



City of Gahanna

Meeting Minutes

City Council

Office of the Clerk of Council
200 South Hamilton Road
Gahanna, Ohio 43230

*Brian D. Larick, President of Council, Thomas R. Kneeland, Vice President of Council,
Karen J. Angelou, Ryan P. Jolley, Jamie Leeseberg, Stephen A. Renner, Michael Schnetzer*

Kimberly McWilliams, CMC, Clerk of Council

Monday, September 15, 2014

7:00 PM

City Hall

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

Gahanna City Council met in Regular Session on Monday, September 15, 2014, in Council Chambers of City Hall, 200 South Hamilton Road, Gahanna, Ohio. President of Council Brian D. Larick called the meeting to order at 7:00 p.m. Vice President of Council Kneeland delivered an Invocation followed by the Pledge of Allegiance led by Council Member Jolley. Agenda for this meeting was published on September 12, 2014.

Present 7 - Karen J. Angelou, Ryan P. Jolley, Thomas R. Kneeland, Brian D. Larick, Jamie Leeseberg, Stephen A. Renner, and Michael Schnetzer

B. ADDITIONS OR CORRECTIONS TO THE AGENDA - None.

C. HEARING OF VISITORS -

Ken Shepherd, 856 Humboldt Drive West, Gahanna, Ohio.

Mr. Shepherd said what I have come to talk about tonight is the concept of a City Planner versus a Mayor. Dave Samuel and I had this discussion before when he was on City Council and I see it has resurrected itself again. The first comment I would like to make is that I don't feel the problem we have right now is the Mayor, but the lack of funding to do everything the citizens want done. If we are going to be like a New Albany or a Westerville, then we need to find more revenue and/or cut costs. I agree that a new pool and fireworks are something that a lot of people want, but there has to be money for it. Secondly, I want to be able to elect the Mayor and City Attorney and not have City Council appoint a professional City Planner. What has worked in the past has been good in my 28 years here in Gahanna; both with Becky Stinchcomb as Mayor and her predecessor, Jim McGregor. Also, I want to be able to have a recall of the Mayor or City Attorney should any condition or event warrant such. With a City Planner that would not be possible based on what I have read and my recent discussions with people. Third, obviously, the city charter will have to be changed. If that does happen, and we elect to go with a City Planner, where is

the extra money going to come from; we know there is a dire situation in trying to pay for the pool and fireworks, and who knows what else; a lot of cuts have been made and you bring in a City Planner, I would be willing to bet, as most people would, that it is going to cost more than what the Mayor is presently making; most City Planners do not come cheap. Fourth, I have heard that the 2 people mentioned in the Rocky Fork Enterprise that are spearheading this change to the Gahanna City Charter to allow for the City Planner concept presently work in New Albany and live in Gahanna. One of these individuals is currently their City Planner. Maybe it is only coincidental, but could that individual mainly be looking for a job change; I am just thinking out loud. Lastly, the old saying that you do not fix something if it isn't broken is very true here in Gahanna; let's keep the mayoral concept in place and find more revenue to address the additional spending that is needed; Gahanna residents need to step forward if they have any solutions and present them to Council and the Mayor. If I have said anything that is incorrect, please correct me. Thank you.

Clerk's Note: The issue referenced is a possible Charter Change to a City Manager form of government.

D. INTRODUCTIONS AND ASSIGNMENT TO COMMITTEE:

Ordinances - To Be Introduced and Assigned to Committee:

[ORD-0130-2014](#) TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH DELTA DENTAL PLAN OF OHIO, INC., TO PROVIDE DENTAL BENEFITS FOR EMPLOYEES FOR THE 2015 PLAN YEAR.

This Ordinance was introduced.

[ORD-0131-2014](#) TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH STANDARD INSURANCE COMPANY FOR LIFE INSURANCE BENEFITS FOR CITY EMPLOYEES; AND TO DECLARE AN EMERGENCY.

This Ordinance was introduced.

[ORD-0132-2014](#) SUPPLEMENTAL APPROPRIATION - COURT COMPUTERS

This Ordinance was introduced.

E. CONSENT AGENDA:

Minutes - To Approve:

[2014-0136](#) Council Meeting Minutes: 9-2-2014 Regular and Special Meeting Minutes

The Minutes were Approved and Filed on the Consent Agenda.

Ordinance: Introduce, Waive Second Reading, Adopt:

[ORD-0129-2014](#) TO AUTHORIZE THE MAYOR TO ENTER INTO PROFESSIONAL SERVICES AGREEMENT WITH ASSETWORKS FOR A PHYSICAL INVENTORY AND VALUATION OF THE CITY'S CAPITAL ASSETS.

This Ordinance was Adopted on the Consent Agenda.

Ordinances on Second Reading:

[ORD-0119-2014](#) TO AUTHORIZE THE MAYOR TO ENTER INTO AN AMENDMENT TO THE CURRENT NEGOTIATED LABOR AGREEMENT TITLED "AGREEMENT BETWEEN CITY OF GAHANNA AND UNITED STEEL, PAPER & FORESTRY, RUBBER, MANUFACTURING, ENERGY, ALLIED INDUSTRIAL AND SERVICE WORKERS INTERNATIONAL."

This Ordinance was Adopted on the Consent Agenda.

[ORD-0120-2014](#) TO AMEND CODE SECTION 563.18, FISHING, OF CHAPTER 563, PARK CONDUCT; OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA.

This Ordinance was Adopted on the Consent Agenda.

[ORD-0123-2014](#) SUPPLEMENTAL APPROPRIATION - Sewer Rental

This Ordinance was Adopted on the Consent Agenda.

[ORD-0127-2014](#) TO REZONE 4.806+/- ACRES OF PROPERTY AS NC, NEIGHBORHOOD COMMERCIAL; SAID PROPERTY LOCATED AT 5495, 5505, 5511 AND 5515 MORSE ROAD, FRANKLIN COUNTY PARCEL NO. 025-011234, AND 4721 EAST JOHNSTOWN ROAD; CURRENT ZONING ER-1, ESTATE RESIDENTIAL; NEW ALBANY COMPANY, APPLICANT.

This Ordinance was Adopted on the Consent Agenda.

[ORD-0128-2014](#) TO REZONE 5.006+/- ACRES OF PROPERTY AS SO, SUBURBAN OFFICE; SAID PROPERTY LOCATED AT 5445 MORSE ROAD AND PARTS OF 5495 AND 5505 MORSE ROAD; CURRENT ZONING

ER-1, ESTATE RESIDENTIAL; SPECTRUM ACQUISITIONS
GAHANNA, LLC, APPLICANT.

This Ordinance was Adopted on the Consent Agenda.

Resolutions to Adopt on First Reading:

[RES-0005-2014](#) A RESOLUTION TO HONOR AND COMMEND BEN W. HALE, JR., OF THE LAW FIRM SMITH AND HALE LLC FOR HIS ROLE IN THE DEVELOPMENT OF OUR CITY, HIS LEADERSHIP OF ORGANIZATIONS BENEFITING CITIZENS WITH SPECIAL NEEDS, AND HIS OUTSTANDING CONTRIBUTIONS TO ENHANCING THE QUALITY OF LIFE FOR THE CITY OF GAHANNA AND THE CENTRAL OHIO REGION AND BEYOND.

This Resolution was Adopted on the Consent Agenda.

[RES-0006-2014](#) RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

This Resolution was Adopted on the Consent Agenda.

Motion Resolution:

[MR-0037-2014](#) A motion resolution authorizing the Director of Public Service to bid the 2014 Sewer Rehab Project.

This Motion Resolution was Approved on the Consent Agenda.

Approval of the Consent Agenda

A motion was made by Renner, seconded by Jolley, to approve the Consent Agenda. The motion carried by the following vote:

Yes: 7 - Angelou, Jolley, Kneeland, Larick, Leeseberg, Renner and Schnetzer

End of the Consent Agenda

F. PUBLIC HEARINGS - None.

G. STANDING COMMITTEES:

[2014-0137](#) 9-8-2014 Committee Meeting Minutes: Committee of the Whole, Finance, Dev & Parks, Public Service & Safety.

Committee of the Whole - Kneeland

No report.

Finance - Schnetzer

No Report.

Service & Safety - Angelou

Angelou said guess we need to be officially saying goodbye this evening as this is Mr. Wetherholt's final regular meeting, and after 25 years I'm really going to miss you Karl, and I thank you for all of your years of service. As the Chairman of the Service Committee, you are always prepared, ready to come in with all of the answers that we need and I appreciate that so very much. Also, welcome back Dottie from your "life experience".

Development & Parks - Renner

No report.

APPOINTMENT OF LEGISLATIVE COMMITTEE -

President Larick stated that at the last Committee of the Whole they talked about the discussions that have occurred over the last several months with regard to a city manager form of government. At that time there was a request for a committee to consider different options and the approach I think is most effective. My creation will be a legislative committee made up of Mrs. Angelou, Mr. Leeseberg and Mr. Renner, chaired by Mr. Renner. The purpose will be under the guidance of Section 4.18 of the Gahanna City Charter to establish the framework and guidelines to establish a Charter Commission for the review of this item and would task that you meet at your earliest convenience.

H. CORRESPONDENCE AND ACTIONS:**Clerk**

No report.

Council

No report.

Proclamation to Engineer Wetherholt

Mayor Stinchcomb presented Karl Wetherholt with a Proclamation to honor and recognize him for his 25 years of distinguished service to the City and its residents as City Engineer.

I. SECOND READING OF ORDINANCES:

Ordinances Reported Out of Committee:

[ORD-0126-2014](#) TO AUTHORIZE THE MAYOR TO ENTER INTO AN EASEMENT AND MAINTENANCE AGREEMENT WITH BONITA25 REAL ESTATE INVESTORS LLC; AND TO DECLARE AN EMERGENCY.

ORD-0126-2014 was read by President Larick.

A motion was made by Jolley, seconded by Renner, that this Ordinance be adopted.

DISCUSSION:

Jolley said obviously we have had a lot of discussion about this issue over the past couple of months. The only thing I would add for those who are potentially skeptical of the emergency clause in this legislation, in speaking with the developer they currently have their permit to build the retaining wall which they are planning to build unless this ordinance passes tonight with an emergency. If it does, they will move ahead with the grading option and making the anticipated payment to the City. If not, they will proceed with their building permit for the retaining wall. I know there was some concern in earlier discussions about the option of a retaining wall, so the people who have those concerns should potentially consider passing this legislation with emergency. If it passes without emergency, of course it is still in effect, but it will not be in a timeline that will allow the developer to continue with this process.

Larick made a motion to remove the emergency clause from

the legislation; I would like to support the legislation; the project is going to move forward, but as I stated I am not comfortable supporting it with the emergency clause. Seconded by Schnetzer.

Motion and Second to amend to remove the emergency clause from ORD-0126-02014.

DISCUSSION ON AMENDING ORD-0126-2014:

Jolley stated there is no purpose in removing the emergency clause and voting for the legislation. If it doesn't pass as an emergency, then the developer is not going to exercise the option of a slope easement. If one supports the concept of the legislation and wants that to be the option in place of a slope easement as opposed to a retaining wall, then the developer can exercise that option. Otherwise, the developer is going to proceed with the retaining wall.

Renner stated that he also disagreed with removing the emergency language and should not have any further delay; let's just go forward, vote on this and move on.

Angelou stated she agreed with both Mr. Jolley and Mr. Renner.

ROLL CALL: YES: Larick, Schnetzer. NO: Kneeland, Leeseberg, Renner, Angelou, Jolley.
Motion fails.

Larick asked if any discussion on the original non-amended legislation.

Jolley stated criteria for emergency language is "health, safety and welfare"; thinks the community would be better served with the slope easement as opposed to the retaining wall; think safety is also a potential consideration; given timeline of getting this project completed prior to the road widening project; think we meet 2 of the 3 criteria and only 1 is required to be declared an emergency; have had months of discussion on this issue;

seems arbitrary and counterproductive to support this legislation but not support the emergency, given the developer's timeline.

ROLL CALL: YES: Renner, Jolley, Leeseberg, Angelou, Kneeland. NO: Larick, Schnetzer.

Motion carries without emergency.

OFFICIAL MOTIONS:

A motion was made by Larick, seconded by Schnetzer, to amend the Ordinance to remove the Emergency language. The Motion failed by the following vote:

Yes: 2 - Larick and Schnetzer

No: 5 - Angelou, Jolley, Kneeland, Leeseberg and Renner

A motion was made by Jolley, seconded by Renner, be adopted. The Motion passed by the following vote:

Yes: 5 - Angelou, Jolley, Kneeland, Leeseberg and Renner

No: 2 - Larick and Schnetzer

J. FIRST READING OF ORDINANCES - None.

K. MOTIONS/RESOLUTIONS - None.

L. REPRESENTATIVES:

Community Improvement Corporation (CIC) - Larick/Kneeland

Kneeland said next meeting is tomorrow morning at 7:30 a.m. at City Hall.

Mid-Ohio Regional Planning Commission (MORPC) - Angelou

Angelou said MORPC meets this Thursday, at 1:30 p.m.

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

No report.

Convention & Visitors Bureau (CVB) - Jolley

Jolley said CVB met on Thursday; primary discussion was around final budget for the Creekside Blues and Jazz Festival; had a great turnout and great revenues; still waiting on some outstanding expenses and invoices that need to be paid before we can get the final numbers on the budget; did discuss some things that we might do different next year to hopefully minimize expenses; also discussed upcoming Holiday Lights Parade and holiday season and all of the activities surrounding that; there is a lot in the works and details are still being worked out; should be a great holiday season for everyone.

M. OFFICIAL REPORTS:

Mayor

No report.

City Attorney

Ewald said wanted to echo what Ms. Angelou stated; Karl has been great asset to the City; been very helpful in endeavors we have gone into with right-of-way, easements, deed work, etc.; whenever I go to a meeting with developers you have been a sounding board, not only for people coming into the City with a builder, but also internally in your department; I'm sure you have picked a great successor and look forward to working with him; hope you stop by and see us and my office is always open to you; thanks for many, many years of service.

N. COUNCIL COMMENT

Renner echoed previous comments; thanks Karl for years of servant to the City; found you to be a great public service and dedicated engineer; you definitely give your opinion, but you would always stick to the data; I definitely appreciate your years of service.

Renner said already getting questions from some of my constituents about Halloween; understand MORPC will be making that call; some communities already posting and people are asking what night is Beggar's Night. Angelou stated it will be Thursday, October 30 this year; will be discussing more at next MORPC meeting (this Thursday).

Jolley thanked Karl for his service both as a Council Member and resident; true public servant in every sense of the word; you exemplify all of the qualities that we talk about needing; to have

good people working on behalf of the residents of Gahanna; your expertise, unbiased discussions and personability are huge assets to the City and will be sorely missed; wish you well in your retirement and wanted to thank you very much.

Schnetzer thanked Karl for his service; have been a wealth of information, not only to us as Council Members but as a resident; when I had questions about a project; due to your significant length of service, I was told I would need to "talk to Karl Wetherholt about that" and I was able to get an answer; I appreciate that.

Leeseberg thanked Karl for his service; have worked with you on both sides of the dais with projects in town and always appreciated working with you.

Angelou again thanked Karl for his service; you will be sorely missed by all.

Kneeland stated he had one thing before he got to Karl; Hops and Vines Fest on the Newswire have sold 180 tickets; get your tickets now because it is coming this Saturday on the 20th; going to be a great event; is for a great cause; have some really dedicated people behind this and we need to support them if we can; thanks to the news feeder.

Kneeland said "Karl, I was sitting here when the Mayor was reading the proclamation and I had this epiphany; the day I met you was when the North Stygler Road widening project kicked off, and it wasn't on such great terms because that's when you told me and my wife that we couldn't have a driveway apron any wider than what we needed; but I want to tell you that you have really been a great resource to me over the years that I have served here and the City has been a better place with all of the service that you provided to it so I want to say "thank you" and wish you well; what I realized after I retired after 31 years in the same place was that you will miss the people the most; that's the part that really hits home.

Larick thanked Karl for his service to the City, in answering any questions he has had and for his expertise in all issues that have arisen; you have served the City well over the years.

- O. EXECUTIVE SESSION - to go into Executive Session under authority of Article 5.04(c) 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.**

A motion was made by Renner, seconded by Kneeland, to go into Executive Session under authority of Article 5.40(c) of the Council Rules of Procedure - 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 - Karen J. Angelou, Thomas R. Kneeland, Brian D. Larick, Ryan Jolley, Jamie Leeseberg, Stephen A. Renner, and Michael Schnetzer

Larick requested that Mayor Stinchcomb, Joann Bury and Shane Ewald attend the Executive Session. Council rose to Executive Session at 7:38 p.m. Council rose to report from Executive Session at 8:07 p.m. with no action taken.

P. ADJOURNMENT - by Larick at 8:07 p.m.

Kimberly McWilliams, CMC
Clerk of Council

*APPROVED by the City Council, this
day of 2014.*

Brian D. Larick