

City of Gahanna

*200 South Hamilton Road
Gahanna, Ohio 43230*



Meeting Minutes

Monday, February 4, 2002

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, February 4, 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 7:30 p.m. The invocation was given by Dr. Eddie Estep, Senior Pastor, Shepherd Church of the Nazarene, followed by the Pledge of Allegiance led by Director of Public Service Roland Hall. Agenda for this meeting was published on February 1, 2002.

Members Absent: John McAlister

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

B. ADDITIONS OR CORRECTIONS TO THE AGENDA:.

MOTION by Angelou, seconded by Payne, to amend MR-0003-2002 to add Lee Rosenthal for a one year term as a 5th member to the Cable Advisory Board. ROLL CALL: Voting yes: Angelou, Payne, O'Brien, Thom, Hogan, Kelley. Motion carried.

C. HEARING OF VISITORS: None.**D. INTRODUCTIONS AND ASSIGNMENT TO COMMITTEE:****Ordinances - To Be Introduced and Assigned to Committee**

Introduced, by title, by Hogan.

ORD-0029-2002

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH TRICAR LTD., TO PERFORM SOIL AND GROUND WATER SAMPLING, AND DEVELOP BUSTR TIER 1 REPORT FOR THE CLOSING OF THE OKLAHOMA AVENUE FUEL TANK SITE; TO WAIVE THE BID PROCESS; AND TO DECLARE AN EMERGENCY.

Introduced

ORD-0030-2002

TO AUTHORIZE THE MAYOR TO ENTER INTO AMENDMENT TO CONTRACT WITH EVANS, MECHWART, HAMBLETON & TILTON, INC., FOR A PORTION OF THE DESIGN OF THE TECH CENTER DRIVE EXTENSION FOR ROADWAY ACROSS THE BUCKLES PROPERTY, IMPROVEMENT NOS. 762, 770 AND 771; AND TO DECLARE AN EMERGENCY.

Introduced

ORD-0031-2002

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH BURGESS & NIPLE, LIMITED, FOR ENGINEERING SERVICES FOR THE COLLEGE PARK/HERITAGE SUBDIVISIONS REMEDIATION PROGRAM; IMPROVEMENT NO. 781; AND TO DECLARE AN EMERGENCY.

Introduced

ORD-0032-2002

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH NOVINITY, INC. MARKETING COMMUNICATIONS, FOR THE DESIGN AND PRODUCTION OF MARKETING BROCHURES FOR THE DEPARTMENT OF DEVELOPMENT AND TO DECLARE AN EMERGENCY.

Introduced

ORD-0033-2002

TO AUTHORIZE THE CITY ATTORNEY TO PETITION THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, OHIO, TO ANNEX

CERTAIN 2.623+/- ACRES FROM JEFFERSON TOWNSHIP KNOWN AS 4491 EAST JOHNSTOWN ROAD; AND TO DECLARE AN EMERGENCY.

Introduced, to Development Committee

ORD-0034-2002

AN ORDINANCE TO SET FORTH A STATEMENT OF MUNICIPAL SERVICES TO BE PROVIDED TO THE AREA CONTAINED IN THE PROPOSED ANNEXATION OF 3.01+/- ACRES FROM JEFFERSON TOWNSHIP TO THE CITY OF GAHANNA; REQUESTED BY RONALD E. ALBRIGHT, AGENT FOR PETITIONERS; AND TO DECLARE AN EMERGENCY.

Introduced

ORD-0035-2002

TO AUTHORIZE THE MAYOR TO ENTER INTO LPA PROCESS AND PROJECT AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION, FOR FRA-US62-26.34, PID NUMBER 22374, ALSO KNOWN AS THE MORSE ROAD US 62 INTERSECTION, IMPROVEMENT NO. 753; AND TO DECLARE AN EMERGENCY.

Introduced

ORD-0036-2002

TO REZONE 13+/- ACRES AS ROD/SF-3; CURRENTLY ZONED SF-3; FOR PROPERTIES LOCATED ON THE WEST SIDE OF OLDE RIDENOUR ROAD; CANINI & PELLECCIA, INC., BY LARRY CANINI

Introduced, to Development 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.

Ordinance: Introduce, Waive Second Reading , Adopt as Emergency

ORD-0028-2002

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH SECURITY TECHNOLOGY & DESIGN SERVICES, INC., FOR RISK ASSESSMENT, PREPARATION OF BID DOCUMENTS, VENDOR SELECTION ASSISTANCE AND SUPERVISION OF SECURITY DEVICE INSTALLATION; TO WAIVE THE BID PROCESS; TO WAIVE SECOND READING; 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-0009-2002

SUPPLEMENTAL APPROPRIATION - No On State Control Of Property Rights

This Matter was Adopted on the Consent Agenda.

ORD-0011-2002

TO AMEND CHAPTER 1135, DISTRICTS AND ZONING MAP, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

This Matter was Adopted on the Consent Agenda.

ORD-0012-2002

TO AMEND SECTION 1136.04, CONDITIONAL USES, OF CHAPTER 1136, ER-1 ESTATE RESIDENTIAL DISTRICTS OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

This Matter was Adopted on the Consent Agenda.

ORD-0013-2002

TO AMEND SECTION 1137.04, CONDITIONAL USES, OF CHAPTER 1137, ER-2 ESTATE RESIDENTIAL DISTRICTS OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

This Matter was Adopted on the Consent Agenda.

ORD-0014-2002

TO AMEND SECTION 1139.04, CONDITIONAL USES, OF CHAPTER 1139, SF-1 RESIDENTIAL DISTRICTS OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

This Matter was Adopted on the Consent Agenda.

ORD-0015-2002

TO AMEND SECTION 1141.04, CONDITIONAL USES, OF CHAPTER 1141, SF-2 RESIDENTIAL DISTRICTS OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

This Matter was Adopted on the Consent Agenda.

ORD-0016-2002

TO AMEND SECTION 1143.04, CONDITIONAL USES, OF CHAPTER 1143, SF-3 RESIDENTIAL DISTRICTS OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

This Matter was Adopted on the Consent Agenda.

ORD-0017-2002

TO AMEND SECTION 1145.02, CONDITIONAL USES, OF CHAPTER 1145, R-4 RESIDENCE DISTRICTS OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

This Matter was Adopted on the Consent Agenda.

ORD-0018-2002

TO AMEND SECTION 1147.04, CONDITIONAL USES, OF CHAPTER 1147, MR-1 RESIDENCE DISTRICTS OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

This Matter was Adopted on the Consent Agenda.

ORD-0019-2002

TO AMEND SECTIONS 1150.03, DOWNTOWN SINGLE FAMILY; 1150.04, DOWNTOWN MULTI-FAMILY OR DOWNTOWN SUBURBAN OFFICE; 1150.05, GENERAL DOWNTOWN COMMERCIAL; 1150.06, DOWNTOWN CREEKSIDE OF CHAPTER 1150, OLDE GAHANNA DOWNTOWN DISTRICT OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

This Matter was Adopted on the Consent Agenda.

ORD-0020-2002

TO AMEND SECTION 1151.03, CONDITIONAL USES, OF CHAPTER 1151, PLANNED DISTRICTS OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

This Matter was Adopted on the Consent Agenda.

ORD-0021-2002

TO AMEND SECTION 1153.01, SO SUBURBAN OFFICE AND INSTITUTIONAL DISTRICT OF CHAPTER 1153, GENERAL COMMERCIAL DISTRICTS OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

This Matter was Adopted on the Consent Agenda.

ORD-0022-2002

TO CREATE THE FULL-TIME UNCLASSIFIED POSITION OF CLERK TO THE DIRECTOR OF PUBLIC SAFETY; TO PROVIDE COMPENSATION THEREFOR

This Matter was Adopted on the Consent Agenda.

ORD-0023-2002

TO AMEND CONTRACT WITH M E COMPANIES; TO ALLOW AN INCREASED SCOPE OF SERVICES UNDER CONTRACT AUTHORIZED BY ORD-0214-2001; TO SET A LIMIT OF \$100,000 ON THIS INCREASED SCOPE; AND TO DECLARE AN EMERGENCY

This Matter was Adopted on the Consent Agenda.

ORD-0024-2002

TO ACCEPT SANITARY SEWER, IMPROVEMENT NO. 740; AND APPURTENANCES THERETO, THE TRIANGLE WEST SANITARY SEWER, AND TO DECLARE AN EMERGENCY.

This Matter was Adopted on the Consent Agenda.

ORD-0025-2002

TO ACCEPT SANITARY SEWER, IMPROVEMENT NO. 763, AND APPURTENANCES THERETO, THE SHAGBARK SANITARY SEWER; AND TO DECLARE AN EMERGENCY

This Matter was Adopted on the Consent Agenda.

ORD-0026-2002

TO ACCEPT SANITARY SEWER, IMPROVEMENT NO. 790, AND APPURTENANCES THERETO, THE CAMERON RIDGE SANITARY SEWER; AND TO DECLARE AN EMERGENCY

This Matter was Adopted on the Consent Agenda.

ORD-0027-2002

TO AMEND THE CONTRACT WITH MOODY NOLAN LTD INC., FOR THE MORSE ROAD/US 62 INTERSECTION ENGINEERING SERVICES, IMPROVEMENT NO. 753; AND TO DECLARE AN EMERGENCY.

This Matter was Adopted on the Consent Agenda.

Ordinance - To Amend by Substitution and Adopt**ORD-0010-2002**

TO ENACT CHAPTER 1154, RESTRICTED INSTITUTIONAL DISTRICT, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

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

Resolutions to Adopt on First Reading**RES-0009-2002**

RESOLUTION TO HONOR AND COMMEND THE GAHANNA JUNIOR LIONS FOOTBALL TEAM.

This Matter was Adopted on the Consent Agenda.

Motion Resolution**MR-0003-2002**

Motion Resolution that Council appoints the following people to terms on the Cable Advisory Board: John Dobbie, 3 years; Richard Thomas, 3 years; Joseph Gatesman, 2 years; Pat Watkins, 2 years; and Lee Rosenthal, 1 year.

This Matter was Approved on the Consent Agenda.

MR-0004-2002

Motion Resolution that City Council hereby adopts the Council Rules of Procedure dated February 4, 2002.

This Matter was Approved on the Consent Agenda.

MR-0005-2002

Motion Resolution to authorize TTG to develop a bid package for a new phone system and to authorize the Director of Public Service to go out for bids upon completion of the bid package.

This Matter was Approved on the Consent Agenda.

MR-0006-2002

Motion Resolution to authorize the use of funds appropriated for a parts person in the 2002 appropriations for a Mechanic I position.

This Matter was Approved on the Consent Agenda.

MR-0007-2002

Motion Resolution that Council has no objections to the New C2 Liquor Permit for Equilon Enterprises, LLC, 4733 Morse Road & Gas Pumps.

This Matter was Approved on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Council Member Angelou, seconded by Vice President of Council Kelley, including all the preceding items marked as having been adopted on the Consent Agenda. 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 Vice President of Council Kelley
Absent	1	McAlister

End of the Consent Agenda

F. PUBLIC HEARINGS:

President stated public Hearing Rules that would apply to all public hearings this evening.

Z-0005-2001

To consider a zoning change application to rezone 13+/- acres currently zoned SF-3; for properties located on the west side of Olde Ridenour Road; requested zoning of ROD/SF-3; Canini & Pellecchia, Inc. by Larry Canini, applicant.

President opened Public Hearing at 7:35 p.m.

Larry Canini, Canini & Pellecchia, stated that this is a somewhat difficult site that neighbors a park area; was presented to Planning Commission several times and is in front of you for a second time; in December we requested you sent this back to Planning Commission so we could iron out some changes due to engineering concerns; have done that and what is presented to you tonight has been through the Development Department and zoning staff as well as Planning Commission; feel we have come up with a good plan that continues to protect the scenic setbacks of Ridenour Road and yet improves Ridenour Road and bike path area which is somewhat not so well connected on the west side of Ridenour; in working with engineering feel you can see that this will be a much improved and needed upgrade; feel it is a nice mix of residential use which steps up as it progresses north on Ridenour Road.

President asked for opponents. There were none.

President closed Public Hearing at 7:38 p.m. and stated this item would be discussed in Development Committee on February 11, 2002.

Heard in Public Hearing

G. STANDING COMMITTEES:

Communications & Technology Committee - McAlister: No Report.

Development Committee - Thom: No report.

Service Committee - Hogan: No Report.

Safety Committee - Angelou: No Report.

Committee of the Whole - Kelley: No Report.

Finance - Payne: No Report.

H. CORRESPONDENCE AND ACTIONS:

Clerk - Legal:

Z-0001-2002 To consider an initial zoning for 1.3+/- acres located at 5866 Taylor Road; ER-2 zoning pursuant to Section 1133.08 of the Codified Ordinances; Joseph Patterson, landowner by City of Gahanna, applicant.

President set Public Hearing for March 18, 2002.

Scheduled for Public Hearing

2002-0003 Notice to Legislative Authority of New C2 Liquor Permit for Equilon Enterprises, LLC, 4733 Morse Road & Gas Pumps. Last day for objection is 2/22/2002.

Received and Filed

2002-0004 Notification from Dept. of Liquor Control of Transfer of C1 and C2 Liquor Permit for Drug Emporium, Inc., dba Drug Emporium #7032. Refer to Safety Committee.

Assigned to Safety Committee

Council: None.

I. SECOND READING OF ORDINANCES: None.

J. FIRST READING OF ORDINANCES:

ORD-0037-2002

TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH LEE AND ASSOCIATES, FOR GRANT ASSISTANCE SERVICE; AND TO DECLARE AN EMERGENCY.

Angelou stated that in looking at the contract, we are paying \$7,000 which is payable within 10 days of signing; then in number 4 on the contract it states there is an additional payment of anywhere from 1.2% to 5% of any grant received; was under the impression that the \$7,000 was the total cost. Stinchcomb stated the additional legislation for the other grant is not an up front cost and may get anywhere from 5% to 10% of the grant which may be written into the grant; was felt by General Williams and Dave Mazeau that it would be wise to have two grant specialists; each have a different area of expertise; Mustard of Kimball and Associates works on foundation and private grants and Lee & Associates will be looking at the emergency communications part of the homeland security grants; didn't want to miss any possible monies we may be able to obtain. Angelou stated she didn't recall the fact that Lee & Associates would get more money; thought \$7,000 for Lee & Assoc. was a flat \$7,000; don't believe that was how it was explained.

Kelley stated he felt we needed to pursue everything we could get but perception was

that it was a flat \$7,000. Thom agreed and stated that the other legislation was a winwin situation; if no grants, then there was no cost.

Angelou stated she thought Kimball was for homeland security and Lee was for foundations and private grants; do need to move ahead but thought the \$7,000 was the only cost involved; would have been nice to know ahead of time on this. Hogan agreed that General Williams explained that it was one flat fee and no percentage; did catch me by surprise; was explained as a flat fee up front; one gentlemen that is doing strictly for fee if a grant is awarded was up to a maximum of 5%. Stinchcomb stated she could not verify that at this time; we have no contract yet; we are not asking for a waiver on that one; was aware that Lee & Associates would get .5% to 5% with no less than \$800; if not worth the cost we would not have to accept a smaller grant and pay the \$800 fee. In response to question from Hogan, Stinchcomb stated that waiver was asked for as they felt the sooner the better on the homeland security monies. Kelley stated he believed grants will be more than that and will grant writer will pay for themselves; feel it is important that we move forward with this tonight. O'Brien stated it had been said that monies will be available under homeland security before the end of March. Stinchcomb stated there is a March deadline for one of the earlier grants. Angelou stated that she and Kelley had spoken with Mazeau today and Lee & Assoc. was a more traditional type of grant with James Mustard having a relationship with Tom Ridge and he will be going after the homeland securities funds; just pointing out that we thought we were hiring someone for \$7,000 but we are not; we are paying \$7,000 plus a portion of the grant; would be nice to have all the information before passing the legislation.

O'Brien asked Weber if the legislation should contain a reference to the contract as Exhibit A. Weber stated that it should since it spells out in more detail the exact terms

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	6	Council Member Thom, President of Council O'Brien, Council Member Angelou, Council Member Payne, Council Member Hogan and Vice President of Council Kelley
Absent	1	McAlister

A motion was made by Council Member Payne, seconded by Council Member Thom, to amend to add "as outlined in Exhibit A attached hereto". 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 Vice President of Council Kelley
Absent	1	McAlister

A motion was made by Council Member Payne, seconded by Vice President of Council Kelley, that this matter be Adopted, as Amended, 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 Vice President of Council Kelley
Absent	1	McAlister

ORD-0038-2002

TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH JAMES R. MUSTARD, SUBCONTRACTOR FOR L. ROBERT KIMBALL & ASSOCIATES, TO

PERFORM GRANT RESEARCH AND WRITING SERVICES FOR THE DISPATCHING OPERATIONS; AND TO DECLARE AN EMERGENCY.

Introduced, by title, by Kelley. In response to question from O'Brien, Stinchcomb stated they hope to have a contract later this week; would concur with a special meeting next Monday if that is Council's desire to pass this legislation. Kelley stated that he would be willing to have a special meeting if we have a copy of the contract. O'Brien stated that a special meeting will be held at 6:55 p.m. on Monday, February 11 if a copy of the contract for this legislation is available; special meeting is contingent upon receipt of the contract.

Introduced

K. REPRESENTATIVES:

Community Improvement Corporation (CIC) - Kelley

Kelley stated next meeting is Tuesday, February 19 at 8:00 am at Heartland.

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

Bd./Ed., Gahanna-Jefferson Public Schools - Rotating Schedule

O'Brien stated he will be at School Board next week in place of Angelou who stated she will be unable to attend as that is the same night as CVB..

Gahanna/Jefferson Joint Committee - Hogan and Thom:

Thom stated the committee met last Wednesday; had representatives from School Board, City and Mifflin Township; Jefferson Township did not send anyone this time; Gen. Williams was elected chairman for this year; during that meeting primarily discussed security matters that involved city, township and schools; introduced our new web site to them ; next meeting is set for Monday, April 29th. Hogan stated it was a good meeting; adding a standing item to the agenda called partnership requests; any entities that have something come up in between meetings that needs discussed should be brought up at that time; think this committee will work well this year.

L. OFFICIAL REPORTS:

Mayor:

Stinchcomb congratulated Isler and his wife on their 35th wedding anniversary today.

City Attorney: No Report.

M. COUNCIL COMMENT: None.

N. ADJOURNMENT: 8:00 p.m. - Motion by Payne.

End of Agenda

Isobel L. Sherwood, MMC
Clerk of Council

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

Chair Signature