

City of Gahanna

*200 South Hamilton Road
Gahanna, Ohio 43230*



Meeting Minutes

Monday, June 10, 2013

7:00 PM

Council Committee Rooms

Committee of the Whole

Ryan P. Jolley, Chair

Beryl D. Anderson

Karen J. Angelou

Brian D. Larick

Stephen A. Renner

David L. Samuel

Brandon Wright

Members Present: Stephen A. Renner, Ryan P. Jolley, Brandon Wright, Beryl D. Anderson, Karen J. Angelou, Brian D. Larick and David L. Samuel

Additional Attendees:

Isobel Sherwood, Dottie Franey, Karl Wetherholt, Jennifer Teal, Leah Evans, General Williams, Chief Murphy, Tony Collins, Sue Wadley, Shane Ewald, Mayor Stinchcomb, Brandi Braun, Doug Maddy, Jim Watkins, and David Hodge for Meadowbrooke, Ed Leonard and Curtiss Williams for Franklin County Land Bank Corporation; Tom Kneeland and George Mrus, Gahanna CIC.

PENDING LEGISLATION:

ORD-0091-2013

TO REZONE 3.9+/- ACRES OF PROPERTY AS ROD/SF3, RESIDENTIAL OVERLAY DISTRICT/SINGLE FAMILY 3; SAID PROPERTY LOCATED AT 5593 HAVENS CORNERS ROAD; KNOWN AS THE MEADOWBROOKE SUBDIVISION; BROOKWOOD CONSTRUCTION COMPANY, INC., DOUG MADDY, APPLICANT.

Jolley called the meeting for Monday, June 10, 2013 to order; we will do the 2nd agenda item 1st, which is the COCIC MOU (Central Ohio Community Improvement Corporation Memorandum of Understanding).

Jolley said we are back to the Meadowbrooke rezoning.

Hodge said I am the attorney for Brookwood; we understand your decision to step back and bring this back to another workshop; no need for a rush to judgement; we seek a decision on the merits because we believe the merits support approval of the request; when we were in this process a couple of years ago we came in with a different set of requirements; since that time the City has changed their requirements for this type of application; from day one we have had to have a more thorough packet and more information than was required of us the last time; so from day one we have had that information; we also knew this request would receive scrutiny as it has; so we also raised the bar on ourselves; the way we did that, we knew that storm water was a concern so we engaged a professional civil engineer who, prior to submitting any applications, met with the Franklin County Soil and Water Conservation District as well as your engineer, Wetherholt, to work through the storm water mitigation plan before you; all are confident that this works and decreases the impact on the Souder Ditch and is an improvement over our previous plan.

Jolley said we have heard a lot of this before; we have an update letter dated June 7; appreciate the recap but let's go to Council questions and comments.

Samuel said if we look at Grand Ridge Court, in the documents the Fire Department cleared that for turning trucks around; what about snow plows and garbage trucks. Franey said there would be sufficient space for them to turn around as well. Samuel said is there a guesstimate on when Havens Corners will be widened; that would relieve problems along that road; what is the prediction. Wetherholt said there is no prediction at this time. Samuel said I was looking at the traffic engineer's report; he quotes statistics from Franklin County and MORPC; were there any real on site live studies taken during rush hour in the morning or afternoon. Hodge said my understanding is the traffic counts used were recent counts done by Franklin County. Samuel said so we don't know if he did any himself. Jolley said his report does say A.M. and P.M. peak.

Anderson said seems like density is what we are hearing opponents talk about; can you say why this is not too dense. Angelou said it was 9 and now it is 15. Hodge said in the summary provided, there is a quote from Kristen Rosan whom you all know; she is a member of Planning Commission, a Real Estate Attorney, and she said in a very articulate way that when you are thinking about density, does it increase the traffic so much it becomes a burden on the infrastructure; does it create environmental issues, storm water for example, that would overly burden the surrounding infrastructure; we have a report from a traffic engineer that says it does not overly burden Havens Corner Road; we have this studied and engineered storm water mitigation plan; folks are right when they say the land use plan is a recommendation; it doesn't take precedence over the Zoning Code; it's a city document that says this property is designated for single family residences at a density between 3 and 5 houses an acre; we are on the low end of that range; given those 3 things, we have not felt like density is an issue at all; however, after last Council Committee meeting, out in the hall, we spoke with a property owner, Mr. Olsen; we discussed lot 8 with him; this is at the SE corner of the property; had a narrow entrance in to it; discussed a lot at Planning Commission; it has caused consternation throughout; in looking at the plan, hearing feedback from Mr. Olsen and understanding density had become a concern; we made a decision this afternoon to reduce the density on the property; get rid of lot 8; that allows all the lots to be wider; have an engineering plan to show you; displayed a visual layout of old and new plans; we feel like the lots on the creek are the best ones; we are willing to lose that lot which allows everything to be wider in the subdivision. Anderson said so now what is the total number of lots. Hodge said we are requesting 13; there were some concerns about pedestrian traffic; the applicant will construct a sidewalk from our road Grand Ridge Court east to Farm Creek about 700 feet.

Anderson said can you also speak to another major concern which is the HOA (Home Owners Association) and it being the enforcement vehicle; why is that the best way; and the City being the fall back entity if the HOA does not follow through with our limited resources. Hodge said last week I reached out to an attorney who does most of these agreements to get myself more educated; several things have happened over the last few years; the legislature has acted with legislation that requires the formation of these HOAs, the adoption of a code of regulations that govern HOAs; then when formed and deed restrictions filed, the mortgage lender knows it; the lender then makes the owner sign a rider acknowledging their obligation to pay into the HOA; technically if you fail to pay and meet this obligation, you are in default of your mortgage and they can foreclose; big hammer they can use; lots of teeth in that; the City was put in as a default position; ask by Planning Commission so if this HOA fails for any reason, the City can come in and perform maintenance and charge it back to the HOA or individual lot; while the City could have some financial burden, they are going to get their money back because they have the right to put a lien on it. Mayor said get it back eventually. Hodge said HOAs in general over the last few years we have seen residential development go upside down; not just HOAs fail but subdivisions failed and developers failed; you can't predict everything; the reason we put an HOA on here is Maddy is not going to be here in 60 years; he can't be on the hook to maintain this forever; so we created an entity that has the ongoing obligation in perpetuity to maintain these.

Anderson said I understand why it was put in place; supposed to do X,Y,& Z; often times they don't. Hodge said often times they do; my own experience with my condo in German Village has been very positive; the HOA works as it does in a lot of instances. Anderson said there are some in Gahanna that don't. Hodge said final point it is not uncommon for HOA's to have the storm water maintenance obligation; it is common and we are not doing anything unusual.

Larick said would like to clarify; asking for 13 lots; it is 13 additional for a total of 14 on the property. Hodge said that is correct. Larick said is there any provision for a reserve to make sure there are funds available in the HOA to maintain the BMP's. Hodge said no; but Maddy will be involved in the HOA until 80% of the lots are sold; it will have active maintenance with funds from day one; so the HOA gets set up and Maddy owns all the lots; he then has the obligation to start the fund. Larick said that piece I understand; my question is 10 years down the road, within the HOA, having a requirement to maintain a reserve so BMP's are maintained. Hodge said that is a common sense provision that if it is not in the draft HOA document, it ought to be.

Angelou said does this have to go back to Planning because there has been a change. Ewald said if they make a substantial change of this nature, it has to be recommended by Planning; that does not mean they have to reinitiate the entire process; but the development map as amended has to go back to them for recommendation per Section 11.04 of the Charter; does have to be approved by them before it comes back. Anderson said so where are we in the process.

Sherwood said it needs to be remanded back to Planning Commission. Mayor said the question was asked does it have to be advertised. Ewald said no; it is as amended; it is just the amendment of the development map; not the entire process; if they are willing to make changes at this point, they need to be incorporated in the development plan and presented again to Planning Commission for their review; charter requires a recommendation come to you before you act on it. Jolley said how does that affect our legislation. Ewald said a remand would eliminate the requirement it stay on the books until it comes back from Planning.

Renner said to Maddy appreciate you looking at it and reviewing it as well as listening to us; this is a very interesting new idea; I have no issue with density; we have been saying Gahanna is land locked needs to get denser; this is a different situation that I struggle with; you have a right to own property as an investment and see a return; so it's your property rights versus the effect on an asset, a stream, and adjoining properties, how do you see this coming to fruition; say it passes, end of day the markets drive how things develop; can you speak to how you think this is going to fill in, what lots may sit out there.

Maddy said thank you for your reference to my property rights; most people seem to overlook that; I think this will be a typical subdivided community; we will have to go to construction; make all the infrastructure improvements and get the street in, build a model and probably a spec home or two; start marketing efforts for this community; we are specifically here due to market conditions; that is the reason for the change from the original plan to this; driven by current conditions and what we think will happen in the future. Renner said you are saying you are going to build on 2 lots then wait until people come running; so are you saying you are not going to build homes until people actually put money down on a particular lot. Maddy said no; I am saying we will build a model as most builders do; and something else on speculation so we have product available for the guy who comes into town and needs something relatively quickly like 30 to 60 days. Jolley said the remainder would be built to individual specifications. Maddy said they would be built to suit, yes. Renner said what happens if a lot never gets taken. Maddy said we are paying taxes, insurance and the costs to uphold it in the community; that is the risk we builders and developers take; you have to have confidence and be familiar with market conditions; what's currently on the market in the City; we are confident that at this price point we can move product. Renner said for clarification, the new proposal still contains the network of rain gardens. Maddy said still anticipate the same storm water system.

Wright said about the HOA, I don't think it is fair that we didn't impose this on any other plan coming before Council with what the perpetuity of the HOA would be, can't guarantee something like that; you have the major stake in the HOA to get it started so that is fair; there has been ample opportunity for you and you have shown flexibility; I struggle with the property rights issue; like Renner said, the City of Gahanna is almost land locked so our new vision is redeveloping areas and having higher density; for us to act like we are not facing that challenge is misleading to you as a developer; my point would be why are you investing in Gahanna; why are you so committed to this that you have come with this twice; feel it is important; residents get to say why they think is important so you should get that same opportunity. Maddy said I have confidence in Gahanna; moved here just out of high school; my father had a very successful business here for years; opened my business down on N. High Street; been in Gahanna for the last 22 years; had opportunities to go up north to other communities; I stay close to home; I know the market; Gahanna has been fair over the years; as long as the market conditions hold up this is a solid place to be; one of the areas Gahanna misses is we don't advertise ourselves and our location; we have the best location to the airport, downtown, Easton and many corporate environments; we have the best location but we don't market it; we need to do a better effort of marketing ourselves.

Samuel said I have a question about models and elevations; are you going to have homes that all look alike or mix them up. Maddy said no 2 look alike; someone wants a similar model, it may be the same floor plan, but not the same front elevation.

Hodge said that commitment is in the text; architectural diversity; no 2 next to each other or across the street.

Wright said where do we stand on this. Jolley said do we take action. Sherwood said you can only take action from the Council meeting so next Monday you would remand it to Planning Commission; Charter section 1106 says Council shall act on a Planning Commission recommendation within 90 days; that is roughly August 6; I would anticipate since no public hearing is needed, it is just a consideration by Planning Commission to recommend the new Plan; we can still meet that date; there is a provision in the Charter that we can extend it another 60 days if necessary.

Jolley said we would have 6 or 7 weeks to go back through the process; if not completed we could extend it. Sherwood said correct.

Angelou said would you expect this to take long through Planning. Sherwood said I would expect Planning Commission to have it on their agenda for June 26; I will need the revised text to get them the correct information since it refers to the number of lots.

Recommendation: Regular Agenda, Remand to Planning Commission.

ISSUES - From Director of Development:

COCIC - Memorandum of Understanding

Jolley said County Treasurer Ed Leonard is here. Leonard said you have before you a MOU that establishes the relationship between the County Landbank and the City of Gahanna; it is more of an operating agreement as to how we will deal with opportunities that will come around; a lot is already defined by statute; we just make it clear in the agreement.

Evans introduced Curtiss Williams. Williams said he is the Interim Executive Director of the Franklin County Landbank; we are committed to the Landbank and working with communities and to bringing the power and flexibility of the Landbank to help you address issues; the agreement does that; it is a statute; we have to go by statute; any city we work in we have to have this to spell out how we operate; there is opportunity to

change the agreement if things don't work as expected sometime in the future; it is straight forward and has been looked at by your City Attorney a number of times as well as your Development Department; glad to answer any questions.

Evans said the COCIC has reviewed this in detail as well; Tom Kneeland CIC President is here, as well as George Mrus, a Board Member; if they need to they can speak to the proposed partnership.

Larick said like to point out the CIC has reviewed it and the Property Committee spent a fair amount of time going over it; certainly would like the support of Council on this.

Wright said I concur with this; it was brought up on the CIC when I was still on it; I thought it was an innovative idea and I like the aggressiveness that Franklin County is showing with this program; I support it; is a pretty standard contract.

Leonard said it provides a good degree of flexibility to address unique situations; not so rigid that we couldn't address any opportunity.

Samuel asked what is the cost to Gahanna; would we have costs for record checking, maintenance, those types of things. Williams said any costs would be nominal; I would say zero but that makes people skittish; the Landbank has the opportunity to grab some properties for you; we have dollars to do that; if there is a particular piece of property that needs to be foreclosed on, we can go through that procedure for you so there is no cost to you; we transfer it to the City or the CIC via the agreement; if you want us to take the property and hold it, there might be some maintenance on that; then we would ask that you maintain the property; we will hold it and there are no taxes paid on it; that could be a good thing. Leonard said we anticipate the City of Gahanna will come to us with projects or opportunities where you feel the Landbank can play a role; costs associated with it we can usually handle; when we take a property it is not with the objective to hold it long term; we would work out an agreement as to what happens and if there are costs; since we are being asked for assistance we would try to shoulder as much of that as we can; don't want to get into a situation where we acquire so many properties that we assume a lot of maintenance costs; we acquire properties with a disposition in mind so the City or the Landbank doesn't encumber a lot of expenses.

Anderson said from a legal perspective can you speak to the checks and balances; this is creative; opportunity for everybody to come together with ideas; you just mentioned acquiring property with disposition in mind; how do you see the parties involved coming together to make those decisions about this quick disposition; what if there is conflict or issues that arise.

Leonard said we are bound by all the ethical rules that any political body would have to adhere to; we do have the flexibility to dispose of a property below fair market value which can create an incentive for redevelopment of property; the Landbank could help assemble or hold property tax exempt and facilitate the disposition of the property at a cost that may be below fair market value; typically it would have to be sold to the highest bidder; we work with the community as to what they want to see for that property.

Anderson said how are disagreements resolved. Williams said if a disagreement comes up, we have tons of attorneys, so if a legal issue comes up that is rectified quickly; the key is we work in co operation with the community; there is nothing we would do that would pose a problem for you; through discussion, you would come to us with a problem and we would help resolve it; this is our aim; not to get in the way of what you

want; we abide by your rules and regulations and laws; we are there as a partner; if there is any disagreement, it usually is about process; we have a learned Board of Directors who would ask "have you thought about this versus that"; more consultations than adversarial. Anderson said I always want to look at the worse case scenario. Leonard said the test of an agreement is not when you are getting along, but when you are not; the focus of the Landbank is to facilitate what the community wants; we don't go into communities where they do not want to work with us; the idea is we want to help you facilitate what the community wants to get done rather than the Landbank trying to impose some will.

Angelou said these are all types of properties; residential, commercial and industrial. Leonard said yes. Angelou said in the City of Gahanna right now do we have properties that come under this. Evans said we would have to do research on that; we get reports on properties that are tax delinquent; but not every property is on there; we would do research across the City. Angelou said at this point you don't know of any. Evans said we have some that we think may be eligible. Leonard said we focus on redevelopment of vacant and abandoned property but it is not limited to tax delinquent property; one of the programs we work on is involving the Attorney General's Office doing the demolition of vacant and abandoned properties; doesn't have to be tax delinquent; that is just one way to get control; there are other means; gave an example of an apartment building that was a nuisance and the solution; so it is the Landbank looking for opportunities wherever they might be. Williams said don't be shy; we have capital to do things; that has always been a struggle for CIC's; we have resources to help; not just structural where we go through the process; we have loans for land reutilization; bringing properties back to productive use; we can be of assistance in a lot of different ways; if it fits and there is a role for us to play we are there.

Anderson said don't want people with no solution right now living in a property to think they are going to be kicked out of their home. Leonard said we are not looking to push people out. Williams said that Leonard sees a lot of tax delinquent properties; before we play a role he has a lot of ways to help people deal with tax delinquency; many different programs; we are dealing with problem properties that have been that way awhile and for the most part have been abandoned; good question but Treasurer Leonard could find a program to benefit those folks having hard times.

Leonard said there are so many blighted properties out there; we try to identify the worst and where we can make the most impact; not looking for those where someone just moved out.

Renner said how many communities are using the same contract. Williams said upwards of 20. Leonard said we have municipalities, townships and the City of Columbus which is a little different. Renner said but Hilliard, Dublin, Westerville all do. Williams said Dublin yes, not Hilliard; Upper Arlington and most of the townships; working in many cities as well; folks are using it because it works; finding they bring projects to us, we can make them aware of tax delinquent properties; we can work together. Jolley said thank you.

Recommendation: 1st Reading, Consent, no need to come back; 2nd Reading, Consent.

ISSUES - From Previous Committee:

ODOT/Structurepoint Contract

Franey said per my June 3 email, we would like to postpone this discussion until June 24.

Recommendation: Back to Committee of the Whole on June 24.

ISSUES - From Finance, Service & Safety:

Investment Policy

Larick said we passed legislation at the end of last year and beginning of this year with regard to establishing effective policies around investments and debt; the debt policy was completed and passed by Council; the next step was to approach the investment policy; we discussed it in Finance Committee to establish a solid framework; Teal has worked very hard to put this together; now we feel it is a good opportunity to bring it in front of Council for all to provide input; then we would have a final document to fall under our 5 year cycle as passed by Council.

Teal said for background, in addition to the requirement to look at this again, I began the process by looking at our existing policy; I red lined it on my own; sent it to my peers and our partners in the investment world; they red lined it and had suggestions and input; in the end it made much more sense to create a new document from scratch rather than try to turn the old one into something we could use; that is why the feel and flow might be different from what we had; the first step was to identify our legal requirements per ORC and Charter; then what are the best practices in the field of government finance and public investing; so the sections may seem like why are we saying this; in many ways that stems to those professional best practices we want to have in place that insure that whoever is in charge of investing the public funds does so in the best manner and in the best interest of the City and also provides some protections so if they do their job without any ill intent, they still can't control the market; it acknowledges that if you stay within this framework, generally we will move along ok with no issues; the committee has worked for months back and forth; with drafts, homework assignments, reading and examples; I am very pleased with where we stand today; vetted it through my peers and our investment professionals; they are now looking at this as a solid document they would not make any changes to; I am ready to move forward if Council so chooses; I am requesting an ordinance to adopt the new investment policy; once that happens, my responsibility would be to provide it to anybody we do business with and have them sign off on it; it will become our policy on the books for the next 5 years.

Wright said I think it is a good policy; hopefully long term we can roll this into the City's Master Plan and have it be a portion of what that speaks to; good job to all behind it; next stage is to implement it well.

Samuel said since we are transparent, this will be on line will it not. Teal said absolutely; it is actually a requirement; the GFOA budget that we have applied to participate in; all of our policies can be found in our budget document.

Anderson said just wanted to thank all of the committee; it was a good partnership that allowed us to go forward with this; been under discussion a long time good to see it move forward with it's major considerations and best practices.

Jolley said would like to thank Larick for recognizing, while we may have had good investment strategy in the past, we didn't have a formal framework for it.

Recommendation: 1st Reading, Consent, no need to come back; 2nd Reading, Consent.

ISSUES - From Council:

Performance Management

Larick said this item is on the agenda to update Council; I think Braun got some information from Administrative Services.

Braun said Larick had worked with the State of Ohio Department of Administrative Services for Collins and myself to participate in some Lean Sigma Training; that is scheduled June 24 -28 to do a Kaizen event; another agency will be working through a process with a systematic evaluation of how you become more efficient basically; Collins and I will observe and participate and be part of that process; we go back in August and September for actual training to learn how to take the process improvement evaluation system back to City of Gahanna. Larick said did they mention the project; I am referring to the Greenbelt for August and September; you have awhile to figure it out. Braun said we have not gotten there yet. Larick said the Greenbelt project will benefit the City in some fashion.

Fireworks

Renner said one of the most important aspects of a representative government is we have the knowledge and trust that the government we elect is listening to the electorate; with the May tax initiative we put forth the question " What type of Gahanna do you want to become"; this is still yet to be resolved; what we are hearing is what type of Gahanna we want right now and we have heard from various channels that the people want a fireworks display; would underscore that we are still facing a deficit and that remains our top priority; yet in review of our current budget situation, we appropriated money for it and I am confident we can have the fireworks celebration to celebrate our independence; I asked the Mayor to reach out to the contractor to find out if he is still available; turns out that he is; I think we should go forward with it; I am asking my colleagues to weigh in on this matter.

Wright said I too agree and am glad the issue is being brought up by Renner; I think it is important; I have heard from a lot of constituents very concerned about the cancellation of the fireworks; I think you are right; when you can get a government that will listen to what the people are saying you need to take it into consideration; for this year it is an avenue we should definitely pursue; moving forward we should make it public and make sure everyone knows it will not be sponsored by the City and we will need to go back to an old model where it is sponsored by private businesses and individuals; I do support looking again at the fireworks.

Samuel said Mayor have we approached any big businesses in Gahanna about helping us out with the fireworks this time around. Mayor said Heartland Bank had agreed to make donations for 2 years; those 2 years have passed.

Collins said a couple of years ago we took the fireworks out of the budget completely when we hit difficult financial times. Mayor said this is not the first time they have been canceled. Collins said at that time the Gahanna Parks and Rec Foundation members decided that they wanted to take this on as a project; they formed a committee and that group went out and approached businesses; Scott McComb from Heartland Bank jumped in and funded the fireworks in that particular year; the Foundation worked with Council and they spread that out to support the festival side of the fireworks the following year; a number of civic organizations were approached the following year to join the effort; a few did like the VFW and Lions Club; others said they didn't want to; one said they didn't think it was the right use of funds to launch fireworks in one night and be done with it; wanted a longer term impact; some citizens volunteered time trying to find private companies to help; this year we had this in the appropriations so the Foundation Committee was working on planning for future years in case there wasn't funding down the road; there was a small committee that continued the effort to try to

gather some support; they could not get a lot of folks to join in to this effort; in May, when we realized the financial future of the City, we consulted with the Foundation and told them this was being cut this year even though we believe it is important; they understood but felt it was too late to try to get a major donor for this year and do it right; our staff has not had the time to reach out to major donors appropriately.

Samuel said we have Donato's headquarters here celebrating their 50th anniversary; we have Chase Bank and Niagara Water, big time businesses; I don't know if Council can reach out but we should since we give them incentives to come here. Renner said the HER Group did commit to me verbally that they would give \$3,000 to this effort. Collins said we reached out to them in May. Renner said I did call the Gahanna Rotary and talked to a board member and they are interested and meeting Wednesday to talk. Collins said they were one of the civic groups that participated on our committee; sorry if I forgot to mention them. Renner clarified we are only talking about the fireworks; not the festival.

Anderson said are there any small groups in aggregate or individuals that can raise money. Collins asked have you reached out to anybody at this point. Anderson said I have talked to several people and I am willing; I just want an idea of where we are. Collins said this is the challenge we run into with our efforts; we find a lot of people who have ideas; we find it harder to find people to participate and join the effort; as you all know, people's time is very thin these days be it family commitments, civic organizations, or churches; it is very difficult to get them to step in for a particular effort; the fireworks have been a particular challenge over the last 3 to 5 years since we have had difficult financial time; we have had challenges finding partners; anyone in this room who has been involved with an effort large or small to raise money, it is a very involved process; corporations like Donatos and Chase who we are blessed to have in our community get asked the same question by everyone; they have very structured giving programs; they have 3 or 4 designated focuses that they give to; fireworks isn't one of them; Donatos is partnered with our Foundation to sponsor Creekside Live so they do things like that; we have had other organizations like Heartland Bank, Benchmark Bank, and Mt. Carmel who have helped; Mt. Carmel is very involved with the Blues and Jazz Festival and are in their 8th year of contributing \$25,000; so there are a number of businesses out there that are contributing, but not as many as people like to say; if I had a dollar for every time someone says there is a group out there willing to fund, I could fund the fireworks.

Jolley said as the Council Representative for the CVB, this is an item to discuss with that organization; what is the appropriate role for the City versus the CVB; we do have donors for the Blues and Jazz Festival that are putting in a significant amount of money because it fits more with the type of giving they are comfortable doing; not to discount the patriotic tradition of the fireworks, but there is not a huge economic impact or return for businesses to participate in that event; most of them are closed; folks aren't spending money at the event; from the City's perspective, that is not what we are about; but it is what corporate donors are interested in; they want some return on their investment even if it is just good will; events like the Blues and Jazz Festival are more geared to that aspect; looking forward, the CVB is already talking about the Holiday Lights Parade and whether the City can continue to fund that; is it something the CVB wants to take over; the fireworks and Freedom Festival are along the same lines going forward to the future; I have talked to folks on the planning committee for this and they are disappointed this year in the lack of involvement from past community partners; think they are giving to other things.

Collins said there have been multiple efforts over the past years of citizen groups that we

have tried to work with like Gahanna Events which was a collaborative effort where we pulled everyone together and tried to do group fund raising to bring on sponsors; we could never get the energy and volunteers to stand in; we all love it; I come from a family of veterans; nobody is less patriotic, we just can't afford to fund it; yes we have money appropriated this year; but for the next 5 years out, we are looking at financials; what \$32,000 can do is 2 seedings at Headley Park or any of our fields, or 2 guys on a mower for a year or the entire ash tree program for 1 year; things like that for the next 5 years; I am sorry that the money for this one event for 20 minutes of fireworks isn't there but look at all these other services that we will continue to provide over the next 5 years; that is where our projection came from; all that said we will do our best with what we have; that's what we do.

Anderson said thank you for that background; most of us know about fundraising efforts; this is an issue divided; not sure where the line is; even though we are hearing from people who want fireworks, there are people who don't.

Mayor said I stand by the decision to cut the fireworks; people should not believe everything they read on the internet; I have not changed my mind for all the reasons Collins stated; I appreciate Renner calling me on Friday and sharing his concerns; I am a pragmatic person; if the majority of Council wants to do this and it is veto proof then I don't have a whole lot of choice; we talked about legislation and I discussed with Renner that this did not have to be adversarial; if this is what Council wishes to do, I will sign the contract; first we had to call and see if the contractor could even do it; he has not booked another show so we did establish that he would be available; he wants written notification tomorrow after this public discussion because he is going to have very little time to order supplies and get everything done; I want to talk about the big picture; here is my concern; this has been concern from the beginning and Collins just touched on it; we have bigger decisions to make; please hear me, there will be other larger and even more unpopular decisions that we will face, all of us, if we don't find additional revenue for this City; fireworks is just the first; I have said this and will say again, we have many other cuts that we will be bringing to Council for 2013 and beyond; we used half of our excess reserves, approved by Council unanimously, in appropriations last year; half of our excess reserve beyond our emergency reserve to balance this year's budget; if we do that again next year without additional revenue, our excess reserves are gone; I won't be able to recommend that; it is important that we remain sustainable; as Collins said, we have to make a choice between the budgeting of fireworks or looking at an employee and saying "sorry, we don't need you anymore, we can't afford you"; we have 26 people affected in Parks alone when we are faced with the Affordable Care Act starting July 1; we have more than 50 employees and there is a 6 month look back; since we have more than 50 employees, anyone who works 30 hours or more, we have to offer health insurance to them on January 1; we have 26 people, many who live in Gahanna, who work more than that; we are not talking about seasonal employees; these are mature individuals that have come to work part time for us and we have not ever paid them benefits; some of these folks are retired and have benefits from other jobs, some just want to work part time; we have a 40% turnover rate this year among those people; they look for full time work or are going to employers who have less than 50 people and do not have this requirement; there are some real decisions we are facing; as Mayor I believe we have a commitment to take care of the investments taxpayers have already made; if I can put 2 people in parks to do maintenance or pay for fireworks my decision wasn't that hard; we have real needs; if it is Council's wish to add the fireworks back, I get it; we had not yet re allocated that money to salary as we plan to; contract is still here and if it is the wish of this Council to have fireworks, we will; but without new revenue, I can't support doing this in the future; I have had all kinds of emails; been accused of not being patriotic and not supporting veterans and I resent that because that is very far

from the truth; and that I did this with nary a thought; these decisions are hard; it is not always fun to be in public service and make hard decisions but I will remind Council that there are many more to make.

Angelou said on April 15 we did the legislation for the fireworks and it was an emergency because the contract had to be signed; am I hearing correctly that the contract has never been signed. Mayor said correct. Angelou said so we were never having fireworks if the contract wasn't signed; how can you have fireworks if you don't have a contract. Mayor said I do not understand the question. Angelou said I don't understand how you expected we would have fireworks if the contract was never signed with the fireworks company; I am trying to understand that; she said she never signed the contract. Collins clarified that the Mayor has it on her desk to sign. Angelou said we passed legislation with an emergency clause stating it had to go into effect; yet the contract is not signed. Collins said I understand your question but it is irrelevant. Angelou said can you explain how that works that the contract would not be signed when we had to do it as an emergency so it could be signed by May 1. Jolley said I think this may be a question for Ewald; we gave the Mayor the authority; whether she did is a separate issue from Council. Angelou said how did you expect we would have fireworks if she didn't sign the contract; I thought the contract had been signed quite honestly by May 1; trying to get this into my head how you can have fireworks without a contract.

Collins said I don't know if I can get this into your head but I will try to be clear; we had an agreement with the fireworks company; they knew we will in the process of having the legislation pass through; once we received the contract we would send it to them; however the vote went the way it did; we projected our revenue and made some difficult decisions and notified the fireworks company that we were not going to go forward; don't know if that answers your questions but that is all I can tell you. Angelou said I don't understand why we had to have an emergency clause on this piece of legislation to be passed. Collins said because eventually we needed to get the contract to them. Angelou said obviously we don't because they have said now they will do our fireworks and they still don't have a contract signed. Collins said I called them this week. Angelou said so they do things with handshakes. Collins said I can't speak to their business practices; if you would like their phone number I can pass it on to you. Angelou said I am asking a legitimate question.

Jolley said I understand you are asking a legitimate question and it seems it has been answered to the best of Collins' ability. If you have a follow up we can address that or call on the City Attorney. Angelou said let's do that; Ewald would you come over.

Wright said the question should go to the Mayor, not Collins. Angelou said I asked the Mayor and she said she didn't sign it.

Jolley asked Ewald to go over the particulars of a contract timeline; I know you already did research on this and wrote a legal opinion on it. Angelou said that memo said she has a right to cancel. Ewald said the Mayor did have a right to cancel; the authority granted was blanket authority to enter the contract; she did not enter the contract; and that, not to sidestep the issue, is a policy issue between the Mayor and Council; there is no legal issue with it; she wasn't required to sign it; I believe Collins has explained it; it was a decision that was made that some disagree with; that is where it is at; there is no legal issue.

Larick said I am not sure where we sit; beginning of the year we passed appropriations that included a variety of things; yes we spent a portion of the carryover as a means to

take a step forward from several years of not moving forward; in April we passed legislation with an emergency to do a contract; we seemed to have done what we needed to do; what else is there to do; this is not our action; I don't see an action for us.

Jolley said we can't take any official action at a committee meeting; to Angelou's question of whether or not we needed the contract, the fact that the fireworks vendor is still available to do this is our good fortune; what is before us is the Mayor can still execute this contract; we have granted that authority; I believe she is looking for guidance on it from Council informally; if we think she should go ahead with the fireworks only, not the festival. Mayor said it is too late for the festival. Jolley said we would continue the tradition with the understanding by our citizens that not every squeaky wheel will get the grease.

Larick said what then is the event; fireworks are not everything; we have the safety and security; all the other components that will have to be a part of it; lost revenue from the golf course, all those impacts; all the other financial impacts, not just the fireworks.

Collins said I talked to my staff when I got word from the Mayor on this; contacted the contractor right away; verbally on the phone he has committed he could still provide the fireworks; we went back and looked at our resources and what we could put together; just putting on the fireworks alone, and not doing a festival, opening the golf course for viewing, basic services, the contract for the fireworks is \$19,670; my understanding on service and police resources would be around \$6,000 total; we still have to close roads and reroute traffic; we have to accommodate 8 to 10 thousand people who would come down to the golf course for the evening; we would still have the costs of providing portable rest rooms, light towers, staff for parking and security; one of the challenges we deal with are people bringing alcohol on to the course; all of those costs would still be there; we have an estimate of 2-\$3,000 Parks and Rec support; so the number versus what we were originally planning is reduced to around \$28,000 for the night.

Anderson said essentially the golf course would be open for people to come and sit and view fireworks with no vendors, no games; just having fireworks and the support services.

Collins said Larick mentioned closing the golf course; we think we would not have to close the golf course until later in the day; that would allow golfers to finish rounds most of the day; so the reduction in income from the golf course would be less on that day.

Anderson said so can you again compare bottom lines. Collins said originally it was \$45,000; we would be down to between \$28,000 and \$32,000; savings would be \$10,000 to \$12,000.

Anderson asked if we don't go forward, what happens to the money if we don't have fireworks in the next 2 years. Mayor said we lose it; vendor said he would allow us to carry that for 2 years. Anderson said so if we don't do it this year we could do it over the next 2 years giving us time to find corporate sponsors.

Jolley said do we want to take an informal poll.

Larick said I am back to it is not in our court; what else do we need to say; why do we need to speak again.

Jolley said no one has to; several people have already given their view points; does anyone else have any other questions or comments; I'll finish; as we have been discussing for the past year, Gahanna is at a financial tipping point; it is up to our

citizens to decide what kind of community they want to have; the fireworks display is a perfect example; I know the Mayor acted in her best judgement with the best interest of the City when she made the difficult decision to cancel the fireworks display; perhaps we underestimated some people's very vocal passion for this event; the fireworks could go on as scheduled, but the fact remains without additional revenues, the Gahanna we know and love cannot remain; from this point forward, we cannot respond to every squeaky wheel with the grease of renewed funding; regardless of popularity deep cuts will be made; I am sure citizens of Gahanna will have another chance to voice their opinions regarding the type of City they want to have; I am also sure that people now understand that canceling the fireworks display is but the first of many difficult decisions resting on that choice; from my perspective it is a lose/lose; if we cancel the fireworks, many people will be upset; it is a cherished tradition going back decades; if we don't cancel the fireworks we are putting 28 to 32 thousand dollars up in smoke that could fund long term operations in Parks or other City areas; these are the trade offs we have been talking about and will continue to talk about; decisions that not just the Mayor will be making but will involve all of us; people need to realize this is the new normal; there are no winners in this situation.

Mayor said I am going to ask for clarity; I was asked by the President of Council to put this on the agenda; are we having fireworks or not. Larick said Mayor you have heard the debate; make your decision. Mayor said I made my decision weeks ago; unless Council wants to override that decision which I was told was the case, I respectfully say I don't think it is the most important thing we have to fund; say one more thing about July 4, I think that the most cherished tradition that we have in Gahanna is not the fireworks; everybody has fireworks; what makes Gahanna special is our parade; our Lions Club parade; maybe it is not flashy, but it is where we honor our veterans, children march and decorate bikes; politicians put their floats; I've enjoyed that over the years; hundreds have participated; that is a Gahanna tradition; if you really want to look back, the Lions used to pay for all of it; the government didn't pay until the charitable organizations could no longer afford to do it, then government had to pick that up; like pools; like other things groups used to do that they can no longer do for so many reasons; younger people are not supporting them so much; we will miss them when gone; talk about the positives if we don't have fireworks; talk about the parade and other events; take advantage of them; talk about the positive aspect of the parade and other events; when we talk about the difference between needs and wants, we are in the position where we have to talk about needs and not what everybody wants.

Jolley said I support your decision; we have talked about essential and non-essential services, and people need to realize this is our situation.

Samuel said out in the streets, some people said this was a way to get back at them since they went against the tax proposal; I like what you have told us tonight.

Mayor said I deeply resent those comments; I have heard them too; I have had the most hateful email that I have ever had over this decision; these decisions aren't easy; it wasn't meant to be that; the timing was such that it was just the first item; the next thing is the bridge; and there is more; we are going to have to look at everything we spend; someone said \$40,000 is not that much; it is to me; it can do a lot; you save your nickels to buy big things; your family, somebody loses a job; don't have the revenue you hoped you would; vacation planned with a deposit paid; heck with it let's go ahead and go; most families would say the future is uncertain, we are losing income; need to conserve; probably shouldn't go; be prudent; that is the way I view the fireworks decision; we've got the money; we have money in bank; we could go on, but that wasn't my choice; I believe we have to take our remaining resources and spread them out for as long as we

can because I care about the future of this community; not just the end of my term but I care about Gahanna for the long run; I have taken on this battle personally to insure that we are sustainable in the long run; I am proud of where the City is today; and it is hurtful when somebody says things like that; I will say that I didn't do it on purpose and it wasn't to get back at people, it certainly has spawned debate; a lot of people that said they didn't know about the election or didn't know we were out of money have now spoken up and said what is going on; I have written back to everyone who has contacted me with a name; explained the situation and asked to come out and explain; use it as an opportunity to say this is where we are; continue the engagement and talk about the community's real needs; trying to turn it into a positive; it wasn't intentional; the media who put nothing in about the tax or vote has had a field day with this; canceling fireworks is a good headline.

Collins said our department has made reductions or cut programming or have planned reductions for over \$100,000 for the remainder of this year; a small number but it is the nickels the Mayor refers to; the timing is unfortunate and people see it that way, but it is a financial reality that we have to begin reducing; we are not back filling positions; we are changing our operations for the long term to 5 years out; not just the remainder of this year; those in this room who know us, know that; we cancelled a program subsidized by our department that was a preschool in a park and I got a hateful email saying I am taking it out on the children; been in this profession for 20 years; I have dedicated my whole life to developing and working to make leaders of children; we had to make difficult decisions and the dollars can do more elsewhere; we have more serious reductions planned until the end of the year.

Anderson asked for the timetable on the list of reductions. Mayor said as previously announced it will come out on June 24; continue to work on it; I am not always right; I thought if we put a money issue on the ballot that people would realize their duty to come out and vote in May; apparently I was wrong.

Anderson said I would applaud you for turning a negative into a positive; this reaches people in a different way.

Mayor said thank you; we didn't have fireworks several years ago; we canceled them during the recession; there wasn't nearly the outcry then which surprises me; the reason is because we just had the vote prior to that and people did see it sadly as retaliatory; tell you from my heart it was not meant that way; it is regrettable they saw it that way.

Anderson said as we continue with these difficult decisions I hope we can continue to turn them into positives in the same way.

Code Change - Chapter 105/Ward Redistricting

Sherwood said with the passage of the ordinance last week without the emergency, Chapter 105 of the Code that defines the ward boundaries needs to be reworked to include the boundaries that were in place in 2012; and the new boundaries will say effective with the election in 2017; there will be 2 sets of boundaries in the code.

Larick said it would seem to me to be most prudent to do some form of rescinding and eliminate that legislation in its entirety; then bring it forward in 2016; between now and 4 years from now, the population will adjust; to continue to have this sitting out there does not make sense to me.

Angelou said it could be reviewed in 2016.

Wright said I agree with Larick; it makes no sense to have that sitting out there until 2017; we know ward 2 will grow more so that may not even be the fit; if you look at policy and the reasons for having this, with 2 Codes out there to address this in different years, I agree we should rescind it; I would also like to underscore the disservice that was done by not making this emergency; for people being disenfranchised and compacted into one combined ward; that is a tremendously high number than the smaller wards.

Jolley said I agree with your second point; there is a significant disparity now; what we passed effective 2017 eliminates 80% of that; personally I am in favor of leaving it in place; it is closer and population will shift but who knows what issues we will run into the next time around; we would be better off with what we passed; I am not in favor of rescinding it.

Angelou said I am not either; should be as this bill says.

Wright said but what good does that do if numbers even in the same contained area that was redrawn for 2017 are much higher.

Jolley said right now your disparity is so large, there is no possible room to put in enough housing units to create as much disparity as you have now between today and 2017 based on the new map; just not possible; you would have to add 1000 people in there and that is not going to happen; what we passed last week gets closer to the goal, particularly for your ward, than if we revert to what we had.

Larick said nothing is in effect until 4 years from now; it would not make any sense to me for it not to be reviewed in 4 years even with the adjustments to see if they are appropriate; if it is going to be looked at, then it may as well be done; then it would be as accurate as possible for that election as opposed to today that is kind of close enough; don't have an issue; it can go either way; that is just my recommendation.

Jolley said our Charter only requires this be done after the census; so there is no requirement that it be reviewed in 2017; agree it should be; in the absence of that the most prudent thing would be for Council to leave what was passed last week; that gets us closer; Jolley again clarified when it is required.

Sherwood said I may wish to do a mid-year codification so the Code is correct published out there as opposed to having the wrong boundaries out there.

Ewald said the Board of Elections has returned it to the original 2003 boundaries.

Recommendation: Ordinance to amend Code Chapter 105; 1st Reading, Consent; no need to come back; 2nd Reading, Consent.

ISSUES - From Clerk of Council:

Parks & Recreation Board Resignation - Council Appointment

Sherwood said I received from Collins Laurel Naegele's resignation from the Parks Board; she was a Council appointment and the term expires at the end of this year; you have 30 days to make the appointment or it reverts to the Mayor; told you I would look at last year's resumes; out of all of them received last year, there were 2 that show some interest in Parks and were not appointed to any other board; one lady was interviewed; the other failed to show up; looking for direction; do you want this advertised and do

you want to go through the interview process.

Wright said I think we should pull from what we have.

Mayor said I have no desire to jump in and fill the position if Council wants to take some time and interview; this person will only have 6 months in the position and then have to be re appointed.

Sherwood said nothing says they couldn't appoint for the balance of this term and the next term.

Mayor said yes; if you want to take the time and interview I respect that; if you want to advertise; we need all the interested people we can get to be involved in these boards and commissions.

Anderson said we need to include more minds; open it up and dispel the notion that we use the same people.

Jolley asked when does the 30 day period begin.

Sherwood said it began June 4; you have until July 4 to make the appointment; if I can get this in the paper and on the website this week, we could close the application process on the 20th, get you the information in packets on the 21st, and plan a special meeting sometime the week of the 24th for interviews.

Jolley said sounds like the course of action.

Job Descriptions - Council Office Staff

Sherwood said I sent you all the job descriptions; they have not been reviewed since originally put in place in 2005 by Slavin; Council leadership and myself reviewed them last year; we spoke to Wadley and included her in the process; and then, based on the change in duties with regard to the City Attorney's office, this is what we came up with; asking you to pay particular attention to my job description, but I gave you all of them so you would be familiar with the duties of each person in the office; I hope to have a draft ad to Wadley in the next week; we hope to advertise for roughly 3 weeks to a month; then Wadley, myself, and Renner will do the first round of interviews and narrow the field; then we will involve all of Council in a second round of interviews. Renner said Jolley will also be included in the first round of interviews; from that we will have all Council members involved. Sherwood said I am hoping we hire someone in August so they are ready to start in September.

Mayor asked is there a professional network of clerks. Sherwood said we will be posting the job on the Municipal Clerks website; I am not familiar with anyone in Central Ohio who is looking for this job. Mayor said is it a national organization. Sherwood said I can post it with the international organization also if desired.

Update - Legistar Upgrade

Sherwood said our Legistar upgrade is not going as smoothly as I had pictured; we are having computer issues; we are going live on June 30; I hope there will be no indication to the public that it has changed; it should be seamless, but our office workload is changing dramatically in terms of the way we process things; realizing we have done work this way for 12 years, just moving buttons around to different places causes frustration sometimes; so would ask if you have a research project, please give us some lead time so we can address your concerns with a minimum of frustration to us.

Angelou said I would like to point out an article in the newspaper; there is a group composed of Dublin, Hilliard, Worthington, and Upper Arlington that are going to do

joint dispatching for their police and potentially fire; thought I would bring it up as something we could potentially look into since we are looking for opportunities with shared services.

Evans said in case you haven't been on Mill Street yet; the plastic is down on the LGI Building at 73-77 Mill Street, the sidewalk is open but it still looks a little unfinished.

Meeting Adjourned.

Della Brandenberger, Reporting