

# **City of Gahanna**

*200 South Hamilton Road  
Gahanna, Ohio 43230*



## **Meeting Minutes**

**Tuesday, September 2, 2008**

**Council may meet in Caucus beginning at 7:00 p.m.**

**7:30 PM**

**City Hall**

## **City Council**

*Nancy R. McGregor, President*

*Thomas C. Evers, Vice President*

*Beryl D. Anderson*

*Shane Ewald*

*Thomas R. Kneeland*

*John R. McAlister*

*David L. Samuel*

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

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

*Gahanna City Council met in Regular Session on Tuesday, September 2, 2008, in Council Chambers of City Hall, 200 South Hamilton Road, Gahanna, Ohio. President of Council Nancy R. McGregor called the meeting to order at 7:30 p.m. Council President McGregor delivered the Invocation followed by the Pledge of Allegiance led by Eagle Scout Phillip Caffee. Agenda for this meeting was published on August 29, 2008.*

**Members Absent:** Thomas C. Evers

**Members Present:** Nancy R. McGregor, Thomas R. Kneeland, Shane W. Ewald, John McAlister, Beryl D. Anderson and David L. Samuel

**B. ADDITIONS OR CORRECTIONS TO THE AGENDA: None.****C. HEARING OF VISITORS:**

*Mayor Stinchcomb introduced Phillip Caffee; he has been in my son's scout troop 776 for many years; have known Phillip for many years; received his Eagle Award last Sunday; wanted to present this proclamation to him for that achievement..*

*Claire Yoder, Gahanna Jefferson Board of Education, stated they had a good report on first week of school; full day kindergarten program is going well; received first hand testimony on the success of that; received the status of an effective school on the state report card; is a moving target for us as they change the criteria; will continue to evolve; who knows what it will be next year; have two new middle school principals - East and West; will make a difference in our administration; we have a guest teacher to teach Mandarin Chinese to our elementary kids in a pilot program; was at Highpoint last year; more of those classes this year with our guest teacher; in process of purchasing property for our new exciting opportunity; hopefully you are as excited as we are; glad to answer any questions. Anderson asked if the Mandarin Chinese classes were grade specific. Yoder stated they are at the elementary level; pretty well encompass grades 1-5; not sure if there is a core focus of ages or not; have had quite a lot of success with the program. Anderson stated she was at the high school the day they had first day of classes for freshmen; was an exciting time; great idea to give the freshmen a day on their own and let them get acquainted. Yoder stated it was one of the efforts to make a large high school feel smaller; freshman teams is another way to break that barrier.*

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

*Ordinances introduced, by title, by McAlister.*

**Ordinances - To Be Introduced and Assigned to Committee:****ORD-0187-2008**

TO ACCEPT DEED OF EASEMENT FOR A WALKING AND BIKE TRAIL; IN THE AREA OF MILL STREET; LINTNER PARK; FROM MJM INVESTMENT CO.

**Introduced**

**ORD-0188-2008**

TO ACCEPT DEED OF EASEMENT FOR A WALKING AND BIKE TRAIL; 170 MILL STREET; FROM MJM INVESTMENT CO.

**Introduced**

**ORD-0189-2008**

TO ACCEPT CLEAN OHIO CONSERVATION EASEMENT FOR PROPERTY LOCATED AT 294 JAMES ROAD.

**Introduced****ORD-0191-2008**

TO ACCEPT MONIES FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR THE MARCH WINTER STORM WEATHER EMERGENCY; AND TO SUPPLEMENTALLY APPROPRIATE \$43,572.

**Introduced, to Regular Agenda****ORD-0193-2008**

TO ACCEPT CLEAN OHIO CONSERVATION EASEMENT FOR PROPERTY LOCATED AT 312 JAMES ROAD.

**Introduced****E. CONSENT AGENDA:**

*MOTION by Kneeland, seconded by Anderson, to approve the consent agenda.*

*McAlister stated he would vote for the consent agenda even though he did not agree with ORD-0170-2008.*

*ROLL CALL: Voting yes: Kneeland, Anderson, McAlister, McGregor, Samuel, Ewald. Motion carried.*

*MOTION by Kneeland, seconded by McAlister, to reconsider the adoption of the Consent Agenda. ROLL CALL: Voting yes: Kneeland, McAlister, McGregor, Samuel, Anderson, Ewald. Motion carried.*

*MOTION by Kneeland, seconded by Anderson, to remove ORD-0185-2008 from the consent agenda and place it on the regular agenda under Second Reading of Ordinances. ROLL CALL: Voting yes: Kneeland, Anderson, McAlister, McGregor, Samuel, Ewald. Motion carried.*

**Minutes - To Approve:****2008-0001**

- 1) September 2, 2008 Regular Meeting Minutes
- 2) September 8, 2008 Special Meeting Minutes

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

**Ordinance: Introduce, Waive Second Reading, Adopt as Emergency:****ORD-0186-2008**

TO AMEND CONTRACT WITH KOKOSING CONSTRUCTION COMPANY; TO ALLOW FOR THE ADDITION OF ADA RAMPS ALONG Highbury Crescent AND TO PAVE AN ADDITIONAL 1,175' OF THE WESTBOUND PORTION OF US 62 WEST OF STYGLER ROAD; AND TO DECLARE AN EMERGENCY.

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

**ORD-0190-2008**

AN ORDINANCE ADOPTING A STATEMENT INDICATING THE SERVICES THE CITY OF GAHANNA, OHIO, WILL PROVIDE TO THE 6.3+/- ACRE TERRITORY IN JEFFERSON TOWNSHIP, FRANKLIN COUNTY, PROPOSED TO BE ANNEXED TO THE CITY OF GAHANNA UPON ANNEXATION; SAID PROPERTY LOCATED AT 3891 CLOTTS ROAD; REQUESTED BY BILLY G. AND VANIETA B. DECKER, OWNERS, BY THE CITY OF GAHANNA, AGENT; AND CITY BUFFER REQUIREMENTS AS PROVIDED IN OHIO REVISED CODE SECTION 709.023; TO REPEAL ORD-0157-2008; AND DECLARING AN

EMERGENCY.

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

**ORD-0192-2008**

TO AUTHORIZE THE MAYOR TO EXECUTE EASEMENT WITH GEORGE W. WEBER, JR., FOR 2.731 ACRES OF PROPERTY LOCATED AT 258 JAMES ROAD, GAHANNA; FOR A RECREATIONAL MULTI-USE TRAIL; 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-0169-2008**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH CENTER CITY INTERNATIONAL TRUCKS, INC., FOR THE PURCHASE OF A 2009 7400 SFA 4 X 2 INTERNATIONAL CHASSIS EQUIPPED WITH GLEDHILL PLOW HITCH.

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

**ORD-0170-2008**

TO ACCEPT MONIES SEIZED AUGUST 9, 2007 IN THE AMOUNT OF \$995 AND AWARDED TO THE GAHANNA POLICE PURSUANT TO COURT ORDER; CASE #07CVH-11933; AND TO SUPPLEMENTALLY APPROPRIATE \$340 TO THE LAW ENFORCEMENT TRUST FUND.

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

**ORD-0171-2008**

TO AUTHORIZE THE MAYOR TO EXECUTE EASEMENT WITH AMERICAN ELECTRIC POWER TO REPLACE ELECTRIC SERVICE UNDER OLDE RIDENOUR ROAD TO THE GOLF COURSE CLUBHOUSE; AND TO DECLARE AN EMERGENCY

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

**ORD-0173-2008**

TO ALLOW ELIGIBLE CITY EMPLOYEES TO PURCHASE SERVICE CREDIT THROUGH OHIO POLICE AND FIRE PENSION FUND ON A PRE-TAX BASIS, DEFERRING THE FEDERAL AND STATE INCOME TAXES ON THE PURCHASE AMOUNT.

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

**ORD-0174-2008**

TO AUTHORIZE THE CITY OF GAHANNA TO IMPLEMENT A PLAN TO PURCHASE ADDITIONAL SERVICE CREDIT TAX-DEFERRED BY PAYROLL DEDUCTION FOR THOSE EMPLOYEES IN THE OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM.

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

**ORD-0176-2008**

TO AMEND CODE SECTION 135.02, SALE OF OBSOLETE ITEMS OF CHAPTER 135, DEPARTMENT OF PUBLIC SERVICE AND ENGINEERING, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA.

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

**ORD-0177-2008**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH ASSET AUCTIONS LLC, FOR THE PURPOSE OF SELLING OBSOLETE ITEMS IN ACCORDANCE WITH CODE SECTION 135.02 OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA.

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

**ORD-0179-2008**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH GOVDEALS, INC., FOR THE PURPOSE OF SELLING OBSOLETE ITEMS IN ACCORDANCE WITH CODE SECTION 135.02 OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA.

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

**ORD-0180-2008**

SUPPLEMENTAL APPROPRIATION - Recreation, Program Escrow

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

**Ordinance - To Amend by Substitution and Adopt:****ORD-0181-2008**

SUPPLEMENTAL APPROPRIATION - Transfer to General Fund

**This Matter was Amended by Substitution and Adopted on the Consent Agenda.**

**Ordinance - To Amend by Substitution and Adopt as Emergency:****ORD-0183-2008**

TO AMEND CONTRACT WITH THE JEFFERSON LOCAL SCHOOL DISTRICT RECREATION COUNCIL; TO AUTHORIZE THE MAYOR TO ENTER INTO SAID AMENDED CONTRACT; FOR PROPERTY KNOWN AS THE GAHANNA SWIM CLUB, 148 PARKLAND DRIVE, GAHANNA, OHIO 43230; AND TO DECLARE AN EMERGENCY.

**This Matter was Amended by Substitution, Adopted, As Emergency on the Consent Agenda.**

**Resolutions to Adopt on First Reading:****RES-0015-2008**

TO AUTHORIZE THE MAYOR TO MAKE APPLICATION TO MID OHIO REGIONAL PLANNING COMMISSION FOR OHIO PUBLIC WORKS COMMISSION FUNDS FOR THE HAMILTON ROAD CENTRAL PROJECT; IMPROVEMENT NO. 785.

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

**RES-0016-2008**

TO AUTHORIZE THE MAYOR TO MAKE APPLICATION TO MID OHIO REGIONAL PLANNING COMMISSION FOR OHIO PUBLIC WORKS COMMISSION FUNDS FOR THE US 62 & STYGLER ROAD IMPROVEMENTS PROJECT; IMPROVEMENT NO. 935.

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

**Motion Resolution:****MR-0044-2008**

Motion Resolution that the City has no objection to the stock transfer of D5 and D6 liquor permits for Max & Erma's Restaurants, Inc., dba Max & Erma's, 1317 Hamilton Road & Patio, Gahanna, Ohio 43230.

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

**MR-0045-2008**

Motion Resolution to accept grant funds in the amount of \$36,084.25 from the Ohio Public Works Commission, Clean Ohio Conservation Fund, for the purchase of land for the Southwest Floodplain.

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

**Passed The Consent Agenda**



*McAlister requested that ORD-0190-2008 be on regular agenda not on consent agenda for second reading.*

*McAlister continued that received from the Clerk tonight a copy of e-mail sent to Tom Weber; quite frankly was not tuned in to discussion at last meeting because I did not feel it affected me; however, now that he has put something on the table; states that data and records support claims made; addressing his request to all of Council and demands a public apology in his presence; wants letter signed by all members of Council and Mayor to run as a paid advertisement in the papers; asks for Ewald to be censured by Council and wants taxpayers to know that they have every right to speak out without fear of threats or intimidation; don't see where we can give it anything short of any other request by a citizen; would ask that this be brought up in Committee of the Whole next week and decide what we are going to do about it. Weber has no other comment than received this today; Council can certainly discuss this at any level it wishes to; comments in public forums often involve some give and take; very difficult to substantiate any defamation in a court of law; says he is considering further legal action; he is entitled to do that; don't see anything here that I would deem to be defamation. McGregor stated she is not sure this is for committee to discuss; will think about it. McAlister stated he is bringing it up because this is a thorn that is sticking out there; is a boil on part of one of our citizens; maybe there is no substantiation; but that's my reaction to it; maybe others have input, that's mine;. McGregor stated she would consider discussing further.*

*Anderson noted receipt of several invitations; one to a Ronald McDonald House fundraiser; two items from Ballet Met; and an AEP Ohio meeting later this week.*

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

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

#### **ORD-0172-2008**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH ADVANCED CIVIL DESIGN, INC., FOR ENGINEERING DESIGN SERVICES FOR LINCOLN CIRCLE ROADWAY IMPROVEMENTS; AND TO DECLARE AN EMERGENCY.

*McGregor stated it is no surprise that I am opposed; one item mentioned was that this is a very dangerous intersection; asked Terrie Snider at Police Department how many accidents have occurred at either intersection and was told there have been 2 in the last six months; that is not a dangerous intersection; years ago when Kelley was Chief told then Mayor that he would get rid of all parking spaces on Lincoln Circle; my comment at that time was he would get run out of town; people park on the street hoping to not have to go into the parking lot; this plan calls for the elimination of all those parking spaces; city trucks go out of that area also; will be losing 5 to 6 spaces from the street and 3 from lot; is already a tight situation; talked to Gayle Rees; he is very upset; he foresees a non-ending stream of cars and trucks turning around in his parking lot; 2 lane traffic coming in and then it will all come to a cul de sac; afraid because of the chaos; people will cut through his parking lot; when post office is overloaded they already park in his lot; if he has people towed they may also be his customers; expressed his concerns; also pointed out a potential ugly situation with big signs that say do not enter and all kinds of one way signage; those were his comments; problem I have with this is that I don't think this will change anything; don't disparage the people who have worked on it; if I thought this would make people happy I would support it; but that's not what they say; the question is always where else can it be; no one has ever said make traffic better and I'll like it; spending a lot of money - \$15,000 now and \$45,000 for construction plus the property owner will spend some too; don't think*

*anyone will be happy that the post office is still there; sometimes there just isn't a way to make it better.*

*MOTION by Kneeland, seconded by Ewald, to adopt ORD-0172-2008. (Clerk's note: Motion to postpone takes precedence)*

*President assigned this item to Committee of the Whole.*

**A motion was made by Kneeland, seconded by McAlister, that this matter be Postponed to Date Certain to the Committee of the Whole. The motion carried by the following vote:**

**Yes 6** President of Council McGregor, Kneeland, Ewald, Anderson, McAlister and Samuel

**Absent 1** Vice President of Council Evers

### ORD-0182-2008

TO AUTHORIZE THE MAYOR TO ENTER INTO PERSONAL SERVICES CONTRACT WITH SLAVIN MANAGEMENT CONSULTANTS FOR A SALARY ANALYSIS; TO SUPPLEMENTALLY APPROPRIATE \$10,000; AND TO DECLARE AN EMERGENCY.

**A motion was made by Kneeland, seconded by Samuel, that this matter be Adopted as an Emergency. The motion carried by the following vote:**

**Yes 5** Kneeland, Ewald, Anderson, McAlister and Samuel

**No 1** President of Council McGregor

**Absent 1** Vice President of Council Evers

### ORD-0185-2008

TO ADOPT THE PORT COLUMBUS AREA GROWTH PARTNERSHIP ECONOMIC DEVELOPMENT STRATEGY

*Kneeland stated he would like more information from Development including what deliverables are and what outcomes are expected to be. Stinchcomb asked that this be discussed in Committee of the Whole.*

**A motion was made by Kneeland, seconded by Samuel, that this matter be Postponed to Date Certain to the Committee of the Whole. The motion carried by the following vote:**

**Yes 6** President of Council McGregor, Kneeland, Ewald, Anderson, McAlister and Samuel

**Absent 1** Vice President of Council Evers

**J. FIRST READING OF ORDINANCES: None.**

**K. MOTIONS/RESOLUTIONS: None.**

**L. REPRESENTATIVES:**

**Community Improvement Corporation (CIC) - Ewald/Kneeland:**

*Next meeting is September 16th.*

**Mid-Ohio Regional Planning Commission (MORPC) - McGregor/Anderson:**

*McGregor stated next meeting is September 11. Anderson reminded everyone of the Sustainability Conference set for September 11 - 13; meeting is first day of the conference at the Columbus Convention Center.*

**Bd./Ed., Gahanna-Jefferson Public Schools - Ewald:**

*Clerk stated next meeting is September 11.*

**M. OFFICIAL REPORTS:****Mayor:**

*Stinchcomb asked for everyone's prayers for Planning Commission Member Don Shepherd who is undergoing surgery tomorrow.*

*Stinchcomb continued that she would like to show off a plaque from United States EPA presented to Development Department for transforming Gahanna Bedford 1 Landfill into green space; presented in recognition of leadership and commitment on May 5, 2008; presented at the National Brownfields Conference; am very proud; is signed, sealed and delivered as closed by the EPA; congratulate Development Department and everyone else who has supported this project.*

*Stinchcomb reminded everyone that Saturday night Gahanna is hosting the Chris Spielman Iron Classic at the high school; Gahanna taking on Cleveland Glenville which is White's alma mater.*

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

*Samuel stated there were several items on consent agenda that provide our citizens with walking and bike paths; hope we will have many more in the future.*

*Ewald stated that Don Shepherd is a wonderful steward in our community; exemplary member of Planning Commission and former member of Council; prayers are with him and his family; to Development Department congratulations for receiving the award for the closure; many Council members have worked to accomplish that also; remember when we only saw those giant clay piles; able to resolve two birds with one stone; as to the e-mail, truth is always a defense to defamation; have no problem; some of the distortions are coming from the other side.*

*McAlister asked Collins if the campout is this weekend. Collins replied he was not sure. McAlister stated it was postponed from June because of wet ground; will be there lighting a bonfire; taking my grandson.*

*Kneeland stated that the success story about landfill is huge; a photo timeline to reflect back on would have been nice; surprising how quickly people will forget that; also possibly put a display in City Hall lobby. Mayor stated we do have those photos. Kneeland stated the award is well deserved; great to get development going out there.*

*Anderson congratulated Development Department and all those involved in City receiving EPA award; remind everyone to register to vote; deadline for registration is 30 days before election day; be vigilant to inspire others so that people can be responsible in their citizenship.*

*McGregor stated she would like in our packets a map of the Lincoln Circle area; please drive down and look at the site before committee meeting; only comment tonight. Ewald stated he would send everyone a pdf file of the map.*

**O. ADJOURNMENT: 8:14 p.m. - Motion by Ewald.**

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**Donna L. Jernigan, CMC**  
**Senior Deputy Clerk of Council**

*APPROVED by the City Council, this*  
*day of 2008.*

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**Nancy R. McGregor**  
**President of Council**