



# City of Gahanna

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

## Meeting Minutes Committee of the Whole

*Stephen A. Renner, Chair*

*Beryl D. Anderson*

*Karen J. Angelou*

*Ryan P. Jolley*

*Brian D. Larick*

*David L. Samuel*

*Brandon Wright*

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Tuesday, October 9, 2012

7:00 PM

Council Committee Rooms

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**Present** 7 - Stephen A. Renner, Brandon Wright, Beryl Anderson, Karen J. Angelou, Ryan P. Jolley, Brian D. Larick, and David L. Samuel

Mayor Stinchcomb, Dottie Franey, Mike Andrako, Karl Wetherholt, Brian Hoyt, Troy Euton, Jeff Spence, Ken Bell, Sue Wadley, Brandi Braun, Jennifer Teal, Jennifer Price, Leah Evans, Tom Lefchik, Shane Ewald, Press.

### **Presentation by Scott Schmidt, Executive Dir. of Business & School Improvement, GJSD:**

Scott Schmidt, Executive Director of Business and School Improvement, GJSD, said I am here to address the solar panels that we have proposed for several Gahanna schools; there has been concern expressed with the solar panels proposed for Middle School East as they will be on the ground and not the roof; we have decided that we are going to withdraw the conditional use application for MSE, and will continue with the other two as they are on the roof; we do have a ground array of solar panels at Blacklick Elementary; we do own over 50 acres there; plan to do Chapelfield and Goshen Lane Elementary in the summer of 2012, and those would be on the roofs; will be able to purchase power; residents were caught off guard with MSE panels; panels will be 12 to 15 inches off of the roof; win for district by reducing energy cost. Schmidt introduced Jerry Corbin of Solar Planet; Schmidt said we did work with Jefferson Township for the array at Blacklick.

After questions from Samuel, Schmidt said concerning run off we have worked with Jefferson Township; the panels we are installing are smaller with breaks in between them so there is not a large impervious surface created; looking at plant material to plant below them to take care of some water shed. Samuel asked if grants are involved and Corbin said yes. Samuel asked about other sources of funding and Corbin said Charlie's Subs. Samuel asked what are they funding. Corbin said everything; there is no cost, no risk to the schools; as an example of this project high school was 1 megawatt which represents about a \$5 million dollar investment on our part; and some of it is being funded with treasury grants, some investment tax credits, and some of it - our business plan evolves around depreciation as well and that is how Charlie is getting back some of his investment; the federal treasury grant went away in December of 2011, and before it went away we safe harbored approximately \$200 million worth of projects, so yes the Federal Treasury Grant is an

important part of our business plan. Samuel asked if the school system will have to keep a lot of data for the grant and Corbin said no; the panels, the system and the maintenance, everything that belongs to the solar belongs to us; we own it; all you are providing is a place to put the panels and willing participants thinking outside the box who want to be green and save on your energy bill. Samuel asked what do you plan to do with the green credits. Corbin said renewable energy credits have a value on the open market, and they have value because the major utility companies in Ohio have a Renewable Energy Portfolio Standard that a certain percentage of their power has to be renewable energy; they are not going to meet their mandates, and they are not meeting their mandates; so as opposed to getting a fine for not meeting their mandates they buy these renewable energy credits on the open market and they are sold as a commodity; so every time you produce renewable energy you get one credit and those credits have value depending on how far behind AEP is on their renewable energy portfolio statement. Schmidt said those renewable energy credits were kind of a sticking point with the Board of Education; we do not have the capital up front to install the panels to get the energy credits and then we would have to hire someone to manage all of those credits for us; while it seems like we are losing credits we don't have the money in the bank to buy the solar panels in the first place.

Wright asked about the interactive solar lab. Corbin said there would be a smaller panel hooked up to a computer for calculation purposes; students could do different types of hypothesis as far as the angles of the panels, the direction of the panels; calculating the amount of sunlight versus the amount of energy; is a science tool accessible to students. Wright asked about the solar panels being produced overseas. Corbin said solar panels cannot be produced in the US economically to compete with panels produced overseas; there are not enough solar panels produced in the US that are of the quality that would satisfy our appetite; if we had to purchase panels made in the US that would be cost prohibitive; is work force driven; the cost of the panels is only 10% of the project; we have done everything we can to keep as much as we could in our backyard; Charlie is a Dublin guy and our offices are right here on Claycraft and SME is in Gahanna; doing all we can to make this be local. Wright asked about Charlie's Grilled Subs financing this project; is this a subsidiary of a sub company that we are not talking about. Corbin said yes; our owner, Solar Planet, is Charlie's Grilled Subs, and they have 400 to 600 sub shops all around the world; he has a huge appetite for depreciation and also is very philanthropic and wants to do projects that feel good; and how he got into the solar business is that he spends a lot of his time on religious missions in third world countries, in Mexico, Central America and Africa and he spends time in villages there building solar projects to bring electricity to villages that have never had power; so when he is doing that he is thinking if we can bring solar energy to third world countries.

Anderson asked about the durability of the panels, and why these panels. Corbin said we have our criteria and we search out panels that meet that; these panels have a 25 year warranty; you will have a computer system and so will we and we will be able to tell when something goes bad and will send someone out to fix it; there are no moving parts; can withstand normal day to day wear, wind, hail; probably not withstand a golf ball hitting it; we had a bad storm on June 29th and we had just completed Centerburg and there are 4,500 panels there; only four were broken; have them in very harsh climates.

Renner said Gahanna Jefferson schools is the stakeholder here; they are bringing this to the City because it intersects with the Planning Commission; please ask questions that are pertinent specifically to what is happening now.

Mayor said currently we do not have code on the books that deal with solar panels so we are researching and studying code to bring to you in the future; also asked them

to be here to stop the rumor mill; ground base has been the problem; roof have not heard any concerns.

Jolley asked when the land by Blacklick Elementary was purchased. Schmidt said that the land that we are using at Blacklick Elementary is not part of the land that was originally purchased. Jolley said so approximately 8 or 9 years and it has been vacant and now we have an opportunity for investment; how many dollars does the school district have to spend. Schmidt said zero dollars with the exception that it has taken up some of my time and the board's time and Rick Owens our maintenance supervisor some of his time; even permits in Jefferson Township, Solar Planet picked up 100% of the cost; in full disclosure there are some roof repairs needed at the high school and we would have had to do those anyway; will be a 30% discount rate and our goal was to create 70% solar for our needs, but we cannot do panels everywhere we wanted so system will not be as big; but it is 30% savings for every kilowatt we are able to create. Jolley said so it is land we already owned; zero dollars up front and a double digit percentage savings over life of the contract. Schmidt said yes.

Angelou said you almost answered my question as to does this fit all of the energy needs of the building; you said 70% of the energy, so still have 30% be dealing with AEP. Schmidt said we cannot create a system that creates more energy than what we consume at that particular building; systems have to be at the meter location; we cannot create our own power plant; still connected to the grid; when the power goes outage for safety reasons the solar system shuts down as well; cannot produce more energy than we consume; in the summer or on weekends and in the evenings when we are creating more energy than we are using, our meters will put that energy back on the grid and we will receive a credit from AEP. Angelou said the concerns expressed to me were because of the ground arrays; wondered why not putting them on the roof; would take away from the residential character. Schmidt said that is why we are withdrawing the application for conditional use at MSE and are working on contacting the neighbors; when the report came back that the roof was not feasible for optimal size of a system we looked into other options; MSS, MSE, High Point, Jefferson, and Lincoln Elementary all have limited roof possibilities at this time. Angelou said I have a question about the AEP buying credits; how much do the energy credits typically cost. Corbin said it is very volatile; in the last year renewable energy credits have gone from high of \$600 or as low as \$140; every time there is something on the news that Kasich is going to change the Renewable Energy Portfolios they go up or down. Angelou said when you get these energy credits, that is part of your business plan. Corbin said yes. Angelou said you get these and then they are sold on the open market; you then get the money for that and that is how you make your profit. Corbin said yes that is how we recoup our investment. Angelou asked if Blacklick was finished. Schmidt said the solar arrays are installed, the electrical work is not finished yet; hope to have it ready by the end of the month; will be a chain link fence around it.

Larick thanked Schmidt and Corbin for being here. After question from Larick, Schmidt said there are some other buildings where roof arrays would work, but there is only 5 or 6 years life expectancy left for the roof, so it doesn't make sense to put the panels on for 4 years and take them off and then have to put them back on; will do Chapelfield and Goshen Lane roofs this summer before we put the solar panels on; Royal Manor, Jefferson and MSE have roofs that have reached their life expectancy. Larick asked about Lincoln and Schmidt said the roof and the age of the building and the whole structure; lots of different levels to that roof.

Schmidt said we had multiple companies that we were looking at for the solar panels, but the business plan and the comfort level we had with Solar Planet; a lot of the other companies out there do not have the financing in place; you do all this work and jump through hoops and then you have to find the financing; that is why Worthington

only did one school; they are willing to work with the City also.

### **PENDING LEGISLATION:**

#### ORD-0191-2012 TO AMEND CHAPTER 559, NOISE CONTROL, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA; AND TO DECLARE AN EMERGENCY

Renner said we have received the latest changes with ORD-0191-2012. Mayor said the Administration submitted our recommendations and we did not recommend reducing the levels for daytime; after speaking with the PD and Ewald, we felt the levels were fine; did get rid of the maximum peaks and penalty section; Council made the decision to move to the earlier time, 10:00 p.m. to 9:00 p.m.; that is where we are; commercial is not changing. Jolley said we moved it from 10:00 p.m. to 9:00 p.m. to facilitate folks, and particularly young people, students going to bed earlier; did we include in here that we would be doing this at the slow speed. Ewald said no; it is common practice that they have been using since the ordinance was enacted and that same procedure should be followed; slow more closely approximates human hearing; there has to be a consistent process used internally by the PD; when you start codifying things we get to the point when the prosecutor tries enforcement of these cases then that creates more variables that they have to go back; this procedure would stand up in court; I worry about getting into too much detail because of the police officers when they have to testify to citation.

Renner said the new ordinance will be on the agenda for Monday; what do we want to do. Wright said I think that 70 is too high for mixed use; need to look at that. Jolley said the 70 level is for the daytime in Olde Gahanna and Mixed Use until 9:00 p.m. and then they drop to 65; on the weekends go till midnight and then they drop to 65. Wright said I still think 70 is too high; I would like to have it amended to be less than 70; also need to talk about the implementation. Mayor said the implementation is the Administration's responsibility; important the code is written to the way Council wants to see it. Wright said people have told him that the implementation is not consistent. Jolley said the sound limit during the daytime is higher; limits in the day are competing with more noise; traffic or other noise; all of the limits have been higher in the day and that is the whole purpose to our discussion; was 70 to 10:00 and are now reducing to 9:00; doing more harm than good reducing during the daytime; there is a purpose when do we reduce; the other thing is implementation is the purview of the Administration; discuss with the PD making sure folks are using the A weighting and the slow speed; cannot micromanage to the second what the PD is doing; they are dealing with other issues; discretion left up to the PD; penalty discretion left up to the prosecutor and the magistrate; this does not apply solely to outdoor music at bars; this applies to everything within the city limits any kind of construction you are doing; noise will be higher during the day; felt we had come to a consensus on 65 decibels.

Larick said we have had many discussions on this and put forth a great deal of energy around trying to do something that is good for the City and the citizens as well as acceptable from a business standpoint; appreciate the effort put forth by Mr. Lefchik and Mr. Thomas; want to make sure we are careful over legislation; at one point in time; always have the ability to move forward if the need arises; I am okay with the structure as we have it at this point.

Samuel said we have to be careful about micromanaging this when it is implemented; our PD has a process where you can air your complaints and they will take care of it; the PD has a process and we cannot micromanage.

Anderson said I too am in favor of 65; don't think just because other locales have higher we have to; we can be a leader or a maverick with regard to certain things; once the limits are set people know that is the rule; we do not have to follow suit; be concerned about what is going on in the day; feel it should be 65db; needs of citizens should be paramount with regard to noise levels; have a generation of people who don't care about noise; in favor of 65 for Olde Gahanna as well as Mixed Use; is a health issue.

Jolley said 70 or 75 is not uncommon; loud music late at night; daytime volume has not been an issue; no complaints about noise in the day; technically on paper a typical vocal conversation is 64 decibels; noise is part of our life; do not want to over legislate this; have reduced the level and narrowed the time frame; I'm in favor of proceeding with ORD-0191-2012 as it is. Wright said I am in favor of doing this in one swoop and not revisiting it every year to tweak, then it is confusing for everyone; 70 is high. Anderson said Columbus is the only City that has 70.

Renner said are we ready to move forward with this; it was agreed to put ORD-0191-2012 on the regular agenda and then if someone wants to make an amendment they can.

### **ISSUES - From Director of Public Service:**

#### **Franklin Co. Public Health Contract:**

Franey said Franklin County is asking for a 3% increase for 2013; has not had an increase in the last several years; asking for legislation for the Mayor to enter into contract. Question was asked if the City had a choice and Franey said this is a service we have to have.

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

#### **Code Change/927.24, Illicit Discharge :**

Franey said the EPA's NPDES Phase II program requires MS4s, which Gahanna is, to create a program to detect and eliminate illicit discharges into the storm system; Gahanna has always had code, but they are now requiring that it be more detailed showing what we cannot do and authorization to force compliance; so we are asking for legislation to adopt a revised code section 927.24 to comply; again the question was asked do we have a choice.

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

### **ISSUE - From Director of Planning & Development:**

#### **CURC Property Transfer, 885 Claycraft Road:**

Evans said the CURC did meet on September 27th and recommended that Council accept their recommendation to release the Master Lease and City Lease to transfer Lot 27 to Palinco, Inc.; also to authorize the Mayor to enter into General Warranty Deed to transfer the property to the business; do have 3 more of these remaining.

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

## **ISSUE - From the City Attorney:**

### **Code Change/303.99, General Traffic Code Penalties:**

Ewald said while reviewing the noise ordinance we found that Unclassified Misdemeanor was not listed in the general traffic code penalties; just need to add this to the traffic code penalties.

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

## **ISSUE - From the Mayor:**

### **5 Year Capital Needs Assessment:**

Renner asked if there are any questions about projects in the Priority II. Larick said the Buckles Tract Infrastructure Development; is there in the near term specifics or relative specifics that have been outlined for what that is expected to be. Wetherholt and Braun said that will depend on the prospective development that comes and what kind of infrastructure will be needed there; hopefully that will be paid back by the TIF. Braun said we have added the community gateway signage; we are proposing to be added in here to fund the design next year; will be sent to you; what is being passed out is the projects that are not in this assessment - either more than 5 years out or the cost should be on our needs that are out there; they go in a tab that doesn't exist now; put it in the back.

Priority III - Larick said the Headley Soccer Field Rebuild & Irrigation; the concept here, does this result in fields equal to those in Dublin. Euton said this would create fields that are equivalent; do have irrigation; working to improve the quality of our sports; phasing over time; is some chunky dollars; complete full rebuild accomplishing in a way that is not quite as expensive; significant increase to maintain at a level people expect. Angelou said would the fields be available to be used as practice fields as well as playing fields as the issue that came up with the soccer association. Euton said it would increase the capacity of the fields allow more play per week; still getting numbers from contractors and supplies irrigation delineate that in more detail to make improvement.

Jolley said the South Stygler Road widening; think it is a should do; what is the possibility of a grant and what is the likelihood, and is there any way to tie this into being as a secondary conduit to the airport via Johnstown Road. Wetherholt said the possibilities for the grant are normal for OPWC funding; does have a little bit of an edge because when the airport came up with their NetJets expansion project, they identified that segment right there having a critical nature so that gives it an extra point or so; it competes with all the other projects always in competition in applying for the grants in the district. Jolley said so is the process for that submitting the application and seeing where we end up. Wetherholt said yes.

Wright said there is a traffic problem; driving today was terrible with traffic funneling in; need to give the South Stygler Road widening project a higher priority. Angelou said she definitely agrees.

Mayor said the GSA actually built and paid for the clubhouse facility that is out at Headley; long standing relationship. Euton said GSA has already passed legislation

to allocate \$50,000 for the irrigation system: have gone back to them to see if they can make that \$100,000.

Proprietary Funds - Larick asked Wetherholt if with the Farmwood Place Pilot project there is a plan or intention or hope from the Administration if that does what it is supposed to could that become a standard. Wetherholt said it is another tool; it could become a standard tool for stormwater management; don't think it would totally replace basins or other forms of open detention because at the higher level storms it doesn't seem to do as much but it does for the lower; it also removes some of the need for some of the higher volumes for the stormwater; also keep in mind that it is not particular to cul de sacs; can be used in parking lots and at sag points in streets and could work in conjunction with a basin. Larick said where I am going with this is the point that this could be part of a more wholistic water process that is more environmentally sound. Wetherholt said yes.

Angelou asked how many lift stations we have. Wetherholt said sanitary, I think it is 5; we just took 2 off line the beginning of this year. Angelou said are we looking into those. Wetherholt said there is constantly a maintenance schedule; the only one that has any kind of feasibility to take it off line is College Park and that would require building the sewer that runs parallel to Price Rd; have kind of been working on that. Angelou said that is the Price Road sewer construction. Wetherholt it is one phase and then there would be another phase; it is very difficult to get in between the houses to make it go over to the street to College Park; have to figure out a way to get between those houses. Angelou said we have been getting a number of mobile alerts about water main breaks; have gotten 3 lately; are their existing problems. Franey said our number of breaks have not increased; we are using Code Red for each one of the boil alerts that go out; it is assumed in 48 hours that the boil alert is over unless you hear differently.

Jolley said to the Price Road sewer; about 22 parcels; what is the sewer hook up fee that would be charged to each of these properties, is that something that they have to do or would it be optional. Franey said any time we bring sewer in now they are required to tie in; we are working on our second assessment with Council Office's help we are getting good at setting up these assessments in order to help residents spread it out over 20 years; we also only charge them the statutory \$30 per foot plus the capacity fees instead of a classic assessment where we could charge up to 98% of the project. Jolley asked if this is something they will be required to do once we go ahead with this project. Franey said yes. Renner said do you want to speak to what drives those fees; think it is a good piece of information. Franey said a great deal of the capacity fee goes to the City of Columbus; we have to forward that on to them; other than that the capacity fees are used for ongoing maintenance; whatever you believe is required to assist with the additional capacity that they bring on line; the front footage would be to recoup some of the construction costs. Jolley asked what average cost is to hook up. Franey said the capacity is around \$5,000; front footage at \$30 can total up to \$3,000. Renner said then you have to pay someone to connect it. Franey said connection would about \$2,500 to \$2,800. Renner said how many septic systems do we have in the City and what is the plan to get rid of them. Franey said with the westside sewer we installed that knocked out one of the biggest and worst areas. Andrako said one of the problems with that is if they are in the township they could be within our general corporate boundary but they can't tie in unless they annex and we cannot make them annex. Franey said 4 are in Gahanna that we are getting ready to sewer on Johnstown Rd. Mayor said we can get that information to you about all the unsewered areas.

Anderson asked about the Havens Corners Branch Sewers; estimated for 2015 cost is \$1,200,000; what would the longevity be. Andrako said we have not designed it yet; very preliminary; storm reliever system; since we don't have flooding issues on a

yearly basis there. Franey said we take in about \$1 million per year in the storm water utility and we have to build up with funds to do a project; life of the storm sewer is about 40 to 50 years.

Wright asked with this document is there something the Administration expects us to adopt. Braun said nothing to be adopted right now this will be a working document that continues to be updated based on our resident survey, Council feedback, the Parks & Rec Master Plan; when we bring forth the appropriations this year we will draw projects from this 5 year plan into the appropriations and continue to update this; is an ongoing annual planning document. Mayor said the time when we are doing the prioritization will actually be the appropriations; am interested to see how you feel about this; looking for buy in on the document as well as the process. Samuel said it is great document easy to show citizens. Jolley said the document is fantastic; the only thing I would like to see is a spread sheet in the front that lists everything together instead of being broken up into all the different sections; great starting point. Larick said in some way, shape or form all of these are appropriate projects going forward; challenge will be to identify how we can accomplish any small portion of these. Wright said this is a good job; good basic jump start.

**Donna L. Jernigan, MMC, Senior Deputy Clerk of Council, reporting.**