City of Gahanna

200 South Hamilton Road
Gahanna, Ohio 43230

Meeting Minutes

Tuesday, January 19, 1999

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

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 on Tuesday, January 19, 1999, in Council Chambers of City Hall, 200 South Hamilton Road, Gahanna, Ohio. President of Council Robert W. Kelley called the meeting to order at 7:30 p.m. with an Invocation delivered by Council Chaplain Debra A. Payne, followed by the Pledge of Allegiance.

ADDITIONS OR CORRECTIONS TO THE AGENDA

B. Council Minutes

A motion was made by Vice President of Council Payne, seconded by Council Member Stinchcomb, to remove December 21, 1998, and January 2, 1999, Minutes from the docket for approval. The motion carried by the following vote:

Yes **7** Vice President of Council Payne, Council Member Angelou, Council Member Hogan, Council Member James-Arnold, Council Member Kneeland, Council Member Stinchcomb and President of Council Kelley

Liquor Permit - Buffalo Wild Wings

A motion was made by Vice President of Council Payne, seconded by Council Member James-Arnold, to add Motion Resolution regarding approval of Liquor Permit transfer application. The motion carried by the following vote:

Yes **7** Vice President of Council Payne, Council Member Angelou, Council Member Hogan, Council Member James-Arnold, Council Member Kneeland, Council Member Stinchcomb and President of Council Kelley

HEARING OF VISITORS: School Board - Windy McKenna

Reported that on December three teachers were recognized for National Board Certification. Superintendent State of Schools address will be February 1, 7:00 p.m. Said she will continue to come to Council meetings. Recognition of grade point average of high school athletes of 2.89. Approved notes to begin construction at the school; hired Turner Construction. Held special meeting on December 30 to accept resignation of Treasurer Jerry Bucilla. Noted Penny Rucker is the interim treasurer; they are in process of reviewing applications.

Said on January 14 they elected Speed Dillon President of School Board and Beckie

Miller, Vice President. Will be meeting the 2nd Thursday except April, which will be the 3rd Thursday. They are going to try to start an alumni basis. Honored 3 coaches; approved Superintendent's contract; are starting alternative student program (funded by the Daimler Corporation). Angelou noted that Daimler was arranged prior to our current Development Director. McKenna felt Morris was working on that.

D. INTRODUCTIONS AND ASSIGNMENT TO COMMITTEE

Ordinances - To Be Introduced and Assigned to Committee

990009 TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH EVANS, MECHWART, HAMBLETON & TILTON, INC., FOR ENGINEERING FOR THE SOUTHEAST SANITARY SUBTRUNK SEWER, PHASE 2; TO SUPPLEMENTALY APPROPRIATE $57,500 THEREFOR; AND TO DECLARE AN EMERGENCY.

Referred to Consent Agenda (Duplicate)

990010 TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH CLYDE E. WILLIAMS & ASSOCIATES, INC., FOR ENGINEERING AND INSPECTION SERVICES FOR MORRISON AND WATERBURY INTERSECTION, IMPROVEMENT NO. 703.

Referred to Consent Agenda (Duplicate)

990012 TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH CLYDE E. WILLIAMS & ASSOCIATES, INC., FOR ENGINEERING TO REBUILD CLARK AVENUE AND OKLAHOMA AVENUE, IMPROVEMENT NO. 718

Referred to Consent Agenda (Duplicate)

990014 TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH THE GOLF CAR AND EQUIPMENT COMPANY FOR GOLF CAR RENTAL.

Referred to Consent Agenda (Duplicate)

990015 TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH JESS HOWARD ELECTRIC COMPANY FOR INSTALLATION OF LIGHTS AND LIGHTING MATERIALS AT ACADEMY PARK; TO SUPPLEMENTALLY APPROPRIATE $22,000 THEREFOR; AND TO WAIVE THE BIDDING PROCEDURES.

Referred to Consent Agenda (Duplicate)

990016 TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT OF SALE AND PURCHASE OF THE ARMENTROUT PROPERTY LOCATED AT 6000 TAYLOR ROAD; TO SUPPLEMENTALLY APPROPRIATE $149,900 THEREFOR; AND TO DECLARE AN EMERGENCY.

Assigned to Service Committee

990017 TO ACCEPT THE ANNEXATION OF 1.310+/- ACRES ON TAYLOR ROAD FROM JEFFERSON TOWNSHIP TO THE CITY OF GAHANNA, OHIO, REQUESTED BY JOSEPH E. PATTERSON, ET AL.

Referred to Development Committee

990018 TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH LAKE BUSINESS PRODUCTS INC. FOR THE PURCHASE OF A CANON CD4046.

Referred to Communications & Technology Committee

990019 TO ZONE 0.876 ACRES AS L-SO, LIMITED OVERLAY SUBURBAN OFFICE, FOR PROPERTY LOCATED AT 810 E. JOHNSTOWN ROAD; DEPARTMENT OF DEVELOPMENT, APPLICANT

Referred to Development Committee

990020 TO ACCEPT RIGHTS OF WAY ON JOHNSTOWN ROAD (U.S. ROUTE NO. 62) FROM WALTER H. WILKE, SR.

Referred to Consent Agenda (Duplicate)

990021 TO ACCEPT A DEED OF EASEMENT IN RATHBURN WOODS FROM GAHAHNA WOODS PARTNERSHIP TO BE USED FOR UTILITY EASEMENT.

Referred to Consent Agenda (Duplicate)

990022 TO ACCEPT A DEED OF EASEMENT IN RATHBURN WOODS FROM BELPER COMPANY TO BE USED FOR UTILITY EASEMENT.

Referred to Consent Agenda (Duplicate)

990023 TO ACCEPT A DEED OF EASEMENT IN VILLAGE SQUARE AT CHERRYBOTTOM (AND MORSE ROAD) FROM BLOCKS INVESTMENTS, INC., TO BE USED FOR UTILITY EASEMENT.

Referred to Consent Agenda (Duplicate)

990024 TO ACCEPT A DEED OF EASEMENT IN VILLAGE SQUARE AT CHERRYBOTTOM (AND MORSE ROAD) FROM BLOCKS INVESTMENTS, INC., TO BE USED FOR WATER LINE EASEMENT.

Referred to Consent Agenda (Duplicate)

990025 TO ACCEPT A DEED OF EASEMENT IN RETREAT AT HARRISON POND FROM CANINI AND PELLECHIA, INC., TO BE USED FOR SANITARY SEWER EASEMENT.

Referred to Consent Agenda (Duplicate)

E. CONSENT AGENDA

A motion was made by Council Member James-Arnold, seconded by Vice President of Council Payne, to Pass the Consent Agenda, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Yes **7** Vice President of Council Payne, Council Member Angelou, Council Member Hogan, Council Member James-Arnold, Council Member Kneeland, Council Member Stinchcomb and President of Council Kelley

Ordinances on Second Reading

990003 TO ZONE 9.5 ACRES, MORE OR LESS, AS ER-1, ESTATE RESIDENTIAL 1; FOR PROPERTY LOCATED AT 4443 AND 4451 EAST JOHNSTOWN ROAD; MARK D. HERMAN, ET AL, OWNER

This Matter was Adopted on the Consent Agenda.

990004 TO ZONE 1.1 ACRES, MORE OR LESS, AS ER-2, ESTATE RESIDENTIAL 2; FOR PROPERTY LOCATED AT MORSE AND HAMILTON ROADS; THE NEW ALBANY COMPANY, OWNER

This Matter was Adopted on the Consent Agenda.

Honorary Resolutions to Adopt on First Reading

990026 TO HONOR KAREN ROBINSON

This Matter was Adopted on the Consent Agenda.

Motion Resolution

990027 MOTION TO AUTHORIZE THE EXPENDITURE OF TWO THOUSAND TWENTY DOLLARS FROM THE LAW ENFORCEMENT TRUST FUND FOR THE PURPOSE OF PURCHASING 20 NEXTEL DIGITAL CELLULAR TELEPHONES @ $50 EACH; AND THE NEXTEL PERFORMANCE ENHANCED 300 PLAN FOR TELEPHONE MINUTES AND DIRECT CONNECT EACH MONTH FOR 12 MONTHS @ $85 PER MONTH.

This Matter was Approved on the Consent Agenda.

990029 MOTION THAT COUNCIL FINDS NO OBJECTION TO THE D-1, D-2, AND D-3 LIQUOR PERMIT TRANSFER FROM RAGDOLL, INC., 60-64 GRANVILLE STREET TO BUFFALO WILD WINGS, INC., 1380 CHERRYBOTTOM ROAD, AND DOES NOT REQUEST A HEARING.

This Matter was Approved on the Consent Agenda.

End of the Consent Agenda

F. PUBLIC HEARINGS - Zone 0.876 acres at 810 East Johnstown Road from SF-1 to Limited Overlay Suburban

President Kelley announced the public hearing rules that would prevail this evening:

7 minutes for proponents; 10 minutes for opponents; and 3 minutes for rebuttal.

President opened the public hearing at 7:45 p.m., calling for proponents.

Sadicka White, Director of Development of the City of Gahanna, said this property is located on Johnstown Road at the corner of Hamilton Road, and constitutes a proposed rezoning from current single family (SF-1) residential to a Limited Overlay Suburban Office; involves 0.876 acre of land. Recapped that the City purchased this land in order to control the development of the property; are proposing that the permitted uses are by context only; have proposed that there be a buffer preservation zone; that there be a minimum of a setbackon the west of 70 feet; on the east side that there be a setback of 29 feet and on the south, a 20 foot setback. Continued that this development includes a building with a footprint not to exceed 9,000 square feet; said this is a reduction from what was before Planning Commission; felt that it was important that there be no access from Hamilton road, so we can better control the traffic in that area; are proposing that a variance be granted to reduce the required parking spaces from 35 to 28. White said by context, it means if the uses are not within the context. there are no conditional uses being proposed. The uses include administrative and business; if anything other, would have to come back to Council for a rezoning.

White showed the site plan; showed the various views; said most of the trees are the forest fringe trees that they want to preserve; said they looked at the interior of this lot and there are trees but they are smaller and lower end. White showed other views of the property. White assured that this proposal is consistent with the Land Use Plan that calls for that corridor to be suburban office or lower area; said proposed zoning is consistent; showed elevation of the building, aesthetics; said the property owners will have their offices located in that building; the other building is for lease; said she feels this is a very low density use; felt zoning being proposed has less of an impact, creates a buffer to residential, at same time buffer to higher density area to the north. Repeated that it is restricted; that no change can occur without a rezoning. Concluded that the City feels this is the highest and best use for this property.

A motion was made by Council Member Angelou, seconded by Vice President of Council Payne, at 8:05 p.m., to extend this public hearing for 5 additional minutes. The motion carried by the following vote:

Yes	**7**	Vice President of Council Payne, Council Member Angelou, Council Member Hogan, Council Member James-Arnold, Council Member Kneeland, Council Member Stinchcomb and President of Council Kelley

There being no further proponents, President called for opponents.

Tom Liszkay, 457 Tresham Road, said we're talking about property that the City owns. Noted the Galloway tract; the purchase to protect; land to west of library; land south of Peace Lutheran Church; said he sees on the Agenda a purchase on Taylor Road to protect wetland; reminded sitting in a committee meeting and the discussions of the Sycamore Condo Project and the need to protect an area for a rural feel along the front by the road. Continued that the City already owns the property in question; said it sits on the northern perimeter of the Heartland area; concerns of protection to Clotts Road; emphasized that we need this property to stay in the City's hands. Reminded that he has been to many meetings, speaking on issues by Olde Gahanna.; noted parking lot for the golf course. Said in this case now being discussed, we are looking at a trade for property in Olde Gahanna; questioned if what is good for Olde Gahanna is good for this neighborhood. Noted article in Rocky Fork Enterprise, November: " if you want to save land you have to ask to do with this property, rather than rezone it."

Debbie Levine, 460 Oak Hill Drive, submitted a aerial photograph; showed on the overhead projector that at the far right and bottom right is looking diagonally down 62; to right is Rocky Square shopping center; to immediate left is new Remax office; towards top at the V is Grant Riverside; to the right is Karrington; at crossroad on the left is the property we are talking about. Levine explained she has great concerns about changing zoning of this property: 1) obvious denuding of the land that you are seeing now; noted Remax land; talking about less than an acre of land to put a 9,000 s.f.; then 25 additional parking places; said she drove by Grant Riverside and noted a 3-ft stream of water coming down the driveway; questioned where that water is going. Reminded that the City keeps paving and paving; felt this water is going to back up somewhere; noted backup last year in her back yard; said backup started in her adjoining property in January; said she has been at her present house for 10 years. questioned what had changed--development; said Remax is 29,000 s.f.; feels we are creating more water runoff; felt it will back up eventually to her side; now has a huge pond in her backyard that was never there before; is 80% its size; this is only January. Levine said she brings this to attention that this is not the brightest thing to do with a small parcel of land; read some issues in the agenda and quoted mission statement.

A motion was made by Council Member Angelou, seconded by Vice President of Council Payne, at 8:15 p.m. to extend the public hearing time an additional 5 minutes. The motion carried by the following vote:

Yes **7** Vice President of Council Payne, Council Member Angelou, Council Member Hogan, Council Member James-Arnold, Council Member Kneeland, Council Member Stinchcomb and President of Council Kelley

Marti Anderson, 2054 Clotts Road, said this small quarter is dying because small pin pricks; has watched and listened as the quarter develops; felt there is no rationale in which this property has been addressed; felt the City focus on this application is misguided; is not on zoning and best use; focus is on the swap from the first presentation of officials; concerned that City officials had become lobbyists; the developer is not before you--the City is; is precarious to have the City become the advocate for this property. Anderson feels this is an unusual corner; now that we are up to this pie shaped corner; is unusual for traffic; said we have signal at Clotts and 62; knows City promoted no curb cuts on Hamilton; they have now defaulted to 62; the last presentation to Planning Commission-- the last plans were submitted by the proposed developer the same day as the Planning Commission made the decision; said now she's hearing that there is one new building; there have been over 23,000 s.f. plans proposed; may come back before the Planning Commission; felt once this body loses control and zones, it will not come back; noted James-Arnold's position on Johnstown Road. Anderson said this is the last buffer with any tree or preservation in it; is 29 feet off 62; is virtually no preservation at all; no engineering studies of runoff.

President entered Tom Liszkay letter of January 10, 1999 into record. (Liszkay) (Attached)

President called for rebuttal.

White felt all opponents concerns have been addressed; said we just happen to be on opposite sides. Said the issues of drainage, landscaping, buffer--these are premature--they come at the time of the final development plan; felt plans have been directed by the City; City purchased for various uses, which they declare at the purchase; said this is also for preservation; said this property was purchased with intent to control development; was not for a buffer; so that development would be more characteristic and was direct and intentional; City's purpose is to get it rezoned; feels they have found an appropriate development; for the highest and best use of the property in that area; first and foremost developed to guidelines the City has established.

Kraner, representing Kraner, said they have 7,000 s.f. on the first floor; said the overall site plan showed 6,000 s.f. on the first floor; said this is 25% lot coverage; the trees on property are much nicer on outside than on the interior; interior is flat and does not drain well; trees are drowning; not asking for curb cuts; said only access will through current driveway; said the existing veterinarian building will be removed; a building will be built back over the hill; they will have 3 buildings that will all blend together; noted there is only 1 curb cut from Heartland bank; said driveway is far enough from 62; said it is safe.

There being no further comment, President closed the public hearing at 8:20 p.m.

James-Arnold questioned White--did we purchase this? White responded that we did. Mayor said we bought at the time of right of way acquisition for the intersection.

James-Arnold questioned that the old veterinarian building was coming down; questioned footprint? White will get for committee. Hogan noted there were a lot of trees at Grant Riverside; questioned how much money did taxpayers spend to buy this property; how much are they going to get paid back by selling; would like to know when the property in Olde Gahanna was proposed; wanted to know what is the driving force. Angelou noted the limited overlay is a protection because it is specific; questioned that this could go back to Planning Commission and this can be changed and that is not what she sees as an limited overlay; questioned how could we change the footprint from 7,500 to 6,900. White responded that in the limited overlay text; limits building C to no more than that footprint ; said she has asked them to come back with better setbacks. noted setback of not less than 70 ft. setback; Planning Commission can say they want this building to be smaller; if changed, it has to come back to Council. Angelou said she hopes for a strong storm management program to assure runoff from pavement. James-Arnold questioned if there is a little stream or deep gorge.

George Parker said it is Sycamore Run; said it drains on his property; felt Mrs. Levine lives on the next branch of Sycamore Run, which comes through Sycamore Mill. Angelou said she feels this is the time for Council to become involved in the zoning of this property; noted purchasing land to control growth--noted Lustron house; have done this many times. Stinchcomb was concerned that Mrs. Levine was experiencing ponding, because each project is supposed to have its own runoff; is separate from this issue. Stinchcomb noted where Anderson alluded to the fact of conflict of interest in the City buying land to develop; feels it is a good thing for the City to invest in land; is a good investment; if we can buy to control development is a good thing; does not feel anything negative or precipitous is controlling for the future. Kelley feels the view from Hamilton and 62 will be basically the same. White said you will see some building; all the large trees will be saved. White said A building will be owner occupied. James-Arnold noted land across from Mifflin Township and other things on Mill Street; is not something that councils have not been done in the past. Payne questioned if there is a 8,000 s.f. building to compare. Parker felt existing building. Hogan reminded of the Isler guidelines on investing; is a guaranteed return; we invest in park land; land for fire department; a governmental entity who has tax abatement that private developers do not have access to; questioned City going out and buying land to sell to a developer.

G. STANDING COMMITTEES Reports had been distributed on meetings of January 11.

H. CORRESPONDENCE AND ACTIONS

Clerk - (Legal)

Proposed Golf Course Fees

Liquor Address Correction - BUFFALO WILD WINGS, INC.,1380 Cherrybottom Road.

ANNEXATION Proposal - 1.1 Johnstown Road; Stewart

Council

Letter received by Council from Ohio Representative David Goodman regarding the All-America City Award, wherein he states the believes Gahanna would be an excellent candidate for this prestigious designation.

Article in The Columbus Dispatch regarding police salaries. It was noted Gahanna was not included in this comparison.

I. SECOND READING OF ORDINANCES

Ordinances Reported Out of Committee

990002

TO ACCEPT WATER LINE, STREET AND STORM SEWER, IMPROVEMENT NO. 704, AND SANITARY SEWER, IMPROVEMENT NO. 705; AND APPURTENANCES THERETO; IN HARRISON POND, THE VILLAGES AT ROCKY FORK, SECTION 8, PART 1; AND TO DECLARE AN EMERGENCY.

Karl Wetherholt advised that the inspector reported the developer has gotten al the critical things accomplished on the punch list. Wetherholt said the project is substantially complete.

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

Yes **7** Vice President of Council Payne, Council Member Angelou, Council Member Hogan, Council Member James-Arnold, Council Member Kneeland, Council Member Stinchcomb and President of Council Kelley

K. REPRESENTATIVES

Community Improvement Corporation (CIC) - Kneeland

Met last Friday.

Mid-Ohio Regional Planning Commission (MORPC) - Payne

Meets this Thursday

Gahanna/Jefferson Joint Committee - James-Arnold

Contacts made; no new meeting set yet.

L. OFFICIAL REPORTS

Mayor

Presented Karen J. Angelou with a City flag with her name embroidered on it.

City Attorney

Had received back decision from Judge Crawford on appeal on annexation; said Court overrules; hoped to get on this agenda, but cannot do anything until the Entry is signed.

M. COUNCIL COMMENT

Angelou felt our City forces did a significant job during the recent snow emergency; noted huge potholes on 270; did not see any in Gahanna; felt our plows had shoes on them that prevented digging up the pavement; thanked the City forces and Terry Jordan. Jordan said he has made calls to ODOT regarding their roads; they said it is going to be a while before they get to the ramps. It was noted that in finance we are going to discuss what this emergency has cost the City. Jordan agreed the shoes protect the roads; salt is done in moderation to preserve streets. Payne said she was always proud to say she was from Gahanna. Kelley thanked everyone from the City for equipment and manpower in the emergency.

O. ADJOURNMENT - 8:54 p.m.

A motion was made by Council Member Kneeland, seconded by Council Member Hogan, 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