

City of Gahanna

*200 South Hamilton Road
Gahanna, Ohio 43230*



Meeting Minutes

Monday, March 2, 2009

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

7:30 PM

City Hall

City Council

Thomas C. Evers, President of Council

Thomas R. Kneeland, Vice President of Council

Beryl D. Anderson

Shane Ewald

John R. McAlister

Nancy McGregor

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, March 2, 2009, in Council Chambers of City Hall, 200 South Hamilton Road, Gahanna, Ohio. President of Council Thomas C. Evers called the meeting to order at 7:30 p.m. with the invocation delivered by Vice President of Council Kneeland followed by the Pledge of Allegiance led by Boy Scout Mark Anensberg from Troop 365 in Worthington. Agenda for this meeting was published on February 27, 2009.

Members Absent: John McAlister

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

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

Robert Pinckney, Jr., 6630 Estate View Drive, Blacklick, stated he wanted to ask Council about the ongoing epidemic with Gahanna Police Department with racial profiling; wonder how you feel and how you will address that issue. Evers asked if he could be more specific. Pinckney stated he has been out here since 1988 and have had several incidents; police will follow you from one side of Gahanna to another; went to police station but it just seems like it is an ongoing problem; any insight into what is going on in that situation. Evers stated we don't condone any type of racial profiling; suggest you give some sort of specific example; saw you talking to Chief; at this point feel it would be best to huddle with Chief and go through this with him. Pinckney stated there was a specific incident in 2007 on Christmas; license was suspended; car was parked and as I was going towards my vehicle, Gahanna Police Department ran my plates; know I was in the wrong and took care of it; the end result was a jaywalking ticket; on February 25 around 2:00 was followed from west side clear across town; went to Police Department but they wouldn't let me file a complaint; said talk to prosecutor which I did and he said file a complaint with Franklin County; did go to Franklin County but they wouldn't handle and said I needed to come back to Gahanna; still got run around; believe I spoke with Mr. Williams but I don't remember the officer's name; my next step was to come to you and see if this is an epidemic; if that's not the case then I need to talk to Franklin County again. Evers stated Mr. Pinckney is the first individual in my 5-1/2 years to come forward with this complaint; my suggestion would be to ask you to spend some time with the Chief so he can investigate and report back to us. Pinckney stated he would do that; just wanted to see what you think about the situation. Samuel asked for clarification on the time of the last incident. Pinckney stated it was 2:00 p.m. Stinchcomb stated the Gahanna Police Department does answer to me; have no record of your talking to Mayor's office; need time and date specific instances; for the record, if an individual can't file a complaint or is unable or unwilling to file a complaint they should come here and see me; don't know why you were sent to Franklin County; will research that. Pinckney thanked Council for their time.

Anderson stated that for the record Police Department is great; will say that I have gotten calls from African Americans; tell them to follow the methodology that Mayor has shared; can't speak to the issue; is a process to go through and underscore what Mayor has said; will say to you that whatever is going on document, write it down, document and go through the process and talk to the Mayor; if you don't feel comfortable talking to Police Department then follow through with the Mayor. McGregor stated husband was Mayor here for years; were times in the past where people came forward and complained; but in the 5-1/2 years I've been on Council not

aware of this issue; had meeting in my home when husband was Mayor for people who had several issues; since they worked that out at that time have not heard anything since; is better than it was; do need to look into it.

Windy McKenna, Gahanna Jefferson Board of Education, stated it was good to be back; February board meeting was so long ago just want to update you on what has gone on since then; on February 21, Power of the Pen was held at Middle School South with approximately 15 middle schools there; Claire Yoder and I were part of the judges; is a phenomenal program; New Albany won but we were well represented; Middle School West did a Renaissance recognition program last week; over 1/2 of students at MSW were honored; is based on attendance, attitude and academics; High School will honor their Renaissance recipients on March 13th; March 25th is School Day at the Statehouse; meet with our representatives to discuss education issues; beginning of spring break is March 27; April board meeting is April 9; March board meeting is March 12;. Samuel asked about the sign on the old Kroger. McKenna stated that so many people asked about when we were going to take the building down, some suggested we put sign up to inform people what is going on; believe it says "GJPS supporting our students for the future"; there is one on Hamilton and one on Granville; planning is still going forward. Anderson asked if there was a goal for the fund raiser for March 7. McKenna stated they would like to beat last year which I think was just over \$103,000; we were a little concerned but great auction items coming in. In response to question from Anderson, McKenna stated that auction items should go to Dale Floor; needed to be in by February 28 to be in program; believe tickets are gone for this event.

D. INTRODUCTIONS AND ASSIGNMENT TO COMMITTEE:

Ordinances - To Be Introduced and Assigned to Committee:

Ordinances introduced, by title, by Kneeland.

ORD-0048-2009

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH STANTEC CONSULTING SERVICES, INC., FOR ACQUISITION OF PARCELS FOR RIGHT OF WAY FOR THE EAST JOHNSTOWN ROAD WIDENING PROJECT; IMPROVEMENT NO. ST 840; TO SUPPLEMENTALLY APPROPRIATE \$27,000; AND TO DECLARE AN EMERGENCY.

Introduced

ORD-0049-2009

TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT BETWEEN THE CITY OF GAHANNA DEPARTMENT OF PARKS & RECREATION AND THE GAHANNA PARKS & RECREATION FOUNDATION, INC.

Introduced

ORD-0050-2009

TO AUTHORIZE THE DIRECTOR OF FINANCE TO TRANSFER FUNDS BETWEEN THE HUNTER'S RIDGE POOL APPROPRIATIONS AND THE GAHANNA SWIM CLUB APPROPRIATIONS FOR THE YEAR 2009

Introduced

ORD-0051-2009

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH CLASS ACTS COLUMBUS, INC., TO PROVIDE ENTERTAINMENT FOR THE CITY OF GAHANNA'S 2009 CONCERTS ON THE CREEK.

Introduced

ORD-0052-2009

TO REAUTHORIZE AND CONFIRM THE PLANNED TRANSFERS AS APPROPRIATED IN ORD-0001-2009

Introduced**ORD-0053-2009**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH FUN DAY EVENTS, LLC, FOR INFLATABLE GAMES, ACTIVITIES AND ENTERTAINMENT FOR THE CITY OF GAHANNA'S 2009 FAMILY DAYS.

Introduced**ORD-0055-2009**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH FAHLGREN MORTINE FOR THE PROMOTION AND PUBLICITY OF DOWNTOWN GAHANNA

Introduced, to Committee of the Whole**Statutory Resolutions Requiring Two Readings:****SR-0001-2009**

RESOLUTION TO DECLARE THE NECESSITY AND INTENT TO APPROPRIATE REAL ESTATE FOR RIGHT OF WAY AND TEMPORARY CONSTRUCTION EASEMENT PURPOSES AT 1051 EAST JOHNSTOWN ROAD; RAMI PROPERTIES, LLC; FOR THE EAST JOHNSTOWN ROAD WIDENING PROJECT, IMPROVEMENT NO. ST 840, AND APPURTENANCES THERETO; AND TO DECLARE AN EMERGENCY.

Introduced**SR-0002-2009**

RESOLUTION TO DECLARE THE NECESSITY AND INTENT TO APPROPRIATE REAL ESTATE AT 4427 EAST JOHNSTOWN ROAD; VIRGIE A. EVANGALISTA, TRUSTEE; FOR RIGHT OF WAY PURPOSES AND TEMPORARY CONSTRUCTION EASEMENT FOR THE EAST JOHNSTOWN ROAD WIDENING PROJECT, IMPROVEMENT NO. ST 840, AND APPURTENANCES THERETO; AND TO DECLARE AN EMERGENCY.

Introduced**SR-0003-2009**

RESOLUTION TO DECLARE THE NECESSITY AND INTENT TO APPROPRIATE REAL ESTATE FOR RIGHT OF WAY AND TEMPORARY CONSTRUCTION EASEMENT PURPOSES AT 1075 EAST JOHNSTOWN ROAD; WAGY REAL ESTATE COMPANY; FOR THE EAST JOHNSTOWN ROAD WIDENING PROJECT, IMPROVEMENT NO. ST 840, AND APPURTENANCES THERETO; AND TO DECLARE AN EMERGENCY.

Introduced**SR-0005-2009**

RESOLUTION TO DECLARE THE NECESSITY AND INTENT TO APPROPRIATE REAL ESTATE FOR TEMPORARY CONSTRUCTION EASEMENT AT 1085 EAST JOHNSTOWN ROAD; STONEY MEMORIAL LTD; FOR THE EAST JOHNSTOWN ROAD WIDENING PROJECT, IMPROVEMENT NO. ST 840, AND APPURTENANCES THERETO; AND TO DECLARE AN EMERGENCY.

Introduced**SR-0006-2009**

RESOLUTION TO DECLARE THE NECESSITY AND INTENT TO APPROPRIATE REAL ESTATE FOR TEMPORARY CONSTRUCTION EASEMENT AT 1101 EAST JOHNSTOWN ROAD; RL&A REAL ESTATE LTD; FOR THE EAST JOHNSTOWN ROAD WIDENING PROJECT, IMPROVEMENT NO. ST 840, AND APPURTENANCES THERETO; AND TO DECLARE AN EMERGENCY.

Introduced**SR-0007-2009**

RESOLUTION TO DECLARE THE NECESSITY AND INTENT TO APPROPRIATE REAL ESTATE FOR TEMPORARY CONSTRUCTION EASEMENT AT 1068 CANNONADE COURT; GARRY DEWITT; FOR THE EAST JOHNSTOWN ROAD

WIDENING PROJECT, IMPROVEMENT NO. ST 840, AND APPURTENANCES THERETO; AND TO DECLARE AN EMERGENCY.

Introduced

SR-0008-2009

RESOLUTION TO DECLARE THE NECESSITY AND INTENT TO APPROPRIATE REAL ESTATE FOR TEMPORARY CONSTRUCTION EASEMENT AT 4410 EAST JOHNSTOWN ROAD; GAHANNA CHURCH OF CHRIST; FOR THE EAST JOHNSTOWN ROAD WIDENING PROJECT, IMPROVEMENT NO. ST 840, AND APPURTENANCES THERETO; AND TO DECLARE AN EMERGENCY.

Introduced

SR-0009-2009

RESOLUTION TO DECLARE THE NECESSITY AND INTENT TO APPROPRIATE REAL ESTATE FOR TEMPORARY CONSTRUCTION EASEMENT AT 628 ROSE WAY; WOODS AT ROSE RUN HOME OWNERS ASSOCIATION; FOR THE EAST JOHNSTOWN ROAD WIDENING PROJECT, IMPROVEMENT NO. ST 840, AND APPURTENANCES THERETO; AND TO DECLARE AN EMERGENCY.

Introduced

E. CONSENT AGENDA:

Minutes - To Approve:

2009-0001

1) February 17, 2009 Regular Meeting Minutes

This Matter was Approved, on the Consent Agenda.

Ordinance: Introduce, Waive Second Reading , Adopt:

ORD-0054-2009

SUPPLEMENTAL APPROPRIATION - IT, Capital/Encryption Software

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

Statutory Resolution: Introduce, Waive Second Reading, Adopt as Emergency:

SR-0004-2009

AUTHORIZING THE USE OF A PORTION OF THE PROCEEDS OF BONDS OF THE CITY, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$502,150, TO REIMBURSE THE CITY'S GENERAL FUND FOR MONEYS PREVIOUSLY ADVANCED FOR THE PURPOSE OF PAYING A PORTION OF THE COST OF ACQUIRING FROM STONEHENGE LAND COMPANY APPROXIMATELY 5.60 ACRES OF REAL PROPERTY LOCATED ON NORTH HAMILTON ROAD; 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-0036-2009

TO AUTHORIZE THE MAYOR TO ENTER INTO SHARED USE AGREEMENT WITH THE VILLAGE OF NEW ALBANY FOR PARTNERSHIP TO EXTEND THEIR FIBER OPTIC SYSTEM INTO THE ONLINE COMPUTER LIBRARY CENTER, INC.

This Matter was Adopted on the Consent Agenda.

ORD-0037-2009

TO ACCEPT DEED OF EASEMENT FOR A BIKE PATH ALONG MORRISON ROAD; FROM COLUMBUS SOUTHERN POWER COMPANY; AND TO DECLARE AN EMERGENCY.

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

ORD-0038-2009

AN ORDINANCE DECLARING THE OFFICIAL INTENT AND REASONABLE EXPECTATION OF THE CITY OF GAHANNA ON BEHALF OF THE STATE OF OHIO TO REIMBURSE ITS ISSUE II FUND FOR THE US 62 AND STYGLER ROAD IMPROVEMENTS (OPWC PROJECT #CC15M AND CC16M) WITH THE PROCEEDS OF TAX EXEMPT DEBT OF THE STATE OF OHIO; AND TO DECLARE AN EMERGENCY.

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

ORD-0039-2009

AN ORDINANCE DECLARING THE OFFICIAL INTENT AND REASONABLE EXPECTATION OF THE CITY OF GAHANNA ON BEHALF OF THE STATE OF OHIO TO REIMBURSE ITS ISSUE II FUNDS FOR THE US 62 ROADWAY IMPROVEMENTS (OPWC PROJECT # CC01L/CC02L) WITH THE PROCEEDS OF TAX EXEMPT DEBT OF THE STATE OF OHIO; AND TO DECLARE AN EMERGENCY.

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

ORD-0040-2009

TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH THE FRANKLIN COUNTY BOARD OF ELECTIONS FOR USE OF CITY PROPERTY AS POLLING LOCATIONS FOR THE YEAR 2009; AND TO DECLARE AN EMERGENCY.

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

ORD-0041-2009

TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT BETWEEN THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION AND THE CITY OF GAHANNA TO CONSTRUCT THE TECHCENTER DRIVE BRIDGE OVER IR-270.

This Matter was Adopted on the Consent Agenda.

ORD-0043-2009

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

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

ORD-0044-2009

TO ACCEPT A RECREATIONAL PATH EASEMENT FOR PROPERTY LOCATED ON A PORTION OF 85 SOUTH HIGH STREET FROM RICHARD A. AND JULIA A. WINNESTAFFER

This Matter was Adopted on the Consent Agenda.

ORD-0045-2009

TO ACCEPT A WARRANTY DEED FOR PROPERTY LOCATED ON NORTH HAMILTON ROAD FOR RETENTION BASIN AND PARK PURPOSES; FROM STONEHENGE LAND COMPANY

This Matter was Adopted on the Consent Agenda.

ORD-0046-2009

TO ACCEPT A DEED OF FIDUCIARY FOR PROPERTY LOCATED TO THE REAR OF 496 EAST JOHNSTOWN ROAD FOR PARK PURPOSES FROM THE ESTATE OF MARTHA JUNE LEPERA

This Matter was Adopted on the Consent Agenda.

ORD-0047-2009

TO ACCEPT A WARRANTY DEED FOR PROPERTY LOCATED ON NORTH HAMILTON ROAD FOR RIGHT OF WAY PURPOSES; FROM STONEHENGE LAND COMPANY

This Matter was Adopted on the Consent Agenda.

Resolutions to Adopt on First Reading:

RES-0009-2009 TO HONOR AND COMMEND THE GAHANNA NOON LIONS CLUB.

This Matter was Adopted on the Consent Agenda.

RES-0010-2009 TO HONOR AND COMMEND THE BRIDGE OF GAHANNA.

This Matter was Adopted on the Consent Agenda.

Motion Resolution:

MR-0010-2009 Motion Resolution to authorize the Director of Public Service to go out for bids for the East Johnstown Road Project; Improvement No. ST 840; to widen East Johnstown Road from Beecher to YMCA Place.

This Matter was Approved on the Consent Agenda.

MR-0011-2009 Motion Resolution to authorize the Mayor to enter into amended Community Reinvestment Area Agreement with JCS Property Management, LLC for property located at 735 Cross Pointe Road; parcel number 025-012068; previously approved as JCS Investments/Titan Electric by MR-0067-2007 for parcel number 025-13287

This Matter was Approved on the Consent Agenda.

MR-0012-2009 Motion Resolution to authorize the Mayor to enter into amended Community Reinvestment Area Agreement with R&K Investments, Inc. and Heat Treating Inc. for property located at 655 Cross Pointe Road; parcel number 025-013186; previously approved as R&K Investments, Inc. and Heat Treating Inc. by MR-0012-2008 for parcel number 025-13287.

This Matter was Approved on the Consent Agenda.

Passed The Consent Agenda

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

Absent **1** McAlister

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

End of the Consent Agenda

Samuel stated that all we hear lately is negative news; tonight we have some good news; presenting resolutions to two organizations who are stepping forward to help those in need; several other volunteer organizations are in town; tonight we recognize two new organizations; prime examples of the old slogan "when the going gets tough, the tough get going".

Samuel read the Lions Club resolution and it was presented to Robert Cotner President of the Noon Lions Club. Cotner stated they were looking forward to working with the City; appreciate this very much.

Samuel read resolution for the Bridge of Gahanna and presented the resolution to Steve Heilkema, Director. Heilkema stated Samuel is one of their Board members; started out

with churches wanting to play a larger role and coming along side of people in need; has spread to schools, civic associations, etc.; we are the point of contact according to our gifts and abilities; touch people's lives; appreciate this very much; real privilege to live here in Gahanna. Anderson asked how they advertised so people know that you exist; sometimes it is the neighbor down the street; people who don't know to call 211. Heilkema stated that it is an important aspect to get up and running and now it is primarily through our churches; for so many years each church would address a person's need but did not have a full scope of services; weren't aware of what other churches could offer; this is a pooling of those resources; it is a resource inventory; tool by which we can find resources; will have information go out to schools, civic agencies, churches, etc.; will be doing some advertising and some fund raising so people can be aware of us and we can build recognition through contacts and advertising and people who care; but initially it is through churches; talking tonight with Lions Club as to what they can provide; will be advertising through the community; as they come with assistance needs, the word will get out; Anderson asked what was the best place at this point in time to reach someone. Heilkema stated Walnut Creek Presbyterian Church has provided me space to work this; can reach me there or at website listed on literature; appreciate your questions.

Evers thanked Samuel for bringing these resolutions forward.

F. PUBLIC HEARINGS: None.

G. STANDING COMMITTEES:

Development & Parks Committee - McAlister: No Report.

Public Service & Safety Committee - McGregor: No Report.

Committee of the Whole - Kneeland: No Report.

Finance - Ewald: No Report.

H. CORRESPONDENCE AND ACTIONS:

Clerk - Legal: : No Report.

Council:

Anderson acknowledged receipt of information from Womens' Fund of Central Ohio for an event on February 10; also received follow up letter; group does focus on girls and development of girls; will pass along future information.

I. SECOND READING OF ORDINANCES: None.

J. FIRST READING OF ORDINANCES: None.

K. MOTIONS/RESOLUTIONS: None.

L. REPRESENTATIVES:

Community Improvement Corporation (CIC) - Evers/Kneeland:

Kneeland stated meeting is at 5:30 p.m. in Finance Conference Room tomorrow.

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

McGregor stated meeting is on March 12th.

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

Clerk stated Kneeland will cover the March meeting.

M. OFFICIAL REPORTS:

Mayor: No Report.

City Attorney: No Report.

N. COUNCIL COMMENT:

McGregor stated she wished to extend condolences to the family of John Vosler, a former employee, on his death.

Anderson stated she forgot to mention under correspondence the notice from SWACO regarding the community meeting on May 12. Emery stated we typically arrange a table for that event; suggest Council notify Clerk if you are interested and we will arrange a table.

Ewald stated it is tax time; hope everyone is set to submit money to federal government; have been listening to radio and talked to my accountant; through the stimulus package, tax rates are not going to be adjusted; there will be an adjustment in withholding; is a tax credit not tax cut; be aware you will be held responsible next year; also Gahanna has applied for targeted funding from stimulus package; web site is recovery.ohio.gov; have applied for particular projects in infrastructure and we need to make sure there are no additional strings attached. Stinchcomb stated we submitted 22 projects.

Samuel stated there is more good news; commend our Development Department and White and Jones; this past week attended a program sponsored by BIA at which Bill LaFayette, an economist, echoed some of the things we are doing right here in Gahanna; some of the things he talked about were arts, entertainment and tourism; stated our midwestern modesty does us no favor; we have more tourism opportunities than we recognize; outlined important industries; aviation was also mentioned; lot of things going on and our brownfields development was also mentioned; congratulations.

Kneeland stated the 22 projects submitted from administration total about \$59 million worth of projects; makes me sit back and notice these projects are not things that are want to have but are got to have and we have to figure out how to make these happen if the stimulus money is not available; will have to do some soul searching.

Evers thanked Anensberg for coming in and leading us in the Pledge of Allegiance; echo McGregor's comment; have a number of city employees who lost family members this last week; condolences to Mumma, Little and McAlister families.

O. EXECUTIVE SESSION:

A motion was made by Anderson, seconded by Samuel, to go into Executive Session under authority of Section 5.40(a) of the Council Rules of Procedure to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee, official, licensee or regulated individual unless such public employee, official, licensee or regulated individual requests a public hearing.. The motion carried by the

following vote:

Yes	6	President of Council Evers, Vice President of Council Kneeland, McGregor, Ewald, Anderson and Samuel
Absent	1	McAlister

Council rose to Executive Session at 8:08 p.m. Council rose to report from Executive Session at 8:37 p.m. with all members in attendance returning to the dais.

P. ADJOURNMENT: 8:38 p.m. - Motion by Kneeland.

Donna L. Jernigan, MMC
Senior Deputy Clerk of Council

*APPROVED by the City Council, this
day of 2009.*

Nancy R. McGregor