

City of Gahanna

*200 South Hamilton Road
Gahanna, Ohio 43230*



Meeting Minutes

Monday, November 5, 2001

7:30 PM

City Hall

City Council

*Michael O'Brien, President of Council
Donald R. Shepherd, Vice President of Council
Karen J. Angelou, Council Member
L. Nicholas Hogan, Council Member
Thomas R. Kneeland, Council Member
Debra A. Payne, Council Member
David B. Thom, Council Member
Isobel L. Sherwood, CMC/AEE, Clerk of Council*

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

Gahanna City Council met in Regular Session on Monday, November 5, 2001 in Council Chambers of City Hall, 200 S. Hamilton Road, Gahanna, Ohio. President of Council Michael O'Brien called the meeting to order at 7:32 p.m. Rabbi Apothekar of Temple Beth Shalom gave the invocation and Director of Parks & Recreation Raleigh Mitchell led the Pledge of Allegiance. Agenda for this meeting was published on November 2, 2001.

Members Present: David B. Thom, Michael O'Brien, Donald R. Shepherd, Karen J. Angelou, Debra A. Payne, L. Nicholas Hogan and Thomas R. Kneeland

B. ADDITIONS OR CORRECTIONS TO THE AGENDA: None.**C. HEARING OF VISITORS:**

Darnita Bradley, Columbia Gas, stated she came tonight without an issue; just wanted to introduce myself as contact for the City; have been with the Company about 20 years but new to government side of the business; just wanted to put a name with a face; looking forward to working with you; left business card for each of you.

Windy McKenna, Gahanna Jefferson School Board, stated there has only been a special Board meeting since here last; the meeting this month will be Thursday; look forward to seeing you there; next week is the Ohio School Board Conference; on Monday Gregg Morris, Cheri Dunlap, Janet Kruse, Colin Messaros, and Phil Peters are going to be conducting one of the panel discussions - "From Computer Illiterate to Nerd"; excited about that presentation; also the high school fiddlers will be entertaining down there on Tuesday; will not be here for your next meeting so will take this opportunity to wish you all a good Thanksgiving. O'Brien thanked the School Board for one of the best opportunities in recognition and that was to celebrate the life of Billy Withrow; anyone who was there knows what I'm speaking of; made me so proud to be a part of this community; was standing room only. McKenna stated the auditorium was full and it seats 750; people were standing around and our estimate was that 800 people were there. O'Brien stated that for those of you not able to attend Billy has been a colorful character who has added greatly to our community; what an example of strong faith he has as well as fierce loyalty to Gahanna Lincoln and a commitment and undying love for his parents; we could all learn from his life; he's not gone and it was an opportunity to celebrate; thank you for providing that opportunity. McKenna stated that Tom Miller put this video together over a 2 year period; is absolutely wonderful; had 200 copies and we sold out and are taking orders for more.

D. INTRODUCTIONS AND ASSIGNMENT TO COMMITTEE:

Ordinances, introduced, by title, by Angelou.

Ordinances - To Be Introduced and Assigned to Committee**ORD-0221-2001**

TO AUTHORIZE THE MAYOR TO ENTER INTO LEASE AGREEMENT WITH GFC LEASING FOR AN IMAGERUNNER 5000 COPIER

Introduced

ORD-0222-2001

TO AUTHORIZE THE MAYOR TO ENTER INTO LEASE AGREEMENT WITH RAILS-TO-TRAILS CONSERVANCY, OHIO CHAPTER, 4371 CHERRYBOTTOM ROAD, GAHANNA

Introduced

- ORD-0223-2001** TO ACCEPT AN ANONYMOUS DONATION FROM A GAHANNA POLICE OFFICER FOR THE PURCHASE OF A PROTECTIVE VEST FOR THE K-9 UNIT; TO SUPPLEMENTALLY APPROPRIATE SAID DONATION TO UNIFORM ALLOWANCE ACCOUNT.
Introduced
- ORD-0224-2001** SUPPLEMENTAL APPROPRIATION-Parks Capital Projects
Introduced
- ORD-0225-2001** TO AMEND CHAPTER 135, DEPARTMENT OF PUBLIC SERVICE, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA
Introduced, to Service Committee
- ORD-0226-2001** TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH EVANS, MECHWART, HAMBLETON & TILTON, INC., FOR STORM WATER STUDY FOR PHASE II NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT (NPDES) EPA PERMIT; AND TO DECLARE AN EMERGENCY
Introduced
- ORD-0227-2001** TO ENACT CHAPTER 947, BUILDING CONTRACTOR'S RESPONSIBILITIES, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA
Introduced, to Service Committee
- ORD-0228-2001** SUPPLEMENTAL APPROPRIATION-Mayor's Seminars and Meetings
Introduced
- ORD-0229-2001** TO REZONE 15.0+/- ACRES, MORE OR LESS, AS AR, MULTI FAMILY RESIDENTIAL; FOR PROPERTY LOCATED AT 4443-4469 EAST JOHNSTOWN ROAD; CONTEMPORARY CONSTRUCTION SERVICE, INC., BY DONALD T. PLANK, APPLICANT
Introduced, to Development Committee
- ORD-0230-2001** TO ACCEPT THE ANNEXATION OF 5.4+/- ACRES FROM JEFFERSON TOWNSHIP TO THE CITY OF GAHANNA, OHIO, LOCATED AT 4436 EAST JOHNSTOWN ROAD; REQUESTED BY DOUGLAS E. SAGER, ET AL
Introduced, to Development Committee
- ORD-0231-2001** TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT FOR THE SALE OF LAND KNOWN AS 57-63 MILL STREET FOR THE AMOUNT OF \$157,000; AND TO DECLARE AN EMERGENCY
Introduced, to Committee of the Whole
- ORD-0232-2001** TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH ZUBER LANDSCAPE DESIGN CONSTRUCTION INC. FOR THE CHERRYBOTTOM ROAD RETAINING WALL, TO SUPPLEMENTALLY APPROPRIATE \$13,000 THEREFOR; AND TO DECLARE AN EMERGENCY
Introduced, to Service Committee
- ORD-0233-2001** TO ADOPT THE THOROUGHFARE PLAN, AUGUST 29, 2001 BY EMH&T, INC., FOR THE CITY OF GAHANNA, OHIO
Introduced, to Committee of the Whole
- ORD-0234-2001** TO AMEND SECTION 145.02, THOROUGHFARE PLAN, OF CHAPTER 145 OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA.

Introduced, to Committee of the Whole

E. CONSENT AGENDA:

Minutes - To Approve

2001-0006 To approve minutes of the following meetings:
1) December 3, 2001 Regular Meeting

This Matter was Approved, on the Consent Agenda.

Ordinances on Second Reading

ORD-0211-2001 TO ACCEPT WATERLINE, STREET, AND STORM SEWER IMPROVEMENT NO. 731, AND SANITARY SEWER IMPROVEMENT NO. 732; AND APPURTENANCES THERETO, IN HARRISON POND, "THE VILLAGES AT ROCKY FORK", SECTION 11, PHASE 1; AND TO DECLARE AN EMERGENCY.

This Matter was Adopted on the Consent Agenda.

ORD-0212-2001 TO AUTHORIZE THE CITY ATTORNEY TO PETITION THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, OHIO, TO ANNEX CERTAIN 1.13+/- ACRE TRACT OF LAND FROM JEFFERSON TOWNSHIP TO THE CITY OF GAHANNA, SAID LAND BEING COMPRISED OF ROAD RIGHT OF WAY; AND TO DECLARE AN EMERGENCY.

This Matter was Adopted on the Consent Agenda.

ORD-0213-2001 SUPPLEMENTAL APPROPRIATION- Railroad Maintenance

This Matter was Adopted on the Consent Agenda.

ORD-0216-2001 TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH TRICAR LTD FOR FINAL DESIGN AND CONSTRUCTION SERVICES FOR THE WEST GAHANNA BIKEWAY CONNECTOR PROJECT, IMPROVEMENT NO. 786; AND TO DECLARE AN EMERGENCY.

This Matter was Adopted on the Consent Agenda.

ORD-0217-2001 TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH GENERAL INNOVATIONS & GOODS, INC., TO INSTALL THE CREON 2000 AIR DISINFECTION SYSTEM AT THE POLICE STATION; TO SUPPLEMENTALLY APPROPRIATE \$9,412; AND TO DECLARE AN EMERGENCY.

This Matter was Adopted on the Consent Agenda.

ORD-0218-2001 SUPPLEMENTAL APPROPRIATION - Parks Capital Projects

This Matter was Adopted on the Consent Agenda.

ORD-0219-2001 TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH CARGILL, INC., FOR PURCHASE OF ROCK SALT FOR THE 2001-2002 SEASON.

This Matter was Adopted on the Consent Agenda.

ORD-0220-2001 TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH THE COLUMBUS & OHIO RIVER RAIL ROAD COMPANY FOR MAINTENANCE AND INSPECTION OF THE GAHANNA OWNED INDUSTRIAL RAILROAD TRACKS.

This Matter was Adopted on the Consent Agenda.

Ordinance - To Amend by Substitution and Adopt

ORD-0215-2001

TO REVISE AGREEMENT WITH THE STONEHENGE COMPANY FOR CONSTRUCTION OF TRIANGLE WEST SANITARY SEWER PUMP STATION, IMPROVEMENT #740; TO SUPPLEMENTALLY APPROPRIATE \$16,461 THEREFOR; AND TO DECLARE AN EMERGENCY.

This Matter was Amended by Substitution and Adopted on the Consent Agenda.

Postponed to Date Certain of December 3, 2001:

ORD-0214-2001

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH M.E COMPANIES, FOR THE RESTORATION AND RECOVERY OF BEDFORD LANDFILLS I & II, TO SUPPLEMENTALLY APPROPRIATE \$121,100 THEREFOR; AND TO DECLARE AN EMERGENCY.

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

Resolutions to Adopt on First Reading

RES-0008-2001

TO HONOR AND COMMEND WAYNE L. HOWARD FOR 31 YEARS OF SERVICE WITH THE CITY OF GAHANNA POLICE DEPARTMENT

This Matter was Adopted on the Consent Agenda.

Motion Resolution

MR-0067-2001

Motion Resolution to acknowledge receipt of Memorandum of Understanding regarding Barbara J. Cannon, to be filed with Ordinance 980423, Labor Agreement with the Fraternal Order of Police, Capital City Lodge No. 9.

This Matter was Approved on the Consent Agenda.

Passed The Consent Agenda

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

Yes	7	Council Member Thom, President of Council O'Brien, Vice President of Council Shepherd, Council Member Angelou, Council Member Payne, Council Member Hogan and Council Member Kneeland
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End of the Consent Agenda

O'Brien read the resolution honoring Wayne Howard and stated he would see that he received a copy of the resolution and an award of merit pin. O'Brien stated Howard was a friend of many sitting on this dais; he actually took a bullet for the people of Gahanna; thank goodness he survived; felt it was necessary and appropriate thing for us to do to honor this former employee and Deputy Chief and give him the thanks of a grateful community.

F. PUBLIC HEARINGS:

President read Public Hearing Rules that would govern all public hearings this evening.

2001-0054

To recommend to Council approval of ZC-0004-2001 to consider a zoning change application to rezone 15.3 acres to AR, Apartment Residential current zoning, ER-1 &

ER-2; to allow construction of a multi-family development; for property located at 4443-4469 East Johnstown Road; Contemporary Construction Service, Inc., by Donald T. Plank, attorney.

President opened Public Hearing at 7:50 p.m. Samantha Shuler, Shuler, Plank & Brahm, 145 E. Rich St., stated she was present representing applicant and developer, Contemporary Construction; Don Plank had a conflict this evening and could not be here; have just a brief presentation; rezoning before you is a 15.3 acre piece located north of Johnstown Road; have been meeting with staff and Planning Commission; this is just the first step of many; this property is zoned ER-1 and ER-2 and am seeking to rezone to AR for multi family; details of the development will come as we move through the process; parkland dedication, site layout, etc. will be hammered out; before we can do that have to have it zoned for the appropriate use; have a couple of exhibits; the orange site is the 15.3 acres under hearing this evening; the 2.3 acre site adjacent is in process of annexation; as soon as that is annexed in it will be zoned; the next piece is owned by Gahanna; working now on putting park land dedication together and swapping some of the property so that our development and the Y and park can all coexist; will all be worked out at future points but did want that concept to be spoken about; this is your zoning map which shows this yellow piece as our property with AR all around us; on the use issue this is an appropriate use; will get to details down the line; just so you know what we have proposed we do have this conceptual plan; the 2.7 acre and 1.3 acre proposed for a swap to help with the YMCA development; those details are being worked on as we go through the final development plan; happy to answer any questions you may have.

Kneeland stated he thought it was a requirement or directive that there be electronic media presented; don't know if developer was made aware of that. Shuler apologized as she was not aware of the requirement. Kneeland requested that they be made available as it will be important as we go forward to committee. Shuler stated she did have some small plans available. They were put on the screen and Shuler explained the site plan to the audience as follows. The first three parcels from west to east are the 15.3 currently in Gahanna. next piece west is subject to annexation; City of Gahanna land to the east is that which we hope to include in the parkland swap.

Chair asked for opponents. There were none.

Chair closed public hearing at 7:58 p.m.

Thom stated that at Planning Commission there had been some discussion on ingress and egress to the project; to incorporate as part of the YMCA. Shuler stated the City might give a better explanation than she could. Sadicka White, Director of Development, stated that in consultation with the City Engineer, we looked at this as part of the Thoroughfare Plan and also at our efforts to keep Johnstown to three lanes in the corporate limits; in looking at the City property and the YMCA and ingress and egress issues, it was felt that at some point we would anticipate a signalized intersection; would need an intersection for development of the YMCA and for this development but also an intersection east of that fairly close to the property of the swap; decided that if we allowed a dual ingress and egress it would be fairly sufficient; we had not planned that that would be a signalized intersection; this developments access to the east may be restricted at some point to right in and right out.

Hogan asked with regard to the 2.3 acres of park land dedication what type of general public access would be available. Shuler stated that property would be dedicated to the City; will be whatever you would choose to give.

Angelou asked where the Yoder property is in connection with this. White pointed it out on the map; is next to the City owned property on the east of this development. Angelou asked if there were any covenants on that land that would preclude this from coming together. Shuler stated not that she was aware of.

Heard in Public Hearing

2001-0053

To recommend to Council the approval of S-0001-2001, Gahanna Thoroughfare Plan dated August 29, 2001 as presented by the City Engineer and EMH&T.

President opened Public Hearing at 8:02 p.m.

Karl Wetherholt, City Engineer, stated the City of Gahanna has commissioned this plan to meet the transportation infrastructure needs of the community over the next two decades; since the last plan of February 14, 1995, Gahanna and surrounding areas have witnessed significant development and substantial infrastructure investment; the Thoroughfare Plan was designed to account for growth outside the City as well as within City limits; current and planned commercial and residential growth within Gahanna and the surrounding communities presents a significant challenge to the City as we consider future transportation needs for planning purposes; this Thoroughfare Plan was conceived to identify and designate a hierarchy of functional streets within the study area and define a framework of arterial and collector streets capable of serving the land uses currently being contemplated; this plan is intended to guide the City as we make decisions about what improvements will be most beneficial to the City street network and the community as a whole; Thoroughfare Plan has three significant recommendations - it validates the need for the TechCenter Drive to Hamilton Road connector; shows we were right on with these thoughts; it recommends access management to ease congestion using the minimum pavement width; that is something that we haven't done a lot of until recently; need to control the access; thirdly a principal arterial will have a right of way width of 120'; the maximum amount of right of way now has been 100' and where this has the greatest impact is on annexation; services ordinance is prepared in accordance with thoroughfare plan recommendation; the Thoroughfare Plan works in conjunction with the land use plan for projections; the Thoroughfare Plan is a city wide planning tool useful to Planning Commission as individual developments are considered, to prospective businesses considering market studies, and to Council and the administration in evaluating capital projects; the Thoroughfare Plan does not analyze individual intersections; Thoroughfare plan also doesn't get into great depth on recommending what the actual improvements may be; what it does is to project future traffic and deficiencies in the current pavement; will conclude.

Chair asked for opponents. Susan O'Donnell, 337 Sycamore Ridge Way, stated she would like to be able to say she was opposed or for it but don't think we have a clear picture; there are many facets; the part of the plan we are concerned with is the widening of Hamilton Road to 5 lanes; when our development was built we were to have access to Hamilton and Johnstown; there were also going to be some units on the Johnstown Road side of the ravine; was not approved that way; buildings were pushed to the front; the centerline of Hamilton Road to the front porch of 400 Sycamore Woods Lane will only have 2' from edge of right of way to the porch; building 26 has a similar problem with his back porch; just became aware of this problem; don't know what master plan is for between Clark State and Johnstown; do know if all the trees are removed, which would be part of the problem other than on the doorstep, the properties will begin to turn into commercial properties; have seen it happen elsewhere; understand traffic patterns and we need to move traffic; as part of our concern and the resolution we brought to Council, hope that you would consider the environmental impact, residential impact, and community life along Hamilton Road in this area; understand your concern on Johnstown expressed earlier; but more people live along that section of Hamilton than currently live on Johnstown; suggest it would be a good solution for this area; thank

you.

Chair asked for rebuttal. Wetherholt stated the Thoroughfare Plan is not a geometric alignment plan for future widening of Hamilton Road; that is an issue we are not ready to talk about just right now; Thoroughfare Plan makes no recommendation on the specific alignment of Hamilton Road; is difficult to go from a recommendation to a specific; Hamilton Road needs to be dealt with as a separate issue.

President closed Public Hearing at 8:04 p.m.

Angelou stated she had a comment about the fear of commercialization between Clark State and 62; this Council has taken the position with passing of Heartland Plan that this section of Hamilton Road will not commercially develop but will remain single family residential or some condominium development; will not go commercial or even suburban office at this point; we are committed to residential; think any fear of commercialization can be put aside; that is our commitment to the Heartland Plan.

Kneeland stated that as we move forward with this next week would like to have an addendum; feel it would be helpful to have a short chart that shows matrix reflecting items 7 through 12; show different scenarios; only reflecting the traffic amounts in Hamilton Road; would give us a good idea of what the projections mean. Wetherholt stated he understood the request and would put something together; would include some of those deviations on land use and traffic patterns.

O'Brien asked if the passing of the Thoroughfare Plan would lock us in to a particular development of our highway system; or is it used as guideline. Wetherholt stated it is used as a guideline; makes 20 year projections of what traffic counts will be at that time; is a useful tool that helps us to determine where we want to do capital projects. O'Brien stated that when the petition and resolution form was presented he had no place to put it for discussion; would like to do with that paperwork now is to place it for consideration, not as a part of the Thoroughfare Plan but to be considered along with the Plan; probably will move again when that project comes up in particular. that's the way I see this happening; makes everyone rest easier to know Thoroughfare Plan is a guideline; thank you Wetherholt and Ms. O'Donnell and others that came out.

Kneeland asked where public could get a copy of the Plan. Sherwood stated a copy is available in the Council office for review. Wetherholt stated he has a copy in a split out format which can be made available for the public; anyone interested in obtaining a copy can come to the Engineering office.

Heard in Public Hearing

G. STANDING COMMITTEES:

Communications & Technology Committee - Kneeland: No Report.

Development Committee - Payne: No Report.

Service Committee - Hogan: No Report.

Safety Committee - Shepherd: No Report.

Committee of the Whole - Shepherd: No Report.

Finance - Angelou: No Report.

H. CORRESPONDENCE AND ACTIONS:**Clerk - Legal:****2001-0064**

Recommendation from Planning Commission for the amendment to Chapter 1151, Planned Districts, of the Codified Ordinances of the City of Gahanna. (1st available Public Hearing date is December 17, 2001).

Recommendation from Planning Commission for the amendment to Chapter 1151, Planned Districts, of the Codified Ordinances of the City of Gahanna. President set Public Hearing date for December 17, 2001.

Angelou asked about normal procedure for legislation since that would be last meeting of the year. Sherwood stated legislation would not be introduced that evening but at the first meeting in January and then go on to Committees with second reading at the second meeting in January, if approved out of committee.

Received and Filed**Council:**

Payne stated she lives in Bryn Mawr; have been having trouble with electricity outages; did have a woman who complained to me; in 9 years have had lots of outages. Angelou agreed and stated specifically in the last week there have been several. Hogan concurred. Angelou stated she had called Davies regarding the outages. O'Brien asked Davies to request that Mary Flint from AEP attend next Service Committee meeting.

O'Brien stated his E-mail account was filling up but was unable to download either at home or here; have not been able to open anything sent to me in the last few days; they are in cyberspace.

I. SECOND READING OF ORDINANCES: None.**J. FIRST READING OF ORDINANCES: None.****K. REPRESENTATIVES:****Community Improvement Corporation (CIC) - Kneeland:**

Kneeland stated next meeting is on November 20 at 8:00 a.m. at Heartland.

Mid-Ohio Regional Planning Commission (MORPC) - Payne: No Report.**Bd./Ed., Gahanna-Jefferson Public Schools - Shepherd: No Report.****Gahanna/Jefferson Joint Committee - O'Brien:**

O'Brien stated meeting is this Wednesday night at 7:00 p.m. in Police Conference Room.

L. OFFICIAL REPORTS:**Mayor:**

Stinchcomb stated she did attend the Bill Withrow celebration; did manage to purchase a video; glad to loan my copy if anyone would like to see it; urge everyone to vote tomorrow; on ballot are the ward seats, MRDD levy, and charter issues; wish everyone

well.

City Attorney:

Weber stated that some of you received a copy of a law suit; also received correspondence; Mike Cochran, principal with Ohio Township Association and a lobbyist; just state that when you read his comments, you need to consider the source; my understanding is that there is some township funds being used for this correspondence and anti referendum campaign; talking about spending of public funds, why are townships spending money to keep this issue off the ballot; tired of this type of correspondence; City of Columbus has given money to the fund; all the cities involved feel they are lawful in this expenditure of funds; on another issue, did speak briefly with Shuler ; are some deed restrictions on Yoder property; asked her to look into and will bring these up next week in committee; these were a problem in a past zoning issue; the issue of the deed restrictions does have to be addressed;. Angelou stated she felt the deed restrictions had something to do with the Herman property; little surprised to see this application before us because of that. Weber stated that he did have some memory of that; will be addressed next week.

White stated that Plank had also filed suit; if majority would agree that they would not support deed restrictions they can be removed; believe deed restriction says something to the effect that they can only have one house per lot; the judge may look at it and say things have changed from when those restrictions were made and are out of date; with only one person left willing to enforce, majority could override; is close to being settled. Angelou stated that was good to hear; thought that deed restrictions would have to be 100% in agreement. Weber stated that some are; some are against public purpose; those things that are against public policy can be looked at; this is not a civil rights issue; may be an issue.

M. COUNCIL COMMENT:

Kneeland stated that after 5 terms of running an election and now not running one has made this election different; don't know what I'll do; good luck to all candidates; wish Schirtzinger good luck.

Thom stated he had attended the Billy Withrow celebration Friday night; very moving evening; has been said that Billy understands what he's told but has a rough time communicating; if he has a rough time communicating, only wish the rest of the world could communicate like him; very moving evening.

Angelou stated that Withrow is an extraordinary person that can connect with the community; wish we all had his tenacity and his ability to look at things the way he does; urge you to vote; urge you to vote against the Charter issue regarding ward seats and succession to Mayor; don't think they will end up passing; believe people will read the issues and vote accordingly; these are the ones I think are going a different direction than what we should be.

Hogan reiterated Angelou's comments on ward terms; encourage everyone to vote against; too many games can be played if it passes; way terms are staggered an at large can run for a ward seat; would also be opposite Mayor's race; can run for Mayor without giving up Council seat; reason I'm voting against; wish all candidates the best of luck; on another issue am very frustrated; believe we need to change the law; the issue is illegal campaign signs in right of way; hope every candidate would follow the law and get permission to erect a sign; to have other candidates throw them up wherever is one thing but there is a law on the books that says you can't do it; we take an oath of office to swear and uphold the Codified Ordinances and to purposely violate law makes me think

we should change the law; is frustrating; do applaud all candidates that are running that have gotten permission to have them placed properly; wish all candidates well.

Payne stated that games are played now with 2 years versus 4 years; had an at large Council Member run for my ward; talk about playing games; recommend 4 year terms so we can stagger; every 4 years every Council member, City Attorney and Mayor could be new; would not like to see City turn over completely; am in favor of staggering terms and that's the only way to accomplish that goal; supporting terms being extended so we do not have the potential for a complete turn over; you can play games now; hope you go out and vote; hope Shepherd and I will be here next year; wish Schirtzinger well.

Shepherd stated that Bill Withrow has touched so many peoples lives; goes back 30 years; if it was publicized could have had 5000 people there; it was like family; doesn't seem likes he's aged since 1972.

O'Brien stated he also wanted to talk about Billy Withrow; like other people get caught up in the excitement or drive to not vote for taxes; let's not vote for any taxes; was feeling that way until Billy's celebration on Friday night; because of the MRDD programs here in Franklin County this man has been able to work since the early 1970's; his work ethic is unbelievable; is hailed at 7-Up for his efforts; only took retirement because his last family supporter passed away; am voting for MRDD; think it is a most worthy place for our tax dollars to go to help people like Billy; do think of all, this is one of the most worthy ones.

N. EXECUTIVE SESSION:

Motion by Angelou, seconded by Kneeland, to go into Executive Session under authority of Section 5.40(a) of Council Rules of Procedure to discuss an appointment to the Planning Commission. ROLL CALL: Voting yes: Angelou, Kneeland, Thom, Hogan, O'Brien, Payne, Shepherd. Motion carried.

Council rose to Executive Session at 8:35 p.m. Council rose to report from Executive Session at 9:00 p.m.

MR-0068-2001

[Enter title here.]

A motion was made by Council Member Payne, seconded by Council Member Kneeland, that this matter be Approved. The motion carried by the following vote:

Yes	7	Council Member Thom, President of Council O'Brien, Vice President of Council Shepherd, Council Member Angelou, Council Member Payne, Council Member Hogan and Council Member Kneeland
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O. ADJOURNMENT: 9:01 p.m. - Motion by Payne.

Isobel L. Sherwood, MMC
Clerk of Council

*APPROVED by the City Council, this
day of 2012.*

Chair Signature