

City of Gahanna

*200 South Hamilton Road
Gahanna, Ohio 43230*



Meeting Minutes

Tuesday, July 5, 2011

Council May Meet in Caucus Beginning at 6:45 p.m.

7:00 PM

City Hall

City Council

David L. Samuel, President

Brian D. Larick, Vice President

Beryl D. Anderson

Shane Ewald

John R. McAlister

Nancy McGregor

Timothy W. Pack

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 Tuesday, July 5, 2011, at Gahanna City Hall, in Council Chambers, 200 South Hamilton Road. President of Council David L. Samuel called the meeting to order at 7:02 p.m. Invocation was given by Vice President of Council Larick followed by the Pledge of Allegiance led by Council Member Anderson. Agenda for this meeting was published on July 1, 2011.

Members Present: David L. Samuel, Brian Larick, Shane W. Ewald, Nancy R. McGregor, John McAlister, Beryl D. Anderson and Timothy W. Pack

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

Paul Bittner, Chair, Charter Review Commission stated he was pleased to report on behalf of the Charter Review Commission our recommendations to the voters for the ballot in November of 2011; before I begin like to thank Sherwood and Weber for their assistance to the Commission and also recognize the Commission members - Al McKenna, Bobbie Burba, Chris Franzmann, Dewitt Harrell, Margaret Trim and Dan Willis; Commission was constituted in January, 2011, and we met twice a month until June 16 when we completed our draft report; had many visitors come to the meetings; considered many issues; one of the things we took very seriously was the issue with form of government in this City; concluded that a change that significant from the Mayor form of government to a City Manager form of government would be something that members of the public should be invited to comment on and study; our charter provides for our work to be done in 6 months. And felt that during that period of time there would be a lot of due diligence that would be needed; we are not endorsing or taking a position against either form of government; think it is something that the City should, if it is considered, be considered with tremendous input from members of the public; what we did conclude is 4 different proposed charter changes; first one is for the change to be reflected in Article 3.04, Executive and Administrative Powers of the Mayor, so the Mayor would be required to make a State of the City address during the first quarter of the calendar year; purpose is to provide the public with an update directly from the Mayor; Charter would not dictate the content but would give the Mayor an opportunity to advise the public on the goings on in the City and strategic planning for the City; we had debated a little bit among the Commission members about adding a strategic planning provision in the Charter but felt that a State of the City would be the perfect way for the Mayor to communicate with members of the public; in addition did a tremendous amount of work and had input from the Civil Service Commission and also from the Department of Human Resources here at the City; wanted to make a proposal to the voters to change the role of the Civil Service Commission; this would be something that would change it from being involved in the front end of the hiring of employees to make it more of an appellate body to hear appeals from the classified service in the City; feel there is a strong professional human resources function in the City and that it would continue; still have a charter provision that mandates that classified positions would be selected through a competitive application process and based on merit and fitness; in addition if there was an internal only candidate or an internal posting, the Director of Human Resources could seek approval from the Civil Service Commission to allow an internal only posting to occur for a classified position; we believe that would maintain a check and balance on the hiring process and still make it merit and fitness based hiring; but also have an appellate body and a role for the Civil Service Commission in that vein; next proposal that we would submit are minor changes to wording in Sections 3 and 4 as well as 4.14 of the Charter; that is to insert some grammatical changes and adjectives to make sure that vacancies are filled at regular

municipal elections as opposed to leaving without the specificity; also make consistency within the Charter; also would propose making some changes to terms of office for City Council; debated and discussed term limits, staggering terms, changing length of terms and what we propose is that the at large and ward council seats both be 4 year terms; in order to avoid every elected office up for election in the same election year, we would stagger with ward seats so that 2 year terms in 2011 and then commencing in 2013 those seats would be 4 years; continue to be 4 years thereafter; this would allow that staggering would occur and there would not be every single office in the City up for election at the same time; those in a nutshell are the proposals we submit; seek endorsement from the voters to amend the Charter in November, 2011; thank you.

Samuel and Larick thanked the Commission members for their service and presented resolutions and Award of Merit pins to all 7 members.

Leon Cohan, 251 Shara Park Place; have lived there for over 20 years; presentation will most certainly exceed the three minutes; for the past year during the west side sewer project, you have torn up my yard, torn up my street, torn up my neighborhood; can't open the windows because of the dust; can't go to the mailbox because of the mud; it's been like that for a year and you're still working; just think that telling me I've got three minutes to complain about how that project has been mishandled is a little unfair; going to use the generic term city because I don't want to single out any individual and in most cases, I'm not sure who is responsible for what they did or did not do; have not been authorized by my neighbors to speak for them; only speak for myself; my purpose is to ask and hopefully to receive answers to the following two questions; please note that nothing I say tonight is new; all of my questions have been asked before orally, in writing and numerous times of several City representatives; to date the City's responses have been polite but non-committal, vague, non-forthcoming and in a few instances outrageously preposterous; my questions are: Does the City have any intention whatsoever of living up to its multiply-stated promises to restore not only my property but the neighborhood to an "as good or better" condition; secondly what action has the City taken to prevent future projects from turning into another fiasco such as this one; regarding my first question, what restoration am I asking; want you to repave the end of my driveway where it meets the road; when the City laid the storm sewer, it dug it up and replaced my driveway; the replacement paving is not flat, not straight out to the road and is lower than my lawn; when it rains dirt washes over the driveway forcing me to drive through mud and leave tracks in my garage; on the bright side, this winter I'll have a skating pond; also requires me to wade through the same mud puddle in order to go to my mailbox asking you to repave the three small streets that were torn up by the weight of heavy dump trucks and tracked front loaders and back hoes during excavation; some work has been done; admit that; but much work has yet to be done; don't know who approved it and said that's good enough, but it isn't good enough; want you to restore my lawn as promised to at least as good; the contractor regrading of the excavation portion of my lawn was minimal at best; they dug up the existing topsoil and replaced it with the clay that they removed from the bottom of the excavation; they left rocks, broken pipes and clods presumably to give me something to do; one contractor actually broke my storm sewer pipe and instead of fixing it he buried it and hid it; luckily when it leaked I discovered it, complained, and they came out and fixed it; want you to remove the traditional mix of weeds and crabgrass that you planted in my lawn; like to have you remove a layer of the clay that the contractors used instead of my topsoil; replace it with topsoil; in other words I'd like my lawn back as good as it was; not better, just as good; bought a load of sod to cover/replace the lateral excavation in my yard; the man who delivered the load owns a sod farm and makes his living raising and selling grass; showed him my new contractor furnished lawn; he shook his head, shrugged his shoulders, and said "That's never going to match the rest of your lawn"; took samples

from the lawn to Oakland Nursery and had it examined by their lawn care expert; he matched each sample with pictures from a computerized list and identified specifically what had been planted; identified 7 different weeds; also told me no one uses that mixture for their lawns; used almost exclusively by road contractors because it grows fast and by farmers because the cows eat it; also said the weeds will not die out on their own; mentioned that because the City has told me that the weeds will eventually die out on their own, in 18 months or maybe five years; regarding question 2, the City obviously did not appoint a project manager; you dug the same hole 2 or 3 and in some cases 4 times; you dig it, put a pipe in it, fill it up, grade it, put grass and straw, and then you come back and do it all over again; reckon that because of the way that contract was negotiated, each separate contractor gave you a full contract instead of making a project out of it; reckon that costs me out of my pocket some \$1,000 to \$6,000 of my own money; not complaining about the assessment for water and sewer; am resigned to that; am saying that mis-management of that project cost me big bucks; assuming that they took the overall price of all the contracts divided by the frontage and came up with a pro-rata assessment; the cost basis was much too high because you screwed up the negotiations.

MOTION by Ewald, seconded by Anderson, to extend time by 5 minutes.

McAlister stated we should take this under consideration, have a long meeting tonight; let's make sure that every one of his complaints have been addressed and rectified; am appalled by what is being said; think rest of Council would agree you have some legitimate complaints; want a report from the administration on how they are addressing these and when they expect them to be completed and a complete update to the Council; would that satisfy you. Cohan stated it would; Mrs. Sherwood knows how to contact me; gave a full copy of the presentation to her and she can make copies for you which details why I think this project was so bad; thank you for your time.

ROLL CALL: Voting yes: Ewald, Anderson, Larick, McGregor, Pack, Samuel. Voting no: McAlister. Motion carried. Samuel stated time has been extended by 5 minutes.

Cohan continued that he referred to the project as a fiasco; dictionary defines fiasco as a humiliating failure of performance; that there was a failure of performance on the part of the contractors of the City is evident; what gives me the right to criticize the City's performance; number one on the list is that I estimate the City's failure to competently manage this project cost me between \$1,000 and \$6,000 of unnecessary out of pocket expense; as I have already said I am not complaining about the water and sewer; am resigned to that; in fact I like the water; however, am saying that the City's failure to properly negotiate and manage the contracts for these services resulted in excessive costs and performance failures; those excessive costs resulted in a higher cost basis that, I'm assuming, was used to determine the assessments charged individual residents; where did I get my cost estimate; the Columbus Dispatch recently editorialized that Ohio was the one remaining state still requiring school construction projects to be negotiated with separate contracts; the state is prohibited by law from hiring a general contractor or project manager to coordinate and take responsibility for the project; Ohio requires that separate contracts be signed with the electrical workers, carpenters, plumbers, etc; according to the study this practice increases the overall project cost by 5% to 30%; applying those numbers to my approximately \$20,000 pro rata share of the project and that's where I came up with my figures; one small example; by not allocating and coordinating tasks during the negotiation phase, each contractor found it necessary to protect himself by building into his price enough to cover the cost of digging a ditch; had the second and third contractors been told that the ditch would be left open they could have adjusted their quotes per the amount of savings achieved by not having to

reopen the ditch; rest of what I had to say is in my written comments sent to Mrs. Sherwood; you get the idea.

Mayor stated perhaps Council would like to take this to committee next week; would welcome the opportunity to discuss; have met with Mr. Cohan in my office; the administration has unequivocally answered his questions extensively; there is extensive documentation from Wetherholt, Franey and Andrako that answered his questions every single time he wrote to us; would be happy to share all those things; told Mr. Cohan when he was in my office that we will restore your yard as good as it was; have to agree on what that means; last communication from you was that you did not want us to work in your yard anymore; you wanted to do it yourself. Cohan responded that he said if the City would grade it I would buy my own grass seed and still mean that; you never said you were willing to remove the weeds that you planted there now. Stinchcomb said we unequivocally stated that we will restore your lawn as we promised initially to as good as it was and we will be happy to continue to work with you.

Nick Hogan, 1040 Venetian Way, stated he appeared about 3 months ago; gave administration an entire series of questions regarding Creekside leases; have received no information back; no answer to any questions; meeting held by Council which I was not informed of or invited to where this was passed out (Clerk's Note: Document referenced was a power point presentation called Creekside Reciprocal Easement Agreement dated 3/28/2011); want to know where the missing lease money is; that's what I'm really looking for; Wetherholt and Mumma are as honest as the day is long and whatever information they give you is accurate; that I can assure you; this sheet of paper it talks about how they are leasing; the Mayor entered into lease agreement which never came before this; they leased a total of 381 sf to the business on the northwest portion of the plaza, the Italian restaurant; only 381 sf; amazing thing is that the lease agreement for the wine shop is 299 sf and space for winery is about 1/3 the size of what the Italian restaurant has walled off for itself; document tells you how much is easement, 7' wide by the length; but the one piece of information that is missing is how large of an area does that particular business have walled off exclusively for themselves; I measured it; they have approximately 1,600 sf walled off exclusively for their use; if you subtract out the 381 sf of the lease and subtract out 100% of the cross easement and give them credit for that, you are still missing 750 plus sf that the taxpayers should be receiving money on; don't know who paid for the flower boxes that totally surround it; did the City pay for those; if the developer paid for those we're now at 1,000 sf short; measurements I took were inside the planter boxes on the possible assumption that the City purchased those boxes; why are they exclusively given to one business if we purchased; revenue involved here is about \$1,500 to \$2,00 a year in annual rent missing; reason I brought to your attention last time was we were in receivership; and there is about to be a new owner; want to make sure that the new owner doesn't think they have 1,700 sf available for one business down there that they are not paying for; want to make sure you are getting the money for the taxpayer; all the documentation is right here; the wine shop measurements were right on; but this one business is not and that's totally unfair; final thing can someone tell me who did the measurements of the gross areas which were walled off for the individual businesses. Stinchcomb stated that as per the agreement, the developer measured and that is verified by the Development Department. Hogan continued that the administration can't measure properly or something; measure it yourself and look at your own documentation; a 300 sf lease for wine shop and 381 for Mezzos and tell me who has more space walled off; it's very obvious; find the money and return it to the taxpayers.

George Mrus, 1217 Sanctuary Place, wife Eileen and I are unit owner at Woods at Shagbark; stated he was here to address the Giant Eagle detention basin which is the site

of the proposed erosion control project; am speaking tonight primarily as unit owner but would also like you to know that I serve as President of the board for the Woods at Shagbark after having served for a number of years as secretary; have 3 points to make regarding the project; one, my support for your permanent solution; two, continued partnership with the City of Gahanna, and three, would like to thank that partnership today; many opinions on which long term solution may be the most viable in addressing the McKenna Creek erosion issues whether now or in the future; as explained to us by the City the most viable option for a more permanent solution and the one that provides for the greatest common good for the Gahanna community as a whole is the current detention plan which I support; the City is committed to change the overall footprint, whether it be moving it closer to Giant Eagle, whether it be adding more landscaping, adjusting pitches, etc. with hopes of leaving smallest possible footprint; would like to thank the Mayor, Council, and various City departments, and in particular, Franey, Wetherholt, and Feltz for all their efforts in partnering with The Woods at Shagbark on this project via the multiple meetings, e-mails, and site visits; like to express our gratitude to them for their professionalism and willingness to incorporate suggestions into the existing basin plan and committing to work with us before, during and post construction; to date there has been great success in the partnership between The Woods at Shagbark and the City on multiple projects over the years; these include short term solutions to the creek erosion issues with the use of rip rap; the City has always been very responsive to our needs; I believe that continuing this partnership on the detention basin project is but another example of the great strides that can be made via dialogue and two way communication; the detention basin area is a smaller version of Blendon Woods given its rich abundance in wildlife; we all bear a responsibility to minimize the disruption to that wildlife, as well as to provide the opportunity to restore that area as quickly as possible once construction has ceased; lastly thank everyone for allowing conversation on this topic and especially tonight given other topics of significance that Council needs to address; continue to look forward to working with the City on this conversation and partnering with the City on this and other issues as they may come up now and in the future; thank you for allowing me to speak.

Graham Scott, 1205 Sanctuary Place, stated he purchased that property because of the woods and natural setting; as previous speaker mentioned, there is a proposal to remove those woods to replace with a detention pond; not sure what the outcome will be but do wonder about the efficacy of this; have been reading both sides; any discussion always has two sides; feel it requires quite detailed discussion consideration and if this is the right thing to do; the cost; the numbers I have seen seem quite high especially today in the environment we are all faced with cutbacks in service, public money, shortages, etc.; not only the cost of construction but the cost of maintenance; sometimes this is overlooked; and the cost of mitigation in terms of replacing trees; mature trees that we are going to be losing will open up noise and light pollution to the residents at Shagbark; wonder about the efficacy of the planned diversion; maybe it is true; there are people who are very knowledgeable in this area and who have studied this; one would wonder if it really will address the downstream erosion issues in the long term compared with other perhaps less expensive alternatives; in closing would ask that you give this proposal very serious consideration based on the cost and benefit analysis; thank you.

Tom Widney, 1209 Sanctuary Place, stated he appreciated the opportunity to address you; back up right to the proposed development; am very concerned and echo comments made previously; state my displeasure with the lack of notification; had no notification from the City of Gahanna on this proposal; heard about it from my neighbors; encourage proper notification to everyone; from what I have seen not sure all options have been truly and openly evaluated or modified to address what issues are; from what I have been able to see with the URS plan, the amount of water coming in from Columbus and

then having to deal with the issue they have helped to create; also haven't seen any types of pervious material used or addressed in this to reduce the amount of water runoff; doing a project at work where the City of Columbus required us to use pervious pavers; that has worked out well to reduce runoff; without addressing the issue with Columbus, not sure that this can truly be addressed; looking at other issues so the wildlife is not affected and property values are not decreased, so that the setting we currently have outside of our houses is not affected; need some more serious detention; also consider some other incentives for businesses and surrounding homes such that need to look at alternative options as well; you have pervious pavers, rainwater collection runoff systems which can be used to feed public toilets, or landscaping watering; haven't seen that addressed; even a side step of pavement needing replaced on some of these surface parking lots have that replaced with pervious pavers; had no notification on this meeting; just back in the country yesterday and had very little time to prepare; do appreciate your time but ask that as City officials it appears to me that your charge is to look at the residents best interests; ask that you do this and assist us with this matter.

Sally Ewing, 1213 Sanctuary Place, stated she was here to speak from heart; not an expert; am concerned about the woods being demolished behind my property; relocated back to Ohio a year ago; was going to purchase in downtown Columbus when I found the freeway was going to be torn up; didn't want to live through that for 6 years; decided to look at the suburbs and found where I presently live and it is gorgeous; our streets are Serenity Place and Sanctuary Place and think it is apropos to the neighborhood; woods behind us are peaceful and have a lot of wildlife; is very restful; my home is my sanctuary and it is a sanctuary for a lot of wildlife back there as well; concerned about my property value; in the winter time when the leaves are off the trees, am usually woken up by trucks at Giant Eagle around 4:00 a.m.; am concerned if the trees are gone what that impact will be for the noise; trees also shroud our neighborhood; outsiders aren't aware we are there which provides some security to our neighborhood as well; hope you take all this into consideration before you destroy the woods behind us; if the woods are destroyed feel our community will be called The Condos at Shagbark instead of The Woods at Shagbark.

Sherry Passmore, 1239 Sanctuary Place, stated she is a lifelong resident of Gahanna; recently moved to The Woods at Shagbark; attracted to it in a large part because of the natural wildlife habitat that surrounds our neighborhood; last week became aware of the recommendation for putting in a huge detention basin at the entrance to the community that would involve destroying a large portion of that habitat; although my unit is not next to that do have great concerns; have reviewed a number of documents related to the proposal; have reviewed the various recommendations submitted by URS over the last three years; spoken to other members of our community who have been working with the City and gathering information; both as a taxpayer and an attorney with over 30 years experience in the public sector, large portion of that with the State of Ohio and the City of Columbus, have some concerns about a number of issues; first concern is the environmental impact; to date does not appear that such considerations have been factored in to the cost benefit analysis; second concern as to whether there are less environmentally destructive and potentially less expensive solutions to the problem by removing a substantial area; the URS studies conclude that the McKenna Creek watershed problems are primarily the result of development and inadequate drainage in the north in parts of the watershed which are located in the City of Columbus; the area north of Morse Road; that is URS conclusions presented to the city; URS has identified numerous opportunities for improvement that would substantially reduce those problems Gahanna is experiencing downstream; they do not appear to be as costly or as environmentally destructive; URS has also identified solutions that businesses to the north could implement that would alleviate the problems we are experiencing;

thoroughly exploring partnerships before any decision are made by this body is important; consideration should also be given to the City of Columbus' legal responsibility to correct the problems that have been created by the development in their area and by failure to provide for adequate drainage; finally I have concerns as to whether the proposed solutions will even be effective in resolving the drainage issues within our community; the environmental engineer who has reviewed the recommendations on behalf of some of our residents has indicated it will merely be a bandaid; will not decrease the volume of water coming from the north which is what is causing the erosion problems in our community; greatly destroy the beauty, the natural habitat, much of the wildlife within the Shagbark community; will certainly have an effect on our property values; won't do anything to resolve those erosion problems; in the City's land use plan one of the target issues the City committed to is the protection of natural features and waterways; consistent with that commitment destruction adjacent to The Woods at Shagbark on the scale proposed should only be a last resort; quote from land use plan "Growth is inevitable and desirable but destruction of community character is not"; the question is not whether your part of the world is to change; the question is how; therefore I ask that you give careful consideration to alternatives particularly to partnering with the City of Columbus and the businesses to the north; City of Gahanna is not going to solve its drainage issues as URS has clearly indicated in its report through solutions within this community; looking at all the literature you will see that in dealing with watershed issues you need a regional solution; can't patchwork; until that work has been done both with neighboring communities and businesses, you won't solve the problem; thank you.

Annette Webster, 1223 Sanctuary Place, stated she also is speaking to issue of Shagbark basin; the engineers and Mayor have been very good at coming out to try and allay our fears; think you need to know about these issues and look at all possible solutions; am concerned about air quality if we lose too many trees; you can't replace them that quickly; also the noise pollution; think we need to consider the ecological problem with destroying this area and the wildlife that's there; think a better solution can be found; if you proceed, how long will it take; what will be disruption to our neighborhood; how will we get in and out of community; how many thousands of pounds of dirt being taken out and trees that they will be taking out; will be a lot of extra noise; can't even do this until the bats leave their nest; what happens to them; bats are there for a purpose; take care of mosquitoes and bugs and so they have a purpose in the greater scheme of things; very expensive project for what it is going to accomplish; hope you will look at that and make sure it is money well spent.

Jane Miller 1198 Sanctuary Place, thanked Council for their time; called Woods at Shagbark because it is filled with woods and is an absolutely beautiful environment; real niche, a little jewel, tucked away behind Giant Eagle and Morse Road and all the stores and restaurants; Stoneridge is across the street; beautiful creek that is causing erosion problems; very well designed; my husband is an architect and I am an attorney; currently employed at Ohio Dept. of Education; first position out of law school was as a staff attorney at EPA; subsequently served with Attorney General's office and PUCO; have a good bit of knowledge and experience with state and federal environmental laws and utility law; also worked for a telecommunications carrier; do have some expertise including working with the clean water act; why am I here - to protect the environment; people swing full circle and you can see a thread that runs through their life; have cared about the environment ever since I was a child; am a gardener by hobby and that's why we bought the property in 2005; our unit is on the pond near and looks out at the woods which I am told will be largely destroyed through this detention basin project; am here to protect the environment first and foremost; have a long standing interest in that; do love it; it is my sanctuary; this is where I have my spirituality in nature; we have well named

streets; we live on Sanctuary Place; if the woods are destroyed the character of that area will not be able to be rehabilitated in a short time frame; encourage you to take a look; take access road around Giant Eagle and that back gate is open during the day you will be able to see what I am talking about; am also here because there is a very serious erosion problem; based on my first hand knowledge of observed what is going on and hearing from the neighbors that have been personally experiencing it because they live immediately on the creek; aware there is a serious problem; know something about erosion from work on EPA; something does need to be done; thank City for coming out and talking with residents at our clubhouse and for sharing their plans and for all the work they have done; have 3 concerns; one is, will it work; looked into that as it is the most serious issue; assumed this would work and would stop or greatly minimize the erosion going on for our development and downstream; these creeks flow from north of Morse Road and out of Hoover Reservoir through our creek and down into Big Walnut and along Creekside; there is damage occurring all along the way; does need to be dealt with in some meaningful and satisfactory way; second of all, it needs to be dealt with in a way that minimizes the environmental damage as much as possible; when you cut down 150 year old trees you won't get them back overnight; third, it needs to deal with more than just the area that's highly eroding where they are planning to put the detention basin; needs to correct for the problem south of us and having looked at it the units down there have sections of their yard that have dropped two to three feet; is shocking what already is going on; something meaningful needs to be done to deal with this erosion problem and get it stopped; need to minimize the destruction that's necessary to carry out a project to accomplish that; and third, solve the continuing problem south of the proposed basin; contacted a reputable horticulturalist and owns an environmental wetlands business; deals with creek restoration and these kinds of issues; his name is John Kiertscher and his business is Envirotech; told him about URS proposal and asked him what his thoughts were; he has been to see this area along the creek; is familiar with the area and the proposed solution that I discussed with him; has not looked at plans but knew what I was referring to when I said detention basin; he said unfortunate thing is with the water flowing from north of Morse, the problem with detention basins is if they are not sized properly and flows are not dealt with properly and a whole array of factors, including the weather, the detention basin won't work; was shocked to hear that; it will fill up and it will overflow and you will be back to square one; my recommendation is like those that preceded me; this is a problem that needs to be solved; highly support that; we need to deal with the erosion, need to deal with it in a way that will work and a way to minimize the damage to the environment; thank you.

Keith Webster, 1223 Sanctuary Place, stated live smack up against where this detention basin will be; not happy with it; not happy with anything that has been going on, although have to give accolade to people we have dealt with in the City; they have been very patient with me; am the burr under the saddle for the last month; somebody has to do it and I'm doing it; the problem that everyone seems to recognize is the water coming south from Columbus; hope media I've been contacting will follow the money on the problem caused north of us and bring out that aspect of it; the second problem is our own city policy of dealing with limited number of suppliers; had this in the past and have been learning from it; dealing with another one entity, URS, and that is unacceptable; nobody in business deals with one entity; URS has been doing all these studies coming up with solution; the solution is the problem; URS is a problem; this is a corporation that needs to make profits for stockholders; don't care particularly if it's in conflict with taxpayers and the environment; it's a corporation that is using 50 year old solutions; can't come up with anything that is environmentally sound; in our HOA they made it perfectly clear that to them bigger is better and that is not a solution; in their engineering study of April 2010, the only study done to find a solution for Gahanna was that one; and they chose alternative 3 which is the easiest solution; is it the best solution;

that's problem number 4, the conclusions of the study; choosing alternative number 3 alone, the proposed Giant Eagle detention basin, is the easy out; their objections stated to green alternatives 1 and 2 could be overcome but it will take work; always difficult; will take time for people to do it and take effort; but it is worth it; even if it is not in URS' interest to do so; look at alternative 1 when you see these plans; ODNR says they could back up water some 2 feet or more in the area east of Market at Hamilton strip mall and have proposed this to the City; as of last week, the City didn't know about this; somewhere there is a disconnect; there are 2 plots owned by Market at Hamilton; are they a sacred cow; I've been told they are but got the impression from ODNR that they are not; some work on the conservation easement will be necessary and other hurdles are necessary to overcome issues with regulatory agencies, but it can be done; problem number 5, URS is dissembling in the study; when you get that study, look at it; page 3 they say a few trees over 6" in diameter would be removed; look at the demolition plans and it shows 46 trees over 6" would be logged - 6 at 8", 5 at 10", 13 at 12" and so on up to 1 at 36"; on page 13 they say they will conduct an environmental assessment of the property to determine the extent and possible impact of construction debris; have they, will they; don't know about that; what about the environmental impact to fauna and flora; not necessary says the City; why not; because it's city owned; we don't have to is not an answer; still on page 13 they say they will conduct a wetland investigation of the City property to characterize observed wetlands; where are the results of that investigation; did I miss something and I've been doing this for about a month looking into all these things; of the 6 things URS has to do by their own admission, 4 are done and 2 are not as far as I can determine; and another year has gone by; plus, URS has not addressed the EPA's regulations or doesn't seem so; NPDES stands for National Pollutant Discharge Elimination System; requires that development and implementation of an MS4 (municipal separate storm sewer system) to address post construction runoff from newly developed and redeveloped areas; the proposed Giant Eagle Detention Basin is such an area; and they haven't attacked that and they haven't even paid any credence to it as far as I can see; problem number 6 is the budget; the plan shows an estimate of \$559,000; the City says \$400,000; what's been cut; what's happened since that plan; restoration and landscaping was \$50,000; what is it now; we haven't seen anything; we've seen no budget breakdown and we're the most impacted; we're the units that back onto the woods to be demolished; we'll suffer the most during the almost 2 months of destruction and the results; we do not want properties to the south of us to be further endangered by creek erosion or storm water overflow; they don't have to be; green engineering can help provide an answer to satisfy everyone; it sure as heck isn't satisfying us now; it's not green engineering; there you have it; many unanswered problems; too many to go ahead with this project as devised by URS and as the City is proposing to bring to you for \$400,000; I and like minded residents would like to ask for a delay of any budget approval until we know ODNR and the City have worked out how to detain water in 2 plots owned by the Market at Hamilton and a new greener plan with smaller footprint in existing Giant Eagle Basin is developed by some entity rather than URS; you don't need to be dealing with one supplier and that's what they are; if you go down that road again that's bad news; after that, we need to see a new budget breakdown using monies from the storm water utility fee because that's where the money is coming from; meanwhile we should use whatever contacts Gahanna people, not just City officials, have with the City of Columbus people; some of us, not me, are well connected; let's network; we can make it better for all residents impacted by McKenna Creek including those in The Woods at Shagbark; hard work will get it done and we have another year until the bats have finished roosting; please consider that; thank you.

Scott Sonnenberg, 7700 Wells Road, Plain City, stated he was an outsider to this case; I was asked to come in and take a quick look at this; am a registered professional engineer and registered landscape architect; hold national certifications in erosion and sediment

control and storm water quality; spent the last 30 years working on storm water management issues and looking at alternative solutions, green solutions, as best I can; spoken throughout Ohio and across the country on these types of issues; have not looked at URS study so don't know some of the details of the exact watershed; know it's roughly 250 some acres; met the other day with Franey and Wetherholt; thank them for listening to some of my suggestions; had looked very quickly at one possible alternative and made some assumptions which I have gone back and corrected; I know that the outlet pipe in the Meijer detention basin is a little smaller than it was; still some things that could be done; have a map that I have sketched out and will leave that talking about some alternatives; wanted to talk a little in general about why we need to look at some alternatives; there have been some allusions to the fact that we need to look at this from a holistic standpoint; dealing with City of Columbus in any kind of a developing watershed; McKenna Creek is a classic example of an urbanizing watershed; most of the watershed has been developed out; only a few parcels of undeveloped land that are left; in any developing watershed the drainage network that drains that watershed is like a circulatory system in our body; when it is undeveloped there are natural protections of that system; our skin protects us from the outer environment; upper portions of the watershed, the trees and grass, protect that watershed system; it purifies the water as it running through that system; as soon as we start developing in a watershed we start putting in catch basins and paved areas; Meijer, Giant Eagle, and Kohl's have catch basins which are collecting water off of pavement; collecting pollutants off all those pavements; it's dumping it straight into the storm drain system which dumps it straight into, in the case of Meijer, through a concrete channel running through their detention basin straight into another storm drain; and then dumps it straight into the creek; it's like coming in to our human body and taking a whole bunch of hollow needles and placing them straight into your veins with open access to the outside environment; lets any kind of pollutants bypass all the protections our skin has and dumping straight into our circulatory system; thinking about all those catch basins and storm basin systems scattered throughout this watershed, if we had 1000 needles open to the air stuck into our circulatory system how would we feel; we would feel bad; our health would be degrading; that's what happens to stream systems in developing watersheds; the analogy is similar; health of our streams is developing; how do we got about addressing these issues; we've been dealing with them by putting in detention ponds for many years; there have been many studies and my Master's thesis back in the '80s was on this issue - how do multiple detention basins scattered throughout a watershed affect the actual stream channels; there are ways they can be designed to start minimizing the impact; the way we have designed them in the past doesn't address those exact issues; Meijer is a classic example up in Columbus; they have their regulations; they have their way of dealing with storm water management; Gahanna has been trying to address those issues; the national trends are to do more with green infrastructure; to move a different direction; ask you to consider a look at those alternatives; sketched out some additional comments and places, actually suggesting about 8 different alternative locations where things could be done differently; one is the Meijers detention pond; has a concrete channel running through the middle of it that just allows any pollutants to get into the onsite storm drainage system immediately through that system; what we are looking at now is retrofitting basins like that and converting them into wetland detention basins; turning them into an ecosystem and wetlands are our natural kidneys of the natural environment; putting a wetland into the bottom of that thing can actually add an additional 100,000 cubic feet of storage volume which is close to 30% of what this proposed detention basin would provide; just by modifying one detention basin could provide additional storage and by converting into a wetlands could provide a means of filtering and delaying and improving water quality; additional locations are also available; there is the Home Depot wetland detention basin; there is an area on the west side of Hamilton Road with some strip outparcel development that drains to the west into drainage swales that

don't look like they provide any kind of detention at this point; may be planned for a future phase but nothing there now; Kohl's parking lot doesn't provide any kind of filtering or detention before it runs straight into McKenna Creek; there's also additional detention basins throughout so that the watersheds, many of them much smaller than Meijer, but there are other opportunities that should be investigated and plugged into a watershed study to see how each of these potential alternatives could be used to slow down the water, filter the water, and infiltrate the water; one of the major problems with putting in a detention basin at this location is that it is not addressing volume; I work on stream restoration; have designed 5 or 6 miles of stream restoration projects from channels that you can step across to those as wide as this room; what does it take to restore a stream channel and what conditions in a watershed result in erosion; one of the major problems is volume of water; if you don't address volume and how that relates, having a detention pond only delays the volume of water; it does not reduce the volume; dragging that out as a detention basin only delays it; still get a similar amount of bank erosion on stream channels; this detention basis will address flooding but it won't address the erosion problems along this channel; alternatives need to be looked at; thank you.

Richard Sahli, 981 Pinewood Lane, thanked Council for their attention to this issue; live at south end of town but have a number of friends at Shagbark who asked me to look at this situation; been involved with environmental issues my whole professional career; was Chief Attorney at Ohio EPA for 4 years; was Executive Director of the Ohio Environmental Council, a state wide environmental group for 4 years, and for last 16 years been in private practice of law dealing exclusively with environmental issues; dealt with a lot of civil engineers in that time; lot of hydro geologists; fairly familiar with the engineering principles involved here; in looking at the plans was very disappointed; think you are being handed a lemon; this is the type of solution from the '70s; type of solution that has been phased out very rapidly over the last 10 years because solutions like this are expensive; they are hard to maintain; they have definite limits to what they can do for you environmentally; very destructive on the environment; we have a special natural habitat; nice continuous habitat; acres of connected habitat that will be severely disrupted if this plan goes in; when looked at this proposal, struck me that not only was it an idea from 1972 but it was an industrial solution for a suburban location; not appropriate given the setting we are dealing with; it reminded me of a detention pond at a landfill; litigated about 20 landfill cases in my career; in 6 or 7 of them the other side of me working with a landfill company was URS Engineering; they know landfills and that is what you are being peddled; last generation technology for dealing with storm water; what I handed you was a 2 page opening web page from US EPA website dealing with green infrastructure; the links on that page will lead you to another 300 pages; has a couple of very good points; traditional styles of storm water are passé; they are counterproductive; do not do as good a job as they should be doing; these green infrastructure ideas working better with the natural environment, getting more of a focus on better infiltration, better natural designs for systems and integrating systems together is a far more productive and less expensive approach; less difficult on the natural world and all those animals in Shagbark; lot of options here that should be pursued; my advice is to table this idea until green infrastructure concepts can be looked at; storm water problems are a definite challenge and compliment you for trying to tackle these problems; we can do a lot better for the people of Gahanna than this proposal; thank you.

Louis Houser, 1203 Sanctuary Place, stated he would like to make a comment to straighten out for the Council referencing that two of our owners said they didn't hear of anything about this until the last week; that surprises us all; the City had public meetings at City Hall; they were invited and Franey, Wetherholt and Feltz also came to our annual

meeting to explain this; they brought drawings and so forth and that was on May 19; only want to bring it up that you take away from here that people wouldn't know about it; they should have; am a member of the Board of Directors of The Woods at Shagbark Condominium Association; am a licensed professional engineer in the State of Ohio; have my own engineering business; have been involved in construction projects in my 30 year career at the East Ohio Gas Company; mention that because based on the experiences I've had as a board member and professional experiences, come to say that I support the installation and construction of the detention basin or some method that takes away the flooding that has been going down through the development; once it leaves us it filters its way down to the southern parts of the City and homes that get flooded down there; lived at The Woods at Shagbark since December 2004 and since then have seen increasing volumes of water flow down through there; when the heavy rains come the waters move up in the creek up to about 3-1/2 feet; over that time eroded the bank considerably; have pictures with dates on them of June 2009 and in April 2011; also forwarded those on; to that degree feel that something needs to be done to mitigate the erosion; in 2007 the current President, Hank Schlake, along with Jeff Feltz initiated a request which resulted in a study by Franklin Soil & Water Conservation District, and it dealt with issues of erosion along the creek in The Woods at Shagbark; in my role as a construction supervisor at East Ohio Gas Company there would not be any projects that would go where it would seem that there would not be a blending of the issues; does pipeline construction tear down the tree or divert the water; my main point in asking that the overall picture be looked at and the overall positive that can come from this project to minimize and mitigate the erosion of the creek for the Woods at Shagbark and for the southern part of us; the continuing erosion from the water surges which are visible in the pictures must be mitigated; are nearly 30 condominium units close to the creek that could ultimately be affected if there is any damage from erosion to where it affects foundations and so forth; challenge is to mitigate the loss of trees by planting more of them; noise impact has been brought up; I will hear it too as I live one house down from everyone here and when I sit on my porch and look out where water comes out; in spite of hearing the noise I know that we have to mitigate the erosion; the Service Director and Engineer met with members of the board; have been out to the complex on several occasions; thank them for looking into it and trust and pray that collectively we will come up with an answer; thank you.

Stinchcomb stated she would like to ask that we take this to committee; have had a lot of information given to us; would like to go over the studies; we have a community divided on this issue; would like to have an opportunity to go over all the plans we have done to date; take a look comprehensively; also like to say that I do agree with several people who talked about issue with Columbus; sometimes you can control and sometimes you can't; we have tried working with them; can discuss further in committee. Samuel stated public is welcome to come to any committee meeting and listen to what is discussed; generate e-mails to departments and to us; will be looking at this issue; can contact the Council office 342-4090 for information. Anderson stated that another thing under consideration since there is such division and viewpoints on both sides of the aisle, perhaps a study committee could be formed so we can come to common ground and understand what would go forward to the recommendations to be made so there is consensus and like mind when moving forward; one thing to consider since there is so much discussion and concern and so many elements that need to be taken into consideration; so that the community can be directly involved and not just coming to committee but sitting at the table as the decision is being made.

Sadicka White, 98 Nob Hill Drive North, stated she has been a citizen of Gahanna for 13 years; come before you to talk about a matter under consideration; am representing the

Central Ohio Community Improvement Corporation; am a charter member of the COCIC and will also be speaking from my past position with the City as your former Director of Planning & Development; issue before you that I understand you have concerns or questions about are related to the subsequent extension of the Junkermann agreement as a part of an overall developer's agreement related to all the work that has come before you with the COCIC with the old Bedford Landfill and now the Central Park development and the commercial land that surrounds it; give you some history; when I came here in 1997 there were 3 outstanding issues that had to deal with health, safety and welfare; those issues were the landfill, the airport noise, and Columbus Steel Drum; those were major issues that confronted our community; we were keeping records on how many complaints we received; people here before Council with previous Mayor as well as current Mayor, almost on a regular basis because of the noise and odor complaints; particularly talk about tonight is the issue surrounding the old Bedford Landfill; many of you may not remember the clay piles; those clay piles looked like mountains; we didn't realize we had land that was excluded from our potential because of how the landfill was there; looked in my charge as Director and it says I am responsible for dealing with issues that deal with the land in the community particularly when it is health, safety and welfare plus I had code enforcement in the department; attempted to do a regional solution; because Jefferson Township, the fire departments, as well as the City were all concerned; we ended up damaging some properties; one property referred to as the T&S property we ended up purchasing; used later for a specific reason; was another property we alleged to have damaged and say alleged because the case never went to final litigation; was the threat of litigation; the attorney was Dick Brahm; it was the Junkermann property which was the 26 acres that is on Taylor road adjacent to another 30+/- acres Mrs. Junkermann owned; she owned a lot of industrial property along with Sidney Blatt; Mrs. Junkermann came and indicated she would sue us because we would not allow her property to be used other than industrial; she had had offers for residential; because we would not zone residential and airport came and protested against it, she was never able to get a potential buyer; in negotiations we ended up buying the 26 +/- acre property for thirty some thousand dollars an acre and we indicated at the time that we could potentially utilize the land, because it had a wetland on it, for park or wetland; held on to that property until such time as we were going to be able to develop it; now the stories begin to converge; we hired attorneys to figure out legally what we could do about landfill; found we had culpability; City had put trash and debris into the landfill; attorneys indicated all the legal entanglements involved on three levels; the local level where we had dirty hands; at the County level where they were owed for back taxes; on the federal level as well, as the federal taxes also were not paid of approximately \$2 million; owner Mr. Tefft had to divest himself of any legal responsibility; still stuck with this problem; did find out about the Clean Ohio Revitalization Fund which could come up with \$3 million for brownfields; looked at what it would cost to mitigate and it was going to be \$5 million to \$7 million dollars; the big issue we couldn't deal with was the liability; we couldn't apply for the loan because we had dirty hands; City needed to be able to apply for loan; had to figure out how to come up with clean hands; went to then County Treasurer and began investigation; turn over to Ed Leonard to explain what we came up with.

Ed Leonard, 373 S. High Street, Columbus, stated he is the County Treasurer; my role is to speak to the County Land Bank Program; established at end of 2003; designed to take on tax delinquent distressed properties and get them back to productive use; one of the first projects that came to us was when we were approached by the City to see what we might be able to do on Bedford Landfill; at that time it had a quarter million dollars in back taxes as well as federal taxes; was there something we could do; land bank was designed to take on those properties that had tax issues; looked at that and what we could potentially do; at that time it had been forfeited to state because of the taxes;

needed to get it in control of the County and then we could transfer it to try and address the problem; at that time we were also talking with VRG about a similar idea about what they might be able to do if we got control of properties as part of the land bank program; what opportunities might be out there; one of the properties mentioned at that time was the Bedford Landfill and the fact that there was property around it; that's when the folks at VRG saw the potential of maybe doing something and bringing everybody together; VRG came up with idea of COCIC as a holding entity; nobody wanted to hold ownership; created COCIC to hold the landfill; could then be a partner with the City to make application for the CORF grant and the COCIC had its own power to borrow and so forth; it could hold and shield a lot of parties from potential environmental liabilities; turned out to be a very good vehicle for that purpose; once it was established, COCIC hired VRG to serve as the asset manager; County didn't have that development experience and the County at that point in time wasn't prepared to make a financial commitment to back up the COCIC; so we really needed to bring in a partner who was willing to take that position, make the investment, and help us do the work to get it to the point where both properties could be brought back to productive use; in addition to bringing that expertise they also brought some of the financial resources to help us; at the time of the acquisition VRG helped lead the charge in the CORF grant and helped that initial infusion of money that helped in the cleanup of the landfill; gives you some of the insight into the creation of the land bank, creation of the COCIC and what VRG's role was in that initial formation; the County took the property, we were able to wipe the taxes off and transferred to COCIC and from there we could serve as that partner with Gahanna to help move this process along; at this point there are further speakers who can address some more of the business aspects and more of the COCIC's role as well as some of the additional role that the County has subsequently had; thank you for your time.

James Sisto, 919 Old Henderson Road, stated all the partners have worked hard; best way to quote this is an e-mail from State Senator McGregor where he analogized it to a relay race with a baton and no one runner could finish the race and needed to pass that baton from one member to the response; that was in response to us finally completing the environmental remediation work in 2010; my role is to give you chronology and a little background on how this developed and the role the Junkermann property played in it; in 2005 when our owner did meet with County Treasurer Rich Cordray, we were a company of less than 10 employees and primarily a collection firm; our business was with the FDIC; we worked out bad debt from failed savings and loans; sometimes that bad debt was backed by properties that had problems, environmental problems, tax problems; together Cordray and our owner started a partnership where we could apply our skills that we had applied with the federal government to a problem that the County had; was a unique partnership and we had to draw on other members; so a small company of less than 10 employees, now we have about 50 and most of that growth has been in the collections area, a small distressed asset management firm entered agreement to work with County and COCIC and most importantly with the City of Gahanna; the COCIC was formed in May, 2005 and in June an asset management and disposition agreement was signed to manage the process; on June 20, 2005 this City Council passed an ordinance which allowed the City to serve as a co-applicant with the COCIC on the CORF application for the newly formed COCIC; important to think about that; to go into title for a former licensed landfill you are not an innocent purchaser looking to help; you are an owner operator of a licensed solid waste facility; need to meet some very stringent tests to do that; the EPA is the one who judges if you qualify; this COCIC by no stretch of the imagination technically qualified to meet that test; City and County had to step forward to help; the EPA and the Ohio Department of Development also; everybody had to step forward and help including our company; we were able to meet that test; County stepped in to ownership after foreclosure for one day; EPA helped by telling the

County we won't hold you responsible for that one day of ownership unless you dump more trash; another unusual agreement to get this baton, this relay race, over; as we continued to work through it, in June 2005 we submitted the application for the CORF grant; landfill today still exists as the only solid waste licensed facility to get a CORF grant; no other landfill of this type to get a grant and complete the grant; had to start the process and had to support this in a statewide competitive process to show job creation that would result; in order to do this we had to have properties other than the landfill to support development; the City had 2 properties which I will refer to as the Taylor Road properties which sat immediately north of the landfill property and then there was a property immediately to the south; went ahead and COCIC had no financial assets; had not been created for this; went ahead and applied for a loan from a bank to buy what was known as the Columbus Tile Yard or the old brick plant; our company had to back that as the guarantor because the COCIC had no assets; the City donation of the Taylor Road property happened; that gave us enough property to be competitive and so we could actually create jobs on those properties; this whole thing is jobs; applied for the grant and during that process property became available which we will refer to as the JAS property which provided access to the west which is now the TechCenter extension into the property; there was a piece of property that went out on the market and once again we backed the COCIC and they purchased the property; then in December 2005 Gahanna was awarded the CORF grant; project started at that moment; late in 2005 the Junkermann property was transferred to the COCIC by a development agreement for 2 primary purposes; the first, the bank was no longer willing to lend money; were willing to extend additional credit because of two things; if the Junkermann project was being offered by the City to be brought in as part of the overall project; it has always been an integral part of the overall project; one is for office and one is for light industrial; if we have a client come that doesn't have something matching the office, then they could go to the Junkermann site; Junkermann was transferred into this to provide the necessary equity so that 4 parcels by 2 owners can be purchased; refer to them as SLK or Karst property and Singh properties; as a result of the transfer of the Junkermann property to the COCIC, the Singh and SLK properties were purchased; the bank didn't stop there; they didn't just require equity; they required a buyer; we had to work with SWACO who had an option for 18 months to buy the property that the new City service center will be going on to put a transfer station; nobody wanted to see that result but it was the only way to secure those properties; these properties now represent where TechCenter is going through; they added depth to the Taylor Road properties which were otherwise undevelopable and are now conservation land; also gave us the property where the new service center will be going; these were also in the township and they have now been brought into Gahanna bringing additional properties, additional development value and additional taxes to the community; there were a few other minor properties also purchased including storage units at Morrison and Claycraft in May, 2007; at that time State Senator Jim McGregor pleaded with us to get rid of that as he thought it was an eyesore; we purchased it, and this time we had to buy it because the COCIC had no further credit; entered into a partnership called Central Park Partners and through that we purchased those storage units with the idea of relocating them off that high visibility corner and taking them to some more appropriate part of the City; we closed on that and assembled all those properties and in July 2010 the final environmental hurdle was reached; the landfill was certified as closed in 2008 and then in July 2010 the Taylor Road properties and the Columbus Tile property were given covenants not to sue; this has been a long project; it's involved unique partnerships; everything that has happened along the way has been done with City Council and thank you for the unanimous support that has occurred on everything we have brought forward; we are not a developer and did not get into it to be developers; we will never build a building at Central Park; our role was to get the property positioned to get it into the market at an increased value on not a blighted landfill but a golf course; July 20 we are having our opening; hope

everyone can attend; we have a world class facility; will raise property values; have a road coming across the interstate providing access that has not existed to date; have the TechCenter extension from Morrison to Taylor Station opening up the property to development; think we are finally poised to take that baton race across the finish line; but we need our partners to remain in the race with us or it will be difficult to complete; thank you for your time; your patience throughout the evening has been noted.

Ewald apologized but stated he had a prior commitment and had to leave. Ewald left the meeting at 8:57 p.m.

Anderson asked if we will have the visuals if we are discussing further; helps with the discussion. Sisto stated that next speaker Dwight McCabe will have technical information; he is one employee we did add to our company dedicated to this project; brought an industry background and experience.

Dwight McCabe, 7361 Currier Road, Plain City, stated he is contract with the VRG partnership to help them through advancing this project from a real estate development point of view; express to you today what has this project meant to date for City of Gahanna; couple of key features; this is a real estate development project; what it is for the City of Gahanna is an economic development project; you are in business of economic development; you don't have a real estate development project; as a partnership our mission is to position real estate so you can have increased economic development; there were properties that were not contributing to tax base of the City or the County.

(Clerk's Note: Document referenced in comments is on file in the office of the Clerk of Council, Committee of the Whole file for 2011.)

McCabe continued that first illustration is that everything colored has a connection to the Central Park project; the larger green portion is the landfill piece itself; initial piece was about 98 acres; not paying its share of revenue or generating economic development for the region; was actually keeping economic development from happening; second thing done was we brought into the City an additional 27.9 acres as a piece of annexation; those things have been accomplished and are now paying tax revenue to the City; on the real estate side, there are 2 properties that were contributed to this partnership by the City; the first one was about 26 acres and that was one of the parcels necessary to get the CORF grant and subordinate the City's contribution of matching value; the second parcel is what we are talking about today, the Junkermann parcel, and that's 29.42 acres; subsequent to that a number of things have happened; the 12.10 acres acquired by Gahanna via a Clean Ohio Conservation Fund Grant that VRG, working with the City, put together an application and pitched to the State; brought \$1 million dollars to the City for the purpose of putting those lands into possession of the City for additional parkland and connectivity to your other park infrastructure; there is a 1.567 acre parcel that was right of way that ultimately the TechCenter Drive infrastructure passed through; part of our contribution by VRG by deeding it back to the City; see additional acreage to the north that was put into the Clean Ohio Conservation fund grant as a local match; took the value that the City had placed into the Central Park project and returned those properties back to the City at no cost to the City for a portion of the match; then we have 2.978 acres that is right of way that is currently in process of being delivered to the City; will be as soon as agreement is closed up; there's 0.853 acres that was acquired by the City as purchase of service center site; there is another 1.714 acres of right of way that was a direct contribution to the City at no cost for the completion of TechCenter; also a number of easements for fiber optics, bike paths and trails; one of those easements was contributed by VRG also; also negotiated for bike trail for the City

with AEP to extend bike trail the length of TechCenter and then we gave additional right of way easement to get the bike path to tie up to Taylor Station Road; the City as a participant and a partner with us contributed 55.795 acres of which you now have back in your possession as an asset 31.522 acres; then we have back on the Junkermann site documented to date a wetlands of approximately 8 acres; was at the time and there is probably more today; of the total contributed in as a partner of 55 acres, what is still left as a part of the contribution and yet to be leveraged and redeveloped is 16 acres; additional assets the City now has in its possession as part of this process is a bike path extension on AEP property; TechCenter Phase 1 that is complete; was a major fiber optics extension that's all in place; an award has been made for TechCenter/Science connector, which the VRG folks are responsible for the cost of; also a bike path extension that is still in play; what this amounts to is about a \$4.5 million of actual investment by the City in everything surrounding Central Park including closure of the landfill, some infrastructure improvements and land contributions that have been committed; for all of that, look at real estate back in your hands and infrastructure improvements already made, your actual cash position relative to that \$4.5 million investment is actually in excess of the \$4.5 million; money you have spent you have back in real assets; those are book value assets not inflated dollars; can provide back up to that; point is not that there is \$4.5 million invested and there is now public infrastructure; point is in addition to that what all these folks have done at their side of the partnership, they have leveraged a lot of dollars and time and personal financial commitment; a lot of bank loans; a lot of liability; a lot of payment of taxes that nobody else was willing to pay; payment on interest, and there is a total investment value sitting there with not a building on it of in excess of \$12 million; on your investment that's a 3 to 1 return before you have even realized the value of buildings and jobs that will now follow; we now have access to the property that never had access; why aren't there buildings out there as it's been frustrating to all of us; have a summary of every office building built inclusive of 2008; 4 years ago this property was not ready for anyone to build a building on; in fact, 2 years ago we might have been able to arguably say it was ready because we had a road close to being complete; in the last two years have highlighted the buildings that could have been competitively attacked to be brought to Gahanna; everything else on the list was location dependent; was Ohio State; was Nationwide Insurance making an investment in their own property downtown; those type of things; there are only 2 buildings in this entire region that have even been built; one was for Liebert at 69,500 s.f. and was at Polaris; that deal was negotiated years in advance; the second one was Motorists Insurance; data center in New Albany and is only 30,000 s.f.; that's been the market over the last 2 years when this property has even had a prayer of someone coming to look at it; we haven't been out of the market, the market hasn't existed; is very frustrating for everyone involved; very costly for the folks in the real estate land speculation business; they are willing to stay in it; they are willing to keep personal assets tied up; they just bought a clubhouse; here to do what they need to do at big personal risk and business expense; all that is being asked is the partnership remain intact and the City doesn't do anything that threatens the opportunity that now finally exists after all this time; this is the first moment in time that we have access to this property; have been President of NAOP, which is real estate developers and been on their board for years; they have never been willing to even consider on their annual bus tour of coming to Gahanna; on their own this year they have put consideration on their list that this project would actually be a part of their bus tour; that's a huge thing because it says people care about it now; this is the wrong time to send a message that somehow this has been a failure; this is not the time to cash out; it has been a success; you have assets the City should have like infrastructure assets and economic development opportunities sitting here that you didn't have; great time to market it; first time in the whole time I've been involved I actually have people calling me wanting to come out and see what is going on; I want to come to the opening; it's real at this point; not a time to

fall away; will summarize with high points I think are important; clearly the success is that you don't have a public nuisance in the landfill out there; created an additional 89.68 acres of developable property that is now fully accessible and fully serviced and competitive; expanded property tax base and revenues to go along with that; the economic development opportunities are now there; had some competitive offerings of late; job growth and income tax base; seeing it already with Chase coming out there; roadway and infrastructure improvements and public assets are there to back up what your investment has been; plus the intangibles; added significant parklands and public space; it gets used; have extended bike and walking trails; the brick plant is torn down and gone; may not like how it looks at the moment because it is an industrial site that's waiting for redevelopment; whole lot better than it was 4 or 5 years ago; is a very different environment out there; success by many measures; should all feel proud of that; we're tired but we're proud of that and we're here to finish what we started; just ask for a little more help together so we can get past this lull in the economy; appreciate your time.

James Schimmer; Franklin County Development Director, would represent the Franklin County Commissioners in the process; my comments are this, we have little over \$3 million in the project; have stretched my Commissioners as far as they can go to help this project; last comment is what we have done is take a landfill and make it into a landmark; appreciate all your work; group has held together well through some difficult times; 8 or 9 different parcels in total; was a confusing project; almost there; appreciate your leadership.

Joel Teaford, Executive Director of the COCIC, stated my message is that we are that close to having a spectacular property; property on a golf course with a cool club house which is in fact a railroad station which was brought from Prospect, Ohio; have been in it; it's almost done; handsome facility; this is a project that will make Gahanna very proud.

McAlister stated he has probably been the most vocal critic on this Council of public private partnerships; if all of this was for me, you got my vote; don't know why we're going through all this; is there some question on this Council that this isn't going to be approved. Stinchcomb replied yes. McAlister stated he was amazed; I voted for the landfill to be fixed in the first place; the whole purpose of fixing the landfill was to eventually have something like this that could make it happen.

Anderson stated that for the record back in 2005 it was not the same City Council; even though we have 4 new people we have heard about the history and followed this through; thank you for the background and the idea of coming together and being creative; the vision and persistence with this has been wonderful; when you are visionary it is something you have to have faith in; comment and question; can we get a copy of the book value assets that McCabe mentioned; also is there any projection that you might have of how long it will be before we cross this finish line; have put all the pieces of the puzzle together as much as possible; about to see the fullness of it and know there is a cost benefit analysis going; some thought on anybody's view of when we might cross that finish line since we are in tight budgetary constraints and there is concern about the budget, the money, the land, and when we will see the vision come to fruition.

White stated that your Development Director has asked that you extend the developer's agreement for 3 to 5 years; reason that is important is because time frames are different than they ever have been; golf course is opening in 3 weeks; the golf course opening is premiering the land; all the land plus with what Wetherholt and Service Department

getting the overpass coming through so people can see it now; took forever but can see it; did the negotiations for Bob Evans with them to try and get it; got them to the table but they didn't see that bridge going up; if that bridge had been where it was today, I'm not saying they would have come, but it was difficult for them to envision; but now that people can see where they can actually see a site we can be more competitive; can say here's the site, the roads are in, water is in, the infrastructure is in, the fiber is in and this is what we have; that's what you have to be able to do; we developed up to what our capacity was; what we're doing now is redevelopment and creating new capacity within what we have; have to think back to where we started in the 80's and playing field is slightly different; extend that developer's agreement; they can't get out from under the bank loan until we sell land; the COCIC needs that land to be sold too; that's how we can succeed; once land is sold then you get what you asked for; there is a caveat in there that if you don't develop it then you want the land back; you are getting it back at almost a 6 fold return by then; must remember that land leveraged us to get the \$3 million from the state; plus trust fund was almost \$700,000 from state; plus we got CORF grant that bought that park; got \$1 million to buy the conservation easement; plus we got 629 Grant to help put in first leg of TechCenter Drive; we were able to do this because we had great partners; without these great partners and great minds we could not have done this locally; this was not a local level project; asking you to not ask us to have to come up with more funds that we just don't have; asset managers don't have it; County gave \$400,000 for club house but it cost more than that; Barry Fromm had to put up personal funds but it will be open; will be open and they can begin to market; asking Council to look at it and say we have a better understanding; no one has duped the City nor used that for other than purposes that are directly related to Gahanna.

Pack stated he had a few questions; reason we are here is that the agreement expired with City of Gahanna for a remuneration back to the City in the amount of almost \$1.3 million based on an agreement that VRG group assumed to be paid back to the City of Gahanna if the property was not developed commensurate with the number of jobs and so forth; a lot of this is here because it is boiling down to money; right now this Council is battling with a budget; look at what we could do with \$1.3 million of taxpayer money; my question is in your opinion is this development on track time schedule wise. White said the development is on schedule time schedule wise; to say will \$1.3 million come into coffers tomorrow in income tax; \$1.3 million in income tax needs to be payrolls of \$130 million; that means that is a lot of small companies; don't think there is that much in our regional market right now; on schedule now because the infrastructure is in there; even if they could give us \$1.3 million now it goes into general fund; it will have to go into the general fund because that's where it came from; if it went into the general fund you will have a dilemma it'll go into the carryover and the unappropriated; you haven't traditionally used that carryover to do bigger projects; all you would do is increase your carryover which you haven't been spending; at this point in time actually you're getting a better benefit out of the land being in this land development deal because of what it potentially can do; what we hope it can do is bring some jobs. Pack stated that VRG Group says they are not developers; when you were Development Director did we hire a consultant on this project; has anybody been paid as consultants. White stated a long time ago we hired Sarah Lynn as a legal consultant when we started doing the landfill. Pack asked if any entity in the VRG Group has been paid as consultants on this project. White stated no. Pack stated he thought he read somewhere that someone was being paid 5% of the gross. White stated COCIC; VRG are not members of the COCIC, but they are asset managers; they only get paid when there is an asset and it sells; they get a portion when the asset sells; right now they own all the assets; until assets are selling do they in fact make any money; as long as they have outstanding liens against whatever assets that they have pledged to the bank, the bank is taking whatever and writing it down; they haven't gotten anything; in 5 years they haven't been paid. Pack asked

Leonard about the County loan of \$2.6 million over a 30 year term. Leonard stated it was to the COCIC. Pack stated their assets were then assumed and liabilities assumed by VRG Group. A speaker noted that the economic development agreement that was signed in order to eventually take out the Ohio Air Quality Development Authority bonds, the County couldn't buy them as an investment because of the duration of the bonds; by entering into an economic development agreement we could provide the resources to purchase those bonds to provide the long term financing. White stated that the Gahanna CIC bought the bonds; they are making \$8,000 a year; that's another benefit from the County; VRG didn't get any of that; all that money was used to develop and pay for development of the golf course. Samuel stated this issue will be discussed in committee, all these things are happening right in step.

Ken Shepherd, 856 Humboldt Drive West, stated he came here to offer compliments to Parks Department and whoever else was associated with the fireworks last night; went down to Red, White & Boom Friday night and it was very nice; we came to the fireworks last night and all 8 of us agreed that the fireworks were very good; my own personal opinion is the our fireworks were equal to or better than Red, White & Boom; based on fact that once the shells exploded we had had more color and more patterns; was very impressed; been good in past but thought these were especially good; whoever the contractor was should be given high consideration for next year should we have them; felt the company that provided was best since I've been in Gahanna which has been 25 years.

Members Present: David L. Samuel, Brian Larick, Nancy R. McGregor, John McAlister, Beryl D. Anderson and Timothy W. Pack

Members Absent: Shane W. Ewald

D. INTRODUCTIONS AND ASSIGNMENT TO COMMITTEE:

Ordinances - To Be Introduced and Assigned to Committee:

Ordinances introduced, by title, by Larick.

[ORD-0139-2011](#)

SUPPLEMENTAL APPROPRIATION - Various Parks Accounts

Introduced

[ORD-0140-2011](#)

SUPPLEMENTAL APPROPRIATION - Parks Contract Services

Introduced, to Committee of the Whole

[ORD-0141-2011](#)

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH AMERICAN ROCK SALT CO., LLC, FOR PURCHASE OF ROCK SALT FOR THE 2011/2012 SEASON.

Introduced

[ORD-0142-2011](#)

SUPPLEMENTAL APPROPRIATION - Tax Payments

Introduced

[ORD-0143-2011](#)

SUPPLEMENTAL APPROPRIATION - City Attorney, Counsel - Creekside

Introduced

[ORD-0144-2011](#)

TO ACCEPT DEED OF EASEMENT FROM BILLY G. DECKER, 3891 CLOTTS

ROAD, FOR WATERLINE EASEMENT CONSTRUCTED WITH THE HAMILTON PARKE SUBDIVISION.

Introduced

ORD-0145-2011

TO AUTHORIZE A COOPERATION AGREEMENT BETWEEN THE CITY OF GAHANNA, OHIO, AND THE BOARD OF COUNTY COMMISSIONERS, FRANKLIN COUNTY, OHIO ON BEHALF OF THE CITY OF GAHANNA IN ORDER TO PARTICIPATE IN THE FRANKLIN COUNTY, OHIO DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) ENTITLEMENT PROGRAM AND ABIDE BY THE COVENANTS OF THAT PROGRAM AS STATED HEREIN

Introduced

ORD-0146-2011

TO AUTHORIZE THE MAYOR TO ENTER INTO REIMBURSEMENT AGREEMENT WITH AMERICAN ELECTRIC POWER FOR CONDUIT TO BE PLACED ON THE NEW TECHCENTER BRIDGE.

Introduced

E. CONSENT AGENDA:

Minutes - To Approve:

2011-0029

To approve the following sets of minutes:

- 1) June 20, 2011 Regular Meeting
- 2) June 27, 2011 Special Meeting

This Matter was Approved and Filed on the Consent Agenda.

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

ORD-0137-2011

TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO AWARD AND THE MAYOR TO ENTER INTO CONTRACT WITH COLUMBUS ASPHALT PAVING, INC., FOR CONSTRUCTION OF THE BIG WALNUT TRAIL SECTIONS 1 AND 2; AND TO DECLARE AN EMERGENCY.

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

ORD-0138-2011

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH WATCON CONSULTING ENGINEERS & SURVEYORS FOR CONSTRUCTION INSPECTION AND ADMINISTRATION SERVICES FOR THE BIG WALNUT TRAIL SECTIONS 1 AND 2; 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-0123-2011

SUPPLEMENTAL APPROPRIATION - Various Accounts/Trailer

This Matter was Adopted on the Consent Agenda.

ORD-0124-2011

TO AUTHORIZE A REIMBURSEMENT TO THE ROBY COMPANY FOR FUNDS EXPENDED ON REMOVAL OF THE SIGHT OBSTRUCTION AT 93 GRANVILLE STREET; TO SUPPLEMENTALLY APPROPRIATE FUNDS THEREFOR; AND TO DECLARE AN EMERGENCY

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

ORD-0125-2011

SUPPLEMENTAL APPROPRIATION - Engineering Assistance/93 Granville Street

This Matter was Adopted on the Consent Agenda.

ORD-0126-2011

TO AUTHORIZE THE MAYOR TO ENTER INTO COOPERATIVE AGREEMENT WITH FRANKLIN COUNTY FOR CONSTRUCTION OF A PORTION OF HAMILTON ROAD BETWEEN CLARK STATE ROAD AND JOHNSTOWN ROAD/U.S. ROUTE 62; SAID PROJECT IN THE JURISDICTION OF THE CITY OF GAHANNA

This Matter was Adopted on the Consent Agenda.

ORD-0127-2011

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH MS CONSULTANTS, INC., FOR THE DESIGN OF HAMILTON ROAD CENTRAL, IMP. NO. ST785; AND TO DECLARE AN EMERGENCY.

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

ORD-0128-2011

TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO AWARD AND THE MAYOR TO ENTER INTO CONTRACT WITH SAVKO & SONS, INC., FOR THE TECHCENTER DRIVE & SCIENCE BLVD. CONNECTOR; TO SUPPLEMENTALLY APPROPRIATE FUNDS THEREFOR; AND TO DECLARE AN EMERGENCY.

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

ORD-0130-2011

TO AUTHORIZE THE MAYOR TO ENTER INTO REAL ESTATE PURCHASE CONTRACT WITH VIRGIE A. & ROCCO EVANGELISTA FOR 0.254 ACRES OF PROPERTY LOCATED AT 4427 EAST JOHNSTOWN ROAD; TO SUPPLEMENTALLY APPROPRIATE \$20,619; AND TO DECLARE AN EMERGENCY.

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

ORD-0131-2011

TO AUTHORIZE THE MAYOR TO ENTER INTO REIMBURSEMENT AGREEMENT FOR ADDITIONAL LEASE PROPERTY WITH THE YOUNG MEN'S CHRISTIAN ASSOCIATION OF CENTRAL OHIO FOR PROPERTY AT 4427 EAST JOHNSTOWN ROAD.

This Matter was Adopted on the Consent Agenda.

ORD-0132-2011

TO AUTHORIZE THE MAYOR TO ENTER AMENDMENT TO GROUND LEASE WITH THE YOUNG MEN'S CHRISTIAN ASSOCIATION OF CENTRAL OHIO TO ADD 0.254 ACRES OF ADJOINING PROPERTY TO THE CURRENT LEASE FOR PROPERTY AT 4427 EAST JOHNSTOWN ROAD.

This Matter was Adopted on the Consent Agenda.

ORD-0133-2011

TO AUTHORIZE THE MAYOR TO EXECUTE QUITCLAIM DEED OF ENCROACHMENT EASEMENT FOR PROPERTY AT 132 SHEPARD STREET TO LEGALLY PERMIT RIGHT-OF-WAY ENCROACHMENT OF WALNUT STREET; AND TO DECLARE AN EMERGENCY.

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

ORD-0134-2011

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH ADVANCED CIVIL DESIGN FOR DESIGN WORK FOR THE TECHCENTER DRIVE INFRASTRUCTURE EXTENSIONS; IMPROVEMENT NOS. ST 976 AND SA 977; TO SUPPLEMENTALLY APPROPRIATE \$61,800; AND TO DECLARE AN EMERGENCY.

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

ORD-0135-2011

TO AMEND SECTION 131.07 OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA, RELATIVE TO THE MAYOR'S SALARY, EFFECTIVE JANUARY 2, 2012

This Matter was Adopted on the Consent Agenda.

ORD-0136-2011

TO REESTABLISH AND DETERMINE THAT THE CITY ATTORNEY OF THE CITY OF GAHANNA SHALL BE A PART-TIME POSITION FOR THE TERM BEGINNING JANUARY 1, 2012; TO PROVIDE COMMENSURATE COMPENSATION THEREFOR; TO AMEND SECTION 143.03, PART TIME POSITION, OF CHAPTER 143, DEPARTMENT OF LAW.

This Matter was Adopted on the Consent Agenda.

Resolutions to Adopt on First Reading:

RES-0008-2011

TO RECOGNIZE AND COMMEND AL MCKENNA FOR VOLUNTEER WORK AS A MEMBER OF THE 2011 CHARTER REVIEW COMMISSION.

This Matter was Adopted on the Consent Agenda.

RES-0009-2011

TO RECOGNIZE AND COMMEND DAN WILLIS FOR VOLUNTEER WORK AS A MEMBER OF THE 2011 CHARTER REVIEW COMMISSION.

This Matter was Adopted on the Consent Agenda.

RES-0010-2011

TO RECOGNIZE AND COMMEND MARGARET TRIM FOR VOLUNTEER WORK AS A MEMBER OF THE 2011 CHARTER REVIEW COMMISSION.

This Matter was Adopted on the Consent Agenda.

RES-0011-2011

TO RECOGNIZE AND COMMEND BOBBIE BURBA FOR VOLUNTEER WORK AS A MEMBER OF THE 2011 CHARTER REVIEW COMMISSION.

This Matter was Adopted on the Consent Agenda.

RES-0012-2011

TO RECOGNIZE AND COMMEND DEWITT HARRELL FOR VOLUNTEER WORK AS A MEMBER OF THE 2011 CHARTER REVIEW COMMISSION.

This Matter was Adopted on the Consent Agenda.

RES-0013-2011

TO RECOGNIZE AND COMMEND PAUL BITTNER FOR VOLUNTEER WORK AS A MEMBER OF THE 2011 CHARTER REVIEW COMMISSION.

This Matter was Adopted on the Consent Agenda.

RES-0014-2011

TO RECOGNIZE AND COMMEND CHRIS FRANZMANN FOR VOLUNTEER WORK AS A MEMBER OF THE 2011 CHARTER REVIEW COMMISSION.

This Matter was Adopted on the Consent Agenda.

Motion Resolution:

MR-0030-2011

Motion Resolution to authorize the following Parks and Recreation Transfers: \$22,000 from Account No. 101.437.5103, Parks Facilities Superintendents, to 101.437.5111, Parks Facilities Part Time; \$2,186 from 101.432.5103, Recreation Superintendents, to Account No. 101.431.5111, Parks Part-time; \$5,143 from 101.432.5104, Recreation Supervisors, to 101.431.5111, Parks Part-time; \$1,026 from Account No. 101.432.5131, Recreation PERS to 101.431.5131, Parks PERS; \$109 from Account No. 101.432.5132, Recreation Workers Comp, to 101.431.5132, Parks Workers Comp; \$109 from Account

No. 101.432.5138, Recreation Medicare to 101.431.5138, Parks Medicare; and \$1,953 from Account No. 101.437.5103, Parks Facilities Superintendents, to 101.431.5111, Parks Part-time.

This Matter was Approved on the Consent Agenda.

MR-0031-2011

Motion Resolution to authorize the payment of funds for tuition reimbursement in the amount of \$1,120; excess of amount Director of Finance is authorized to pay without a purchase order; due to miscommunication in not having a valid purchase order; to be paid through purchase order 1101181.

This Matter was Approved on the Consent Agenda.

MR-0032-2011

Motion Resolution that this Council has no objection to the new D5I Liquor Permit for Depot Golf Center LLC and Tartan Golf & Management Co.; dba The Golf Village at Central Park, 789 Science Blvd., Gahanna, Ohio 43230.

This Matter was Approved on the Consent Agenda.

MR-0033-2011

Motion Resolution that this Council has no objection to the D5 Liquor Permit for Mr. Sushi Inc., Space 01070, 1127 North Hamilton Road, Gahanna, Ohio 43230.

This Matter was Approved on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Vice President of Council Larick, seconded by Anderson, 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 Samuel, Vice President of Council Larick, McGregor, Anderson, McAlister and Pack
Absent	1	Ewald

End of the Consent Agenda

F. PUBLIC HEARINGS: None.

G. STANDING COMMITTEES:

Committee of the Whole - Larick: No Report.

Finance - Anderson: No Report.

SPECIAL COMMITTEES:

Expenditure Study Committee - Larick: No Report.

H. CORRESPONDENCE AND ACTIONS:

Clerk - Legal:

2011-0030

Notice to Legislative Authority of a new D5 liquor permit for Mr. Sushi Inc., Space 01070, 1127 N. Hamilton Road, Gahanna, OH 43230. Last day to file objections is July 25, 2011.

Received and Filed

2011-0031

Notice to Legislative Authority of a stock transfer of D1, D2, D3, D3A, and D6 liquor permits for MGM Entertainment Inc., DBA Whiskey Ranch & Patio, 154 N. Hamilton Road, Gahanna, OH 43230. Last day to file objections is August 1, 2011.

Received and Filed

Resignation - Katie Essex:

Clerk acknowledged receipt of a letter from Katie Essex resigning from the Civil Service Commission effective July 6, 2011 as she is moving to Wisconsin.

Council: None.

I. SECOND READING OF ORDINANCES:**Ordinances Reported Out of Committee:****ORD-0074-2011**

TO AUTHORIZE A SECOND MODIFICATION TO THE TERMS OF AN AGREEMENT FOR TAX ABATEMENT FOR PROPERTY LOCATED AT 690 TAYLOR ROAD AND IS A PART OF COMMUNITY REINVESTMENT AREA #4; SAID DISTRICT LAST AMENDED BY SR-0003-2000.

A motion was made by McAlister, seconded by Anderson, that this matter be Adopted. The motion carried by the following vote:

Yes	6	President of Council Samuel, Vice President of Council Larick, McGregor, Anderson, McAlister and Pack
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Absent	1	Ewald
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ORD-0122-2011

TO AUTHORIZE THE MAYOR TO ENTER INTO MAINTENANCE AGREEMENTS WITH THYSENKRUPP ELEVATOR CORP., FOR QUARTERLY INSPECTIONS OF THE CITY HALL AND POLICE STATION ELEVATORS; AND TO DECLARE AN EMERGENCY.

A motion was made by Anderson, seconded by McAlister, that this matter be Adopted as an Emergency. The motion carried by the following vote:

Yes	6	President of Council Samuel, Vice President of Council Larick, McGregor, Anderson, McAlister and Pack
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Absent	1	Ewald
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ORD-0129-2011

TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO AWARD AND THE MAYOR TO ENTER INTO CONTRACT WITH GUDENKAUF CORPORATION, FOR THE TIZ FIBER EXTENSION, PHASE 1, IMPROVEMENT NO. ST 969; AND TO DECLARE AN EMERGENCY.

McGregor stated she had asked for this to be on regular agenda because of the emergency designation; don't think it is, by terms of our charter, an emergency.

A motion was made by Vice President of Council Larick, seconded by Anderson, that this matter be Adopted as an Emergency. The motion carried by the following vote:

Yes	5	President of Council Samuel, Vice President of Council Larick, Anderson, McAlister and Pack
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No	1	McGregor
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Absent	1	Ewald
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J. FIRST READING OF ORDINANCES: None.**K. MOTIONS/RESOLUTIONS:****MR-0034-2011**

To approve the year 2012 Budget as submitted to Council on June 6, 2011, and to direct and authorize the Director of Finance to deliver said budget to the Franklin County Office of Budget no later than July 15, 2011.

McGregor stated this is not a balanced budget; won't be voting for it.

Stinchcomb noted that other than putting the Board and Commission salaries to current level, no Council members offered any amendments or any cuts; it is your responsibility. McGregor stated she offered over \$560,000 in cuts last year and only about \$29,000 were made; didn't feel there was any point to it so I didn't do it this year.

A motion was made by Vice President of Council Larick, seconded by Anderson, that this matter be Approved. The motion carried by the following vote:

Absent	1	Ewald
Yes	5	President of Council Samuel, Vice President of Council Larick, Anderson, McAlister and Pack
No	1	McGregor

L. REPRESENTATIVES:

Community Improvement Corporation (CIC) - Larick/Samuel: No Report.

Mid-Ohio Regional Planning Commission (MORPC) - Anderson

Anderson stated she attended a workshop held in Westerville which hosted 40 local leaders; focus was on complete streets and lifelong communities; our other representative was also there; will defer to him. Director of Development Jones stated that information from the workshop has been given to Engineering so we can incorporate these principles.

Bd. of Education, Gahanna-Jefferson Public Schools - Samuel:

Clerk stated next meeting is July 14.

Convention & Visitors Bureau (CVB) - McGregor:

McGregor stated next meeting will be this month.

M. OFFICIAL REPORTS:

Mayor:

Stinchcomb stated she would like to give a lot of credit to the Parks & Recreation Foundation for putting on a wonderful event and for all their efforts to raise funds; also like to give credit to Heartland Bank and all the donors that were recognized last night; thank Parks & Recreation Department; Police and Service for their efforts in making it a wonderful event; fireworks company gave us additional value for the show as their donation; have used them before; also make a plug for the foundation who are continuing their efforts to collect funds to support next year's event.

City Attorney: No Report.

N. COUNCIL COMMENT:

McGregor thanked Parks Department and Police for all the extra work with the parade and fireworks was really appreciated.

McAlister stated he agreed with Shepherd with one critical observation; first time in my life and I've been to scores of fireworks demonstrations, where for the first time; there were fireworks I couldn't hear because the music playing off that hill was so loud that literally the fireworks were drowned out for some of them; for me part of the thrill is to have silence and then have these explosions; would vote for no music during the fireworks display.

Pack stated the fireworks were spectacular; watched from backyard; finale was best I've seen; mentioned to the Mayor that an observation from a couple of my neighbors that were down on Mill Street late in the evening and some businesses were closed; they wanted to get something to eat and nothing was open; hope next year our small business owners might recognize opportunity and take care of our gathering.

Anderson stated she would echo the sentiments about the parade and fireworks; heard many comments about how easy the traffic was to navigate; heard the same comments about the businesses and perhaps they would consider staying open; echo and understand comments about the sound; am a musician but even if I wasn't the music just reverberated and couldn't hear it; people put things in their ears; that is something that overshadowed the sound of the fireworks; the actual display was wonderful; sound needed turned down heard it as I was walking out young, teenagers and older people thought it was too loud; my vote for next year is to turn the music down a little bit so you can enjoy the fireworks and sit back and watch; if you're going to have music have it so it is not as distracting from the beauty of the display. overwhelmingly one of the best.

Larick stated he would echo comments about the fireworks; one of the best; certainly the event reminded me of the sense of community that the event in and of itself does provide; little different than Blues & Jazz Festival and some of the other things we have; reminds us of our sense of community and country and who we are; as beautiful as the fireworks are it also has some additional meaning; with that the Parks Foundation and work they put in to gather the funding, the Parks Department, the staff, the volunteers, the Police and Mifflin Fire, all the work everybody put in is certainly recognized; was good to see the sponsors and contributors recognized;; make sure that everyone is reminded that it is appreciated and it is a significant event.

Samuel stated he would be remiss if he didn't mention the Lions Club and thank them for their efforts on the parade; they have been doing it for decades; hats off to them; also the Central Golf Village will open July 20; go to a lot of golf courses; this is a feather in the cap of VRG and Tartan Golf group; there are 9 holes for a short course that you can play in 1 hour and 20 minutes; a wedge course and a unique 18 hole putting course; one of the largest driving ranges in the area; great educational facility; also will have full service food and golf club fitters.

O. EXECUTIVE SESSION:

Samuel stated no Executive Session would be held this evening.

P. ADJOURNMENT: 9:47 p.m. - Motion by McAlister.

Isobel L. Sherwood, MMC
Clerk of Council

*APPROVED by the City Council, this
day of 2011.*

David L. Samuel
President of Council