

City of Gahanna

*200 South Hamilton Road
Gahanna, Ohio 43230*



Meeting Minutes

Monday, June 6, 2011

Council May Meet in Caucus beginning at 6:45 p.m.

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, June 6, 2011, at Gahanna City Hall, in Council Chambers, 200 South Hamilton Road. President of Council David L. Samuel called the meeting to order at 7:02 p.m. Invocation was given by Vice President of Council Larick followed by the Pledge of Allegiance led by members of the Armed Forces that were in attendance. Agenda for this meeting was published on June 3, 2011.

Members Absent: Shane W. Ewald

Members Present: David L. Samuel, Brian Larick, Nancy R. McGregor, John McAlister, Beryl D. Anderson and Timothy W. Pack

B.. HEARING OF VISITORS.

Samuel said we have special guests here tonight to present resolutions for helping save our Fourth of July Freedom Festival. Samuel read resolutions and presented them to the following:

USO to Lt. Col. Dan Meeks;
Heartland Bank presented to Scott McComb, President of Heartland Bank;
Parks & Recreation Foundation to Vinnie Tremante, member of the Foundation.

David Hodge, Smith & Hale, 37 W. Broad St., said he is here representing Brookewood Construction; at the request of the applicant would like to withdraw ORD-0096-2011; will be glad to answer any questions.

McAlister asked why the rezoning was being withdrawn. Hodge said it was apparent that there were unresolved issues and it would be impossible to resolve them in the time limit allowed by Gahanna's charter.

Weber said when you come to ORD-0096-2011 Council should first make a motion to adopt the ordinance, and then make a motion to postpone indefinitely.

Ewald entered the meeting at 7:10 p.m.

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

C. EXECUTIVE SESSION:

A motion was made by Ewald, seconded by Anderson, to go into Executive Session to confer with the City Attorney concerning disputes involving the City, and/or appointed or elected officials or employees, which are subject to pending or imminent court action. The motion carried by the following vote:

Yes	7	President of Council Samuel, Vice President of Council Larick, Ewald, McGregor, Anderson, McAlister and Pack
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Council rose to Executive Session at 7:15 p.m. Council rose to report from Executive Session at 7:41 p.m.

C1. ADDITIONS OR CORRECTIONS TO THE AGENDA:**ORD-0119-2011**

TO AUTHORIZE THE MAYOR TO ENTER INTO A LETTER OF AGREEMENT WITH HUNTINGTON NATIONAL BANK REGARDING LEASE AGREEMENT BETWEEN THE CITY OF GAHANNA AND GAHANNA-CREEKSIDE INVESTMENTS, LLC; AND TO DECLARE AN EMERGENCY.

A motion was made by Vice President of Council Larick, seconded by Ewald, to add **ORD-0119-2011 to the Consent Agenda, to Waive Second Reading and to Adopt as an Emergency. The motion carried by the following vote:**

Yes 7 President of Council Samuel, Vice President of Council Larick, Ewald, McGregor, Anderson, McAlister and Pack

ORD-0120-2011

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT MODIFICATION WITH CRAIG B. PAYNTER, ATTORNEY WITH CHESTER, WILLCOX & SAXBE, LLP, TO INCREASE THE SCOPE OF WORK FOR LEGAL SERVICES IN CONNECTION WITH THE HAMILTON/GRANVILLE INTERSECTION PROJECT; IMPROVEMENT NO. 883; TO SUPPLEMENTALLY APPROPRIATE \$75,000; AND TO DECLARE AN EMERGENCY.

A motion was made by Vice President of Council Larick, seconded by Ewald, to add **ORD-0120-2011 to the Consent Agenda, to Waive Second Reading and to Adopt as an Emergency. The motion carried by the following vote:**

Yes 7 President of Council Samuel, Vice President of Council Larick, Ewald, McGregor, Anderson, McAlister and Pack

D. INTRODUCTIONS AND ASSIGNMENT TO COMMITTEE:

Ordinances introduced, by title, by Larick.

Ordinances - To Be Introduced and Assigned to Committee:**ORD-0106-2011**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH THE GAHANNA JEFFERSON SCHOOL DISTRICT; FOR THE PROVISION OF SCHOOL RESOURCE OFFICERS TO THE GAHANNA-JEFFERSON SCHOOL DISTRICT FOR THE 2011/2012 SCHOOL YEAR.

Introduced

ORD-0107-2011

TO AMEND CHAPTER 913, LANDSCAPING REQUIREMENTS, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA.

Introduced

ORD-0108-2011

SUPPLEMENTAL APPROPRIATION - Hunters Ridge Pool, Operational Expenses

Introduced

ORD-0109-2011

TO AUTHORIZE THE MAYOR TO ENTER INTO PARTICIPATION AGREEMENT WITH ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC., FOR ArcGIS ONLINE COMMUNITY MAPS PROGRAM.

Introduced

ORD-0110-2011

TO ACCEPT GENERAL WARRANTY DEED FOR PROPERTY LOCATED AT 110 MILL STREET, GAHANNA.

Introduced

ORD-0111-2011

TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO AWARD AND THE MAYOR TO ENTER INTO CONTRACT WITH ENVIRONMENTAL

MANAGEMENT SPECIALISTS FOR DEMOLITION OF THE CITY OF GAHANNA FUEL SITE AT 785 SCIENCE BLVD.; IMPROVEMENT NO. ST 967; TO SUPPLEMENTALLY APPROPRIATE \$256,717; AND TO DECLARE AN EMERGENCY.

Introduced

ORD-0112-2011

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH ADVANCED CIVIL DESIGN FOR INSPECTION AND ENVIRONMENTAL SERVICES FOR THE FUEL SITE DEMOLITION; IMPROVEMENT NO. ST 967; TO SUPPLEMENTALLY APPROPRIATE \$16,000; AND TO DECLARE AN EMERGENCY.

Introduced

ORD-0113-2011

TO AUTHORIZE A REIMBURSEMENT TO VALUE RECOVERY GROUP FOR FUNDS EXPENDED ON REMOVAL OF ABANDONED FUEL TANKS; TO SUPPLEMENTALLY APPROPRIATE FUNDS THEREFOR; AND TO DECLARE AN EMERGENCY

Introduced

ORD-0114-2011

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH ORCHARD, HILTZ & MCCLIMENT, INC., (OHM) FOR DETAILED DESIGN AND ENVIRONMENTAL WORK FOR THE SAFE ROUTES TO SCHOOL PROJECT; IMPROVEMENT NO. ST 961; TO SUPPLEMENTALLY APPROPRIATE \$76,832; AND TO DECLARE AN EMERGENCY.

Introduced

ORD-0115-2011

TO AUTHORIZE THE MAYOR TO ENTER INTO CodeRED WEATHER WARNING SERVICE ADDENDUM WITH EMERGENCY COMMUNICATIONS NETWORK, INC., FOR SEVERE WEATHER WARNINGS; TO SUPPLEMENTALLY APPROPRIATE \$3,750; AND TO DECLARE AN EMERGENCY.

Introduced, to Committee of the Whole

ORD-0116-2011

TO ACCEPT WARRANTY DEED FOR 0.0476 ACRES, MORE OR LESS, FOR RIGHT OF WAY PURPOSES IN CONJUNCTION WITH THE HAMILTON/GRANVILLE INTERSECTION PROJECT; IMPROVEMENT NO. ST 883; 140 SOUTH HAMILTON ROAD; FROM GAHANNA JEFFERSON SCHOOLS.

Introduced

ORD-0117-2011

TO ACCEPT WARRANTY DEED FOR 0.0567 ACRES, MORE OR LESS, FOR RIGHT OF WAY PURPOSES IN CONJUNCTION WITH THE HAMILTON/GRANVILLE INTERSECTION PROJECT; IMPROVEMENT NO. ST 883; 83 NORTH HAMILTON ROAD; FROM GAHANNA JEFFERSON SCHOOLS.

Introduced

ORD-0118-2011

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH THE REGIONAL INCOME TAX AGENCY (RITA) FOR THE FEDERAL TAX INFORMATION LEGAL COMPLIANCE PROGRAM.

Introduced

E. CONSENT AGENDA:

Minutes - To Approve:

2011-0026

To approve the following sets of minutes:

- 1) May 16, 2011 Regular Meeting

2) May 23, 2011 Special Meeting

This Matter was Approved and Filed on the Consent Agenda.

Ordinance: Introduce, Waive Second Reading , Adopt:

ORD-0101-2011

SUPPLEMENTAL APPROPRIATION AND TRANSFER - Communications/Dispatch

This Matter was Introduced, Second Reading Waived, and Adopted on the Consent Agenda.

Ordinances: Introduce, Waive Second Reading, Adopt as Emergency:

ORD-0102-2011

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH S. VITALE PYROTECNICO INDUSTRIES INC., FOR FIREWORKS FOR THE CITY OF GAHANNA 2011 FOURTH OF JULY FIREWORKS DISPLAY; TO SUPPLEMENTALLY APPROPRIATE \$19,000; AND TO DECLARE AN EMERGENCY.

This Matter was Introduced, Second Reading Waived, and Adopted as an Emergency on the Consent Agenda.

ORD-0119-2011

TO AUTHORIZE THE MAYOR TO ENTER INTO A LETTER OF AGREEMENT WITH HUNTINGTON NATIONAL BANK REGARDING LEASE AGREEMENT BETWEEN THE CITY OF GAHANNA AND GAHANNA-CREEKSIDE INVESTMENTS, LLC; AND TO DECLARE AN EMERGENCY.

This Matter was Introduced, Second Reading Waived, and Adopted as an Emergency on the Consent Agenda.

ORD-0120-2011

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT MODIFICATION WITH CRAIG B. PAYNTER, ATTORNEY WITH CHESTER, WILLCOX & SAXBE, LLP, TO INCREASE THE SCOPE OF WORK FOR LEGAL SERVICES IN CONNECTION WITH THE HAMILTON/GRANVILLE INTERSECTION PROJECT; IMPROVEMENT NO. 883; TO SUPPLEMENTALLY APPROPRIATE \$75,000; 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-0098-2011

TO AUTHORIZE THE MAYOR TO ENTER INTO 60 MONTH LEASE AGREEMENT WITH MITEL LEASING, INC., FOR UPGRADING THE CITY TELEPHONE SYSTEM; AND TO DECLARE AN EMERGENCY.

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

ORD-0099-2011

TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH JESS HOWARD ELECTRIC COMPANY FOR THE RELOCATION OF ELECTRICAL SERVICE TO TWO BUSINESSES IN CONJUNCTION WITH THE HAMILTON/GRANVILLE WIDENING PROJECT; IMPROVEMENT NO. ST 883; TO SUPPLEMENTALLY APPROPRIATE \$9,400; AND TO DECLARE AN EMERGENCY.

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

ORD-0100-2011

TO AMEND SECTION 1152.02, LIMITED OVERLAY DISTRICT, OF CHAPTER 1152, OVERLAY DISTRICTS, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA.

This Matter was Adopted on the Consent Agenda.

Resolutions to Adopt on First Reading:**RES-0004-2011**

TO HONOR AND COMMEND HEARTLAND BANK FOR HELPING SAVE THE GAHANNA FOURTH OF JULY FREEDOM FESTIVAL.

This Matter was Adopted on the Consent Agenda.

RES-0005-2011

TO HONOR AND COMMEND THE GAHANNA PARKS & RECREATION FOUNDATION FOR HELPING SAVE THE GAHANNA FOURTH OF JULY FREEDOM FESTIVAL.

This Matter was Adopted on the Consent Agenda.

RES-0006-2011

TO HONOR AND COMMEND THE USO FOR PARTICIPATION IN THE GAHANNA FOURTH OF JULY FREEDOM FESTIVAL.

This Matter was Adopted on the Consent Agenda.

Motion Resolution:**MR-0023-2011**

Motion Resolution to authorize the Director of Public Service to go out for bids for Street Sweeping contract.

This Matter was Approved on the Consent Agenda.

MR-0024-2011

Motion Resolution to authorize the Director of Public Service to go out for bids for street light maintenance.

This Matter was Approved on the Consent Agenda.

MR-0025-2011

Motion Resolution to authorize the Director of Public Service to go out for bids for Landscaping contract; including the mowing of City entrances.

This Matter was Approved on the Consent Agenda.

MR-0026-2011

Motion Resolution to confirm the Mayor's appointment of Karen McClain to the CIC Board of Trustees to an unexpired term ending December 31, 2011.

This Matter was Approved on the Consent Agenda.

MR-0027-2011

Motion Resolution that this Council has no objection to the new C1 and C2 Liquor Permit for Wine Guy New Albany LLC, DBA The Wine Guy, 1383 Johnstown Road, Gahanna, Ohio 43230.

This Matter was Approved on the Consent Agenda.

Passed The Consent Agenda

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

Yes	7	President of Council Samuel, Vice President of Council Larick, Ewald, McGregor, Anderson, McAlister and Pack
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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

Larick said he is working on some information and will have something to Council soon.

H. CORRESPONDENCE AND ACTIONS:

Clerk - Legal: No Report.

2011-0022

Notice to legislative Authority of a new C2 liquor permit for Baileys Gourmet Baskets LLC, DBA Baileys Gourmet Baskets, 1231 Sanctuary Place, Gahanna, OH 43230. Last day to file objections is June 27, 2011.

Received and Filed

Council: No Report.

I. SECOND READING OF ORDINANCES:

Ordinances Reported Out of Committee:

ORD-0096-2011

TO REZONE 4.7+/- ACRES OF PROPERTY AS ROD/SF3, RESIDENTIAL OVERLAY DISTRICT/SINGLE FAMILY 3; SAID PROPERTY LOCATED AT 5593 HAVENS CORNERS ROAD; BROOKWOOD CONSTRUCTION COMPANY, INC., DOUG MADDY, APPLICANT.

Motion by Larick, seconded by Ewald, to adopt ORD-0096-2011.

A motion was made by Ewald, seconded by Anderson, that this matter be Postponed Indefinitely. The motion carried by the following vote:

Yes	7	President of Council Samuel, Vice President of Council Larick, Ewald, McGregor, Anderson, McAlister and Pack
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J. FIRST READING OF ORDINANCES:

ORD-0103-2011

TO CREATE THE FULL-TIME UNCLASSIFIED POSITION OF PROJECT ADMINISTRATOR IN THE DEPARTMENT OF PUBLIC SERVICE; TO ESTABLISH DUTIES AND RESPONSIBILITIES; AND TO DECLARE AN EMERGENCY.

Introduced, by title, by Pack.

Introduced

ORD-0104-2011

SUPPLEMENTAL APPROPRIATION AND TRANSFER - Project Administrator/Various Accounts

Introduced, by title, by Pack.

Introduced

ORD-0105-2011

TO AMEND ORD-0002-2011, WHICH PROVIDES RATES OF PAY AND BENEFITS FOR UNCLASSIFIED PERSONNEL OF THE CITY OF GAHANNA FOR THE PERIOD JANUARY 1, 2011, THROUGH DECEMBER 31, 2011; AS AMENDED BY

ORD-0057-2011, IN ORDER TO ADD THE NEWLY CREATED POSITION OF PROJECT ADMINISTRATOR; AND TO DECLARE AN EMERGENCY.

Introduced, by title, by Pack.

Introduced

K. MOTIONS/RESOLUTIONS: None.

L. REPRESENTATIVES:

Community Improvement Corporation (CIC) - Larick/Samuel

Larick said CIC is reorganizing with the resignation of Arens to take a position out of state; working on potential tenants for 181 Granville Street.

Mid-Ohio Regional Planning Commission (MORPC) - Anderson

Anderson said they meet this Thursday.

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

McGregor said they meet this Thursday.

Convention & Visitors Bureau (CVB) - McGregor: No Report.

M. OFFICIAL REPORTS:

Mayor

Mayor thanked Parks & Recreation and all involved in the Memorial Day celebrations; was honored to be the Master of Ceremonies and was invited to VFW; they honored all the WWII veterans; about 30 remaining.

City Attorney: No Report.

N. COUNCIL COMMENT

Pack said concerning CodeRED spoke with Gen. Williams; what a great asset he is; somebody who knows the emergency communications system; worked with him; spoke to folks in Tallmadge Ohio who are very pleased with their system; especially good for 65 and older residents; feel the system would be a great benefit.

Ewald thanked everyone involved with the Memorial weekend; thank efforts of Parks & Recreation Foundation; confirmation of community efforts; wonderful that citizens came together to save fireworks; spirit of our City.

Anderson also congratulated everyone involved in Memorial services; attended with my mother who was very impressed and enjoyed celebration; grandfather was a captain in the Army; enjoyed talking to people from Columbus who were lauding the fact that we had the brick memorial; Mayor did a great job; also congratulations and laud to everyone who helped save our fireworks; thanks for bringing the community together; Gahanna is a great place to live, work, play and retire.

Samuel said I was down in southwest Florida and they are having serious problems because of property valuations; laying off firemen; in Lee County development department is cutting 3 planners; glad we have the support of our community.

Mayor said she had one more thing. Collins said the pedestrian bridge is set over Big Walnut Creek part of Big Walnut Trail.

O. EXECUTIVE SESSION:

A motion was made by Ewald, seconded by Anderson, 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 7 President of Council Samuel, Vice President of Council
Larick, Ewald, McGregor, Anderson, McAlister and Pack

Council rose to Executive Session at 7:55 p.m. President requested Mayor Stinchcomb, City Attorney Weber, Director of Human Resources Treadway and Director of Public Service Franey into the Executive Session.

Samuel said Council may be coming back to take action after Executive Session.

Council rose to report from Executive Session at 8:32 p.m.

At the request of Council President, City Attorney Weber requested Council move to reconsider each of the ordinances and waive second reading, then adopt; sequentially; must do reconsideration; 3 votes on each motion.

ORD-0103-2011

TO CREATE THE FULL-TIME UNCLASSIFIED POSITION OF PROJECT ADMINISTRATOR IN THE DEPARTMENT OF PUBLIC SERVICE; TO ESTABLISH DUTIES AND RESPONSIBILITIES; AND TO DECLARE AN EMERGENCY.

A motion was made by Anderson, seconded by Ewald, that this matter be Reconsidered. The motion carried by the following vote:

Yes 7 President of Council Samuel, Vice President of Council
Larick, Ewald, McGregor, Anderson, McAlister and Pack

A motion was made by Anderson, seconded by Ewald, that this matter be Waive Second Reading. The motion carried by the following vote:

Yes 7 President of Council Samuel, Vice President of Council
Larick, Ewald, McGregor, Anderson, McAlister and Pack

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

Yes 7 President of Council Samuel, Vice President of Council
Larick, Ewald, McGregor, Anderson, McAlister and Pack

ORD-0104-2011

SUPPLEMENTAL APPROPRIATION AND TRANSFER - Project
Administrator/Various Accounts

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

Yes 7 President of Council Samuel, Vice President of Council Larick, Ewald, McGregor, Anderson, McAlister and Pack

A motion was made by Vice President of Council Larick, seconded by Anderson, that this matter be Waive Second Reading. The motion carried by the following vote:

Yes 7 President of Council Samuel, Vice President of Council Larick, Ewald, McGregor, Anderson, McAlister and Pack

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

Yes 7 President of Council Samuel, Vice President of Council Larick, Ewald, McGregor, Anderson, McAlister and Pack

Anderson said this is fiscally responsible; best use of our money for the benefit of the City; will be supporting this. Larick thanked Franey and Treadway for their work; net result is financial savings; smoother, easier process for staff and business as well; will support this.

ORD-0105-2011

TO AMEND ORD-0002-2011, WHICH PROVIDES RATES OF PAY AND BENEFITS FOR UNCLASSIFIED PERSONNEL OF THE CITY OF GAHANNA FOR THE PERIOD JANUARY 1, 2011, THROUGH DECEMBER 31, 2011; AS AMENDED BY ORD-0057-2011, IN ORDER TO ADD THE NEWLY CREATED POSITION OF PROJECT ADMINISTRATOR; AND TO DECLARE AN EMERGENCY.

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

Yes 7 President of Council Samuel, Vice President of Council Larick, Ewald, McGregor, Anderson, McAlister and Pack

A motion was made by Vice President of Council Larick, seconded by Anderson, that this matter be Waive Second Reading. The motion carried by the following vote:

Yes 7 President of Council Samuel, Vice President of Council Larick, Ewald, McGregor, Anderson, McAlister and Pack

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

Yes 7 President of Council Samuel, Vice President of Council Larick, Ewald, McGregor, Anderson, McAlister and Pack

P. ADJOURNMENT: 8:39 p.m. - Motion by Anderson.

Donna L. Jernigan, MMC
Senior Deputy Clerk of Council

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

David L. Samuel
President of Council