

City of Gahanna

*200 South Hamilton Road
Gahanna, Ohio 43230*



Meeting Minutes

Monday, August 19, 2002

REVISED AGENDA

7:30 PM

City Hall

City Council

Michael O'Brien, President of Council

Robert W. Kelley, Vice President of Council

Karen J. Angelou

L. Nicholas Hogan

John McAlister

Debra A. Payne

David B. Thom

Isobel L. Sherwood, CMC/AEE, Clerk of Council

Members Absent: Robert W. Kelley

Members Present: David B. Thom, Michael O'Brien, Karen J. Angelou, Debra A. Payne, L. Nicholas Hogan and John McAlister

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

Gahanna City Council met in Regular Session on Monday August 19, 2002, in Council Chambers of City Hall, 200 S. Hamilton Road, Gahanna, Ohio. President of Council Michael O'Brien called the meeting to order at 7:33 p.m. The invocation was given by Pastor Robert Owens, Cornerstone Fellowship Church of God, followed by the Pledge of Allegiance led by Tracie Davies, Deputy Director of Service. Agenda for this meeting was published on August 16, 2002.

B. ADDITIONS OR CORRECTIONS TO THE AGENDA:

A motion was made by Council Member Payne, seconded by Council Member Angelou, to adopt the Revised Agenda. The motion carried by the following vote:

Yes	6	Council Member Thom, President of Council O'Brien, Council Member Angelou, Council Member Payne, Council Member Hogan and McAlister
Absent	1	Vice President of Council Kelley

C. HEARING OF VISITORS

Windy McKenna, 202 Academy Court, representing the School Board, said that McAlister was the Council representative at the last board meeting and asked some questions about the DARE program; the Board of Education is working to answer these questions and will send the response to all Council members as soon as possible. We are almost ready for the 2002-2003 school year; buses are ready; finishing off cafeterias; teachers are coming back and putting finishing touches on their rooms for a start date of August 28th. Freshman at the high school will begin on the 28th, and everyone else on the 29th; have approximately 7,000 students.

Paul Remaker, 370 Spruce Hill Drive, said this project has been to Council several times over the last 12 years and Council did not pass it because of density and environmental issues; hope Council will again see that this is not the best thing for this area; preserve what we have there; Buttonbush swamp, beautiful trees; these cannot be replaced; still have concern with lot 24; current proposal directly behind his home; has no front yard or back yard; runt of the litter; two primary objections; density really not the same as Rathburn Woods because of the swamp, nature preserve and buffer zone; SF-3 zoning is not for this wetlands' greater risk; your vote will have a significant impact on this area of Gahanna; please don't approve.

Linda Remaker, 370 Spruce Hill Drive, reiterated the need to stop this development before it starts; detrimental to the whole area; don't kill the swamp and wetlands; please don't pass.

Robert Howland, 337 Canfield, said he is here and speaking with a sense of trepidation; feels police harassment has occurred and concerned about appearing at a public meeting based on what read in the paper; inappropriate actions by our police department; retaliation; like to know the internal controls; how many background checks are done;

need measures to determine if they have abused this privilege; feels resources have been used inappropriately. Howland also expressed his concern with the flashlights that the police use; not bright enough to see after dark; traffic being directed on the 4th of July; too dim, need something better; concerning street lights in Royal Manor, sometimes they work and sometimes they don't; think maybe they are set up to do this; questioned fees in lieu of for parkland; doesn't think this is a good practice; need parkland; also narrowing Olde McCutchoen Road; need corridor for the future to provide second means of crossing Big Walnut Creek; terrible traffic congestion; important to leave open; back to police feel a friend of his was unjustly stopped; had unpleasant encounters with Gahanna Police; back to original issue, need to check internal controls; how records kept; is there a requirement to log in background checks.

O'Brien asked Howland to put his concerns in writing, and Council would pass them on to the Mayor, and the Mayor can pass them along to the appropriate departments.

John C. Hanks, Homewood, said they are willing to have Foxwood postponed so that it can be discussed again in committees. O'Brien said that Council can entertain a motion at the time the item is up on the agenda.

Dennis Vincent, 156 Moorfield, said he does not want to see the McCutchoen Road corridor narrowed; concerned with traffic; will need that in the future.

A motion was made by Council Member Angelou, seconded by Council Member Hogan, to extend the speaking time limit for Mr. Howland. The motion carried by the following vote:

Yes	6	Council Member Thom, President of Council O'Brien, Council Member Angelou, Council Member Payne, Council Member Hogan and McAlister
Absent	1	Vice President of Council Kelley

D. INTRODUCTIONS AND ASSIGNMENT TO COMMITTEE

Ordinances introduced, by title, by Payne.

Ordinances - To Be Introduced and Assigned to Committee

ORD-0157-2002

TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH HOCKADEN & ASSOCIATES, INC., FOR RIGHT OF WAY ACQUISITION ON TAYLOR STATION ROAD AT CLAYCRAFT, IMP. NO. 775; AND TO DECLARE AN EMERGENCY.

Introduced

ORD-0159-2002

TO ACCEPT THE ANNEXATION OF 3.1+/- ACRES FROM JEFFERSON TOWNSHIP TO THE CITY OF GAHANNA, OHIO, LOCATED AT TAYLOR ROAD AND CROSS POINT ROAD; REQUESTED BY DONALD R. KENNEY

Introduced

ORD-0161-2002

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH COLUMBUS SIGN COMPANY, FOR INTERIOR DIRECTIONAL SIGNAGE FOR GAHANNA CITY HALL.

Introduced

ORD-0162-2002

TRANSFER OF FUNDS - Lands & Buildings

Introduced**ORD-0163-2002**

TO AUTHORIZE THE MAYOR TO ENTER INTO PURCHASE AGREEMENT WITH JETER SYSTEMS CORPORATION FOR PURCHASE OF FILE CABINETS OFF THE STATE BID LIST FOR THE COURT OFFICE; AND TO DECLARE AN EMERGENCY.

Introduced**ORD-0164-2002**

TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH AMERICOAT FOR SEALING AND STRIPING OF THE MUNICIPAL COMPLEX PARKING LOTS; AND TO DECLARE AN EMERGENCY.

Introduced**ORD-0165-2002**

TO ACCEPT THE FINAL PLAT FOR PROPERTY KNOWN AS EASTGATE INDUSTRIAL CENTER; JIM RUSSELL, APPLICANT; AND TO DECLARE AN EMERGENCY.

Introduced, to Development Committee

Statutory Resolutions Requiring Two Readings**SR-0001-2002**

RESOLUTION TO DECLARE THE NECESSITY AND INTENT TO APPROPRIATE REAL ESTATE IN CONNECTION WITH THE RECONSTRUCTION OF TAYLOR ROAD, IMPROVEMENT NO. 778; AS DESCRIBED IN PLANS ON FILE IN THE CITY ENGINEER'S OFFICE AND AS LISTED IN EXHIBIT A; AND TO DECLARE AN EMERGENCY.

Introduced**E. CONSENT AGENDA****Minutes - To Approve****2002-0002**

To approve minutes of the following meetings:

- 1) December 2, 2002 Regular Meeting.

Approved,

Ordinance: Introduce, Waive Second Reading , Adopt as Emergency**ORD-0160-2002**

TO AUTHORIZE THE MAYOR TO ENTER INTO PURCHASE AGREEMENT WITH SUTHERLANDS FOR PURCHASE OF MATERIALS FOR CONSTRUCTION OF THE CREEKSIDE WEST SIDE LOOP WALKWAY; AND TO DECLARE AN EMERGENCY.

Introduced, Second Reading Waived, and Adopted as an Emergency

Ordinances on Second Reading**ORD-0133-2002**

AN ORDINANCE AMENDING ORDINANCE NO. 990164, PASSED BY THE CITY ON AUGUST 16, 1999 AND ORDINANCE NO. 990427 PASSED BY THE CITY ON SEPTEMBER 20, 1999; RATIFYING AN INFRASTRUCTURE AGREEMENT INCLUDED IN THE PRIOR LEGISLATION; TO AUTHORIZE THE MAYOR TO ENTER INTO ADDENDUM TO INFRASTRUCTURE AGREEMENT; AND TO DECLARE AN EMERGENCY

Adopted as an Emergency

ORD-0145-2002

SUPPLEMENTAL APPROPRIATION - City Attorney, Landfill Legal Consultant

Adopted**ORD-0146-2002**

TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO AWARD AND THE MAYOR TO ENTER INTO CONTRACT WITH COMPLETE GENERAL CONSTRUCTION FOR THE HIGH STREET REBUILD, IMPROVEMENT NO 801; TO SUPPLEMENTALLY APPROPRIATE \$296,800 THEREFOR; AND TO DECLARE AN EMERGENCY.

Adopted as an Emergency**ORD-0147-2002**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH STILSON CONSULTING GROUP FOR INSPECTION SERVICES FOR THE HIGH STREET REBUILD, IMPROVEMENT NO. 801; AND TO DECLARE AN EMERGENCY.

Adopted as an Emergency**ORD-0149-2002**

TO AUTHORIZE THE MAYOR TO EXECUTE AN EASEMENT FOR AN ONSITE SANITARY SYSTEM TO WILLIAM F. AND PAMELA J. TYLKA, FOR AN ONSITE SANITARY SYSTEM ON CITY OWNED PROPERTY KNOWN AS HANNAH FARM PARK; AND TO DECLARE AN EMERGENCY.

Adopted as an Emergency**ORD-0150-2002**

TO ESTABLISH THE RATES OF PAY AND BENEFITS FOR UNCLASSIFIED PERSONNEL OF THE CITY OF GAHANNA FOR THE PERIOD JANUARY 1, 2002 THROUGH DECEMBER 31, 2002; TO REPEAL ORD-0287-2000 AS AMENDED; AND TO DECLARE AN EMERGENCY

Adopted as an Emergency**ORD-0151-2002**

TO ESTABLISH THE RATES OF PAY AND BENEFITS FOR COMMAND OFFICERS OF THE CITY OF GAHANNA POLICE DEPARTMENT FOR THE PERIOD JANUARY 1, 2002 THROUGH DECEMBER 31, 2002; TO REPEAL ORDINANCE NO. ORD-0187-2001; AND TO DECLARE AN EMERGENCY

Adopted as an Emergency**ORD-0152-2002**

TO ESTABLISH THE RATES OF PAY AND BENEFITS FOR SUPERVISORY PERSONNEL OF THE CITY OF GAHANNA FOR THE PERIOD JANUARY 1, 2002 THROUGH DECEMBER 31, 2002; TO REPEAL ORD-0046-2001; AND TO DECLARE AN EMERGENCY

Adopted as an Emergency**ORD-0153-2002**

TO ACCEPT THE FINAL PLAT FOR PROPERTY KNOWN AS STONEGATE AND LOCATED ON OLDE RIDENOUR ROAD; ARMAND F. ARCHER, APPLICANT

Adopted**ORD-0155-2002**

AN ORDINANCE TO SET FORTH A STATEMENT OF MUNICIPAL SERVICES TO BE PROVIDED TO THE AREA CONTAINED IN THE PROPOSED ANNEXATION OF 2.33+/- ACRES FROM JEFFERSON TOWNSHIP TO THE CITY OF GAHANNA; PROPERTY LOCATED AT 4530 NORTH HAMILTON ROAD; REQUESTED BY J. CHRISTOPHER RALSTON, AGENT FOR PETITIONERS JOSEPH C. AND BONNIE DECARLO; AND TO DECLARE AN EMERGENCY.

Adopted as an Emergency**Resolutions to Adopt on First Reading****RES-0078-2002**

TO HONOR AND COMMEND RICHARD GANDARILLAS

Angelou read the Resolution and presented it to Mr. Gandarillas; congratulated him on

being the "National Big Brother of the Year", and said that it is wonderful to have him as a citizen of Gahanna.

Adopted

Motion Resolution

MR-0042-2002

Motion Resolution that the City of Gahanna is willing to enter into cross-easement with George Parker so that the City will have access across property owned by Parker for the West Side Loop Walkway and that Parker has access across City owned property to Ridenour Road.

Approved

MR-0043-2002

Motion Resolution to authorize the Director of Public Service to go out for bids for the 2002 Income Tax Forms.

Approved

MR-0044-2002

Motion Resolution to grant permission to expand the Clerk of Court work area.

Approved

End of the Consent Agenda

A motion was made by Council Member Thom, seconded by Council Member Hogan, to approve the Consent Agenda. The motion carried by the following vote:

Absent	1	Vice President of Council Kelley
Yes	6	Council Member Thom, President of Council O'Brien, Council Member Angelou, Council Member Payne, Council Member Hogan and McAlister

F. PUBLIC HEARINGS

G. STANDING COMMITTEES

Communications & Technology Committee - McAlister

McAlister said the Network Department is working on cliches with email on network; will report back.

Development Committee - Thom

Service Committee - Hogan

Safety Committee - Angelou

Angelou asked Deputy Chief Rinehart to bring information on the flashlights that police officers use to Safety Committee next Monday.

Committee of the Whole - Kelley

Finance - Payne

H. CORRESPONDENCE AND ACTIONS

Clerk - Legal

Z-0004-2002

To consider a zoning application on 2.7 acres of newly annexed property located at 4479 Johnstown Road; requested zoning of AR; Contemporary Construction Services, by Donald T. Plank, applicant.

O'Brien set public hearing date for October 7, 2002.

Scheduled for Public Hearing

Council**I. SECOND READING OF ORDINANCES****Ordinances Reported Out of Committee****ORD-0148-2002**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH STILSON CONSULTING GROUP FOR ENGINEERING SERVICES FOR THE EAST JOHNSTOWN ROAD (US62) WIDENING PROJECT FROM BEECHER TO RIVA RIDGE, IMPROVEMENT NO. 806; TO SUPPLEMENTALLY APPROPRIATE \$39,185 THEREFORE; AND TO DECLARE AN EMERGENCY

Angelou said she had concerns about the way this part came forward; three engineering firms were selected to give bid proposal; any one of them could have done a good job; do not believe this was handled the way it should have been, so she will not be able to support the ordinance. Hogan said he agreed with Angelou, but would be voting yes because he wants to see the work done and must have at least 5 votes for an item to be passed as emergency.

Adopted as an Emergency

A motion was made by Council Member Payne, seconded by President of Council O'Brien, to adopt ORD-148-2002. The motion carried by the following vote:

Yes	5	Council Member Thom, President of Council O'Brien, Council Member Payne, Council Member Hogan and McAlister
No	1	Council Member Angelou
Absent	1	Vice President of Council Kelley

ORD-0154-2002

TO ZONE 38.8+/ACRES OF NEWLY ANNEXED PROPERTY AS SF-3 ROD, SINGLE FAMILY RESIDENTIAL OVERLAY DISTRICT; FOR PROPERTY LOCATED ON THE NORTH SIDE OF TAYLOR ROAD IMMEDIATELY EAST OF RICE AVENUE; HOMEWOOD, BY J.C. HANKS, APPLICANT.

Angelou said we received a wealth of information over the weekend; still a couple of things; lot 24; we need to answer that; have received letters and some of us have concern with the 20' preservation zone; understand a little better after talking to White; 20' because of the depth of the woods; needs to be looked at and talked about; private road to public road; just received info and was unable to go up to New Albany to take a look at the 22' road; also need to talk about lot 29 and some kind of reconfiguration. Hogan said his concerns are very close to those of Angelou; working with a public road now can do something with lot 24; don't have this cul-de-sac circle running into a private drive; now have a thru public street; lot 29; something should be done with it. Thom said he concurs with Hogan and Angelou; after seeing the new proposal still have concerns with lots 24 thru 29; not sure 22' wide street is the best way to go; warrant further discussion; not a typical zoning; have had every conceivable plan for this area;

want to make sure it is done right. Angelou said this is an emotional issue; less opposition than in the past; difficult decision; want to make sure all questions are answered.

O'Brien said lot 29 in the preservation zone should be 30' on the back as well as the north side; also the size of lot 24; just the tip of the iceberg; many more issues; good issues brought up by the residents; not sure a two week or two month postponement will solve these issues.

Postponed to Date Certain to Committee of the Whole

A motion was made by Council Member Angelou, seconded by Council Member Hogan, to postpone ORD-0154-2002 for two weeks. The motion carried by the following vote:

Absent	1	Vice President of Council Kelley
Yes	5	Council Member Thom, Council Member Angelou, Council Member Payne, Council Member Hogan and McAlister
No	1	President of Council O'Brien

MOTION RESOLUTIONS ON REGULAR AGENDA

MR-0045-2002

Motion Resolution to authorize the Director of Public Service to go out for bids for Creekside Phase II, at an engineering estimate of \$1,294,000.

McAlister said there is no secret that he campaigned on the issue of spending millions and millions of taxpayer dollars on City parks; prior to being elected to Council the City had already spent \$2 million on the Creekside Park; everybody likes it; people in his ward like it; then the City spent \$485,000 for what was supposedly going to be a parking lot according to then Mayor McGregor; think that was a ruse just to buy more land as an extension to the park; then there was another \$390,000 spent on additional land; took us up to \$875,000; agreed to vote for engineering to see if it was even feasible to build anything on that property, which was \$325,000; up to \$1.2 million; resolution is proposing going out for bids with an engineering estimate of \$1.294 million dollars; if that is what it would cost, then we now have an extension to the Creekside Park of \$2 1/2 million, total; believe the entire park itself only cost 2 million; prior to coming over here tonight he stopped off at neighbors who said the City had spent enough on this Creekside Park; asked what would you rather see; have the City spend maybe another \$100,000; plant some nice oriental trees and some paths and some park benches and so on; put connecting extension to the park from Mill Street; or would you rather spend another \$1.2 million possibly on a pond with a fountain in it and all the amenities; they said there is no question they would rather see \$100,000 spent and just finish it off; knows if there is one couple that feels that way in Ward 1, there are at least dozens, and perhaps scores maybe hundreds more; going to vote no on this tonight and wish some other Council members would take heed, because to date there has been virtually no other proposals brought before City Council on this park extension; this is the one and only proposal that has been anointed by the Administration and other members of this Council with not even a consideration of what else could be done.

Hogan said there have been all kinds of proposals; \$10 million parking garages; ice skating in canals that couldn't be skated in; all kinds of proposals; two \$3 million buildings owned and rented by the City; his concern is, and he asked for this some time ago, have public meetings; get public involvement; we had a meeting with the Administration; given packet full of developers that don't live in town, to come in and

say what a wonderful thing this is; just spent \$1.7 million. We need a connector between Creekside and Mill Street; no doubt about that; so people can know that Creekside is there and get down to it; did oppose the sale of the Janis property; but can't do anything now; asked for alternatives in the past; spoke to George Parker and asked him if he could build us a showcase, including engineering for \$1 million tops; Parker said he absolutely could build a showcase; never been looked at. If we want to see an alternative; we can't see an alternative; but if the Administration or Development Department runs into a snag and they have to change their plan, they can change their plan but we don't get to see an alternative; could see it done and completed for a whole lot less than \$1.3 million; would still like to see an alternative; if we go out for bids and they come in at \$900,000 will vote for it; love to have seen an alternative plan at 1/2 million or \$400,000; talking about only 7 or 8 tenth of an acre here.

O'Brien said there were a few people who brought up this same discussion when we were putting brick sidewalks down on Mill Street; we spent nearly \$800,000; Council did back in the early 1990's; and what happened; we saw anchor property which is now where Creekside Grill is; since that time we have seen the building where Panera Bread is; seen an investment by EMH&T who took, during that same period of time, a condemned Executive Inn and created office buildings on Mill Street; because Gahanna had the quality of life where businesses move to and have given us 300 jobs that have greatly contributed to the running of this community with the tax dollars. Then we can move to the other side of the street; buildings that have been in disrepair for decades; Summerfield building and the old gun shop; have development coming very soon on those two buildings; will bring Old Bag of Nails and who knows what else the new mill house will bring; Industrial Park, hate to see where we would be today without that; not had to raise our income tax in the City, like Westerville is planning on doing very soon; not had to raise ours since its inception in 1978; schools have not had to come back to us for 6 or 7 years for a levy; Superintendent of Schools, Gregg Morris, has said that this is directly related to the good development that we've seen in Gahanna, and the people's money that has been rightfully invested to make Gahanna a good place to live and a better place to do business; good for Creekside to move forward; have had public input; seen hundreds of people tweak this down from \$10 or \$20 million to something that is manageable; think thousands of people in Gahanna want to see this go forward, and if they knew the statistics from clear back to the original purchase of the land in the Industrial Park; Gahanna has spent its tax money wisely; they've ended up profiting from it; we've ended up profiting from it.

Hogan said money has not always been spent wisely; one reason sitting on this Council and was elected in 1993 was the demolition of the Municipal Building when the citizens were told that it was going to be remodeled and a second story be put on it; which didn't happen; by the way every Council member was dumbfounded and surprised when they came back into town, drove by on Sunday, and the Municipal building was gone; that was a totally inappropriate expenditure of money; the deli deck; when the City was going to spend \$80,000 and give exclusive rights to a private citizen; stopped that one and you know that. So there have been attempts to misspend money; have the right to defend what think is right too; defend your right to disagree with me. O'Brien said he will defend Hogan's right to confuse the issue.

McAlister said he does not think people are arguing over the fact that the City should not spend money on beautification issues like sidewalks. The issue is how much money; where is the end; where does Creekside end.

Approved

A motion was made by Council Member Payne, seconded by Council Member Angelou, to approve MR-0045-2002. The motion carried by the following vote:

Yes	4	Council Member Thom, President of Council O'Brien, Council Member Angelou and Council Member Payne
No	2	Council Member Hogan and McAlister
Absent	1	Vice President of Council Kelley

MR-0047-2002

Motion Resolution to allow expenditure of \$2,975, already appropriated, from Account No. 661.360.5533, Capital Projects, Sewer, for soil borings for the Price Road Sanitary Sewer, Improvement No. 802.

Approved

A motion was made by Council Member Hogan, seconded by Council Member Angelou, to approve MR-047-2002. The motion carried by the following vote:

Yes	6	Council Member Thom, President of Council O'Brien, Council Member Angelou, Council Member Payne, Council Member Hogan and McAlister
Absent	1	Vice President of Council Kelley

J. FIRST READING OF ORDINANCES

K. REPRESENTATIVES

Community Improvement Corporation (CIC) - Kelley

Mid-Ohio Regional Planning Commission (MORPC) - Payne

Bd./Ed., Gahanna-Jefferson Public Schools - Hogan

McAlister said at the School Board meeting they discussed approval of courses of study; contracts and leases; impact the closing of Celestica would have on the school system. Concerning the article that was in the paper about D.A.R.E.; how do we would know what the effectiveness is; is it working better than any other drug education programs; thanked McKenna for having the appropriate people look into this.

Gahanna/Jefferson Joint Committee - Hogan & Thom

Thom said the meeting will be held on 5th Tuesdays, and the next one will be October 29th.

L. OFFICIAL REPORTS

Mayor

City Attorney

M. COUNCIL COMMENT

Thom thanked Tracie Davies for her years of service with the City and wished her well.

Angelou thanked Davies for all she has done during her tenure with the City; skilled person; good luck in the position. Angelou said that her son Mark won the golf club championship at Highlands; very proud of him; quite an accomplishment.

Hogan said he will miss Davies, but Marysville is a beautiful City. He continued that people should come out to th Friday Nights at Creekside; great program; great job by Collins.

Payne wished Davies well and congratulated Gandarillas on his recognition as National "Big Brother of the Year".

O'Brien said he will miss Davies and is sure the Col. will miss her; extremely bright person; wish her best of luck.

N. EXECUTIVE SESSION

A motion was made by Council Member Thom, seconded by McAlister, to go into Executive Session under authority of Article 5.40A of the Council Rules, to discuss personnel issues. The motion carried by the following vote:

Yes	6	Council Member Thom, President of Council O'Brien, Council Member Angelou, Council Member Payne, Council Member Hogan and McAlister
Absent	1	Vice President of Council Kelley

O. ADJOURNMENT: 9:20 p.m.; Motion by Angelou.

End of Agenda

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

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

Chair Signature