

# **City of Gahanna**

*200 South Hamilton Road  
Gahanna, Ohio 43230*



## **Meeting Minutes**

**Monday, March 16, 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 16, 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 an invocation asking for our thoughts and prayers for Mayor Stinchcomb's family on the loss of her father and the Schirtzinger family on the loss of retired Gahanna Police Officer Roger F. Schirtzinger, Jr. Invocation was given by Vice President Kneeland followed by the Pledge of Allegiance. Agenda for this meeting was published on March 13, 2009.

**Members Absent:** Beryl D. Anderson

**Members Present:** Thomas C. Evers, Thomas R. Kneeland, Nancy R. McGregor, Shane W. Ewald, John McAlister and David L. Samuel

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**B. ADDITIONS OR CORRECTIONS TO THE AGENDA:**

Motion by McAlister, seconded by Kneeland, to move ORD-0067-2009 to the regular agenda under First Reading of Ordinances. ROLL CALL: Voting yes: McAlister, Kneeland, Ewald, McGregor, Samuel, Evers. Motion carried.

**C. HEARING OF VISITORS:**

Jocele Fahnestock, MMC, Clerk of Council, City of Sidney, Ohio, and Past President of the Ohio Municipal Clerks Association presented the Master Municipal Clerk designation to Donna Jernigan. Assisting in the presentation was Carlene Koch, CMC, Clerk of Council, City of Wapakoneta, Ohio. Fahnestock stated many things are needed to become a Master Municipal Clerk; must be an active member of IIMC; already had to have received CMC; need to earn 80 points with 60 of them in education and to show you how difficult that can be - it is basically 1 point for every 2 hours of class; can be distance education; can be a related field of education; must attend an institute every year towards this education; ours is run through Kent State University; also need 20 points in professional and social category; chair of an OMCA committee gets you a point; attendance at various meetings earns you a point; personal accomplishments that will benefit the profession; can see that it takes a long time to get 20 points; along with application Jernigan had to submit a written plan for lifelong learning; this accomplishment doesn't mean she's done learning; constantly have to strive for more; takes a minimum of 11 years; is something you have to work at and it takes a lot of determination on the part of the clerk; however, this achievement can only be obtained through your support to take the education she needs to have; needs the support of Council to take an office in OMCA; also takes the support of spouse, family and friends; what will you get; education benefits Council and the community; education reflects in her job performance; it raises the standard of the profession; gives standing in the community; there are 339 clerks in the State of Ohio; of those, 101 have received their first level of CMC; only 28 to date have received their MMC; the Master Municipal Clerk designation is a prestigious honor for Donna, this community, and Council. Fahnestock presented the plaque to Jernigan and pinned the MMC pin on. Jernigan thanked Council for their continuing support in furthering our education; thank Sherwood for working things out in the office so I was able to pursue; we are the only community in Ohio to have two MMC's. Evers thanked Fahnestock and Koch for making the trip; Council is proud of Jernigan and her accomplishments; note that less than 10% in the state have their MMC's and we have two here in Gahanna.

Windy McKenna, Gahanna Jefferson Board of Education, stated Chapelfield students were present; was very entertaining; showed a cup stacking exercise they work on; gave

it to us to do also and luckily they didn't time us; was just amazing to see how fast they moved; MSW presented a program on West Buds which helps school be a friendlier place; kids connect for school activities; Dale Foor was there to give us report on education foundation; thank you for your support; was a great time; about \$90,000 was raised; very pleased; not quite as much as last year but we expected that; start planning for next year tomorrow; event will be March 6, 2010; accepted 4 retirement resignations at board meeting for a total of 134 years of experience as educators; last Friday was the High School Renaissance program; next week is Statehood Day at the statehouse; spring break is coming up; next meeting is April 9th.

## **D. INTRODUCTIONS AND ASSIGNMENT TO COMMITTEE:**

### **Ordinances - To Be Introduced and Assigned to Committee:**

Ordinances introduced, by title, by Kneeland.

#### **ORD-0056-2009**

TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH WOOLPERT, INC., FOR THE IMPLEMENTATION OF THE CITY'S NPDES STORM WATER SMALL MS4 PHASE II PROGRAM FOR 2009; AND TO DECLARE AN EMERGENCY.

**Introduced**

#### **ORD-0057-2009**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH PLAYWORLD MIDSTATES, INC., FOR PHASE 1 OF THE HANNAH FARMS PARK PLAYGROUND; AND TO DECLARE AN EMERGENCY.

**Introduced**

#### **ORD-0058-2009**

TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH STANTEC CONSULTING SERVICES FOR ACQUISITION OF CONSTRUCTION EASEMENTS FOR THE CONSTRUCTION OF THE PRICE ROAD SANITARY SEWER PROJECT; IMPROVEMENT NO. SA 933; TO SUPPLEMENTALLY APPROPRIATE \$5,500; AND TO DECLARE AN EMERGENCY.

**Introduced**

#### **ORD-0059-2009**

TO AUTHORIZE THE MAYOR TO ENTER INTO PURCHASE AGREEMENT WITH CENTURY EQUIPMENT FOR PURCHASE OF A TORO GROUNDSMASTER 4770-D MOWER FROM THE STATE CONTRACT; TO SUPPLEMENTALLY APPROPRIATE \$54,835; AND TO DECLARE AN EMERGENCY.

**Introduced**

#### **ORD-0060-2009**

TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH LOTH FOR THE PURCHASE AND INSTALLATION OF NEW WORKSTATIONS FOR THE MAYOR'S COURT OFFICE.

**Introduced**

#### **ORD-0061-2009**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH LTC CLUB OPERATIONS CITY, INC., FOR RIGHTS AND PRIVILEGES OF GAHANNA SWIM CLUB MEMBERSHIP FOR THE YEAR 2009.

**Introduced**

#### **ORD-0062-2009**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH W.E. STILSON CONSULTING GROUP FOR ENGINEERING SERVICES FOR SPEED STUDY FOR HAMILTON ROAD FROM MORRISON ROAD TO SOUTH CORPORATE LIMIT; AND TO DECLARE AN EMERGENCY.

**Introduced****ORD-0063-2009**

TRANSFER OF FUNDS - Gahanna Swim Club, Hunters Ridge Pool and Golf Course

**Introduced****ORD-0064-2009**

TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH THE COMMUNITY IMPROVEMENT CORPORATION (CIC) FOR THE YEAR 2009

**Introduced****ORD-0065-2009**

TO AUTHORIZE THE MAYOR TO ENTER INTO OHIO PUBLIC WORKS COMMISSION PROJECT AGREEMENT GRANT/LOAN STATE CAPITAL IMPROVEMENT PROGRAM FOR THE US 62 AND STYGLER ROAD IMPROVEMENTS; CC15M/CC16M; IMPROVEMENT NO. 935; AND TO DECLARE AN EMERGENCY.

**Introduced****ORD-0066-2009**

TO ACCEPT DEED OF EASEMENT FROM THE OHIO DEPARTMENT OF TRANSPORTATION FOR 3.057 ACRE PARCEL ALONG HAMILTON ROAD AND PIZZURRO PARK DRIVE USED IN CONNECTION WITH THE CONSTRUCTION OF INTERSTATE ROUTE 270 AND PIZZURRO PARK DRIVE; AND TO DECLARE AN EMERGENCY.

**Introduced****ORD-0068-2009**

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH ADVANCED CIVIL DESIGN FOR ENGINEERING DESIGN FOR A RECREATION TRAIL FROM TECHCENTER DRIVE EAST TO TAYLOR ROAD AT RICE AVENUE; AND TO DECLARE AN EMERGENCY.

**Introduced****ORD-0069-2009**

TO REZONE 190.3+/- ACRES AS L-M1, LIMITED OVERLAY, MANUFACTURING; FOR PROPERTY BOUNDED BY TAYLOR ROAD, MORRISON ROAD, CLAYCRAFT ROAD AND SCIENCE BLVD.; KNOWN AS CENTRAL PARK; VALUE RECOVERY GROUP II, LLC; DWIGHT MCCABE APPLICANT.

**Introduced, to Finance Committee****ORD-0070-2009**

TO ZONE 3.9+/- ACRES MORE OR LESS, AS ER-2, ESTATE RESIDENTIAL; ZONING PURSUANT TO SECTION 1133.08 OF THE CODIFIED ORDINANCES OF GAHANNA; FOR PROPERTY LOCATED AT 4705 EAST JOHNSTOWN ROAD; EDWARD J. DOERSAM, OWNER.

**Introduced, to Development & Parks****ORD-0072-2009**

TO ZONE 6.3+/- ACRES MORE OR LESS, AS ER-1, ESTATE RESIDENTIAL; ZONING PURSUANT TO SECTION 1133.08 OF THE CODIFIED ORDINANCES OF GAHANNA; FOR PROPERTY LOCATED AT 3891 CLOTTS ROAD; BILLY G. & VANIETA DECKER, OWNERS.

**Introduced, to Development & Parks****ORD-0073-2009**

TO ZONE 1.5+/- ACRES, MORE OR LESS, AS ER-2, ESTATE RESIDENTIAL; ZONING PURSUANT TO SECTION 1133.08 OF THE CODIFIED ORDINANCES OF GAHANNA; FOR PROPERTY LOCATED AT 4301 JOHNSTOWN ROAD; MIFFLIN TOWNSHIP, OWNER.

**Introduced, to Development & Parks****ORD-0074-2009**

TO ACCEPT MONIES FROM THE FEDERAL EMERGENCY MANAGEMENT

AGENCY (FEMA) FOR THE SEPTEMBER 2008 WIND STORM; AND TO SUPPLEMENTALLY APPROPRIATE \$74,816.

**Introduced, to Regular Agenda**

**ORD-0075-2009**

AMENDING ORDINANCES NO. ORD-0095-2007 AND ORD-0098-2007 TO REALLOCATE THE USE OF CERTAIN UNSPENT PROCEEDS OF THE CITY'S VARIOUS PURPOSE BONDS, SERIES 2007.

**Introduced**

**Statutory Resolutions Requiring Two Readings:**

**SR-0010-2009**

RESOLUTION TO DECLARE THE NECESSITY AND INTENT TO APPROPRIATE REAL ESTATE FOR PERMANENT EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT AT 52 PRICE ROAD; TERRY G. AND AMELIA A. MCCLARY; FOR THE PRICE ROAD SANITARY SEWER PROJECT; IMPROVEMENT NO. SA 933, AND APPURTENANCES THERETO; AND TO DECLARE AN EMERGENCY.

**Introduced**

**SR-0011-2009**

RESOLUTION TO DECLARE THE NECESSITY AND INTENT TO APPROPRIATE REAL ESTATE FOR PERMANENT EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT AT 72 PRICE ROAD; ALEXANDER L. AND POLINA A. SADIKOV; FOR THE PRICE ROAD SANITARY SEWER PROJECT; IMPROVEMENT NO. SA 933, AND APPURTENANCES THERETO; AND TO DECLARE AN EMERGENCY.

**Introduced**

**E. CONSENT AGENDA:**

**Minutes - To Approve:**

**2009-0001**

- 1) March 16, 2009 Regular Meeting Minutes
- 2) March 23, 2009 Special Meeting Minutes

**This Matter was Approved, on the Consent Agenda.**

**Ordinance: Introduce, Waive Second Reading, Adopt as Emergency:**

**ORD-0071-2009**

TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH WOOLPERT, INC., FOR THE ACQUISITION OF AERIAL PHOTOGRAPHY; TO SUPPLEMENTALLY APPROPRIATE FUNDS THEREFOR; 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-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.

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

**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.

**This Matter was Adopted on the Consent Agenda.**

**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

**This Matter was Adopted on the Consent Agenda.**

**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.

**This Matter was Adopted on the Consent Agenda.**

**ORD-0052-2009**

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

**This Matter was Adopted on the Consent Agenda.**

**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.

**This Matter was Adopted on the Consent Agenda.**

**Resolutions to Adopt on First Reading:**

**RES-0011-2009**

TO HONOR AND COMMEND CAMILLE MANCUSO FOR PLAYING THE STAR ROLE IN THE NATIONWIDE PRODUCTION OF CHITTY CHITTY BANG BANG.

**This Matter was Adopted on the Consent Agenda.**

**Statutory Resolutions on Second Reading:**

**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.

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

**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.

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

**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.

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

**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.

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

**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.

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

**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.

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

**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.

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

**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.

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

**Motion Resolution:**

**MR-0013-2009**

Motion Resolution to confirm the appointment of the Municipal Fire Inspectors as the Fire Chief of Mifflin Township, L. James DeConnick and, for those areas of Gahanna served by the Jefferson Township Fire Department, Fire Chief of Jefferson Township, Dale Ingram, for the period April 1, 2009 through March 31, 2010.

**This Matter was Approved on the Consent Agenda.**

**MR-0014-2009**

Motion Resolution that this Council has no objection to the transfer of the D1, D2 and D3 Liquor permit from Casa Gahanna LLC, 93 North High Street, Gahanna, Ohio 43230, to Sonora Investments, LLC, DBA El Alcapulco, 93 North High Street, Gahanna, Ohio 43230.

**This Matter was Approved on the Consent Agenda.**

**MR-0015-2009**

Motion Resolution to authorize the expenditure of funds appropriated for card readers to be used for thumb scanners; said funds appropriated in 2009 appropriations as follows:

\$2,500 to Account No. 101.438.5512, Hunters Ridge Capital; \$2,500 to Account No. 101.440.5512, Gahanna Swim Club Capital; and \$2,500 to Account No. 101.433.5512, Golf Course Capital.

**This Matter was Approved on the Consent Agenda.**

### Passed The Consent Agenda

**A motion was made by Vice President of Council Kneeland, seconded by Samuel, 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 Evers, Vice President of Council Kneeland, McGregor, Ewald, McAlister and Samuel

**Absent     1**    Anderson

### End of the Consent Agenda

### Presentation of Resolution to Camille Mancuso:

John McAlister requested that Camille Mancuso sing a portion of the National Anthem she will be performing at a major league baseball game in June. McAlister then presented to Camille Mancuso, and the Mancuso Family, a resolution commending Camille for her starring role in the national production of Chitty Chitty Bang Bang.

## F. PUBLIC HEARINGS:

President read public hearing rules that would govern all public hearings this evening.

### Z-0001-2009

To consider a zoning application to rezone 190.3 acres of property bounded by Taylor Road, Morrison Road, Claycraft Road and Science Blvd., known as Central Park of Gahanna; current zoning M-1 Manufacturing; requested zoning as L-M1, Limited Overlay, Manufacturing; Value Recovery Group II, LLC; Dwight McCabe, applicant.

Sadicka White, Director of Development, stated that what you have before you has gone to Planning Commission and has a favorable recommendation for an overlay for the property at Central Park and Science Blvd.; soon having its grand opening of Tartan Fields; asking for this overlay to be placed on current M-1 zoning for this area; is appropriate for the particular area; majority of area includes M-1 and we are seeking to incorporate various types of businesses and standards thus associated in order to develop a healthy balanced economy; will allow businesses to thrive in the area; standards in limited overlay exceed those we currently have under M-1; asking that office use be a permitted use in this area as opposed to conditional use; we support that; Planning Commission also felt that was appropriate; fiscal impact shows this as highest and best uses for this area; overall emphasis is to improve the development types and uses to predominantly more office oriented with some warehouse and manufacturing ; would be higher controls and construction materials; in order to increase and improve the overall development area did indicate that the Development Department was in favor; came with a positive recommendation from Planning Commission.

President opened the Public Hearing at 7:54 p.m. and asked for proponents.

Dwight McCabe, stated he was a principal with McCabe Companies, 919 Old Henderson Road, Columbus, OH 43221; here tonight representing a group that owns the land, Value Recovery Group II, as well as the Central Ohio Community Improvement Corporation which joins in this request; they own the golf course and VRG owns the rest; displayed map on screen and all the land that is colored is part of

the application and encompasses the buildable area; there are some common areas associated with right of way etc. which are in orange; dark green is dedicated conservation area; aim had been to wait for the OCT code to be completed; however, we have some users who are looking at a timetable going faster than the OCT code was going; we chose to go ahead and do the overlay; intentions are to tighten the zoning in that region; not all of that area is included; not intended to be exclusive but an upgrade for the prospects of users there and that the property will end up increased in value; some of the points; interested in the overlay eliminating some certain users; want to allow certain users compatible with but are not permitted currently; also wanted to sustain design; aim towards some initiatives there with tightening up standards; have more buildings that are designed 360 degrees; tighten up on landscaping and connect those better; wanted to tighten the site standards and be compatible with airport; wanted to clarify some of the setback requirements; this is an overall objective of Central Park; wanted to create as dense a development as we can by setting achievable standards with lots of green space; do want to mention the activity occurring right now; express some shared vision as to where things are; first thing is the Clean Ohio Conservation Fund grant; dark zone on the map is in the process of being put under contract by the City of Gahanna with the support of the Clean Ohio grant; overlay text brings tightened controls; deed restrictions are being put in place that will tighten down even further; will be pristine space; some additional rights of way are in process by completing a dedication plat; newly constructed rights of way are being finalized to be transferred to the city; several users we have contracts exchanged and are ready to move forward; site #11 for 6.5 acres was awaiting this zoning approval; one last step on that site with the EPA; our obligation to them; 2.5 acre site on TechCenter we have waiting on this; strong interest on site 2 as well; there is activity; happy to be getting into position to move forward; did want to mention that we were aware of our neighbors; talked to many of our neighbors who are in support; thought that was a terrific thing; attended Connect meeting and had a lot of positive input; met a number of businesses in the area; appreciate that.

Chair asked for opponents. There were none.

Chair closed Public Hearing at 8:01 p.m. and assigned this item to Finance Committee.

**Heard in Public Hearing**

**Z-0003-2009**

To consider a recommendation to Council on an initial zoning for 3.9 acres annexed to the City of Gahanna; initial zoning of ER-2, Estate Residential 2; for property located at 4705 E. Johnstown Road; Edward J. Doersam, owner.

President opened the Public Hearing at 8:02 p.m.

Isobel Sherwood, Clerk of Council, stated this zoning was being brought forward under the terms of Section 1133.08 of the codified ordinances; property was annexed in 2008 and no zoning application was filed; appropriate zoning per the Planning & Zoning Administrator is ER-2; Planning Commission recommended this zoning out of their meeting held February 11, 2009.

President closed Public Hearing at 8:03 p.m. and assigned to Development & Parks Committee.

**Heard in Public Hearing**

**Z-0004-2009**

To consider a recommendation to Council on an initial zoning for 6.3 acres annexed to the City of Gahanna; initial zoning of ER-1, Estate Residential 1; for property located at 3891 Clotts Road; Billy G. & Vanieta Decker, owners.

President opened the Public Hearing at 8:04 p.m.

Isobel Sherwood, Clerk of Council, stated this zoning was being brought forward under the terms of Section 1133.08 of the codified ordinances; property was annexed in January and no zoning application was filed; appropriate zoning per the Planning & Zoning Administrator is ER-1; Planning Commission recommended this zoning out of their meeting held February 11, 2009.

President closed Public Hearing at 8:05 p.m. and assigned to Development & Parks Committee.

**Heard in Public Hearing**

**Z-0005-2009**

To consider a recommendation to Council on an initial zoning for 1.5 acres annexed to the City of Gahanna; initial zoning of ER-2, Estate Residential 2; for property located at 4301 Johnstown Road; Mifflin Township, owner.

President opened the Public Hearing at 8:06 p.m.

Isobel Sherwood, Clerk of Council, stated this zoning was being brought forward under the terms of Section 1133.08 of the codified ordinances; property was annexed in late 2007 or early 2008 and no zoning application was filed; appropriate zoning per the Planning & Zoning Administrator is ER-2; Planning Commission recommended this zoning out of their meeting held February 11, 2009.

President closed Public Hearing at 8:07 p.m. and assigned to Development & Parks Committee.

**Heard in Public Hearing**

**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:**

Ewald stated that Isler handed him the Kiplinger Tax Letter of Feb. 20 which talks about the credit that President put forward; accelerated time table on the reduced withholding; should result in an extra \$10 to \$20 per week; not a tax break; is an adjustment of withholding. Isler stated there will be a credit on next year's return; won't change; no repayment.

**H. CORRESPONDENCE AND ACTIONS:**

**Clerk - Legal: None.**

**Council:**

McAlister acknowledged receipt by all of Council of an e-mail from Donald G. Miller regarding the Police Department; just wanted to acknowledge receipt. Evers stated he has spoken to the Chief regarding this and Council will be receiving a summary from the Department.

**I. SECOND READING OF ORDINANCES:**

## Ordinances Reported Out of Committee:

### ORD-0055-2009

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

Samuel stated he would like to see this go back to committee; my concerns deal with several items; we already have expertise to deal with this rather than getting a consultant; in looking at proposal feel there are some objectives that are not clear; where will we go after findings; may be that the cart is before the horse; why can't we use civic groups already in place like the Development Department, our new PIM, Chamber of Commerce, Olde Gahanna Community Partnership; Connect and CVB; one of the job descriptions for the PIM is to work with promoting Gahanna; wondering how do they feel; were they contacted; need to find out more from those folks; may be worthwhile and know there are a lot of good intentions; just would like to see more information; looking in Public Management Journal there is an article about McKinney, TX, which is similar to us; they are a small suburb of Dallas and they are growing; they just hired a Director of Communications and Marketing; another city described it as the hub of a spoke and are taking a lead on their marketing; have a counter proposal; won't go in to detail tonight; will present to committee; just want to plan this out and make sure we are not spinning our wheels

**A motion was made by Vice President of Council Kneeland, seconded by Ewald, that this matter be Postponed to Date Certain to the Finance Committee. The motion carried by the following vote:**

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

## J. FIRST READING OF ORDINANCES:

### ORD-0067-2009

TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE FRANKLIN COUNTY BOARD OF COMMISSIONERS FOR THE PURPOSE OF A FUTURE ACCEPTANCE OF AN AWARD TO PURCHASE MOTOROLA 800 MHZ INTEROPERABLE RADIO COMMUNICATIONS EQUIPMENT; AND TO DECLARE AN EMERGENCY.

#### **Introduced**

**A motion was made by Vice President of Council Kneeland, seconded by Ewald, that this matter be Introduced, Second Reading Waived. The motion carried by the following vote:**

<b>Yes</b>	<b>5</b>	President of Council Evers, Vice President of Council Kneeland, McGregor, Ewald and Samuel
<b>No</b>	<b>1</b>	McAlister
<b>Absent</b>	<b>1</b>	Anderson

McAlister stated that certainly the primary function of local government is to protect our rights; police need equipment to do that; only objection is that there will be winners and losers; Motorola will win; Police Department wins because they get radios; my biggest problem is Congress completely ignored the Constitution; took an oath to uphold the Constitution; attitude seems to be that Congress doesn't pay attention to it so why should we; will vote no.

**A motion was made by Vice President of Council Kneeland, seconded by Ewald, that this**

**matter be Introduced, Second Reading Waived, and Adopted as an Emergency. The motion carried by the following vote:**

<b>Yes</b>	<b>5</b>	President of Council Evers, Vice President of Council Kneeland, McGregor, Ewald and Samuel
<b>No</b>	<b>1</b>	McAlister
<b>Absent</b>	<b>1</b>	Anderson

## **K. MOTIONS/RESOLUTIONS:**

### [RES-0012-2009](#)

A RESOLUTION TO AUTHORIZE SUBMISSION OF AN APPLICATION FOR THE INDUSTRIAL SITE IMPROVEMENT FUND GRANT PROGRAM.

Ewald asked for a brief synopsis from the Development Director. White stated we received an opportunity to submit for the Industrial Site Improvement Grant; applications have to be submitted to County and they would then determine which one application would be submitted to the state for a \$3.5 million pool; maximum award of \$750,000; asking for the \$750,000 to allow us to make an acquisition of land within the Central Park area so that in fact the development cycle that the city would follow would be able to influence the ultimate development of such so that it would be to highest and best use; combine that site with another to make it a large and attractive site for looking at potential of technology type land company; this grant award is for this kind of project so that Ohio can compete for having another opportunity for shovel-ready sites.

Samuel asked about the deadline. White stated that the deadline for the submission to the County was March 11 and deadline to state is March 31; do know that there is competition at county level; 3 other applications were submitted.

McAlister questioned why City needs to apply; why we have to buy land in the first place; Ohio is coming up with schemes like this to attract business; there was a 66% state spending increase by virtue of programs like this; incomes have only gone up 22%; we are just feeding in to this; have to come up with matching money; Ohio's politicians think they can control the market by infusing this kind of money which caused the problem in the first place; Development did the Groundhog Day event and had an excellent economist present; he said real estate prices are going to go down before this bubble and won't go up except for inflation; apply to get this grant and then spend \$1.2 million eventually for something that may not be worth that; what's that doing to solve any problem; destroying our currency and our economy; don't see where this needs to go; not productive.

Kneeland stated on a more local note always been in support of development efforts; the expediency of this has questioned how this was brought forward and it is a fairly sizable match; begin to question that these kinds of grants and this kind of legislation are danger grants; know what the economy is like; know where we stand with finances; as we continue to find grants like this need to begin to question; when we end up adding up matches we need to stop and take stock; make sure we are not losing the forest for the trees; will be in favor tonight; there is a dangerous balance act we need to play when awarded or discounted; make decision if we want to move forward; what does that make us look like if we don't accept; shouldn't put ourselves in that position; concerned with that.

White stated she appreciated Kneeland's comments; speed was also regarding the potential impact on Department of Development's strategic plan that says seek out innovative funding; in economic development guidelines it says to look at opportunities that bring forth the fiscal return would be great; problem we had was too tight a

deadline; very short period of time; obviously feel it was self-controlling so there wouldn't be as many applications; only reason we were able to make application was because we made a similar application in the past; went on fact Council had approved JRS application; almost exact same application; utilized it here; JRS application was a larger fund and could get up to \$5 million; this was a smaller pot of funding; didn't get JRS and we were asked to find out why we didn't; met with state Department of Development; they told us to continue to look for other pots of funds; this was same vein as JRS application which Council had approved; looking at those parameters; notice occurred in between Council meetings; only had returned from sick leave 8 days before; ordinarily we are cognizant of deadlines and bring you projects so you have time to debate and make your decisions in well enough time; did not attempt to be arbitrary or capricious or against Council wishes.

McAlister asked if we get the grant does it obligate us to buy. White stated if we get the award have to come back and say this is what they are granting us funds for, here's potential match and we will show you the fiscal impact; have to come back to Council. McAlister stated price was \$1.25 million; if we picked up the plan for \$500,000 would we have to give rest back to state. White stated if that was the case we could not accept it all. McAlister reiterated that we are going into a grant that is already on a glide path that we don't know; may not be any other buyers for this land; we are operating in a vacuum; bidding up the price with taxpayer dollars; am not for the grant; am not for using money for this use.

Evers stated he made his comments regarding timing to the administration; appreciate mitigating circumstances; echo Kneeland on needing to do a better job; understand situation around this.

**A motion was made by Vice President of Council Kneeland, seconded by Ewald, that this matter be Adopted. The motion failed by the following vote:**

<b>Absent</b>	<b>1</b>	Anderson
<b>Yes</b>	<b>2</b>	President of Council Evers and Vice President of Council Kneeland
<b>No</b>	<b>4</b>	McGregor, Ewald, McAlister and Samuel

**L. REPRESENTATIVES:**

**Community Improvement Corporation (CIC) - Evers/Kneeland:**

Kneeland stated next meeting is April 7 at 5:30 p.m. in City Hall.

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

McGregor stated she was not able to attend; did forward the article that showed the projects chosen for funding; one was the funding for ramps and modifications for I-270/Hamilton; that was the one chosen at this point.

White noted that MORPC made the recommendation; 189 projects were submitted and MORPC used criteria given to them; our project was recommended; it is ready to go; could potentially get more because it is ready to go; could get up to \$2.7 million; MORPC will vote again and then it goes from MORPC to Governor and then he makes decision; we were recommended.

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

Kneeland stated McKenna presented everything in her report; the cup stacking organization was testing the will of everyone on the dais; sounds simple and fun but was a challenge for ambidexterity and manipulation like a puzzle; was amazing.

## M. OFFICIAL REPORTS:

**Mayor: Absent.**

**City Attorney: No Report.**

## N. COUNCIL COMMENT:

McGregor extended condolences to Mayor on the death of her father and to the family of Butch Schirtzinger.

McAlister also expressed his condolences; if anyone knows of a Thursday evening meeting who would like a speaker let him know; a speaker from LEAP will be in the area on April 23 and would be willing to address any organization; let me know.

Ewald echoed the condolences expressed to families for individuals who made a difference in our community and our lives.

Evers offered condolences to families who lost loved ones this week; congratulate Donna Jernigan on her MMC; lastly want to thank sponsors and volunteers for education foundation event; was a great event; planning for next year has begun as it is a year long planning process; do an outstanding job; thank everyone involved.

Clerk stated Anderson had asked that her condolences be expressed to Mayor Stinchcomb on the death of her father.

## O. EXECUTIVE SESSION:

**A motion was made by Samuel, seconded by Ewald, to go into Executive Session under the authority of Section 5.40(b) of the Council Rules of Procedure to discuss purchase of property for public purposes or the sale of public property through competitive bidding or public auction and 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:**

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

Council rose to Executive Session at 8:36 p.m. and rose to report from Executive Session at 9:10 p.m. with all members in attendance returning to the dais.

## P. ADJOURNMENT: 9:11 p.m. - Motion by Kneeland.

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**Donna L. Jernigan, MMC**  
**Senior Deputy Clerk of Council**

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

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**Nancy R. McGregor**