

City of Gahanna

*200 South Hamilton Road
Gahanna, Ohio 43230*



Meeting Minutes

Monday, July 14, 2008

7:00 PM

Council Committee Rooms

Committee of the Whole

Thomas C. Evers, Chair

Beryl D. Anderson

Shane Ewald

Thomas R. Kneeland

John McAlister

Nancy R. McGregor

David L. Samuel

Members Absent: Thomas C. Evers and Shane W. Ewald

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

Additional Attendees:

Jerry Isler, Isobel Sherwood, Tom Weber, Brandi Braun, Sadicka White, Anthony Jones, Karen Woodward, Angel Mumma, General Williams, Mike Andrako, Chief Murphy, Dottie Franey, Terry Emery, Karl Wetherholt, Troy Euton, Press

ISSUES - From Clerk of Court:

Code Change - Section 133.093

McGregor called the meeting to order. Woodward said she was requesting an amendment to the city's Computer Fund to allow purchase of items other than computers, maintenance, or software; other items allowed by the Auditor of State are supplies, furniture or space; this requires we update our Code. McGregor asked why the "by Council" was struck out and could that be checked. Woodward said we established this in 1991. Sherwood said committee meeting minutes back to 1991 don't exist so we can't really check on it. Woodward said the Auditor allowed other purchases in 1997. McGregor asked how this is funded. Woodward said every case in Mayor's Court pays \$8; the money goes into a Proprietary Computer Fund by state law. McGregor asked if there is too much in the fund. Woodward said no, but now she can only buy computers, maintenance or software and she would like to keep up with the Auditor's Office; since this comes from a user's fee to Mayor's Court, we would like the added flexibility to improve Mayor's Court. McGregor said this needs approval of Council and Isler said yes. Kneeland said then you will be able to take money for office expenses from here instead of from the general fund. Woodward said yes that could happen.

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

ISSUES - From Chief of Police:

DARE Grant Application

Chief said this request is to allow the Mayor to enter into agreement with the Drug Abuse Resistance Education (DARE) Grants Advisory Board; DARE then agrees to pay 50% of the involved officer's salary. McAlister said he would like to reopen the DARE discussion from a couple of years ago; considering the cost of an officer is about \$75,000 with salary and benefits, we should ask the school board if they think it is needed and doing the job intended; some say it doesn't; positive results may be based more on opinion than fact; looking at a website for the National Academy of Science and Engineering, McAlister read their documentation that indicates evaluation of drug prevention programs over the last 20 years is difficult and not able to show progress; said he is not willing to contribute to fund it; now that we have new Council and school board members, they should evaluate whether we should be funding this. Samuel said he thought an evaluation was done at the end of the year and included some parents at the schools; asked the Chief about that. Chief said he did not know of any formal

evaluation that has been done; we feel it is a very successful program; it keeps a cop in the schools at the elementary level. Samuel said students can see an officer in a different light; more accessible. McGregor said we have a financial arrangement with the schools; they don't charge us for use of ball fields and we support programs like this. McAlister said these are not City leagues using the ball fields. McGregor said not City leagues but programs from our parks that use them; also I have been in classrooms when it is taught and it is a nice program to teach children to interact with the officer so if they have a problem they are not fearful. Kneeland said I also have done an Internet search and I was able to find a site where many civic leaders speak out on DARE saying how good it is; right now, when they approach us for funding, is not when we search around on the Internet in support of one view or another; I would like to see us form a committee and take about 3 months and do valid research so we could make a decision based on fact. McGregor said if we did not have an agreement with the schools we would have to build more ball fields. McAlister said he agrees with Kneeland; there are good things about the program and it promotes a good experience with the police; however it does make me wonder why kids are so afraid of the police. McGregor said because of TV. McAlister said so it is a good public relations program but does it keep anyone from getting hooked on drugs; could be a waste of money; agree with Kneeland we need to investigate it. Anderson asked how long we have done this. Sherwood said at least 20 years. Anderson asked if there have been any negatives in that time. Chief said only one. Kneeland said part of the discussion we have had the last couple of years is these are soft results; how do we measure them when we have soft tangibles. McAlister said it does not apply to just DARE but other police spending as well. Kneeland said we also have to define the results from a community acceptance and childhood rewards perspective as well. Anderson said we need to determine what success is. McAlister said should we pick a date to do a committee since that is a good idea; get us the data and redefine the purpose of this. Chief said that changing the definition could jeopardize the grant; need this done by Friday, August 15. Samuel said we could get some hard data from the school to show that this is working. McAlister said he needed that to support this. Sherwood said this is a Motion Resolution and has one reading. Kneeland said waiting until it came to committee was the wrong time to say we need time to look at data; I will support it this year and I am open to looking at research for next year so we need to do it earlier next year.

Recommendation: Resolution on Regular Agenda.

COPS Grant Application

Chief said this request will allow the Mayor to apply for a Central Ohio Data Sharing COPS Grant for 10 mobile data computers; we will provide the peripherals. Kneeland asked if this will allow us to reduce general fund expenses. Chief said yes; it is offset money. McAlister said he has the same problem with this as a recent program for crosswalks; said I feel the federal government should not buy the City computers; I cannot support this; COPS has only helped a few select groups. McGregor said maybe other groups don't apply for the grant. General Williams said this grant is not just a routine COPS Grant; COPS communication committee out of Columbus got \$6 million; these computers are going all over Central Ohio; go into patrol cars so mug shots can go to the scene; police would have the most current data in their cars and have the ability to share the data with other groups; we need this here. McAlister asked the amount. Chief said there is no specific amount. McAlister explained the route he felt the dollars take from Gahanna taxpayers to wind up paying for this. Kneeland asked if the fund continues next year, is it earmarked or going away. General Williams said no; this money comes from a grant from the Homeland Security initiative.

Recommendation: Resolution on Regular Agenda.

ISSUES - From Director of Public Service:**City Property/Liability Insurance Renewal**

Emery said this request is for our annual property and liability insurance renewal; we are in a self insurance pool with 64 other communities; this is a renewal of the program; the difference is they offered a 3 year commitment to get a 6% rate reduction; request the ability to apply for the 3 year commitment with this same organization; we have used them since I've been Director.

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

Sycamore Run Phase II Stormwater Study

Emery said this is the second area for this stormwater issue; in 2008 we are asking for the authority for the Mayor to enter into agreement to study Sycamore Run Phase 2; this is 720 acres of the 970 total acres; in 2007 we used the same engineering firm for Phase 1 which has been successful in limiting the impact of rain events in Gahanna Heights; Phase 2 is larger and for the upper reaches of the watershed; we have the money; just need authorization. Kneeland said I had sent a note; the clarification was as development occurs in the watershed, are the contractors required to comply to the stormwater plan to minimize their impact. Emery said they are required to put in their own stormwater management. Wetherholt said we have to take into account most contractors were here before the policy was put in place; going piece by piece; the total picture doesn't come together until later; could say the residents of the development and businesses contributed. Kneeland said should we have a process for the future. Wetherholt said we would have to figure a fair way and not sound arbitrary. Samuel asked what they look at. Emery said they model what it will be when fully utilized; adjustments can be made; determine the impact downstream; Gahanna Heights had been seeing increased flow in Sycamore Run; McKenna Creek is being looked at now; we have an upcoming meeting with Columbus.

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

Sprinter Van - Request to Bid

Emery said this is the first of a couple of items where we are asking for a Motion Resolution to authorize bidding; this would be a Sprinter Van for use in the water and sewer department; in the budget. McGregor asked is "Sprinter" a type of van or a manufacturer. Franey said it is called a "Sprinter" van because it has its own look.

Recommendation: Motion Resolution, Consent Agenda.

Sanitary Sewer Relining - Request to Bid

Emery said next is the Sanitary Sewer Relining program. Kneeland asked how big the program is. Franey said about \$60,000. Kneeland asked where it is. Franey said the area for this is around the Fire Station on Rocky Fork; do as much as we can with low bids. Emery said it is priced per cubic foot. McGregor asked where it starts? Emery said by the Hunters Ridge Apartments; excessive infiltration in that area; needs the relining.

Recommendation: Motion Resolution, Consent Agenda.

Streetlight Maintenance - Request to Bid

Emery said next is the street light maintenance bid; Jess Howard Electric is used for our current program; they have an individual working one day a week in Gahanna usually.

Recommendation: Motion Resolution, Consent Agenda.

Income Tax Forms - Request to Bid

Emery said it is the same process for our income tax forms. Kneeland asked if there has been a reduction in the need for paper forms as we go to more online filings. Isler said some reduction but we will see a lot more; we had the highest use for online filing; far ahead of Dublin who was 2nd. McGregor said if they file online they don't get paper next year; they have to ask. Anderson asked what forms are online. Isler said we have only 2 forms and both are online. Isler said we are adding business forms as well.

Recommendation: Motion Resolution, Consent Agenda.

ISSUES - From City Engineer:

Highmeadow (Kellogg) Waterline Relocation

Wetherholt said we would like to wrap up the Kellogg waterline relocation as we are done; we had some additional expense for the exploratory work to pinpoint the location of the line, but saw some cost savings actually since there was no restoration required; \$500 difference can come from the water line repair account; 2nd thing is the partial encroachment on the easement needs to be vacated around the house and the pool so if sold, it won't show up; recommended by Planning Commission; 2 ordinances are needed to accomplish this. Emery said this was a very unusual circumstance; the house got placed very close to a waterline; if something were to happen, this small cost would have ballooned.

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

Olde Ridenour Road Waterline - Imp. #ST923

Wetherholt said the waterline project and the paving of US 62 will require the detector loops to be replaced; last year we had the street department set aside money for this signal; now we know what we want to do and have specifications and quotes; we have a waterline contractor quote so we would like to move ahead; we can do this as a change order to add ground loop detection with video to the waterline project.

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

Annexation - Clotts Road/Decker

Wetherholt said this is for the annexation granted to Mr. Decker in exchange for the water and easement for George Parker and Hamilton Parke subdivision; this increased the water pressure in the Old Mill Dr. area where they never had adequate water pressure; would have cost us a lot more; this will authorize the City Attorney to file the annexation for Mr. Decker. Sherwood said she would request a service ordinance; will file after the 4 departments report; would like the authority to go ahead.

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

ISSUES - From Director of Development:

Motion Resolution - Tax Abatement Request/Barton Hall LLC

White said Barton Hall LLC is asking for a tax abatement; property located in the Crossroads Commerce Center which we know as a 55 acre development that was tax abated in 1998 and TIF'd; the developer paid the money upfront for the TIF; he gets it back for improvements; they get 10 years not 15; we do bring all tax abatements to Council for approval; did a fiscal impact analysis for the 15,000 square feet office/warehousing facility; will be leased by Scotts, a different division than Science Blvd.; they will employ 20 full time people and have a payroll of \$1.1 million; when we ran the analysis, we get \$51 in property tax on the vacant land not improved; over 10 years we get \$400; over 10 years already abated net tax is \$85,359; over 3 years the actual cost of goods and services business model shows our cost of service \$55,461; the net \$29,898 even with abatement; additionally job creation is a measure and criteria; in this case to protect the City and schools' compensation; we do not include tax increases in the CRA agreement; pay additional compensation to pay schools; if for any reason we have to pay more, if over 50% the party will pay the difference; Jones passed out a copy of the agreement to Council; this is the project history showing that this park is full; built out in ten years; lists all the businesses located there; a full report will be given later this year. Samuel asked how we determine if they are going to fulfill their part. Jones said they sign a 10 year lease; with a tenant in place, they are committed to do this. White said we don't look at their financials; if they are in an eligible area we do see if they meet the threshold for the master agreement; we get information on their annual meetings; they are monitored; we have 150 companies that are tax abated and we have to know all their detail; if there are compliance problems we can revoke the tax abatement and we have done it. Kneeland asked if there is a clawback in the agreement. White said they all have one; we say if they fail to provide or leave they owe us 2 years for every 1 they are not in compliance; spelled out in their CRA agreement section 3.4 pg 204. McAlister said when you make a presentation and include the cost of community services, where do you get the base data that is in there. White said from our budget; based on all resources; if a cost is new we can add it; we can do this for any subdivision. Anderson asked when construction would begin. White said they would construct as soon as we give the ok. Kneeland said thank you for the spreadsheet and data; makes this a lot more relevant to have a tool for evaluation.

Recommendation: Motion Resolution, Consent Agenda.

Resolution - Community Development Block Grant Program

White said we need to adopt a resolution affirming our continued support of the Community Development Block Grant; we did receive them for the sidewalk program at Creekside; even though we are no longer considered a blighted location we do have housing programs like Section 8 in Gahanna that receive this benefit; what I like about this grant is it is not so specific; we can do a number of things with it; locally people come in we have the ability to determine if it is an eligible project. McGregor asked if they apply for a certain amount. White said we just pass a resolution to participate; then we can apply for anything; historical society used this when they redid their bed and breakfast. McAlister said after reading this; I don't think we should sign this; this is old politics. White said it was originated as a Reagan program and was supported by you in the past. McAlister said he had changed his views and no longer supports this.

Recommendation: Resolution, Regular Agenda

ISSUES - From Director of Finance:

Estate Tax Refund

Isler said in 2006 we got a very large estate payment; in 2007 we were informed we had to return some; we thought they were going to take it out of the estate payments; County decided it needed the money and took it back from the Franklin Co. Real Estate Tax in the amount of \$240,000. McGregor asked how much this was originally, about \$478,000? Isler said we got \$1.4 million. Kneeland said we have no choice really. Isler said no we don't, they have the money.

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

ISSUES - From Clerk of Council:**Liquor Permit Transfer - Whiskey Ranch**

Sherwood said she had a liquor permit transfer request from Stolys to Whiskey Ranch; memo from the Chief says the Police have no problem with it. McAlister asked the Chief if Stolys lost the permit. Chief said no it closed.

Recommendation: Motion Resolution, Consent Agenda.

Liquor Permit-Morse Road Shell

Sherwood said she received another liquor permit request today for a new C2 license; this is for the Shell station at Morse and Hamilton Roads; there have been no problems with previous requests for transfers.

Recommendation: Motion Resolution, Consent Agenda.

Accept Deed - W. Johnstown Road Right of Way

Sherwood said this was a Subdivision Without Plat approved by the Planning Commission; W. Johnstown Road deed is recorded and we need to accept; this is for a new business, a soccer operation behind EAS auto service and next to the office building.

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

Issues from the Director of Parks & Recreation**Supplemental Appropriation for Freedom Festival**

Euton said we are asking for a supplemental to provide funds for parks to do the 2009 and 2010 shows; we need to find bands early and get them booked to have them on the scene and have an improved program. Kneeland clarified it is \$30,000. Samuel asked if that would that allow for improvement. Euton said 2008 was not our year. Anderson asked what other things would improve the program. Euton said it was just not there this year; music was not up to standard; we need a family music group; we have made calls just these past few weeks to a few groups we know of and they are already booked; really need to do that early; and the fireworks also have to be booked; Reynoldsburg had to do theirs on the 5th and we don't want to be stuck like that; Anderson asked if all these are out of Columbus or Ohio. Euton said we use services from all over; we have a band from Toronto and a fireworks shooter from Cincinnati we like. Anderson said define family music since that is open to interpretation. Euton said no matter who they are, someone won't like it. Samuel asked if you use an agent. Euton said we use all

methods; some groups book through a talent agent and some we call direct. Samuel asked if you preview the music. Euton said sometimes we do; last year we used a group from a conference where we heard them; we get demos from them; lists of the music they will play. Kneeland asked if Parks sees this function rolled to Gahanna Events. Euton said someday; we tried that a few years ago and it didn't work out. Sherwood said even with the supplemental we need a copy of the contract. Euton said he wanted the funds available.

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

McAlister asked the Chief if he still sent Council monthly reports. Chief said he did; several Council members confirmed they received them.

Supplemental Appropriation for Program Escrow

Euton said the next supplemental for \$31,000 is for the CVB for the Creekside Grand Opening; it needs to be put back on line for billing.

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

Pending Legislation:

ORD-0141-2008

SUPPLEMENTAL APPROPRIATION - Creekside/Pond Pump Room

McGregor said next is Ord-0141 for the Creekside pond pump; my questions have been answered but I would like to say that we should have known sooner about these costs; the changes were made a long time ago; when the change order was approved we should have been notified. White said I understand that; at the time, there were elements of the project changing and part of what we were trying to do was keep the costs down; in the context of as-builts, we would look at plans, and usually the best thing to do was make a field decision to make the change. McGregor said that process is ok for a change that costs \$2,000 or \$3,000; with the scope of these changes, we should have known the approximate amounts and had an opportunity to bring up the changes at our public meetings. Samuel asked what these meetings were. White said we had monthly meetings; the public was invited and they were announced in reports and in the paper; GGC conducted them and they included members of Planning Commission and Council; ended them in late 2007; also once a month we would give Council a report with updates; you will see a final report. Samuel asked how the attendance was. White said minimum; McGregor came often, General Williams was usually there; business owners or engineering; whatever was the hot topic we always held them. Anderson said my question is, since these monthly meetings were going on, and this is a lesson learned, how is it that these issues were not communicated then. White said we did communicate; just not the dollar amount; we did not get the dollar amount until this year. McGregor said we did not know dollar amounts and did not know about a lot of these changes. White said the Mayor was authorized to make the change order; at the time we made changes there was money. Anderson said so this is a lesson learned; is there a process set up for those lessons to be chronicled. White said Council will receive a full report; we will make it a page in the report. Anderson said so it will be a document to use for future projects. White said we can look at it for different projects; but then something happens in the field that makes the design different and it may not work. Anderson said I would like to place the lessons learned in the project. Kneeland said we created the park and garage that we funded; however I will never support another construction partnership without the contingency funds defined; as-built type projects will have additional needs; engineering here always builds in some extra dollars; so that is my lesson learned; we need a contingency fund. Anderson said our schools are considering this so they could use our document as well as a list of

who to go to. Samuel said Central Park may have some unique situations where this would help. White said when you see the final report you will see that everyone was paid exactly what was in the initial scope as budgeted; the amount for the garage is what they were paid; it will be easy to realize the benefit of a fixed price contract; all items that were fixed meant no one was to be paid more; costs might be greater; but no one was paid more; with inflation products went up; and we only spent money on public places like the park, garage, and sidewalks that are city owned; thank you for understanding this. McAlister asked about the portions of the plaza utilized by Seekers, Buck Mulligans and Mezzo; do they pay for that? White said we look at it like an easement; we each own a portion; the patio is his property; easement is public property; we get rent as well. McAlister said so we paid to build it. McGregor said we get \$2 a square foot per the development agreement; if he sells it goes up. McAlister said for the City to build a private patio is wrong; I am glad I voted against this. White said I know these lease rates net us a lot of money,

Recommended for Adoption

ORD-0142-2008

SUPPLEMENTAL APPROPRIATION - Creekside/Stage Reconfiguration

See discussion with ORD-0141-2008.

Recommended for Adoption

MONITOR:

2007-0060

Monitor Items:

- 1) Wireless Communication Legislation

McAlister asked the status of the agreement in our Monitor item. Sherwood said it is scheduled for Public Hearing on Monday, August 4, paperwork was sent to you ahead of normal schedule.

Sherwood said she had sent an email about a tour of Central Park; could be Monday, August 11 or 25 before committee meeting; ask for Council to let her know which day would be best.

Della Brandenberger, Reporting