

# **City of Gahanna**

*200 South Hamilton Road  
Gahanna, Ohio 43230*



## **Meeting Minutes**

**Monday, April 19, 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 Monday, April 19, 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 April 16, 2010.

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

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

Clerk's Note: Minutes of the Hearing of Visitors portion of this meeting were taken by Donna Jernigan, Senior Deputy Clerk of Council.

Ewald asked that those wishing to speak move the microphone closer because people in the back of the chambers could not hear at the last meeting.

President Kneeland said that those addressing Council will have 3 minutes to speak, but that can be extended by Council if necessary.

Tom Gregory, 140 South Hamilton Road, said first he would like to thank Council for your support for the Honor Flight last year; just came back from another one; here tonight to support one of my students on a project he worked on, because as a teacher it is important, not only to have students work on projects in the classroom, but to have them connect those projects in the community; he did a PSA on driving in the fall and a couple of weeks ago he did a story on students texting; after he did the story I encouraged him to bring that story to City Council to share what he had found out; coincidentally I had an experience a couple of months ago at a four way stop; I was behind a stopped car and the heads were down; I was waiting to see how long it would take for the driver to go ahead, and it took another car coming up and beeping, and then all of a sudden these heads were up and then two cars decided to go forward and there was almost an accident; caused me to think more about some of that; technology is all around us; probably 95% of the students have cell phones and most adults have cell phones; it is important that we educate people in how to use them; want to introduce Mark Batke so he can share his project and then the story that he did; want him to share that with you.

Mark Batke, 885 Cordero Lane, said good evening and thank you for taking the time to hear me; I am a junior at Gahanna Lincoln High School; I would like to talk to you about an issue that is very important to me; a couple of months ago I was given an assignment in WGLH-TV which I am currently a member of which is the communications and public relations program at Gahanna Lincoln High School; my assignment was to make a 60 second public service announcement for Fox Sports Ohio concerning the driving laws for new drivers when they obtain their drivers license; things they need to know; things like curfew, how many people can you have in your car; seat belts and checking their engine lights; I really didn't have any idea of what I was doing; I took a light hearted angle on it and went with an old fashion public service announcement; was in black and white with my deep announcer voice; I submitted it and won; and I got the public service announcement aired on a Blue Jackets game and a Cleveland Cavaliers game; then a couple months ago I was given another assignment as a follow up story about texting while driving; definitely opened my eyes and has become

a huge issue for me now. I had the privilege of interviewing several people around Gahanna and around the school; a lot of people don't realize that texting is not just about high schoolers; we are in an age where technology is so heavily relevant that almost every person texts or uses their phone; for me it comes down to a safety issue; and the best way to ensure safety is through education; and education at its strongest point comes in the form of a law; especially important for new drivers out there on the road. Like to show you a short video of my research that I compiled over the last couple of months; like to stress my encouragement to Council to delve deeper into this issue and think about a texting while driving law. Thank you.

Kristin Rosan, 192 Farmwood Place, said I am here also to support a texting or distracted driving ban; I also have personally experienced several incidents where I believe I have been the victim of distracted driving; the first one was here in Gahanna last summer; I was driving north on Taylor Station and just past the intersection of Claycraft Road the car in front of me was waiting to turn left into ARC Industries and I pulled to a complete stop behind that car and a pickup truck came through the intersection at a high rate of speed and rear ended me and pushed me into the car in front of me; the rear ending was with such great force that it totaled my car and landed me in the hospital with seat belt bruises and stiff neck, and the types of things you experience when you have been rear ended with some force; went out and purchased a new car last summer and just a month ago was rear ended a second time in downtown Columbus; was a similar type of accident where I was at a complete stop and for several minutes waiting for the light to turn and a car rear ended me and my brand new car; luckily it was at a low speed; not a lot of damage to the car and I was not hurt; but I started to think two times in eight months, maybe we have a problem here; I think it would be a good idea for the City of Gahanna to at least consider what it might do to send a message to not only our younger citizens who are technologically savvy, but also to older citizens that use cell phones as well. I believe that there is no question that what I was involved in was drivers that were distracted; whether it is texting, checking email or voice mail or cell phone; in the later accident the individual actually admitted in a report that he was checking his PDA before he hit me. I think that three things are required to really get the message out and prompt a change in behavior; if any of you would stand out on Hamilton Road you would see probably every fifth car either holding a cell phone or looking down; it will amaze you how frequent it is and until I was personally impacted by it I hadn't noticed. The three things I think are necessary first and foremost, is doing public information and public education; getting the message out that Gahanna is a culture of safety and that the activity is socially unacceptable; through public forums like this and community programs through the high school that this is stigmatized behavior similar to drunk driving; distracted driving and is socially unacceptable; puts people's lives at risk; secondly is the law enforcement element; there is no doubt that there are laws on the books to address this behavior; I think the reason why Council should consider laws is the message that it sends that this is the type of community that does not accept this type of particularly reckless conduct, and accordingly there are certain laws on the books to specifically address it; third and perhaps not so needed in a lot of Gahanna streets, but there are counter measures that city Council can take to make our streets safer; on some of the highways there are rumble strips and there is striping; there are things that can be done to help keep people's attention on the road if for some reason they happen to veer; this is one of the most dangerous activities that is on the roadway now; encourage you to take up the issue and consider it for some possible legislation.

Sharon Montgomery, 572 Bonnington Way, said about 15 years ago, my husband and I were seeing enough drivers using phones that we started talking about how unnecessary and dangerous it was. We also said we were afraid it would be like too many other safety problems; people would have to die before anything was done about it and

tragically we were right on both counts. In September of 2000, a phoning driver caused a serious three car crash on US 62 just outside Johnstown; the driver of one victim car is now partially disabled, and the driver of the other victim car was my husband, John Montgomery; he died after six weeks in ICU. I had life threatening complications from my injuries, missed four months of work with no paid leave time, and was treated for physical and mental health problems for three years. The phoning driver mailed in his \$75 fine for ACDA and still uses his phone while driving. The prosecutor rejected my efforts to at least have the charges corrected to vehicular manslaughter. I am angry that my family and I were victimized first by the phoning driver, then by the criminal justice system, then by the civil justice system. I am angry that other people in Gahanna and Ohio are being victimized in the same ways. I am angry that none of this ever needed to happen; but I'm more than just an angry victim; I am now a well informed advocate and my reasoned analysis has come to be trusted and even relied upon by local and state lawmakers. I have become the information central to coordinate sharing of information among such advocates as the National Safety Council, AAA, Nationwide Insurance, the medical community, the state Department of Public Safety, a professional race car driver, a driving instructor, the walking/biking community, MORPC, and some law enforcement people. I am at your disposal as you decide what Gahanna will do to protect residents and visitors. Sometimes you've hired consultants about code changes. I'm here for free.

In committee last fall you asked the same good questions and voiced the same valid concerns about the right solution to this problem that other cities and states have been expressing. I can answer those questions and relieve those concerns. I've seen the problem addressed in a variety of ways across Ohio. The most effective has been by starting with an open dialog, exchanging information. Gahanna has a dog park and a skate park because you and the administration were wise enough to listen to citizens who had reliable information you didn't have yet. This approach worked for Gahanna on these two matters and has worked for other cities on the driving while phoning issue. I will save most of my comments for that dialog but I need to make three points now. There is legitimate concern that this is a state, and not a local issue. The state has ignored bills on this in every session from 1997 to 2008. In 2009 bills were again introduced in the House and Senate. Last month the House sent HB 415 to the Senate. Meanwhile, the Senate is ignoring HB 164. How much longer are you willing to wait? How many deaths does it take till we know too many people have died? Another important point for tonight is why a specific law is necessary; we wouldn't dream of repealing DUI laws and relying on common sense, personal responsibility, education, or generic full control laws, and we can't rely on those for driving while phoning. A specific law against drunk driving lets us count the DUI violations and crashes; when we have numbers, we'll be able to tell what parts of our solution are and aren't working well. My final point for now is the concern over enforcement. Since our police have to patrol I-270 with bus and truck traffic, and those drivers are already forbidden to text while driving, our police have to find a way to enforce effectively anyway, so they might as well have the tool to enforce it for all drivers and reduce that much more danger. Whether you choose to address the full problem or just start with texting, as most jurisdictions are doing so far, I hope you understand the need to do something about this unnecessary and dangerous non driving behavior by drivers Gahanna roads. Thank you for the opportunity to speak to you and this public audience.

State Representative Nancy Garland, 4983 Mead Way, New Albany, said I did let President Kneeland know that I was going to be here tonight to be available for any questions that you might have; as Sharon indicated we have passed a ban on texting in the House; passed 85-12 and has been sent to the Senate; we are hopeful that the Senate will decide that we really do need a statewide ban because right now we have, in the

20th District, Bexley, New Albany and Columbus that have now passed texting bans, but all three of them are different; several other major cities have passed bans, Cleveland, Akron and Toledo; obviously it would be easier if we had the same in all jurisdictions in the State; again I am hopeful that that will happen; as I said to the New Albany folks when they passed their legislation, I think you need to think of what is important for your citizens. I, unfortunately, had the situation of my son's best friend's uncle who was using the phone and he drove across the center line and was hit head on and was killed; so this is an issue that is very near and dear to me. We also know that driving while drunk, or driving on drugs is actually less dangerous than driving while texting; if you are texting usually you take your eyes off the road for 4.6 seconds out of 6 seconds; that is like driving the full length of a football field, driving at 50 miles an hour; it definitely is an issue that is public safety; I believe we can save lives if we can pass a ban statewide, but my only advise to you is that you need to think of the citizens in Gahanna at this time. I will be happy to answer any questions. McAlister asked Garland if she had a sample of what the State would recommend so that if we did pass an ordinance on texting that it would already be in conformance with the State. Garland said I do not have that with me, but will provide a copy to the clerk; it is actually HB 415. After question from Anderson, Garland said I think the critical thing, when passed in this area, is that it be a primary offense; when several bills were introduced in the House one of them was actually a secondary offense, which would be after the fact; feel no teeth, no enforcement, in a bill if it did not have primary offense; the bill that was passed by the House actually has a six month waiting period; during that time period you would have warnings; I know that New Albany felt strongly that they wanted it to go into effect as soon as possible and Bexley felt the same way; did not hear the discussion on that issue in Columbus, but theirs will go into effect 30 days after passed also; something else you might want to think about in terms of providing education and warnings. Anderson said along with that if there is background material associated with HB 415 that you could provide us. Garland said AA A has provided a lot of information as Sharon Montgomery has indicated; she has been a tremendous resource to me and to everyone on this particular issue so we can certainly get you as much information as you want.

Kneeland thanked Garland for coming and thanked everyone who spoke; said Council will consider this in the near future; we did have some discussion in 2009 now we can bring it back to committee; will coordinate with the clerk.

Bruce Campbell, 1131 Sanctuary Place, said he and his wife live in Shagbark; we and many others in the community are enthusiastic supporters of the Melissa's House project; to be a truly great city, as we believe Gahanna is, those charged with governing it must attend and attune creating and maintaining an inclusive and welcoming framework of municipal regulations and facilities; they must take into account the special needs of some of our disadvantaged citizens; Gahanna has been that type of city; perhaps more so than any city around Columbus; my wife and I can attest to that from personal experience; our dear friend Curtis Wellman is severely afflicted with cerebral palsy; you may have seen him driving his wheelchair around Gahanna often with a large trailer hooked to it collecting cans from people for recycling. Curtis Wellman is an example of the many people who have been able to find a decent, normal life in Gahanna neighborhoods and to escape the dehumanizing institutions in which they were previously forced to live; Melissa's House will be another important step in that sort of inclusiveness; in a system of representative government elected officials are charged with making, in their own good conscience, decisions that will best serve the interest of the polity as a whole. They should not allow themselves to be swayed from doing the right thing simply because there is opposition from a small but vocal minority. This is just such a juncture in the life of Gahanna. No citizen of a metropolitan community has a right to freeze the status quo at a point they choose. A city is a living, evolving thing

and change is inevitable. The leaders of the city must adapt to the needs of the time and take full advantage of the opportunities that arise. Gahanna's Vision and Mission statements clearly reflect this. Mr. and Mrs. Goldberg and the Community Housing Network have offered Gahanna a great and fine gift in the form of Melissa's House. It will be a place that will be a model of what a caring community can and should do. We hope Gahanna will seize this opportunity. Thank you.

Arnie Richmond, 507 Mechwart Place, said we live across the pond from the Melissa's House project and we support it; when we moved to Ohio we had an opportunity to live anywhere we wanted; for a number of reasons we chose a beautiful haven with a beautiful view that is incredibly accessible; within walking distance of the YMCA, Giant Eagle, Graters and CVS and also many doctors; also has a national reputation as being one of the best places to live, which is a direct result of Council's work; we also chose Gahanna because of its obvious diversity in its residents, schools, business and neighborhoods; the diversity is further enhanced by Giant Eagle and other merchants hiring the developmentally challenged to work in their stores. I have talked to a number of friends at the Gahanna YMCA and around the neighborhoods and many were stunned that there was strong opposition to Melissa's House; especially to something that would further enhance our neighborhood's diversity; Gahanna was voted as one of the top places to live; to quote our Mayor, "Gahanna is one of the most diverse towns in Ohio; economically, racially and ethnically." Gahanna is recognized as a great place to live; our city has strong leadership, a well defined vision and a well defined mission; by approving this rezoning request Council will have opportunity to tell an even stronger story about who we are and what our community stands for; please approve this request.

Jay Agranoff, 1098 Arcaro Drive, said I appreciate the opportunity to speak tonight; a copy of my comments should have been included in your packets for your April 5th meeting; reason I am here this evening is to discuss the Melissa's House issue; not an issue of whether or not a facility should be placed in Gahanna; the issue is if the intended location of the facility is appropriate; in order to do that you must expand your analysis beyond the economic discussions that I have heard; greatly concerned about the fact that the Planning Commission basically rubber stamped approval without any real discussion about a pertinent and required criteria that must be considered; you have a city code in place in section 1133.03 (f) that pertains directly on point to this particular matter; and it requires you to uphold the public safety, health and morals of the requested zoning change with respect to the specific location and the intended use of the requested zoning change in the particular property involved; it is a difficult process; you must fulfill your obligations for which you are charged. When you look at the area that we are discussing, City Council has already engaged in a very commendable effort to make the corridor from Beecher Crossing to the YMCA family friendly; see it every day; putting in sidewalks and bikepaths; improvements being done to make this family friendly; I do not see how you reconcile, in this proposed location, the family friendly endeavor that you are currently going off on and the proposed use this zoning change is requesting; you have to deal with this whether on the front end where you are the controlling entity or on the back end when something awful happens. I have heard about the "Good Neighbor Policy" that the applicant is offering you; that may have no enforceability and it may not undo the damage to the public health, safety and welfare that you are charged to protect.

Betsy David, 3982 Silvaner Drive, Columbus, 43230, said I have lived in Gahanna since 1971; sold my home after residing there for 33 years; I was widowed in 1989 and am now living in a Gahanna condo. I am here to speak in support of Melissa's House and the Goldberg family whom I know; their son Billy graduated from the Columbus Academy where I retired from after 25 years. Articles I have read published in the

Columbus Dispatch, the Rocky Fork Enterprise and the Gahanna News shocked me because of opposition from certain Council members and residents of the adjacent condominium complex; shame on you. The mind is a phenomenal organ of the body; it controls everything we say and do; does everything have to do with money; how much will Gahanna get or not get from this proposal. I have a niece who is mentally ill and has been since she was in college; Kathleen became a ward of the State of New Hampshire; she tried to commit suicide twice and will be 59 years old; what my brother and his family went through was heart wrenching. Isn't everyone created in the likeness and image of God? There but by the grace of God go you, a member of your family and those who are opposing the building of Melissa's House. Would you oppose the building of a house for patients of Alzheimer's, disease, the physically handicapped, or an orphanage? I know what mental illness is; it is in my family going way back. Did these people ask for this disease? I think not; mental illness does not play favorites. Wake up people and start to use your head and heart. There will be house caretakers for these poor folks. Do you know how much it would cost you and me, and the state if they were institutionalized? All people, no matter what their health issue deserve to live in a safe, controlled environment. Wouldn't you want the same for one of your own? Your home will not go down in value. It's all in your mind. Thank you for listening and let this house be built.

Mark Dennis, 5541 Mountain Springs Ct. said I am in strong support of Melissa's House; also speaking on behalf of Peace Lutheran Church; one of the core missions at Peace is providing help for our community in a variety of forms; will be organizing an outreach ministry to assist with transportation needs for those trips that are not within easy walking distance and will be available for other areas of support; like to commend the Zoning board and Council for giving the matter the attention it needs; the Zoning board's vote was given after careful consideration of land use issues and alignment with the development plan of the area; Council has taken this recommendation and provided public discussion forums as with this evening and asked questions that will assist in making the best decision for the Gahanna community. The motivation and ability of the Melissa's House foundation and CHN to build and maintain a quality facility and provide successful services has been well documented; we urge Council to approve this request.

Kevin Berg, 661 Rose Way, said I am passionately and vehemently and abhorrently against this; to start with I do not think Planning really did their job; I don't envy any of your positions; darned if you do and darned if you don't; rather be darned if you don't and get sued than darned if you do; my wife actually teaches special education and I know people who are mentally handicapped and physically handicapped; this is not only going to hurt the area it is going to hurt the whole image; when you let one in you have to let them all in; doesn't only start with property values going down, it will be taxes going down and people who are young will not want to come anywhere near Gahanna; God forbid that something happen to a child; they are going to be watched only 4 hours a day; when they forget to take their pills they do not know what they are doing or where they are or what their next move is; they have no control over their mental state; definitely opposed to this; God forbid that something could happen to a child. Thank you.

Carol Lepley, 529 Mechwart Place, said I have a masters degree in psychiatric mental health nursing; I taught psychiatric mental health nursing for most of my career, over 20 years; also was director of nursing of a privately owned psychiatric facility for 7 years; more recently I have volunteered at the Suicide Prevention Hotline; I also have a son who is severely disabled; he is paralyzed from the neck down and he also graduated from Ohio State University and he lives here in Gahanna; he also needs a lot of special

care; so with all of that in mind I wish to speak in strong opposition to this proposal; I hope my history tells you that I am not biased; I respectfully ask you to look at this strictly as a rezoning issue as your code says; not an issue of discrimination as the proponents continue to stress; is it necessary to have all of this testimony about mental illness; please consider the following; would you be having this discussion if Larry Canini or any general contractor were requesting to change this zoning to build rental apartments which would be open to all; how is testimony about mental illness pertinent to the issue at hand; why has there been so much emphasis given to mental illness in these discussions; why have the proponents continued to bring in people who have relatives and friends with mental illness; why has Council allowed this; this is a rezoning issue and not a special needs issue; a person's disability has no part in my opposition to changing this zoning; I simply do not want apartments built where I had been assured that offices would be built; very sorry that those of us who oppose it are being portrayed as if we are absolutely biased and ignorant regarding disability issues; we are not. I am sorry for the Goldberg's loss but I ask you to please consider the rights of those of us who bought in to the community in good faith. Thank you.

President Kneeland said this is strictly Hearing of Visitors; this is not testimony on this zoning issue; this is normal operation of Council to allow all residents to speak in front of Council.

Dan Heinmiller, 508 Mechtart Place, said I want to wrap this up and I want to stick to the zoning issues; Melissa's House was originally presented as an eating disorder center, and then the true use was clarified; then it was promulgated as a typical type of this facility; the proponents say there are similar facilities such as this in the city, but I have scoured the Internet of all CHN facilities and did not find any that were in secluded cul-de-sacs; and none abut against properties that are worth \$230,000 to \$270,000. We are sensitive to the altruistic motives of our opponents; I do compassionately care for people with mental health problems every day of my life; but let's remove the painted on rouge; the rouge and cloud cover compounding this issue; let's paint this zoning request for what it really is; for fiscal, for public safety and welfare issues this is a bad idea for the City of Gahanna. Thank you.

Scott Mounts, School Board Representative, said he had some specific information for Council tonight but walked out and left it on the counter; we have selected contractors for Clark Hall, and I think the good news is that 95% of the money we are going to spend on Clark Hall is going to be within a 20 mile radius of the City of Gahanna; around 30% will be in a radius of 6 miles; so we were pretty happy with the way the contracts came out; also the bid totals came out to about \$900,000 less than projected; we were happy about that; also a little change of plans in the leasing of the first floor; originally intended to be retail but fortunately we have been able to enter into negotiations with Fairfield Career Center for them to take part of that space; also an institute of higher education is interested in taking part of the first floor; that helps keep the educational mission of the building intact; gets the district out of the retail business and secures some positive, sustained income. Anderson asked if any of the contractors were women or minorities. Mounts said he did not know that; did intend to bring a list of contractors tonight; will be happy to send that information later.

## **D. INTRODUCTIONS AND ASSIGNMENT TO COMMITTEE:**

### **Ordinances - To Be Introduced and Assigned to Committee:**

Ordinances introduced, by title, by Samuel

#### **ORD-0081-2010**

TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO AWARD AND THE MAYOR TO ENTER INTO CONTRACT WITH HD SUPPLY WATERWORKS, FOR

THE PURCHASE OF FIRE HYDRANT MATERIALS.

**Introduced**

**ORD-0082-2010**

TO ALLOW THE SURFACE APPLICATION OF BRINE; FOR DUST CONTROL AT SUBURBAN STEEL SUPPLY

**Introduced**

**ORD-0083-2010**

TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO AWARD AND THE MAYOR TO ENTER INTO CONTRACT WITH CONIE CONSTRUCTION FOR CONSTRUCTION OF THE WEST GAHANNA WATER IMPROVEMENT PROJECT; IMPROVEMENT NO. 938.

**Introduced**

**ORD-0085-2010**

SUPPLEMENTAL APPROPRIATION - Emergency Management, Capital Projects/Improvements

**Introduced**

**ORD-0087-2010**

TO ACCEPT DECLARATION OF RESTRICTIONS FOR PROPERTY LOCATED ON TECHCENTER DRIVE AND KNOWN AS A PORTION OF CENTRAL PARK, 12.1+/- ACRES OF LAND PURCHASED FROM VALUE RECOVERY GROUP II, LLC AND 10.98 ACRES DONATED TO THE CITY BY VALUE RECOVERY GROUP II, LLC

**Introduced**

**ORD-0089-2010**

TO AUTHORIZE THE MAYOR TO ENTER INTO LEASE WITH WALNUT CREEK PRESBYTERIAN CHURCH, 600 WEST JOHNSTOWN ROAD, TO ALLOW AN OFF-PREMISE SIGN TO BE ERECTED ON CITY PROPERTY.

**Introduced**

**ORD-0090-2010**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH W.E. STILSON CONSULTING GROUP, TO CREATE A UNIDIRECTIONAL FLUSHING SEQUENCING REPORT FOR THE CITY OF GAHANNA.

**Introduced**

**E. CONSENT AGENDA:**

**Minutes - To Approve:**

**2010-0023**

To approve the following sets of Minutes:

- 1) April 5, 2010 Regular Meeting Minutes
- 2) April 5, 2010 Special Meeting Minutes
- 3) April 8, 2010 Special Meeting Minutes
- 4) April 12, 2010 Special Meeting Minutes

**This Matter was Approved and Filed on the Consent Agenda.**

**Ordinance: Introduce, Waive Second Reading , Adopt:**

**ORD-0088-2010**

TRANSFER OF FUNDS - Gahanna Swimming Pool Capital

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

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

**ORD-0084-2010**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH B & C COMMUNICATIONS FOR EQUIPPING AND UPFITTING OF TWO POLICE

VEHICLES; TO WAIVE THE BID PROCESS; AND TO DECLARE AN EMERGENCY.

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

**ORD-0086-2010**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT MODIFICATION WITH W.E. STILSON CONSULTING GROUP, FOR ADDITIONAL DESIGN WORK TO INCLUDE PEDESTRIAN ENHANCEMENTS; FOR THE HAMILTON/GRANVILLE INTERSECTION IMPROVEMENTS; IMPROVEMENT NO. 883; 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-0068-2010**

SUPPLEMENTAL APPROPRIATION - Engineering, Capital Projects

**This Matter was Adopted on the Consent Agenda.**

**ORD-0069-2010**

TO AUTHORIZE THE MAYOR TO ENTER INTO AMENDED CONTRACT WITH TRANSYSTEMS CORPORATION FOR DESIGN SCOPE INCREASE TO COMPLETE THE PROJECT DESIGN FOR TECHCENTER WEST; IMPROVEMENT NO. 762; AND TO SUPPLEMENTALLY APPROPRIATE \$76,000.

**This Matter was Adopted on the Consent Agenda.**

**ORD-0070-2010**

TO AMEND ORD-0004-2010, WHICH PROVIDED RATES OF PAY AND BENEFITS FOR SUPERVISORY PERSONNEL OF THE CITY OF GAHANNA FOR THE PERIOD JANUARY 1, 2010, THROUGH DECEMBER 31, 2010, TO PROVIDE FOR A CASH PAYMENT IN LIEU OF ACCEPTING HEALTH INSURANCE BENEFITS FOR THE CITY.

**This Matter was Adopted on the Consent Agenda.**

**ORD-0071-2010**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH THE SPYGLASS GROUP, INC., FOR TELECOMMUNICATION AUDIT SERVICES.

**This Matter was Adopted on the Consent Agenda.**

**ORD-0072-2010**

SUPPLEMENTAL APPROPRIATION - FLETF - Polygraph Training

**This Matter was Adopted on the Consent Agenda.**

**ORD-0073-2010**

SUPPLEMENTAL APPROPRIATION - FLETF - Server

**This Matter was Adopted on the Consent Agenda.**

**ORD-0076-2010**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH CLASS ACTS COLUMBUS, INC., TO PROVIDE ENTERTAINMENT FOR THE GAHANNA FREEDOM FESTIVAL 2010.

**This Matter was Adopted on the Consent Agenda.**

**ORD-0077-2010**

TO AUTHORIZE THE MAYOR TO ENTER INTO A NEW OPTICAL FIBER USE AGREEMENT WITH THE COMMUNITY IMPROVEMENT CORPORATION OF GAHANNA (CIC); TO REPEAL ORD-0090-2009

**This Matter was Adopted on the Consent Agenda.**

**ORD-0078-2010**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH CENTURY

EQUIPMENT FOR YEARLY GOLF CART MAINTENANCE FOR GOLF CARTS AT THE GAHANNA MUNICIPAL GOLF COURSE.

**This Matter was Adopted on the Consent Agenda.**

**ORD-0079-2010**

TO AUTHORIZE AN AGREEMENT FOR TAX ABATEMENT FOR PROPERTY LOCATED AT 1625 EASTGATE PARKWAY AND IS A PART OF COMMUNITY REINVESTMENT AREA #1; SAID DISTRICT LAST AMENDED BY SR-0002-2005; AND TO DECLARE AN EMERGENCY

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

**ORD-0080-2010**

TO AUTHORIZE AN AGREEMENT FOR TAX ABATEMENT FOR PROPERTY LOCATED AT 720 CROSS POINTE ROAD AND IS A PART OF COMMUNITY REINVESTMENT AREA #1; SAID DISTRICT LAST AMENDED BY SR-0002-2005; AND TO DECLARE AN EMERGENCY.

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

**Ordinance - To Amend by Substitution and Adopt:**

**ORD-0074-2010**

TO AMEND CHAPTER 721, CANVASSING AND SOLICITATION, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA, OHIO.

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

**Ordinance - To Postpone to Date Certain: May 3, 2010**

**ORD-0066-2010**

TO ZONE 2.3+/- ACRES OF PROPERTY AS L-AR, LIMITED OVERLAY/MULTI-FAMILY RESIDENTIAL; SAID PROPERTY LOCATED AT 1105 BEECHER CROSSING NORTH; MELISSA'S HOUSE FOUNDATION BY PIZZUTTI, INC., APPLICANT.

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

**Motion Resolution:**

**MR-0014-2010**

Motion Resolution to authorize transfer of funds from 101.141.5249, Lands & Buildings Contract Services to 101.141.5510, Lands & Buildings Minor Capital to be used for modification of the Senior Center restrooms to become ADA compliant.

**This Matter was Approved on the Consent Agenda.**

**MR-0015-2010**

Motion Resolution to re-appoint Maurice Jones to the Community Reinvestment Area Housing Council for a three year term; said term expiring June 30, 2013.

**This Matter was Approved on the Consent Agenda.**

**Passed The Consent Agenda**

**A motion was made by Anderson, seconded by McAlister, 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 Kneeland, Vice President of Council Ewald, McGregor, Anderson, 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:**

**Z-0001-2010**

To consider a Zoning application to zone 2.368 acres located at 4251 E. Johnstown Road; current zoning CC (Community Commercial), requested zoning L-AR (Limited Overlay, Multi-Family Residential); Buckeye Community Hope Foundation, applicant.

Clerk stated Public Hearing will be held May 17, 2010.

**Scheduled for Public Hearing**

**PL-0001-2010**

To make a recommendation to Council for park land dedication requirement; for development of property located at 4251 E. Johnstown Road; Buckeye Community Hope Foundation, applicant

**Received and Filed**

**S-0001-2010**

To consider a recommendation to Council to update the previously approved Gahanna Bikeway Master Plan; Gahanna Parks and Rec Department, applicant.

Clerk requested this item be placed on Committee of the Whole for May 10.

**Received and Filed**

**Council: None.**

**I. SECOND READING OF ORDINANCES:****ORD-0075-2010**

TO AMEND CODE SECTION 131.01, EMERGENCY POWERS, OF CHAPTER 131, MAYOR, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA; AND TO DECLARE AN EMERGENCY.

Ewald stated this section of code was discussed in committee; requested explanation from City Attorney. Weber stated this simply gives the Mayor the option, under the terms of this subsection, to require that if there is a snow event that vehicles be moved off the street; is a discretionary power that the Mayor has; simply augments existing code; there is no requirement; sure the Mayor will be consulting with Safety and Service Departments before implementation; is to add a specific power in case we have future problems. Ewald asked if we tow cars who pays for that; for the cars to be returned. Stinchcomb stated that if someone is in violation after an emergency has been declared, it is the owner's responsibility. Ewald asked how we get notice out in time. Stinchcomb stated we will use every opportunity to get notice out; part of the process is plain common sense; we will use every avenue available to notify. Ewald can support this if common sense is to apply.

**A motion was made by Samuel, seconded by Anderson, that this matter be Adopted as an 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

**J.      FIRST READING OF ORDINANCES: None.**

**L.      REPRESENTATIVES:**

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

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

McGregor stated there was a meeting last week; looked at the complete streets policy; also a report on Main Street USA which is still on the horizon; no funding yet.

**Bd. of Education, Gahanna-Jefferson Public Schools - Anderson:**

Anderson stated she wanted to highlight that we received the program booklet on the Honor Flight and take note of that; is a great program and something that we should be proud of; was also some mention of the levy.

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

**M.      OFFICIAL REPORTS:**

**Mayor:**

Stinchcomb noted that from 5:30 p.m. to 7:00 p.m. on Thursday there is the Hamilton Road Corridor Plan open house in committee rooms; stop by at that time and see the proposal. Kneeland noted that people have seen the sign; glad to see it is an open house concept for residents. Mayor stated it is an open house and want to get the information out to our residents; there is not a formal presentation; will be different stations to look at different segments; is being coordinated by Development Department.

**City Attorney: No Report.**

**N.      COUNCIL COMMENT:**

Anderson stated she wanted to underscore the process we have; comment is key; illustrates that Council is deliberating on the tough issues; we are extending the conversation and doing our due diligence - on texting and many issues to come; we are deliberate in our consideration; ask you to come to the meetings and see what we do; encourage young people to come - although know it is mostly for class credit - but they are our future leaders.

Samuel stated that on the consent agenda tonight was a piece of legislation all citizens should be aware of and that is our code on Canvassing and Solicitation; we ask people to check in with Police Department and get a permit; if someone comes to your door make sure they have a permit and ask to see it; we will now do BCI state and federal background checks; also never let those folks into your home; once you let them in the house you don't know what they're doing; to young people, most work is done in committees; what you see tonight is not all that is done.

Larick stated my first meeting was a whirlwind; feel it was a little better tonight; want to mention that 12 folks applied for the open position; being engaged and involved is what is critical and to have your input placed whenever possible; encourage everyone to be involved actively; hopefully I can do my part when here; if you have any interest or

concerns encourage you to get engaged and be involved.

Ewald thanked everyone who helped with Honor Flight; many residents have benefited from this; thank everybody who participated; believe it is an excellent reflection on our community values.

**O. ADJOURNMENT: 8:44 p.m. - Motion by Anderson.**

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**Isobel L. Sherwood, MMC**  
**Clerk of Council**

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

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**Thomas R. Kneeland**  
**President of Council**