City of Gahanna

200 South Hamilton Road
Gahanna, Ohio 43230

Meeting Minutes

Tuesday, September 8, 1998

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 Absent: Sherie James-Arnold

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

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 Tuesday, September 8, 1998. President of Council Karen J. Angelou called the meeting to order at 7:30 p.m. with an Invocation, delivered by Council Chaplain Robert W. Kelley, followed by the Pledge of Allegiance, led by Council member Thomas R. Kneeland.

B. ADDITIONS OR CORRECTIONS TO THE AGENDA.

A motion was made by Council Member Payne, seconded by Council Member Kneeland, To add legislation regarding the Old Fire Station under "Introductions". The motion carried by the following vote:

Yes	**6**	President of Council Angelou, Vice President Kelley, Council Member Hogan, Council Member Kneeland, Council Member Stinchcomb and Council Member Payne
Absent	**1**	Council Member James-Arnold

C. HEARING OF VISITORS

School Board - Windy McKenna

McKenna reported the opening of the school system for the 1998-99 School Year. Levy committee is working toward the November election.

Presentation - Kiwanis Donation

Nick Hogan, representing the Gahanna Kiwanis made two presentations to the City: 1) $2,000 for computer for senior center; and 2) $2,000 for bandstand in Friendship Park.

Nick Hogan, 1040 Venetian Way

Addressed Council in his concerns of the costs to the business community in the pending trash receptacle legislation. Showed over 100 photographs of illegal dumpsters in the community--many of which are in the schools and in the park system--thereby endangering the health, safety and welfare of our children. Mayor requested these photographs be shared with the Administration.

Andrew G. Zukowski, 453 Woodmarn Run Drive

Addressed his ongoing petition regarding Service Director Jordan and the Police of Gahanna. Asked for investigation of abusive prohibited practice of disconnection of water and of trap set for him at Fire Station No. 134. Reminded both he and his wife are unemployed.

D. INTRODUCTIONS AND ASSIGNMENT TO COMMITTEE

Payne introduced all Legislation under Item D.

Ordinances - To Be Introduced and Assigned to Committee

980292 TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH CLYDE E. WILLIAMS & ASSOCIATES FOR DESIGN OF SIGNAL AT HAMILTON AND BEECHER ROADS; TO APPROPRIATE $7,785 THEREFOR; AND TO DECLARE AN EMERGENCY

980360 TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH EVANS, MECHWART, HAMBLETON & TILTON INC. FOR ENGINEERING SERVICES FOR CULVERT INSPECTION, MORSE ROAD OVER AN UNNAMED STREAM, AND JAMES ROAD OVER TURKEY RUN; AND TO SUPPLEMENTALLY APPROPRIATE $800

980361 TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH EVANS, MECHWART, HAMBLETON & TILTON INC. FOR ENGINEERING SERVICES FOR THE US ROUTE 62 OVER BIG WALNUT SIDEWALK WIDENING; AND TO SUPPLEMENTALLY APPROPRIATE $9,000

980366 TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH MUNICIPAL ADVISORS INCORPORATED FOR EMPLOYEE AUDIT; TO APPROPRIATE FUNDING THEREFOR; TO REPEAL ORDINANCE NO. 980022; AND TO DECLARE AN EMERGENCY

980367 TO ZONE 4.64 ACRES, MORE OR LESS, AS SO, SUBURBAN OFFICE; FOR PROPERTY LOCATED AT 4133-4149 NORTH HAMILTON ROAD; SELECT PROPERTIES, APPLICANT

980368 TO ACCEPT 1.516 ACRES, MORE OR LESS, OF LAND FROM CANINI & PELLECCHIA, INC., FOR PROPERTY LOCATED ON HAMILTON ROAD, WEST OF JOHNSTOWN ROAD AND SOUTH OF MORSE ROAD, AND MORE PARTICULARLY LOCATED AT THE INTERSECTION OF BEECHER ROAD AND HAMILTON ROAD; AND TO DECLARE AN EMERGENCY

980370 AN ORDINANCE TO SET FORTH A STATEMENT OF MUNICIPAL SERVICES TO BE PROVIDED TO THE AREA CONTAINED IN THE PROPOSED ANNEXATION OF 1.310+/- ACRES FROM JEFFERSON TOWNSHIP TO THE CITY OF GAHANNA; REQUESTED BY JOSEPH E. PATTERSON, ET AL.; AND TO DECLARE AN EMERGENCY

980371 TO ACCEPT 1.1+/- ACRES FROM JEFFERSON AND MIFFLIN TOWNSHIPS TO THE CITY OF GAHANNA, OHIO, REQUESTED BY THE NEW ALBANY COMPANY, ET AL.

980385 TO DECLARE THE NECESSITY AND INTENT TO APPROPRIATE FEE SIMPLE TITLE AND LESSER INTERESTS IN AND TO REAL ESTATE OWNED BY THE ESTATE OF JESSE BAUGHMAN, DECEASED, FOR A PEDESTRIAN ACCESS AT BIG WALNUT CREEK; AND TO DECLARE AN EMERGENCY

980386 TO ACCEPT A DONATION BY GAHANNA KIWANIS ON BEHALF OF THE GAHANNA SENIOR CENTER; TO SUPPLEMENTALLY APPROPRIATE SAID DONATION TO SENIOR CENTER CAPITAL PROJECT ACCOUNT FOR A COMPUTER PURCHASE; AND TO DECLARE AN EMERGENCY

980388 TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH MIFFLIN TOWNSHIP BOARD OF TRUSTEES TO EXCHANGE LAND RESPECTIVELY WHEREBY THE CITY WILL RECEIVE CERTAIN INTEREST IN LAND AT 125 MILL STREET, FORMERLY A FIRE HOUSE LOCATION, AND THE TOWNSHIP WILL RECEIVE A PARCEL AT 4307 EAST JOHNSTOWN ROAD, CONSISTING OF 0.979 OF AN ACRE, MORE OR LESS; AND TO DECLARE AN EMERGENCY

Introduction of Statutory Resolution Requiring Two Readings:

980362 A RESOLUTION TO DECLARE THE NECESSITY AND INTENT TO APPROPRIATE CERTAIN REAL ESTATE, CONSISTING OF 0.0735 ACRE OF LAND, MORE OR LESS, OWNED THE EDINBOROUGH ENTERPRISES, FOR THE RIGHT OF WAY ALONG MORRISON ROAD AT THE INTERSECTION OF WATERBURY, IMPROVEMENT NO. 703; AND TO DECLARE AN EMERGENCY

980388 TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH MIFFLIN TOWNSHIP BOARD OF TRUSTEES TO EXCHANGE LAND RESPECTIVELY WHEREBY THE CITY WILL RECEIVE CERTAIN INTEREST IN LAND AT 125 MILL STREET, FORMERLY A FIRE HOUSE LOCATION, AND THE TOWNSHIP WILL RECEIVE A PARCEL AT 4307 EAST JOHNSTOWN ROAD, CONSISTING OF 0.979 OF AN ACRE, MORE OR LESS; AND TO DECLARE AN EMERGENCY

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

Absent	**1**	Council Member James-Arnold
Yes	**6**	President of Council Angelou, Vice President Kelley, Council Member Hogan, Council Member Kneeland, Council Member Stinchcomb and Council Member Payne

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

Yes	**6**	President of Council Angelou, Vice President Kelley, Council Member Hogan, Council Member Kneeland, Council Member Stinchcomb and Council Member Payne
Absent	**1**	Council Member James-Arnold

E. CONSENT AGENDA

A motion was made by Vice President Kelley, seconded by Council Member Payne, to Pass the Consent Agenda. The motion carried by the following vote:

Yes	**6**	President of Council Angelou, Vice President Kelley, Council Member Hogan, Council Member Kneeland, Council Member Stinchcomb and Council Member Payne
Absent	**1**	Council Member James-Arnold

Minutes - To Approve - 8/17/98 Regular; 7/13/98 Special

A motion was made to Approve

Ordinances on Second Reading

980307 — TO AMEND SECTION 929.03, TO INCREASE WATER FRONT FOOTAGE FEES, EFFECTIVE OCTOBER 1, 1998; AND TO DECLARE AN EMERGENCY

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

980308 — TO AMEND SECTION 921.05, TO INCREASE SEWER FOOTAGE FEES, EFFECTIVE OCTOBER 1, 1998; AND TO DECLARE AN EMERGENCY

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

980309 — TO AMEND SECTION 921.03 TO INCREASE SEWER INSPECTION FEE; AND TO DECLARE AN EMERGENCY

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

980327 — TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO AWARD AND THE MAYOR TO ENTER INTO AGREEMENT WITH GLOBAL CONTRACTING SERVICES TO REMOVE THREE GASOLINE TANKS FROM THE SERVICE COMPLEX ON OKLAHOMA AVENUE; AND TO DECLARE AN EMERGENCY

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

980333 — TO AMEND SECTION 929.02, PERMIT REQUIRED; MULTIPLE USE CONNECTIONS PROHIBITED, TO INCREASE WATER INSPECTION FEE; AND TO DECLARE AN EMERGENCY

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

980334 — TO AMEND SECTION 921.11, SEWER RENTAL RATES; TO INCREASE SEWER RENTAL RATES; AND TO DECLARE AN EMERGENCY

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

980335 — SUPPLEMENTAL APPROPRIATION - Tuition Reimbursement

This Matter was Adopted on the Consent Agenda.

980342 — TO AUTHORIZE THE MAYOR TO ENTER INTO LEASE AGREEMENT WITH JEFFERSON LOCAL SCHOOL DISTRICT RECREATION COUNCIL FOR ONE YEAR; AND TO DECLARE AN EMERGENCY

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

Ordinances to be Introduced, Waiver of Second, Adopted:

980344 — TO ACCEPT DEED OF EASEMENT IN THE AREA OF FRIENDSHIP PARK FOR ROADWAY PURPOSES FOR INGRESS AND EGRESS TO A SEWER PUMPING STATION; FROM THE JEFFERSON LOCAL SCHOOL DISTRICT RECREATION COUNCIL.

This Matter was Adopted on the Consent Agenda.

980345 — TO ACCEPT EASEMENT FOR HIGHWAY PURPOSES FOR SIDEWALKS ON NORTH HAMILTON ROAD, ORDER NO. S-330; FROM RICHARD D AND ELVA MICO.

This Matter was Adopted on the Consent Agenda.

980346 TO ACCEPT DEED OF EASEMENT IN THE AREA OF CLARK STATE ROAD FOR ROADWAY AND PUBLIC UTILITY PURPOSES; FROM ELMA S YEARLING.

This Matter was Adopted on the Consent Agenda.

980347 TO ACCEPT A DEED OF EASEMENT FOR STORM SEWER PURPOSES FOR PROPERTY LOCATED ON LOT 74 OF CLARMAN HEIGHTS; FROM RONALD L AND CAROL A STULTS.

This Matter was Adopted on the Consent Agenda.

980348 TO ACCEPT DEED OF EASEMENT FOR SIDEWALK PURPOSES FOR PROPERTY LOCATED IN ROYAL MANOR; FROM HARRY CLAYTON AND CHARLENE M TWEEDY.

This Matter was Adopted on the Consent Agenda.

980349 TO ACCEPT DEED OF EASEMENT FOR ROADWAY AND UTILITY PURPOSES FOR PROPERTY LOCATED ON STYGLER ROAD; FROM RUSSELL F AND ESTHER B JACOB AND FREMONT AND YOLA GARDNER.

This Matter was Adopted on the Consent Agenda.

980350 TO ACCEPT WARRANTY DEED FOR ROADWAY PURPOSES FOR PROPERTY LOCATED IN THE INDUSTRIAL ZONE; FROM GAHANNA COMMUNITY IMPROVEMENT CORPORATION.

This Matter was Adopted on the Consent Agenda.

980351 TO ACCEPT DEEDS OF EASEMENT FOR PROPERTY LOCATED ALONG TAYLOR STATION ROAD FOR GENERAL PURPOSE UTILITIES; FROM RIBBON TECHNOLOGY CORPORATION, FRANKLIN STEEL COMPANY AND THE CLAYCRAFT COMPANY.

This Matter was Adopted on the Consent Agenda.

980352 TO ACCEPT DEEDS OF EASEMENT IN VARIOUS AREAS OF SARATOGA ESTATES FOR PUBLIC AND PRIVATE UTILITY PURPOSES; FROM DONALD R AND JERI M PINNELL AND DAVIS AND SON INC.

This Matter was Adopted on the Consent Agenda.

980353 TO ACCEPT DEEDS OF EASEMENT IN VARIOUS SECTIONS OF CHERRY RUN FOR PUBLIC AND PRIVATE UTILITY PURPOSES; FROM WILLIAM C AND LAURA E REESE AND NATIONWIDE DEVELOPMENT COMPANY.

This Matter was Adopted on the Consent Agenda.

980354 TO ACCEPT DEED OF EASEMENT IN CHERRY BOTTOM SECTION 2 FOR PUBLIC AND PRIVATE UTILITY PURPOSES; FROM CHERRY BOTTOM DEVELOPMENT COMPANY.

This Matter was Adopted on the Consent Agenda.

980355 TO ACCEPT DEED OF EASEMENT IN IMPERIAL RISE SECTION 3 FOR PUBLIC AND PRIVATE UTILITY PURPOSES; FROM THE WILLIAMS ROAD COMPANY.

This Matter was Adopted on the Consent Agenda.

980356 TO ACCEPT DEED OF EASEMENT IN THE AREA OF MORRISON AND WATERBURY FOR HUNTERS RIDGE APARTMENTS PHASE II FOR PUBLIC AND PRIVATE UTILITY PURPOSES; FROM NORTHLAND PARK HOMES INC.

This Matter was Adopted on the Consent Agenda.

980357 TO ACCEPT DEEDS OF EASEMENT FOR VILLAGE GREEN APARTMENTS AREA ON WEST JOHNSTOWN ROAD FOR WATER MAIN, SANITARY AND STORM SEWER PURPOSES; FROM VARIOUS PROPERTY OWNERS.

This Matter was Adopted on the Consent Agenda.

980358 TO ACCEPT DEED OF EASEMENT IN VARIOUS SECTIONS OF HUNTERS RIDGE AREA FOR PUBLIC AND PRIVATE UTILITY PURPOSES; FROM EQUITABLE DEVELOPMENT CORPORATION.

This Matter was Adopted on the Consent Agenda.

980359 SUPPLEMENTAL APPROPRIATION, Replacement, Police Station Air Conditioning Unit

This Matter was Adopted on the Consent Agenda.

980369 TRANSFER OF FUNDS, Cops Fast

This Matter was Adopted on the Consent Agenda.

980372 TO ACCEPT DEED OF EASEMENT FOR CHANNEL PURPOSES ON TAYLOR STATION ROAD NEAR GAHANNA PARKWAY; FROM CHARLES RAYMOND AND ANNA MARIE SIMCOE.

This Matter was Adopted on the Consent Agenda.

980373 TO ACCEPT DEED OF EASEMENT FOR CHANNEL CLEANING AND PEDESTRIAN RECREATIONAL TRAFFIC FOR A 50' SCENIC EASEMENT ALONG ROCKY FORK CREEK NORTH OF ROCKY FORK SQUARE SHOPPING CENTER; FROM CHESAPEAKE REALTY INC.

This Matter was Adopted on the Consent Agenda.

980374 TO ACCEPT DEED OF EASEMENT FOR AN EMERGENCY WARNING SIREN ON STYGLER ROAD; FROM THE CHURCHES OF CHRIST IN CHRISTIAN UNION.

This Matter was Adopted on the Consent Agenda.

980375 TO ACCEPT DEEDS OF EASEMENT FOR RIGHT OF WAY PURPOSES ON JAMES ROAD; FROM VARIOUS PEOPLE.

This Matter was Adopted on the Consent Agenda.

980376 TO ACCEPT A WARRANTY DEED FOR 1.271 ACRES ALONG HAMILTON ROAD AT CARPENTER FOR THE RELOCATION OF CARPENTER ROAD AND THE WIDENING OF THE HAMILTON ROAD BRIDGE OVER ROCKY FORK CREEK; FROM THE WORMAN FAMILY.

This Matter was Adopted on the Consent Agenda.

980377 TO ACCEPT A WARRANTY DEED FOR LOT NO. 69 OF CHERRY BOTTOM GARDENS SECTION TWO; FROM DAVIS & SON INC.

This Matter was Adopted on the Consent Agenda.

980378 TO ACCEPT A WARRANTY DEED FOR LOT NO. 1 OF GRAMERCY PARK SUBDIVISION; KNOWN AS GRAMERCY PARK; FROM FRANK C and GILIA M IAFOLLA.

This Matter was Adopted on the Consent Agenda.

980379 TO ACCEPT A WARRANTY DEED FOR LOT NO. 15 OF HANNA ADDITION; NOW KNOWN AS THE GAHANNA SERVICE COMPLEX; FROM ALBERT W. ROBY JR., WILLIAM H ROBY, AND ROBERT H. ROBY.

This Matter was Adopted on the Consent Agenda.

980380 TO ACCEPT A WARRANTY DEED FOR 19.8 ACRES OF LAND; KNOWN AS PIZZURRO PARK; FROM ELIZABETH PIZZURRO.

This Matter was Adopted on the Consent Agenda.

980381 TO ACCEPT A WARRANTY DEED FOR 8.962 ACRES OF LAND; NOW A PART OF THE INDUSTRIAL ZONE; FROM ELIZABETH PIZZURRO.

This Matter was Adopted on the Consent Agenda.

980382 TO ACCEPT A WARRANTY DEED FOR 0.2 ACRES OF LAND; NOW KNOWN AS MILL STREET/CARPENTER PARK OR ROCK PARK; FROM THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY.

This Matter was Adopted on the Consent Agenda.

980383 TO ACCEPT A WARRANTY DEED FOR 50.766 ACRES OF LAND; KNOWN AS GAHANNA WOODS PARKS; FROM THE NATURE CONSERVANCY.

This Matter was Adopted on the Consent Agenda.

980384 TO ACCEPT A QUIT CLAIM DEED FOR 0.375 ACRES OF PROPERTY LOCATED IN THE AREA OF US 62 AND BIG WALNUT CREEK; PROPERTY DONATED BY LAWRENCE L AND HULDA M LUFT.

This Matter was Adopted on the Consent Agenda.

Resolution - To Be Introduced and Adopted

980387 RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFING THEM TO THE COUNTY AUDITOR

This Matter was Adopted on the Consent Agenda.

Motion Resolution

980364 MOTION TO AUTHORIZE SUPPLEMENTAL APPROPRIATION FROM THE UNENCUMBERED, UNAPPROPRIATED BALANCE IN THE LAW ENFORCEMENT TRUST FUND TO ACCOUNT NO. 225.211.5411, LAW ENFORCEMENT TRUST FUND, AND TO AUTHORIZE PURCHASES WITH SAID SUPPLEMENTAL FOR ITEMS LISTED ON MEMORANDUM DATED AUGUST 24, 1998, FROM CHIEF DENNIS MURPHY

This Matter was Approved on the Consent Agenda.

980365 MOTION TO AUTHORIZE THE PURCHASE OF A MATRIX SCREEN ON THE LAP TOP COMPUTER FOR THE GAHANNA POLICE DEPARTMENT IN THE AMOUNT OF $300 FROM ACCOUNT NO. 225.211.5411, LAW ENFORCEMENT TRUST FUND

This Matter was Approved on the Consent Agenda.

End of the Consent Agenda

F. PUBLIC HEARINGS

Rezoning of 4133-4149 N. Hamilton Rd., from L-CC to SO

President Angelou gave a brief recap, noted recent recommendation by Planning Commission, and opened the public hearing at 8:10 p.m., calling for proponents.

Director of Development Sadicka White said this is being brought forth by Select Properties; said initially it would have involved retail opportunity with very specific criteria and design layout; said there were concerns. Said at this time they do not have a specific plan; said they wanted to ask for Suburban Office which, in their opinion is a zoning which is less dense; would have no retail traffic; less traffic impact; and subsequent development; looking at office condo arrangement similar to one by Josephinium; allows for individual and/or developer ownership. White said Planning Commission felt this would be appropriate zoning; said it was explained to adjacent property owners; said this is making it possible for developer to come back with a special plan--as well as design review.

President called for opponents.

Lew Hosner, representing Castle Pines (Condominium) Association, said there are 37 owners adjacent to this proposal. Questioned why the applicant was not here. President said she would continue the hearing. Hosner continued that the homeowners were at earlier zoning meetings; said they have the same on-going concerns as before; are concerned with many safety and security issues; said drainage--they cannot afford to have any more drainage; many have water in back yards; questioned lighting--what kind will it be; will the facility be office or will it be commercial; said they still have on-going concerns.

Angelou said regarding drainage, we have strong procedures in the City; said any storm water issue would be addressed in the engineering of the project. Hosner said there are four of the trustees of the association here tonight; general feeling is that it would be less intrusive; said Mr. Cheses showed them a picture of the buildings. White said in the broader sense, Suburban Office is commercial, but Suburban Office limits activity to things like medical and administrative. President questioned limited overlay. White said they went for Suburban Office because that would cover what the developer wanted to put there; said with limited overlay, there is text and at some point can be more difficult; said they did not want to put out another development and have it not come to fruition. White said they will come forth with a development plan that will be addressed and approved by Planning Commission; reminded that security, drainage, fencing, and lighting also falls under design review; said there are specific elements to the design review process. In limited overlay they must show us what they are going to do.

Stinchcomb expressed concerns not having limited overlay; felt it takes away from Council input; would rather have specifics before approving the zoning.

Hogan said with limited overlay, the new owner would have to do exactly that; felt under Suburban Office--probably a medical or computer office; could be conditional use; is going to be subject to final development plan; felt this is as good as or even better than a limited overlay; said, however, he understands concerns.

Payne asked for clarification of commercial. White responded that it limits to permitted uses within Suburban Office zoning.

A motion was made by Council Member Stinchcomb, seconded by Vice President Kelley, TO CONTINUE THE PUBLIC HEARING TO THE NEXT MEETING OF SEPTEMBER 21, 1998. The motion carried by the following vote:

Yes	**6**	President of Council Angelou, Vice President Kelley, Council Member Hogan, Council Member Kneeland, Council Member Stinchcomb and Council Member Payne
Absent	**1**	Council Member James-Arnold

President assigned matter to Development Committee at 7:00 p.m., on Monday, September 14.

Kneeland reminded that this was just a public hearing with action in two weeks. Will also be discussed in Development Committee on the 14th.

G. STANDING COMMITTEES Reports on meetings of 8/24 distributed.

H. CORRESPONDENCE AND ACTIONS

Clerk - (Legal)

Recommendation to rezone 3492 Clotts Rd. from ER to SF3

Public Hearing Date - Set for 10/19/98

PUBLIC HEARING SET FOR 7:30 P.M., MONDAY, OCTOBER 19, 1998

Letter and Petitions from M. Anderson requesting Charter Amendment

Findings of the Board of Elections of 801 Valid Signatures

Notice from Board of Elections as to Total Ballots Case in 1997 General Election

Letter from Smith & Hale re community notice requirements

Council

Red Ribbon Campaign literature noted. Letter to President Angelou from Mike and Debbie Levine was read. Angelou said she is a resident; the campaign in question was being led by a non-resident; Gahanna is being asked to do what is typically done in townships; noted research and information that an entire subdivision could be involved; could be almost $20,000 in a typical year of 200. Reminded we are always informing citizens; noted large yellow signs placed on properties being changed; we have newspapers that advise of zonings; said with the Riverwalk where she led the charge for 5 public forums; said obviously we want to save the citizens from needless money being spent; always encourage citizens to come forward. Repeated this campaign was instigated by a non-resident. She has been advised that some people being asked to sign were given inaccurate information. Said obviously there are not enough signatures to put this on the ballot. Said we have notified people; do everything in our power. Angelou concluded she will be happy to answer the Levine comments.

I. SECOND READING OF ORDINANCES

Ordinances Reported Out of Committee

980275

TO AMEND SECTION 1167.18(c), SCREENING OF TRASH CONTAINERS OR RECEPTACLES, OF CHAPTER 1167, GENERAL DEVELOPMENT STANDARDS, ADDITIONAL USE, HEIGHT AND AREA REGULATIONS, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA.

Hogan agreed with screening; noted dumpsters in the parks which are zoned residential, and would not be covered by this legislation. Said there has not been an environmental impact study. Hogan said he had conversations with two haulers that are in Gahanna and those two have dumpsters; said it would cost $ 2-4 M for just those two haulers. Noting Solove's development, said if he digs up asphalt to put in trees you have environmental impact. Questioning the situation with schools, felt the law must be enforced equally. Said in the over 100 photographs he took, not in one case was the area under the dumpster other than the rest of the parking lot. Said the weight of dumpsters 820# empty said they are delivered empty, is picked up, and returned to the asphalt empty. Said the truck picking it up weighs 8000 tons. Hogan said we are not enforcing the current law on the books; questioned what makes us think you could enforce a more stringent law; for years and years have not bothered. Reminding of the health, safety, and welfare; questioned the difference between garbage on a playground, or behind a building, or on dirt where kids play, or behind a business. Mayor said regardless of whether or not this is passed, will continue applicable procedures; said we have focused on Royal Plaza; goal has been not to cite, but to work with people. Asked Hogan to share the photos with the Administration

Angelou questioned paragraph 2 regarding landscaping required; agreed it does beautify. White noted suggesting the word "encouraging;" this did not get majority agreement out of the committee. Payne read from paragraph 3 of the original legislation. Kneeland asked if a variance can be requested. White responded does not say it is prohibited. Kelley questioned health safety and welfare if parks and schools are not in conformance. Mayor said under the present law we have to do that.; in terms of cost questioned whether is could be done with in house staff.

AMENDMENT:
Middle of paragraph 1167.18 (c) (c) (2):
"THE USE OF landscaping IN ADDITION TO THE STRUCTURE SHALL BE ENCOURAGED"

Discussion: Kneeland reminded of his move to postpone because of the financial burden to businesses; questioned if we need to do this again. Payne asked that if in committee to discuss when everyone can be present. Kelley feels there is a sensitive time limit--a lot of issues tonight. Angelou agreed we need to be in compliance. Hogan reminded we are charged with health, safety, and welfare--not aesthetics; said no other community requires 4-sided screening; said that extra side makes a big difference with the trash hauler.

A motion was made by President of Council Angelou, seconded by Council Member Kneeland, that this matter be Amended. The motion carried by the following vote:

Yes	**5**	President of Council Angelou, Vice President Kelley, Council Member Kneeland, Council Member Stinchcomb and Council Member Payne
No	**1**	Council Member Hogan

Absent **1** Council Member James-Arnold

AMENDMENT:
"TO POSTPONE FOR TWO WEEKS AND PUT BACK IN COMMITTEE OF THE WHOLE."

Kneeland asked that if members cannot be present to please get their written comments to the office. Stinchcomb said she feels we need to vote; should be in compliance. Hogan said he does not see problem with dumpsters at the schools.

A motion was made by Council Member Kneeland, seconded by Vice President Kelley, that this matter be Postponed to Date Certain. The motion failed by the following vote:

No **3** Council Member Hogan, Council Member Stinchcomb and Council Member Payne

Absent **1** Council Member James-Arnold

Yes **3** President of Council Angelou, Vice President Kelley and Council Member Kneeland

AMENDMENT:
1167.18(C) (2), Last line:
"CONCRETE 'OR ASPHALT' PADS AND APPROACHES TO SUCH TRASN CONTAINERS AND/OR RECEPTICLES MUST REMAIN IN GOOD REPAIR."

Amended

AMENDMENT:
1167.18(C)(3) (green copy):
"WHEN OWNERSHIP OF THE PROPERTY HAS BEEN TRANSFERRED, OR BY SEPTEMBER 2, 2003."

A motion was made by Council Member Stinchcomb, seconded by Vice President Kelley, that this matter be Amended. The motion failed by the following vote:

Yes **0**

No **6** President of Council Angelou, Vice President Kelley, Council Member Hogan, Council Member Kneeland, Council Member Stinchcomb and Council Member Payne

Absent **1** Council Member James-Arnold

AMENDMENT:
1167.18(C)(3) (green copy):
"WHEN OWNERSHIP OF THE PROPERTY HAS BEEN TRANSFERRED, OR BY SEPTEMBER 2, 2001."

A motion was made by Council Member Stinchcomb, seconded by Council Member Payne, that this matter be Amended. The motion carried by the following vote:

Yes **6** President of Council Angelou, Vice President Kelley, Council Member Hogan, Council Member Kneeland, Council Member Stinchcomb and Council Member Payne

Absent **1** Council Member James-Arnold

AMENDMENT:
1167.18(C)(1), middle of paragraph 1:
"ANY WALLS SO EMPLOYED SHALL BE CONSTRUCTED WITH THE SAME MATERIAL AND/OR COMPATIBLE TO MATERIALS AS THE MAIN STRUCTURE

AS DETERMINED BY THE DESIGN AUTHORITY."

A motion was made by Council Member Hogan, seconded by Vice President Kelley, that this matter be Amended. The motion carried by the following vote:

Yes	**6**	President of Council Angelou, Vice President Kelley, Council Member Hogan, Council Member Kneeland, Council Member Stinchcomb and Council Member Payne
Absent	**1**	Council Member James-Arnold

Hogan questioned if the City will have to comply. Mayor felt all parks and City dumpsters should be brought up to standards--if not this year,within 3 years.

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

Absent	**1**	Council Member James-Arnold
Yes	**6**	President of Council Angelou, Vice President Kelley, Council Member Hogan, Council Member Kneeland, Council Member Stinchcomb and Council Member Payne

980276

TO AMEND SECTION 1171.04(A)(1), FENCE STANDARDS, OF CHAPTER 1171, FENCES, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA.

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

Yes	**6**	President of Council Angelou, Vice President Kelley, Council Member Hogan, Council Member Kneeland, Council Member Stinchcomb and Council Member Payne
Absent	**1**	Council Member James-Arnold

980294

TO ACCEPT WATER LINE, STREET AND STORM SEWER, IMPROVEMENT NO. 683; AND APPURTENANCES THERETO; IN THE BEECHER ROAD EXTENSION

POSTPONE to September 21 in order that the punch list can be completed.

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:

Yes	**6**	President of Council Angelou, Vice President Kelley, Council Member Hogan, Council Member Kneeland, Council Member Stinchcomb and Council Member Payne
Absent	**1**	Council Member James-Arnold

980343

TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH AMERITECH NEW MEDIA, INC., TO PERMIT AMERITECH NEW MEDIA, INC., TO OPERATE A CABLE TELEVISION SYSTEM IN THE CITY OF GAHANNA; TO REPEAL ORDINANCE NO. 980085

AMENDMENT: Page 15, Paragraph, XIX,G:

G. Provider, within thirty (30) days after receipt from City of invoice, shall reimburse the City for its administrative, consulting and legal expenses incurred in connection with the Franchise process, a one-time payment in the amount of twenty-five thousand dollars ($25,000).

A motion was made by Council Member Payne, seconded by Council Member Stinchcomb, that this matter be Amended. The motion carried by the following vote:

Abstain, COI	**1**	Council Member Kneeland
Absent	**1**	Council Member James-Arnold
Yes	**5**	President of Council Angelou, Vice President Kelley, Council Member Hogan, Council Member Stinchcomb and Council Member Payne

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

Yes	**5**	President of Council Angelou, Vice President Kelley, Council Member Hogan, Council Member Stinchcomb and Council Member Payne
Abstain, COI	**1**	Council Member Kneeland
Absent	**1**	Council Member James-Arnold

J. REPRESENTATIVES

Community Improvement Corporation (CIC) - Kneeland

September 16, Heartland Bank, 7:30 a.m.

Mid-Ohio Regional Planning Commission (MORPC) - Payne

Bd./Ed., Gahanna-Jefferson Public Schools

Stinchcomb is next representative on Thursday evening.

Gahanna/Jefferson Joint Committee - Kelley

Kelley will call. Spanovich said township was to host the next event.

K. OFFICIAL REPORTS

Mayor

City Attorney

L. COUNCIL COMMENT

Hogan offered congratulations to recipients of Kiwanis gifts. Payne thanked everyone involved for the polo event. Kelley thanked all members of Council for the many calls; said his son came through the surgery. Angelou said the gala was out of this world; the polo event was wonderful; Development is to be congratulated; was obviously a lot of hard work to get developers and businesses in Gahanna; saw a good group of people and they were having a very good time. Bunnie, her committee, and Raleigh made it a special event this year. Would like to know how much money was raised. Labor day weekend is still a bad weekend. Thanked Jim Manuel for all his work on the Ameritech contract.

M. EXECUTIVE SESSION - To discuss personnel negotiations.

A motion was made by Vice President Kelley, seconded by Council Member Payne, TO GO INTO EXECUTIVE SESSION UNDER AUTHORITY OF ARTICLE 5.40(D) OF THE COUNCIL RULES OF PROCEDURE TO DISCUSS PERSONNEL NEGOTIATIONS. The

motion carried by the following vote:

Yes	**6**	President of Council Angelou, Vice President Kelley, Council Member Hogan, Council Member Kneeland, Council Member Stinchcomb and Council Member Payne
Absent	**1**	Council Member James-Arnold

9:30 p.m. - Council rose to report to Executive Session.

10:59 p.m. - Council rose to report from Executive Session.

N. ADJOURNMENT - 11:01 p.m.

A motion was made by Council Member Payne, seconded by Council Member Kneeland, to Adjourn. The motion carried unanimously.

End of Agenda

Isobel L. Sherwood, MMC
Clerk of Council

APPROVED by the City Council, this
day of 2012.

Chair Signature