

City of Gahanna

*200 South Hamilton Road
Gahanna, Ohio 43230*



Meeting Minutes

Monday, July 16, 2001

7:30 PM

City Hall

City Council

Rebecca W. Stinchcomb, President of Council

Michael O'Brien, Vice President of Council

Karen J. Angelou, Council Member

L. Nicholas Hogan, Council Member

Thomas R. Kneeland, Council Member

Debra A. Payne, Council Member

Donald R. Shepherd, Council Member

Isobel L. Sherwood, CMC/AAE, Clerk of Council

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

Gahanna City Council met in Regular Session on Monday, July 16, 2001 in Council Chambers of City Hall, 200 S. Hamilton Road, Gahanna, Ohio. President of Council Rebecca W. Stinchcomb called the meeting to order at 7:30 p.m. Council Vice President Mike O'Brien gave the invocation followed by the Pledge of Allegiance led by Chief of Police Dennis Murphy.

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

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 Payne.

ORD-0138-2001

TO AUTHORIZE THE MAYOR TO ENTER INTO NEGOTIATED LABOR AGREEMENT TITLED "AGREEMENT BETWEEN OHIO PATROLMEN'S BENEVOLENT ASSOCIATION DISPATCHER UNIT AND CITY OF GAHANNA, OHIO, JANUARY 1, 2001 - DECEMBER 31, 2001"; TO REPEAL ORDINANCE NO. 980424; AND TO DECLARE AN EMERGENCY.

Introduced

ORD-0139-2001

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH THE ROBERT WEILER COMPANY REALTORS TO SELL OR LEASE THE PROPERTY AT 133 MILL STREET KNOWN AS THE FORMER MIFFLIN TOWNSHIP FIRE STATION

Introduced, to Finance Committee

ORD-0140-2001

TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO AWARD AND THE MAYOR TO ENTER INTO CONTRACT WITH JOHN'S PAINTING, FOR INTERIOR PAINTING OF THE POLICE DEPARTMENT AND THE SENIOR CENTER; TO TRANSFER FUNDS FROM BUILDING MAINTENANCE TO LANDS & BUILDING CAPITAL

Introduced

ORD-0141-2001

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH AHC, INC., FOR ASBESTOS REMOVAL IN PREPARATION FOR DEMOLITION AT 121 MILL STREET.

Introduced, to Regular Agenda

ORD-0142-2001

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH COLVIN GRAVEL COMPANY, INC., FOR DEMOLITION OF 121 MILL STREET

Introduced, to Regular Agenda

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-0133-2001

SUPPLEMENTAL APPROPRIATION - 2001 Crown Victoria Cruisers

This Matter was Adopted on the Consent Agenda.

ORD-0134-2001

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH EMH&T CONSULTING ENGINEERS AND SURVEYORS FOR ENGINEERING DESIGN SERVICES FOR HAVENS CORNERS ROAD/HELMBRIGHT DRIVE INTERSECTION; IMPROVEMENT #794, TO SUPPLEMENTALLY APPROPRIATE \$57,000 THEREFOR; AND TO DECLARE AN EMERGENCY.

This Matter was Adopted on the Consent Agenda.

ORD-0135-2001

SUPPLEMENTAL APPROPRIATION - Capital Projects, Parks

This Matter was Adopted on the Consent Agenda.

ORD-0137-2001

TO ACCEPT DEEDS OF CONSERVATION EASEMENT IN THE FOXBORO RECREATION AREA ENTERED INTO BY THE CITY OF GAHANNA WITH THE FRANKLIN COUNTY SOIL AND WATER CONSERVATION DISTRICT.

This Matter was Adopted on the Consent Agenda.

Resolutions to Adopt on First Reading

RES-0011-2001

TO PROVIDE FOR THE SUBMISSION TO THE ELECTORATE OF AMENDMENT TO THE GAHANNA CITY CHARTER PERTAINING TO A VACANCY IN THE OFFICE OF THE MAYOR

This Matter was Adopted on the Consent Agenda.

RES-0012-2001

TO PROVIDE FOR THE SUBMISSION TO THE ELECTORATE OF AMENDMENT TO THE GAHANNA CITY CHARTER PERTAINING TO THE TERMS OF COUNCIL MEMBERS ELECTED FROM A WARD

This Matter was Adopted on the Consent Agenda.

RES-0013-2001

TO PROVIDE FOR THE SUBMISSION TO THE ELECTORATE OF AMENDMENT TO THE GAHANNA CITY CHARTER PERTAINING TO THE BOARD OF ZONING AND BUILDING APPEALS

This Matter was Adopted on the Consent Agenda.

RES-0014-2001

TO PROVIDE FOR THE SUBMISSION TO THE ELECTORATE OF AMENDMENT TO THE GAHANNA CITY CHARTER PERTAINING TO EMPLOYEES IN THE CLASSIFIED AND UNCLASSIFIED SERVICE

This Matter was Adopted on the Consent Agenda.

RES-0015-2001

TO PROVIDE FOR THE SUBMISSION TO THE ELECTORATE OF AMENDMENT TO THE GAHANNA CITY CHARTER PERTAINING TO VACANCIES IN CLASSIFIED SERVICE FOR THE HIRING OF A DEPUTY CHIEF OF POLICE

This Matter was Adopted on the Consent Agenda.

RES-0016-2001

TO PROVIDE FOR THE SUBMISSION TO THE ELECTORATE OF AMENDMENT TO THE GAHANNA CITY CHARTER PERTAINING TO THE CREATION OF A

DEPARTMENT OF HUMAN RESOURCES

This Matter was Adopted on the Consent Agenda.

RES-0017-2001

TO PROVIDE FOR THE SUBMISSION TO THE ELECTORATE OF AMENDMENT TO THE GAHANNA CITY CHARTER PERTAINING TO THE NON DISCRIMINATION CLAUSE OF GENERAL PROVISIONS

This Matter was Adopted on the Consent Agenda.

RES-0018-2001

TO RECOGNIZE AND COMMEND DEMETRIUS J. NEELY FOR VOLUNTEER WORK AS A MEMBER OF THE 2001 CHARTER REVIEW COMMISSION

This Matter was Adopted on the Consent Agenda.

RES-0019-2001

TO RECOGNIZE AND COMMEND HAL M. HARE FOR VOLUNTEER WORK AS A MEMBER OF THE 2001 CHARTER REVIEW COMMISSION

This Matter was Adopted on the Consent Agenda.

RES-0020-2001

TO RECOGNIZE AND COMMEND STEVEN R. KOSTELNIK FOR VOLUNTEER WORK AS A MEMBER OF THE 2001 CHARTER REVIEW COMMISSION

This Matter was Adopted on the Consent Agenda.

RES-0021-2001

TO RECOGNIZE AND COMMEND KRISTEN GALINSKI FOX FOR VOLUNTEER WORK AS A MEMBER OF THE 2001 CHARTER REVIEW COMMISSION

This Matter was Adopted on the Consent Agenda.

RES-0022-2001

TO RECOGNIZE AND COMMEND JENNIFER TISONE PRICE FOR VOLUNTEER WORK AS A MEMBER OF THE 2001 CHARTER REVIEW COMMISSION

This Matter was Adopted on the Consent Agenda.

RES-0023-2001

TO RECOGNIZE AND COMMEND J. WILLIAM PETRO FOR VOLUNTEER WORK AS A MEMBER OF THE 2001 CHARTER REVIEW COMMISSION

This Matter was Adopted on the Consent Agenda.

Motion Resolution**MR-0047-2001**

Motion Resolution to Authorize the one year renewal of the City of Gahanna's Insurance Package with the Ohio Municipal League c/o Marsh USA, Inc.; funds appropriated in the 2001 Appropriations.

This Matter was Approved on the Consent Agenda.

MR-0048-2001

To approve the year 2002 Budget as submitted to Council on July 13, 2001, and to direct and authorize the Director of Finance to deliver said budget to the Franklin County Office of Budget no later than July 20, 2001.

This Matter was Approved on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Vice President of Council O'Brien, seconded by Council Member Payne, 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 Stinchcomb, Council Member Angelou, Vice President of Council O'Brien, Council Member Payne, Council Member Hogan, Council Member Shepherd and Council Member Kneeland

End of the Consent Agenda

F. PUBLIC HEARINGS: None.

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 - O'Brien: No Report.

Finance - Angelou

Angelou stated that the budget was approved this evening on the Consent Agenda; will be filed with the County by the end of the week. Stinchcomb thanked Angelou for all her hard work in getting the budget completed; feel Finance Chair is one of the most difficult jobs we have.

H. CORRESPONDENCE AND ACTIONS:

Clerk - Legal:

Z-0003-2001

To consider a zoning change application on 1.141 acres of newly annexed property as ER-2, Estate Residential District located at 6555 Clark State Road; for the purpose of a single family residence; current zoning ER-1; City of Gahanna--Development Department, by Sadicka White, applicant. (Public Hearing. Advertised in RFE on 6/21/01 & 6/28/01). (Public Hearing held on 7/11/01).

President set Public Hearing for August 20, 2001.

Scheduled for Public Hearing

2001-0032

To acknowledge receipt of Communication from WideOpenWest Ohio, LLC regarding the sale of Ameritech New Media, Inc., Cable System to WideOpenWest Holdings, LLC; application for assignment of Cable Television Franchise.

Received and Filed

2001-0033

Letter from Bill Smuckler, Canton City Council Member At Large requesting a petition drive in the City of Gahanna with regard to the State Legislature investigating the high cost of heating, including a resolution passed by the City of Canton on the same subject.

Received and Filed

Council

Angelou stated they had received about 10 E-mails regarding Creekside; concerns on 3 of them that talk about secret meetings; ask President to poll Council to see if anyone

attended secret meetings; found it very objectionable; have served twenty years; understand the sunshine law; poll Council on who has actually attended secret meetings.

Stinchcomb polled Council as to whether they had attended secret meetings. Payne replied she had not. Kneeland replied he had not. O'Brien stated that would be a criminal act and he had not. Shepherd stated he had not. Angelou stated she had not. Hogan stated he had not. Stinchcomb stated she had not.

Angelou stated that another item that bothered her was that a few of the letters talked about the City pouring more money into Fire and EMS services; we do not provide those services; they are provided aptly by Mifflin Township

O'Brien stated he found it disturbing that those who may have an interest in running for Council don't realize that City Council does not fund Fire and EMS; did receive one letter besides the 10 E-mails that were sent.

Hogan stated that there were 15 total E-Mails; don't expect the public to understand or know who provides fire services; they look at it as the city is the city; how many times do they talk to us about the schools; think what is important is that we did receive these; people by and large are saying they like what we have but want to know what is being planned; noted E-mail and read portion from Joan Bouros; also read from Greg Higgins.

O'Brien stated we have read the E-mails. MOTION to proceed with the agenda. Hogan stated he found it interesting that 15 residents took time to write Council. MOTION was restated by O'Brien to move from this issued, and seconded by Payne. In response to question, Weber noted that the motion is in order if you wish to move on.

Payne stated the only reason voting for is that we haven't read every E-mail that comes to us publicly from the dais; if you want something on the public record you come to a meeting, fill out a speaker slip, and speak; when sent to us as E-mail, the correspondence is acknowledged but not read.

Stinchcomb stated she had concerns with the appropriateness of reading names on the public record.

ROLL CALL: Voting yes: O'Brien, Payne, Shepherd, Stinchcomb, Kneeland. Voting no: Angelou, Hogan. Motion carried.

Angelou stated she was responding to each E-mail received; think the one said there were only 2 of us who responded; is up to Council individually to respond; that is the magic of this technology; reading every one seems to be a little much; have no problem with putting them as part of the record.

Hogan is Council's prerogative to be receptive; every member of this Council has read correspondence they have received; hope Council is more open to setting up for public meetings in the school and in hearing the public; the E-Mail forwarded to us by Isobel and signed genjima is from General Abraham; have received these from all over the city; all basically like what we have done but have concerns with where we are going.

Angelou stated that one E-mail talked about not giving monies to the schools; note that there is \$1.5 million in next year's budget to pay the schools; \$855,000 was given to them in 2000 and \$1.3 million this year; is a large budget item.

I. SECOND READING OF ORDINANCES:

Ordinances Reported Out of Committee:**ORD-0136-2001**

SUPPLEMENTAL APPROPRIATION - Mayor's Court, Credit Charges

Angelou stated that we were waiting for information to come back from FirStar; information has not been received yet; spoke to Isler today; this just places the money in the account; it will be needed for seed money no matter what; a report will still need to be made and we will know who the selection is; think we can go ahead.

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

Yes	7	President of Council Stinchcomb, Council Member Angelou, Vice President of Council O'Brien, Council Member Payne, Council Member Hogan, Council Member Shepherd and Council Member Kneeland
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J. FIRST READING OF ORDINANCES: None.**K. REPRESENTATIVES:**

Community Improvement Corporation (CIC) - Kneeland: No Report.

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

Bd./Ed., Gahanna-Jefferson Public Schools - Shepherd: No Report.

Gahanna/Jefferson Joint Committee - O'Brien: No Report.

L. OFFICIAL REPORTS:**Mayor**

McGregor noted we haven't taken possession of Summerfield's yet; they have few weeks left; already have a restaurant interested in locating there; citizens committee will be looking at this as well as how to open to other proposals; that group of citizens and officials will make a decision; will be a wonderful addition after many years of having that key corner vacant and derelict.

City Attorney

Weber stated he had called Governor Taft's office and asked them to veto the annexation bill.

M. COUNCIL COMMENT:

Hogan stated there have been no secret meetings; however, have received confidential E-mails although it is public information; a response received from a Council Member to one of the E-mails was to come to committee meetings; can't tell you the number of times I have seen a committee chair say this is not the time for public comment, show up at a Council meeting; need to have more public input on the Creekside issue; last week Mayor stated he is following the fast track because Council passed a plan; Council passed a plan that calls for 300,000 sf of retail and 1000 new jobs; as part of the Planning Commission recommendation it was requested that an independent marketing study be done; that has not been done; was also stated that a traffic study should accompany this; voted for Stilson because it included a traffic analysis; reports from

Stilson will consist of 9 parts - a, b, and c gives us information; what it will cost, traffic count, and EPA effect on Clark station; after a, b, and c are completed, want Wetherholt to tell us it is done; want to have public meetings back out in schools after that is done; public needs more input; don't know what Phase 2 is; it can't pay for itself; that's the one thing I would ask we do; if any other developer had gotten his plan approved as we approved the conceptual plan and then eliminated as much as we have done, every member of this Council would say this is a substantial change that would have to go back to Planning Commission; everything has to go back to Planning Commission; we are buying properties and tearing down; are getting close to bricks and mortar; public has fantastic ideas that every member would benefit from; thank you very much.

McGregor stated we are not at bricks and mortar; this will have to go back through Planning Commission; is a whole lot of opportunity through the Planning Commission process for public input - architecture, construction, design elements; every aspect, even the landscaping, does need to be approved by the Planning Commission.

O'Brien noted that we are required to have public meetings; none of us disagree with that; think what Hogan wants to imply is that 6 members of Council would like to not have public meetings; that is not the case; challenge Hogan to be more concerned with education and not incitement; you are inciting the public; if they heard both sides of the story they would have a different feeling; your editorial was inciting and rude; was disrespectful to every member of this Council.

Shepherd stated he felt Hogan's article was irresponsible and immature.

Stinchcomb stated there was discussion last week about the Charter Review Commission recommendations; know there was some discussion about the Ward Council people having 4 year terms; my concern wasn't necessarily 4 years but the concern was for staggering the terms; important we do that; also do think 4 year terms would keep politics out for 2 more years and tonight's meeting is a testament to that.

N. EXECUTIVE SESSION:

A motion was made by Council Member Payne, seconded by Council Member Kneeland, to adjourn into Executive Session under Authority of Article 5.40(A), Personnel, and 5.40(C), Pending Litigation, of the Council Rules of Procedure.. The motion carried by the following vote:

Yes	7	President of Council Stinchcomb, Council Member Angelou, Vice President of Council O'Brien, Council Member Payne, Council Member Hogan, Council Member Shepherd and Council Member Kneeland
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Council rose to Executive Session at 8:00 p.m. Council rose to report from Executive Session at 9:05 p.m. with Clerk noting that all members returned to the dais.

O. ADJOURNMENT: 9:06 p.m. - Motion by Payne.

End of Agenda

Isobel L. Sherwood, MMC
Clerk of Council

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

Chair Signature