City Auditor to modify and extend an existing contract with Abacus Corporation for temporary staffing services for imaging preparation and scanning for the Office of the City Auditor, Division of Income Tax; and to declare an emergency (0).

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

CA [1589-2010](#)

To appropriate monies on deposit in the Crewville Municipal Public Improvement Tax Equivalent Fund to be used to fund public infrastructure improvements benefiting or serving the Crewville TIF Area and further described in a Reimbursement Agreement by and among the City and Crewville, Ltd.; and to declare an emergency.

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

CA [1590-2010](#)

To appropriate monies on deposit in the Crosswoods Project Municipal Public Improvement Tax Increment Equivalent Fund to be used to fund public infrastructure improvements benefiting or serving the Crosswoods TIF Area described in the Economic Development Agreement between the City and Crosswoods Central Park, LLC dated May 31, 2005; and to declare an emergency.

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

**SAFETY: GINTHER, CHR. PALEY CRAIG MENTEL**CA [1522-2010](#)

To authorize and direct the Director of Public Safety to modify an existing contract with Medtronic Emergency Response Systems for supplies for the Division of Fire LifePaks; to

authorize the expenditure of \$50,000.00 from the General Fund; and to declare an emergency.(\$50,000.00)

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

- CA [1526-2010](#) To authorize and direct the City Auditor to transfer \$112,068.00 within the Fire Division's General Fund Budget; to authorize and direct the Finance and Management Director to issue purchase orders for EMS medical supplies from existing Universal Term Contracts established for such purposes with Alliance Medical, Inc., and BoundTree Medical LLC, to authorize the expenditure of \$200,000.00 from the General Fund; and to declare an emergency. (\$200,000.00)

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

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

- CA [1573-2010](#) To accept the plat titled "Village at Albany Crossing Section 6", from Dominion Homes, Inc., an Ohio corporation, by Matthew J. Callahan, Vice President of Land Operations; and to declare an emergency.

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

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

- CA [1467-2010](#) To authorize the Director of the Department of Technology, on behalf of the Public Service Department, Division of Planning and Operations, to modify an annual agreement with Environmental Systems Research Institute, Inc. (ESRI) 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 \$1,556.20 from the Department of Technology Internal Service Fund; and to declare an emergency. (\$1,556.20)

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

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

- CA [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)

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

- CA [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)

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

- CA [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)

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

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

**CA**     [1535-2010](#)     To authorize an appropriation of \$233,000.00 from the unappropriated balance of the Recreation and Parks Grant Fund to the Recreation and Parks Department for various staffing costs during 2010 funded through grants and donations; and to declare an emergency. (\$233,000.00)

**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**

### [1477-2010](#)

To authorize and direct the Finance and Management Director to issue purchase orders with various vendors for the provision of automobile fuel; to authorize the expenditure of \$1,190,423.00 from the Fleet Management Services Fund; to waive the competitive bidding provisions of the Columbus City Codes, 1959; and to declare an emergency. (\$1,190,423.00)

**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

### [1531-2010](#)

To authorize the Finance and Management Director to modify a contract on behalf of the Facilities Management Division with Matrix Systems, Inc. for the upgrade of the Frontier Software for the Matrix security systems in various City facilities; to authorize the reduction of a current contract; to authorize the expenditure of \$4,864.00 from the General Fund; to authorize the expenditure of \$5,800.00 from the Fleet Management Fund; to authorize the expenditure of \$6,800.00 from the Information Services Fund; to authorize the expenditure of \$5,800.00 from the Health Special Revenue Fund; to waive the competitive bidding requirements of the Columbus City Codes; and to declare an emergency. (\$23,264.00)

**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

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

### **1501-2010**

To appropriate an amount not to exceed \$9,000,000.00 in the Safety Staffing Contingency Fund for the purpose of expensing termination pay costs for police officers and fire fighters associated with the deferred retirement option plan (DROP), to authorize the subsequent transfer of an amount up to \$9,000,000.00 from the Special Income Tax fund to the Safety Staffing Contingency fund, and to declare an emergency. (\$9,000,000.00)

**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

### **1536-2010**

To authorize the Director of Public Safety to enter into an agreement with the Ohio Traffic Safety Office, State of Ohio, to participate in the High Visibility Enforcement Overtime 2011 project; to authorize an appropriation of \$100,326.31 from the unappropriated balance of the General Government Grant Fund to the Division of Police to cover the costs associated with this project; and to declare an emergency. (\$100,326.31).

**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

### **1578-2010**

To authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with WB Republic Builders, LLC. for the renovation of the pavement and drainage at Fire Station No. 11, 2150 West Case Road; to authorize the expenditure of \$167,000.00 from the Department of Public Safety's Gov'l B.A.B.'s (Build America Bonds) Fund; and to declare an emergency. (\$167,000.00)

**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**

### **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)

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

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

### 1525-2010

To authorize the City Clerk to enter into a contract with Daystar Computer Systems, Inc., for the support and maintenance of Legistar, the City's electronic system for creating and submitting legislation in accordance with the sole source provisions of Section 329.07 of the Columbus City Codes, 1959; to authorize the expenditure of \$24,141.00 from the General Fund and to declare an emergency. (\$24,141.00)

**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**

### 1422-2010

To authorize the Director of Public Utilities to enter into a construction contract modification (Mod #1) with Dreier & Maller, Inc. for the Clintonville Private Source Inflow and Infiltration (I/I) Project; to authorize the transfer within and expenditure of \$700,000.00 from the Sanitary Build America Bonds (B.A.B.s) Fund; to amend the 2010 Capital Improvements Budget, for the Division of Sewerage and Drainage; and to declare an emergency. (\$700,000.00)

**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

### 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)

**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**

### 1568-2010

To authorize the Director of the Department of Development to amend a Truancy Intervention Program contract with the YMCA of Central Ohio by extending the termination date to December 31, 2010; and to declare an emergency.

**A motion was made by Tavares, 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

## **DEVELOPMENT: TYSON, CHR. GINTHER MILLER MENDEL**

### 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.

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

**Abstained:** 1 - Charleta Tavares

**Affirmative:** 6 - Andrew Ginther, Hearcel Craig, Priscilla Tyson, Michael Mentel, A. Troy Miller, and Eileen Paley

### 1314-2010

To approve the nomination of the Old Beechwold Historic District to the Columbus Register of Historic Properties.

**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

## **RECREATION & PARKS: TYSON, CHR. TAVARES PALEY MENDEL**

### 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)

**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

### 1532-2010

To authorize the expenditure of \$200,000.00 from the Recreation and Parks Bond Fund 746 Governmental B.A.B. (Build America Bonds) for facility improvements; and to declare an emergency. (\$200,000.00)

**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

**FROM THE FLOOR:**

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

**TAVARES**

**1489-2010**

To adopt the 2011 Action Plan Budget which implements year two 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 Tavares, seconded by President Pro-Tem Craig, that this matter be Taken from the Table. 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 Tavares, seconded by President Pro-Tem Craig, that this matter be Approved. The motion carried by the following vote:**

**Abstained:** 1 - Priscilla Tyson

**Affirmative:** 6 - Andrew Ginther, Charleta Tavares, Hearcel Craig, Michael Mentel, A. Troy Miller, and Eileen Paley

**ADJOURNMENT**

**A motion was made by Tavares, seconded by President Pro-Tem Craig, to adjourn this Regular Meeting ADJOURNED 7:05 PM 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