

City of Gahanna

*200 South Hamilton Road
Gahanna, Ohio 43230*



Meeting Minutes

Monday, May 15, 2000

7:30 PM

City Hall

City Council

*Debra A. Payne, President of Council
Rebecca W. Stinchcomb, Vice President of Council
Michael O'Brien, Council Member
L. Nicholas Hogan, Council Member
Thomas R. Kneeland, Council Member
Karen J. Angelou, Council Member
Sherie James-Arnold, Council Member*

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

Members Absent: L. Nicholas Hogan

Members Present: Debra A. Payne, Rebecca W. Stinchcomb, Sherie James-Arnold, Thomas R. Kneeland, Karen J. Angelou and Michael O'Brien

ADDITIONS OR CORRECTIONS TO THE AGENDA.

RES-0014-2000

TO HONOR AND COMMEND JONATHAN MICHAEL STEWART ON ACHIEVEMENT OF THE RANK OF EAGLE SCOUT

Adopted

C. HEARING OF VISITORS

Shane Reidel, 1400 Waveland Drive, distributed overview packet for the Gahanna Dispute Resolution Center to Council and read the Mission Statement for the center and Gahanna's Mission Statement and said the goals of the two are well aligned. The center deals with Mediation for Citizen Disputes; Training for Citizens in Mediation; On-sight Conflict Management Training to Area Schools and Organizations; and Victim-Offender Reconciliation Programs; would be a place for referrals from the Police Department and the City; great benefit to the City. Police Officers are not trained to handle such conflicts. By helping fund this center Gahanna and the surrounding area would have a progressive communication and problem solving center which will address the ideals set forth in the Mission Statement. Reidel asked that Council contact him for further discussion about the center or e-mail him.

Payne referred this to Committee of the Whole on June 12, 2000, and said that Reidel is asking for \$5,000 toward the total budget of the center. Reidel said he is currently using space in the Stoneridge Police substation, and there are only a few centers that have these services in this region.

Ken Singh, 2701 Indianola Ave., said he owns 26 acres next to Petsmart; name is mentioned on agenda 3 times; here to learn how Council works; said his property is about the only industrial property that does not have tax abatement; would request consideration for tax abatement.

D. INTRODUCTIONS AND ASSIGNMENT TO COMMITTEE

Ordinances - To Be Introduced and Assigned to Committee

ORD-0006-2000

TO ADOPT THE CREEKSIDE TRAILWAY LOOP STUDY, DATED NOVEMBER, 1999, AS PREPARED BY TRICAR LTD.

Introduced, to Committee of the Whole

ORD-0101-2000

TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO AWARD AND THE MAYOR TO ENTER INTO CONTRACT WITH NICKOLAS SAVKO & SONS, INC., FOR THE CLARK STREET AND OKLAHOMA AVENUE REBUILD, IMPROVEMENT NO. 671; TO SUPPLEMENTALLY APPROPRIATE \$86,310; AND TO DECLARE AN EMERGENCY

Introduced

ORD-0102-2000

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH CLYDE E WILLIAMS & ASSOCIATES, INC., FOR INSPECTION SERVICES FOR THE CLARK STREET, OKLAHOMA AVENUE REBUILD, IMPROVEMENT NO. 671;

TO SUPPLEMENTALLY APPROPRIATE \$8,000; AND TO DECLARE AN EMERGENCY

Introduced

ORD-0103-2000

TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO AWARD AND THE MAYOR TO ENTER INTO CONTRACT WITH REYNOLDS INC., FOR THE MORSE ROAD 36" WATER LINE, IMPROVEMENT NO. 699; TO SUPPLEMENTALLY APPROPRIATE \$1,308,222; AND TO DECLARE AN EMERGENCY

Introduced

ORD-0105-2000

TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH TERRA SURVEYING SERVICES CO. FOR RELOCATING AND REPLACING PROPERTY CORNERS LOST DURING RECONSTRUCTION OF TAYLOR ROAD; TO SUPPLEMENTALLY APPROPRIATE \$16,500; AND TO DECLARE AN EMERGENCY

Introduced

ORD-0106-2000

TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH TRICAR LTD DESIGN & CONSTRUCTION SERVICES, FOR CREEKSIDE FLOODWALL ANALYSIS STUDY; TO SUPPLEMENTALLY APPROPRIATE \$49,762; AND TO DECLARE AN EMERGENCY

Introduced

ORD-0107-2000

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH EVANS, MECHWART, HAMBLETON & TILTON INC., FOR INSPECTION SERVICES FOR THE CONCRETE STREET REBUILD, IMPROVEMENT NO 747; AND TO DECLARE AN EMERGENCY

Introduced

ORD-0104-2000

TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO AWARD AND THE MAYOR TO ENTER INTO CONTRACT WITH NICKOLAS SAVKO & SONS, INC., FOR THE JOHNSTOWN ROAD SANITARY SEWER, IMPROVEMENT NO. 713; AND TO DECLARE AN EMERGENCY

Introduced

ORD-0108-2000

TO APPROVE CURRENT REPLACEMENT PAGES TO THE GAHANNA CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY.

Introduced

ORD-0109-2000

TO AMEND SECTION 351.99, PENALTY, OF CHAPTER 351, PARKING GENERALLY, OF THE CODIFIED ORDINANCES OF GAHANNA, TO PROVIDE PENALTIES FOR PARKING IN HANDICAPPED LOCATION IN ACCORDANCE WITH STATE STATUTES; AND TO DECLARE AN EMERGENCY.

Introduced

ORD-0110-2000

TO AMEND SECTION 333.01, DRIVING OR PHYSICAL CONTROL WHILE UNDER THE INFLUENCE, OF CHAPTER 333, DUI; WILLFUL MISCONDUCT; SPEED, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA; EVIDENCE, AND SECTION 333.99, OF CHAPTER 333, PENALTY, OF CHAPTER 333, DUI; WILLFUL MISCONDUCT; SPEED, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA; AND TO DECLARE AN EMERGENCY.

Introduced

ORD-0111-2000

TO AUTHORIZE THE MAYOR TO ENTER CONTRACT WITH NEW WORLD

SYSTEMS, FOR LICENSE UPGRADE FOR THE POLICE AS/400 RISC PROCESSOR SOFTWARE; TO SUPPLEMENTALLY APPROPRIATE \$9,000; AND TO DECLARE AN EMERGENCY

Introduced

ORD-0112-2000

TO ACCEPT PROPERTY KNOWN AS 121 MILL STREET, GAHANNA, FROM ROBERT J. ECKART AND JERRY L ECKART; AND TO DECLARE AN EMERGENCY

Introduced, to Development Committee

ORD-0113-2000

TO ACCEPT THE FINAL PLAT FOR PROPERTY KNOWN AS CROSSROADS COMMERCE CENTER; TRIANGLE REAL ESTATE SERVICES, INC. BY EXXCEL CONTRACT MANAGEMENT, INC., APPLICANT; AND TO DECLARE AN EMERGENCY

Introduced, to Development Committee

ORD-0114-2000

TO AUTHORIZE THE MAYOR TO ENTER INTO LEASE AGREEMENT WITH MAPSYS SYSTEMS & SOLUTIONS FOR HARDWARE AND OPERATING SOFTWARE FOR THE POLICE AS/400 RISC PROCESSOR; TO SUPPLEMENTALLY APPROPRIATE \$7,658; AND TO DECLARE AN EMERGENCY

Introduced

ORD-0116-2000

TO DECLARE THE NECESSITY AND INTENT TO APPROPRIATE CERTAIN REAL ESTATE, CONSISTING OF 0.125 ACRE OF LAND, MORE OR LESS, OUT OF 4.053 ACRES, MORE OR LESS, OWNED BY KANWAL N. SINGH AND LYNN W. SINGH, FOR SANITARY SEWER EASEMENT FOR THE EAST INDUSTRIAL SANITARY SEWER, IMPROVEMENT NO. 727, AS DESCRIBED IN PLANS ON FILE IN THE CITY ENGINEER'S OFFICE AND AS LISTED IN EXHIBIT A, HERETO; AND TO DECLARE AN EMERGENCY.

Introduced

ORD-0117-2000

TO DECLARE THE NECESSITY AND INTENT TO APPROPRIATE CERTAIN REAL ESTATE, CONSISTING OF 0.972 ACRE OF LAND, MORE OR LESS, OUT OF 26.375 ACRES, MORE OR LESS, OWNED BY LYNN W. SINGH AND KANWAL N. SINGH, FOR EASEMENT FOR THE SOUTH EAST SANITARY SUBTRUNK SEWER, IMPROVEMENT NO. 277, AS DESCRIBED IN PLANS ON FILE IN THE CITY ENGINEER'S OFFICE AND AS LISTED IN EXHIBIT A, HERETO; AND TO DECLARE AN EMERGENCY.

Introduced

Statutory Resolutions - To Be Introduced and Assigned to Committee

SR-0004-2000

A RESOLUTION TO DECLARE THE NECESSITY AND INTENT TO APPROPRIATE CERTAIN REAL ESTATE, CONSISTING OF 0.125 ACRE OF LAND, MORE OR LESS, OUT OF 4.053 ACRES, MORE OR LESS, OWNED BY KANWAL N. SINGH AND LYNN W. SINGH, FOR SANITARY SEWER EASEMENT FOR THE EAST INDUSTRIAL SANITARY SEWER, IMPROVEMENT NO. 727; AND TO DECLARE AN EMERGENCY

Introduced

E. CONSENT AGENDA

Minutes - To Approve

2000-0004 To Approve Minutes of Regular Meeting of November 6, 2000

Ordinance: Introduce, Waive Second Reading, Adopt

ORD-0115-2000 TO ACCEPT A GENERAL WARRANTY DEED FROM THOMAS W. KEYES & DENISE L. KEYES FOR 1.1+/- ACRE OF LAND LOCATED ON HAMILTON ROAD TO BE USED AS ROAD RIGHT OF WAY.

This Matter was Introduced, Second Reading Waived, and Adopted on the Consent Agenda.

Ordinances on Second Reading

ORD-0087-2000 TO AMEND ORDINANCE NO. 980440, THE ORDINANCE FOR SALARIES AND BENEFITS FOR UNCLASSIFIED PERSONNEL, TO ALLOW PAYMENT OF THE PREVIOUSLY CREATED ADMINISTRATIVE ASSISTANT TO THE DIRECTOR OF PUBLIC SERVICE AT MORE THAN THE BOTTOM OF THE RANGE; AND TO DECLARE AN EMERGENCY

This Matter was Adopted on the Consent Agenda.

ORD-0088-2000 TO AMEND SECTION 1123.26, GARAGE, OF CHAPTER 1123, DEFINITIONS, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

This Matter was Adopted on the Consent Agenda.

ORD-0089-2000 TO AMEND SECTION 1167.18, SCREENING OF TRASH CONTAINERS, OF CHAPTER 1167, GENERAL DEVELOPMENT STANDARDS, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

This Matter was Adopted on the Consent Agenda.

ORD-0090-2000 TO AMEND SECTION 1197.05, CERTIFICATE OF APPROPRIATENESS, AND SECTION 1197.10, VARIANCES REQUIRED, OF CHAPTER 1197, DESIGN REVIEW, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

This Matter was Adopted on the Consent Agenda.

ORD-0091-2000 TO AMEND SECTION 1136.08, YARD REQUIREMENTS, OF CHAPTER 1136, ER-1 ESTATE RESIDENTIAL DISTRICTS, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

This Matter was Adopted on the Consent Agenda.

ORD-0092-2000 TO AMEND SECTION 1137.08, YARD REQUIREMENTS, OF CHAPTER 1137, ER-2 ESTATE RESIDENTIAL DISTRICTS, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

This Matter was Adopted on the Consent Agenda.

ORD-0093-2000 TO AMEND SECTION 1139.08, YARD REQUIREMENTS, OF CHAPTER 1139, SF-1 RESIDENTIAL DISTRICTS, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

This Matter was Adopted on the Consent Agenda.

ORD-0094-2000 TO AMEND SECTION 1141.08, YARD REQUIREMENTS, OF CHAPTER 1141, SF-2 RESIDENTIAL DISTRICTS, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

This Matter was Adopted on the Consent Agenda.

ORD-0095-2000

TO AMEND SECTION 1143.08, YARD REQUIREMENTS, OF CHAPTER 1143, SF-3 RESIDENTIAL DISTRICTS, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

This Matter was Adopted on the Consent Agenda.

ORD-0096-2000

TO AMEND SECTION 1145.06, YARD REQUIREMENTS, OF CHAPTER 1145, R-4 RESIDENTIAL DISTRICTS, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

This Matter was Adopted on the Consent Agenda.

ORD-0097-2000

TO AMEND SECTION 1147.08, YARD REQUIREMENTS, OF CHAPTER 1147, MR-1 RESIDENTIAL DISTRICTS, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

This Matter was Adopted on the Consent Agenda.

ORD-0098-2000

TO AMEND SECTION 1150.03, DOWNTOWN SINGLE FAMILY, OF CHAPTER 1150, OLDE GAHANNA DOWNTOWN DISTRICT, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

This Matter was Adopted on the Consent Agenda.

ORD-0099-2000

To Enter Into Contract with Urban Spaces; for Creekside Concept Plan Refinement; Coordinating Services for Management Team; Hydrologic Studies for Creekside and General Project Consultation; to Supplementally Appropriate \$42,000 therefore; and to Declare An Emergency.

This Matter was Adopted on the Consent Agenda.

Resolutions to Adopt on First Reading**RES-0011-2000**

TO HONOR AND COMMEND WILLIAM WILLIAMS, POSTHUMOUSLY

This Matter was Adopted on the Consent Agenda.

RES-0012-2000

RECOGNIZING WEDNESDAY, MAY 17, 2000 AS SENIOR CITIZEN DAY

This Matter was Adopted on the Consent Agenda.

RES-0013-2000

RESOLUTION OF SUPPORT FOR A BRIDGE OVER I-270 AT TECHCENTER DRIVE

This Matter was Adopted on the Consent Agenda.

Passed The Consent Agenda

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

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

End of the Consent Agenda

F. PUBLIC HEARINGS

G. STANDING COMMITTEES

Communications & Technology Committee - Kneeland

Development Committee - James-Arnold

Service Committee - Stinchcomb

Safety Committee - Hogan

Committee of the Whole - Stinchcomb

Finance - Angelou

Angelou thanked Isler for the quarterly and year end financial statements provided to Council and said Gahanna is lucky to have him.

H. CORRESPONDENCE AND ACTIONS

Kneeland said he was in receipt of a letter concerning privatizing Lilly Pond Court. Mayor said there are two private roads and this would be the third. Kneeland asked if the request is for us to gate the road for them? Mayor said the request is for us to abandon the roads with the subdivision and then they would gate it themselves. Kneeland said there are a lot of things to consider, like snow removal, paving and garbage collection; maintenance in general. Payne said we would be setting a precedent . It was agreed to put this in Development Committee for June 12th.

Weber said that he has spoken with David Goodman concerning Senate Bill 289 and it appears that Goodman basically sees the issue the same as we do; he will fight for delays to allow time to make changes; information will be forwarded. Payne said she did testify before the Senate and feels they have started to listen; willing to talk. She did get everything she wanted to say in in the 5 minutes allotted; did not have to hear loud music that was used to stop other speakers in the middle of sentences and thoughts; felt that was very rude. Angelou said she understands that Payne did an excellent job of speaking for the City of Gahanna and MORPC.

Payne asked for Council attendance at the Veteran's Memorial service at 2:00 p.m. on Memorial Day.

Clerk - Legal

Z-0007-2000

Z-0007-2000 To consider an initial zoning for 12.4 acres located at 4433 Johnstown Road; pursuant to Section 1133.08 of the Codified Ordinances; City of Gahanna, landowner and applicant.

Public Hearing set for July 3, 2000

Z-0001-2000

Amended ZC-01-00 To consider an initial zoning application to zone 3.7+/- acres recently annexed as L-SO, Limited Overlay Suburban Office; and to rezone 8.7 acres zoned AR to L-CC, Limited Overlay Community Commercial; for 3.7 acres located at 5071 Shagbark Road and 8.7 acres located off Beecher Road; Canini & Pellicchia, Inc.,

Landowner by Glen A. Dugger, applicant.

Public Hearing set for July 3, 2000.

Z-0005-2000

ZC-05-00 To consider a zoning application to rezone 2.484 acres as L-SO, Limited Overlay Suburban Office and 6.299 acres as L-AR, Limited Overlay Apartment Residential; for 8.94 acres currently zoned ER-1; property located at 4417 Johnstown Road; Canini & Pellicchia, Inc., contingent purchaser by Glen A. Dugger, applicant.

Public Hearing set for July 3, 2000

Z-0006-2000

Z-0006-2000 To consider an initial zoning for 0.882 acres at 4240 N. Hamilton Road; pursuant to Section 1133.08 of the Codified Ordinances; Maria E. and William D. Van Huffel, landowners.

Public Hearing set for July 3, 2000.

Council

I. SECOND READING OF ORDINANCES

Ordinances Reported Out of Committee

ORD-0061-2000

TO PAY \$5,362 TO THOM AND KIM WILLIS, 224 ROCKY FORK DRIVE SOUTH, AS A MORAL OBLIGATION AS A RESULT OF A MAIN LINE SEWER BACK UP; TO SUPPLEMENTALLY APPROPRIATE \$5,362 THEREFOR; AND TO DECLARE AN EMERGENCY.

Angelou said these are deserving people, but that is not the issue; she has to think about these people times 30,000 representing all of them and paying out of the community pocket book; should be based on mechanical experts and engineer, and they say we should not do this; also insurance experts say we should not do this; this is precedent setting. The City did not put the blockage there and they did their job; if did not show up there would have been much more damage; many other people just as deserving; cannot support; hope they understand.

O'Brien said he has had several weeks to investigate and has tried to weigh all sides as presented; one thing that is clear to him is that we cannot put our finger on the cause; not been made clear to him that the city did not cause the problem; there is reasonable doubt that the homeowner did not cause. He continued that this would not be precedent setting; have done moral obligation ordinances before; each case is different and can be weighed on its own merit; present and vote on separately.

Stinchcomb said she walked through this with the Willis's; is aware of the staff position, but she agrees with what O'Brien said. We are not, without a doubt, sure that the City did not cause the backup; there are too many coincidences; minutes after our jetting the sewer problems began. Council must look at each case individually, on its own merits; she will support.

Mayor McGregor said bad things happen; this is a natural disaster like a flood; circumstances are not unusual in any sewage system. He has been told by our Interim Service Director that there was no negligence on the part of the City; insurance says the same thing; Administration recommends against.

A motion was made that this matter be Adopted. The motion failed by the following vote:

Yes 3 Vice President Stinchcomb, Council Member Kneeland and Council Member O'Brien

No 3 President of Council Payne, Council Member James-Arnold
and Council Member Angelou

Absent 1 Council Member Hogan

J. FIRST READING OF ORDINANCES

K. REPRESENTATIVES

Community Improvement Corporation (CIC) - Kneeland

Kneeland said the next meeting will be June 16th at Creekside or the Old Fire House in case of rain.

Mid-Ohio Regional Planning Commission (MORPC) - Payne

Bd./Ed., Gahanna-Jefferson Public Schools

Gahanna/Jefferson Joint Committee - James-Arnold

L. OFFICIAL REPORTS

Payne said now that the legislation has been passed, Al Groves will be in Gahanna every month for the progress of Creekside. Groves said that Creekside is one of the jewels in his stack of projects; using as an example all over the country; one of the best in the country; congratulations. Payne said this group will do this project. O'Brien thanked Groves for his hospitality when they were in San Antonio; very proud to see mural of Creekside in his building; appreciate what he has done for community.

Angelou said she is amazed at what has been accomplished; very fortunate to have Groves on our team.

Mayor

Mayor said John Bickley, YMCA, would like to come to the June 5th Council meeting.

City Attorney

Weber said he also went to Senate and concurs that Payne did a fine job; went well; still disturbed about the statement about a level playing field; horrendous mistake; township is an inferior form of government; we are a constitutionally established form of government. Weber also addressed the possibility of the Supreme Court abolishing Mayor's courts; magistrates doing Mayor's Court now are doing a great job and it would be a great loss to the local community; Franklin County does not want the municipal courts; will monitor this development and register objections.

M. COUNCIL COMMENT

Angelou said townships are trying to be cities; municipal townships major role is for fire department; Mifflin on the side of the city.

O'Brien addressed e-mail from Kneeland about the vandalism at our Veterans Memorial Park; like to think isolated occurrence not have blatant disregard for those people who defended our country; hurts his heart; must look at legislation with stiff penalties.

N. ADJOURNMENT

8:28 p.m. Motion by Kneeland, seconded by O'Brien.

End of Agenda

DONNA JERNIGAN, CMC/AAE, Deputy Clerk of Council

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

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

Chair Signature