

City of Gahanna

*200 South Hamilton Road
Gahanna, Ohio 43230*



Meeting Minutes

Monday, August 16, 2010

Council May Meet in Caucus Beginning at 7:00 p.m.

7:30 PM

City Hall

City Council

Thomas R. Kneeland, President

Shane Ewald, Vice President

Beryl D. Anderson

Brian D. Larick

John R. McAlister

Nancy McGregor

David L. Samuel

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

Gahanna City Council met in Regular Session on Monday August 16, 2010, at Gahanna City Hall, in Council Chambers, 200 South Hamilton Road. President Thomas R. Kneeland called the meeting to order at 7:30 p.m. Invocation was given by Council Member Shane Ewald followed by the Pledge of Allegiance. Agenda for this meeting was published on August 13, 2010.

Members Absent: Brian Larick

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

B. ADDITIONS OR CORRECTIONS TO THE AGENDA.**C. HEARING OF VISITORS.**

Scott Mounts, School Board Representative, said I would like to take this opportunity to thank the City for taking away my tree; had a tree blow over on my tree lawn; was impressed how quickly it disappeared. I have some good news to offer tonight in regard to our school district; the Ohio Department of Education rating for our school this year will be excellent; that is a significant achievement for our district and we are very proud of that; that coupled with the fact that we have the third lowest tax rate in Franklin County; this makes our schools and our community even more attractive; great for the community. We also received a grant of more than \$1 million to fund our Mandarin Chinese program, so that will be spread out over the next 5 years, which will allow us to expand and improve on that program. Our technology infrastructure in the district has been limping along on its last leg for a while and we have not been able to expand; mainly because of the Clark Hall project Cisco Systems has been very interested, and in their words, will work to make this project a national show place; they have agreed to discount an upgrade of our technology infrastructure by nearly 70%, saving the district about \$5 million and that will significantly expand our technology infrastructure not only for the high school but K - 12; this will affect every school in the district. I included in your handouts tonight this newsletter from our Treasurer which gives a breakdown of where our revenue and expenses occur; particularly interesting is the daily cost of educating a pupil in Gahanna; it is \$62; when you break that down on an hourly basis that is about \$10 an hour and that seems like a good deal to me. Clark Hall is moving along on schedule.

Becky Thorne, 761 Autumn Ash Court, said the number of cell phone subscribers in the United States has increased over the past ten years from 110 million to 285 million. Worldwide, there are over 3 billion cell phone users. Cell phones emit a form of low frequency radiation called non-ionizing. The emissions are measured as the specific absorption rate (SAR), which is "the amount of radio frequency energy absorbed by the body when using a wireless phone". Levels range from 0.3 to 1.6, the currently identified legal limit. Some of the 2010 cell phones that are highly recommended for features and performance are actually pushing the limit for radiation safety set by the Federal Communications Commission (FCC). Research on the safety of cell phone use on the health of consumers has been inconclusive. Early research based on "heavy cell phone use" was 2 hours a month. This is clearly higher today. Widespread use of cell phones in the United States did not take off until the 1990s. Many health effects i.e. cancer/tumors take 10 to 15 years to be recognized. Other associated risks include higher rates of miscarriage, testicular cancer, low sperm counts, poor sperm quality, Lou Gehrig's disease, and childhood leukemia. Past research has very little studies involving children. The National Radiological Protection Board states that "children

might be more vulnerable to any effects arising from the use of mobile phones because of their developing nervous system, thinner skulls and longer lifetime of exposure". A study in 2008 revealed that children who were exposed prenatally and postnatally to cell phone use were 80% more likely to have behavioral problems. Another study of 13,000 children showed that using a cell phone hand set just 2 or 3 times a day was enough to increase the risk of hyperactivity and difficulties with conduct, emotions and relationships by the time they reached school age. You would struggle to find an SAR rating on your current cell phone or at a retailer when purchasing a new cell phone. The Federal Communications Commission web site lists the SAR levels for all current cell phones but you won't find this rating on the cell phone site itself. Testing for the SAR ratings are performed under optimal conditions. Weaker signals elicit higher radiation emissions, as does use within a car, due to all the metal you are surrounded by. In June, San Francisco passed an ordinance requiring retailers to post the maximum amount of radiation that a cell phone emits near each model. The wireless phone industry said that this disclosure law would unnecessarily frighten consumers. They have also vowed to not hold another convention in San Francisco. If cell phones were completely safe, why would the cell phone companies resist sharing this information with consumers? Also in June, Congressman Dennis Kucinich announced his intent to introduce a bill to create a new national research program to study cell phones and health; this bill will also require an update of the decades-old SAR ratings and grant a consumer's right-to-know by providing warning labels on cell phones with radiation exposure levels. This will allow consumers to decide for themselves what level of risk they are willing to accept. Education is needed to help consumers understand the radiation emission numbers as well as cell phone use safety. People should be urged to not carry their cell phones near sensitive areas unless they are turned off, to use headsets or speakers for voice call, to replace voice calls with text messages and not to make a call if the signal is weak. I am asking for your support in Congressman Kucinich's initiative and to look at providing education to students in the classrooms about safe cell phone use. I feel with the increased health risk for children and the increased use of cell phones among children of all ages, that this is an important initiative for the future health of our children. I would welcome any suggestions or comments regarding this issue. Thank you for your time.

D. INTRODUCTIONS AND ASSIGNMENT TO COMMITTEE:

Ordinances introduced, by title, by Samuel.

ORD-0146-2010

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH SOUND COMMUNICATIONS FOR PURCHASE OF A NETWORK DIGITAL VIDEO RECORDER, MAINTENANCE AND RELATED HARDWARE AND SOFTWARE FOR THE DIVISION OF POLICE; TO BE PURCHASED FROM THE STATE CONTRACT NO. 7784600708; AND TO SUPPLEMENTALLY APPROPRIATE \$83,000.

Introduced

ORD-0147-2010

TO ACCEPT QUIT CLAIM DEED FROM ANDRE M. BUCKLES FOR 7.488 ACRES FOR RIGHT OF WAY NEEDED FOR THE TECHCENTER DRIVE WEST PROJECT.

Introduced

ORD-0148-2010

TO ENACT CODE CHAPTER 914, TREE REPLACEMENT, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA.

Introduced

E. CONSENT AGENDA:

Minutes - To Approve:

2010-0042

To approve the following set of Minutes:

1) August 2, Regular Meeting Minutes

This Matter was Approved and Filed on the Consent Agenda.**Ordinance: Introduce, Waive Second Reading, Adopt as Emergency:****ORD-0144-2010**

TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO AWARD AND THE MAYOR TO ENTER INTO CONTRACT WITH UNDERGROUND UTILITIES, INC., FOR WESTSIDE SEWER IMPROVEMENTS PHASE 1 AND PHASE 2; IMPROVEMENT NOS. ST-937 AND ST-944; AND TO DECLARE AN EMERGENCY.

This Matter was Introduced, Second Reading Waived, and Adopted as an Emergency on the Consent Agenda.**ORD-0145-2010**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH W.E. STILSON CONSULTING GROUP FOR CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES FOR WESTSIDE SEWER IMPROVEMENTS PHASE 1 AND PHASE 2; IMPROVEMENT NOS. ST-937 AND ST-944; 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-0138-2010**

TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO AWARD AND THE MAYOR TO ENTER INTO CONTRACT WITH TA TA EXCAVATING, INC., FOR THE SHULL AVENUE/CARPENTER ROAD WATERLINE IMPROVEMENT PROJECT; IMPROVEMENT NO. ST951; TO SUPPLEMENTALLY APPROPRIATE \$36,177; AND TO DECLARE AN EMERGENCY.

This Matter was Adopted as an Emergency on the Consent Agenda.**ORD-0141-2010**

TO AUTHORIZE THE MAYOR TO REQUEST FROM THE OHIO DEPARTMENT OF NATURAL RESOURCES THAT THE ARTICLES OF DECLARATION FOR THE STATE NATURE PRESERVE BE AMENDED TO INCLUDE AN ADDITIONAL 3.693 ACRES OWNED BY THE CITY OF GAHANNA

This Matter was Adopted on the Consent Agenda.**Ordinance - To Amend by Substitution and Adopt, As Emergency****ORD-0142-2010**

TO CREATE THE FULL-TIME UNCLASSIFIED POSITION OF SENIOR MANAGER OF TECHNOLOGY; TO ESTABLISH DUTIES AND RESPONSIBILITIES; AND TO DECLARE AN EMERGENCY.

This Matter was Amended by Substitution, Adopted, As Emergency on the Consent Agenda.**ORD-0143-2010**

TO AMEND ORD-0002-2010, WHICH PROVIDES RATES OF PAY AND BENEFITS FOR UNCLASSIFIED PERSONNEL OF THE CITY OF GAHANNA FOR THE PERIOD JANUARY 1, 2010, THROUGH DECEMBER 31, 2010; TO ADD THE NEWLY CREATED POSITION OF SENIOR MANAGER OF TECHNOLOGY; TO TRANSFER FUNDS THEREFOR; AND TO DECLARE AN EMERGENCY.

This Matter was Amended by Substitution, Adopted, As Emergency on the Consent Agenda.**Postponed to Date Certain:**

ORD-0140-2010

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH ECONOMIC AND COMMUNITY DEVELOPMENT INSTITUTE TO ESTABLISH A DEVELOPMENT FUND; TO SUPPLEMENTALLY APPROPRIATE \$375,000

This Matter was Postponed to Date Certain to the Finance Committee on the Consent Agenda.

Statutory Resolutions on Second Reading:**SR-0003-2010**

A RESOLUTION TO DECLARE THE NECESSITY AND INTENT TO APPROPRIATE CERTAIN REAL ESTATE, CONSISTING OF 0.141 ACRE OF LAND, OWNED BY JACK A. AND SUE WILLIAMS, IN THE AREA EAST OF HAMILTON ROAD AND SOUTH OF MORSE ROAD; FOR SANITARY SEWER EASEMENT FOR THE TRIANGLE WEST SANITARY SEWER, IMPROVEMENT NO. 740.

This Matter was Adopted on the Consent Agenda.

Motion Resolution:**MR-0030-2010**

Motion Resolution that the City has no objection to the transfer of the D5I and D6 liquor permits from Creekside Entertainment Company, DBA Mezzo, 130 Creekside Plaza & Patio to Mezzo Restaurants Limited, DBA Mezzo Italian Kitchen & Wine, 130 Creekside Plaza & Patio, Gahanna, Ohio 43230.

This Matter was Approved on the Consent Agenda.

MR-0031-2010

Motion Resolution that the City objects to the transfer of the C1, C2 and D6, liquor permits from Buckeye Brew Thru, Inc., DBA Buckeye Brew Thru, to FPF LLC, DBA Big Daddy's Drive Thru, 1115 North Hamilton Road, Gahanna, Ohio 43230; and requests a hearing.

This Matter was Approved on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Samuel, seconded by Vice President of Council Ewald, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Absent 1 Larick

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

End of the Consent Agenda

F. PUBLIC HEARINGS: None.

G. STANDING COMMITTEES:

Development & Parks Committee - Anderson: No report.

Public Service & Safety Committee - McAlister: No Report.

Committee of the Whole - Ewald: No Report.

Finance - Samuel: No Report.

H. CORRESPONDENCE AND ACTIONS:

Clerk - Legal: None.

Council

Kneeland said Council did receive a letter from the FOP in regard to a "Letter to the Editor", which the clerk has made available to us.

I. SECOND READING OF ORDINANCES: None.

J. FIRST READING OF ORDINANCES: None.

K. MOTIONS/RESOLUTIONS: None.

Motion

L. REPRESENTATIVES:

Community Improvement Corporation (CIC) - Ewald/Kneeland.

Kneeland said CIC did met last week; the Blue Mile CIC project has been finished and signed so it will be moving forward in the near future.

Mid-Ohio Regional Planning Commission (MORPC) - McGregor: Nothing.

Bd. of Education, Gahanna-Jefferson Public Schools - Ewald.

Ewald said China just surpassed Japan in economic status into second position; training children to be fluent in Mandarin Chinese is really important; very happy the school system was able to obtain funding to continue the program.

Convention & Visitors Bureau (CVB) - Kneeland: Nothing.

M. OFFICIAL REPORTS:

Mayor

Mayor Stinchcomb said I would like to congratulate the schools on their excellent rating; that is a very important designation for our community. I also wanted to give a minute to Tony Collins about some grant news.

Collins said we will be bringing this to committee next week but we wanted to give you the heads up because ODNR released the information last week and it is starting to hit some publications; very proud to tell you that we received notification from ODNR last week that we are the recipients of two of the grants we requested to apply for in early March; the Clean Ohio Trail Fund and the Recreational Trail Fund for a total amount of \$439,000 which is an 80/20 match and we will be bringing it forward next week asking Council's permission to accept the grant and to appropriate funds; this is for the Big Walnut Trail sections 1 and 2.

City Attorney

Weber said I wanted to follow up on Ewald's comment about teaching Mandarin; I remember going to school board meetings when my daughter was in school and trying to get foreign languages in the elementary schools; want to add my note of praise for this; very progressive.

N. COUNCIL COMMENT

McAlister said the only comment I have is that I must have done something right in that editorial because the only complaint I got from anybody was from the FOP; the Buckeye Institute has run studies and they found that public employees, in general, are now earning more than the average taxpayer; and that was the point I was trying to make.

Anderson said kudos for the excellent rating to the school district and for all the hard work to move toward that goal; as we support our schools that also helps with selling of homes and the economy within the City; please pass that on to Mark White. I would also like to thank Mrs. Thorne for coming in and sharing that information; that has been a topic of discussion for some time; thank you for the update; I don't think most consumers realize the impact of radiation and the questions; thank you for your concern and courage to come and address Council.

Samuel said he would like to thank the Mayor and her departments for all the hard work they put into the 5 year budget plan; I would also like to recommend folks look at the September 2010 issue of CEO; there is a great article in there featuring the Ohio Small Business Development Centers and the start of businesses.

Ewald said congratulations to the Parks & Recreation Department on receiving the grants; I appreciate departments seeking out these alternative funding sources.

Kneeland said he would like to congratulate the school district on the Cisco partnership; will be a huge support factor because of the hundreds of thousands of dollars worth of hardware; that is going to allow things like the Mandarin Chinese to take place; also will be able to take on remote business learning opportunities and can have a huge impact on local businesses.

O. EXECUTIVE SESSION

A motion was made by Anderson, seconded by Samuel, to go into executive session under authority of Section 5.40(a) of the 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. The motion carried by the following vote:

Yes	6	President of Council Kneeland, Vice President of Council Ewald, McGregor, Anderson, McAlister and Samuel
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Absent	1	Larick
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Kneeland said Council will not be taking any action tonight.

Council rose to Executive Session at 7:53 p.m. Council rose from Executive Session at 8:49 p.m. with all members returning.

P. ADJOURNMENT: 8:50 p.m.; Motion by Kneeland.

Isobel L. Sherwood, MMC
Clerk of Council

APPROVED by the City Council, this
day of 2010.

Chair Signature