

# **City of Gahanna**

*200 South Hamilton Road  
Gahanna, Ohio 43230*



## **Meeting Minutes**

**Monday, August 2, 1999**

**7:30 PM**

**City Hall**

**City Council**

**GAHANNA'S VISION is . . .**

. . . to be an innovative model community that values its rich heritage, pursues high standards, and where citizens respect one another.

**Members Present:** Debra A. Payne, Karen J. Angelou, L. Nicholas Hogan, Sherie James-Arnold, Thomas R. Kneeland, Rebecca W. Stinchcomb and Robert W. Kelley

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**GAHANNA'S MISSION is . . .**

. . . to ensure an exceptional quality of life by providing comprehensive services, financial stability, and well-planned development which preserves the natural environment, so that city government will continue to be responsive, accessible, and accountable to our diverse and growing community of citizens.

**A. CALL TO ORDER - Invocation, Pledge of Allegiance, Roll Call**

Gahanna City Council met in Council Chambers of City Hall, 200 South Hamilton Road, Gahanna, Ohio, on Monday, August 2, 1999. Robert W. Kelley, President of Council, called the meeting to order at 7:30 p.m. with an Invocation, followed by the Pledge of Allegiance.

**B. ADDITIONS OR CORRECTIONS TO THE AGENDA.**

Prior to introductions, President noted the following change: 990336, change title on agenda to read the money amount of \$28,500.

MOTION by Payne, seconded by James-Arnold to add Ordinance No. 990368 to the agenda under Introductions. ROLL CALL: Voting yes: Payne, James-Arnold, Kelley, Kneeland, Stinchcomb, Hogan, Angelou. Motion carried.

**C. HEARING OF VISITORS**

Don Peters, 40 Massey Drive, Westerville, addressed Council in regard to Ordinance 990325, rezoning on Taylor Road; retired airline pilot; flown for 55 years; was representative to Port Columbus by Airlines Pilot Association for a number of years; am familiar with all master planning and Dept. 150 Noise Studies; if anything is placed on ends of runways federal government will not furnish future monies to mitigate; consider it to be very unwise to place people in a place where we all know they are going to be subjected to noise; why you would consider putting future citizens in such a position can't imagine, Hunter's Ridge has complained about noise for a long time; airport has been there for 70 years; think citizens deserve better; airport will not go away; it is necessary for the welfare of the Central Ohio region; fortunately there will be less noise for single events but there will be more events so overall noise will stay about the same; this is no place to place people.

Tony Purpura, 148 Savern Place, addressed Council about the proposed apartments on Taylor Road; have talked about enhanced insulation and heavy duty windows to reduce noise; problem is that adults and children will be outside much of the time where there is no protection; afraid they will suffer hearing problems; am retired but work 1 day a week at the Airport Golf Course; have first hand knowledge of the noise of air traffic; it is deafening and you don't need to be on flight path; always protect my ears, especially true on take offs; DiSabato stated he would not want to live there; I would not want my grandchildren living there; only people who will gain is Triangle Real Estate; Kenney has stated he has invested millions of dollars in Gahanna; this being the case this won't hurt him financially; Council Members are elected to serve the will of the people; people

don't want this rezoning; urge you not to approve.

Paul Remaker, 370 Spruce Hill Drive addressed Council on the Taylor Road rezoning; moved here 4 years ago; have 2 children in the school system and am an officer of the Rathburn Woods Civic Association; since moving here have witnessed many changes; think proposed apartments do not serve the best interests of the area; followed this issue actively throughout the Planning Commission process - both times; after extensive debate Planning Commission voted against; subject of class division surfaced last week; resent the insinuation of such a shallow premise for objecting; two points need to be reiterated; talking about 300 units; am concerned about impact on schools; levy campaign established need; still building many single family; over 300 apartments is worrisome; they are moderate priced apartments with 20% being one bedroom; difficult to know who will live there but feel it would attract young families or single parents with 1 or 2 children; question the viability of statistic of 6 children in 100 units; this development would stress an already crowded district and would affect quality of education; M1 adds no children; second issue is noise; can talk all you want about dnl and contour charts and lower noise engine; dnl is an average; at any given point the noise level can surpass 100 db; speak from personal experience; Rathburn Woods is out of problem zone but invite you to visit when the north runway extension is being utilized; rattles the windows; during the day we have no trouble reading tail numbers; can't carry on normal conversation in summer; and many times turn TV up above normal levels just to hear.

MOTION by Payne, seconded by James-Arnold, to extend the time for this speaker by one minute. ROLL CALL: Voting yes: Payne, James,-Arnold, Hogan, Stinchcomb, Kneeland, Kelley, Angelou. Motion carried.

Remaker continued that airport is requiring an affidavit absolving them of noise or other problems; thus developer and City would be left to mitigate future problems; also read your mission statement this evening; don't believe this rezoning supports this mission; M1 is the zoning of choice for this land; urge you to concur with wisdom of Planning Commission on the long term visions of this City; please vote against.

Wayne Pace, 1142 Rice Avenue, addressed Council on the rezoning on Taylor Road; one of the issues brought to my mind is safety and quality of life; happened to have grown up in flight path near Ohio Dominican; lived there for 20 years and then we moved to Gahanna, since then my parents home has had to be insulated for noise along with the homes of the rest of their neighbors; even though they are insulated the noise as engines pass over is unbearable; have to stop talking as airplanes go past; definitely opposed for that reason; quality of life of people is affected; tenants could move out and then question who would come in since it is an undesirable area to live; also believe there is a safety issue due to where it is located; am definitely opposed to rezoning for the multi unit complex.

Jess Howard, 3330 Mann Road, stated his place of business is close to this at 6680 Taylor Road; am not an expert on zoning but have common sense; 25 years ago group of people spent weeks and months zoning this area; felt the area north of the railroad tracks should be used as a buffer as light industrial; Taylor Road traffic is so crowded people have a hard time getting out; not interested in putting more traffic on that; this development would add 500 to 600 automobiles per day and not do anything for the community; feel light industrial will add more revenue and do more for Gahanna; ask you to vote against; also have 8,000 flight hours logged over the years; wear hearing aids today partially because of the noise of the engines over the years.

Windy McKenna addressed Council on School Board meetings; adopted our new math course of study and purchased several new textbooks; personnel issues are big in the summer; Carol Paganelli is new Athletic Director; and Robert McCaferty is the new Special Services Coordinator; pleased with both of those appointments; Dr. Anderson surprised us all with his resignation; has given of his time and talents for the past 6 years; regret his decision but respect his wishes; Steve Anderson is the new Vice Principal at Gahanna Lincoln; special Board meeting tomorrow night to open bids for construction; several more special Board meetings will be held in August to fill Board seat. Noted that Tom Kneeland had asked about reconfiguring the drive entrance to line up with Gary Lee; was told that this had been discussed several years ago with Planning Commission and was not feasible because of bus stacking; also construction of new community sign has begun.

## **D. INTRODUCTIONS AND ASSIGNMENT TO COMMITTEE**

### **Ordinances - To Be Introduced and Assigned to Committee**

Items under item D introduced, by title, by Payne.

#### **990357**

TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH TRICAR LTD FOR PRELIMINARY ENGINEERING DESIGN FOR THE CONSTRUCTION OF TWO PROPOSED PEDESTRIAN BRIDGE CROSSINGS OVER BIG WALNUT CREEK; AND TO SUPPLEMENTALLY APPROPRIATE \$6,515

**Introduced,**

#### **990358**

TO ACCEPT 1.706+/- ACRES FROM MIFFLIN AND JEFFERSON TOWNSHIPS TO THE CITY OF GAHANNA, OHIO, REQUESTED BY THE FRANKLIN COUNTY ENGINEER.

**Introduced, to Development Committee**

#### **990359**

TO AUTHORIZE THE MAYOR TO PURCHASE 28+/- ACRES FOR PARK LAND ON CLARK STATE ROAD FROM GEORGE AND BETTY HANNAH; AND TO SUPPLEMENTALLY APPROPRIATE \$896,000

**Introduced, to Finance Committee**

#### **990360**

TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION, FOR FRA-IR270/US62-33.86/21.71 WHICH PROPOSES TO PLANE AND PAVE 1 1/2 INCHES OF ASPHALT CONCRETE AND PERFORM BRIDGE WORK, AT SPECIFIED LOCATIONS; ALL FOR WORK ON I-270 IN GAHANNA CORPORATE LIMITS; AND TO DECLARE AN EMERGENCY

**Introduced, to Service Committee**

#### **990361**

TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO AWARD AND THE MAYOR TO ENTER INTO CONTRACT WITH THE RIGHTER CO., INC., FOR THE WIDENING OF SIDEWALKS ON THE BIG WALNUT BRIDGE, IMPROVEMENT NO. 728; AND TO DECLARE AN EMERGENCY

**Introduced, to Service Committee**

#### **990362**

SUPPLEMENTAL APPROPRIATION, Board of Zoning and Building Appeals, Transcripts/Recordings

**Introduced,**

#### **990363**

SUPPLEMENTAL APPROPRIATION TO COVER INCREASED AUTO ALLOWANCE AS APPROVED BY ORDINANCE NO. 990209

Introduced, to Finance Committee

**990368**

TO AUTHORIZE THE CITY ATTORNEY TO PETITION THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, OHIO, TO ANNEX CERTAIN 2.27+/- ACRES FROM JEFFERSON TOWNSHIP, SAID LAND BEING COMPRISED OF JOHNSTOWN ROAD RIGHT OF WAY; AND TO DECLARE AN EMERGENCY.

Introduced, to Development Committee

**CONSENT AGENDA:**

A motion was made by Council Member Angelou, seconded by Council Member Kneeland, to Pass the Consent Agenda. The motion carried by the following vote:

Yes	7	Vice President of Council Payne, Council Member Angelou, Council Member Hogan, Council Member James-Arnold, Council Member Kneeland, Council Member Stinchcomb and President of Council Kelley
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**Minutes - To Approve - July 19, 1999, Regular Meeting**

**Ordinances on Second Reading**

**990318**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH CREATIVE MICROSYSTEMS INC., FOR THE PURCHASE OF UTILITY SOFTWARE TO UPGRADE AND REPLACE THE EXISTING OLDER SYSTEM AND TO BRING EXISTING SYSTEM INTO COMPLIANCE WITH THE YEAR 2000; TO SUPPLEMENTALLY APPROPRIATE \$1,830 THEREFOR.

**This matter was Adopted**

**990326**

TO AUTHORIZE THE MAYOR TO ENTER INTO AMENDED REIMBURSEMENT AGREEMENT WITH DONALD R KENNEY FOR CONSTRUCTION OF EAST INDUSTRIAL SANITARY SEWER, IMPROVEMENT #727; TO SUPPLEMENTALLY APPROPRIATE \$450,000 THEREFOR; AND TO DECLARE AN EMERGENCY.

**This matter was Adopted as an Emergency**

**990329**

TO VACATE A 0.337 PORTION OF AN ACCESS EASEMENT FOR ROADWAY PURPOSES OVER A 49.649 ACRE TRACT AT THE END OF BLATT BOULEVARD

**This matter was Adopted**

**990334**

TO AUTHORIZE THE MAYOR TO ENTER INTO REIMBURSEMENT AGREEMENT WITH THE STONEHENGE COMPANY; TO SUPPLEMENTALLY APPROPRIATE \$110,000 THEREFOR; AND TO DECLARE AN EMERGENCY. (Triangle West Sanitary Sewer)

**This matter was Adopted as an Emergency**

**990335**

TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO AWARD AND THE MAYOR TO ENTER INTO CONTRACT WITH GADDIS & SON FOR THE 1999 CONCRETE STREET REPAIR, IMPROVEMENT NO. 729; TO SUPPLEMENTALLY APPROPRIATE \$214,295 THEREFOR; AND TO DECLARE AN EMERGENCY.

**This matter was Adopted as an Emergency**

**990336**

TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO AWARD AND THE MAYOR TO ENTER INTO CONTRACT WITH EVANS, MECHWART,

HAMBLETON & TILTON, INC., FOR INSPECTION SERVICES THE 1999 CONCRETE STREET REPAIR, IMPROVEMENT NO. 729; TO SUPPLEMENTALLY APPROPRIATE \$28,500 THEREFOR; AND TO DECLARE AN EMERGENCY.

This matter was Adopted as an Emergency

### **Ordinance - Postpone to August 16, 1999**

#### **990164**

AN ORDINANCE DECLARING THE ESTABLISHMENT OF THE EASTGATE INDUSTRIAL CENTER TIF DISTRICT AND THAT IMPROVEMENTS TO REAL PROPERTY WITHIN THE DISTRICT ARE A PUBLIC PURPOSE; DESCRIBING PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE TO BENEFIT THE DISTRICT; REQUIRING THE OWNERS OF THE PROPERTY WITHIN THE DISTRICT TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS; APPROVING AND AUTHORIZING THE EXECUTION OF TAX INCREMENT FINANCING AGREEMENTS AND AN INFRASTRUCTURE AGREEMENT; AND DECLARING AN EMERGENCY.

This matter was Postponed to Date Certain to the Development Committee

### **Resolutions to Adopt on First Reading**

#### **990365**

TO SUPPORT THE "GAHANNA HARD HAT CLUB" PROGRAM OF THE BICYCLE ADVISORY COMMITTEE.

This matter was Adopted

### **Motion Resolution**

#### **990366**

MOTION that Council finds no objection to Transfer of C1, C2 and D6 Liquor Permits to Dembardi Inc., DBA Alpine Drive Thru, and does not request a hearing.

This matter was Approved

### **End of the Consent Agenda**

## **F. PUBLIC HEARINGS**

## **G. STANDING COMMITTEES - Reports were distributed on meetings of July 26**

## **H. CORRESPONDENCE AND ACTIONS**

### **Clerk - (Legal)**

**990364** LIQUOR PERMIT LICENSING FEE DISTRIBUTION OF \$851.00 received from Jim Petro, Auditor of State.

### **Mayor's Court, June 1999 Report**

### **Liquor Permit - Donato's**

## **I. SECOND READING OF ORDINANCES**

### **Ordinances Reported Out of Committee**

990325

TO REZONE CERTAIN 25.9, MORE OR LESS, ACRES FROM M-1, MANUFACTURING, TO AR, APARTMENT RESIDENTIAL, FOR PROPERTY LOCATED ON THE SOUTH SIDE OF TAYLOR ROAD; TO ALLOW THE CONSTRUCTION OF AN APARTMENT COMMUNITY; TRIANGLE PROPERTIES, INC., APPLICANT.

MOTION to adopt Ordinance 990325 was made by Stinchcomb and seconded by Kneeland.

Gus Shihab, attorney, 500 S. Front St., stated he was present representing Triangle Real Estate Services; thank you for time allowed and for individual meetings; feel they were productive; understand where you are coming from; understand there is a genuine concern for the safety and welfare of the community; identified some issues we feel we need to take back to drawing board; request that this be tabled and allow us at least two weeks to respond to some of these issues you identified.

Weber noted this would not be a table but a postponement to a date certain. In response to question from Stinchcomb, Weber stated that if applicant made substantive changes to plan before us would have to go back before Planning Commission; the postponement would serve only if there are no changes; would need to go back through the process. Shihab noted they were not interested in making changes but want time to address some of the issues that been identified. Weber noted that Council needs to decide if they want to give the applicant more time to respond; can vote yes or no if a motion to postpone is made.

MOTION to postpone was made at this point in the discussion.

Stinchcomb stated this was an appeal; heard twice by Planning Commission; no new information could come forward; concur with Chair and ask that there be no further applause or comments from floor; feel a postponement is inappropriate.

Payne questioned what applicant wished to address. Shihab stated they wanted to discuss the issue of safety; study patterns of collision around the airport locally in order to bring back this information to you; that issue was brought up recently; noise issue has been discussed all along and feel we have addressed noise; don't think we properly addressed safety.

Stinchcomb noted she spoke at the first Planning Commission hearing regarding safety. Shihab noted she was speaking as a private citizen and have just heard this concern from Council.

Angelou stated she felt this was a common courtesy that we give people; will be abstaining due to conflict of interest so a postponement is of no difference to me; however although believe there has been adequate time given to every potential issue it is a matter of courtesy to a citizen and one who is bringing industrial development to our City to grant this postponement; don't know if it will make any difference; in 18 years on this Council, will be my first abstention; is not an easy thing to do.

Kelley stated he also felt it was a courtesy that has been granted in the past to other applicants; don't think anything you can say in two weeks will change my mind.

Hogan stated any questions he had would require the issue being sent to Planning Commission; questioned the propriety for office condominiums; applicant was to try to get back with an answer; if he did come back with a plan it would have to go back any way; feel if you came back with office condominiums if might get approved there; won't

make a difference if we postpone.

Shihab stated he did not want to waste Council's time; if you believe any information is going to change your mind vote for the postponement, if not vote no.

James-Arnold stated that a vote for a postponement would not mean a vote for the project; is a courtesy extended many times in the past; have given this same opportunity to many people.

Stinchcomb stated she appreciated what Triangle has brought to the City but Council also owes a courtesy to the citizens who have come out through 2 Planning Commission processes and this issue does not need to be dragged out for two more weeks; is time to get this over with; will not support a postponement; reiterate that as a member of Gahanna City Council did bring the safety issue up at first Planning Commission meeting.

**A motion was made by Council Member James-Arnold, seconded by Council Member Angelou, that this matter be Postponed to Date Certain to the Committee of the Whole. The motion carried by the following vote:**

<b>No</b>	<b>3</b>	Council Member Hogan, Council Member Kneeland and Council Member Stinchcomb
<b>Yes</b>	<b>4</b>	Vice President of Council Payne, Council Member Angelou, Council Member James-Arnold and President of Council Kelley

#### 990332

TO ACCEPT WATER LINE, STREET AND STORM SEWER, IMPROVEMENT NO. 704; AND SANITARY SEWER, IMPROVEMENT NO. 705; AND APPURTENANCES THERETO, IN VILLAGES AT ROCKY FORK, HARRISON POND, SECTION 8, PHASE 2; AND TO DECLARE AN EMERGENCY

Stinchcomb stated this was before Service Committee; have memo from City Engineer's office that punch list issues have been resolved; feel we are ready to move forward.

**A motion was made by Vice President of Council Payne, seconded by Council Member James-Arnold, that this matter be Adopted as an Emergency. The motion carried by the following vote:**

<b>Yes</b>	<b>7</b>	Vice President of Council Payne, Council Member Angelou, Council Member Hogan, Council Member James-Arnold, Council Member Kneeland, Council Member Stinchcomb and President of Council Kelley
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#### 990333

SUPPLEMENTAL APPROPRIATION - Big Walnut Pedestrian Facility - Creekside

**A motion was made by Council Member Angelou, seconded by Council Member James-Arnold, that this matter be Amended by Substitution and Adopted. The motion carried by the following vote:**

<b>Abstain, COI</b>	<b>1</b>	Council Member Hogan
<b>Yes</b>	<b>6</b>	Vice President of Council Payne, Council Member Angelou, Council Member James-Arnold, Council Member Kneeland, Council Member Stinchcomb and President of Council Kelley

#### 990337

TO AUTHORIZE THE MAYOR TO ENTER INTO LEASE AGREEMENT WITH RATHBURN WOODS CIVIC ASSOCIATION; AND TO DECLARE AN EMERGENCY



Stinchcomb and Weber noted there are problems with lease and this needs to go back to Service Committee.

**A motion was made by Council Member Stinchcomb, seconded by Council Member Hogan, that this matter be Postponed to Date Certain. The motion carried by the following vote:**

<b>Yes</b>	<b>7</b>	Vice President of Council Payne, Council Member Angelou, Council Member Hogan, Council Member James-Arnold, Council Member Kneeland, Council Member Stinchcomb and President of Council Kelley
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## **FIRST READING OF ORDINANCES - None**

### **K. REPRESENTATIVES**

#### **Mid-Ohio Regional Planning Commission (MORPC) - Payne**

Payne noted that Dublin is challenging the legislation on right of way; will be attending a meeting on that issue.

#### **Bd./Ed., Gahanna-Jefferson Public Schools**

No report. Hogan is Council representative to the August meeting.

### **L. OFFICIAL REPORTS**

#### **Mayor**

McGregor noted that Riverwalk contractor is on last of repairs; through the test run and shakedown period; should be finished by end of this week; still working on sidewalks.

#### **City Attorney**

Weber noted receiving copy of right of way language from David Goodman's office; serious problems with this in terms of our legislation; will be monitoring.

### **M. COUNCIL COMMENT**

Hogan noted how good City properties look even with heat wave; commend Parks Crew for all their efforts.

James-Arnold noted that in canvassing ward recently, residents are embracing Creekside. Also had a situation last night where we spoke with Police Department regarding speeding cars - specifically teenagers. In coming home travelling west on Rt. 62 from Hamilton, on a 2 lane road with double yellow line and 35 mph speed limit, had a car pass us doing 85 mph; second car passed us doing approximately 65 mph; near Clark Station on Mill a third car full of teenagers passed us; feel that people's lives were in jeopardy; when stopped at the light at Mill and Granville, the 2nd car was turning left to go east on Granville and did write down license plate number and gave it as well as a description of the other vehicles to the Police Department. Police have taken some slaps over situations in the last couple of months; have my full support; teenagers playing in cars put our lives in jeopardy, their lives in jeopardy, and the lives of many other people; thankful to the Police Department for taking interest in this issue; am not taking shots at teenagers but there are a lot of good children that make bad decisions; laws are in place to protect law abiding citizens; was very upsetting and scary; since we were able to give them a license plate number can only hope that parents won't say it wasn't my child; hopefully parents will say children need to live with law of the land; need to see what

can happen on other side of issue; could have been us last night if they lost control; could have cost their lives; need to work together as a community and a family on many health, safety, and welfare issues.

Kneeland referenced adopted Land Use Plan dated March 1993 and read section on Taylor Road Corridor; in the recommendations it says we should encourage mixed use developments when they are planned; residential would not be appropriate; have quoted this on many occasions; still a believer in our Land Use Plan.

Angelou stated that the vote tonight was a matter of common courtesy; do work with apartment industry; there are sound issues and noise issues that have been eloquently brought forward; apartments themselves are innately not bad; they are apartments; can have a \$400,000 house and get a real bad neighbor; is a very viable market and in a lot of cases the apartment industry gets an undeserved bad rap; this developer does a very adequate job of serving that purpose.

Payne stated her concern was safety not a multi family rental community; can all look back and forget where hence we came; lived in a rental community when first married and it was wonderful; is a need for that; income dollar figure needed to qualify for rental is what a starting teacher would be at; have to deal with appropriate issues and safety is one of them.

Kelley stated he had made it perfectly clear when speaking with applicant that safety is his concern; know of 5 aircraft that have gone down there in 30 years; have been in the position of going looking for a couple of them; the safety factor is wrong for my support; was just a common courtesy to allow them the time to respond to this concern. Kelley also noted a letter from the FBI thanking and congratulating the Police Department for their excellent job last summer on surveillance on banks and capture of bank robbers; my congratulations to Police Department.

## **N. ADJOURNMENT 8:21 p.m.**

A motion was made by Vice President of Council Payne, seconded by Council Member James-Arnold, to Adjourn. The motion carried unanimously.

### **End of Agenda**

**ISOBEL L. SHERWOOD, CMC/AAE, Deputy Clerk of Council reporting**

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**Isobel L. Sherwood, MMC  
Clerk of Council**

*APPROVED by the City Council, this  
day of 2012.*

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**Chair Signature**