

# **City of Gahanna**

*200 South Hamilton Road  
Gahanna, Ohio 43230*



## **Meeting Minutes**

**Monday, April 7, 2008**

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

**7:30 PM**

**City Hall**

## **City Council**

*Nancy R. McGregor, President*

*Thomas C. Evers, Vice President*

*Beryl D. Anderson*

*Shane Ewald*

*Thomas R. Kneeland*

*John R. McAlister*

*David L. Samuel*

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

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

*Gahanna City Council met in Regular Session on Monday, April 7, 2008, in Council Chambers of City Hall, 200 South Hamilton Road, Gahanna, Ohio. President of Council Nancy McGregor called the meeting to order at 7:30 p.m. Vice President Evers delivered the Invocation followed by the Pledge of Allegiance. Agenda for this meeting was published on April 2, 2008.*

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

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

*Mayor Stinchcomb presented a proclamation in honor of National Occupational Therapy Month to Patricia Nelson and Christy Nelson.*

*Clarice Yoder, Gahanna Jefferson Board of Education, stated that on Thursday's agenda will be the retirements of Randy Allen and Louise Baehr; both will be sorely missed; you already know that Shirley Hamilton has retired; Morris is interviewing for that position now; Blacklick had a Night of Math which was a combination of kids and parents coming together to play math games; Middle School South did a dinner theater with the play "One Magic Moment"; Jefferson has an author coming tomorrow; Celebration of Excellence went well; will be honoring our Cornerstone award winners this week; Windy McKenna is one of the honorees; all of her children will be here to celebrate with her; Alumni Hall of Fame is also Friday; those are some highlights; paying attention and gearing up for the redistricting that will happen in the fall; also gearing up for new personnel in Central Office; Royal Manor raised \$1,200 at their soup dinner; was very successful.*

*John Melzer, 253 Caswell Drive, stated he has gotten involved with City a little bit; went to couple of department heads for information; talked about this wireless business; didn't realize how large it was; it's a huge project; newspaper doesn't give you enough information; came to Gahanna from Columbus because we wanted to get involved in small government; when we first got here, my wife came in and talked to Mayor and we were happy with way everything was down here; so many things are going on now, feel like we are being left out; feel we are not being told what the overall project is; wireless is not just a simple matter of reading meters; want to keep informed; seems like now we are less informed than when we first moved here; want to know what's going on; want to have Council tell me; the way I look at it, I have the majority on Council representing me because there are 3 at large and 1 from my district; like to have some meetings other than your regular meetings where these issues could be explained to the public; items you are discussing can affect what you are doing two or three years in the future; how can City Council bring in the public as we need to know how it's all working; don't want to rely on the news media because I'd rather get the information from Council and the Mayor; hope most people want to be informed that way; asking you to come up with something; went to the meeting on the bridge overpass and that was informative; want to be able to talk to you, however, and not have to talk to you in this formal setting; something informal and not rigid; that's all I wanted to bring up; like to know what's going on; thank you very much.*

**D. INTRODUCTIONS AND ASSIGNMENT TO COMMITTEE:****Ordinances - To Be Introduced and Assigned to Committee:**

*Ordinances introduced, by title, by Evers.*

**ORD-0053-2008**

TO VACATE A PORTION OF TECHCENTER DRIVE AS PUBLIC ROADWAY WITH UTILITY EASEMENTS TO BE MAINTAINED; FOR 0.096 ACRES LOCATED AT 825 TECHCENTER DRIVE; AND TO DECLARE AN EMERGENCY

**Introduced, to Public Service & Safety**

**ORD-0082-2008**

TO AUTHORIZE THE MAYOR TO ENTER INTO COOPERATIVE AGREEMENT WITH FRANKLIN COUNTY FOR CONSTRUCTION OF A PORTION OF HAMILTON ROAD BETWEEN CLARK STATE ROAD AND JOHNSTOWN ROAD/U.S. ROUTE 62 PROJECT IN THE JURISDICTION OF THE CITY OF GAHANNA; AND TO DECLARE AN EMERGENCY.

**Introduced**

**ORD-0084-2008**

TO CREATE THE FULL-TIME UNCLASSIFIED POSITION OF ECONOMIC DEVELOPMENT MANAGER; TO ESTABLISH DUTIES AND RESPONSIBILITIES; TO AMEND ORD-0294-2007, SALARIES AND BENEFITS FOR UNCLASSIFIED PERSONNEL TO ALLOW FOR THE CHANGE IN PAY GRADE FOR THE DEPUTY DIRECTOR OF DEVELOPMENT AND CHANGE IN TITLE AND PAY GRADE FOR A COMMUNITY DEVELOPMENT MANAGER; AND TO DECLARE AN EMERGENCY.

**Introduced, to Committee of the Whole**

**ORD-0085-2008**

TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO AWARD AND THE MAYOR TO ENTER INTO CONTRACT WITH MEADE CONSTRUCTION, INC., FOR STANDING SEAM METAL ROOF REPAIRS AT THE POLICE DEPARTMENT AND THE SENIOR CENTER; AND TO SUPPLEMENTALLY APPROPRIATE \$357,800.

**Introduced**

**ORD-0086-2008**

SUPPLEMENTAL APPROPRIATION - Streets Maintenance Supplies

**Introduced**

**ORD-0087-2008**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH CLEAR CHOICE WALLS FOR STUCCO REPAIRS TO CITY HALL DUE TO 2006 HAIL DAMAGE; AND TO SUPPLEMENTALLY APPROPRIATE \$6,633.

**Introduced**

**ORD-0088-2008**

SUPPLEMENTAL APPROPRIATION - Capital Projects/Improvements/Street Lights

**Introduced**

**ORD-0089-2008**

TO ACCEPT MONIES SEIZED MARCH 4, 2008 IN THE AMOUNT OF \$314 AND AWARDED TO THE GAHANNA POLICE PURSUANT TO COURT ORDER; CASE #07CHV-4741; AND TO SUPPLEMENTALLY APPROPRIATE \$204 TO THE LAW ENFORCEMENT TRUST FUND.

**Introduced, to Committee of the Whole**

**ORD-0090-2008**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH ADVANCED CIVIL DESIGN, INC., FOR ENGINEERING SERVICES FOR RIGHT-OF-WAY ACQUISITION COORDINATION FOR THE TECHCENTER DRIVE EAST PROJECT; IMPROVEMENT NO. ST 916; TO SUPPLEMENTALLY APPROPRIATE \$9,500; AND TO DECLARE AN EMERGENCY.

**Introduced, to Public Service & Safety**

**ORD-0091-2008**

TO AUTHORIZE THE MAYOR TO ENTER INTO SETTLEMENT AGREEMENT WITH 825 TECHCENTER DRIVE, LLC, FOR PURCHASE OF RIGHT OF WAY NEEDED TO EXTEND TECHCENTER DRIVE EASTWARD AS PART OF THE CENTRAL PARK DEVELOPMENT; TO SUPPLEMENTALLY APPROPRIATE \$83,825; AND TO DECLARE AN EMERGENCY.

**Introduced, to Public Service & Safety**

**ORD-0092-2008**

TO REZONE 1.895+/- ACRES AS CC-2, COMMUNITY COMMERCIAL-2; FOR PROPERTY LOCATED AT 1245 NORTH HAMILTON ROAD; 4-M PARTNERS, LTD., BY BEN HALE, APPLICANT.

**Introduced, to Committee of the Whole**

**ORD-0093-2008**

TO AMEND CODE SECTION 1109.08, PUBLIC AREAS, OF CHAPTER 1109, STANDARDS, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA; AND TO DECLARE AN EMERGENCY.

**Introduced, to Development & Parks**

**E. CONSENT AGENDA:****Minutes - To Approve:****2008-0001**

1) April 7, 2008 Regular Meeting Minutes

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

**Ordinance: Introduce, Waive Second Reading, Adopt as Emergency:****ORD-0081-2008**

AN ORDINANCE TO EXTEND A TEMPORARY MORATORIUM UPON ANY TYPE OF APPROVAL OF ALL APPLICATIONS FOR CONSTRUCTION OF AND/OR MODIFICATIONS TO WIRELESS COMMUNICATIONS FACILITIES WITHIN THE CORPORATE LIMITS OF THE CITY OF GAHANNA UNTIL 90 DAYS AFTER THE EXPIRATION OF THE ORIGINAL TEMPORARY MORATORIUM; AND TO DECLARE AN EMERGENCY.

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

**ORD-0083-2008**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH SPRINT/NEXTEL GOVERNMENT FOR CDMA SERVICE FOR USE IN OUR POLICE CRUISERS; TO SUPPLEMENTALLY APPROPRIATE \$4,320 THEREFOR; 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-0064-2008**

TO AUTHORIZE THE MAYOR TO ENTER INTO ADDENDUM TO CONTRACT WITH AMERISCAPE, INC., FOR LANDSCAPE MANAGEMENT OF GAHANNA GATEWAYS FOR 2008 AND 2009; AND TO DECLARE AN EMERGENCY.

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

**ORD-0065-2008**

TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO AWARD AND THE MAYOR TO ENTER INTO CONTRACT WITH HD SUPPLY WATERWORKS FOR AUTOMATED METER READING PROJECT

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

**ORD-0066-2008**

TO ACCEPT ENVIRONMENTAL COVENANT FOR A 0.8275 PORTION OF AN APPROXIMATELY 13.519 ACRE TRACT OF LAND KNOWN AS MCCORKLE PARK; FOR WETLAND MITIGATION; FROM THE OHIO ENVIRONMENTAL PROTECTION AGENCY.

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

**ORD-0067-2008**

TO AUTHORIZE THE MAYOR TO ENTER INTO PURCHASE AGREEMENT WITH GREEN THUMB POWER EQUIPMENT, FOR PURCHASE OF A 5225 TRACTOR WITH CAB, AND A 5425 TRACTOR WITH CAB; FROM THE STATE CONTRACT #7751501208; AND TO SUPPLEMENTALLY APPROPRIATE \$4,500.

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

**ORD-0068-2008**

TO AUTHORIZE THE MAYOR TO SIGN, AND THE CITY ATTORNEY TO FILE, ALL NECESSARY DOCUMENTS ESTABLISHING THE GAHANNA PARKS & RECREATION FOUNDATION; AND TO SUPPLEMENTALLY APPROPRIATE \$900 THEREFOR; AND TO DECLARE AN EMERGENCY.

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

**ORD-0069-2008**

TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO AWARD AND THE MAYOR TO ENTER INTO CONTRACT WITH FERGUSON WATERWORKS, FOR THE PURCHASE OF AMERICAN DARLING FIRE HYDRANTS.

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

**ORD-0070-2008**

TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO AWARD AND THE MAYOR TO ENTER INTO CONTRACT WITH CONIE CONSTRUCTION COMPANY, FOR INSTALLATION OF FIRE HYDRANTS.

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

**ORD-0072-2008**

TO ACCEPT DEED OF EASEMENT IN THE AREA OF NORTH HAMILTON ROAD, FOR A STORM SEWER EASEMENT AND APPURTENANCES THERETO FROM THE VILLAS OF GAHANNA CONDOMINIUM ASSOCIATION.

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

**ORD-0073-2008**

TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO AWARD AND THE MAYOR TO ENTER CONTRACT WITH COLUMBUS ASPHALT PAVING, INC. FOR THE OLDE RIDENOUR ROAD WATER MAIN IMPROVEMENT PROJECT; IMPROVEMENT NO. ST 923; AND TO DECLARE AN EMERGENCY.

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

**ORD-0074-2008**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH MS CONSULTANTS, INC., FOR INSPECTION AND CONSTRUCTION SERVICES FOR THE OLDE RIDENOUR ROAD WATER MAIN IMPROVEMENT PROJECT; IMPROVEMENT NO. ST 923; AND TO DECLARE AN EMERGENCY.

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

**ORD-0075-2008**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH IRON MOUNTAIN INFORMATION MANAGEMENT, INC., FOR STORAGE OF BUILDING PLANS AND RELATED EXPENSES; TO TRANSFER FUNDS; AND TO DECLARE AN EMERGENCY.

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

**ORD-0076-2008**

TO ZONE 2.523 +/- ACRES OF NEWLY ANNEXED LAND AND 1.224 ACRES OF LAND CURRENTLY ZONED AS ER-1, AS SO, SUBURBAN OFFICE; FOR PROPERTY LOCATED AT 5195, 5201 AND 5221 MORSE ROAD; PIERCE PARTNERS, LLC, OWNER

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

**ORD-0077-2008**

TO REZONE 74.798 +/- ACRES AS RID, RESTRICTED INSTITUTIONAL DISTRICT; FOR PROPERTY LOCATED AT 4300 CHERRY BOTTOM ROAD; THE COLUMBUS ACADEMY, OWNER, BY CITY OF GAHANNA, APPLICANT

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

**ORD-0079-2008**

TO AUTHORIZE HOURS FOR A TEMPORARY PART TIME EMPLOYEE TO ASSIST WITH BUILDING PLAN RECORDS CONSOLIDATION; TO TRANSFER FUNDS; AND TO DECLARE AN EMERGENCY.

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

**ORD-0080-2008**

SUPPLEMENTAL APPROPRIATION - Public Service, Capital Projects/Improvements

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

**Motion Resolution:****MR-0018-2008**

Motion Resolution to authorize funds appropriated to Account No. 101.431.5596 for Parks Engineering/Storm Work, to be reallocated and used towards a 1/5 mile walking trail at Jeffesron Elementary School; said project in conjunction with the PTO.

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

**Passed The Consent Agenda**

**A motion was made by Kneeland, seconded by Vice President of Council Evers, 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 McGregor, Vice President of Council Evers, Kneeland, Ewald, Anderson, McAlister and Samuel
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**End of the Consent Agenda****F. PUBLIC HEARINGS:**

*President stated Public Hearing rules that would govern all public hearings this evening.*

**Z-0006-2008**

To consider a zoning application to zone 1.895 acres located at 1245 North Hamilton Road; current zoning CS; requested zoning CC-2 (Community Commercial); 4-M Partners, Ltd. by Ben Hale, applicant.

*Bonnie Gard, Planning & Zoning Administrator, stated that in regard to ZC-06-2008, the request is to change the zoning from Community Service to Community Commercial 2; very few pieces of CS zoned property left in the City; 3 to be exact; is an older zoning; permits "dirtier" business including trade, nursery centers, garden centers, electrical repair, contractors, slaughterhouses, etc as a conditional use; not things we want; to rezone to CC-2 would make it the same as Stoneridge Plaza and what is across the street; staff and administration do support this zoning change; appears to be some confusion as to zoning change and the use of this property; the rezoning deals with the land use and not the business; will not allow a sexually oriented business; have specific*

zoning for that which is in our SCPD or M-1; those are the only places a sexually oriented business can go; there are a lot of hoops to jump through; did make a site visit to a Waterbeds 'n Stuff and from what I've seen I would categorize part of what they sell as a sexually oriented business; regulated under Chapter 771 of the codified ordinances; specific place for that type of business; building permit is pending for 1245 N. Hamilton; believe it is for Waterbeds 'n Stuff as communicated by Ben Hale; can move into that location without the sexually oriented material or find another location.

City Attorney Weber stated the issue before Council is zoning; trying to make the distinction between what Council will be acting upon and that which will be handled administratively by Building and Zoning and Police; want to make the point that the question is if you deem this zoning change to be an appropriate land use; is this property zoning compatible with the zoning to surrounding properties and is the CC-2 zoning based on that site location appropriate; Council has discretion; what you are not empowered to do is decide precisely which business entity goes into that location if approved; there are a lot of hoops under Chapter 771; this business use will be undergoing several levels of scrutiny; a zoning change is not tantamount to a use; like apples and oranges.

Evers asked if we shouldn't be focusing on the land use. Weber stated that the point is that there is public interest on what the use may be; have no problem with Council and the administration trying to make the public understand this is step 1 and Council's job is to determine the land use; if comments are made by counsel for the applicant then this Council may enquire beyond the strict questions but the vote is a land use vote; noted that zoning is governed by Chapter 11 and a sexually oriented business is in Chapter 7 which do not go to Planning Commission; because people are concerned they think that a zoning denial will stop this; land owner is able to enter into leases with whomever; the lease has nothing to do with the zoning and owner of the property may or may not be able to rent the building to a proposed user; that is a private property issue. Evers stated he wanted to make sure we don't go down the path of having people think we can do something we can't. Weber stated Council may listen to people's concerns but that's not what you will be voting on.

Gard stated she would remind Council that Planning Commission did recommend this zoning in the affirmative.

President opened Public Hearing at 7:54 p.m.

Ben Hale, 37 W. Broad St. stated he was present representing 4M partners; is made up of the Maddy family all of whom are residents of Gahanna or live nearby; Ed Maddy has business investments in this City and has done some wonderful things; when he bought this property in April it was in CS classification and there were 2 users; one was NAPA and the other was Waterbeds 'n Stuff; did not negotiate the lease but the lease says the lessee will abide by all laws of the City of Gahanna; that lessee is Waterbeds 'n Stuff; when Solove was working on building Stoneridge and the theater was put in, there was a concern of overflow parking; he came to previous owner of our location and asked for an integration of his property with us; he agreed to put the pipe in the ditch and put a parking lot back there and gave cross easements through the properties if they could use the back for overflow parking for the theater; therefore there is a permanent easement that integrates with Stoneridge; property to the south was Mulbarger Twins Plumbing Supply; since then taken to CC-2 and Stoneridge and built; houses were zoned also; when we bought the property in April your CS district had a fair number of permitted users; shortly after he bought it was when the CS district was changed and most of the uses were put into Conditional Uses which seems to indicate

*you recognized the uses had some problems; almost anything would have needed a conditional use; did have meeting with Waterbeds 'n Stuff and there is a building permit pending; cost of doing interior was about \$100,000 and we would not fix the property for them without their acknowledgement that they can't put their back room in; they stated that 20% of their business is back room and won't come here without a back room; look forward to City making a ruling on that; once that decision is made if it does not fit within the statute, they must obey the statute; want to put this on the market and get this building used; 18 parking spaces are in front; is not a high intensity use; do have the integration with Stoneridge; when I got involved we discussed what's the appropriate use and think we suggested it be zoned to the CC-2 district and administration indicated they would support; is about the zoning not the use; want a decision so we can move forward; not at odds with our neighbors; looking forward to the resolution; glad to hear from people here tonight; thank you for your time.*

*President asked for opponents. Paul Ridenour, 1242 Villa Oaks Court, stated he was President of the Villas of Gahanna condo association; our community is concerned about the possibility of Waterbeds 'n Stuff coming; glad to see the acknowledgement of Chapter 771 as it talks about a sexually oriented business being located within 500' of a residential zoned area; Creative Housing is closer yet which meets the needs of the mentally challenged; don't think this is an appropriate use; it is a vice oriented business and when you bring that into a community you generally have decay all around; even if you go through with the zoning change hope you recognize Chapter 771 and preclude them from coming here.*

*Christy King, 362 Villa Oaks Lane, stated she agreed with statement of Ridenour; was going to say the same thing; wanted to let you know that we have residents of Polo Club and Shagbark condos here tonight also; have given the Clerk our petitions against this business.*

*President asked for rebuttal. There was none. President closed Public Hearing at 8:05 p.m. and stated this issue would be discussed in committees next Monday evening. Clerk stated agendas would be published on the the web site on Friday or residents could call the Clerk's office for time.*

#### **Heard in Public Hearing**

#### **CC-0001-2008**

To recommend to Council the approval of changes to Section 1109.08, Public Areas; of Chapter 1109, Standards, of the Codified Ordinances of the City of Gahanna.

*Bonnie Gard, Planning and Zoning Administrator, stated this is a new section on public areas; one we have is convoluted; worked closely with Tony Collins on this; think we have a workable solution to what was not a workable section of code; added a purpose section for the public areas; was one of Tony's big things; reworked the wording on subdivider to developer; also talked about making a cash contribution for fees in lieu of and what time these fees in lieu of land dedication would take place; if fees only to be used for acquisition of land for parks, etc; still doing the needs assessment; still the triple layer of staff comments including the Director of Parks & Recreation and the Parks & Recreation Board; so those evaluations will still be made; different formula to figure out; looked at code from various cities; combination of what worked for Gahanna; single family has an average of 2.99 persons per household; is different for single family than multi family; number drops to 1.65 persons per household in multi family; helps determine the amount of acreage that needs to be dedicated; also says that parkland will be capped at 25%; never ask for more than 25% of the total development; something we have done in the past is that we have taken a lot of flood plain; this is new to us to say we won't take flood plain any more; still have a review process but taking out Council's informal comments as they will come to you eventually; fees for unacceptable donations hasn't changed except to clarify the time they need to be paid;*



*with Glen Dugger's help we came up with some wording that is fair; on page 6 we clarified that to calculate the total fair market value of the underlying land, developer will pay for the appraisal and turn copies into Planning and Zoning Administrator; hope we have come to an equitable solution; City of Gahanna can maintain a fund for all cash contributions; also states what they can be used for; new area of code states that the area to be conveyed may not be allowed to be used for density issues especially if an area is not buildable; land dedication takes place has been clarified; can't do anything until you have written approval on a piece of property; happy to answer any questions.*

*President opened Public Hearing at 8:13 p.m.*

*President asked for proponents. There were none. President asked for opponents. There were none.*

*President closed Public Hearing at 8:14 p.m.*

**Heard in Public Hearing**

## **G. STANDING COMMITTEES:**

**Development & Parks Committee - Ewald: No Report.**

**Public Service & Safety Committee - McAlister**

*McAlister stated he will not be present at next meeting.*

**Committee of the Whole - Evers: No Report**

**Finance - Kneeland: No Report**

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

**Clerk - Legal:**

**Z-0008-2008**

To consider a zoning application to zone 0.9618 acres located at 3643 Olde Ridenour Road, Eagle Academy of Columbus, Inc.; current zoning SF-3; requested zoning RID (Restricted Institutional District); City of Gahanna, by Bonnie Gard, applicant.

*Clerk noted that Public Hearing has been set for May 5, 2008.*

**Scheduled for Public Hearing**

**Council:**

*Kneeland acknowledged receipt of a letter from T-Mobile stating that he would be calling. Clerk noted that the letter went to all Council Members individually and that a response had been sent to T-Mobile letting them know that Council would not receive the letters until April 4; will probably be contacted this week.*

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

**Ordinances Reported Out of Committee:**

**ORD-0063-2008**

TO ACCEPT GRANT MONIES OF \$1,800 FROM THE OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR), DIVISION OF RECYCLING & LITTER PREVENTION; TO AUTHORIZE THE MAYOR TO SIGN THE LITTER CLEANUP

GRANT AGREEMENT; AND TO SUPPLEMENTALLY APPROPRIATE SAID GRANT MONEY TO THE RECREATION PROGRAM SERVICES ACCOUNT; AND TO DECLARE AN EMERGENCY.

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

**Yes        7**    President of Council McGregor, Vice President of Council Evers, Kneeland, Ewald, Anderson, McAlister and Samuel

**A motion was made by Vice President of Council Evers, seconded by Ewald, that this matter be Adopted, as Amended, as an Emergency. The motion carried by the following vote:**

**Yes        7**    President of Council McGregor, Vice President of Council Evers, Kneeland, Ewald, Anderson, McAlister and Samuel

#### **ORD-0071-2008**

TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH BIRD HOUK COLLABORATIVE; FOR PHASE I AND PHASE II OF THE OLDE GAHANNA DOWNTOWN DESIGN STANDARDS AND CODE; AND TO SUPPLEMENTALLY APPROPRIATE \$75,000 THEREFOR.

*McAlister stated he was having a hard time supporting this legislation; key words are "downtown design standards and code"; afraid of the unintended consequences; peoples lives are planned to the nth degree; already have zoning laws; we won't build a gas station in the middle of town; don't know why we have to spend \$75,000 for a design from some architectural firm; entire United States is becoming bland and Disney like; every suburb is beginning to look the same; there is an elite corps of planners who seem to work towards this; am against this type of thing; organize bottom up creativity from citizens instead of top down centralized planning.*

*Samuel stated he believes when this group works on this that they will be consulting with the public and having public hearings; have had three or four previous plans; they have worked on phase I; don't see why intent would be to recreate what is in phase I; would expect to see other ideas; am in favor.*

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

**Yes        6**    President of Council McGregor, Vice President of Council Evers, Kneeland, Ewald, Anderson and Samuel

**No        1**    McAlister

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

**K.    MOTIONS/RESOLUTIONS: None.**

**L.    REPRESENTATIVES:**

**Community Improvement Corporation (CIC) - Ewald/Kneeland:**

*Ewald stated next meeting is tomorrow at 5:30 p.m.*

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

*McGregor stated the next MORPC meeting will be at 9:30 a.m. on April 16 to be followed by the annual luncheon. Clerk reminded Council that 5 members had made reservations for the luncheon.*

**Bd./Ed., Gahanna-Jefferson Public Schools - Ewald:**

*Ewald stated he would be attending Thursday evening.*

**M. OFFICIAL REPORTS:****Mayor:**

*Mayor stated she was formally announcing the grand opening for Creekside; event will be held Thursday, May 1 through Sunday, May 4; tentative schedule was distributed; there is a very full planned schedule of events for those days; all events are subject to change; entertainment for all; will be a nice weekend to formally open our Creekside area; long awaited.*

*Stinchcomb stated she had received a phone call from Senator Voinovich's office; announce that we have received a \$1 million grant from US EPA for Brownfields remediation; William Murdock wrote the grant application; one of only 12 grantees in US; have a lot of projects and uses for this grant; very exciting opportunity that we have; only one in Ohio; very good recognition of our efforts; wanted to let you know this evening; congratulations to Department of Development for their hard work.*

*Stinchcomb stated she would also like to address Melzer's comments; something we struggle with administratively; are talking about this in staff planning; that is the challenge of day to day communicating with citizens; local news isn't as big as it used to be; don't blame our reporting staff; newspapers across the country are struggling; we do struggle to get out information; talked a lot about ways to communicate; looking at expansion of our web site or other forms of communication, like newsletters or blogs; if citizens have suggestions on how to get our information to them would like to know that; looking for methods we can use to get information out; will contact Melzer and see if he has specific ideas; know that Samuel tried to have information meetings and only 3 people came to the meeting; need to find ways to effectively and efficiently communicate.*

**City Attorney:**

*Weber stated he had received an e-mail from OML regarding a hearing on the Mayor's Court bill; been trying to track this; for a while the bill had become quiet and thought it would die a natural death but now on a faster track; will keep you advised.*

**N. COUNCIL COMMENT:**

*Samuel stated we do need to do a better job of communicating with the public; communicate more often and in different ways; will be working on this in the next few weeks; understand and sympathize with people who want to know what is going on; moved here 32 years ago for that reason and will be following along and listening and working with this.*

*McAlister stated to follow up on Weber's comments and following closely with monitoring of Mayor's Court legislation maybe it is time to deem it appropriate to pass a resolution opposing taking local power away; swept away by something at the state level.*

*Kneeland stated that in line with that want to make you aware of H.B. 521 which will create a commission that will study local governments for the ability to collapse them or reorganize to a point where there is more efficiency in purchasing; had meeting with Jim McGregor this morning to talk about this; Flowers and Wolpert are sponsoring; he*

*believed it was not necessarily written to jeopardize cities but because of the language used have to be careful and cautious and watch this through the process; if it passes will create this Board and will be making their final recommendations; it behooves us to track this and watch that item; given the temperature of what we have seen, believe townships and different municipalities have reacted over a period of time in different manners but this is an opportunity for us to work together so we will not be impacted negatively.*

*Kneeland continued that he thanked Council for their vote tonight on the automatic meter reading process; thank you for supporting the consent agenda tonight; will increase our customer service; thank Mayor and staff for their hard work to get that prepared for us.*

*Anderson stated she would also echo comments of John Melzer and Mayor on community outreach; will also be working on that; great that we have received \$1 million grant from national level; was on the hill last week and reading my e-mails about what was going on; grateful and thank Steele for her comments on the tax issues going on and her effort to outreach; need to keep informed on what is going on at the state level and be mindful of what is happening on national level as well; kudos to Murdock and Department of Development on the grant.*

*Evers congratulated Development Department for their fine work on the grant; also thank the Service Department for the wireless meter reading.*

*McGregor stated that two weeks ago in committee was discussion regarding resolution; understand changes have been made; will be bringing back to committee; MORPC stated there has been many changes to the Mayor's Court bill; will get that and forward to you; next week committee meetings will begin at 6:00 p.m. due to a heavy schedule; plan on a long night.*

*Kneeland stated we received an e-mail from a resident regarding the roundabout and what is going on up there with regard to the pedestrian underpass; not sure how to respond; because resident asked for a Council response then feel it needs a response possibly from the President of Council; know Mayor responded earlier today; knew this was going to come to pass. Stinchcomb stated that Wetherholt had responded to the resident; will make sure Council is copied so you see administrative response; perhaps you can consider that.*

**O. ADJOURNMENT: 8:35 p.m. - Motion by Evers.**

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**Donna L. Jernigan, CMC**  
**Senior Deputy Clerk of Council**

*APPROVED by the City Council, this  
day of 2008.*

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**Chair Signature**