

# **City of Gahanna**

*200 South Hamilton Road  
Gahanna, Ohio 43230*



## **Meeting Minutes**

**Monday, November 18, 2002**

**Caucus may be held at 7:00 p.m.**

**7:30 PM**

**City Hall**

## **City Council**

*Michael O'Brien, President of Council*

*Robert W. Kelley, Vice President of Council*

*Karen J. Angelou*

*L. Nicholas Hogan*

*John McAlister*

*Debra A. Payne*

*David B. Thom*

*Isobel L. Sherwood, CMC/AEE, Clerk of Council*

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

Gahanna City Council met in Regular Session on Monday, November 18, 2002, in Council Chambers of City Hall, 200 S. Hamilton Road, Gahanna, Ohio. President of Council Michael O'Brien called the meeting to order at 7:31 p.m. The invocation was given by Council Member Kelley followed by the Pledge of Allegiance led by Council Member McAlister. Agenda for this meeting was published on November 15, 2002.

**Members Present:** David B. Thom, Michael O'Brien, Karen J. Angelou, Debra A. Payne, L. Nicholas Hogan, Robert W. Kelley and John McAlister

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

MOTION by Angelou, seconded by Payne, to move ORD-0237-2002 from Introductions to First Reading of Ordinances. ROLL CALL: Voting yes: Angelou, Payne, Hogan, Kelley, McAlister, O'Brien, Thom. Motion carried.

MOTION by Angelou, seconded by Kelley, to move ORD-0238-2002 from Introductions to First Reading of Ordinances. ROLL CALL: Voting yes: Angelou, Kelley, McAlister, O'Brien, Payne, Thom, Hogan. Motion carried.

**C. HEARING OF VISITORS:**

Windy McKenna, Gahanna Jefferson Board of Education, stated they met last Thursday; thank Payne for attending; also want to thank Council for efforts in bringing the YMCA to Gahanna; wonderful addition to our City; feel we will all be the better for it; received a Certificate of Achievement from Ohio Government Finance Officers Association; will be giving a refresher cultural diversity program for teachers by Mace Ishida; also note that preliminary results show a rating improvement at 4th grade level; this year there are 26 achievements; next year will be back to 22; believe we will meet 19 of the 22 indicators which is highest ever; very pleased with that.

**D. INTRODUCTIONS AND ASSIGNMENT TO COMMITTEE:****Ordinances - To Be Introduced and Assigned to Committee:**

Ordinances introduced, by title, by Kelley.

**ORD-0225-2002**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH GEORGE PARKER FOR CONTINUING SERVICES ON THE PLANNING AND ARCHITECTURAL DESIGN OF CREEKSIDE.

**Introduced**

**ORD-0226-2002**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH ACS TITLE AND CLOSING SERVICES FOR TITLE EXAMINATION OF 133 MILL STREET.

**Introduced**

**ORD-0227-2002**

TO AUTHORIZE THE MAYOR TO ENTER INTO INTERGOVERNMENTAL ADMINISTRATIVE COOPERATION AGREEMENT WITH THE MID OHIO REGIONAL PLANNING COMMISSION WITH REGARD TO INFRASTRUCTURE AND CLEAN OHIO PROGRAMS.

**Introduced, to Development Committee**

**ORD-0228-2002**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH GOLDEN TOUCH CAR AND VAN WASH, INC., FOR A PERIOD OF ONE YEAR STARTING JANUARY 1, 2003 AND CONTINUING THROUGH DECEMBER 31, 2003, FOR

WASHING AND CLEANING OF OFFICIAL CITY VEHICLES.

**Introduced**

**ORD-0229-2002**

TO ADOPT THE LAND USE PLAN, 2002 UPDATE BY BURNS, BERTSCH & RAINEY

**Introduced, to Committee of the Whole**

**ORD-0230-2002**

TO AUTHORIZE THE MAYOR TO ENTER INTO PERSONAL SERVICES CONTRACT BETWEEN THE CITY OF GAHANNA AND CHARLES W. HENDERSON FOR GAHANNA ANIMAL CONTROL.

**Introduced**

**ORD-0231-2002**

SUPPLEMENTAL APPROPRIATION - Double Z Construction, Low Water Crossing

**Introduced**

**ORD-0232-2002**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT EXTENSION WITH GCC ENGINEERS TO INCLUDE SANITARY SEWER PLANS FOR OGDEN ALLEY; IMPROVEMENT NO. 774; TO SUPPLEMENTALLY APPROPRIATE \$9,305; AND TO DECLARE AN EMERGENCY.

**Introduced**

**ORD-0233-2002**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH TERRA SURVEYING SERVICES COMPANY, FOR SURVEYING FOR RIGHT OF WAY ACQUISITION, OGDEN ALLEY; IMPROVEMENT NO. 774; TO SUPPLEMENTALLY APPROPRIATE \$6,500; AND TO DECLARE AN EMERGENCY.

**Introduced**

**ORD-0234-2002**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH ME COMPANIES FOR APPRAISAL, TITLE WORK NEGOTIATIONS AND RECORDING OF RIGHT OF WAY ACQUISITION FOR PROPERTIES ON OGDEN ALLEY; TO SUPPLEMENTALLY APPROPRIATE \$18,250; AND TO DECLARE AN EMERGENCY.

**Introduced**

**ORD-0235-2002**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH WPS ENERGY SERVICES, INC., FOR THE PROVISION OF COMPETITIVE RETAIL ELECTRIC AGGREGATION SERVICES AND POWER SUPPLY, FOR THE CITY OF GAHANNA.

**Introduced, to Committee of the Whole**

## **E. CONSENT AGENDA**

### **Minutes - To Approve**

**2002-0002**

To approve minutes of the following meetings:  
1) December 2, 2002 Regular Meeting.

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

### **Ordinance: Introduce, Waive Second Reading , Adopt as Emergency:**

**ORD-0236-2002**

TO AUTHORIZE THE MAYOR TO ENTER INTO FUNDING AGREEMENT WITH THE BOARD OF COUNTY COMMISSIONERS, FRANKLIN COUNTY, OHIO, ON BEHALF OF THE CITY OF GAHANNA FOR A COMMUNITY DEVELOPMENT

BLOCK GRANT FOR THE CITY OF GAHANNA BEDFORD LANDFILL 1 BROWNFIELD PROJECT; AND TO DECLARE AN EMERGENCY.

**This Matter was Introduced, Second Reading Waived, and Adopted as an Emergency on the Consent Agenda.**

### **Ordinances on Second Reading:**

#### **ORD-0217-2002**

TO REPEAL ORD-0191-2002, PASSED OCTOBER 7, 2002, "TO AUTHORIZE THE MAYOR TO ENTER INTO EXTENDED CONTRACT WITH STILSON CONSULTING GROUP FOR REPLACEMENT AND REPAIR OF NORTH HIGH STREET STORM SEWERS; TO SUPPLEMENTALLY APPROPRIATED \$46,000; AND TO DECLARE AN EMERGENCY."

**This Matter was Adopted as an Emergency on the Consent Agenda.**

#### **ORD-0219-2002**

TO AMEND SECTION 941.15, PICKUP AND DISPOSAL FEES, FOR REFUSE AND GARBAGE PICKUP, TO BE EFFECTIVE JANUARY 1, 2003.

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

#### **ORD-0221-2002**

SUPPLEMENTAL APPROPRIATION - Convention and Visitors Bureau

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

#### **ORD-0222-2002**

TO AMEND SECTION 161.07, COLLECTION AT SOURCE, AND 161.08, DECLARATIONS, OF CHAPTER 161, INCOME TAX, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

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

#### **ORD-0223-2002**

TO AUTHORIZE THE MAYOR TO ENTER INTO PURCHASE AGREEMENT WITH CDW-G FOR PURCHASE OF A LARGE FORMAT PRINTER/SCANNER OFF THE STATE BID LIST FOR THE GIS MANAGER; AND TO DECLARE AN EMERGENCY.

**This Matter was Adopted as an Emergency on the Consent Agenda.**

#### **ORD-0224-2002**

TO AUTHORIZE THE PLACEMENT OF SIGNAGE WITHIN THE RIGHT OF WAY FOR THE ACADEMY RIDGE SUBDIVISION, PROPERTY LOCATED ON BEECHER ROAD WEST OF HAMILTON ROAD

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

### **Statutory Resolution - To Postpone Indefinitely:**

#### **SR-0002-2002**

A RESOLUTION TO DECLARE THE NECESSITY AND INTENT TO APPROPRIATE CERTAIN REAL ESTATE, CONSISTING OF ROADWAY RIGHT-OF-WAY FOR AN ACCESS EASEMENT ON GIANT EAGLE DRIVE; AND TO DECLARE AN EMERGENCY.

**This Matter was Postponed Indefinitely on the Consent Agenda.**

### **Motion Resolution:**

#### **MR-0063-2002**

Motion Resolution that Council has no objection to the transfer of D1, D2, D3 and D3A Liquor Permits for Stoly's Inc., 154 N. Hamilton Road, Gahanna, Ohio.

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

#### **MR-0064-2002**

Motion Resolution that Council has no objection to the transfer of D1, D2, D3 and D6 Liquor Permits for Nagi International LLC, DBA Maharajas, 389 Stoneiridge Lane,

Gahanna, Ohio.

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

**MR-0065-2002**

Motion Resolution to increase contract amount for our Telephone Consultant, TTG by \$2,800; said funds appropriated to 101.141.5441, contract services; .

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

**Passed The Consent Agenda**

**A motion was made by Council Member Payne, seconded by Council Member Thom, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:**

Yes	7	Council Member Thom, President of Council O'Brien, Council Member Angelou, Council Member Payne, Council Member Hogan, Vice President of Council Kelley and McAlister
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**End of the Consent Agenda**

**F. PUBLIC HEARINGS:**

President stated Public Hearing Rules that would govern all public hearings this evening.

**S-0002-2002**

To consider the Land Use Plan update; to make recommendation to Council for adoption of said plan.

Chair opened Public hearing at 7:42 p.m.

Sadicka White, Director of Development, stated this is a very important document; has implications for land use for the next decade; code requires we review on a 5 year basis; bringing forth the plan; has come with a recommendation from Planning Commission; have allowed ample time for public input; after the public input we looked at several sections; Murdock has done extensive work on this; he will make presentation tonight as opposed to having the consultant come; will be using this land use plan for years to come; will exist in a GIS format once adopted; will be usable for you and able to access through your laptops.

William Murdock, Planner, City of Gahanna, made a presentation on the plan. (Clerk's Note: Power point presentation attached to these minutes as Exhibit A).

MOTION by Angelou, seconded by Kelley, to extend the time of the public hearing to allow 5 additional minutes for proponents and opponents. ROLL CALL: Voting yes: Angelou, Kelley, Payne, Thom, Hogan, McAlister, O'Brien. Motion carried.

Murdock continued with the presentation starting at the Target Issue area; completed presentation stating desire is that this documents helps us to develop and change in the manner we wish.

Chair asked for Opponents. There were none. Chair asked for rebuttal.

Sadicka White, stated that this document provides growth and opportunities in terms of the City; we have learned some things with regard to annexation; faced with new annexation laws which make it somewhat different; don't know if it is easier or harder; do feel that this plans is comprehensive and builds on what we have; does allow for ample opportunity for us to progress and be proactive as we looks towards completing

all of the land within current municipal boundaries; at the Y's ground breaking did introduce some of you to Dr. Shareef who has one of the few parcels left in the triangle area that is undeveloped; came a lot faster than we all anticipated; but plan is still good in terms of quality development; as we concentrate around the rest of the City we know opportunities will come; within existing development we want to make redevelopment work well; this plan provides for us a cohesive and cooperative community.

Chair closed public hearing at 7:55 pm.

Hogan stated he understands this is a plan and not in granite; at the same time would like some type of explanation on how solid these are; two items in particular; there was a car wash that was up for appeal; stated that with the development for South Triangle, City was promoting that the plan was just a suggestion; nothing binding and that's why we can support; on other end of the spectrum Heartland Plan always will be residential and sticking to that; can't have both; on one hand just a suggestion and on other it's in stone; what is overall philosophy of those plans.

White stated that the interpretation of the South and North Triangle Plans is based in the plan language that says there shall be no ingress or egress off Hamilton Road - like the car wash; the document language was guideline and in effect is what we were striving to accomplish; those plans use language like principles, recommended, and suggested; however, the plan is not codified; if it was codified then it becomes not arbitrary but whatever that says; since plan was adopted and was conceptual then that is the way we had interpreted it; BZA didn't think that was correct; in Heartland Plan there was a lot more public discussion and the whole issue of whether or not certain corridors would be allowed to change from residential to some other use was debated and changed before we adopted the Heartland Plan; so that language reflected residential although it did say if they aggregated and meet some stringent test there is the possibility that it could exist for a different use; protections in language in the plan was far more strict and stringent for the Heartland to keep it residential; that was the underlying goal of the plan; underlying goal of Triangle was mixed use development; the development was more conceptual and loose in that regard; if in fact as you read and peruse this document we want to make changes we can; give you the opportunity to read and look at it and hope you will adopt; City will be using this for many years for subsequent development; if there is language in some areas that may not be what we want then that language needs to be amended and modified; if it makes a substantial change would need to send back to Planning Commission. Hogan stated the reasons brought up is that this is something we need to take a good hard look at; makes a huge difference down the line; was a good explanation; thank you.

Thom stated he was involved back in 1993 from the Planning Commission standpoint; have since added the Triangle Plans and Heartland Study; what major change or changes do you see in this plan versus the 1993 plan. White stated that one of the major changes is the target nodes; they have been receiving inordinate amount of pressure to change; we captured the desire of the community so that the plan reflects what the community wants to happen with regard to land uses; this is more specific; talked about some opportunities the community has never had; know we will have older commercial areas come in for reuse; plan allows us to have that type of discussion; looked in a futuristic manner and tried to base on economic trends today; tried to look at that within a suburban form; don't know if we'll have less or more traditional opportunities where we can; that's where mixed use will come in; attempted to make the language in land use plan coincide with these individually adopted plans; all these other plans came after our last land use plan; think that is a major difference. Thom stated then we are reinforcing what we have been practicing. White stated we were.

Angelou stated it was important to notice that this is just one portion of a multi faceted master plan; update this and make it consistent with the other studies; as a charter city is important to have this done on a regular basis; they are consistent with our master plan; spend the time to make sure we are doing that right; would like to get a new master plan for each one of us; is important for that to be done.

O'Brien stated this issue will be discussed in Committee of the Whole next week.

## **G. STANDING COMMITTEES:**

**Communications & Technology Committee - McAlister: No Report.**

**Development Committee - Thom: No Report.**

**Service Committee - Hogan: No Report.**

**Safety Committee - Angelou:**

Angelou stated that Safety Committee - Hogan, Kelley and Angelou - will be going to Pizzurro Park at 4:00 p.m. on Friday with John Pizzurro to take a look at that particular park and some of the issues brought forward; also is on our agenda for next Monday evening; thank Hogan for setting this up.

**Committee of the Whole - Kelley: No Report.**

**Finance - Payne:**

Payne stated that we do have appropriations; please review; bring up any items you need more information on at next committee.

## **H. CORRESPONDENCE AND ACTIONS:**

**Clerk - Legal:**

**2002-0060**

Notice to Legislative Authority regarding Liquor Permit Renewal Objections. Deadline for filing objections is January 2, 2003 and must include a resolution specifying reasons for objecting.

**Received and Filed**

**2002-0061**

Recommendation from Planning Commission to refund the \$75 fee paid by James David Jones, 277 N. Stygler Road, Gahanna, Ohio for V-0034-2002. (Assign to Development Committee)

**Assigned to Development Committee**

**V-0022-2002**

To consider a variance application to vary Section 1109.02(b)(2) - Streets; for property located on Old McCutcheon; East of Stygler; South of Marjoram Drive; to vary required pavement width of 26' to 19' along the whole road of Old McCutcheon; City of Gahanna by Jennifer Chrysler, applicant.

**Received and Filed**

**Council: None.**

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

ORD-0212-2002

TO ADOPT THE CITY OF GAHANNA OFFICE & INDUSTRIAL INCENTIVE PROGRAM GUIDELINES PREPARED BY THE DEPARTMENT OF DEVELOPMENT

Postponed to Date Certain to Committee of the Whole

ORD-0220-2002

TO ACCEPT A CONTRIBUTION BY ST. MATTHEW THE APOSTLE CHURCH TOWARD THE WIDENING OF HAVENS CORNER ROAD

Postponed to Date Certain to Finance Committee

**J. FIRST READING OF ORDINANCES:**

ORD-0237-2002

TO AUTHORIZE THE MAYOR TO SIGN A LIMITED WARRANTY DEED TO JANE E. MATTLIN FOR PROPERTY KNOWN AS THE OLD STYGLER ROAD RIGHT OF WAY; AND TO DECLARE AN EMERGENCY.

A motion was made by Council Member Payne, seconded by Council Member Angelou, that this matter be Introduced, Second Reading Waived. The motion carried by the following vote:

Yes 7 Council Member Thom, President of Council O'Brien, Council Member Angelou, Council Member Payne, Council Member Hogan, Vice President of Council Kelley and McAlister

A motion was made by Council Member Payne, seconded by Council Member Angelou, that this matter be Adopted as an Emergency. The motion carried by the following vote:

Yes 7 Council Member Thom, President of Council O'Brien, Council Member Angelou, Council Member Payne, Council Member Hogan, Vice President of Council Kelley and McAlister

ORD-0238-2002

TO ACCEPT LIMITED WARRANTY DEED FOR RIGHT OF WAY PURPOSES FROM JANE E. MATTLIN; FOR 0.033 ACRES ON STYGLER ROAD SOUTH OF AGLER ROAD; AND TO DECLARE AN EMERGENCY

A motion was made by Council Member Payne, seconded by Vice President of Council Kelley, that this matter be Introduced, Second Reading Waived. The motion carried by the following vote:

Yes 7 Council Member Thom, President of Council O'Brien, Council Member Angelou, Council Member Payne, Council Member Hogan, Vice President of Council Kelley and McAlister

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

Yes 7 Council Member Thom, President of Council O'Brien, Council Member Angelou, Council Member Payne, Council Member Hogan, Vice President of Council Kelley and McAlister

**K. REPRESENTATIVES:**

**Community Improvement Corporation (CIC) - Kelley:**

Kelley stated they met this morning; basically housekeeping type issues on today's agenda.



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

Payne stated there is a meeting tomorrow morning and a Regional Forum follows; will be attending.

**Bd./Ed., Gahanna-Jefferson Public Schools - Payne: No Report.****Gahanna/Jefferson Joint Committee - Hogan/Thom: No Report.****L. OFFICIAL REPORTS:****Mayor:**

Stinchcomb stated that last Saturday was a great day; many of us attended the ground breaking for YMCA; very excited; already have trucks and bulldozers and tree removal people there today; broke ground in Hilliard on Friday and here on Saturday; anticipate being open at this time next year; looking forward to that; second thing is that I would like to congratulate the Bedford Action Team; did accept tonight a CDBG grant; they have been meeting well over a year with consultants and congratulate them for their hard work to help us start the process of cleaning up a long time problem.

**City Attorney: No Report.****M. COUNCIL COMMENT:**

Hogan asked White to contact City Attorney to get recommendation on fence code definitions in Friday's packet; also ask McAlister to bring information to Committee of the Whole regarding zoning laws; couldn't build a German Village today because of zoning laws; because we want diversity in Gahanna want to make sure we have diversity in our zoning code; would like to have that information for land use plan discussion.

Payne congratulated Sara Miller on her very touching essay; wish her the best at district and national; excited about the Y; as a new board member of the Y gives me double reason for looking forward to this.

McAlister stated he hoped everyone had opportunity to read his e-mail about the private park in the City of Manhattan; City famous for its municipal socialism and high taxes yet a privately owned corporate park thrives in the middle of Manhattan; food for thought for all of us.

Angelou stated it was exciting to be there Saturday for the Y; is a long time coming; Rep. McGregor pointed out the Pacer Study back in the early 80's stating that a need was for a recreation center and a pool; now we will have it; think it is a wonderful partnership the City has with the Y; also thank Chamber for the opportunity for all of us to be there last week; the luncheon and City Council forum; CVB is opening; ribbon cutting is this Thursday at 9:00 a.m.; come see our office and Visitors Bureau; will be open during Holiday Lights celebration; congratulations to Sara Miller also for a wonderful essay.

Kelley thanked Chamber; roundtable was very informative; gave people a good chance to ask questions.

O'Brien also congratulated Sara Miller for winning the Voice of Democracy award; was a competitive essay; competing against New Albany and Columbus Academy; she did us proud; also at groundbreaking for Y was great to have Amanda Adkins there; been the

celebrity promoting the Y here; we should be proud to have our first Olympian with us; thank the countless number of people who have made the Y happen; don't have the time to name everyone; Gahanna will have community pool and Recreation Center for an investment of a little over \$2 million; won't have to come back for tax levies to operate or for staffing; will be managed by one of the best sources of management we could hope for.

Angelou stated that three names do need to be brought out - John Bickley, CEO of the Y; but Jack Schmidt and Ivan Harper and their team of volunteers who were able to raise the money for this project should be recognized; their 18 month commitment turned into about 3 years.

O'Brien continued that for all students involved in fall athletic programs; what a great season; so proud of all of you; still wear the colors except during Michigan week; did us all proud; our students continue academically and athletically to bring pride to our community.

**N. ADJOURNMENT: 8:30 p.m. - Motion by Kelley.**

**End of Agenda**

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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**