

City of Gahanna

*200 South Hamilton Road
Gahanna, Ohio 43230*



Meeting Minutes

Monday, October 21, 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, October 21, 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 pastor Ron Lee, Peace Lutheran Church, followed by the Pledge of Allegiance led by Council Member Kelley. Agenda for this meeting was published on October 18, 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:

RES-0085-2002

RESOLUTION TO SUPPORT SBC AMERITECH OHIO'S ENTRY INTO LONG DISTANCE SERVICE

A motion was made by Council Member Angelou, seconded by Council Member Hogan, that this matter be Withdrawn. 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-0206-2002

TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO AWARD AND THE MAYOR TO ENTER INTO CONTRACT WITH _____, FOR CONSTRUCTION OF CREEKSIDE PHASE II, IMPROVEMENT NO. 788; TO SUPPLEMENTALLY APPROPRIATE _____; AND TO DECLARE AN EMERGENCY.

Hogan stated we discussed in committee and sent an ordinance forward that is full of blanks; we don't know who and we don't know cost; many members of Council have problems with this; that's why it is being removed. O'Brien stated this was discussed in Committee of the Whole and it was sent forward; was one of those issues we didn't know how to handle; move this along with a first reading and waiver or give it two readings; undecided when we brought it forward; this could occur once Council had a chance to discuss again.

A motion was made by Council Member Hogan, seconded by Vice President of Council Kelley, that this matter be Removed From 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

ORD-0213-2002

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH STILSON CONSULTING GROUP, FOR INSPECTION SERVICES FOR CREEKSIDE PHASE II CONSTRUCTION, IMPROVEMENT NO, 788; TO SUPPLEMENTALLY APPROPRIATE \$153,000; AND TO DECLARE AN EMERGENCY.

Angelou stated this is a companion ordinance and we should remove and have same situation in two weeks with a waiver to keep them together. Hogan stated a question for discussion in Committee of the Whole is that Stilson has done all engineering for Phase II; can we award contract to same company; feel we have had some problems in the past with that type of contract to EMH&T; want to make sure this is acceptable.

A motion was made by Council Member Angelou, seconded by Council Member Hogan, that

this matter be Removed From 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

C. HEARING OF VISITORS:

Windy McKenna thanked Payne, O'Brien and Thom for taking time out of their busy schedules to attend the tailgate party for the police officers; appreciate your support; Superintendent Morris is also here this evening with information to share with you.

Gregg Morris thanked Council for opportunity to talk to you; appreciate the many partnerships we enjoy with the City - transportation facility, Development Department and the compensation agreement, Recreation Department and with the safety forces; appreciate that collaboration; believe they serve our students and City well; Education Foundation was established and is working with the Gahanna Rotary; Mike Fritz is one of the architects of this; patterned after several other school districts; provide scholarships and address classroom issues including grants for the classroom; renovation projects also have been done through this; Rotary has given us \$5,000 to start; reason we are here this evening is to talk about DARE program; several weeks ago Council Member McAlister posed several questions about the DARE program; our new Safe and Drug Free Schools Coordinator Mary Ann Albanese is here to address his questions; one of the first projects she had was to review current literature and review our program; many of you have been involved through the years; you support our DARE graduations; felt it was a good time for us to review the program; thought it might be of interest and value to you to hear this presentation.

Mary Ann Albanese stated DARE is offered in the 5th grade and it is part of a comprehensive initiative through the schools; also includes the general health curriculum; specifically in 7th grade they get the opportunity to participate in Project Alert which is a prevention program that uses COPS officers; in the 8th grade there is a continuation of that and in high school life skills are addressed; district wide initiative also has character education program; have been numerous national studies looking at DARE; some of them were completed before 1994; some of them only looked at one course; need to note those studies; Ohio eleventh graders were questioned and found students who have completed the program has a low risk for using; some have never used; some have only experimented or rarely used; quite a range but basically are low risk; was reported that DARE was a significant part of the education process; over 90% reported they had participated; through 9th grade learned from DARE and 80% of all students learned how to refuse offers through DARE; DARE still sticks in their mind; these are key prevention skills; majority learn through DARE; DARE officer is a high school role model; role plays as well as communication; students who reported had positive things to say; as 5th graders they liked having high school students come and high schoolers liked talking to younger kids; positive thing about DARE is response to criticism; are in the 2nd year of a 5 year study to update their curriculum and work towards most effective prevention; willing to improve; has been a lot of criticism of DARE; is a very visible program; no program is effective being a one shot deal; has to be a comprehensive program; Gahanna Jefferson provides DARE as well as reinforcement courses; looking at this it appears Gahanna Jefferson has made a commitment to prevention education; glad to have the opportunity to look at this early on; DARE seems to be a part of the prevention program.

Robert Helfrich, 2646 Reynoldsburg New Albany Road, stated he does pay child support to 534 Saulsbury Court; am a single father and this is last resource; gone everywhere and

gotten no help; shared parenting agreement in December of last year; gave copy to school and Mayor and Police Department; on May 9 of this year ex-wife called in a false police report; was a 4 hour investigation by Detectives Cannon and Schmueckle called in on overtime and spent an hour investigating; they asked my son point blank who would you rather live with; they are not psychologists; my son is here today; he knows all about this; pick my son up every day after school; it is not a surprise; called in a false police report that son was missing; this has been going on for years; asked that charges be brought against her; told by an officer you can't do that only we can; an hour of my life was gone; taxpayer dollars were gone; my son was inconvenienced; on Sept. 26 called Police Department because I was talking to my son and ex-wife hung up phone; did it again; called police; they said we'll check it out.

MOTION by Kelley, seconded by Hogan, to extend the time for this speaker by 2 minutes. ROLL CALL: Voting yes: Kelley, Hogan, O'Brien, Payne, Thom, Angelou, McAlister. Motion carried.

Helfrich continued that as of this date never heard back from police; when it's the father we get no assistance; jump over backwards when the mother reports; schools were inconvenienced; school driver was interviewed; police were paid overtime to remedy something she knew all along; called in a false report; this will continue to go on; had another problem and was harassed; have it on video tape and snapshots; son was playing with his peers and police would have me out of my car; never been arrested; by this time next week probably will be; police are parked behind me constantly; went on all through kindergarten and first grade; pay back the City for the inconvenience and cost of these false reports. O'Brien stated this was certainly an issue for the Police Department and the Administration. Stinchcomb stated she would check into it.

Eddie Estep, 851 Harmony Drive, stated he was Senior Pastor of Shepherd Church of the Nazarene; thank you for privilege of addressing you and for the consideration you have given our land exchange proposal; this program currently is win win win; a win for the citizens because while the Galloway acreage is unusable by citizens, the land you are acquiring will be accessible and usable and includes access to creek; a win for the administration and Council because it enables you to achieve purpose and intent which was to retain a 150' buffer and you will have protected acreage from undesirable development; will recover \$73,500 of original expense and acquire additional acreage to allow for park expansion; a win for Shepherd because it allows us to expand and lessen impact on residents of Rocky Fork; hope your vote will be favorable; thank you for your consideration.

Bill Dilts, 548 Bonnington Way, stated he was with the newly formed American Legion Post which already has over 100 members; speak to you concerning the present version of the Civil Service exam where you will be looking at reinstating the 5% military credit; urge you to pass this with 5% military credit; is good for veterans and also in the best interest of the community as a whole.

Charles Higginbotham, 805 Windward Lane, Gahanna, stated he was here again tonight and ask that you don't make me come begging again; been many people hurt by this change; there are many good people on this City Council; has been unthinkable publicity about this; last week you agreed to approve the 5% credit for military veterans and hope your conscience will make this vote unanimous; please support us; only gratitude you offer a veteran for their service; have relatives in Afghanistan; let's show them some support; let's not tell them this is the only City to take preference away; this is not publicity the City of Gahanna wants; lets do the right thing.

Ray Jarvis, 5313 Ivyhurst Drive, Columbus, stated he was here on behalf of VFW post in Gahanna; agree with Dilts and Higginbotham; read letter from David Bradley of Franklin County Service Commission requesting we do the right thing and bring back the military credit; have 2 sons who also served in the military; couldn't give enough points for this service; again do the right thing.

D. INTRODUCTIONS AND ASSIGNMENT TO COMMITTEE:

Ordinances - To Be Introduced and Assigned to Committee:

Ordinances, introduced, by title, by Kelley.

ORD-0200-2002

TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO AWARD AND THE MAYOR TO ENTER INTO CONTRACT WITH SHAMROCK COMPANIES, FOR 2002 INCOME TAX FORMS.

Introduced

ORD-0201-2002

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH LORENZ EQUIPMENT COMPANY FOR PURCHASE OF A GENERATOR FOR THE WATER TOWER; AND TO SUPPLEMENTALLY APPROPRIATE \$841.

Introduced, to Service Committee

ORD-0202-2002

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH SETTLE-MUTER ELECTRIC LTD., FOR INSTALLATION OF THE NEWLY PURCHASED GENERATOR FOR THE WATER TOWER; AND TO SUPPLEMENTALLY APPROPRIATE \$4,830.

Introduced, to Service Committee

ORD-0203-2002

TO AMEND SECTION 921.03, PERMIT REQUIRED; FEE; MULTIPLE USE CONNECTIONS PROHIBITED, OF CHAPTER 921, SEWER CONNECTIONS AND RENTAL RATES, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA.

Introduced, to Service Committee

ORD-0204-2002

TO AMEND SECTION 929.02, PERMIT REQUIRED; MULTIPLE USE CONNECTIONS PROHIBITED, OF CHAPTER 929, WATER CONNECTIONS AND RATES, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA.

Introduced, to Service Committee

ORD-0205-2002

TO AUTHORIZE THE CITY ATTORNEY TO PETITION THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, OHIO, TO ANNEX CERTAIN 5.55+/- ACRE TRACT OF LAND, EAST JOHNSTOWN ROAD, FROM JEFFERSON TOWNSHIP TO THE CITY OF GAHANNA, SAID LAND BEING COMPRISED OF ROAD RIGHT OF WAY; AND TO DECLARE AN EMERGENCY.

Introduced

ORD-0207-2002

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH THE PORTRAIT HOUSE FOR PROFESSIONAL PHOTOGRAPHY SERVICES FOR 40 SITES IN GAHANNA NOT TO EXCEED \$1,150; AND TO DECLARE AN EMERGENCY.

Introduced

ORD-0209-2002

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH TERRA SURVEYING CO. TO CREATE MAPS OF EACH COMMUNITY REINVESTMENT AREA BASED ON WRITTEN LEGAL DESCRIPTIONS NOT TO EXCEED \$4,500; AND TO DECLARE AN EMERGENCY.

Introduced**ORD-0210-2002**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH EAGLE EXHIBIT SERVICES TO UPDATE THE PLANNING DISPLAY NOT TO EXCEED \$1,000; AND TO DECLARE AN EMERGENCY.

Introduced**ORD-0211-2002**

TRANSFER OF FUNDS - SALARIES AND FRINGES

Introduced**ORD-0212-2002**

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

Introduced, to Development Committee**ORD-0214-2002**

TO ZONE 3.9 ACRES OF NEWLY ANNEXED PROPERTY AS M-1, MANUFACTURING DISTRICT; FOR PROPERTY LOCATED AT 600 CROSS POINTE ROAD; DONALD R. KENNEY AND COMPANY, BY ROBERT E. ALBRIGHT, ATTORNEY.

Introduced, to Development Committee**ORD-0215-2002**

TO ACCEPT THE ANNEXATION OF 1.3+/- ACRES CONSISTING OF ROADWAY RIGHT OF WAY FROM JEFFERSON TOWNSHIP TO THE CITY OF GAHANNA, OHIO, LOCATED ALONG HAVENS CORNERS ROAD; REQUESTED BY THE CITY OF GAHANNA.

Introduced, to Development Committee**ORD-0216-2002**

TO ACCEPT THE ANNEXATION OF 1.1+/- ACRES CONSISTING OF ROADWAY RIGHT OF WAY FROM JEFFERSON TOWNSHIP TO THE CITY OF GAHANNA, OHIO, LOCATED AT 4545 EAST JOHNSTOWN ROAD; REQUESTED BY THE CITY OF GAHANNA.

Introduced, to Development Committee**Statutory Resolutions Requiring Two Readings:****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.

Introduced, to Service Committee**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.

Ordinances on Second Reading:**ORD-0192-2002**

SUPPLEMENTAL APPROPRIATION - Eastgate, Phase II

This Matter was Adopted on the Consent Agenda.

[ORD-0193-2002](#)

SUPPLEMENTAL APPROPRIATION - Taylor Road at Eastgate

This Matter was Adopted on the Consent Agenda.

[ORD-0194-2002](#)

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH NELSON'S SEASONAL DECOR FOR PURCHASE OF LIGHTS FOR HOLIDAY LIGHTS; FOR SETUP, TEARDOWN AND STORAGE; TO SUPPLEMENTALLY APPROPRIATE \$12,000 THEREFOR; AND TO DECLARE AN EMERGENCY

This Matter was Adopted on the Consent Agenda.

[ORD-0196-2002](#)

TO ZONE 2.623 ACRES OF NEWLY ANNEXED PROPERTY AS AR, APARTMENT RESIDENTIAL; FOR PROPERTY LOCATED AT 4491 EAST JOHNSTOWN ROAD; CITY OF GAHANNA, APPLICANT.

This Matter was Adopted on the Consent Agenda.

[ORD-0197-2002](#)

TO REZONE 7.46+/- ACRES AS RID, RESTRICTED INSTITUTIONAL DISTRICT; FOR PROPERTY LOCATED AT 542 WEST JOHNSTOWN ROAD; VICTORY IN PENTECOST CHURCH, OWNER, BY CITY OF GAHANNA, APPLICANT

This Matter was Adopted on the Consent Agenda.

[ORD-0199-2002](#)

TO ZONE 2.7+/- ACRES, MORE OR LESS, AS AR, APARTMENT RESIDENTIAL; FOR PROPERTY LOCATED AT 4479 JOHNSTOWN ROAD; CONTEMPORARY CONSTRUCTION SERVICES BY DONALD T. PLANK, APPLICANT

This Matter was Adopted on the Consent Agenda.

Resolutions to Adopt on First Reading:[RES-0084-2002](#)

A RESOLUTION TO SUBMIT APPLICATION FOR THE FRANKLIN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

This Matter was Adopted on the Consent Agenda.

[RES-0086-2002](#)

ENSURING HOMETOWN SECURITY

This Matter was Adopted on the Consent Agenda.

Motion Resolution:[MR-0058-2002](#)

Motion Resolution to allow funds appropriated in the Garage Capital Account 101.512.5512, to be used to purchase two work tables and two vises for the garage.

This Matter was Approved on the Consent Agenda.

[MR-0059-2002](#)

Motion Resolution to allow use of funding in the amount of \$6600 in Account No. 101.348.5511 Network Capital GIS to be used to purchase Global Positioning System (GPS).

This Matter was Approved on the Consent Agenda.

[MR-0060-2002](#)

A motion resolution to recommend to Planning Commission the acceptance of fees in lieu of park land for 435-439 W. Johnstown Road.

This Matter was Approved on the Consent Agenda.

MR-0061-2002

Motion Resolution that the City has no objection to a transfer of D1 and D2 liquor permits for La Feria Ltd, DBA Los Reyes, 111 N. Stygler Road, Gahanna, Ohio; transfer from Small Town Pizza, Inc.

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 rules that would apply to all public hearings this evening.

Z-0013-2002

To consider a zoning application on 3.9 acres of newly annexed property located at 600 Cross Pointe Road; requested zoning of M-1 Manufacturing District; Current Zoning is Township; Donald R. Kenney and Company, by Robert E. Albright, attorney.

President opened Public Hearing at 8:04 p.m.

Jill Tangeman, Attorney, 600 S. High St., Columbus, Ohio, stated she was present representing the applicant; this site is 3.9 acres recently annexed to Gahanna at Taylor and Cross Point Roads; annexation was approved in May and subsequently accepted by this Council in August; was zoned industrial warehouse in Jefferson Township; asking for M-1 in the City; is contiguous to Cross Point Center and we are requesting same zoning; looking at negotiating a user for this site which is a government entity and will be a warehouse for government records; have not finalized negotiations at this point.

President asked for opponents. There were none.

President closed Public hearing at 8:07 p.m.

G. STANDING COMMITTEES:

Communications & Technology Committee - McAlister: No Report.

Development Committee - Thom: No Report.

Service Committee - Hogan: No Report.

Safety Committee - Angelou:

Angelou stated we were in receipt of letters on Pizzurro Park; in this particular letter the issue was brought up about undergrowth in area and would like that placed in Safety Committee; also in minutes from Parks Board from Sept. 4 and distributed on October 9 there was a specific recommendation to Council that was never brought forward having to do with go-peds; also like to place that in Safety Committee and ask that someone from Parks Board be contacted to be there as well; also would like to see if Mr. Blum or

representative of Pizzurros could be invited as well.

O'Brien stated that Weber has been in communications with Blum. Weber stated he had spoken with Blum today and discussed the activities of the police force this last week; basically stated he was pleased with level of city involvement as evidenced by recent police activity; reviewed what kinds of enforcement are going on in the area; Police Department and City have made this a priority; also told him that this is a difficult matter for enforcement because you have to catch a person in the act in order to prosecute; a lot of diligent police work as well as undercover work is taking place; enforcement is ongoing; he will talk to his clients again; he seemed satisfied by what is going on; he will call me back after speaking with his clients. Angelou stated her reference to Pizzurro Park issue in committee is for the clearing of underbrush which is in the area of the Parks & Recreation Department; mainly whatever might be needed to deal with the issue be brought forward with the park; possibly will need to go to Parks Board first; if staff is needed to clear that out in order to act as a deterrent then wanted to bring it up; does belong in Safety Committee.

Committee of the Whole - Kelley: No Report.

Finance - Payne: No Report.

H. CORRESPONDENCE AND ACTIONS:

Clerk - Legal:

2002-0053

To consider a Recommendation from Planning Commission for the approval of the vacation of Old Stygler Road from Agler Road, south to the US 62 right-of-way line for road right-of-way purposes; to consider that property vacated as excess land with entire parcel reserved as utility easement.

Received and Filed

2002-0054

Receipt of Recommendation from Civil Service Commission to reinstate Old Section 5.10 Military Service Credit and Reserve Officer Credit; and Section 5.13, Preference Credits, with a cap of 5% of the total written grade score above 70%; further that within the next 6 months, the Commission will perform a study and make a recommendation on an Oral Interview Process.

Received and Filed

Council:

Hogan stated he had spoken with Winters earlier on the Civil Service Commission recommendation.

Angelou stated all Council had received a letter from Jason Blum, attorney for the Pizzurro family.

I. SECOND READING OF ORDINANCES:

Ordinances Reported Out of Committee:

ORD-0198-2002

TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH SHEPHERD CHURCH OF THE NAZARENE FOR THE PURCHASE OF 7+/- ACRES OF LAND OWNED BY THE CHURCH AT 425 SOUTH HAMILTON ROAD; TO SELL 8.40 ACRES OF LAND OWNED BY THE CITY ADJACENT TO THE CHURCH PROPERTY; AND TO DECLARE AN EMERGENCY.

Angelou stated Weber had spoken of the fact that he wanted the 2.54 acres accepted by a separate piece of legislation; is mentioned in the legislation that it would be donated; do we have the specific location; have we worked that out will that be brought forward. White stated they were working on the actual surveys; the 2.54 acres is adjacent to the 7.0 acres we will be purchasing; a good description is included but is not the final legal description.

Hogan stated the 2.54 is part of this contract; but will receive at a later time; is part and parcel of this.

O'Brien stated he was pleased this is going forward; was some real confusion on what went on in 1995 with regard to dedication of property; very little has been said about what our churches contribute to their neighbors; one of the things I know of is for the last 10 or 15 years Shepherd has helped facilitate little league basketball with about 1600 or 1800 of our children who use our facilities; saved cities hundreds of thousands of dollars; certainly appreciate that service to our children.

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

Yes	6	Council Member Thom, President of Council O'Brien, Council Member Angelou, Council Member Payne, Council Member Hogan and McAlister
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Abstain, COI	1	Vice President of Council Kelley
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J. FIRST READING OF ORDINANCES:

[ORD-0208-2002](#)

TO AMEND CIVIL SERVICE RULES AND REGULATIONS BY THE ADOPTION OF NEWLY NUMBERED SECTION 4.13, MILITARY SERVICE CREDIT, SECTION 4.14, CREDIT FOR SERVICE AS GAHANNA RESERVE POLICE OFFICER, AND SECTION 4.15, PREFERENCE CREDIT POINTS, PROMOTIONAL EXAMINATIONS; AND TO DECLARE AN EMERGENCY.

Introduced, by title, by Payne.

Hogan stated he no longer had a problem with portion on a military veteran; my question is how much credit can a person get on a promotional exam; according to this ordinance the maximum percentage a person can receive in credit is what; correct answer is 20%; before we jump to second reading want you to take a look at last page; under preference credit for promotional examinations; had a long conversation today with Winters and Jernigan; this has nothing to do with veterans; this is for promotion; says you can get 10% for seniority; with 14 years of service you would get the full 10%; efficiency section is up to 5% and can receive 5% additional for additional education and training which is based upon the Civil Service Commission recommendation; can award none or up to 5 points; make sure everyone understands 2 things are happening; instituting a 20% possible preference for anyone receiving a promotion with the exception of police who as I understand it are controlled by FOP contract; in 1999 wiped out preference points for officers; deleted educational and service was deleted in 2002; was never any reference to percentage points as part of what was ratified in 1999; this particular piece when they were dealing with eligibility lists in 2000 that was deleted; now no preference credits. Ralph Winters, Chairman Civil Service Commission, stated they never had per se; if they wanted to give consideration for those skills and work history then they would be given some kind of consideration. Hogan stated he wanted to make sure if we pass that we understand that we are putting into law a 20% credit for non police officers; police are not covered; in discussions was stated that if something is specifically addressed in contract then the contract takes precedence; if it is moot in the contract,

then the Civil Service rules apply; want to make sure that our people in tax, water, parks and police officers are treated equally; don't care what the preference points are; some may think that is too high; they recommended 10%; am just not sure if we want to pass this section as written.

McAlister stated he agreed with Hogan; no one had the right answer when asked the question on total allowed. Kelley asked if this was the same language that has been in the rules since the early 90's. Winters stated it got taken out at the time of discussion in Safety Committee; it was because of the amount of percentages involved; felt that was a little much; can only be given at promotional examination. Hogan stated that if it is not in the police contract it may benefit the police to get it back in the contract. Winters stated that if the contract is mute then Civil Service rules then apply; in this particular case contract is mute on this issue; that issue was struck from contract; this percentage system would then take place; would apply to any contract; - Steelworkers or anyone else. Kelley asked if this would apply to police officers. Weber stated that if the contract doesn't speak to it then that is correct. Kelley stated he did not have a problem giving the credit to an officer who has been here 10 or 15 years. Winters stated that from the Civil Service Commission perspective there are certain things that should be taken into consideration; any other type of life experience could make a good employee also; looking for the highest quality of employees for city, especially the Police Department; that's all part of what we will be going over in the next 6 months; was felt we needed to put this back in and we would have to reevaluate as well; trying to take it all together and reevaluate the process and this is one section we agreed would be reevaluated.

Hogan stated he felt he was getting conflict in information; because it is mute in contract it would apply to police officers. Winters stated that the contract is laid out on how promotions are going to work other wise police would not get; what they get and what they don't get should be same as everyone else; am sure that the Police Chief wants officers treated equally; would ask Chief to lobby for an MOU and get it in there for police officers. Winters reiterated that if it is mute in the contract then Civil Service rules apply; if it is in the contract then contract language supercedes Civil Service rules when an issue needs to be addressed.

Payne stated that when Hogan asked his question thought he was referring to new hires; for new hires it is 10%.

Angelou stated we are talking about the waiver of second reading and coming forward; Section 4.15 was added to original recommendation and will include the oral interview process after further review; this may have some bearing on that review; bring forward the possibility that we waive the second reading to deal with those issues with reserve officer and military; take out Section 4.15 and have that reviewed with oral interview process and brought back; don't believe there are any promotion exams scheduled so we could then have it back in a timely fashion for next time we have promotional exams.

Kelley stated that even if we pass it as is, the Civil Service Commission could still review and come back with a recommendation for change. Angelou stated she was afraid that potentially there could be a problem; if it is not going to be used at this point why not take it out and bring it back after further review; have time to reevaluate and then bring entire section back.

Payne stated she would like to see the waiver left as is and put rules back the way they were; feel what was an issue is then in the rules but we can still address; leave waiver as is. Thom stated he agreed that we should waive as is and review Section 4.15 again; if

there are changes later on we can act on them accordingly. Kelley stated he will be watching to see how it comes back. Hogan stated his only concern is that he didn't want to send a message to our employees that we were giving 20% and we're cutting it down to 10%. Winters stated the issue from the commission standpoint is to make us address it more quickly; feel we still will look at original time of March 31, 2003 to get all these matters addressed; major concern for tonight is more for the military credit because of the test coming up and part of the process; think we need to expedite that as soon as possible.

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

O'Brien stated he served on Civil Service Commission with Winters; were at least two attorneys at that time; were valuable to the City; have tried to review Civil Service rules since about 1984; is confusing; is getting better; have confidence that things brought up this evening as still of concern will be brought back to us tightened up.

A motion was made by Council Member Payne, seconded by Vice President of Council Kelley, 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. RESOLUTIONS:

By prior action in this meeting, RES-0085-2002 was withdrawn from the agenda.

L. REPRESENTATIVES:

Community Improvement Corporation (CIC) - Kelley: No Report.

Mid-Ohio Regional Planning Commission (MORPC) - Payne: No Report.

Bd./Ed., Gahanna-Jefferson Public Schools - Thom:

Thom stated he did attend the meeting on Oct. 10th and appreciate the comments from McKenna; appreciate Morris and Mary Ann Albanese also being present; couple of other items of interest - announced total enrollment for Gahanna Jefferson schools is 6,807; this is down about 40 to 45 students from last year; also high school enrollment is at 2,090 and is down about 19; spoke briefly on the closing of Celestica and keeping close eye on finances; possible there may be a levy in 2004 for collection in 2005; don't think it is cut in stone yet; will be keeping a close eye on effect to school district; 11 Lincoln High School merit scholars were introduced.

Gahanna/Jefferson Joint Committee - Hogan/Thom:

Sherwood stated next meeting is Tuesday, October 29.

M. OFFICIAL REPORTS:

Mayor:

Stinchcomb stated that the target date to get appropriations to Council is Friday, November 15; met with Finance Director today.

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

Angelou made a number of ordinances into law; had \$500,000 for Eastgate; CVB will be opening during Holiday Lights time; please do go down and see the CVB house; will be a wonderful asset to Olde Gahanna area; back to legislation this evening; Civil Service rules and regulations are not Oprah Book of the Month; brought up as recommendations and for some reason was skewed away to mean that percentages and points were taken away for military credit; say again that the minutes of the special meeting did not say do away with but put in a different place; whether we agree or not was what was brought forward; have no problem with what was there now; Safety Committee discussed; Weber was there and there was discussion at Civil Service from minutes I got that said same thing; credit was to be put at a different place; felt that place as brought forward would give more credit; our military people who came forward so eloquently and feeling from their hearts that the military credit belonged at the test of knowledge; we felt that the military credit should always be there; believe Civil Service Commission will come forward with an oral interview process to tighten that up and with Human Resources Director work for a forum to make that process work; we want the very best candidates for the City.

Thom stated that this past Saturday down at Friendship Park there was a program called Operation Kid Safe; sponsored by RCS (Regulatory Compliance Services) located on Taylor Station Road; they set up a carnival and had kids coming in so they could be fingerprinted and digital picture taken which was given to parents; is a worthwhile project; this was the first time they had done this; opted to take money they had aside for customer appreciation and did this; felt money was better spent doing something for the community; nice turnout in spite of the rain; they hope to make it an annual event; a big thank you to RCS.

Hogan stated he was glad we passed the Civil Service changes; emotions versus logic; lot of emotion involved with this; what was passed tonight is not what was recommended to Safety Committee; not what was passed by Safety Committee; it is a third alternative; have an e-mail from a vet who says he doesn't believe in the double credit; talked with a number of veterans who don't think double is right; that is an issue that should be up for discussion; 20% on the other side is something that should be open for discussion; please ask that if you want to discuss give us a call and talk to us; was an e-mail accusing me of being one of the good old boys; don't think we have any in Gahanna anymore and they wouldn't invite me to their meetings; being accused of that and have gotten some other nasty e-mails; that's your freedom of speech; so much more could be accomplished if you just come to us and tell us; sure at next meetings we will have plenty of input; recommend it goes to Committee of the Whole when it comes back.

McAlister stated he was a Vietnam era veteran; the VFW does not speak for all veterans; whether changing the leash laws or civil service laws we are trying to govern by rational means and when an interest group or PETA members put pressure than it can be put on Council members to pass legislation; only fear that leads us more down the road; elect people to do a job for you; spend a lot more time studying issues as they come forward; for those decisions to be reversed by a few vocal advocates whether

veterans or anyone else is not right.

Payne stated she appreciated the Parks Board for their recognition of volunteers; we have a lot of volunteers in Gahanna; this was the second annual recognition; appreciate all that they do; enjoyed participating in the tailgate with police officers who work with school children; they are visible with high school students on a regular basis; appreciate that; just joined the YMCA Board; point out there will be a ground breaking for the Gahanna Y and look forward to seeing everyone there.

Kelley stated he would skip the veterans issue; got blown out of proportion; would like to comment on the report made by school; pleased to hear your report on DARE; have always been a big supporter; Angelou was biggest supporter of DARE system in the beginning; if not for her and working with her through Council it would not have been started; glad to hear what you are saying; 5 grandchildren have gone through it; one is 23 and still talks about it; keep up the good job.

O'Brien agreed with Kelley; Angelou accomplished a good thing; also brought a fragmented Council together; voted 7-0 to support that with some opposition outside of Council; it worked; is a wonderful program; somewhere in these percentages are the truth; if we save one life, and we will never know that, it's all worth it; thank school for taking the program and making a success out of it; first Woodman and now Ms. Albanese; let's keep it going. O'Brien continued he agreed with Higginbotham; can't begin to show our appreciation to the people who have paid the ultimate price to keep us free; this is just a token; don't believe they are a special interest group but believe they were hurt that they saw something going away; don't believe anybody on this Council wanted to hurt anybody; in their heart felt strongly about it; were we influenced; yes we were; have faith in the other 6 people sitting here; God Bless veterans and those who have died since Lexington Green. O'Brien noted he had attended a Civic Association meeting last week and was reminded of an issue that has been in the back of my mind; share this concern on distressed properties; call owners of distressed properties scofflaws; 99% of people take pride in their properties and respect their neighbors and a few who have properties you wouldn't find in Dogpatch; would like to see Council this year or early next year visit our zoning code and work with our Law Director; would like to see some property owners who have ignored the fines have liens placed against property to have them cleaned up; would like to see property improved; people are living with collapsed basement walls; let's make this an issue and let's try to do something.

O. EXECUTIVE SESSION:

MOTION by Kelley, seconded by Payne, to go into Executive Session under authority of Section 5.40(a) of Council Rules of Procedure to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee, official, licensee or regulated individual unless such public employee, official, licensee or regulated individual requests a public hearing.

Council rose to Executive Session at 8:57 p.m. Council rose to report from Executive Session at 9:24 p.m.

P. ADJOURNMENT: 9:25 p.m. - Motion by Kelley.

End of Agenda

Isobel L. Sherwood, MMC
Clerk of Council

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

Chair Signature