

City of Gahanna

*200 South Hamilton Road
Gahanna, Ohio 43230*



Meeting Minutes

Monday, December 13, 1999

Immediately following Special Meeting

8:45 PM

Council Committee Rooms

Committee of the Whole

*Debra A. Payne, Chairman
Karen J. Angelou
Sherie James-Arnold
L. Nicholas Hogan
Thomas R. Kneeland
Rebecca W. Stinchcomb
Robert W. Kelley, ex officio*

ADDITIONAL ATTENDEES:

Mayor McGregor, Council Member Elerct, Mike O'Brien, Sadicka White, Terry Jordan, Jerry Isler, Raleigh Mitchell; Press; visitors from Refuse companies.

ISSUE**Columbia Gas Pressure Presentation**

Jordan introduced representatives from Columbia Gas; Seamus Mulligan, Area Operations Supervisor; Doug Flowers, Communications Representative; Donna Young, Columbus Northeast Area Manager. Payne said that this is in result of questions by residents in the College Park and Heritage areas contacting Angelou and the Service Department about Columbia Gas employees working at night. They were told that the pressure was being raised, which caused concerns with the recent Sycamore Woods fire and explosion. Angelou said she was also concerned by the lack of notification to residents in the area.

Mulligan said there had not been a leak survey done in the Heritage College Park area within the last year, so one was required before the uprate. Since they had complaints, and in order to complete the entire uprate process prior to extremely cold weather, a large crew of 6 to 8 people worked to complete the leak survey. Angelou said she did not receive any kind of notice. Young said we are not required to notify anyone; and it is not unusual for employees to work thru the night to get a situation remedied. Mulligan said but due to the many Columbia Gas employees to be in the area notices were hand delivered to houses, and he presented map showing the area notified. Angelou said she lives in that area but did not receive one.

Mulligan said that they put notices on 539 customers screen doors or porches on November 5, that work would be taking place; unfortunately some may have blown away. He continued that before they increased the gas pressure, the leaks were determined and residents were instructed to have the leaks fixed; their expense. The pressure was down to 41 psi, and 60 psi is the standard across the country. The uprate was needed to make sure the entire area would have enough pressure for the winter; to avoid any residents not having heat. The first round of pressure increases was done on November 11 and was increased from 41 psi to 51 psi. About one week later another leak survey was done in the area and 15 new leaks were found. Columbia Gas did repair them at no expense to the residents. In December the pressure will again be increased from 51psi to 60 psi. Then there will be another leak survey and Columbia Gas will fix those leaks, again at no expense to the resident. After reaching 60 psi, the responsibility for maintaining will be that of the homeowner. Mulligan said this system required uprates with no increased usage.

Stinchcomb questioned sending the notifications first class mail, and a courtesy call to the Fire Department, Police and City, in case there is an emergency. Jordan said they have already agreed to give a courtesy call when working heavily in an area in Gahanna.

Payne thanked representatives for coming to clear this up. All Council members expressed appreciation.

NEW BUSINESS**Supervisory Salary Ordinance**

Payne said we can deal with both the Supervisory and Unclassified Salary Ordinances at the same time. Council felt that we had approved both agreements with the maximum vacation being 200 hours for both agreements. It is clear that both agreements were passed with the 240 hours vacation leave for employees who have been here for 20 years or more. Since the agreements have not been changed, Council has agreed that vacation accrual is to be paid to the 3 employees eligible for 1998 and 1999; they receive 240 hours vacation. Council also requests that the agreements be amended to reflect the maximum of 200 hours per year as of January 1, 2000.

Recommendation: Consent Agenda, waiver of second reading, and emergency legislation.

Recommended for Adoption, Consent to Consent Agenda (Duplicate)

Unclassified Salary Ordinance

Recommended for Adoption, Consent to Consent Agenda (Duplicate)

PENDING LEGISLATION

Members Present: Debra A. Payne, Sherie James-Arnold, Rebecca W. Stinchcomb, Thomas R. Kneeland, L. Nicholas Hogan, Karen J. Angelou and Robert W. Kelley

990582

TO AMEND ORDINANCE 990120, TO AUTHORIZE THE MAYOR TO ENTER INTO NEGOTIATED LABOR AGREEMENT TITLED "AGREEMENT BETWEEN CITY OF GAHANNA AND UNITED STEELWORKERS OF AMERICA, AFL-CIO, JANUARY 2, 1999 - DECEMBER, 2000;" TO INCLUDE ADDENDUM LANGUAGE WITH REGARD TO ROB WENDLING; AND TO DECLARE AN EMERGENCY.

Mitchell said the difference in salary for Wendling would take about 6 years to come out even. Mitchell continued that he would like to hire a Recreationalist, since we have not had one since Jil Wallake left. Brian Hull did perform some of those duties as Administrative Assistant, and as you know he has resigned. He would propose waiting until the end of the year to fill the Parks Superintendent position. Mayor said what we need is a Field Manager immediately. Question was raised about establishing a new position of Field Manager. Mayor continued that he and Mitchell have been filling in. He proposes refilling the position of Recreation Supervisor under Civil Service, and then hiring an Administrative Assistant. He continued that it is hard to test for a Superintendent; did not get Superintendent quality candidates; not management quality. Angelou asked if that is in the realm of Civil Service. Mitchell said we would just be refilling the Recreation Supervisor position instead of the Parks Superintendent, and leaving it vacant for a while like we did with the Recreation Supervisor after Wallake left. It was asked if Superintendent duties would be given to the Recreationalist and Administrative Assistant. Mayor said he is not ready to forego the position of Administrative Assistant, that is by Charter; need a management person; Civil Service and unclassified would still have the same number of employees. Angelou said this is a matter to be discussed at appropriations. Payne said we will look at this issue Thursday.

Recommended for Adoption, Consent to Consent Agenda (Duplicate)

990584

TO AUTHORIZE THE MAYOR TO PURCHASE PROPERTY LOCATED AT 121 MILL STREET FROM ROBERT J. ECKART; TO SUPPLEMENTALLY APPROPRIATE \$475,000; AND TO DECLARE AN EMERGENCY.

Payne said an e-mail was received by Hogan and forwarded to Kelley concerning the 1031 exchange. Weber said he had just received this today and questioned if it has to be done this year.

White said that it was agreed that if Weber said we could do it , we would proceed. Eckart said he would also agree to the purchase if the 1031 tax exchange is unacceptable.

Hogan said the bottom line is that the owner of "A" must wind up being the owner of "B", and the owner of "B" must be the owner of "A". Eckart is not going to wind up being the owner of 121 Mill Street,; we are purchasing the property. Weber said this needs to be clarified. If it cannot be a 1031 exchange the contract will have to be amended and take it out; it was for Eckart's benefit. Kelley said the letter agreement will need to be changed. Payne said we can go ahead with the purchase; will have to have a new EXHIBIT.

Hogan said he is not sure we can legally buy it. He referenced case that Weber was quoting is over 40 years old; sure there are more relevant cases. He has a problem with Olde Gahanna being declared a slum area. Hogan continued that he asked for a copy of Resolution 22-87 today, and he also asked for a legal opinion before we purchased the post office building as to whether the City can purchase property for a developer. He did get a copy of Resolution 22-89, which refers to Ordinance 136-87 to get the grants for redevelopment; ordinance says it is in effect for 3 years. Hogan continued that he cannot just use taxpayers funds to buy property. (At this time there were several conversations going on at once.) Hogan said Olde Gahanna is not low income area. Payne said it does not have to be low income.

Hogan said he was promised a legal opinion when the City purchased the post office building; has never received it. He wants question answered as to whether a City can purchase land for a developer.

Hogan said there was an immediate public purpose when the post office building and fire house were purchased; not the same with this property. He questioned the purpose of C.I.C. ; can use C.I.C.; not the City direct. Can a City purchase property for redevelopment for a developer? That is the question that has never been answered; legal opinion asked for that was never received. Can the city purchase to redevelop for a developer?

Kneeland questioned the purpose of Hogan's objections. James-Arnold said she does have a concern. When she left for vacation she thought that a meeting was to be scheduled with the developers that submitted RFP's for Creekside. She questioned what happened; how can we begin work on a 5 to 10 year plan with no developer; putting cart before the horse. No matter who does it the vision is the same, and this is a key piece of property.

Kelley said he would have difficulty supporting the 1031; change with addendum for next Council meeting. White will proceed to ask legal opinion from Greg Stipe.

Council discussed need to bring the developers who submitted RFP's in and let them make a presentation. Angelou said then we can say we do not like this or that and suggest changes; some points were good some bad; none showed what Council saw as their vision for Creekside. The Development Department presentation for Creekside will be in Finance Committee tonight.

Mayor said we do expect to have the developers in the first of the year. Having the fire house and 121 Mill will be a more develop able parcel; need that.

Angelou said she agreed that we need to sit down with the developers who submitted the RFP's; feels will need a day session.

Payne asked that the 121 Mill ordinance be put on Regular Agenda with new attachments; taking the 1031 agreement out ; new signed documents, and a legal opinion from Greg Stipe in packets Friday. Weber said he cannot promise this will be done by Friday.

Recommended for Adoption to Regular Agenda (Duplicate)

990586

TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO AWARD AND THE MAYOR TO ENTER INTO CONTRACT WITH SOLID WASTE AUTHORITY OF CENTRAL OHIO FOR DISPOSAL OF RESIDENTIAL SOLID WASTE; AND TO DECLARE AN EMERGENCY.

Jordan said it is the Administration's recommendation to proceed with a one year contract for solid waste disposal.

Recommendation: 2nd Reading, Consent.

Recommended for Adoption, Consent to Consent Agenda (Duplicate)

990587

TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO AWARD AND THE MAYOR TO ENTER INTO CONTRACT WITH RUMPKE OF OHIO, INC., FOR RESIDENTIAL REFUSE, RECYCLING & YARD WASTE COLLECTION IN THE CITY OF GAHANNA; AND TO DECLARE AN EMERGENCY.

Jordan said it is the recommendation of the Administration, based on all information received and evaluated, that the bid go to Rumpke for a 1 year contract, with an addendum in reference to the new trucks promised, regarding front end load one person trucks and rear load two person trucks. Angelou asked how it would be determined which streets would have one person trucks? William Rumpke Jr. said that they would only bring in two person trucks if they were running behind and needed them to get the job done that day.

Recommendation: 1st Reading, waiver of 2nd, Consent.

Jordan thanked Local and B & D for their bids, and said they have demonstrated that they do have the ability to collect trash in Gahanna; wish them success and hope they will bid again in the future.

Recommended for Adoption, Consent to Consent Agenda (Duplicate)

990592

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH RAYMOND J MULARSKI FOR PROSECUTION OF CERTAIN CASES RESULTING FROM GAHANNA MAYOR'S COURT AND MAYOR'S DOWNTOWN CASES; AND TO DECLARE AN EMERGENCY.

Hogan proposed that with what we are paying the current prosecutor, it might be prudent to just hire a full time prosecutor or two part-time prosecutors. He presented information specifically about the number of court cases in Reynoldsburg; they did almost twice the number of cases that Gahanna did at nearly the same cost. There was discussion concerning attorneys right out of school being hired as prosecutors not being able to do the job. Weber said he could not and would not approve an unexperienced attorney to be prosecutor for Gahanna.

Ray Mularski said that we do have two part-time prosecutors; currently he and Kevin Mantel. Concerning the situation with Reynoldsburg, they try cases from three counties, Franklin, Fairfield and Licking. He continued that he is downtown with cases at least three days a week with 7 or 8 cases a day in several different court rooms. The Police

Department has his home phone number and pager and Kevin Mantel's. Our police officers are very pleased at how we get them in and out ; usually within a half hour. We work well with Karen Woodward, and basically have no complaints from the Administration or the Police Department. Mularski continued that he has lived in Gahanna since he was 3 years old and is raising his son here. He wants to do the best job possible for Gahanna, because he lives and works here. He has 10 years experience as a prosecutor and 16 years experience as an attorney.

Payne asked that his item go on Regular Agenda.

Recommended for Adoption, Consent to Regular Agenda (Duplicate)

990553

TO ENACT CHAPTER 931, GAHANNA COMPREHENSIVE RIGHT OF WAY, OF THE CODIFIED ORDINANCES OF GAHANNA, TO PROVIDE FOR COMPREHENSIVE RIGHT OF WAY POLICY IN THE CITY OF GAHANNA.

It was agreed to postpone indefinitely; will review again in early 2000.

Recommended for Indefinite Postponement. to Consent Agenda (Duplicate)

Fence Ordinance

It was agreed to postpone indefinitely; bring back on first committee agendas of 2000 with change to reflect "guarded pools". Stinchcomb asked that it be recorded in the minutes that this item did not appear on a committee.

Recommended for Indefinite Postponement. to Consent Agenda (Duplicate)

DONNA JERNIGAN, CMC, AAE, Deputy Clerk of Council