



# 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, September 18, 2006

5:00 PM

City Council Chambers, Rm 231

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**REGULAR MEETING NO. 43 OF COLUMBUS CITY COUNCIL, SEPTEMBER 18,  
2006 at 5:00 P.M. IN COUNCIL CHAMBERS.**

#### **ROLL CALL**

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

##### **C0022-2006**

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE  
CITY CLERK'S OFFICE AS OF WEDNESDAY, SEPTEMBER 13,  
2006:

New Type: D3  
To: George T VII LLC  
790 N High St  
Columbus, Ohio 43215  
permit # 3127576

New Type: C1, C2, D8  
To: Carfagnas Incorporated  
DBA Carfagnas  
1405 E Dublin Granville Rd  
Columbus, Ohio 43229  
permit # 12560650005

New Type: D5  
To: Ruby Tuesday Inc  
DBA Ruby Tuesday  
2445 Silver Dr  
Columbus, Ohio 43224  
permit # 75769890275

New Type: C1, C2  
To: Captain Black LLC  
2518 W Broad St  
Columbus, Ohio 43204  
permit # 1245282

Transfer Type: C1, C2  
To: Dabyan Inc  
DBA Quarry Market  
2954 McKinley Av  
Columbus, Ohio 43204  
From: Liberty Food & Grocery Inc  
DBA Quarry Market  
2954 McKinley Av  
Columbus, Ohio 43204  
permit # 1878973

Transfer Type: C1, C2, D8  
To: Sher Bliss Inc  
DBA Sher Bliss  
274 S Third St 1st Fl  
Columbus, Ohio 43215  
From: Maramor Candy Store Inc  
DBA Sher Bliss  
274 S Third St 1st Fl  
Columbus, Ohio 43215  
permit # 80735260005

Transfer Type: D5, D6  
To: Kimcris Inc  
DBA Mikes Grill  
724 N High St 1st Fl  
Columbus, Ohio 43215  
From: Thomas Gianikos Est  
Stuart Benis Extr  
DBA Mikes Grill  
724 N High St 1st Fl  
Columbus, Ohio 43215  
permit # 4652325

Transfer Type: D1, D2, D3, D3A  
To: 243 Holdings LLC  
5418 Roberts Rd  
Columbus, Ohio 43026  
From: Lounge County Inc  
1st Fl Rear & Bsmt Only  
2542 W Broad St  
Columbus, Ohio 43204  
permit # 9115879

Transfer Type: D5  
To: Spectators of Dublin Inc

DBA Spectators  
3535 W Dublin Granville Rd  
Columbus, Ohio 43235  
From: Damons Sawmill Inc  
3535 W Dublin Granville Rd  
Columbus, Ohio 43235  
Vincent Simonetti  
permit # 8429704

Transfer Type: D1  
To: George T VII LLC  
790 N High St  
Columbus, Ohio 43215  
From: Daniel L Pizzurro  
DBA Westside Bar  
2422 W Broad St 1st Fl Only  
Columbus, Ohio 43204  
permit # 3127576

Stock Type: C1, C2  
To: Rays Market Inc  
DBA Rays Market  
1359 W Broad St 1st Fl  
Columbus, Ohio 43222  
permit # 7227488

Stock Type: D5, D6  
To: 2195 N High St Inc  
DBA Little Bar  
Mezzanine & Patio  
2195 N High St  
Columbus, Ohio 43201  
permit # 9116373

Stock Type: D1, D2, D3, D3A  
To: Sure Thing LLC  
DBA Southgate Lounge  
2930-32 S High St  
Columbus, Ohio 43207  
permit # 8313070

Advertise 9/23/06  
Return 10/09/06

## **RESOLUTIONS OF EXPRESSION**

**O'SHAUGHNESSY**

- 0156X-2006** To recognize and congratulate the Columbus Metropolitan Club for 30 years of Community Conversation.

**Sponsors:** Maryellen O'Shaughnessy

**ADDITIONS OR CORRECTIONS TO THE AGENDA****FR FIRST READING OF 30-DAY LEGISLATION****PUBLIC SERVICE & TRANSPORTATION: O'SHAUGHNESSY, CHR. HUDSON TAVARES HABASH**

- FR** **1475-2006** To authorize the Director of the Public Service Department to execute those documents necessary to grant a 1 foot wide by 59.80 foot long encroachment easement into the east side of Dana Avenue, south of Union Street, to Princeton 425, LLC for the purpose of clearing the title to their adjacent property and to allow their existing building to remain.

- FR** **1496-2006** To accept various deeds for parcels of real property to be used as road right-of-way and to dedicate and name said parcels as Lockbourne Road, High Street, Cleveland Avenue, East Seventeenth Avenue, Alum Creek Drive, Walcutt Road, Sunbury Road, and Hamilton Road.

- FR** **1505-2006** To authorize the Director of the Public Service Department to execute those documents necessary to grant foundation encroachment easements into the west side of Marconi Boulevard for the building being constructed by NWD 275 Marconi, LLC., at 275 Marconi Boulevard.

**CA CONSENT ACTIONS****ADMINISTRATION: BOYCE, CHR. MENTEL HUDSON HABASH**

- CA** **1555-2006** To authorize and direct the City Auditor to enter into an agreement with Clark, Schaefer, Hackett & Co., Certified Public Accountants, for professional auditing services for calendar year 2006 and to authorize the expenditure of \$308,750 from the General Fund and to declare an emergency. (\$308,750)

**SAFETY & JUDICIARY: MENTEL, CHR. BOYCE THOMAS HABASH**

- CA** **1424-2006** To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release a certain portion of sewer easement, located in the vicinity of Dublin-Granville Road and Hamilton Road, at the request of Blendon-Beecham Properties in exchange for replacement easements previously granted to the City of

Columbus.

- CA     [0139X-2006](#)     To declare the necessity and intent to appropriate fee simple title in and to real estate in connection with the Milo-Grogan Recreation Center Expansion Project.
- CA     [1493-2006](#)     To authorize the appropriation of \$6,250.00 for the Columbus Division of Fire from the unappropriated balance of the Special Revenue Private Grants Fund for the purchase of fire prevention safety materials with funds from Wal-Mart, Inc. grants, and to declare an emergency.
- CA     [1500-2006](#)     To authorize and direct the transfer and appropriation of \$1,798.50 from the General Government Grant Fund to the Hazardous Materials Incidents Reimbursement Fund; and to declare an emergency. (\$1,798.50)
- CA     [1530-2006](#)     To authorize and direct the Director of Finance and Management to establish a purchase order with Jet Electric dba R Gordon Jones, Inc. to purchase a backup generator w/installation for the Police and Fire E911 and Dispatch Facility, to authorize the expenditure of \$122,718.00 from the Public Safety's Capital Improvement Fund, and to declare an emergency. (\$122,718.00).
- CA     [1543-2006](#)     To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release certain waterline easements, located in the vicinity of North High Street and Morse Road, at the request of Graceland Shoppers Limited Partnership, in exchange for a previously granted replacement.

**PUBLIC SERVICE & TRANSPORTATION: O'SHAUGHNESSY, CHR. HUDSON  
TAVARES HABASH**

- CA     [1533-2006](#)     To authorize the Director of the Public Service Department to execute those documents necessary to grant a 1 foot wide by 23.67 feet long encroachment easement into the west side of Sixth Street to allow for installation of an elevator in an existing parking garage at 270-290 East Town Street as requested by OhioHealth Corporation; and to declare an emergency.

**UTILITIES: THOMAS, CHR. MENTEL O'SHAUGHNESSY HABASH**

- CA     [0757-2006](#)     To authorize the Director of Public Utilities to modify and increase an existing contract, with Dynotec, Inc., for additional design services and contingency balance replenishment associated with the West Fifth Avenue and McDannald Estates Stormwater System Improvements Projects, which are a part of the Group 8A Stormwater System Improvements Projects, for the Division of Sewerage and Drainage, and to authorize the expenditure of \$47,200.00 within the Storm Sewer Bonds Fund. (\$47,200.00)

- CA [1444-2006](#) To authorize and direct the Finance and Management Director to enter into a contract for the option to purchase ADS Flow Monitoring Parts & Service with ADS Environmental Services, and to authorize the expenditure of \$1.00 to establish the contract from the Universal Term Contract Fund. (\$1.00).
- CA [1461-2006](#) To authorize the Director of Public Utilities to execute a construction contract with Complete General Construction Co. in the amount of \$355,622.52; to provide for payment of inspection, material testing and related services to the Transportation Division in the amount of \$55,000.00; for the Hague Avenue Drainage Improvements; to authorize the transfer of \$381,219.13 within the Storm Sewer Bond Fund; to authorize an amendment to the 2006 Capital Improvements Budget; for the Division of Sewerage and Drainage; and to authorize the expenditure of \$410,622.52 within the Storm Sewer Bond Fund. (\$410,622.52)
- CA [1472-2006](#) To amend Section 3 of Ordinance number 0645-2006, passed April 24, 2006, to correct the appropriation amount, and to declare an emergency.
- CA [1477-2006](#) To authorize the Director of Finance and Management to establish a purchase order with Fluid Conservation for the purchase of a Accucorr 3000 Digital Correlator System for the Division of Power and Water, and to authorize the expenditure of \$59,895.00 from the Water Operating Fund. (\$59,895.00)
- CA [1492-2006](#) To authorize the Director of Public Utilities to enter into a professional engineering services contract with the Ribway Engineering Group, Inc., in connection with the Fulton/Mound/Noble Sewer Rehabilitation Project; to authorize the expenditure of \$375,867.00 from the Voted Sanitary Bond Fund; for the Division of Sewerage and Drainage. (\$375,867.00)
- CA [1526-2006](#) To authorize the Director of Public Utilities to execute a construction contract with Complete General Construction Co. in the amount of \$413,973.00; for the Underground Street Lighting System Rehabilitation and Betterments Project (Northeast and Northwest Quadrants), otherwise known as Grounding and Bonding; to authorize the transfer of \$341,086.51 within the Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvement Fund; for the Division of Power and Water (Power); to authorize the expenditure of \$413,973.00 within the Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvement Fund, and to declare an emergency. (\$413,973.00)
- CA [1540-2006](#) To authorize the Director of Public Utilities to pay the Water Pollution Control Loan Fund application fee to the Ohio Water Development Authority, for a Division of Sewerage and Drainage project; and to authorize the expenditure of \$48,513.00 from the Sewer System

Operating Fund; and to declare an emergency. (\$48,513.00)

## **RECREATION & PARKS: HABASH, CHR. BOYCE MENTEL THOMAS**

- CA**     [1484-2006](#)     To grant the Director of Recreation & Parks Department the authority to execute, on behalf of the City of Columbus, all new or renewal bikeway/walkway easement agreements that the Director has determined must be obtained from the State of Ohio and/or The Ohio State University, as necessary for the construction, operation or maintenance of such bikeways/walkways.
- CA**     [1465-2006](#)     To authorize and direct the Director of Recreation and Parks to modify the contract with Advanced Engineering Consultants, for additional services in conjunction with the Park Lighting Improvements Project, to authorize the transfer of \$17,072.02 within the Voted 1999/2004 Parks and Recreation Bond Fund, to authorize an expenditure of \$36,000.00 from the Voted 1995/2004 Parks and Recreation Bond Fund, and to declare an emergency. (\$36,000.00)
- CA**     [1510-2006](#)     To authorize an appropriation of \$7,178.00 from the unappropriated balance of the Recreation and Parks Special Purpose Fund to the Recreation and Parks Department to fund a contract for the farming of Smith Farms/Three Creeks Park. Smith Farms has been developed as a "living farm" for the purpose of various active and passive recreational and educational activities for individuals of all ages, and to declare an emergency. (\$7,178.00)

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

### **FINANCE: BOYCE, CHR. O'SHAUGHNESSY TAVARES HABASH**

- [1504-2006](#)     To establish a new authorized strength ordinance for various city divisions; to repeal ordinance 0939-2006, and to declare an emergency. (REPEALED BY ORDINANCE 1860-2006 PASSED 11/06/06)

### **ADMINISTRATION: BOYCE, CHR. MENTEL HUDSON HABASH**

- [1573-2006](#)     To authorize the Directors of the Finance and Management and Public Safety Departments to enter into an intergovernmental agreement with the Ohio State University for the funding and construction of a University District Joint Policing Center, to authorize the City Auditor to make temporary transfers and repayments, if necessary, from and to the special income tax fund, fund 430, to cover project costs, to direct the deposit of reimbursements from the university into the public safety voted bond fund, fund 701; and to declare an emergency.

**JOBS AND ECONOMIC DEVELOPMENT: HUDSON, CHR. O'SHAUGHNESSY  
THOMAS HABASH****1567-2006**

To authorize the Director of the Department of Development to enter into an agreement with RAPID MR International, LLC for a Jobs Creation Tax Credit of 65% for a period of 7 years in consideration of the company's investment of \$350,000 in new personal property and the creation of 11 permanent full-time jobs; and to declare an emergency.

**1604-2006**

To authorize the appropriation of \$85,000 within the Jobs Growth Fund to the Development Department; to authorize the Director of the Department of Development to amend an existing contract with the Columbus Chamber of Commerce pursuant to Ordinances 1245-2005 and 877-2006, to support a community-wide collaborative effort to attract and retain young professionals to the 315 Research + Technology Corridor and Columbus; to authorize the expenditure of \$85,000 from the Jobs Growth Fund; and to declare an emergency (\$85,000.00).

**SAFETY & JUDICIARY: MENTEL, CHR. BOYCE THOMAS HABASH****1456-2006**

To authorize and direct the Finance and Management Director to sell a 1997 Horton medic that is of no further value to the Division of Fire, to the Ohio State University Medical Center for the sum of \$1.00, and to waive the provisions of the City Code relating to the sale of City-owned property. (\$1.00)

**1457-2006**

To authorize and direct the Director of Public Safety to enter into a contract with Howell Rescue Systems, Inc. for product maintenance support service and operating supplies for Genesis Rescue Combination Tools; in accordance with sole source procurement provisions; to expend \$10,000.00 from the General Fund, and to declare an emergency.(\$10,000.00)

**1459-2006**

To authorize the Director of Public Safety to modify contract with Time Warner Telecom for voice/data service for the fire connectivity project, to authorize the expenditure of \$40,000.00 from the General Fund and to declare an emergency. (\$40,000.00)

*(TABLED 9/11/06)*

**1519-2006**

To authorize the City Attorney to donate miscellaneous computer equipment to Tech Corps Ohio; to waive the provisions of Section 329.30 of the Columbus City Codes, 1959, pertaining to the sale of City-owned personal property; and to declare an emergency.

*(TABLED 9/11/06)*

**1564-2006**

To authorize and direct the City Attorney to settle the lawsuit of Roland Helpman et al., v. City of Columbus, Franklin County Common Pleas



Court, Case No. 05-CVC-06-6865, to authorize the expenditure of Twenty Three Thousand Five Hundred Six Dollars and Sixty Four Cents (\$23,506.64), and to declare an emergency.

**1565-2006**

To authorize and direct the City Attorney to settle the lawsuit of Robert Beck, Executor of the Estate of Goldie M. Beck, Deceased v. City of Columbus, Franklin County Court of Common Pleas, Case No. 05CVA-02-1400, to authorize the City Auditor to transfer \$100,000.00 within the general fund from the Department of Finance and Management to the Department of Public Safety, Division of Fire, to authorize the expenditure of the sum of One Hundred Thousand and No/100 Dollars (\$100,000.00), payable as specified in Section 3, and to declare an emergency.

**DEVELOPMENT: O'SHAUGHNESSY, CHR. HUDSON TAVARES HABASH**

**1464-2006**

To accept the application (AN06-003) of Mary I. Younkin for the annexation of certain territory containing 67.625 ± Acres in Hamilton Township.

**1497-2006**

To authorize the submission of a petition to the Board of County Commissioners of Franklin County, Ohio, requesting a change in the boundary lines of Montgomery Township so as to make the boundary lines of Annexations AN04-025 and AN04-028 identical, with the corporate limits of the city of Columbus.

**1506-2006**

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

**1556-2006**

To authorize the Director of Development to enter into a lease with the Columbus Compact for entry onto the property previously vacated by Ordinance 1192-01 for the installation of a sculpture and other such improvements described in the streetscape improvement plan on file with the Department of Development; to waive the provisions of Section 329.29 of the Columbus City Codes, 1959; and to declare an emergency.

**PUBLIC SERVICE & TRANSPORTATION: O'SHAUGHNESSY, CHR. HUDSON TAVARES HABASH**

**0148X-2006**

To authorize the Public Service Director, on behalf of the Transportation Division, to declare the necessity of replacing sidewalks and/or driveway approaches under the assessment procedure; and to declare an emergency. (\$-0-)

**1433-2006**

To accept the plat titled ALUM CREEK VILLAGE SECTION 2 PART 2, from BEAZER HOMES INVESTMENTS, LLC, a Delaware limited liability company, Successor to CROSSMANN COMMUNITIES OF OHIO, INC, an Ohio Corporation, by MARK HOSTETTLER, Vice president of Finance and to declare an emergency.

(TABLED 9/11/06)

**HEALTH, HOUSING & HUMAN SERVICES: TAVARES, CHR. BOYCE THOMAS  
HABASH**

**1222-2006** To authorize and direct the Board of Health to enter into a contract with The Ohio State University for the provision of high risk perinatal care services; to authorize the expenditure of \$150,000 from the Health Department Grants Fund; to waive the provisions for competitive bidding. ; and to declare an emergency. (\$150,000)

(TABLED 9/11/06; DEPT. REQUEST TO AMEND TO 30-DAY)

**0151X-2006** To support the application of Homes on the Hill (Eakin Road Housing) for Non-Housing Credit Housing Development Assistance Program; and to declare an emergency.

**0152X-2006** To support the application of Tuscan Group Ltd (Riverside Mill Homes II) for Non-Housing Credit Housing Development Assistance Program; and to declare an emergency.

**0154X-2006** To support the application of Community Development for All People (Southside Homeownership Project) for Non-Housing Credit Housing Development Assistance Program; and to declare an emergency.

**0155X-2006** To support the application of Franklinton Development Association (Central West Revitalization Project) for Non-Housing Credit Housing Development Assistance Program; and to declare an emergency.

**UTILITIES: THOMAS, CHR. MENDEL O'SHAUGHNESSY HABASH**

**1248-2006** To authorize the Director of Public Utilities to enter into contract with Insituform, Inc., for the construction of the Crestview/Calumet Area Sanitary Improvements Project; to authorize the appropriation and expenditure of \$1,682,067.60, from the Ohio Water Pollution Control Loan Fund; for the Division of Sewerage and Drainage; and to declare an emergency. (\$1,682,067.60)

**1255-2006** To authorize the Director of Public Utilities to enter into contract with Insituform, Inc., for the construction of the Clinton Heights/Colerain Area Sanitary Improvements Project; to authorize the appropriation and expenditure of \$1,499,688.00, from the Ohio Water Pollution Control Loan Fund for the Division of Sewerage and Drainage; and to declare an emergency. (\$1,499,688.00)

**1442-2006** To authorize the Director of Public Utilities to modify an agreement on behalf of the City of Columbus between the Solid Waste Authority of Central Ohio and Kurtz Brothers, Inc., for the design, construction and operation of the Organic Waste Recovery and Reuse System project.

**1445-2006** To authorize and direct the Finance and Management Director to enter into three (3) contracts for the option to purchase Specialty and

Industrial Gases with DeLille Oxygen, Valley National Gases and Airgas Great Lakes, to authorize the expenditure of \$3.00 to establish the contracts from the Universal Term Contracts Fund. , and to declare an emergency. (\$3.00).

*(TABLED 9/11/06; DEPT. REQUEST TO AMEND TO 30-DAY)*

**1490-2006**

To authorize the Director of Public Utilities to enter into a professional engineering services contract with Fuller, Mossbarger, Scott, and May Engineers, Inc., for the Downtown Combined Area System Renovations, Phase 4 Project; to authorize the transfer of \$27,773.72, and the expenditure of \$49,773.72 from the Voted Sanitary Bond Fund; to amend the 2006 Capital Improvements Budget; for the Division of Sewerage and Drainage and to declare an emergency. (\$49,773.72)

*(TABLED 9/11/06)*

**RECREATION & PARKS: HABASH, CHR. BOYCE MENTEL THOMAS**

**1590-2006**

To amend Ord. 0598-2006 to authorize and direct the Executive Director of Recreation and Parks to grant consent to the University Area Enrichment Association to apply for permission to sell alcoholic beverages at the following 2006 event: Thirsty Scholar's Rally in the Alley, and to declare an emergency.

**APPOINTMENTS**

**A0089-2006**

Appointment of Brian B.Byrne, 31 Northridge Road, Columbus, OH 43214, to serve on the North Central Area Commission Clintonville Area Commission with a new term expiration date of July 1, 2009 (bio attached)

*(TABLED 9/11/06)*

**FROM THE FLOOR:**

**RESOLUTION OF EXPRESSION**

**HUDSON**

**0157X-2006**

To congratulate Bob McLaughlin, whose leadership and expertise have drastically changed the economic landscape of Downtown Columbus for years to come.

**Sponsors:** Mary Jo Hudson

**(THERE WILL BE NO CITY COUNCIL MEETING HELD ON MONDAY, SEPTEMBER 25, 2006. THE NEXT REGULAR SCHEDULED CITY COUNCIL MEETING WILL BE HELD ON MONDAY, OCTOBER 2, 2006)**

**ADJOURNMENT**