

City of Gahanna

*200 South Hamilton Road
Gahanna, Ohio 43230*



Meeting Minutes

Monday, October 3, 2011

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

7:00 PM

City Hall

City Council

David L. Samuel, President

Brian D. Larick, Vice President

Beryl D. Anderson

Shane Ewald

John R. McAlister

Nancy McGregor

Timothy W. Pack

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, October 3, 2011, at Gahanna City Hall, in Council Chambers, 200 South Hamilton Road. President of Council David L. Samuel called the meeting to order at 7:00 p.m. Invocation was given by Vice President of Council Larick followed by the Pledge of Allegiance led by Council Member Anderson. Agenda for this meeting was published on September 29, 2011.

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

B. ADDITIONS OR CORRECTIONS TO THE AGENDA: None.**C. HEARING OF VISITORS: None.****D. INTRODUCTIONS AND ASSIGNMENT TO COMMITTEE:****Ordinances - To Be Introduced and Assigned to Committee:**

Ordinances introduced, by title, by Larick.

ORD-0195-2011

TO AUTHORIZE THE MAYOR TO ENTER INTO PERSONAL SERVICES CONTRACT BETWEEN THE CITY OF GAHANNA AND ASEBROOK & CO. ARCHITECTS, LLC, FOR PLAN REVIEW SERVICES FOR 2012.

Introduced

ORD-0196-2011

TO AUTHORIZE THE MAYOR TO ENTER INTO PERSONAL SERVICES CONTRACT BETWEEN THE CITY OF GAHANNA AND MEACHAM & APEL ARCHITECTS, INC., FOR PLAN REVIEW SERVICES FOR 2012

Introduced

ORD-0197-2011

TO AUTHORIZE THE MAYOR TO ENTER INTO PERSONAL SERVICES CONTRACT BETWEEN THE CITY OF GAHANNA AND WILLIAM E. CONROY, II FOR ELECTRICAL INSPECTION SERVICES.

Introduced

ORD-0198-2011

TO ENACT CODE SECTION 333.032 ARREST OR CITATION OF DRIVERS BASED ON RADAR, TIMING DEVICE OR RADIO MESSAGE FROM ANOTHER OFFICER, OF CHAPTER 333, OVI, WILLFUL MISCONDUCT, SPEED, OF THE CODIFIED ORDINANCES OF HE CITY OF GAHANNA.

Introduced

ORD-0199-2011

TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH ORCHARD, HILTZ & MCCLIMENT, INC., FOR NPDES STORM WATER SMALL MS4 PHASE II PROGRAM ASSISTANCE

Introduced

ORD-0200-2011

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH GOLDEN TOUCH CAR AND VAN WASH, INC., FOR A PERIOD OF TWO YEARS STARTING JANUARY 1, 2012 AND CONTINUING THROUGH DECEMBER 31, 2013, WITH AN OPTION TO RENEW FOR AN ADDITIONAL YEAR, FOR WASHING AND CLEANING OF OFFICIAL CITY VEHICLES

Introduced

ORD-0201-2011

TRANSFER AND REALLOCATION OF FUNDS - Golf Course

Introduced**ORD-0202-2011**

SUPPLEMENTAL APPROPRIATION - Early Retirement Incentive

Introduced**ORD-0203-2011**

SUPPLEMENTAL APPROPRIATION - Holiday Lights Parade

Introduced**ORD-0204-2011**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH RAYMOND J. MULARSKI FOR PROSECUTION OF CERTAIN CASES RESULTING FROM GAHANNA MAYOR'S COURT AND MAYOR'S DOWNTOWN CASES

Introduced**E. CONSENT AGENDA:****Minutes - To Approve:****2011-0052**

To Approve the Following Set of Minutes:

1) September 19, 2011

This Matter was Approved and Filed on the Consent Agenda.**Ordinances on Second Reading:****ORD-0180-2011**

TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO AWARD AND THE MAYOR TO ENTER INTO CONTRACT WITH THOMPSON EXCAVATION, LLC, FOR CONSTRUCTION OF THE MCKENNA CREEK DETENTION BASIN; AND TO DECLARE AN EMERGENCY.

This Matter was Adopted as an Emergency on the Consent Agenda.**ORD-0182-2011**

TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH ROCKWOOD CLEANERS FOR DRY CLEANING SERVICE FOR POLICE UNIFORMS FOR 2012.

This Matter was Adopted on the Consent Agenda.**ORD-0183-2011**

TO ACCEPT WATER LINE IMPROVEMENT NO. ST 953; AND APPURTENANCES THERETO, AT CLARK HALL.

This Matter was Adopted on the Consent Agenda.**ORD-0184-2011**

TO AUTHORIZE THE MAYOR TO INCREASE THE SCOPE OF SERVICES WITH WATCON CONSULTING ENGINEERS & SURVEYORS, FOR THE SOUDER DITCH WATERSHED PROJECT; IMPROVEMENT NO. ST 980; AND TO SUPPLEMENTALLY APPROPRIATE \$6,000.

This Matter was Adopted on the Consent Agenda.**ORD-0185-2011**

TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO AWARD AND THE MAYOR TO ENTER INTO CONTRACT WITH G & G ENTERPRISES FOR CONSTRUCTION OF THE TRIANGLE WEST SANITARY SEWER, IMPROVEMENT NO. 740; TO SUPPLEMENTALLY APPROPRIATE \$56,575; AND TO DECLARE AN EMERGENCY.

This Matter was Adopted as an Emergency on the Consent Agenda.**ORD-0186-2011**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH THE FRANKLIN COUNTY BOARD OF HEALTH FOR HEALTH SERVICES FOR

FISCAL YEAR 2012.

This Matter was Adopted on the Consent Agenda.

ORD-0187-2011

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

This Matter was Adopted on the Consent Agenda.

ORD-0188-2011

DETERMINING TO PROCEED WITH THE IMPROVEMENT OF CERTAIN AREAS WITHIN THE CITY OF GAHANNA BY CONSTRUCTING AND INSTALLING A SANITARY SEWER; PROJECT KNOWN AS THE WEST GAHANNA SANITARY SEWER IMPROVEMENT, PHASE I AND II

This Matter was Adopted on the Consent Agenda.

ORD-0189-2011

TO AUTHORIZE THE MAYOR TO ENTER INTO MEMORANDUM OF UNDERSTANDING BETWEEN MIFFLIN TOWNSHIP, DBA METROPOLITAN EMERGENCY COMMUNICATION CENTER, AND THE CITY OF GAHANNA, FOR NEXT GENERATION 911 SERVICE AND SUPPORT.

This Matter was Adopted on the Consent Agenda.

ORD-0190-2011

TO AUTHORIZE THE MAYOR TO ENTER INTO FIBER INDEFEASIBLE RIGHT TO USE AGREEMENT (IRU) BETWEEN MIFFLIN TOWNSHIP AND THE CITY OF GAHANNA.

This Matter was Adopted on the Consent Agenda.

ORD-0191-2011

SUPPLEMENTAL APPROPRIATION - Senior Services Programs

This Matter was Adopted on the Consent Agenda.

ORD-0192-2011

TO AMEND CODE SECTION 157.02, MEMBERSHIP, OF CHAPTER 157, RECORDS MANAGEMENT PROGRAM, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA.

This Matter was Adopted on the Consent Agenda.

ORD-0193-2011

AN ORDINANCE ADOPTING A STATEMENT INDICATING THE SERVICES THE CITY OF GAHANNA, OHIO, WILL PROVIDE TO THE 3.4+/- ACRE TERRITORY IN JEFFERSON TOWNSHIP, FRANKLIN COUNTY, PROPOSED TO BE ANNEXED TO THE CITY OF GAHANNA UPON ANNEXATION; SAID PROPERTY LOCATED AT 5061 SHAGBARK ROAD; AND CITY BUFFER REQUIREMENTS AS PROVIDED IN OHIO REVISED CODE SECTION 709.023; BY THE CITY OF GAHANNA; AND TO DECLARE AN EMERGENCY.

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

ORD-0194-2011

AN ORDINANCE ADOPTING A STATEMENT INDICATING THE SERVICES THE CITY OF GAHANNA, OHIO, WILL PROVIDE TO THE 0.29+/- ACRE TERRITORY IN JEFFERSON TOWNSHIP, FRANKLIN COUNTY, PROPOSED TO BE ANNEXED TO THE CITY OF GAHANNA UPON ANNEXATION; SAID PROPERTY LOCATED AT 4427 EAST JOHNSTOWN ROAD; AND CITY BUFFER REQUIREMENTS AS PROVIDED IN OHIO REVISED CODE SECTION 709.023; BY THE CITY OF GAHANNA; AND TO DECLARE AN EMERGENCY.

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

Ordinance - To Amend by Substitution and Adopt:

ORD-0181-2011

TO ADOPT THE RECOMMENDATION OF THE ADVISORY BOARD FOR THE OFFICE & INDUSTRIAL INCENTIVE PROGRAM GRANTING APPROVAL FOR CENTRAL OHIO UROLOGY GROUP, INC. FOR A PERIOD OF FOUR YEARS.

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

Motion Resolution:**MR-0051-2011**

Motion Resolution to authorize the Director of Public Service to go out for bids for sanitary sewer line repairs in two areas - North Hamilton Road and Bow Drive

This Matter was Approved on the Consent Agenda.

MR-0052-2011

Motion Resolution to transfer \$13,703 from Account No. 101.125.5111, HR Part Time to Account No. 101.125.5106, HR Full Time Hourly; and to transfer \$11,000 from Account No. 101.125.5101, HR Director to Account No. 101.125.5106, HR Full Time Hourly.

This Matter was Approved on the Consent Agenda.

MR-0053-2011

Motion Resolution to transfer \$15,000 from Account No. 631.350.5456, Storm Water Operational Expense to Account No. 631.350.5416, Storm Water Repair.

This Matter was Approved on the Consent Agenda.

Passed The Consent Agenda

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

Yes	7	President of Council Samuel, Vice President of Council Larick, Ewald, McGregor, Anderson, McAlister and Pack
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End of the Consent Agenda**F. PUBLIC HEARINGS: None.****G. STANDING COMMITTEES:**

Committee of the Whole - Larick: No Report.

Finance - Anderson: No Report.

SPECIAL COMMITTEES:

Expenditure Study Committee - Larick: No Report.

H. CORRESPONDENCE AND ACTIONS:

Clerk - Legal: None.

Council:

Samuel reminded Council of the following invitations received: Rumpke Open House on Tuesday at 9:00 am to tour their new facility; ribbon cutting October 6 at 4:30 p.m. for the CVB at their new offices; McDonald's grand opening on October 10 at 5:30 pm

at new location of 298 S. Hamilton; and the Franklin Soil & Water Conservation District Annual meeting on October 27 at The River Club at Confluence Park.

Samuel also stated he had received a call from Dr. Tommie Radd stating that Council had no business being involved in passing a resolution in support of Issue 2; received one other call from Ron Shull on same subject and an e-mail forwarded by the Mayor; all said the same thing.

Ewald stated he had attended the Chief's meeting last week; was a discussion about a restaurant with a covered patio and whether that enclosure would be sufficiently open to avoid litigation on smoking indoors; referred them to the City Attorney.

I. SECOND READING OF ORDINANCES: None.

J. FIRST READING OF ORDINANCES: None.

K. MOTIONS/RESOLUTIONS:

RES-0023-2011

A RESOLUTION OPPOSING ISSUE 48, CHARTER AMENDMENT PERTAINING TO COUNCIL TERMS OF OFFICE

McAlister stated we are obligated to put this charter change on the ballot; through this resolution we are trying to inform voters as best we can; trying to make sure people understand that if somebody runs for a ward council seat it is much easier to run and win a ward race than an at large race; takes less time, money, and effort; if all seats were to be 4 year terms, there is a lot less incentive to run at large; could have situations where we might not have candidates to run at large; to be a complete turnover of council you would need to have 6 people running at large and all 3 incumbents out; odds of that happening are very small; by voting no on this charter change, they are protecting their own right to throw everybody out every 4 years; as a voter would rather have the option to have a whole new slate than what was currently in office; vote of protection the way the charter is written right now.

Adopted

L. REPRESENTATIVES:

Community Improvement Corporation (CIC) - Larick/Samuel: No Report.

Mid-Ohio Regional Planning Commission (MORPC) - Anderson:

Anderson nothing to report at this time; meeting for this month is next week.

Bd. of Education, Gahanna-Jefferson Public Schools - Pack:

Samuel stated Pack is the representative to the school board this month; noted that meeting has been changed to Tuesday, October 11 at Clark Hall.

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

M. OFFICIAL REPORTS:

Mayor: Not in attendance.

City Attorney:

Weber noted that Council had received a copy of the lawsuit some of you asked about

regarding Rebecca Lottridge; has been referred to our insurance counsel; have been in some communication with him; going over basis of complaint; once we have determined our position as a city will keep Council advised; due diligence going on now; will note that we are not the only defendant; are certainly some things that we take exception to; in process of deciding our position; probably the committee meeting after next will make a more complete report.

Weber continued that some may have heard there is a BZA appeal pending on the interpretation of sign code; all candidates received a letter from Gard and myself regarding political signs and the sign code; has now been an appeal from the administrative decision made on September 8; is a two prong appeal - one on interpretation of sign code as to the length of time signs can be up and certain constitutional arguments; that hearing has been set for October 13; hoping we get a decision that night so we can lay that issue to rest; could not get together for the 6th; BZA normally meets on the 1st and 4th Thursdays; as it is a little close to election, felt we should hear it earlier; will be held on October 12 at 6:30 p.m. in Chambers.

N. COUNCIL COMMENT:

McGregor stated that for the record certain candidates never got the letter about the sign code; heard about it from other candidates but did not get the letter about it.

Ewald stated he would like to thank Mumma for her service to the City; have a good staff here and believe that she has trained her replacement and feel confident that we will continue forward; she will be missed; thank you for your service.

Anderson stated she wanted to underscore the same comments made at last meeting to Mumma; thank you for all you have done; thank you for the legacy you leave and thank you for your tenure which has been 14 years; as you move forward all the best to you; thank you for what you have left behind with your enthusiasm, spirit, expertise and wishing you the best for your career and all aspects of your life.

Larick stated he also wanted to thank Mumma for her time and service; have not been on Council all that long but my experience with Mumma has been one of professionalism, skill, and expertise.

Samuel stated that Central Ohio Transit Authority is doing some important things in the next few months; one is looking at a fare increase; Columbus is below the fares for Dayton, Cincinnati and Cleveland; looking at making adjustments that will go into effect on January 1; COTA serves 1.5 million people in Central Ohio but only 4% of that number actually uses COTA; another thing they will be looking at is taking routes off of High Street; several businesses have concerns about the number of buses in front of their businesses; would like to see more parking on the street and more accessibility to their businesses; talk about moving routes onto Front Street, Third Street and Fourth Street; lot of concern among the riders; COTA must pay attention to the taxpayers, the riders, and their employees; at this time that is up in the air; another thing that is occurring is that a lot of routes are going to what is called reverse routes; a lot of people leaving the central city and going out to the suburbs to businesses; right now that ridership is picking up but not cost effective at this point; that will increase and more routes probably coming to Gahanna and outlying suburbs.

Anderson stated she did not get the opportunity to go to the ribbon cutting for Chase but was there shortly after; was wonderful to tour the new Chase facility up at Central Park; to know that they are eagerly looking for about 400 new employees to bring revenue to the City; they are enthusiastic and happy with the welcome they have received; kudos to Development Department and to all who worked to make that happen and who are

working for the staying power of Chase here in Gahanna; wonderful site if you have not been up to see it.

Samuel thanked high school students for being here; if you have any questions any Council member will be glad to answer them; also make sure to show up to some of our committee meetings.

O. ADJOURNMENT: 7:15 p.m. - Motion by Anderson.

Donna L. Jernigan, MMC
Senior Deputy Clerk of Council

*APPROVED by the City Council, this
day of 2011.*

David L. Samuel
President of Council