

# **City of Gahanna**

*200 South Hamilton Road  
Gahanna, Ohio 43230*



## **Meeting Minutes**

**Monday, July 16, 2012**

**Council May Meet in Caucus Beginning at 6:45 p.m.**

**7:00 PM**

**City Hall**

## **City Council**

*Brian D. Larick, President*

*Stephen A. Renner, Vice President*

*Beryl D. Anderson*

*Karen J. Angelou*

*Ryan P. Jolley*

*David L. Samuel*

*Brandon Wright*

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

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

Gahanna City Council met in Regular Meeting on Monday, July 16, 2012, at Gahanna City Hall, in Council Chambers, 200 South Hamilton Road. President of Council Brian D. Larick called the meeting to order at 7:00 p.m. Invocation was given by Vice President of Council Renner followed by the Pledge of Allegiance led by Council Member Anderson. Agenda for this meeting was published on July 13, 2012.

**Members Absent:** Ryan P. Jolley

**Members Present:** Brian D. Larick, Stephen Renner, Karen J. Angelou, David L. Samuel, Beryl D. Anderson and Brandon Wright

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**B. ADDITIONS OR CORRECTIONS TO THE AGENDA:**

MOTION by Wright, seconded by Angelou, to move ORD-0136-2012 to the regular agenda under second reading of ordinances. ROLL CALL: Voting yes: Wright, Angelou, Samuel, Anderson, Larick, Renner. Motion carried.

**Members Present:** Brian D. Larick, Stephen Renner, Karen J. Angelou, David L. Samuel, Beryl D. Anderson, Ryan P. Jolley and Brandon Wright

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**C. HEARING OF VISITORS:**

W. Curtis Stitt, President & CEO of COTA, stated he was present at invitation of Council Member Samuel who has been on our Board since 2010; have been with COTA about 13 years with the last 5-1/2 months as President & CEO; believe I'm the first CEO to have a strike in my first 6 months; not something I had on my goals; did cause some hardship for passengers; was a short lived strike; have come to share some things about COTA; been a while since we have been here; in the last few years we have taken a position that our stakeholders are our #1 priority - employees, passengers and tax payers; have to keep focus on all three groups; have to keep all of those stakeholders at the forefront; that's how we conduct all our business; when we look at that list, I fall into all three categories; that has been important to COTA; between 1999 and 2000 lost about 22% of our ridership; some things we weren't doing as well; lost 26% of our service between 2001 and 2006; 2006 we were able to reduce expenses and operated within our budget; went to the taxpayers in 2006 and asked for your vote of faith and confidence with an increase in sales tax; pleased to announce that we have been on track for our promises; additional 1.5% restored our ridership; in 2011 led the nation in ridership increases; 10.2%; increased ridership for the second time; first time was in 2008 when gas prices first hit \$4 a gallon; back to levels corresponding to 2008 when gas prices went up to \$4; next year maintained that level and increased by 2%; slightly larger increase since then; saw another 10.2% increase and year to date we have about 2.7% increase in ridership over the same time period last year; last 12 month period saw a 7% ridership increase; validates the fact that COTA is vital to this community; between 2006 and last year increased our service; increased and improved; all the service we lost; last year we provided approximately 836,000 service hours; about the same level we were at in 2001 when it began to decrease; this demonstrates we try to keep a fair balance with funds; as we continue to improve our service ridership will continue to grow; we provide good quality service to our community; fiscal management is important to us; follow media you would have seen a graph cost per vehicle hour was about 32% higher than our peer cities; as of 2010, which is latest numbers, we have decreased that to about 8%; not talking apples to apples, we believe we are on par with

our peers now; we do also track a single peer group which is Cincinnati; as of 2010 we were 3% lower than Cincinnati in cost per vehicle hour; doing a good job in getting expenses under control; looking forward we are focused on number of things; keep on what we have been doing; keep our costs under control; maintain in area of peers; and we have got to continue to improve our service as we promised in 2006; our buses are nicest fleet in country; much better than in 2003 and 2004; capital infrastructure is improving; bring our capital infrastructure up to a state of good repair; roof replacements had to go during that period when we were cutting service; now we have built a new para transit center, a mobility service facility on Fields Avenue; is a state of the art facility that provides a garage and maintenance for our buses that provide service to those with disability; believe we go above and beyond; lot of things we are doing; happy to answer any questions; conclude with one thought; the events in the paper with the strike and then the train derailment; after the strike thought it has to go up; got contract we are finalizing and yet to be executed; then exactly one week later we had the train derailment; last thing we needed; more disruption; about 1/2 of our buses were at the Fields Avenue site; worked on modified service for most of the morning and into early afternoon; got a call at 3:00 am alerting me this was going on; when I went out to the facility all of the bus operators were sent over to that facility; all of the bus operators were reporting to duty; what I heard was about all the chaos but what I saw was people doing everything necessary to get busses on the road; when EPA gave us OK to go in, we filled busses with operators, drove them over to Fields, and they shuttled all the busses back to McKinley until we got about 150 busses over; testament to what; all COTA employees, before the strike, during the strike and now that the strike is over, are committed to providing service; was very proud of the way we worked together to address this situation which could have been devastating; by about 2:30 in afternoon we were back to normal service; those were the people that provided that service and I am proud of their work. Samuel thanked Stitt for coming; are fortunate to have him as our leader.

Wright stated he appreciated the article in CEO magazine about COTA's legacy and what you have been handed; good luck; you mentioned Cincinnati; concept of building another part of their transportation system as a tram where they have subway above ground; is COTA looking into that; seems that metro areas have this system. Stitt said they are looking at streetcars; we have looked at light rail; there is some type of rail in every major metro area; Columbus is 15th largest city and the only city that does not have some type of rail; looked at it; we can talk off line; might be in COTA's future; as CEO the ground swell and demand for that type of transit has to come from the community; should lead discussions like that and my goal is to begin that conversation now; need to know what is the wish list that this community has for public transportation; then narrow down to a list and through a planning process determine how to pay for it and build it; Wright stated part of it is to educate the public; first attempt was badly communicated to people; people have a tendency to not be in favor if they don't understand benefits; was really lacking and there was not a big education push; not only to City but to residents; having that access for people with disabilities is wonderful; airlines work on a hubs and spokes system; not all of their transportation is sitting in one place; having them scattered throughout the city to be easy to move and shift your work force without a big interruption is something you really need to take a look at. Stitt stated they would certainly be taking a look at our contingency plans; from my perspective it went well considering what could have happened; we have 2 facilities with half of fleet at each; if a facility is unusable we do have to get busses out; were able to get busses out once we were cleared to go in.

Renner stated presently we have only one park & ride on west side; very important for a lot of residents on west side; thank you for that; hear a lot of people talk about wanting

to know how could they get expanded hours; is only once in morning and comes back here about 5 or 5:30 pm; what's the process to get additional service. Stitt stated he will get planning books out and discuss; sometime squeaky wheel gets oil; not the ordinary process; if we understand what your issues are, that will get you further than others we are not hearing from; happy to look at what you are talking about; all of our park & rides have rush hour service only; often local service that could also provide some coverage; park & ride I use has 2 different express busses with about 9 trips in and out plus a block away is the #2 and line #1 pulls in; there is local service throughout the day and express service morning and night; will look at augmenting; happy to share with you information on crosstowns and locals and how we might be able to connect. Renner stated it goes with what residents are looking for; alternatives to get to Easton and other places especially on the weekend; there is a gap; also could you look at that. Stitt stated it is in our long range plan; my answer will get me in trouble because I am an attorney and not a planner; most of our busses have to go into downtown and come back out; why can't we have suburban service; that's one of the things we have put in to our long range plan; how we can better connect our outlying areas; will be looking at; one of the plans is to look at our entire system and how it operates; how we can better provide service; we are providing service the same way we did 38 years ago; perhaps some of these routes are efficient and best but sure that there are some that aren't the most efficient; will be taking a comprehensive look at our entire system.

Anderson offered congratulations for all that you do; one of my questions was to be linked to the connectivity; second issue for clarity is service for seniors and disabled; with growing population of seniors what opportunities are there for increased service or alternative and more availability to get around. Stitt said we are continuing to increase our service; made cuts in 2006; continue to increase our service since then; forecasted at that time 60,000 additional miles; even with the economy we have been able to continue to grow since 2006 while other transit agencies are cutting service; as we increase our service and develop new lines that provides additional coverage; we offer senior discounts; smaller busses are for those with qualifying disabilities; they are able to ride our mainstream service; we increased that to include federal mandate of 1/4 mile of our existing fixed route bus service; made a determination that we will provide anywhere; that is above and beyond what is required by law; we have will call program for medical trips; rather than a trip where you might have to share we provide singular service because you don't want to possibly have an extended trip to accommodate pick ups and drop offs; try to be creative and introduce some new programs. Anderson stated she wished to underscore that COTA does wonderful programming as it relates to Rosa Parks; having worked with her it is easy to recognize a true international icon; changed trajectory with the 1956 Supreme Court case; thank you for COTA and its leadership.

Angelou stated she is happy you are here tonight; having spent large part of my life working with the disabled, for 14 years worked getting housing for them and COTA was for 33% of them an absolute must because they use it so often; was hard to get into communities like Gahanna because of the bus service; anything that can be done to enhance service for people is an absolute must; also when you were at MORPC, you talked about the Cleveland Avenue lines and the costs for those plans; can you discuss briefly. Stitt stated we are looking at bus rapid transit to provide service from downtown along Cleveland Avenue to north of 161; terminus would be just north of 161 and provide additional limited service to St. Ann's Hospital; bus rapid transit is an alternative form of public transportation; quicker trip from one end of the line to the other; want to be able to get you there as close to the time a car can get through there; would have limited stops along the corridor; enhanced bus shelters; some off board fare payment boarding also to enhance the speed of the trip; boarding slows the trip; limited stops would increase speed; those busses would be branded with a special look; it is a faster

bus service and that's what we are looking for; looking at this corridor because of the population density and it is one of the areas we wanted to serve because of Northern Lights; that is the location of the 2nd highest number of boardings every day; great corridor to look at this; believe it will be between \$32 and \$38 million to implement; light rail was going to be \$600 million just to construct.

Jolley thanked Stitt for coming; fares are my issue; cost efficient compared to light rail; huge step in right direction; look forward to seeing how that goes for central Ohio.

John Thomas, 391 Carpenter, stated he was the first house off of Hamilton; noise problem is bigger than you think; have not read the new changes; hopefully you can get our Police Department to enforce; seems like they go to talk to them and that's it; have my own meter; getting petition up from all of Carpenter Road and now working on Shull and apartments behind Dairy Queen; fed up with noise coming from Gatsby's; with this new change hope something will be done; people on Carpenter are fed up with it; with these new changes hope it can be enforced and changes will be made. Larick stated the legislation is on for vote tonight.

Marsha Siaopao, 161 Creekside Green Drive, stated she was here to address noise problem also; specifically from bar on Johnstown Road; have lived there since 2010; work at the post office; come home at 11:00 p.m.; on weekends my walls are vibrating; called police and filed reports; seems like nothing is being done; apparently that is not the case; really disappointed in decision I made to live there; hope we can get some resolution to this; can just imagine what other neighbors are going through because they live closer to the Pub than I do; they don't complain because they are afraid of retaliation; also affects disability I have; served in US Army and am disabled; ask that I can have some peace and quiet; supposed to be one of the top cities; hopefully that still is and will be and my prayers for peace and quiet will be answered; hope the change is to decrease the noise; thank you for hearing me. Anderson asked for clarification on retaliation. Siaopao stated have heard that some neighbors fear it; don't know of retaliation from whom; serve on Creekside Green Association Board and concern has been expressed that their name would be on police report and someone from the Pub would get that information; that's the way neighbors thought about it; but sometimes you have to stand up.

Dr. Larry Leguire, 262 Carpenter Road, stated he is a 30 year resident; draw your attention to mission statement; we don't have a quality of life; live 1/4 mile from these two establishments; can't leave my windows open at night because it is too noisy; as a psychologist know the effect this could have; should be looking at reducing; something has to be done after 10:00 p.m.; bars need to remediate rather than the thousands of residents adjusting; heard it doesn't help to call the police; they have enough to do without hearing about noise; walls are vibrating; is that quality of life; no it isn't; first time I've been here in 30 years; this is not Short North area; could move there if I wanted the noise; moved to Gahanna because it was a nice family oriented community; seriously have questions now; in 2007 we were a top city; now we all have to deal with this noise pollution; if one of us is here to talk to you, then there's 100 others not talking to you; urge you to do something; reduce the noise level so we can have a quality of life. Angelou asked Ewald to explain change in code. Ewald stated there are basically two proposed changes; currently we take reading at 3 minutes; that is being reduced to 2 minutes; it will be more accurate; the second thing is changing the point of the reading; get different readings based on the source of the noise; it will be consistent; right now commercial establishments are being held to a residential standard; we will be applying the commercial standard in our code; very similar 60 to 70 dB range; almost all local cities use this; applying the rate closer to the source; put some teeth in it; trying to

resolve that; worked closely with police and prosecutor for a code that we can enforce; language that police can enforce; code allows for fining. Leguire stated he appreciates anything you can do. Ewald stated that's what's before the Council; police will have tools to enforce and prosecutor can follow through. Leguire stated he deals with noise from 2 locations, Gatsby's and Coaches; is truly disgusting. Angelou stated she hoped that things being changed will add ability to enforce and that it will be helpful; if not successful we will address the issue again; understand there is more noise certain times; hopeful this will do the trick. Anderson stated she wished to underscore the importance of peace and quiet; do look at our vision and mission statement, but unless we hear about the issue and severity we are not going to be aware and have an understanding; am a musician as well as a lawyer; understand that it is impacting your body if it is vibrating your walls; heart rate and physiological changes not just from the hearing standpoint but whole impact on body is negative; we are working towards making a change for the better; for you and your neighbors we are looking at greater good; this is a partnership; continue to come back. Samuel stated you have our assurances that if we get this passed we will be tracking the complaints and we will do it; thank you.

Ted Mitchell, 215 Rugby Lane, stated he has been a resident here since 1986; several issues; noise you can solve it; take that meter, they run it then leave; leave that meter out there and let it run and you will know the true level; I sit in my family room with doors and windows closed, and I have a hearing problem, and I can still hear places like Pub; take all the noise and put it in Creekside or VFW or in my living room; understand these are singular events, but it is a pretty noisy place when put together the ongoing weekly events at the bars in town; has been continually downgraded since I have been here; also live on Rugby in the biggest race track in central Ohio; people think it is a cut through; they go 50 to 60 mph down the street in front of my house; somebody needs to come over every so often and monitor; we have high speeds; some kid will get killed because somebody put bike path right through there; narrow with parking on both sides; one vehicle at a time; signs have been put up for 4th of July but there have been times there isn't enough room for a squad to get through; had a heart attack 20 years ago; don't want to be in a position where an ambulance can't get to me; also have concern that we don't have more egress to the west side; if something happens to the bridge; if you can't get a cop within 20 minutes because he has to go I-270 or Morse Road; that needs to be addressed; have called COTA repeatedly about bus service and what I'm told is put money in the hand and you get bus service; City of Gahanna should get contract with COTA and they will bring in more bus routes.

Jacki Mann, 221 Carpenter Road, stated she was here tonight as citizen and mother; am a registered nurse and wellness specialist; not just noise impact on the body but vibrational impact and disruption in sleep and how important that is; have a 13 year old son who can't get to sleep during school because of Coaches bar; wears headphones to bed at night to block out the noise; this is an issue as a mother; have called the police before; enforcement is the key here; all for people having time to play but that play time should not supercede our rest; should be able to go out on our porch and enjoy peacefully without hearing blaring of music in our backyards; need sleep at night during school year in order to be a productive student; appreciate your consideration of all of the citizens and children being impacted by the noise in this community.

Thomas Lefchik, 187 Rugby Lane, stated you all have heard from me for over 4-1/2 years; some of you more recent; Mayor Stinchcomb has said no one should have to put up with the noise we do; should have been addressed 4-1/2 years ago; still coming to you; that's the way it is; to be frank, have lost a lot of trust in our Police Department and administration; have vibrating walls; can't sleep; get woken up by sudden noise; can't sit on the porch and enjoy a quiet evening; you have all seen my e-mails; written more

e-mails and spent more time on this issue than I ever should have had to; lost more sleep than I like to because of that noise; called the police and they don't come out; said they won't come out any more; could go on and on with litany and appearance of not trying to enforce the current ordinance; bothered that am here now in your Chambers for a change because you can't enforce when it hasn't been tried; in my 4-1/2 years feel this ordinance has never really tried to be enforced; very similar ordinance in Westerville and they seemed to be able to enforce but can't be used in Gahanna; brought you the state statute and the Supreme Court decision and you just don't want to try; police officers say they have been told not to do it; really been an issue of even lack of trying to enforce; was sitting talking to Ewald just prior to this; will measure and will decrease before it gets to the house; tell that to John Thomas right adjacent to Gatsby's; under current law the reading on his property is 50 to 60 decibels; on proposed will be reading 65 to 70; if that's a reduction I've lost my mind; it's been too loud now for me and for others here; Ewald said we need to apply commercial standards. Lefchik stated if I, under this proposed ordinance, have a party in my back yard I can only generate 50 to 60 dB but if there is a bar across my property line they can generate 65 to 70 dB every day of the week; asked Ewald why they get the free ride; it is a free ride; from what I've seen the City is systematically trying not to enforce what is in place.

Patrick Boyle, 179 Rugby, stated he was also here about noise; called police several times; they don't come; have them come upstairs when they do come and it is louder in my bedroom; above the level and they don't do anything; don't understand how increasing the decibel level is going to help us; seems like going up is not the answer; on a side note called and complained; have had to replace mailbox and fixed it several times; call the police regarding speeders and they come out for a little bit; wouldn't recommend anyone living where I do. Angelou asked Murphy if we could get the speed meter back on Rugby. Chief responded yes.

Rob Todd, 553 Fenchurch Way, stated he has an issue with the Pub on Johnstown Road; noise comes right in my bedroom window; called the police and nothing is done; told it could be loud car stereos; have had verbal fight with dispatcher; sense of being put on a list and vandalism then to your house; have those concerns; sense of intimidation; with noise ordinance and violation, when they hear it, it should be shut down; have obstructive heart disease; is an issue for me; not healthy to not be able to sleep; direct correlation of people who live near manufacturing, airports, and other noise sources; as a taxpayer, what am I getting in return; wealthy 1% get to make money; all I want is a decent night's sleep; serve your country and this is what we get in return; I am locked in; can't move; think I deserve better than this; robs you of your quality of life; you want their income from taxes; do you get free lunch and drinks; why don't you want to do something about it; high crime; you can pinpoint decibel zone and enforce; shut this down; let's have peace and joy. Anderson asked how is it affecting your property values. Todd stated he was not sure because of the economy; walk two blocks and you can't hear it; am intimidated; should I even be calling; write a ticket and shut it down; city won't do anything about it; why aren't there more people here; at first wondered where is that music coming from; traced it down to the Pub; do you know how far that is from Fenchurch; have heart disease and high blood pressure; appreciate if something can be done. Wright stated he talks about this list; name and address then it becomes public information; bar owner could get it; things like that could happen; not in this city, but across America. Todd stated good people go there but most people going there to get drunk; stabbings, firing guns in parking lots; fights; almost a near death; why would I give my name. Wright stated he wanted to be clear on this; as it stands with the current legislation the prosecutor said it was unenforceable; from our conversations what we are trying to accomplish is put some more teeth behind this; strengthening the ordinance to make sure it is enforceable; make sure you are aware of this. Todd stated he has put in

new windows and heavily insulated his home; keep doors and windows shut; there is nothing more I can do; bar owners rights should stop at my house; at the very least on the inside; home is castle and I don't have that; not healthy; there are other aggravated citizens on my street.

Chris Lefchik, 187 Rugby, stated they've been residents of Gahanna for over 20 years; over 4 years at this point have been receiving noise from the Pub; it is over 1.3 miles away over Rt. 62 and the cemetery; hear the noise with windows closed and feel the vibrations; called the police numerous times; multiple times when they have come out the Pub has been in violation; many other times police haven't shown up; have been saying the prosecutor has said it can't be enforced; for much of those 4 years never get that far; only got that far since we've been pushing; Westerville has virtually same ordinance and successful in enforcing; against changing the current ordinance; don't think changes will succeed in making enforcement happen; met with Ewald and Jolley and don't believe any change to this should put businesses in violation; don't believe it is fair that businesses that pay majority of tax money get this free ride; lost faith in the solution; apparent lack of will to enforce; ongoing problem for many years; all I have. Jolley stated what was said is that businesses should not be held to a residential standard; should not make an arbitrarily low limit that would excuse them; will have more when we discuss later.

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

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

Ordinances introduced, by title, by Anderson.

**ORD-0154-2012** TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH AMERICAN ROCK SALT CO., LLC, FOR PURCHASE OF ROCK SALT FOR THE 2012/2013 SEASON.

**Introduced**

**ORD-0155-2012** TO AUTHORIZE THE MAYOR TO ENTER INTO A ONE YEAR SERVICE AGREEMENT WITH AUTOMATIC RENEWALS WITH SMARTBILL LTD., FOR THE PRODUCTION AND DISTRIBUTION OF THE CITY'S WATER/SANITARY/STORM/REFUSE BILLS.

**Introduced**

**ORD-0156-2012** SUPPLEMENTAL APPROPRIATION - Fleet, Capital Equipment

**Introduced**

**ORD-0157-2012** SUPPLEMENTAL APPROPRIATION - Fleet, Capital Equipment

**Introduced**

##### **Statutory Resolutions Requiring Two Readings:**

**SR-0001-2012** TO REQUEST THE CITY ENGINEER OF THE CITY OF GAHANNA TO PREPARE PLANS, SPECIFICATIONS, PROFILES, AND AN ESTIMATE OF THE COST OF THE CONSTRUCTION OF THE EXTENSION OF GAHANNA'S SANITARY SEWER INFRASTRUCTURE ALONG EAST JOHNSTOWN ROAD NORTH OF RIVA RIDGE BOULEVARD.

**Introduced**

#### **E. CONSENT AGENDA:**



**Minutes - To Approve:****2012-0031**

To approve the Following Set of Minutes:

1) July 2, 2012 Regular Meeting Minutes

**This Matter was Approved and Filed on the Consent Agenda.****Ordinance: Introduce, Waive Second Reading , Adopt:****ORD-0153-2012**

SUPPLEMENTAL APPROPRIATION - Gahanna Swimming Pool and Hunters Ridge Pool

**This Matter was Introduced, Second Reading Waived, and Adopted on the Consent Agenda.****Ordinances on Second Reading:****ORD-0137-2012**

TO AUTHORIZE THE MAYOR TO ENTER INTO PURCHASE AGREEMENT WITH KEY CHRYSLER, FOR THE PURCHASE OF A DODGE RAM FOUR WHEEL DRIVE POLICE SPECIALTY VEHICLE OFF THE HAMILTON COUNTY COOPERATIVE PURCHASING AGREEMENT.

**This Matter was Adopted on the Consent Agenda.****ORD-0138-2012**

SUPPLEMENTAL APPROPRIATION - B &amp; C COMMUNICATIONS FOR INSTALLATION TO UPFIT A DODGE RAM POLICE SPECIALTY VEHICLE.

**This Matter was Adopted on the Consent Agenda.****ORD-0139-2012**

SUPPLEMENTAL APPROPRIATION - Engineering Expense

**This Matter was Adopted on the Consent Agenda.****ORD-0140-2012**

TO AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT WITH COURTVIEW JUSTICE SOLUTIONS TO CREATE, INSTALL AND MAINTAIN COURTRAC TICKET IMPORT SOFTWARE TO ALLOW THE POLICE DEPARTMENT AND THE COURT DEPARTMENT TO SHARE CITATION INFORMATION AND ELIMINATE DUPLICATION OF DATA ENTRY.

**This Matter was Adopted on the Consent Agenda.****ORD-0141-2012**

TO AUTHORIZE THE MAYOR TO ENTER INTO RENEWAL CONTRACT WITH FIREPROOF RECORDS CENTER FOR OFFSITE STORAGE OF CERTAIN RECORDS

**This Matter was Adopted on the Consent Agenda.****ORD-0142-2012**

SUPPLEMENTAL APPROPRIATION - Emergency Services

**This Matter was Adopted on the Consent Agenda.****ORD-0143-2012**

TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION TO MAINTAIN THE HIGHWAY LANDSCAPING AT THE INTERCHANGE OR HIGHWAY CORRIDOR OF I-270 AT US62.

**This Matter was Adopted on the Consent Agenda.****ORD-0144-2012**

TO AUTHORIZE THE MAYOR TO ENTER INTO REAL ESTATE PURCHASE CONTRACT WITH REKLAMATION, LLC TO PURCHASE CITY OWNED PROPERTY AT 960 BRICKLAWN AVENUE.

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

**ORD-0145-2012**

SUPPLEMENTAL APPROPRIATION - EQUIP & UPFIT A DODGE RAM POLICE SPECIALTY VEHICLE.

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

**ORD-0147-2012**

TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH ICOP FOR EQUIPMENT TO UPFIT A DODGE RAM POLICE SPECIALTY VEHICLE; AND TO DECLARE AN EMERGENCY.

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

**ORD-0148-2012**

TO APPROVE THE RECOMMENDATIONS OF THE TAX INCENTIVE REVIEW COUNCIL

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

**ORD-0149-2012**

TO AUTHORIZE THE MAYOR TO ENTER INTO AMENDED AND RESTATED COMMUNITY REINVESTMENT AREA AGREEMENT FOR TAX ABATEMENT FOR PROPERTY LOCATED AT 625 CROSS POINTE ROAD AND IS A PART OF COMMUNITY REINVESTMENT AREA #1; SAID DISTRICT LAST AMENDED BY SR-0003-2003.

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

**ORD-0150-2012**

TO AUTHORIZE THE MAYOR TO ENTER INTO AMENDED AND RESTATED COMMUNITY REINVESTMENT AREA AGREEMENT FOR TAX ABATEMENT FOR PROPERTY LOCATED AT 663-669 CROSS POINTE ROAD AND IS A PART OF COMMUNITY REINVESTMENT AREA #1; SAID DISTRICT LAST AMENDED BY SR-0003-2003.

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

**ORD-0151-2012**

TO AUTHORIZE THE MAYOR TO ENTER INTO AMENDED AND RESTATED COMMUNITY REINVESTMENT AREA AGREEMENT FOR TAX ABATEMENT FOR PROPERTY LOCATED AT 735 CROSS POINTE ROAD AND IS A PART OF COMMUNITY REINVESTMENT AREA #1; SAID DISTRICT LAST AMENDED BY SR-0003-2003.

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

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

**ORD-0146-2012**

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; TO ADOPT AND THEN RELEASE A FIRST AMENDMENT TO THE GROUND LEASE; AND TO AUTHORIZE THE MAYOR TO SIGN A GENERAL WARRANTY DEED TO TRANSFER PROPERTY KNOWN AS 1181 CLAYCRAFT ROAD (LOT 30 OF THE TIZ) TO WOOD WERKS SUPPLY, LLC.

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

**Motion Resolution:**

**MR-0037-2012**

Motion Resolution that this Council acknowledges that David B. Thom submitted his resignation from Planning Commission on May 3, 2012 to be effective July 31, 2012 as reported in the May 7, 2012 regular meeting of Council; and that this Council hereby reappoints David B. Thom to Planning Commission effective August 1, 2012.

This Matter was Approved on the Consent Agenda.

### **Passed The Consent Agenda**

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

Yes        7     President Larick, Renner, Samuel, Angelou, Jolley, Anderson  
and Wright

### **End of the Consent Agenda**

#### **F. PUBLIC HEARINGS: None.**

#### **G. STANDING COMMITTEES:**

**Committee of the Whole - Renner: No Report.**

**Finance & Development - Samuel: No Report.**

**Parks, Service & Safety - Anderson: No Report.**

#### **SPECIAL COMMITTEES:**

##### **Ward Boundaries - Angelou:**

Angelou stated initial meeting was going to be on July 20 but that has been scrapped as Sherwood will be out that day; first meeting is now scheduled for Friday, July 27 from 8:00 am to 10:00 am; tentatively have scheduled Friday, August 3 also; large GIS maps of the wards have been requested; significant amount of time has been spent pulling this information together for us; are a number of scenarios; seems that reasonable accommodations can be made to bring our wards more in balance with each other; doesn't mean we won't do more than that; again, July 27 and August 3 if necessary.

#### **H. CORRESPONDENCE AND ACTIONS:**

##### **Clerk:**

##### **2012-0032**

Notice to Legislative Authority of a new D5A liquor permit for Sage Restaurant Manager LLC, dba Springhill Suites Columbus Airport, 665 Taylor Road, Gahanna, OH 43230. Last day to file objections is August 13, 2012.

**Received and Filed**

##### **2012-0033**

Notice to Legislative Authority of a new D5A liquor permit for Sage Restaurant Manager LLC, dba Towneplace Suites Columbus Airport, 695 Taylor Road, Gahanna, OH 43230. Last day to file objections is August 13, 2012.

**Received and Filed**

##### **Council:**

Angelou noted letter from Franklin County Treasurer Ed Leonard regarding those particular properties in Gahanna that are tax delinquent and might be considered blighted areas.

Samuel stated a list of delinquent properties was included and hopefully being checked out; treasurer did ask for responses if necessary.

Anderson stated Council had received a save the date card for the Parks & Recreation Foundation event on September 21; funds raised go for camp scholarships and public art initiatives.

## **I. SECOND READING OF ORDINANCES:**

### **ORD-0152-2012**

TO AUTHORIZE THE MAYOR TO ENTER INTO AMENDMENT TO THE DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF GAHANNA, OHIO, AND VALUE RECOVERY GROUP II, LLC, RELATING TO THE BEDFORD I CORF PROJECT; AND TO ENTER INTO OPEN END MORTGAGE.

**A motion was made by Jolley, seconded by Renner, that this matter be Amended by Substitution. The motion carried by the following vote:**

**Yes        7        President Larick, Renner, Samuel, Angelou, Jolley, Anderson and Wright**

**A motion was made by Angelou, seconded by Samuel, that this matter be Amended by Substitution and Adopted. The motion carried by the following vote:**

**Yes        7        President Larick, Renner, Samuel, Angelou, Jolley, Anderson and Wright**

### **ORD-0136-2012**

TO AMEND CHAPTER 559, NOISE CONTROL, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

Angelou stated there has been a great deal of discussion this evening; whether or not it would be legal to have whatever restaurant, bar, or those with noise on an ongoing basis have to have soundproofing around their place; taught music my whole life; in my room there was soundproofing that can be put up; people who want to have loud noise can do so but have to have soundproofing; when sound barrier went around I-270, people right there were grateful but all it did was lift the noise and push that noise two streets over; lived on Dunbarton at that time; this noise discussing tonight tends to go over the freeway and then you have the open space in cemetery; would it be legal to ask those businesses to put up soundproofing.

Stinchcomb stated she has been to Lefchik home; shouldn't have to live with this; one of the first things we did was to sit down with owners and discuss sound attenuation; they said they would do it; they did not; one of the things we have to look at in addition is that we ought to try to put some teeth into building standards and empower the Planning Commission better in order to do attenuation at the site; no legal mechanism when they don't; it is a significant cost; another area we should absolutely look at.

Renner thanked all the residents who came tonight to talk about the noise issue; love it when residents come to talk to us; only way we know there is a problem; in 2007 I was just a little junior resident; remember the sound issue coming up and then going away; wasn't discussed in the minutes of Council meetings; as a resident thought something must have happened; fast forward to 2012 and now am serving the City; saw the e-mails coming back; believe every resident has right because that's where their homes are; now in modern times nice to have businesses so they can help pay for clean water and sewer and our basic services; first wanted to say thank you; there is a process and this is what you are seeing; know there is a lot of distrust; this is the process; change the ordinance; hope we are making it better; I am scientifically trained with degrees in physics and chemistry; we have musicians and attorneys up here; we do get it; understand the health costs; put forth the effort; this is what we have to do legally; best efforts; not done in a

vacuum; have done a lot of research; have put forth the effort to change the ordinance; what happens afterwards; did we make the right decision; do we have a process in place that we can all trust; not just trust of detecting but of enforcing; come back and shake us up if this doesn't work; believe that everybody up here wants a good noise ordinance; we want a peaceful community.

Jolley stated he would echo Renner's comments; if we don't hear it from you we don't necessarily know about it; we thank you for coming out; previously only heard from folks in one area of town and about one establishment; helpful to know that this is more pervasive than I previously understood; it is a balancing act; balance rights of residential citizens with rights of our commercial residents; folks like Mr. Thomas who live right adjacent; this is not a black and white issue; some of you have alluded to being two streets over; noise is strange, music is loud, distorted guitars; was in a band; my hearing is destroyed and am amazed at some of the establishments I go to; the open space for those who live adjacent to the cemetery where there is no barrier; this is not a one size fits all; couple of misconceptions though; if you call into Police Department there are two reasons for them obtaining information about you; one is based on our current code where noise has to be measured at source of complaint; if you don't give them information they can't come out; second is to be able to follow up with residents; noise will be measured at its source to get consistent reading; is the crux of the enforcement issue; one course; one person's home may be okay while other person would be above; also get readings right at the level; any good attorney will get that dismissed; we are strengthening by making it consistent; this is a first step; significant impact to cite these businesses; do have teeth in this for multiple instances; can't require an establishment to put up noise attenuation; with hundreds of dollars in fines they will turn it down or invest in that equipment; will have to see how this works; set documented procedure for this; sure that fellow council members will be following up; are additional steps that may need to be taken; possibly an outdoor music license that can be revoked upon violation; one step in the process; please do not hesitate to continue speaking with us; only down side is that this is not emergency so will take 30 days to go into effect; if we don't make a difference will relook; hard work has been done.

MOTION by Jolley, seconded by Anderson, to add emergency language to ORD-0136-2012.

President asked for discussion on emergency. Wright stated with the emergency it will go into effect as soon as Mayor signs it; lot quicker; just wanted residents to understand; this is showing you that we are committed to this; once this passes, your job is to follow up; contact us; don't be afraid to speak; we'll make sure it is fleshed out and talked about; that shouldn't be the situation; didn't think it was this pervasive; just wanted residents to know.

Jolley thanked fellow Council members for being amenable to this; perfect time to get this going; sooner we get this in place sooner we can evaluate.

Anderson called the question.

ROLL CALL: Voting yes: Jolley, Anderson, Renner, Samuel, Wright, Angelou, Larick. Motion carried.

Samuel stated he wished to stress it is important to monitor the tracking; also our President said might be a good idea to get a follow up call to check on what is done; agree with Mayor we need to look at changing some of the commercial; may need to tweak this ordinance.

Anderson stated the squeaky wheel gets the oil; also say that once we vote on this and assuming this passes, the residents are a partner; you need to let us know what is going on; highlight example of your involvement in the process to make our system work; need feedback; first step in the process; other methodologies that can make this happen; government does run slow; doesn't work as fast as you want it to; sooner you respond to us the sooner things change; have been out to some of the sites; encourage your neighbors who are not here; know that it can be confusing; come and sit in one of these seats; want you to correspond with us; what you put especially in writing will get our attention; we are serious about this; continue to be involved.

Angelou stated she would like to look and see if it is legal; how we can have our businesses feel comfortable; those businesses as well; some kind of building code; licensing idea is a great idea by Jolley; obviously would be a good thing; also need to get an update to Council when administration gets it.

Larick thanked folks for coming; pervasiveness is beyond what I have expected; not to minimize Lefchik's e-communications, but input provided tonight I have not heard before on the other areas of concern; objective is to strengthen the code to make it enforceable; if this does not resolve it we will continue to look at this; personally have long been an advocate of measuring at the location; does not answer the questions of the level; do believe it does make for a very clear code and means of enforcement that takes us to the next step forward.

Stinchcomb stated she took copious notes and good ideas from both sides of the dais; number of action items that I will follow up on; must address Mr. Todd's comments on intimidation; know it can be intimidating to call the police; can tell you that there is no list; no retaliation would be tolerated in my administration; do not know of instances of that happening; nothing internally but a lot of it is public record; only other thing I want to say is sometimes when you call dispatch they are not as friendly as I like them to be; but you don't know what call they have just had; could have been a high stress call; whether police or fire, those people are getting all the calls; very stressful job; apologize if they are short; could be a heart attack call or fire; please keep in mind the stress level of their job; give them a lot of credit for the job they do; thank you.

Wright asked when residents are calling to complain are they using emergency or non emergency. Stinchcomb stated she would hope they would call non emergency but it is the same people answering the calls; will go into more detail in committee; happy to tell you how that works; just want to make it clear and have residents understand that.

**A motion was made by Samuel, seconded by Jolley, that this matter be Adopted as an Emergency. The motion carried by the following vote:**

Yes	7	President Larick, Renner, Samuel, Angelou, Jolley, Anderson and Wright
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**J. FIRST READING OF ORDINANCES: None.**

**K. MOTIONS/RESOLUTIONS: None**

**L. REPRESENTATIVES:**

**Community Improvement Corporation (CIC) - Larick/Renner:**

Renner stated meeting is tomorrow night in committee rooms.

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

Angelou stated meeting is Thursday, July 20.

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

Anderson stated she attended the School Board meeting which was a celebration and honoring of outgoing Superintendent Mark White; many officials were there including Nancy Garland, Mayor, Jolley and myself; many comments made about what the school has done under the leadership of Mark White; I congratulated him on taking time out for reflection as he goes into next stage of life; crux of the Superintendent's report was storm report; damage to the high school roof; they are a location for Red Cross but because the gym doesn't have air conditioning or a back up generator they went to Peace Lutheran; with regard to different sections of the agenda all passed unanimously; video tape from the drama class about an upcoming trip to the Edinburgh Fringe Festival; additional funding for that; would travel August 1 - 15; video about the fringe festival and what students have done over the years; how students learn not just from theater but in travel and seeing people around the world; competition squad cheerleaders trip also passed.

**Convention & Visitors Bureau (CVB) - Jolley:**

Jolley stated they met last Thursday; recapped Blues & Jazz Festival; 39,000 go through gates; doesn't take into account family side who didn't come to main festival; dampened a little bit by rain on Sunday; went off without a hitch; VIP passes were sold out; overall for the year CVB is doing well; bed tax receipts are up 3%; Candlewood Suites is under renovation; economy is starting to turn around; restructure or change the corporate structure of the CVB limiting our liability on catastrophic events is under consideration; looking at what we might be able to do so no unforeseen events; Eylon is moving to Washington sometime in the near future; that position is open for applications; experience in marketing and CVB type positions is desirable; looking for a strong candidate.

**Central Ohio Transit Authority - Samuel:**

Samuel stated meeting will be next Wednesday,

**M. OFFICIAL REPORTS:**

**Mayor:**

Stinchcomb stated regarding the letter from Leonard about the COCIC and the land bank, the Development Department is going through the list; people may be a little delinquent; many of these are not vacant; we are looking at all of them and will report back when we finish that analysis.

**City Attorney:**

Ewald stated he wanted to thank the police, administration and Council members who came to meetings and field tested the new language; Lt. Dan Williams was instrumental; a violation won't be found every time; this code will help them develop more solid footing for issuing a citation; thank police, administration and members of Council.

**N. COUNCIL COMMENT:**

Angelou stated she wished to congratulate Frank O'Hare on becoming National President of the American Society of Highway Engineers in June; was just made aware of this; O'Hare is a former member of Planning Commission and currently serves on the Landscape Board; is a great honor for him.

Wright offered congratulations to Parks & Recreation for 4th of July; got high regards from most everyone I spoke with; also wish to thank Ewald for his efforts in getting the noise ordinance amended; probably would be just sitting there if he hadn't moved on it; also, in response to earlier question about why do all busses seem to come downtown; it is treated like a transportation hub and spoke just like airlines do; it saves them money and moves passengers faster; for a bus that leaves Gahanna it is easier to stop in the middle, drop off passengers, pick up more and then to the final destination; that's where most of the bus routes go; that's probably the biggest thing I found out; thank Angelou for having me in her car for the parade along with Renner; have a resolution that is near and dear to my heart for discussion at a later time.

Samuel thanked residents for coming in and expressing their concerns; thank Finance Department and Public Information for fine job on 2nd quarter financial report; we are transparent; revenue and expenditure for each account and fund is online; goal is to make financial information easy to understand; it is taxpayer' money and they should be able to see how it is collected and spent without having to search for it; also thank Larick for the foresight to form the special committee on ward boundaries consisting of Angelou as Chair, Jolley and myself.

Anderson also expressed kudos regarding parade and freedom festival; kudos to my husband who shines up his convertible and drives my daughter and myself in parade; am always amenable to others coming; people were responsive and it was a delight and pleasure to be in parade; large number of people who came out despite the high temperatures; the event builds such a camaraderie and honor and pride in our city; much to be said for these types of events; second issue was to publicly thank emergency management for offering codeRed; got another call with storm last night; for audience codeRed is an emergency communication system that is available if you want to be listed; give phone number and you get calls in emergency weather or emergency of any type; it is working.

Renner stated we are going through a record heat wave; thank residents for being mindful of these temperatures; can add to anger and stress; request you be mindful of that; also saw in the RFE another article about Chief of Police and his duties with regard to wildlife management; is a good read.

Larick thanked Service and Parks for getting the trash can moved by El Arepazo; was important for ambience; thank you; also, what goes on behind the scenes is unknown; on the evening of the 4th personally thank Parks or Service or whoever who let my daughter sit in the office for a few minutes; for their safety on evening of July 4, General Williams and Parks Director were closely monitoring storms which were heading straight for us; may or may not have impacted launching of fireworks but exiting of folks from fireworks would have been impacted; whether to move them to another night, unannounced change of time, all of the things that go into these discussions; not just the beauty but what goes on behind the scenes; is a great safety factor and; thank you for that hard work and clean up immediately; while navigating all the traffic; moving everything around while the potential storm was coming was significant; finally, less than 24 hours ago became a grandfather for the first time to an 8 lb 13 oz girl; not sure of name yet.

**O. ADJOURNMENT: 9:12 p.m. - Motion by Renner.**



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

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

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**Chair Signature**