

City of Gahanna

*200 South Hamilton Road
Gahanna, Ohio 43230*



Meeting Minutes

Tuesday, July 6, 2010

Council May Meet in Caucus Beginning at 7:00 p.m.

7:30 PM

City Hall

City Council

Thomas R. Kneeland, President

Shane Ewald, Vice President

Beryl D. Anderson

Brian D. Larick

John R. McAlister

Nancy McGregor

David L. Samuel

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

Gahanna City Council met in Regular Session on Tuesday, July 6, 2010, at Gahanna City Hall, in Council Chambers, 200 South Hamilton Road. President Thomas R. Kneeland called the meeting to order at 7:30 p.m. Invocation was given by Vice President Shane Ewald followed by the Pledge of Allegiance. Agenda for this meeting was published on July 2, 2010.

Members Absent: Beryl D. Anderson

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

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 Samuel.

ORD-0121-2010

TO AUTHORIZE THE MAYOR TO ENTER INTO CHANGE ORDER AGREEMENT WITH KOKOSING CONSTRUCTION COMPANY, INC., FOR SANITARY SEWER EXTENSION; US 62 & STYGLER ROAD IMPROVEMENT PROJECT; IMPROVEMENT NO. 935; TO SUPPLEMENTALLY APPROPRIATE \$41,878; AND TO DECLARE AN EMERGENCY.

Introduced

ORD-0123-2010

TO AUTHORIZE THE MAYOR TO ENTER INTO MODIFICATION, ASSIGNMENT AND ASSUMPTION AGREEMENT WITH BATTLE CREEK HEALTH SYSTEM TO ASSUME OUR EMPLOYEE ASSISTANCE PROGRAM EFFECTIVE AUGUST 10, 2010; AND TO DECLARE AN EMERGENCY.

Introduced

ORD-0124-2010

TO ACCEPT THE ANNEXATION OF 0.12+/- ACRES CONSISTING OF ROADWAY RIGHT OF WAY FROM JEFFERSON TOWNSHIP TO THE CITY OF GAHANNA, OHIO, LOCATED AT 3891 CLOTTS ROAD AND 730 CLOTTS ROAD; REQUESTED BY THE CITY OF GAHANNA.

Introduced

ORD-0126-2010

TO APPROVE THE RECOMMENDATIONS OF THE TAX INCENTIVE REVIEW COUNCIL

Introduced

ORD-0127-2010

TO AUTHORIZE THE RELEASE OF A MASTER LEASE AGREEMENT AND A CITY LEASE AGREEMENT BETWEEN THE COMMUNITY URBAN REDEVELOPMENT CORPORATION AND THE CITY OF GAHANNA; FOR PROPERTY KNOWN AS RESERVE B AND LOCATED ON LANDRUM COURT IN THE TIZ; TO BE TRANSFERRED TO DONATOS PIZZA REALTY, LLC

Introduced

ORD-0128-2010

TO AUTHORIZE THE RELEASE OF A MASTER LEASE AGREEMENT AND A CITY LEASE AGREEMENT BETWEEN THE COMMUNITY URBAN

REDEVELOPMENT CORPORATION AND THE CITY OF GAHANNA; FOR PROPERTY KNOWN AS 977 GAHANNA PARKWAY (LOT 17 OF THE TIZ); TO BE TRANSFERRED TO ADB AIRFIELD SOLUTIONS LLC

Introduced

ORD-0129-2010

TO AUTHORIZE THE RELEASE OF A MASTER LEASE AGREEMENT AND A CITY LEASE AGREEMENT BETWEEN THE COMMUNITY URBAN REDEVELOPMENT CORPORATION AND THE CITY OF GAHANNA; FOR PROPERTY KNOWN AS 1000 MORRISON ROAD (LOT 24 OF THE TIZ); TO BE TRANSFERRED TO JESCOH ENTERPRISES

Introduced

ORD-0130-2010

TO AUTHORIZE THE RELEASE OF A MASTER LEASE AGREEMENT AND A CITY LEASE AGREEMENT BETWEEN THE COMMUNITY URBAN REDEVELOPMENT CORPORATION AND THE CITY OF GAHANNA; FOR PROPERTY KNOWN AS 845 CLAYCRAFT ROAD (LOT 26 OF THE TIZ); TO BE TRANSFERRED TO JESCOH ENTERPRISES

Introduced

E. CONSENT AGENDA:

Minutes - To Approve:

2010-0035

To approve the following set of Minutes:
1) June 21, 2010 Regular Meeting Minutes

This Matter was Approved and Filed on the Consent Agenda.

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

ORD-0111-2010

TO AUTHORIZE THE RELEASE OF A MASTER LEASE AGREEMENT AND A CITY LEASE AGREEMENT BETWEEN THE COMMUNITY URBAN REDEVELOPMENT CORPORATION AND THE CITY OF GAHANNA; FOR PROPERTY KNOWN AS 1120 MORRISON ROAD (LOT 20 OF THE TIZ); TO BE TRANSFERRED TO HOLLINGSWORTH CAPITAL PARTNERS; AND TO DECLARE AN EMERGENCY

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

ORD-0125-2010

TO ADOPT THE RECOMMENDATION OF THE ADVISORY BOARD FOR THE OFFICE & INDUSTRIAL INCENTIVE PROGRAM GRANTING APPROVAL FOR NATIONSHEALTH INC., 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-0117-2010

SUPPLEMENTAL APPROPRIATION - Joint Maintenance, Operational Expenses

This Matter was Adopted on the Consent Agenda.

ORD-0118-2010

TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO AWARD AND THE MAYOR TO ENTER INTO CONTRACT WITH CHEMCOTE, INC., FOR THE 2010 STREET PROGRAM; IMPROVEMENT NO. ST 956; TO SUPPLEMENTALLY APPROPRIATE \$592,000; AND TO DECLARE AN EMERGENCY.

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

ORD-0119-2010

TO AUTHORIZE THE MAYOR TO ENTER INTO MODIFIED AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION TO ADD PEDESTRIAN ENHANCEMENTS FOR THE HAMILTON /GRANVILLE INTERSECTION PROJECT; TO SET FORTH THE TERMS OF REIMBURSEMENT; IMPROVEMENT NO. 883; AND TO DECLARE AN EMERGENCY.

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

ORD-0120-2010

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT MODIFICATION WITH CRAIG B. PAYNTER, ATTORNEY WITH CHESTER, WILCOX & 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 \$30,000; AND TO DECLARE AN EMERGENCY.

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

Motion Resolution:

MR-0025-2010

Motion Resolution that this Council has no objection to the C1, C2, and D6 Liquor Permit transfer from Maplewood, Inc., Charter #716609, dba Rosetti's Drive Thru Express, 154 S. Stygler Road, Gahanna, OH 43230 to BVG Carryout Inc., 154 S. Stygler Road, Gahanna, OH 43230.

This Matter was Approved on the Consent Agenda.

MR-0026-2010

Motion Resolution that the City has no objection to the stock transfer of D1, D2, D3, and D6 liquor permits for Cameron Mitchell Restaurants, LLC, dba Cap City Fine Diner & Bar, 1301-03-05 Stoneridge Dr, Unit 1, Gahanna, OH 43230.

This Matter was Approved on the Consent Agenda.

MR-0027-2010

To approve the year 2011 budget as submitted to Council on June 11, 2010, and to direct and authorize the Director of Finance to deliver said budget to the Franklin County Office of Budget no later than July 19, 2010.

This Matter was Approved on the Consent Agenda.

Passed The Consent Agenda

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

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

End of the Consent Agenda

F. PUBLIC HEARINGS: None.

G. STANDING COMMITTEES:

Development & Parks Committee - Anderson: No Report.

Public Service & Safety Committee - McAlister: No Report.

Committee of the Whole - Ewald: No Report.

Finance - Samuel: No Report.

H. CORRESPONDENCE AND ACTIONS:

Clerk - Legal:

2010-0033

Notice to Legislative Authority of a Stock Transfer of D1, D2, D3 and D6 Liquor Permits to Cameron Mitchell Restaurants, LLC., DBA Cap City Fine Diner & Bar, 1301-03-05 Stoneridge Drive, Unit 1, Gahanna, OH 43230. Last day to file objections is July 26, 2010.

Received and Filed

Council: No Report.

Anderson arrived at 7:33 p.m.

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

I. SECOND READING OF ORDINANCES:

Ordinances Reported Out of Committee:

ORD-0112-2010

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH AFS WEB FOR REDESIGN OF THE CITY OF GAHANNA WEBSITE; AND TO DECLARE AN EMERGENCY.

A motion was made by Vice President of Council Ewald, seconded by Samuel, that this matter be Amended by Substitution. The motion carried by the following vote:

Yes	7	President of Council Kneeland, Vice President of Council Ewald, McGregor, Anderson, McAlister, Samuel and Larick
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A motion was made by Vice President of Council Ewald, seconded by Samuel, that this matter be Amended by Substitution, Adopted, As Emergency. The motion carried by the following vote:

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

ORD-0122-2010

TO AUTHORIZE THE MAYOR TO ENTER INTO INTERLOCAL AGREEMENT BETWEEN THE CITY OF GAHANNA, AND FRANKLIN COUNTY, OHIO, FOR THE 2009 AND 2010 AMERICAN RECOVERY AND REINVESTMENT ACT EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM; AND TO DECLARE AN EMERGENCY.

Introduced, by title, by Larick.

Introduced

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

Yes	7	President of Council Kneeland, Vice President of Council Ewald, McGregor, Anderson, McAlister, Samuel and Larick
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McAlister stated the JAG program is administered by Federal government to state and local jurisdictions; provides states, Indian tribes, and local governments with funds to support various activities including law enforcement, court services; evaluation and technology improvement, and crime victim assistance; all very laudable goals; problem I have is that Congress has not unlimited powers but only those specially enumerated; Thomas Jefferson's vision is the opposite of what exists today; can not vote for this ordinance because it violates my oath of office.

A motion was made by Anderson, seconded by Samuel, that this matter be Introduced, Second Reading Waived, and Adopted as an Emergency. The motion carried by the following vote:

Yes	6	President of Council Kneeland, Vice President of Council Ewald, McGregor, Anderson, Samuel and Larick
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No	1	McAlister
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K. MOTIONS/RESOLUTIONS: None

L. REPRESENTATIVES:

Community Improvement Corporation (CIC) - Ewald/Kneeland

Kneeland stated meeting is next week for regular July meeting.

Mid-Ohio Regional Planning Commission (MORPC) - McGregor:

McGregor stated meeting was a couple of weeks ago; very short meeting; most important discussion was the mid year budget; next meeting is July 8.

Bd. of Education, Gahanna-Jefferson Public Schools - Larick:

Larick stated he will be attending this Thursday.

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

M. OFFICIAL REPORTS:

Mayor:

Stinchcomb thanked Kneeland, Samuel and Larick for joining me in the parade; for first time since I've been involved Shellhammer was not leading the band; new band directors were stepping in; would also like to thank Parks & Recreation Foundation for stepping up; distributed thousands of envelopes on their own initiative; asking for donations from anyone who cared to donate to help fund next year's festival; many communities have funding by non profits and service organizations; any help from public or businesses will be welcome to the foundation; thank them for their efforts; no financial report yet.

City Attorney:

Weber noted that many of us knew Denny Souder, a well known Gahanna educator, who died unexpectedly this week; service is Thursday at Peace Lutheran Church.

N. COUNCIL COMMENT:

McGregor noted that the Lions Club paid for fireworks until about 10 or 12 years ago; since then has fallen on the City; also note that our 4th grandson was born June 21; Xavier Dominic makes grandchild #7.

Larick thanked the Parks & Recreation staff, board, foundation and everyone who contributed time over the weekend; wonderful event; hope we can continue to have a local festival.

Anderson stated she would ditto all comments about Parks & Recreation and fireworks; was out of town but made it back in time for fireworks; great article in the Columbus Dispatch on Saturday to let the people know about our finances as well as the fireworks; the Foundation President got up at the festival and shared our plight and hopefully by various sources we will be able to continue; great to see the number of people who were out; applaud Parks & Recreation and foundation; hope community will get more involved; agree with the Mayor that Gahanna citizens need to think hard about what Gahanna will look like and services they want.

Samuel thanked Chuck Rees of the evening Lions Club, he was the chairperson of parade; had 20 volunteers; remember when they had \$4 chicken dinners as part of the festivities; also thank all city employees who worked for the festival.

Kneeland thanked everyone for the hard work that went in to our July 4th activities; a lot of people helped.

O. ADJOURNMENT: 7:45 p.m. - Motion by Anderson.

Isobel L. Sherwood, MMC
Clerk of Council

*APPROVED by the City Council, this
day of 2010.*

Thomas R. Kneeland
President of Council