

City of Gahanna

*200 South Hamilton Road
Gahanna, Ohio 43230*



Meeting Minutes

Monday, July 28, 2008

Immediately Following Previous Committees or

7:20 PM

Council Committee Rooms

Finance Committee

Thomas R. Kneeland, Chair

Beryl D. Anderson

Thomas C. Evers

Shane Ewald

John McAlister

Nancy R. McGregor

David L. Samuel

Members Absent: Shane W. Ewald

Members Present: Thomas R. Kneeland, Thomas C. Evers, John McAlister, Nancy R. McGregor, Beryl D. Anderson and David L. Samuel

Additional Attendees:

Chief Murphy, Gen. Williams, Deputy Chief Bell, Terry Emery, Karl Wetherholt, Jerry Isler, Isobel Sherwood, Kevin Marchese, Mike Grossman, Angel Mumma, Mayor Stinchcomb, Troy Euton, Sadicka White, Anthony Jones, Tom Weber, Bonnie Gard, Press.

PENDING LEGISLATION:

ORD-0155-2008

TO ENACT CODE CHAPTER 1173, RESIDENTIAL PORTABLE TEMPORARY STORAGE UNITS AND CONSTRUCTION WASTE RECEPTACLES, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

Kneeland said the first 2 legislative items are to amend the Code and fees for portable storage units; Gard is here to talk about it. White said this was recommended by Planning Commission. Gard said the PODS or storage opportunities are becoming more frequently used; we have received complaints and need some kind of guidelines to say how to use them. Kneeland said these PODS are used if someone is moving and they load it up and take it away in a week or two; or by someone who needs storage so they load it up and leave it; this legislation is to attack the leave it on the driveway group. Gard said that was basically correct; we need something in place so we don't get them left on driveways; I did Internet research, and talked to the police, and put an ordinance together that I feel is fair, understandable and enforceable; Chief told me these have been permitted on public streets in rare occurrences so I added language about that; language reads except as approved by the Chief of Police; this would apply to PODS and construction waste receptacles; we need to keep them away from corners and fire hydrants; any questions?

McGregor asked for a resident to use one to move, do they need a permit; I object to that; I had a complaint about one used by a business and one left in place for a year; that needs a fee; but for a week or so we shouldn't have one. Gard said without a permit we have no way to track when it is delivered. Kneeland said it should be left alone if no complaints; then just like cars parked too long we chalk the tires; there is no permit; it is tracked by the police after they mark the tires; it would be a burden on people who are moving; if they get the POD out in under 30 days I don't think we should charge them for that. McAlister said I agree on this; leave them without a permit for a week or 2. Weber said with no permit there is no way to track or enforce without uniform standards. Anderson said this would be an extra hassle for people moving; how are people going to know a permit is required? White said we have no authority without permit; could not ask for proof or date of delivery since not required by the City for any reason. Kneeland said when we get the complaint we could mark it; and then 30 days from the date marked could be counted; it would be handled on a complaint basis. Anderson said I do see where inequities would arise with that system. White said we had the same issue with variances; we did not win the variance legal case because we did not uniformly apply standards; they could be moving and marked at different times and not get the same time frame. Kneeland asked how this is different from cars. Evers asked Gard how many of these are in the city. Gard said she had no statistics.

Evers asked what other communities are doing; don't some of them, in order for the vendor to bring it in, require them to get a permit; something like for a week it would be free; then they pay; but the vendor should have the responsibility; I would like to know how many we are talking about and what other cities are doing. McGregor said there are laws on the books that are not enforced until needed like open container laws, they are not used until there is a problem; the complaints I received were two instances where they were there long term. Kneeland asked how many complaints we have gotten. Gard said not many but the numbers are growing; some of these are at businesses now which is not the intended use; there are two across from the old Big Bear that we can't do anything about; for waste receptacles the contractor has to have a building permit. Chief said most of these come from a single vendor; they know that PODS can't be put on the street; if there is an issue with the driveway, the company tells them to call the Chief of Police; the vendor will tell them how to operate.

McAlister asked Gard for the allowed time in the proposed legislation. Gard said 2 weeks, allowed twice, with a 15 day separation. Kneeland said if there is a charge, it will be passed through to the consumer. Mayor asked how that is different from a fence. McAlister said he was not in favor of rushing into this. McGregor said we could tell the vendors they have 2 weeks, then they need a permit. Kneeland said that would give them time up front to move.

Evers still has questions. Kneeland said this was recommended by Planning Commission so we have 90 days. Weber said since you want additional discussion bring it back in 2 weeks; if we do not make substantive changes it won't have to go back to Planning Commission. Anderson said we can bring it back in 2 weeks and get the information requested; we can look at it and get any recommendations to Gard. White said I have heard some things we can massage; give us a call or send an email. Kneeland said this also applies to the fee schedule in the next ordinance.

Recommended for Postponement to a Date Certain

ORD-0156-2008

TO AMEND THE ADOPTED DEVELOPMENT FEE SCHEDULE AS REFERENCED IN CHAPTER 148, DEPARTMENT OF PLANNING AND DEVELOPMENT; TO INCLUDE A NEW FEE ON THE ZONING FEE SCHEDULE

See discussion under ORD-0155-2008

Recommended for Postponement to a Date Certain

Local Government Services & Regional Collaboration Grant

Terry Emery will address Broadband and similar infrastructure for institutional uses.

Emery said this Local Government Services Grant was established in the 2008 and 2009 budget to provide grants for feasibility studies to determine how public entities can collaborate to provide services; I have been part of the group since early this year for broadband; the communities interested are New Albany, Westerville, Dublin, Delaware and Delaware County; the program is structured so the more jurisdictions involved the less the local match; ours may be no cost but will not exceed \$5,000; this is only a feasibility study to determine what broadband services an interconnected system could best provide; like the emergency operations center or dispatching center; we are pressed for time so we are requesting authorization to participate; the timing is close to deadline so we need emergency and waiver of second reading; we think it is in our best interest for technology advancement; Mike Grossman is going to request a grant for a different study that will not interfere with this request; we could get both; and most communities are involved with more than one. Kneeland said this is an ordinance. McAlister asked about the amount. Emery said we can get up to \$80,000 depending on

the number of communities; then there would be no cost to us. McAlister asked where the money is coming from. Emery said it is a State of Ohio Development Department Grant. McGregor said it is part of the Capital Bill for state funds. McAlister said if there was no grant would it be worth it. Emery said it is worth our while to determine the services that might benefit from this. Samuel asked if this could be of benefit to NIMS. Williams said the entire scenario has national objectives; fit here for regional collaboration and operability and interoperability for incident management systems. Kneeland said if passed and the grant doesn't happen, what then. Emery said the group will decide next steps; we are in the very early stages.

Recommendation: 1st reading with waiver of 2nd reading and emergency language; consent agenda.

Mike Grossman, Mifflin Township Fire Department, will address a second use of these grant funds; is requesting a letter of support from the City.

Grossman said he is seeking authorization for a different project but also a public partnership; the name of the collaborating group will be announced later; we would like to collaborate on fleet maintenance where there is redundancy; we have a lack of efficient storage so we would like to combine fleet management and storage; in the fire service we borrow stuff; right now the Columbus Fire Department borrows from us; we have extra desks and chairs that maybe another jurisdiction could use; we would like to look at a bio diesel generation plant; we could work with local soybean growers to co op; help out cities with waste oil; it is a need we have and creative way to meet that need; could even see this later sold as retail; Gahanna has shown their expertise with the public /private partnership with Creekside; we do this well; allows sharing of assets and allows each entity to be a share holder; the OSU John Glenn Research Institute will be assisting our research if we get the grant; we have 5 groups in this already.

Kneeland said since the Mayor heard about this last week and recommended it to Council, and as long as it doesn't interfere with the broadband piece, and since we have been a leader in this stuff, anything we can do we should; I don't see this as a negative. Emery said we are collaborating on so many things; this is just feasibility; hopefully when we get something back it will lay out possibilities.

Mayor asked who else is involved. Grossman said Mifflin, Clinton, Jefferson, Truro, and Violet Townships and the City of Whitehall; Plain Township can't process in time. Mayor said so these are the original MECC agencies; why include us and Whitehall when all the others are fire groups. Grossman said because you are easily approachable and have a history with fleet maintenance and because we are looking at bio diesel potential; we thought it would be a fit to welcome you as a member; we may hear from others who would like to join the group when they hear of benefits from revenues generated; also looking at a large vehicle wash; when we came back from hurricane relief we had to take our equipment to an OSU hanger to get the clean up done; we could wash our equipment and charge others for its use as well as be prepared here if we were to have an incident.

McGregor asked Grossman his position in the fire department. Grossman said he is Battalion Chief. McGregor said she can't support this tonight; feels a need for more details. Grossman said whatever you want I can provide. Evers said the feasibility study is nebulous; would like some details that would help us make sense of what they can collaborate on; if we can tap into the John Glenn School at OSU that would certainly

be worthwhile; but the outcome may be the study comes back and says none of this is workable. McAlister said the cost is \$60,000 and the money comes from the Ohio Department of Development; if you could provide us a page of details it would be helpful. Grossman said most of that was sent out as email but I could talk to any of you if you give me a call. McGregor said you have to have 8 groups in order for there to be no matching funds; with 8 or more the cost goes down so if you have only 6 there would be a cost to us. Mayor said this was just for the feasibility grant; we are not making a fund commitment. Emery said if there is a funding request we would come back; ours is already done. Anderson asked about the deadline and if you don't get 8 groups. Grossman said the deadline is tomorrow by 5 PM; what we need to find out is if the grant application can be amended. Kneeland said this is a problem as we don't vote tonight and we don't have a meeting until next week; we can give you a verbal with legislation to follow. Weber asked if you only have 6 entities are we on the hook for funding. Grossman said no; when we are working with other grants we have been able to amend those as changes occur. Emery said what they need here is a verbal commitment. Sherwood said Emery's grant has the money appropriated as there was some commitment in the original legislation for money. White said the distribution doesn't have to be equally shared; one partner could put up the most as the lead partner; our collateral is the City name, not dollars. Grossman said since we are looking at fleet maintenance it puts Gahanna into it.

White said it is a separate process to accept the grant and appropriate the money; some communities ask permission and are awarded the grant but then can't accept it so they turn it down and it is given to someone else; just applying for the grant does not obligate the funding. Weber said we still can't do a formal vote tonight. Mayor said she could write a letter of support if Council wants that. Kneeland ask Grossman if he represented Mifflin Township or MECC. Grossman said Mifflin Township who supports this. Anderson said with the numbers listed, our matching funds could be \$7,000. Grossman said the Lt. Governor has said the number of applications that are received may compel the Governor to provide additional funding for the project; this is a grass roots effort to come up with the feasibility studies, then we will put money to it. Anderson said I like collaboration but if we as Council agreed to be in it knowing there are less than 8; without additional clarity around feasibility and funding I cannot support it. Kneeland said if we could get the clarification by Monday then the Mayor could write a letter of our intent. Weber said it would probably be ok as long as it is non-committal. Emery said Dublin is our lead agency and others are listed with either a verbal or written commitment; we got this in June so the State gave us a short time. White said they gave it out at MORPC which was not a lot of time to get it together. McGregor asked if this is only for this year. Emery said it doesn't say. Evers said we do need to nail it down as it has a lot of ambiguity; but even as the numbers are presented, this is just tossing in a hat and then seeing what happens. Kneeland said so what you are asking for now is a letter of intent. McAlister said Evers makes sense; especially if something could come out of it like a bio diesel partnership; I vote for the Mayor to do a letter. Kneeland asked if anyone on Council was opposed; no one responded; so we would request the Mayor to do a letter of commitment and we will follow it with an ordinance.

Recommendation: Mayor to do a letter of commitment and an ordinance to follow.

ISSUES - From Clerk of Council:

OML Annual Conference

Sherwood said the OML conference information was included in Council packets; the conference is the beginning of October and I would need to know right away if anyone

is going in order to complete registration; anyone who has not completed NIMS training is reminded it has to be done soon.

Meeting adjourned.

MONITOR:

2007-0013

Monitor Items:

- 1) Wireless Communication Legislation

Della Brandenberger, Reporting