

City of Gahanna

*200 South Hamilton Road
Gahanna, Ohio 43230*



Meeting Minutes

Monday, August 1, 2011

7:00 PM

City Hall

City Council

David L. Samuel, President

Brian D. Larick, Vice President

Beryl D. Anderson

Shane Ewald

John R. McAlister

Nancy McGregor

Timothy W. Pack

Isobel L. Sherwood, MMC, Clerk of Council

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

Gahanna City Council met in Regular Session on Monday, August 1, 2011, at Gahanna City Hall, in Council Chambers, 200 South Hamilton Road. President of Council David L. Samuel called the meeting to order at 7:00 p.m. Invocation was given by Vice President of Council Larick followed by the Pledge of Allegiance led by Jacob Hutt of Boy Scout Troop 786 and Zachary Hutt of Venture Scout Troop 911. Agenda for this meeting was published on July 29, 2011.

Members Absent: Beryl D. Anderson

Members Present: David L. Samuel, Brian Larick, Shane W. Ewald, Nancy R. McGregor, John McAlister and Timothy W. Pack

B. ADDITIONS OR CORRECTIONS TO THE AGENDA: None.**C. HEARING OF VISITORS: None.****D. INTRODUCTIONS AND ASSIGNMENT TO COMMITTEE:****Ordinances - To Be Introduced and Assigned to Committee:**

Ordinances introduced, by title, by Larick.

ORD-0153-2011

SUPPLEMENTAL APPROPRIATION - Street PERS

Introduced**ORD-0154-2011**

TO AUTHORIZE THE MAYOR TO ENTER INTO TEMPORARY USE LICENSE AGREEMENT WITH INVESTORS WARRANTY OF AMERICA, INC., FOR USE OF BUILDING AND PREMISES LOCATED AT 1600 EASTGATE PARKWAY, GAHANNA, FOR THE OCTOBER 20, 2011 EMERGENCY EXERCISE; AND TO DECLARE AN EMERGENCY.

Introduced**ORD-0155-2011**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH COLUMBUS FIBERNET, FOR THE INSTALLATION OF FIBER OPTIC CABLE FOR THE TIZ FIBER EXTENSION PROJECT, PHASE 1; IMPROVEMENT NO. ST 969.

Introduced**ORD-0156-2011**

TO AUTHORIZE THE MAYOR TO ENTER INTO PURCHASE AGREEMENT WITH VALLEY FORD TRUCK SALES, INC., FOR THE PURCHASE OF A FULL SIZE, 4WD, EXTENDED CAB PICKUP TRUCK FROM THE STATE CONTRACT #RS 900411, ITEM 22A.

Introduced**ORD-0157-2011**

TO AUTHORIZE THE MAYOR TO ENTER INTO AMENDMENT TO THE DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF GAHANNA, OHIO, AND VALUE RECOVERY GROUP II, LLC, RELATING TO THE BEDFORD I CORF PROJECT; TO EXTEND THE TERM OF THE DEVELOPERS AGREEMENT ORIGINALLY MADE WITH THE CENTRAL OHIO COMMUNITY IMPROVEMENT CORPORATION AND LATER ASSIGNED TO VRG II; FOR THE LAND KNOWN AS THE JUNKERMANN PROPERTIES; AND TO ENTER INTO OPEN END MORTGAGE.

Introduced, to Regular Agenda

ORD-0158-2011

TO ACCEPT THE FINAL PLAT FOR PROPERTY KNOWN AS TECHCENTER COMMONS; TRIVIUM DEVELOPMENT LLC, TIM SPENCER, APPLICANT; AND TO DECLARE AN EMERGENCY.

Introduced, to Committee of the Whole

E. CONSENT AGENDA:**Minutes - To Approve:****2011-0044**

To approve the Following Set of Minutes:

1) July 18, 2011

This Matter was Approved and Filed on the Consent Agenda.

Ordinances on Second Reading:**ORD-0147-2011**

TO AMEND TITLE ONE, PLATTING AND SUBDIVISIONS, OF PART ELEVEN, PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA.

This Matter was Adopted on the Consent Agenda.

ORD-0148-2011

TO AUTHORIZE THE MAYOR TO ENTER INTO MAINTENANCE AGREEMENTS WITH THYSENKRUPP ELEVATOR CORP., FOR QUARTERLY INSPECTIONS OF THE CREEKSIDE PARKING GARAGE ELEVATOR; AND TO DECLARE AN EMERGENCY.

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

ORD-0149-2011

AN ORDINANCE DECLARING THE IMPROVEMENT TO CERTAIN PARCELS OF REAL PROPERTY IN THE AREA KNOWN AS THE BUCKLES TRACT TO BE A PUBLIC PURPOSE AND EXEMPT FROM TAXATION; ESTABLISHING A TAX INCREMENT EQUIVALENT FUND AND PROVIDING FOR THE COLLECTION AND DEPOSIT OF SERVICE PAYMENTS INTO THAT FUND; SPECIFYING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS DIRECTLY BENEFITING THE PARCELS; AND APPROVING AND AUTHORIZING THE EXECUTION OF A REVENUE SHARING AGREEMENT WITH THE GAHANNA-JEFFERSON CITY SCHOOL DISTRICT.

This Matter was Adopted on the Consent Agenda.

ORD-0151-2011

TO AMEND CHAPTER 1133, AMENDMENTS, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA.

This Matter was Adopted on the Consent Agenda.

ORD-0152-2011

TO AMEND CHAPTER 1169, PROCEDURE FOR AUTHORIZING A CONDITIONAL USE, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA.

This Matter was Adopted on the Consent Agenda.

Motion Resolution:**MR-0037-2011**

Motion Resolution that this Council has no objection to a Liquor Agency license for Tamarkin Co.; dba Giant Eagle 6501, 1250 North Hamilton Road & Mezzanine, Gahanna, Ohio 43230.

This Matter was Approved on the Consent Agenda.

MR-0038-2011

Motion Resolution that this Council has no objection to the transfer of the D1 and D2 liquor permits from GJP, dba Corners Beverage Shoppe, 1383 Johnstown Road, Gahanna, Ohio 43230 to Tamarkin Co., dba Giant Eagle 6501, 1250 North Hamilton Road & Mezzanine, Gahanna, Ohio 43230.

This Matter was Approved on the Consent Agenda.

Passed The Consent Agenda

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

Yes	6	President of Council Samuel, Vice President of Council Larick, Ewald, McGregor, McAlister and Pack
Absent	1	Anderson

End of the Consent Agenda**F. PUBLIC HEARINGS: None.****G. STANDING COMMITTEES:**

Committee of the Whole - Larick: No Report.

Finance - Anderson: No Report.

SPECIAL COMMITTEES:

Expenditure Study Committee - Larick: No Report.

H. CORRESPONDENCE AND ACTIONS:**Clerk - Legal:****2011-0042**

Notice to Legislative Authority of a new C1 and C2 Liquor Permit for Dolgen Midwest LLC, dba Dollar General Store 645, 150 North Hamilton Road, Gahanna, OH 43230. Last day to file objections is August 22, 2011

Received and Filed

2011-0043

Communication from the Department of Commerce that the correct street address of the proposed liquor permit for The Golf Village at Central Park is 789-91 Science Blvd., Gahanna; for our official records.

Received and Filed

FP-0001-2011

To consider a final plat application for 13.175+/- acres located at 655 TechCenter Drive; currently known as TechCenter Commons; current zoning SCPD pending Zoning change approval to OCT, Office, Commerce and Technology; Trivium Development, Tim Spencer; applicant.

Received and Filed

Council:

McAlister noted an e-mail he sent on 7/28 regarding discussion of a possible resolution

opposing the charter change to Council terms for the next Council meeting; request discussion in committee.

I. SECOND READING OF ORDINANCES:

Ordinances Reported Out of Committee:

ORD-0150-2011

TO AMEND CHAPTER 1131, VARIANCES, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA.

Pack stated he asked in committee for this to be on regular agenda; for years on BZA had questions of language on finding of fact; anybody who wants to appeal an administrative decision file in court under administrative code 2506; was concerned with removing finding of fact language that it would disadvantage the city in an appeal; if you don't have conclusions of fact it opens up the appeal beyond the transcript of the hearing; discussed with City Attorney several scenarios; most of the appeals are to BZA for which we have a finding or conclusion of fact through a transcript and then it would go on to a 2506 appeal after BZA; am comfortable with the language as introduced; it will not put the City at a disadvantage; am comfortable and thank Weber for discussing with me and going through various scenarios.

A motion was made by Vice President of Council Larick, seconded by McAlister, that this matter be Adopted. The motion carried by the following vote:

Yes	6	President of Council Samuel, Vice President of Council Larick, Ewald, McGregor, McAlister and Pack
Absent	1	Anderson

J. FIRST READING OF ORDINANCES: None.

K. MOTIONS/RESOLUTIONS: None.

L. REPRESENTATIVES:

Community Improvement Corporation (CIC) - Larick/Samuel: No Report.

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

Bd. of Education, Gahanna-Jefferson Public Schools:

Samuel stated Anderson will be attending on August 11.

Convention & Visitors Bureau (CVB) - McGregor:

McGregor stated the meeting was last Thursday; profit and loss statement for Blues & Jazz Festival and budget vs. actual was discussed; weather did not diminish receipts and attendance as much as they thought it would; at this point festival is at a minus \$459; are a couple more things that might come in; working on some ideas to drive up profits for next year; CVB has moved offices and are planning an open house to which we will be invited; have the breakdown and can make copies if you wish. Larick asked if the statement included the net benefit to local vendors and businesses. McGregor replied it was the CVB profit and loss statement only.

M. OFFICIAL REPORTS:

Mayor:

Stinchcomb acknowledged receipt from State Representative Nancy Garland of a formal commendation from the Ohio House of Representatives on our Emerald Award from SWACO as Community of the Year and presented it to Director of Public Service Dottie Franey.

Stinchcomb continued that she wanted to let everyone know that the City will be utilizing CodeRED this Thursday, August 4 to call the community to promote our CodeRED weather warning system; residents and businesses can visit our web site to opt in to the system and select types of warnings; you must add or update to add weather warnings; distribute flyers to pass along to residents; information is on web site; working with media to get the word out; if you are receiving for emergencies you won't automatically get the weather notices.

City Attorney: No Report.

N. COUNCIL COMMENT:

Pack stated I have made no secret of my feelings on the Junkermann agreement; in my zeal in committee of our need for \$1.3 million, I possibly made a statement that was incorrect and that was on the age of our police cruiser fleet; contacted Deputy Chief Bell and Lt. Spence and they met with me; went through numbers on the cruiser fleet; all heard of the movie Field of Dreams and famous line that "if you build it they will come"; if you don't have good recreational funded services they will not come; also if you do not have good safe neighborhoods supported by police officers they will not come; reviewed numbers with Bell and Spence; going through 2005 cruiser replacement was on a schedule; budget crunch in 2007 and that replacement schedule went awry; 30,000 miles per year are driven per vehicle; to get a vehicle street ready is at \$45,000 plus 6 months to get it on street; in 2007 limited funding for new vehicles as well as 2008 and 2009; in 2010 and 2011 there was no funding; have 15 vehicles on active patrol status; plan has been to replace vehicles at 100,000 miles which is optimizing usage and minimizing dangers; over 75% of our active police cruisers are going over 100,000 miles by 2012; there is a 6 month lead time; thank Police Department for the work they do. Samuel asked if retrofitting costs are up. Spence stated we attempt to contain our costs; construct the vehicle to last the life cycle; as any other vehicle they change interior dimensions, etc. which has an impact on equipment and the sensitive electronics; we contain costs in that area and make sure it is purchased responsibly and warranty period lasts life cycle of that vehicle.

Larick stated he was present to witness the building dedication to Brigadier General James Abraham; City is blessed to have such an honorable figure in our community.

Samuel stated he noted that TechCenter and Hamilton is moving along; looks like they are starting to put in cement. Wetherholt stated project is coming along well; steel is up and working on getting the deck ready; putting in storm sewer right now and water line; probably in another 3 weeks or so they will be putting down the stone base and the concrete pavement. Samuel expressed kudos to Engineering and Service for work with Shagbark residents; lot of nice calls on customer service and how much they appreciate it.

0. ADJOURNMENT: 7:17 p.m. - Motion by McAlister.

Isobel L. Sherwood, MMC
Clerk of Council

*APPROVED by the City Council, this
day of 2011.*

David L. Samuel
President of Council