

City of Gahanna

*200 South Hamilton Road
Gahanna, Ohio 43230*



Meeting Minutes

Tuesday, January 20, 1998

7:30 PM

City Hall

City Council

GAHANNA'S VISION is . . .

. . . to be an innovative model community that values its rich heritage, pursues high standards, and where citizens respect one another.

GAHANNA'S MISSION is . . .

. . . to ensure an exceptional quality of life by providing comprehensive services, financial stability, and well-planned development which preserves the natural environment, so that city government will continue to be responsive, accessible, and accountable to our diverse and growing community of citizens.

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

Gahanna City Council met on Tuesday, January 20, 1998, in Council Chambers of City Hall, 200 South Hamilton Road, Gahanna, Ohio. President of Council Karen J. Angelou called the meeting to order at 7:30 p.m. with an Invocation, delivered by Council Chaplain Robert W. Kelley, followed by the Pledge of Allegiance, led by Council member Debra A. Payne.

Members Present: Robert W. Kelley, Sherie James-Arnold, Thomas R. Kneeland, Rebecca W. Stinchcomb, Debra A. Payne and Karen J. Angelou

Members Absent: L. Nicholas Hogan

B. ADDITIONS OR CORRECTIONS TO THE AGENDA.

A motion was made by Council Member James-Arnold, seconded by Vice President Kelley, to delete all emergency references in Ordinance No. 5-98 (ID 980010). The motion carried by the following vote:

Yes	6	Vice President Kelley, Council Member James-Arnold, Council Member Kneeland, Council Member Stinchcomb, Council Member Payne and President of Council Angelou
Absent	1	Council Member Hogan

C. HEARING OF VISITORS

Linda Mitten, 259 Caro Place, said she has been a resident of the community for more than 20 years. Yesterday, (Martin Luther King's Birthday) noted trash trucks rumbling through the neighborhood. Reminded that many entities observed this day with closures of federal, state, and local offices. Questioned that perhaps Council and the Administration were not aware that it was the strike of the rubbish collectors that took Dr. King to Atlanta; felt allowing this kind of disturbance on Dr. King's birthday sends a message of arrogance and insensitivity.

D. CONSENT AGENDA

A motion was made by Council Member Kneeland, seconded by Council Member Stinchcomb, to Pass the Consent Agenda, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Absent	1	Council Member Hogan
Yes	6	Vice President Kelley, Council Member James-Arnold, Council Member Kneeland, Council Member Stinchcomb, Council Member Payne and President of Council Angelou

1. Minutes - To Approve: 12/16/97; 1/2/98; 1/12/98

A motion was made by Council Member Kneeland, seconded by Council Member Stinchcomb, to Approve

2. Ordinances - To Be Introduced

980004 SUPPLEMENTAL APPROPRIATION, Garage, Capital Projects - Data Processing

This Matter was Introduced, on the Consent Agenda.

980005 TO AUTHORIZE THE ACTING DIRECTOR OF PUBLIC SERVICE TO AWARD AND THE MAYOR TO ENTER INTO CONTRACT WITH STOTTLEMYER HYDROMULCHING, INC., FOR ENLARGING, SEEDING, AND MULCHING THE ACADEMY WOODS DRIVE SWALE NORTH; TO WAIVE THE BIDDING REQUIREMENTS THEREFOR

This Matter was Introduced, on the Consent Agenda.

980009 TO AUTHORIZE THE MAYOR TO ENTER INTO "PCS SITE AGREEMENT" WITH SPRINTCOM, INC., AND TO DECLARE AN EMERGENCY

This Matter was Introduced, on the Consent Agenda.

980010 TO AUTHORIZE THE MAYOR TO PURCHASE THE PROPERTY AT 79 SOUTH HAMILTON ROAD (KNOWN AS THE LUSTRON HOUSE); TO SUPPLEMENTALLY APPROPRIATE \$135,000 THEREFOR

This Matter was Introduced, on the Consent Agenda.

3. Resolutions to Adopt on First Reading

980006 A RESOLUTION OF SUPPORT FOR THE EASTLAND VOCATIONAL SCHOOL DISTRICT 0.8-MILL CONTINUING OPERATING LEVY {Resolution No. 1-98}

Kneeland read this resolution in its entirety and presented to Harold Tyson, representing Eastland.

This Matter was Adopted on the Consent Agenda.

4. Motion Resolution

980003 MOTION TO AUTHORIZE THE ACTING DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS FOR TEN COMUPTERS AND TWO LAP TOP COMPUTERS.

This Matter was Approved on the Consent Agenda.

980007 MOTION THAT COUNCIL AUTHORIZES A REFUND OF VARIANCE FEE OF ONE HUNDRED FIFTY DOLLARS (\$150) CHARGED TO SPRINTCOM, INC., FOR VARIANCE (NO. 59-97), LATER DETERMINED NOT NECESSARY.

This Matter was Approved on the Consent Agenda.

End of the Consent Agenda

E. PUBLIC HEARINGS

SHEPHERD CHURCH OF THE NAZARENE

President announced the public hearing rules that would prevail: 7 minutes for proponents, 10 minutes by opponents, 3 minutes for rebuttal, unless extended by majority vote of Council, and opened the public hearing at 7:40 p.m.

Jan Elzey, representing Shepherd Development Corporation Group that has the zoning appeal before Council tonight for consideration. Elzey said neither he nor the church wants to be in this position; times when we all need to do what we feel is right; said they were asked to pull the appeal, but did not do this; felt they owned it to their senior citizens in the congregation for a decision which has for one reason or another has been delayed; is time for decision. Said some new restrictions been placed on seniors; said this was just brought in 6-8 weeks ago; said instead of closer, feel they are getting further apart in agreement; believes that they cannot accept the new restrictions as presented. Said at this time, they need to know how to proceed either with the housing or, if decision to not to grant the appeal, they we will have decision. Said dissension over past several months has escalated over last 2-3 days. Felt this serves nothing to the congregation or to the neighbors; felt they had presented a win/win proposal--win for all concerned; the City would obtain a new tax base of \$8 million; said this land is presently owned by church, which is tax exempt; said by going to housing by private developer would create a tax base; would open a proposal for exchange of land; feels there are a lot of advantages of 1500 ft. of frontage on creek; access to Galloway tract--important to all--would allow development for an overall part from Friendship to Pizzurro, and over 4 miles of hiking trails and bike path. Said neighbors would know once and for all what was going to be developed on this land; said it would not be the housing since they want restricted housing put there; we also have obligation to market this and make available to senior members; said they have to have something that is sellable. Feels they have made a number of concessions with access on units ranging from 58-70 from 90; their plans formerly in the \$90,000s are now in \$120,000 range. Emphasized that if restricted any more will out price people to this area. Their proposal is a win for taxpayers; would add tax base, would add the ability to develop the park system along Big Walnut, and gain access to Galloway, which is important. Would be a win for the church as they would get to develop a senior complex to meet needs of their congregation. Said the church has spent too much time and money to withdraw their plans. Therefore, made a decision--by the board, that they would like an answer as to what they can do for this land and if housing would be permitted. Is a very complicated issue beyond the zoning change. Must have direction to tell senior citizens who have waited for 2 years. Assured they will abide by decision. If turned down, will welcome the opportunity to develop something for this land. Need conclusion. If the City does not support, if decision is we do not get the zoning, they believe there are other uses for the land other than housing. Said they believe this is the best choice. Thanked Council for their considerations to this appeal.

President called for opponents.

Vickie Cannon, 261 Rocky Fork south. noted in 1995 coming to Planning Commission for single family zoning with an overlay; were told the reason was to develop a housing program for the senior housing of the parish. Said the neighborhood concern primarily is with the traffic; reminded that the streets are narrow; have no sidewalks; people in street and children playing. No major streets other than Hamilton and Granville streets; location of 270 at main intersection makes it impossible to widen that road any more; concerned with traffic, noted some major traffic accidents there; said put that with multi-family housing; yet the majority of the neighborhood was not opposed to the housing, and by restricting would diminish traffic and safety problems they would have;

said the church and neighborhood agreed they would proceed as long as restricted to senior citizens; now is another situation; they no longer want all the land so they contacted a professional developer; no longer want the senior restriction for the neighborhood; said neighborhood has changed over what they were facing in 1995. Reminded of the airport; opening of Easton and increased traffic. Said on the east border is AEP which houses 600 employees. hotels going in on north; widening of Granville Street; will see more through traffic on Flintridge. In view of all this, the neighborhood change, not able to handle the stress of this housing; said when you lift the restrictions you just have another multi-housing development; said it is not in character with residential neighborhood. Concluded that the major concern is increased traffic.

Len Ebright 367 Rocky Fork South, said they have lived here 5 years; noted original proposal, increased traffic; reminded that seniors are not too bad; said now has nothing to do with church, it by a developer and out of hand.

Steve Nye, 366 Cliffview Drive, said he has kids, coaches kids for a living; came from neighborhood on Pontiac Street in 1992; what comes with multi-family homes is a lack of respect for a community; said he works out of his house, noted neighbors across the street; neighborhood has pride; people know each other; in multi-family you begin to lose the continuity and knowing the people there; when you get away from the senior housing that would lose the neighborhood warmth and familiarity.

Jerry Chambers 286 Broken Arrow, said he just moved here from Pickerington; not sure if for or against; concerned with traffic; older people are better drivers and a little more alert.

A motion was made by Council Member Kneeland, seconded by Council Member Payne, to extend the time for opponents, and for rebuttal time for the proponents to an additional 5 minutes. The motion carried by the following vote:

Yes	6	Vice President Kelley, Council Member James-Arnold, Council Member Kneeland, Council Member Stinchcomb, Council Member Payne and President of Council Angelou
Absent	1	Council Member Hogan

Patricia McKown, 333 Rocky Fork South, said along with Vicki, has been living in her house a little over 5 years; fell in love with it; had lived in Arbors; was her first home; lived in apartment for 2-3 years; was a very exciting time; fell in love with area; said she is concerned; her property backs to the back 40 at the edge of the woods and thinks there would be an increased amount of traffic; noted difficulty getting out onto Hamilton Road in the morning with only 2 or 3 cars getting out at the light; is narrow; can see no way that intersection can be widened; repeated concern with increased traffic; streets are not that wide; parking can be a problem; children playing, and people walking at night and in early morning hours; said she is concerned about the quality of neighborhood once this multi-family takes place; would be a detriment to the neighborhood to have that quiet friendly atmosphere change. Said she as not originally opposed; knows it is naive to think that land would go untouched. Felt the senior housing she could support; certainly not in support of the current issue as it stands.

George Robey, 276 Rocky Fork Drive, recapped that the Mayor and Miller called a meeting in this room to see whether neighbors and church could agree on what would

occur; felt statements made at that time seemed the two were coming together. Said one was from Sadicka White at that meeting; said she is new Development Director who the Mayor appointed; came to us from Worthington and has experience in senior housing; has had experience helping people put these things together; said she was willing to meet and counsel the church and the citizens as you have heard to not oppose the senior concept--already approved for the church to go ahead with. She said no one came to her for advice. Felt probably the church could go ahead with a senior project, but no effort was ever made to do that. Said neighbors are very disappointed. Said they are for the church; do not want them to leave. Noted all the people represented; would like them to do something; cannot support what you have before you presently; asked the City to help them help you, and to help them.

President called for rebuttal by the opponents.

Elzey said he only wants to make sure everyone understands; what they are about is not building a retirement community for people; said they are trying to put a ministry together for their senior citizens; said they asked their seniors if they could live with those restrictions and their response was that they would not be interested in investing in something that is this restricted. Repeated that the question is that they were trying to do something as a ministry. Reminded that if they don't have anyone who wants to buy the end product they would not be wise to pursue. Concluded that they are trying to find a way to put something together that would make sense to their senior citizens.

Barbara Terrell, 1958 Olde Coventry Road, said she has gone to this church for 7 years; since in the church, has understood this is for the senior citizens and that is what they have specified; felt that is their only goal and plan for the property; felt it would be a tragedy for the church not to be allowed to use this land; felt this would be wonderful for senior citizens. (Noted she was not old enough to get in the senior citizens housing yet.)

Walt Theil, Clark State Road, Blacklick, noted senior housing in New Jersey is an asset to the community; restrictions are nothing like being placed on these homes; suggested investigation of other senior complexes; felt there is a way to not oppose.

President closed the public hearing at 8:10 p.m.

Miller reminded Elzey that the church has permission right now on a plan that we all agreed to; said they could build senior housing right now; had a decision we could all live with; said there is really nothing to keep you from going it now, except developer you have now does not want the restrictions. Reminded of the meeting in this room where the Development Director did offer to work with church and to help come up with a developer. Miller said she asked the church to pull the appeal so we could all sit down for the greater vision; noted the land exchange and Council asking Planning Commission to consider the church issues all together. Said it was her hope this night would not come; did not want escalation between the neighborhood and the church; wanted to come to some consensus; is not a vote against the church, against senior housing or the land swap. Is because of lifting the restriction; is what her vote is about; hopes after the vote tonight the church will take up offer to work together for something we can all live with.

President stated that the land exchange is not a part of this appeal process and discussion this evening; is a whole separate issue; said the church was not asked to pull the appeal; said it strongly suggested.

Kelley noted he was not on Council at the time the senior citizen community behind the

community church was approved, but noted it has the same restrictions; felt if done in one place, could be done here.

Payne pointed out there are no new restrictions; not too sure what people are talking about; reminded we are talking about changes to what was already approved.

Angelou called attention to the statements of vision and mission, adding those are two different statements.

A motion was made by Council Member Stinchcomb, seconded by Vice President Kelley, to uphold the decision by the Planning Commission to deny the zoning change request ZC-04-97, requested by Shepherd Church of the Nazarene, applicant, for property located at 425 South Hamilton Road.

In discussion of this motion, James-Arnold pointed out that the comment had been made regarding AEP and 600 employees in discussing traffic problems. Reminded that not all of those 600 employees would be arriving and departing at the same, since they observe flex time. The motion carried by the following vote:

Yes	6	Vice President Kelley, Council Member James-Arnold, Council Member Kneeland, Council Member Stinchcomb, Council Member Payne and President of Council Angelou
Absent	1	Council Member Hogan

F. STANDING COMMITTEES

1. Communications & Technology Committee - Kneeland

2. Development Committee - James-Arnold

James-Arnold noted that at the January 12 committee meeting; they did elect a permanent chair. Asked committee to meet with Development Director and come up with timetable for meetings for the Riverwalk and date certain on conceptual plan. Will have a public meeting on February 2.

3. Service Committee - Miller

4. Safety Committee - Payne

Payne complimented the Safety Department on rising from 1% to 17% participation for continuing education.

5. Committee of the Whole - Kelley

6. Finance - James-Arnold, Temp. Chr.

G. CORRESPONDENCE AND ACTIONS

1. Clerk - (Legal)

Mayor's Veto Message - Ordinance No. 1-98

A motion was made by Vice President Kelley, seconded by Council Member Payne, to override the mayoral veto of line item of Account No. 101.434.5111, Senior Services, Salary,

Leaders.

Kelley explained he planned to override this veto; however, now felt with the pending employee audit, felt it would be best to wait until after this audit to see if this position is really needed; believes in volunteers; suggested that if this position is needed, this matter come back for further discussion. James-Arnold echoed on Kelley comments; said as a City if we are going to have a senior citizen center it needs to be staffed; noting the audit, felt the first finance committee meeting they would have that information, and no later than June 30 could review and see if this money should go back into the account. Angelou felt it may be back by that time.

President announced that the Mayoral veto was not overridden by Council and the veto stands. The motion failed by the following vote:

Yes	0	
No	6	Vice President Kelley, Council Member James-Arnold, Council Member Kneeland, Council Member Stinchcomb, Council Member Payne and President of Council Angelou
Absent	1	Council Member Hogan

A motion was made by Council Member Kneeland, seconded by Council Member Payne, to add to "Item I, First Reading of Ordinances on Regular Agenda," supplemental appropriation draft prepared for \$3,500 to Account No. 101.434.5111. (After motion passed, Clerk numbered Ordinance No. 6-98.). The motion carried by the following vote:

Yes	6	Vice President Kelley, Council Member James-Arnold, Council Member Kneeland, Council Member Stinchcomb, Council Member Payne and President of Council Angelou
Absent	1	Council Member Hogan

Planning Commission Recommendations:**Zoning Change - 4327 Johnstown Road; Canini & Pellecchia**

PUBLIC HEARING: March 2, 1998, 7:30 p.m.

Zoning Change - 590 Taylor Road, Candlewood Hotel

PUBLIC HEARING: March 2, 1998, 7:30 p.m.

Zoning Change - 665-686 Brook Hollow, Select Properties

PUBLIC HEARING: March 2, 1998, 7:30 p.m.

Entry in Columbia Gas Cases before Public Utilities**Notice/Appeal to Common Pleas/ Liquor/Block Investments****Notice/Completion of Jail Audit****2. Council**

Notice regarding housing one-half mile from Gahanna jurisdiction. Development

Director to investigate. ASSIGNED DEVELOPMENT COMMITTEE.

Tobacco Free Ohio ASSIGNED SAFETY COMMITTEE.

Miscellaneous correspondence and events were noted by various Council members.

H. SECOND READING OF ORDINANCES

I. FIRST READING OF ORDINANCES

980011

SUPPLEMENTAL APPROPRIATION - Leaders, Senior Citizens {Ordinance No. 6-98}

Introduced, by title, by Kelley.

A motion was made by Council Member James-Arnold, seconded by Council Member Kneeland, that this matter be Introduced, Second Reading Waived. The motion carried by the following vote:

Yes	6	Vice President Kelley, Council Member James-Arnold, Council Member Kneeland, Council Member Stinchcomb, Council Member Payne and President of Council Angelou
Absent	1	Council Member Hogan

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

Yes	6	Vice President Kelley, Council Member James-Arnold, Council Member Kneeland, Council Member Stinchcomb, Council Member Payne and President of Council Angelou
Absent	1	Council Member Hogan

J. REPRESENTATIVES

1. Community Improvement Corporation (CIC) - Kneeland

Will meet 27th at City Hall.

President noted that the following appointments are by Council with concurrence of the Mayor.

A motion was made by Council Member Kneeland, seconded by Vice President Kelley, to appoint Gene Matheny to a one-year term on Community Improvement Corporation. The motion carried by the following vote:

Yes	6	Vice President Kelley, Council Member James-Arnold, Council Member Kneeland, Council Member Stinchcomb, Council Member Payne and President of Council Angelou
Absent	1	Council Member Hogan

A motion was made by Vice President Kelley, seconded by Council Member Kneeland, to appoint LaRoux Mentz to a one-year term on Community Improvement Corporation. The motion carried by the following vote:

Yes	6	Vice President Kelley, Council Member James-Arnold, Council Member Kneeland, Council Member Stinchcomb, Council Member Payne and President of Council Angelou
Absent	1	Council Member Hogan

A motion was made by Council Member Kneeland, seconded by Council Member Stinchcomb, to appoint Mike O'Brien to a one-year term on Community Improvement Corporation. The motion carried by the following vote:

Absent	1	Council Member Hogan
Yes	6	Vice President Kelley, Council Member James-Arnold, Council Member Kneeland, Council Member Stinchcomb, Council Member Payne and President of Council Angelou

2. Mid-Ohio Regional Planning Commission (MORPC) - Payne

Will meet the 22nd.

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

It was reported that Tom Keyes was elected as President, and Speed Dillon as Vice President. Awards were presented.

Windy McKenna stated that February 2 is the State of the Schools meeting, and invited everyone. Advised the Board approved study book for high school for 98-99 school year; received grant for \$1,500 for annual health fair; most attended DARE graduation; is very important for students. Pathways program has been awarded a \$1,500 grant to get started. Student Government Day is Wednesday, May 6. April meeting will be 16th (3rd Thursday). Congratulated new President and Vice President of Council. Said in December acknowledged merit scholar students. Dr. Anderson was appointed to Eastland Vocational School Board. Payne noted the school was represented on the Renaissance Program on television; remembering Michelle Chappell, of Middle School West who has passed away, felt this program is a legacy to what she was. Angelou felt it was important to keep the lines of communication open between the schools and the City. Kneeland noted the partnership for the bus/fuel facility. McKenna agreed that everybody worked hard to bring it all together.

4. Gahanna/Jefferson Joint Committee - Kelley

Kelley met with the new Jefferson Township Trustee Mr. Rowan and took tour; discussed problems and how we can discuss in the future; have to see what comes of it.

K. OFFICIAL REPORTS

1. Mayor

Mayor said overlay that is presently approved is a waste zoning; questioned perhaps those overlays should have a destruct mechanism so it reverts back to single family. Questioned asking Planning Commission if all overlays should be given a season.

Said on employee audit hopes to have quote from Coopers Lybrand. Noted he also had one from OSU. Hopes to have available very soon.

2. City Attorney

Weber reported he is going to sheriff's sale on Thursday; noted the ordinance does authorize purchase and does appropriate \$80,000; that is not necessarily a limitation on how high he can go; said he is going to have some discretion above \$80,000 as long as the bid does not go into the stratosphere; repeated he may have to go a little higher. Mayor felt if people find the city is a viable bidder, they may back off. James-Arnold questioned liens. It was noted there were not a lot of people bidding on this; note made that 6 acres are of no use to anyone for anything.

L. COUNCIL COMMENT

James-Arnold complimented Linda being back and involved; said regarding trash, noted many people in private sector were working that day; is contracted out; may be something to add in negotiations with the companies in the future. Suggested putting concerns in writing for consideration. Thanked her for her comments. Re limited overlay, felt same as the Mayor; is a favorite way for zoning; feels on overlay could be time certain; felt we are limiting the user; felt we should limit the time-frame. Impact of contiguous zoning--not only our traffic and schools--and perception of what City they are in; noted on Hines Road with 4.5 per acre; still a concern with schools. Wants strong communication with the schools; felt schools may have greatest impact.

Miller, noting comments on limited overlay, said one of conversations with the church was that they pull their appeal; thought possibly we could come up with plan for the entire area; some kind of overlay for long-range planning; something maybe with a renewal system. Director of Development asked to facilitate a meeting with the church; wants to keep conversations going; to continue the process. Angelou said she appreciates Miller's effort for consensus in her area.

Payne agreed discussing development on zonings not adjacent to ours. Said regarding the Villas, the president of their association had pointed out issues of safety at that location. Felt it has been a very safe community since StoneRidge went in.

Kneeland felt overlays already have a time issue because of description which requires they go back to Planning Commission; noted the process whereby the City has the ability to pursue within the 3-mile limit because of the impact; would like to at least investigate our options.

Kelley felt limited overlay and adjacent zoning has been pretty covered. Noted a lot of people don't know there is going to be a special election and the importance of Eastland Vocational; said there are excellent programs down there; is an excellent school. Kneeland noted satellite programs from Eastland called Tech Prep; felt those might go away. McKenna said she was not sure the decision has been made on the current programs. Kneeland emphasized it is a lot more than just the building on Hamilton Road.

President announced that at next meeting would like EXECUTIVE SESSION having to do with Landscape Board appointment. Noted a private hauler collects trash; felt we have a great respect for all our leaders. Dr. King was a fine American with a powerful impact. Regarding the hearing this evening, the church can build right now; noted this was such a lengthy process before; hoped it can heal; would be in the best interest of the ministry of the church and for the neighborhood. Hopefully we can bring together that area and they can develop in a way that is acceptable.

Thanked everyone for their work on cable issues. Reactivated the special committee

consisting of James-Arnold, Miller, and Angelou, to work through the remaining issues; they can then recommend back to communications committee.

M. EXECUTIVE SESSION

N. ADJOURNMENT - 9:13 p.m.

A motion was made by Council Member Payne, seconded by Council Member Kneeland, to Adjourn. The motion carried unanimously.

End of Agenda

Isobel L. Sherwood, MMC
Clerk of Council

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

Chair Signature