# City of Gahanna

## Meeting Minutes

## Committee of the Whole

Office of the Clerk of Council
200 South Hamilton Road
Gahanna, Ohio 43230

***Thomas R. Kneeland, Chair, Karen J. Angelou, Ryan P. Jolley, Brian D. Larick, Jamie Leeseberg, Stephen A. Renner, Michael Schnetzer***

***Kimberly McWilliams, CMC, Clerk of Council***

**Monday, September 8, 2014** **7:00 PM** **Council Committee Rooms**

### Roll Call

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| **Present** | 6 - | Ryan P. Jolley, Thomas R. Kneeland, Brian D. Larick, Jamie Leeseberg, Karen J. Angelou, and Stephen A. Renner |
| **Absent** | 1 - | Michael Schnetzer |

### Additional Attendees:

Mayor Stinchcomb, Chief Murphy, Matt Holdren, Sue Wadley, Tony Collins, Troy Euton, Shannon Sorrell, Mike Musser, Karl Wetherholt, Rob Priestas, Niel Jurist, Jennifer Teal, Joann Bury, Anthony Jones, Michael Blackford, Clerk McWilliams, Press; Adam Trautner for Bonita25 Real Estate Investors LLC; Glen Dugger for Spectrum and New Albany Company.

### PENDING LEGISLATION

**ORD-0126-2014** TO AUTHORIZE THE MAYOR TO ENTER INTO AN EASEMENT AND MAINTENANCE AGREEMENT WITH BONITA25 REAL ESTATE INVESTORS LLC.; AND TO DECLARE AN EMERGENCY.

Kneeland called the meeting for Monday, September 8, 2014 to order; first is pending legislation; ORD-0126-2014 to authorize the Mayor to enter into an easement and maintenance agreement with Bonita25 Real Estate and to declare an emergency.
Wetherholt said Stonehenge Company has decided to go with the wall option; they have submitted the structural and site work plans to build the wall instead of the slope.
Kneeland said then at this time this piece of legislation is no longer needed. Wetherholt said that is what it sounds like to me unless there is another reversal. Kneeland said we will probably have to have something official from them. Wetherholt said we have the email that says they are going with the wall.
Jolley said the developer is currently pursuing the wall but the easement is still an option; I believe Ewald has been having

discussions with the developer; the developer is here if we want it clarified; it is a 2 track process right now.
Trautner said due to timing and where the easement stands we needed to move forward; so we are pursuing the retaining wall because based on discussions with Ewald, engineering and the building department, that became the preferred option; right now our intention is to do that; the discussion with Ewald indicated this item would stay on the agenda; then depending on what happens next Monday, since we are willing to work with the City, we could go back to that option; the timing is the critical item. Kneeland clarified that they needed action right away on this. Trautner said this is my understanding; you can also check with Ewald; we are still open to that option but it is the timing; we are under the gun to continue our construction; since we did not know if this would pass with emergency, we decided we just could not wait and would use the retaining wall since it was an option that was supported. Wetherholt said the plans are set up so it could go either way; we have approvable plans for the slope and we are hours away from approvable plans for the walls.
Kneeland said unless there is anything new or there are more questions, this just stays on the regular agenda for Monday.

**Recommendation: 2nd Reading, Regular Agenda; Emergency Language.**

**ORD-0127-2014** TO REZONE 4.806+/- ACRES OF PROPERTY AS NC, NEIGHBORHOOD COMMERCIAL; SAID PROPERTY LOCATED AT 5495, 5505, 5511 AND 5515 MORSE ROAD, FRANKLIN COUNTY PARCEL NO. 025-011234, AND 4721 EAST JOHNSTOWN ROAD; CURRENT ZONING ER-1, ESTATE RESIDENTIAL; NEW ALBANY COMPANY, APPLICANT.

Kneeland said next is ORD-0127-2014; the rezoning for 4.806 acres for neighborhood commercial located at 5495, 5505, 5511, and 5515 Morse Road; Dugger is here to speak to any questions.
Dugger said there were some questions brought up by residents on the north side of Route 62 south of the intersection; they have had pretty significant stormwater problems in their backyards; our engineers, Spectrum who is the developer's and New Albany Company's engineers, have been working with Wetherholt to figure out what is causing that problem and if there are any quick and easy solutions; don't know if that is germane to the zoning but it is important to those people and their quality of life.
Kneeland ask for any other questions; there were none.

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

**ORD-0128-2014** TO REZONE 5.006+/- ACRES OF PROPERTY AS SO, SUBURBAN OFFICE; SAID PROPERTY LOCATED AT 5445 MORSE ROAD AND PARTS OF 5495 AND 5505 MORSE ROAD; CURRENT ZONING ER-1, ESTATE RESIDENTIAL; SPECTRUM ACQUISITIONS GAHANNA, LLC, APPLICANT.

Kneeland said we have ORD-0128-2014 to rezone 5.006 acres to suburban office located at 5445 Morse Road along with parts of 5495 and 5505 Morse Road; any questions on this one.
Larick clarified this is for a senior living facility. Dugger said yes.

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

**2014-0131** Development Supporting Docs - Committee of the Whole

## ITEMS - From the Director of Finance

**2014-0133** Finance Supporting Docs - Committee of the Whole

## 1. Resolution Accepting Amounts for Real Estate Taxes

Teal said I have 2 pieces of legislation; first is a routine business resolution; the tax budget passed in June was the back up for the County to set and collect our property tax millage; they sent this resolution last week which needs to be passed and sent back to the County by October 1; this is the mechanism that permits them to collect the tax on our behalf; the tax budget justified our use of the funds; this resolution authorizes the collection; it is done each year at this time for 2015 budget planning; it is one case where the document that was processed is different but we have years of experience.
Larick clarified that this is a resolution.

**Recommendation: Resolution on Consent Agenda.**

## 2. City-wide Asset Inventory Agreement

Teal said our 2nd piece is an ordinance authorizing the Mayor to enter into contract with Asset Works; with money we have in contract services this year we would like to do a comprehensive asset inventory and valuation; provide an accurate baseline value of our City wide assets; roads, parks and buildings as well as the physical equipment that we own; each department maintains inventories; as the Finance Department, we are responsible for translating that into

our financial statement into the City's balance sheets; to report that accurately, good valuation data is helpful; recommended this be done every 5 years; last done in 2002 so we are overdue; Bury spent time getting quotes this summer; the most responsive and cost effective and the one used in '02 is Asset Works; working on finalizing language in the agreement; we want this done as quickly as possible so we can use this in 2014 which is why we are requesting waiver of 2nd reading; any questions.
Kneeland asked what is the minimum value of items inventoried.
Teal said only things that meet our capital assets threshold; $5,000 or 5 years useful life; we trust the info coming in from the departments on smaller items; they will use industry knowledge to look at the bigger picture on things like roads and parks.
Larick said is this a tax based or market analysis. Bury said they will try to do historical cost since that is how we have to report; if that can't be found they will do fair market value then cost invest it back.
Kneeland said once done how will you utilize that data.
Teal said we have a very solid pavement condition rating system and our roads are one of our largest assets as pieces of infrastructure; unusual for us to have a value for a road in our asset tracking system and depreciating that over time; then we are also spending and booking money as maintenance expense; the road isn't depreciating, we are repairing it; we are going to change that reporting mechanism to accurately report our base there; ongoing when we process capital purchase orders we will book those as assets; and we will update as we dispose of assets as well.
Angelou said this is a long list of City locations; are they all on here.
Teal said this is our list and the reason we are bringing them in is it is possible that changes have been made; good opportunity for quality control to check what is in this system against our known holdings.
Kneeland said there is a product called City Works that ties into the GIS; is that something that would off set having to do this in the future.
Teal said that would be good to explore; there is value having an eyes on look.

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

## ITEMS - From the Director of Human Resources

**2014-0132** Human Resources Supporting Docs

## 1. Dental Coverage for Employees

Wadley said I have 2 action items; we are starting the renewal process for employee benefits; we are with Delta Dental; finishing the 2nd year of a 2 year agreement; it is under the consortium; they have quoted a 2 year increase of 7%; the consortium voted to accept that; the trend is 7 to 9 % each year; this will lock our rates in for 2 years; for budget forecasting we had used a 12 % so we are coming in well below that; asking Council to allow the Mayor to sign to enter into agreement for 2015.

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

## 2. Life Insurance Coverage for Employees

Wadley said 2nd action item is life insurance; currently with Cigna; consortium has started offering a pooled life insurance with Standard Life; I am recommending we change to Standard; we would not have any increase in our premiums and we would lock it in for a longer period; with Cigna our rates are locked until the end of December 2015; this would lock us in until end of 2016; no additional cost to the City; employees would see a minimal reduction; because of the vendor change I am asking for emergency language to have time to make the change by open enrollment.
Larick asked do we subsidize this. Wadley said we pay the employee portion which is 2.5 times salary; they can buy additional.
Leeseberg said when is open enrollment. Wadley said the month of November.

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

## ITEM - From the Director of Technology

**2014-0129** Technology Supporting Docs

## 1. Supplemental Appropriation - Court Computer Replacements

Gaydos said I have one item; requesting authorization for a supplemental appropriation from the Court computer fund in the amount of $9,000; will replace 5 desktops and 2 laptops; current systems are outside the 4 year life cycle.
Kneeland clarified the purchase is from only the Court fund.
Larick asked how old is the equipment. Gaydos said over 4 years old.

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

## ITEMS - From Council

## 1. Resolution for Ben Hale

Angelou said I asked for this; Hale has retired from the law firm; most of the community has already honored him; thought time now for us to do so; touched this community on everything that happened mid '80s to mid '90s; with all the developments that occurred he would be here; he was my former employer; appropriate for us to honor him; hope his daughter will be here; Glen Dugger will be here; Mayor could do a proclamation.

**Recommendation: Resolution , Consent Agenda.**

**RES-0005-2014** A RESOLUTION TO HONOR AND COMMEND BEN W. HALE, JR., OF THE LAW FIRM SMITH AND HALE LLC FOR HIS ROLE IN THE DEVELOPMENT OF OUR CITY, HIS LEADERSHIP OF ORGANIZATIONS BENEFITING CITIZENS WITH SPECIAL NEEDS, AND HIS OUTSTANDING CONTRIBUTIONS TO ENHANCING THE QUALITY OF LIFE FOR THE CITY OF GAHANNA AND THE CENTRAL OHIO REGION AND BEYOND.

## 2. Structure of Government

Kneeland said the last item is the Structure of Government; assume this is in regard to questions we have received about restructuring our Mayor form of City government we have today; move to something else like City Manager or some other structure; not sure where we start; my personal feeling on this is, in order to be unbiased and transparent in discussion on this, I would like to ask the President of Council to create a 3 person special committee to look at this and bring back a recommendation to Council to provide us some direction.

Angelou said the hope was for a Charter Review Committee; you would like to have this before to decide whether to draw that together; I would be happy to volunteer for that committee. Kneeland said I would hope you would; from the perspective of transparency and for unbiased discussion, I think it would be appropriate for a sub committee of Council, appointed by the President, to do the evaluation and make a recommendation to Council on the special convening of Charter Commission.

Mayor said this committee would study whether or not to call the

Charter Review Commission and/or when to call one; both of those questions.

Renner said I would like to be part of that as well.
Larick said is there anyone who does not want to be a part of that.
Kneeland said I do not want to be part of it; like I said transparency and unbiased.
Jolley said I don't not want to be a part of it; not really sure if objectivity and transparency are the goal if a Council sub committee is the appropriate forum; unless the sub committee is going to call a lot of witnesses for input rather than simply having a discussion; there is a lot more going on that Council has been dealing with over the last year, and will continue to deal with over the next couple of years, where this could be part of those discussions as part of a comprehensive plan for the City with discussion and input from residents; we are talking about forming a sub committee to recommend to Council whether to appoint another committee; seems convoluted to me.
Kneeland said it is to decide whether to convene the Charter Commission; not a committee. Jolley said the Charter Commission is already scheduled.
Kneeland said I am looking for input on this idea from Council and the President since he would appoint the sub committee.

Leeseberg said the Charter Commission looked at this very topic.
Mayor said yes they did; actually a number of Charter Commissions have looked at this topic over the years; the minutes are available for all of that; last one felt it needed a bigger community discussion and that particular Charter Commission was not ready to put it on the ballot; from my perspective, I do not see how it could hurt to call the Charter Commission; the only problem I have with it is giving them a time limit; they need whatever time it takes to study the issue; I don't know that it hurts to call them.

Angelou said it would be possible to call last one together; they spent a lot of time doing this with a lot of back and forth on it; we have a group of citizens that have come forward and actually have a document that could potentially be looked at there; we have 400 signatures in 10 days so we know there is some dialogue going on in the community for this particular document; I don't have any problem calling the Charter Review back into session, the one we had before; maybe we add people that have shown great interest, come to Council, put together a document; I think it would be prudent to do that.

Kneeland said how much time do we have to act on this.
Larick said there is no timetable driving anything; point is not to dilly

dally but at the same time there is nothing that drives a timeline; I could come back with something on Monday to define appropriate steps or actions; we would take it from there.
Angelou said what does that mean.
Larick said I have a request on the table; I will evaluate that and consider doing that as well as who can go on that committee; or skipping that and doing something else, a commission.
Angelou said I just wasn't sure where you were going with that; thank you for the clarification.
Renner said for clarification, you mean next committee not next Monday.
Larick said no I will deliver something Monday; don't need to wait 2 weeks. Renner said so from the dais you will tell us. Larick said I think that is appropriate. Kneeland said you would set the special committee then if you choose to do that. Angelou said so we won't know that before Monday.
Larick said I will do my best to do a communication; whatever seems to make sense; I will formally present on Monday; I would hope to provide some documentation and plan in email.

Mayor said we don't have to recall the last commission; I think the Charter gives Council 4 appointments and the Mayor 3 appointments; don't know if they would be available to serve.
Larick said part of the reason why I think the committee piece is a good idea is there are steps in the Charter specific to the 5 year Charter Commission; this is not within the scope of that at all; there are no rules or guidelines that mandate a structure or the path Council would take on this; we could create a 3 man commission first or a 9 man commission and we select 1 and the Mayor 6; we can create what makes the most sense and is appropriate.
Angelou said there is the structure for the 5 year; Council can at any point put on a change.
Larick said absolutely.

Angelou said including the Charter Review is a way to do this; really doesn't have to be; can be this Council deciding to move ahead on the ballot; mentioned should be in February so there would not be the issue of people gearing up to run for Mayor; rather than in May when there would be a primary; that was the timing so that is why we have the discussion now and have it on the ballot in February if that is the direction we go; there would not be a waste of time and money for those interested in running for Mayor.
Jolley said doesn't follow; when would a February special election be.
Mayor said it would have to be prior to the Mayoral filing deadline which I believe is the first Tuesday in February.

Jolley said I don't think it is even possible or prudent to do this in this time frame; we are not just talking about putting a measure on the ballot; we are talking about fundamentally restructuring our entire system of government; that is not something you do quickly because you want to meet an arbitrary deadline; this is something that will take incredible planning and input; if you are talking about people making the decision to run for office, they are not going to be making that decision on January 31 and turning in their petitions on February 3; you have heard this argument from everyone, even those in favor of this, that we are talking about spending $25,000 to $30,000 on an election when we just received an email from one of our folks tonight talking about how every amount of even $5,000 to $10,000 adds up; it does not seem prudent to me to try to force this issue in that time frame.

Leeseberg said I would add there was an outcry about the tax issue being on even the May ballot; to hold a special election for something this important when we had only 12.5% show up at that time; who is going to show up in February; I am concerned about that for this big a change; if we can get the document, I did read the document that 400 people signed and it was not well put together; I worry that if we rush this, we would end up with something similar.

Renner said for a point of clarification and with all due respect, I do agree with you 100%; but right now before Council we don't have anything before us; there is no call to put this on the ballot; right now there is the idea to call a special committee to look into the idea on whether or not we do or do not call a Charter Review Commission; is that correct. Larick said fundamentally.
Renner said I am in support of that; we are talking about something very big in changing your local government; I have talked about this twice while campaigning; local government is probably one of the most powerful seats that anybody in a democracy can have; we should definitely not rush to put this on the ballot; definitely not in the February time frame; we need to look at this, analyze this, understand our responsibility; and then, something I have not heard anybody talk about, we have got to go forth and educate the citizens of the City of Gahanna; that is going to be the biggest hurdle; so no, not doing this in November, no, not doing it in February; not in favor of February or May; this is going to be a long term evaluation of what our responsibilities are and then how do we effectively communicate that to the citizens of Gahanna; we are talking about not just a zoning approval or a change in insurance for our employees, we are talking about something that is almost Constitutional and needs to be taken very seriously.

Mayor said I agree with you; it is Constitutional; our Charter is our Constitution; the document that was circulated wasn't just the question of are we going to go to a City Manager form of government; it was a rewrite of the entire Charter; so what is the question that is being asked; are we changing our entire Charter or our form of government; either one remember, it is not just the Charter that has to change; our Code will have to be rewritten from the top down; that is a substantial project; everywhere that the Mayor has to do something, it will have to be determined is it the Mayor; is the Mayor full or part time; is it the City Manager; who gets that power; is it Council; there is a whole lot of detail involved; not just the Charter; the question is simpler if we say we are going from a Mayor to a City Manager; but the document that was circulated talked about an entire rewrite of the Charter.

Kneeland said the request to Council right now is to evaluate the strong Mayor form of government versus a City Manager form of government.

Leeseberg said that is correct as to what it is on the table but the February election deadline came up and that is not doable; we cannot completely rewrite the Charter and what goes with that and educate the people for a February election; I just don't see it happening.

Renner said I would add that I am not afraid of discussing this at all; I don't think anybody around this table is; we should be discussing it; long term keep discussing it; keep having debates and asking questions.

Larick said I will have something on Monday.

Meeting Adjourned.

**Della Brandenberger, Reporting**