



# City of Columbus

## Agenda - Final Revised

### Columbus City Council

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

***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.***

---

Monday, September 20, 2010

5:00 PM

City Council Chambers, Rm 231

---

**REGULAR MEETING NO. 45 OF COLUMBUS CITY COUNCIL, SEPTEMBER 20, 2010 at 5:00 P.M. IN COUNCIL CHAMBERS.**

**ROLL CALL**

**READING AND DISPOSAL OF THE JOURNAL**

**C0029-2010** THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY CLERK'S OFFICE AS OF THURSDAY SEPTEMBER 16, 2010.

New Type: C1, C2  
To: Bafana Inc  
DBA T & M Market and Drive Thru  
3163 E Main St  
Columbus OH 43213  
Permit # 0346785

New Type: D3A  
To: Draught Haus LLC  
DBA The Draught Haus  
6694 Sawmill Rd  
Columbus OH 43235  
Permit # 23058420005

New Type: D4  
To: Misty Blues LLC  
DBA Misty Blues Social Club  
941 E 5th Av  
Columbus OH 43201  
Permit # 6055368

New Type: D5J  
To: UVG TMG Development Group LLC  
343 N Front St  
Columbus OH 43215  
Permit # 9181367

Transfer Type: C1, C2, D6  
To: Marvi LLC

East End Unit & Bsmt  
19-21 E 13th Ave  
Columbus OH 43201  
From: Nameless Premium Beverages LLC  
East End Unit & Bsmt  
19-21 E 13th Ave  
Columbus OH 43201  
Permit # 5596614

Transfer Type: D5  
To: Meijin LLC  
DBA Ichiban Japanese Steakhouse  
2760 Brice Rd  
Columbus OH 43068  
From: Lada Foods LLC  
DBA Hawa Russia  
2680 E Dublin Granville Rd  
Columbus OH 43231  
Permit # 58111100005

Transfer Type: C1, C2  
To: Babylon Market Inc  
DBA Babylon Market  
128 E 8th Ave  
Columbus OH 43201  
From: Ahsan K Alkhatib  
DBA K & J Market  
128 E 8th Ave 1st Fl & Bsmt  
Columbus OH 43201  
Permit # 0346800

Stock Type: D5, D6  
To: Tumbleweed Restaurants Inc  
AKA Tumbleweed Inc  
& Patio  
6959 E Broad St  
Columbus OH 43213  
Permit # 90927080045

Transfer Type: D2, D2X  
To: CB on 3rd Inc  
DBA Lexis  
100 E Broad St  
Columbus OH 43215  
From: Clifford Boling Jr  
DBA Village Pub  
274 E Innis Av 1st Fl & Bsmt  
Columbus OH 43207  
Permit # 13458600005

Transfer Type: C1, C2, D6  
To: Z Drive Thru I LLC

5250 Godown Rd  
 Columbus OH 43235  
 From: Quenching Caverns Inc  
 5250 Godown Rd  
 Columbus OH 43235  
 Permit # 9871772

Transfer Type: D1, D2, D3, D3A, D6  
 TO: Les Bijoux De Mozell LLC  
 DBA Zydico On High  
 515 S High St 1st Fl & Bsmt  
 Columbus OH 43215  
 From: Blazin Wings Inc  
 DBA Buffalo Wild Wings Grill & Bar  
 515 S High St 1st Fl & Bsmt  
 Columbus OH 43215  
 Permit # 5139822

Advertise: 09/25/2010  
 Return: 10/05/2010

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

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

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

- 1231-2010 FR** To authorize the Finance and Management Director to renew a contract for the Facilities Management Division with K&M Kleening Service, Inc. for custodial services at the Columbus Health Department, 240 Parsons Avenue; and to authorize the expenditure of \$320,372.00 from the General Fund. (\$320,372.00)
- 1288-2010 FR** To authorize the Director of the Department of Development to enter into a 5-year, 60% Job Creation Tax Credit agreement with Resource Interactive.

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

- 1268-2010 FR** To authorize the Director of Public Service to enter into contracts with other agencies to sell salt previously purchased by the City of Columbus. (\$0.00)

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

- 1180-2010 FR** To authorize the Director of the Department of Finance and Management, on behalf of the Department of Technology, to enter into a contract and establish a purchase order with Duncan Video, Inc., for the purchase of TV Control Room Replacement Equipment; and to authorize the expenditure of \$97,347.81 from the Department of Technology, Information Services Capital Improvement Fund (Build America Bonds/B.A.B.s). (\$97,347.81)
- 1198-2010 FR** To authorize the Director of the Department of Technology to renew a contract with Business Software, Inc (BSI) for software maintenance and support associated with the CHRIS project; to authorize the expenditure of

\$9,040.50 from the Department of Technology's Information Services Fund; and to waive the competitive bidding provisions of the Columbus City Codes. (\$9,040.50)

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

- 1163-2010** FR To authorize the Director of Finance and Management to establish a blanket purchase order with Sprint Solutions from a Universal Term Contract for the purchase of Cellular Phone Services for various divisions within the Department of Public Utilities, to authorize the expenditure of \$13,000.00 from the Electricity Operating Fund, \$98,000.00 from the Water Operating Fund, \$102,000.00 from the Sewerage System Operating Fund, and \$10,000.00 from the Storm Sewer System Operating Fund. (\$223,000.00)
- 1168-2010** FR To authorize the Director of Public Utilities to enter into an agreement for professional engineering service with Korda / Nemeth Engineering, Inc. for the Richards / Granden / Torrence Relief Sanitary Sewer Project; to authorize the transfer within and the expenditure of \$156,289.00 from the Sanitary Build America Bond (B.A.B.'s) Fund; to authorize the expenditure of up to \$68,219.00 from a previously established Auditor's Certificate within the Streets and Highways G.O. Bonds Fund for the Department of Public Service; and to amend the 2010 Capital Improvement Budget to establish sufficient budget authority to cover the expenditure upon passage of this ordinance. (\$224,508.00)
- 1220-2010** FR To authorize the Director of Public Utilities to pay the Water Pollution Control Loan Fund application fee to the Ohio Water Development Authority for the Division of Sewerage and Drainage OSIS Augmentation and Relief Sewer (OARS) project; and to authorize the expenditure of \$437,500.00 from the Sewer System Operating Fund. (\$437,500.00)

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

- 1275-2010** FR To approve the Certified Local Government grant for the historic and architectural survey of the Teakwood Heights Neighborhood for funding year 2010 with the City Historic Preservation Officer acting as the community's CLG Program Contact.

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

- 1177-2010** FR To create Chapter 1150, "Floodplain Management," inside Title 11 of the Columbus City Codes which is administered by the Department of Public Utilities and to delete Chapter 3385, "Floodplain Management," from the Columbus Zoning Code so that floodplain review responsibilities would be consolidated into the Department of Public Utilities.

Sponsors: Eileen Y. Paley

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

- 1295-2010** FR To rezone 1000 SOUTH FRONT STREET (43215), being 0.25± acres located on the east side of Front Street, 200± feet south of Frederick Street. From: M, Manufacturing District, To: AR-O, Apartment Office District. (Rezoning # Z10-019)
- 1297-2010** FR To grant a Variance from the provisions of Sections 3312.21(B) (1), Landscaping and screening; 3321.05A1, Vision clearance; 3333.09, Area

Requirement; 3333.23, Maximum side yard permitted; 3333.24, Rear yard; and 3372.604, Setback requirements, of the Columbus City Codes for property located at 1000 SOUTH FRONT STREET (43215), to permit six (6) dwelling units and up to 4500 square feet of offices in an existing building with reduced development standards in the AR-O, Apartment Office District.

## CONSENT ACTIONS

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

- 1179-2010 CA To authorize the City Auditor to transfer \$200,000.00 within the Fleet Management Division Fund in conformance with the Second Quarterly Financial Review in order to purchase automotive parts and services for City fleet vehicles; and to declare an emergency. (\$200,000.00)
- 1184-2010 CA To authorize the City Auditor to change the title of Special Revenue Fund 294 from "1111 East Broad Street Operations Fund," to "Property Management Fund"; and to add subfund 002 titled "OSU Boathouse" to the Fund.
- 1246-2010 CA To authorize and direct the City Auditor to transfer funds within the General Fund; to authorize the City Auditor to reduce an encumbrance for mail expenses in the Division of Police and increase an encumbrance for mail expenses by the same amount in the City Treasurer's Office; and to declare an emergency (\$26,644.00).
- 1273-2010 CA To authorize the Finance and Management Director to accept a grant on behalf of the Facilities Management Division from the Franklin County Office of Homeland Security for the purchase of security equipment for various City-owned facilities; and to declare an emergency. (\$156,100.00)

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

- 1254-2010 CA To authorize and direct the Finance and Management Director to issue a purchase order on behalf of the Division of Fire for telephone services from an existing Universal Term Contract with AT&T, to authorize the expenditure of \$50,000.00 from the General Fund; and to declare an emergency. (\$50,000.00)

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

- 1165-2010 CA To accept the plat titled "Alum Creek Village, Section 2 Part 3", from Fischer Development Company, a Kentucky corporation, by Todd E. Huss, President; and to declare an emergency.
- 1250-2010 CA To authorize and direct the Finance and Management Director to modify past, present and future purchase orders with Ennis Paint Inc. dba Ennis Traffic Safety Solutions; and to declare an emergency.
- 1252-2010 CA To authorize the Director of the Department of Public Service to execute those documents necessary to allow the City to grant these aerial encroachment easements to Wood Real Estate LLC which will allow installation of a bay windows, building cornice, and canopy into North High Street, side of a new mixed uses building located at 935-951 North High Street.
- 1276-2010 CA To authorize the Finance and Management Director to establish purchase

orders with Ricart Ford and 32 Ford Mercury, Inc. for the purchase of vehicles for the Division of Planning and Operations per the terms and conditions of citywide Universal Term Contracts, to authorize the appropriation and expenditure of \$146,452.00 from the Street Construction Maintenance and Repair Fund; and to declare an emergency. (\$146,452.00)

**1286-2010 CA** To authorize the Director of Finance and Management to establish a purchase order with Flint Trading, Inc. for the purchase of bikeway pavement marking materials per the terms and conditions of an existing universal term contract for the Division of Mobility Options; to authorize the expenditure of \$100,000.00 from the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$100,000.00)

**1311-2010 CA** To authorize the Director of the Department of Public Service to execute those documents required to transfer the un-named east-west alley, between Tenth and Eleventh Avenues, between Worthington Street and the first alley east of Neil Avenue to The Ohio State University; and to declare an emergency.

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

**1306-2010 CA** To authorize and direct the Executive Director of the Civil Service Commission to modify and increase the contract with the Association for Psychotherapy, Inc. for the psychological screening of public safety applicants, to authorize the transfer of funds within the General Fund between the Department of Public Safety, Safety Director's Office and the Civil Service Commission, to authorize the expenditure of \$79,500.00 or so much thereof as may be needed from the General Fund; and to declare an emergency (\$79,500.00).

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

**1171-2010 CA** To authorize the Director of Public Utilities to reimburse Sanamax for over-payment of water fees, to authorize a revenue reduction transaction not to exceed \$41,016.17. (\$41,016.17)

**1190-2010 CA** To authorize the Director of Public Utilities to enter into a cooperative agreement with the Geological Survey, United States Department of Interior, for Investigation of Water Resources in Central Ohio, and Ground Water Levels in Franklin County for the Division of Power and Water, and the Scioto River at Columbus for the Division of Sewerage and Drainage; and to authorize the expenditure of \$275,830.00 from the Sewer System Operating Fund, Storm Sewer Operating Fund, and the Water System Operating Fund. (\$275,830.00)

**1285-2010 CA** To authorize the Director of Public Utilities to enter into an Interconnection Agreement with Central Ohio Bioenergy, LLC, a waste-to-energy company, and to declare an emergency.

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

**1239-2010 CA** To authorize the Board of Health to modify and increase a contract with Columbus AIDS Task Force; to authorize the expenditure of \$80,000.00 from the General Government Grants Fund; and to declare an emergency. (\$80,000.00)

**HOUSING : TAVARES, CHR. TYSON MILLER MENDEL**

- 1278-2010 CA To amend Ordinance No. 0156-2010, passed January 25, 2010, authorizing the Director of the Department of Development to enter into consortium funding agreements with members of the Neighborhood Stabilization Program 2 (NSP 2) Consortium, in order to correct funding codes; and to declare an emergency.
- 1281-2010 CA To authorize a transfer between OCA Codes within the General Government Grant Fund; to authorize the Director of the Department of Development to modify and increase the NSP2 Consortium Agreement with Columbus Housing Partnership; to authorize the expenditure of \$417,500 from the General Government Grant Fund; and to declare an emergency (\$417,500)

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

- 1271-2010 CA To accept the application (AN09-008) of GP Portfolio Landlord #3, LLC, property owner for the annexation of certain territory containing .93 ± acres in Prairie Township.

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

- 1119-2010 CA To authorize and direct the Director of Recreation and Parks to modify the contract with M.A.D. Scientists, LLC for additional planting and monitoring of wetland buffer; to authorize the transfer of \$5,988.00 within the Storm B.A.B.s (Build America Bonds) Fund; to authorize an amendment to the 2010 Capital Improvements Budget; to authorize an expenditure of \$5,988.00 from the Storm B.A.B.s (Build America Bonds) Fund; and to declare an emergency. (\$5,988.00)
- 1175-2010 CA To authorize the Finance and Management Director to establish a purchase order with Bus Service Inc. for the purchase of a mini bus for the Recreation and Parks Department; to authorize the expenditure of \$41,900.00 from the General Fund. (\$41,900.00)
- 1283-2010 CA To authorize and direct the Finance & Management Director to enter into one (1) UTC contract for the option to purchase Softballs and Baseballs with A.D. Starr to authorize the expenditure of one (1) dollar to establish the contract from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$1.00)

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

- 1213-2010 To adopt the Olde Towne Quarter Economic Development Strategy as a guide for development, redevelopment, and planning of future public improvements.  
*Sponsors:* Andrew Ginther and Priscilla Tyson
- 1298-2010 To authorize the Director of the Department of Development to enter into a Jobs Creation Tax Credit of 65% for 6 years and a Jobs Growth Incentive of 25% for 5 years with International Technical Coatings, Inc.; and to declare an emergency.

- 1303-2010** To authorize the Director of the Department of Development to enter into an Enterprise Zone Agreement of 75% for 10 years with Lio Energy Systems Holdings (US) LLC, I P of A Columbus Works 1-32 LLC, the Gearhart Development Corporation and Cordell Funding, LLLP (landlord); to enter into a Jobs Creation Tax Credit of 65% for 12 years with Lio Energy Systems Holdings(US) LLC; to enter into a Jobs Growth Incentive of 35% for 8 years with Lio Energy Systems Holdings (US) LLC; and to declare an emergency.

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

- 1215-2010** To appropriate and transfer funds within the General Permanent Improvement Fund, to appropriate funds in the Law Enforcement Seizure fund, to authorize the Finance and Management Director to issue a purchase order from an existing Universal Term Contract with Ricart Properties, Inc. for the purchase of covert vehicles for the Division of Police, to authorize the expenditure of \$231,482.80 from the General Permanent Improvement Fund and the Law Enforcement Seizure Fund; and to declare an emergency. (\$231,482.80)

- 1232-2010** To authorize and direct Police Deputy Chief Richard A. Bash to accept a FY09 Buffer Zone Protection Plan (BZPP) grant award from the Ohio Emergency Management Agency for the purchase of equipment to protect and secure areas surrounding critical infrastructures and key resources and to authorize the appropriation of \$194,000.00 from the unappropriated balance of the General Government Grant fund to the Division of Police for the FY09 BZPP grant expenditures.(\$194,000.00)

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

- 1031-2010** To authorize the Director of Public Service to submit Federal Attributable Funds roadway improvement project applications to the Mid-Ohio Regional Planning Commission for consideration for funding within the Transportation Improvement Program and to authorize the Director of Public Service to execute project agreements for approved projects for the Department of Public Service. (\$-0-)

*(TABLED 9/13/10)*

- 1209-2010** To authorize the Director of the Department of Public Service to execute those documents, prepared by the Department of Law, Real Estate Division, needed to transfer a portion of existing Grant Avenue to Weinland Park Development, LLC; to accept proposed right-of-way and permanent easements needed by the City of Columbus for the Grant Avenue Area Roadway Improvements project from Weinland Park Development, LLC; to the extent that they may apply to these transfers to waive the competitive bidding provisions and the Land Review Commission requirements of Columbus City Codes; and to declare an emergency.

- 1249-2010** To authorize the Director of Public Service to enter into contract with Complete General Construction Company for the Bridge Rehabilitation - North Eureka Avenue Over Dry Run Stream and UIRF - North Eureka Avenue/Steele Avenue to North Corporation Line projects and to provide for construction inspection; to amend the 2010 C.I.B., to authorize the transfer and expenditure of monies within the Build America Bonds Fund; and to declare an emergency. (\$874,783.65)

- 1251-2010** To authorize the Director of the Department of Public Service to execute those documents necessary to allow the City to grant this aerial encroachment easement to Abigail LLC which will allow installation of awning, bay windows, building mounted exterior lights and building cornice on the East side of East Gay Street side of the proposed 7 story Student Housing building at 369 East Gay Street.
- 1266-2010** To authorize the Director of Public Service to expend \$2,613,600.00 or so much thereof as may be necessary to reimburse the Street Construction, Maintenance and Repair Fund for traffic sign and signal installation, permanent pavement marking, roadway improvement design and construction expenses, salaries, overhead, overtime, materials and other direct costs incurred by the Fund in connection with the Division of Planning and Operations' and Division of Mobility Options capital improvements program in 2010; and to authorize the expenditure of \$2,400,000.00 from the Streets and Highways G.O. Bonds Fund for the of Division of Planning and Operations and \$213,600 from the Build America Bonds Fund for the Division of Mobility Options; and to declare an emergency. (\$2,613,600.00)

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

- 1172-2010** To authorize the Director of the Department of Finance and Management to establish a purchase order for the Department of Technology, with Software House International Inc. (SHI) from a State Term Schedule; and to authorize the expenditure of \$73,688.54 from the Department of Technology's Information Services Fund in support of the Columbus Human Resource Information System (CHRIS). (\$73,688.54)
- 1308-2010** To authorize and direct the Executive Director of the Civil Service to modify and increase the contract with The Ohio State University for the administration of pre-employment physicals and cardiovascular stress testing of public safety recruits, to authorize the transfer of funds within the General Fund between the Department of Public Safety, Safety Director's Office and the Civil Service Commission, to authorize the expenditure of \$73,750.00 from the General Fund; and to declare an emergency (\$73,750.00).

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

- 0908-2010** To authorize the Director of Public Utilities to execute a construction contract with The Altman Company, for the SMOC Material Storage Addition project; to authorize the appropriation, transfer and expenditure of \$469,793.00 from the Sewer System Reserve Fund to the Ohio Water Pollution Control Loan Fund; and to amend the 2010 Capital Improvements Budget for the Sanitary Build America Bond (B.A.B.s) Fund for the Division of Sewerage and Drainage. (\$469,793.00 )
- 1140-2010** To authorize the Director of Public Utilities to execute a construction contract with Wingler Construction, Inc., in connection with the Fairwood Facilities Improvements project; to authorize the transfer within and the expenditure of \$266,287.20 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. (\$266,287.20)
- 1182-2010** To authorize the Director of Public Utilities to execute a construction contract

with Jess Howard Electric for the Morrison Road Booster Station Improvements Project; for the Division of Power and Water; to authorize a transfer and expenditure of \$362,627.98 within the Water Works Enlargement Voted Bonds Fund; and to amend the 2010 Capital Improvements Budget. (\$362,627.98)

- 1196-2010** To authorize the City Auditor to transfer of \$2,000,000.00 within the Water System Operating Fund to align budget authority with projected expenditures. (\$2,000,000.00)

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

- 1224-2010** To authorize and direct the Board of Health to accept a grant from the Columbus State Community College in the amount of \$82,669.00; to authorize the appropriation of \$82,669.00 from the unappropriated balance of the Health Department Grants Fund; and to declare an emergency. (\$82,669.00)

**HOUSING: TAVARES, CHR. TYSON MILLER MENTEL**

- 1240-2010** To authorize the expenditure of \$6,882,700.00 from the General Government Grant Fund to provide funding for various approved activities within the Neighborhood Stabilization Program 2; and to declare an emergency (\$6,882,700.00).
- 1270-2010** To authorize the Director of the Department of Development to make financial assistance available through the Roof Repair Program administered by the Housing Division; to authorize the expenditure of \$300,000.00 from the Housing Preservation Fund; and to declare an emergency. (\$300,000.00)

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

- 0114X-2010** To endorse the Blacklick Watershed Action Plan as a means of improving the water quality of Blacklick system.
- 1212-2010** To adopt the Main Street Visioning Charrette as a vision for development for East Main Street on the Near East Side of Columbus.
- 1291-2010** To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of 2 parcels of real property held in the Land Bank pursuant to the Neighborhood Stabilization Program; and to declare an emergency.

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

- 1204-2010** To authorize the City Attorney to acquire fee simple title and lesser interests, to contract for professional services, and to expend a combined total of \$408,000.00 from the Recreation and Parks Grant Fund and the Recreation and Parks Voted Bond Fund for costs in connection with the Lower Big Walnut Creek Lockbourne Preservation Project; and to declare an emergency. (\$408,000.00).

**ADJOURNMENT**