

# **City of Gahanna**

*200 South Hamilton Road  
Gahanna, Ohio 43230*



## **Meeting Minutes**

**Tuesday, July 6, 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

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**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**

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, led by Matthew Concitis, Boy Scout Troop No. 317.

**B. ADDITIONS OR CORRECTIONS TO THE AGENDA.**

Motion by Payne, seconded by Hogan, to add to Consent Agenda Ordinance No. 990164, for postponement to July 19. Motion carried unanimously.

Motion by Angelou, seconded by James-Arnold, to add to Consent Agenda the Motion Resolution No. 990297, approving the Year 2000 Budget. Motion passed unanimously.

Motion made by Payne, seconded by James-Arnold, to add ordinances numbered 990295 and 990296 to Introductions. Motion passed unanimously.

**C. HEARING OF VISITORS****Michael Long - Solid Waste Authority**

Michael D. Long, Executive Director of Solid Waste Authority of Central Ohio, 6220 Young Road, Grove City, Ohio 43123-9518, said the State Solid Waste Law requires that the Management Plan be updated every five years. The law also requires that the Authority provide for at least ten years capacity to meet the disposal needs within the District. Long outlined the new strategies, and advised the 30-day comment period starting June 21, and ending July 20, 1999.

**A motion was made by Council Member Angelou, seconded by Council Member Stinchcomb, to extend presentation time for Michael Long an additional 10 minutes. The motion carried by the following vote:**

<b>Yes</b>	<b>7</b>	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
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See Long letter dated June 17, and attached to these Minutes as EXHIBIT A.

Council member Kneeland said there is a Y2K Task Force meeting on a regular basis, and questioned the hazardous waste facility, should people provide certain materials they would not otherwise have. Long said they have not looked specifically at this issue, but are well prepared to handle influx of material; as far as processing, have not given consideration to that. Kneeland noted it could generate more hazardous waste. Long said regarding propane cylinders and such, they will be having some of the Hazardous drop off points this year; other sites by year 2000. Council member Stinchcomb is pleased with facility for hazardous waste; feels it is important; encouraged frequent pick-ups; felt permanent facility is a good choice.

Susan Hobbins, 907 Hartney Drive, Gahanna, said she was present to represent the young people of Gahanna--Justin Hobbins and Stephanie Wallace; said she is not adversarial; urged the City to impede high speed chases; said her son made a horrible mistake; urged the City to change it's policy on this issue; said this incident happened at 3 in the morning; was not going to injure anyone but those two children; said through this we are all in better shape because of the young people of the community; have a fine community with the young people coming up. President Kelley advised that Council does not have a policy, and does not set policy; was sure, however, the Mayor would pass on this request to the Director of Public Safety.

Russell Garner, 3446 McCutcheon Road said he was present to represent people who think we should put this on the ballot and do something about it. President Kelley asked that he give the Petition to the Mayor; said the Mayor will present the petition to the Director of Public Safety. Garner submitted the Petition and paperwork to the Mayor.

Andrew Zukowski 453 Woodmark Run, would like to take step regarding Walnut Creek of Gahanna; would like to present observation which he and his wife experienced; said was bedridden; heard project was very expensive with U.S. Grant; one resident said \$5 million; feels is dangerous for people animals and birds; feels there are violations of safety protection in this area; conduit on live tree; because this tree wants to live, not to die; tree wants to be alive and be beautiful; human being wants to destroy them with lighting system on them; put water feature enclosure which would be better.

**A motion was made by Council Member Angelou, seconded by Council Member Kneeland, to extend time for Mr. Zukowski to speak for additional 3 minutes as long as on other subject. The motion carried by the following vote:**

<b>Yes</b>	<b>7</b>	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
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Zukowski continued that his family is now under poverty; said nobody, City of Gahanna, including; said they do not have income at this time; disconnected water, gas, leave use electricity; called to attention; take care of his family.

## D. INTRODUCTIONS AND ASSIGNMENT TO COMMITTEE

### Ordinances - To Be Introduced and Assigned to Committee

Council member Karen J. Angelou Introduced all items under "D" as amended.

**990285**

TO ACCEPT A DEED OF EASEMENT IN GAHANNA PLACE AT THE FRONT OF THE PROPERTY AT HAMILTON ROAD FROM GAHANNA PLACE, LTD., TO BE USED FOR WATERLINE EASEMENT

**This matter was Introduced, to the Consent Agenda (Duplicate)**

**990286**

TO ACCEPT A DEED OF EASEMENT IN GAHANNA PLACE AT THE REAR OF THE PROPERTY AT HAMILTON ROAD FROM GAHANNA PLACE, LTD., TO BE USED FOR SANITARY SEWER EASEMENT

**This matter was Introduced, to the Consent Agenda (Duplicate)**

**990288**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT FOR PROMOTIONAL/MARKETING SERVICES WITH DEB PARKER; TO SUPPLEMENTALLY APPROPRIATE \$15,000; AND TO DECLARE AN EMERGENCY

**This matter was Introduced, to the Consent Agenda (Duplicate)**

**990289**

TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO AWARD AND THE MAYOR TO ENTER INTO AGREEMENT WITH PINNACLE METAL PRODUCTS FOR THE 1999 WEST GAHANNA ENTRY FEATURE, IMPROVEMENT NO. 733; AND TO DECLARE AN EMERGENCY.

**This matter was Introduced, to the Consent Agenda (Duplicate)**

**990290**

TO ENTER INTO CONTRACT WITH STICKLEN-BELSHEIM ENGINEERING, A DIVISION OF MOODY/NOLAN FOR THE HAMILTON ROAD TRAFFIC STUDY; AND TO DECLARE AN EMERGENCY.

**This matter was Introduced, to the Consent Agenda (Duplicate)**

**990291**

TO EXTEND THE SHORT-TERM POSITION OF PART-TIME PLANNER TO THE DEPARTMENT OF DEVELOPMENT FOR A PERIOD OF ONE YEAR; TO ESTABLISH COMPENSATION THEREFOR; TO AMEND ORDINANCE NO. 980301, AND ORDINANCE NO. 136-96; AND TO DECLARE AN EMERGENCY.

**This matter was Introduced, to the Development Committee**

**990292**

TO ESTABLISH THE RATES OF PAY AND BENEFITS FOR UNCLASSIFIED PERSONNEL OF THE CITY OF GAHANNA FOR THE PERIOD JANUARY 1, 1998 THROUGH DECEMBER 31, 2000; TO AMEND ORDINANCE NO. 980440, AS AMENDED, TO PROVIDE INCREASE FOR ADMINISTRATIVE ASSISTANT TO THE DIRECTOR OF DEVELOPMENT; AND TO DECLARE AN EMERGENCY

**This matter was Introduced, to the Development Committee**

**990293**

AN ORDINANCE TO SET FORTH A STATEMENT OF MUNICIPAL SERVICES TO BE PROVIDED TO THE AREA CONTAINED IN THE PROPOSED ANNEXATION OF 1.1+/- ACRES FROM JEFFERSON TOWNSHIP TO THE CITY OF GAHANNA; REQUESTED BY WILLIAM M. STEWART, ET AL.; AND TO DECLARE AN EMERGENCY

**This matter was Introduced, to the Development Committee**

[990294](#) SUPPLEMENTAL APPROPRIATION - City Attorney, Recording/Filing Fees

This matter was Introduced, to the Consent Agenda (Duplicate)

[990295](#) TO ACCEPT THE FINAL PLAT FOR PROPERTY KNOWN AS THE GREENS AT CLARENTON SECTION 1, PART 1; EVANS MECHWART HAMBLETON & TILTON, APPLICANT

This matter was Introduced, to the Development Committee

[990296](#) TO ACCEPT THE FINAL PLAT FOR PROPERTY KNOWN AS THE GREENS AT CLARENTON SECTION 1, PART 2; EVANS MECHWART HAMBLETON & TILTON, APPLICANT

This matter was Introduced, to the Development Committee

## E. CONSENT AGENDA

A motion was made by Council Member Angelou, seconded by Council Member James-Arnold, 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
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### Minutes - To Approve - 6/21, Regular; 6/28 Special

A motion was made to Approve

### Ordinances on Second Reading

[990105](#) SUPPLEMENTAL APPROPRIATION - 1999 Asphalt Overlay Program.

This Matter was Adopted on the Consent Agenda.

[990253](#) TO ACCEPT A TEN-FOOT STRIP OF LAND BETWEEN LOTS 96 AND 97 AS THE SAME ARE NUMBERED AND DELINEATED UPON THE SUBDIVISION PLAT ENTITLED "FARM CREEK, SECTION 3." FOR WALKWAY PURPOSES.

This Matter was Adopted on the Consent Agenda.

[990254](#) TO ACCEPT 0.016 ACRE, MORE OR LESS, OF REAL PROPERTY FOR RIGHT OF WAY PURPOSES ALONG CLARK STATE ROAD.

This Matter was Adopted on the Consent Agenda.

[990255](#) TO ACCEPT 0.092 ACRE, MORE OR LESS, OF LAND ALONG SHULL ROAD FOR RIGHT OF WAY PURPOSES FROM JOANN J. HICKLE; TO ACCEPT 0.052 ACRE, MORE OF LESS, OF LAND ALONG SHULL ROAD FOR RIGHT OF WAY PURPOSES FROM JOHN ROWE AND BARBARA ROWE.

This Matter was Adopted on the Consent Agenda.

[990258](#) SUPPLEMENTAL APPROPRIATION - Chamber Parking Lot & Kraner Property.

This Matter was Adopted on the Consent Agenda.

[990261](#) SUPPLEMENTAL APPROPRIATION - Knights Avenue Rebuild.

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

**990263**

TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO AWARD AND THE MAYOR TO ENTER INTO CONTRACT WITH MILLER PAVEMENT CONSTRUCTION INC FOR THE US ROUTE 62 DARK STAR BEECHER INTERSECTION IMPROVEMENT, IMPROVEMENT NO. 709; AND TO DECLARE AN EMERGENCY.

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

**990264**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH CLYDE E WILLIAMS & ASSOCIATES INC., FOR INSPECTION SERVICES IN CONNECTION WITH THE US ROUTE 62 DARK STAR BEECHER INTERSECTION IMPROVEMENT, IMPROVEMENT NO. 709; AND TO DECLARE AN EMERGENCY.

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

**990266**

SUPPLEMENTAL APPROPRIATION, Legislative Tracking Software - Clerk of Council

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

### **Ordinance - To Postpone Indefinitely**

**990265**

TO ACCEPT THE GAHANNA HEARTLAND CONCEPTUAL PLAN, DATED FEBRUARY 1, 1999, AS PREPARED BY BURNS, BERTSCH & HARRIS, INC., AND GEORGE PARKER & ASSOCIATES, AIA, AND THE DEVELOPMENT PRINCIPLES THEREON AS A GUIDE FOR DEVELOPMENT OF THE AREA.

**This Matter was Postponed Indefinitely on the Consent Agenda.**

### **Ordinance - To Postpone to July 19:**

**990164**

AN ORDINANCE DECLARING THE ESTABLISHMENT OF THE EASTGATE INDUSTRIAL CENTER TIF DISTRICT AND THAT IMPROVEMENTS TO REAL PROPERTY WITHIN THE DISTRICT ARE A PUBLIC PURPOSE; DESCRIBING PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE TO BENEFIT THE DISTRICT; REQUIRING THE OWNERS OF THE PROPERTY WITHIN THE DISTRICT TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS; APPROVING AND AUTHORIZING THE EXECUTION OF TAX INCREMENT FINANCING AGREEMENTS AND AN INFRASTRUCTURE AGREEMENT; AND DECLARING AN EMERGENCY.

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

### **Motion Resolution - To Adopt:**

**990297**

MOTION TO APPROVE THE YEAR 2000 BUDGET AS SUBMITTED TO COUNCIL ON JULY 2, 1999, AND TO DIRECT AND AUTHORIZE THE DIRECTOR OF FINANCE TO DELIVER SAID BUDGET TO THE FRANKLIN COUNTY OFFICE OF BUDGET NO LATER THAN JULY 15, 1999.

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

### **End of the Consent Agenda**

**F. PUBLIC HEARINGS - None****G. STANDING COMMITTEES Reports had been distributed on meetings of 6/28.****Safety Committee - Hogan**

Kelley noted that the City had gotten in the speed sign.

**Finance - Angelou**

Angelou noted that it only took one evening to go over the entire budget. Thanked department heads and Mayor.

**H. CORRESPONDENCE AND ACTIONS - None****990265**

TO ACCEPT THE GAHANNA HEARTLAND CONCEPTUAL PLAN, DATED FEBRUARY 1, 1999, AS PREPARED BY BURNS, BERTSCH & HARRIS, INC., AND GEORGE PARKER & ASSOCIATES, AIA, AND THE DEVELOPMENT PRINCIPLES THEREON AS A GUIDE FOR DEVELOPMENT OF THE AREA.

to Planning Commission`

**Referred**

**I. SECOND READING OF ORDINANCES****Ordinances Reported Out of Committee****990284**

TO AUTHORIZE THE MAYOR TO ENTER INTO PURCHASE AGREEMENT WITH JAMES M. RYAN AND JAMES M. RYAN, TRUSTEE FOR JAMES M. RYAN FAMILY TRUST I, II, III, IV, AND V, FOR PROPERTY LOCATED ON JOHNSTOWN ROAD AND CONSISTING OF 12 ACRES, MORE OR LESS; TO SUPPLEMENTALLY APPROPRIATE \$1,500,000 THEREFOR; AND TO DECLARE AN EMERGENCY.

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

<b>Yes</b>	<b>7</b>	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
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**K. REPRESENTATIVES****Community Improvement Corporation (CIC) - Kneeland**

Will meet July 20, 7:30 p.m.

**Mid-Ohio Regional Planning Commission (MORPC) - Payne**

Payne noted that with the issue of the right of way ordinances, utilities are tied to costs; asked City Attorney to look at this.

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

James-Arnold was representative for meeting of July 15.

## **L. OFFICIAL REPORTS**

### **City Attorney**

Weber wanted to bring to Council attention that the 6th Circuit Court of Appeals in the case of Shapiro vs. the City of Macedonia, has curtailed the powers of the Mayor's courts. Said it found that because there is a union of judicial and executive functions in charter, the court felt this was a temptation to put burden of proof on defendants, which might leave him not to find truth between the state and the accused. Said it is recommended that all contested cases are heard by magistrate; said this is a major challenge about how the Mayor courts are conducted. Noted that Ohio is a part of the 6th Circuit; said also Ohio is one of 2-3 states that have Mayor's court. Said if contested, the General Assembly, for the time being, is recommending magistrates for contested cases. Weber said he will be researching, but for time being is asking the Mayor not to hear contested cases.

## **M. COUNCIL COMMENT**

James-Arnold congratulated the Administration and Parks and Recreation Department for a wonderful 4th of July; said she has heard nothing but good comments; said it follows quite well the dedication of Creekside--including money spent--knowing that permits took 2 years to secure; said she knows there are always things we can do to improve, for the price we could afford, to provide something nice. Thanked everyone for hard work. Felt too many times people look at government as big brother; said there is no such thing. Noted also that most of us have to go out and work; said there is the legislative and legal; there are the elections; feels we follow our Charter; we do not declare war or deal with social security benefits; said most of us have had teenagers; some make bad decisions; however, we do have to live within the laws--we all have to follow the law of the land; said that is what makes us a society.

Angelou thanked Mitchell; said this was the best fireworks of any community she has been to; said the community should be proud. Offered her congratulations.

Hogan said the 4th of July was terrific; said it is important to remember what it stands for. Asked where is the waterfall and when is it coming back. Jordan responded that it is currently down; hope it will be up this week; have inspectors out on it; it is the pump; will have a full report. On questioning of ice skating if the water goes down, Mayor felt ice skating would have to be on the other side with iron driving range.

Payne commended the City on the 4th of July; said she went to other areas. Especially commended police on getting traffic out. Added that the golf course looks great.

Angelou said with the parameters of mayor's court, she works with apartments for persons with retardation of developmental disability; case where people are deprived--said that came from mayor's court; is called a civil rights violation; felt another instance of powers of mayor's court--even a sexual predator can live in a community if they are registered.

## **N. EXECUTIVE SESSION**

**A motion was made by Vice President of Council Payne, seconded by Council Member James-Arnold, to go into executive session under authority of 5.40(b), sale or purchase of property. The motion carried by the following vote:**



