

# **City of Gahanna**

*200 South Hamilton Road  
Gahanna, Ohio 43230*



## **Meeting Minutes**

**Monday, November 22, 1999**

**Will convene immediately following earlier committees.**

**8:00 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*

## PENDING LEGISLATION

**Members Absent:** Sherie James-Arnold and Thomas R. Kneeland

**Members Present:** Debra A. Payne, Rebecca W. Stinchcomb, L. Nicholas Hogan, Karen J. Angelou and Robert W. Kelley

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### 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.

Committee requested that Dave Haney be contacted and ask for final copy; also fill in the blanks in the legislation with his recommendation; do not feel we have received the final copy as part of our contract; need to make sure we get what we have paid for; have not received a final copy with all blanks filled in showing his recommendation; need to let him know that even though there are some lawsuits pending we are going ahead and want our final copy.

RECOMMENDATION: Postpone to 12/20/99.

**Recommended for Postponement to a Date Certain**

### 990556

TO AMEND CHAPTER 1171, FENCES, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA, TO AMEND SECTIONS ON SWIMMING POOL FENCES AND INVISIBLE FENCES; AND TO UPDATE REFERENCES TO ZONING OFFICER TO ZONING ADMINISTRATOR.

Based on a discussion at BZA last week, Weber is to verify if there are any conflicts between code sections with regard to fences.

**Recommended for Adoption, Consent to Regular Agenda (Duplicate)**

## ISSUES:

### Master Bikeway Plan

Stinchcomb stated she had several questions; first relating to curbs and gutters; we are using existing roads and sidewalks and question changing our standards. Wetherholt stated he was not willing to change engineering specifications on curb from rolled to straight curb. Mitchell stated that there is an ideal way for bikeways and that is square curbs; practically we need to look at every project individually and how it will affect everything else; is an excellent plan but need to remember to check each project individually. Stinchcomb stated concern is that we have adopted plans in the past and then people feel we are held to what the plan says as opposed to it being a guideline. McGregor stated he has no objection to changing the curb recommendation in the plan. Wetherholt referenced Taylor Road project where a paved shoulder with ditches was considered a viable solution; property owners didn't want that; they wanted curb, gutters, and sidewalks on Taylor if it was going to be widened. Wetherholt continued that there are tradeoffs with the straight curb; is not the absolute; better water carrying capability with current design than the straight curb; is used all over Central Ohio; Founder's Ridge has straight curb for a specific reason; can't say we would never want to use a straight curb. Stinchcomb stated she had a certain level of uncomfortableness with wording. Wetherholt stated that we were left with the impression last week that the reason we have a curb and gutter section is because it is cheaper; that's not necessarily true; can make the compromise with an absolute bikeway area; can go with straight curb but there are tradeoffs if we go with it. Stinchcomb stated we ought to have a bikeway plan but feel we are rushing into this; every time we adopt a plan it is stuck in our face

and stated that plan says this is the way we are going to do; feel that there are police, development, and zoning implications in this plan; don't have to do next week; presenter said if you adopt this plan you would change some of the way you would do things; have flexibility now to make changes; might want to take a line of flexibility; can work with this and evolve; need to get report from engineering, police, and zoning; know everybody participated but feel we need comments from affected department heads on final version. Angelou noted that in utopian world of bikeways this is what you would choose but there are many forces other than bikeways that pull on us; want to be bikeway friendly but it shouldn't take over other portions that are more crucial. Stinchcomb noted she would rather see this come back for further discussion with reports from engineering, police, zoning, and any other areas of the city affected by the plan.

RECOMMENDATION: Comments from Department Heads to be sent to Council by January 15; then immediately to committee based on what new committee structure may be.

In a related matter, Mitchell stated they were approximately \$800 over contract amount; have funds available in the line item account to cover the extra expense; would like to pay the extra that covers additional maps and work requested over and above the contract. Clerk requested account number where funds are available.

RECOMMENDATION: Floor motion, consent agenda.

## **Gahanna Holiday Lights**

White distributed packets to Council members for parade; can pick up shirts; someone needs to be the point person for the float and will need to take responsibility to register when you get to the float; should be at float area by 6:30 p.m. but will make arrangements to get you quickly from lighting ceremony to float area; at 5:30 there will be a sponsor only reception in parlor of Mifflin Presbyterian Church; Panera Bread will be catering; staging area for float is City Hall; events will run from 12:00 noon to midnight; 3 distinct trolley routes; one from Rocky Fork Plaza will come down 62 at stops at FOP, Holiday House; Sanctuary and circles back around; second will be from Royal Plaza; third will be from Hunters Ridge; one trolley sponsored by Jess Howard, one by Excel Contracting and SpringHill and Towne Place hotels the third; have approximately 80 units for a first time parade; been told that is an excellent number for a first time effort.

White continued that all businesses in Olde Gahanna have been requested to put lights up before this weekend; also asking Council to get their lights up; have newest signs up with regard to street closings; does let everyone know ahead of time; will open up streets after parade; will be no vendors on street; take them off streets as much as possible as it does cause and create inconvenience to businesses; only closing for the lighting and the parade.

In response to question, McGregor stated that the lights are coming on; still some problems; firm is a family firm and has had hard time finishing; brought in Jess Howard to check system out; one circuit was still not energized; will contact the main firm tomorrow to get it fixed before Friday otherwise Jess will fix and cost deducted from their payment; floating lights are in; about 20 of them; lights are not in behind waterfall but should be done in time; power was just turned on Thursday; didn't have a test until Saturday. In response to question, McGregor stated the Fire Department can't get close enough to willow tree because of the construction work to put lights on it. Mitchell noted there was electricity there and are looking at doing some uplighting.

In response to question about work on bridge, Wetherholt stated the conduits weren't in right place; have been jackhammering around them which was added a \$40,000 claim that wasn't anticipated; bridge was built in 1960; conduits were supposed to be at bottom of bridge deck but they were at the top.

White stated there were a lot of activities programmed in Mifflin Church; restaurants and stores have been very cooperative; will be a raffle of tree and wreath that will be on display at the Holiday House; those businesses with candy cane poles are participating downtown businesses that will have some kind of activity and/or prize; asking you to visit them; excellent participation with our downtown group; contest is going on for best lighted business and best lighted residence; some businesses are going all out; news anchors are now fighting over this.

Angelou noted that Snider has worked extremely hard in getting the house done; should do a resolution for everyone who has worked so hard; are lots of volunteers; D'Ambrosio has also put a lot of time in on this.

### **Best Courier**

White stated that the City's offer of \$475,000 had been accepted; also looking at a 1031 tax free exchange, and a tax abatement as they are moving to the industrial area; are building two buildings - one for himself and one for spec; also looking at staying at current location rent free for up to 6 months commencing first month after closing which will probably be after the first of the year.

Hogan stated that if we thought \$144,000 an acre was high this works out to almost \$1 million per acre; building was purchased 5 years ago for \$300,000; \$475,000 plus free rent is a 66% increase; commercial land doesn't appreciate 12% per year; have some real concerns; if we do purchase, should we be purchasing or should CIC; if we buy direct, we need a direct public purpose - a park, soccer fields, City building, whereas CIC has more discretion; remember Weber saying when we bought the post office that we could have legal problems in the future; also Isler is required to carry the post office as an investment on the city books; there is no other way to carry it; a year ago we passed our investment rules and philosophy that states it needs to be a fixed guaranteed return instrument; feel we are in violation of that document; what happens if we sell it at less; we could have a problem. McGregor noted that the property could be transferred to CIC at any time. In response to question, Isler noted it could be a problem in the future; does have to be carried as an investment because it is income producing. Hogan continued that it was purchased for no other purpose at that point; do have a number of concerns; Best Courier is not going anywhere; won't find a buyer at \$475,000 anywhere else soon; would like to see if CIC should purchase; don't see immediate need for us to purchase; earlier tonight talked about a \$4.8 million road that might need to go in over the next 24 months; at previous meeting Isler told us if we paid off post office we would be at zero; people get in trouble when only looking for next year; want this redeveloped and want to see it done but do have questions.

In response to question from Payne, Weber stated having CIC purchase is one way of accomplishing our purpose; they don't have as many restrictions; do have a fairly broad public purpose law without a lot of restrictions; CIC is the economic redevelopment arm of the City and would be a legitimate concern; don't know if there is a financial advantage either way. Isler stated he did not know if there was any advantage; would have to pay first year's taxes regardless. In response to question, White stated that initially the current owner would stay for approximately 6 months; by that time would hope to have Daimler or someone else interested in redevelopment. Weber stated that it

would seem to be a good parcel for CIC.

Kelley questioned how the City is sitting financially to do this; looking at \$5 million for roadways plus industrial work. Isler stated that the \$475,000 would come from capital improvements money; payout for post office is 4 years out; don't have balloon hitting us right away; did plan something in budget to take it in chunks; we will have something replenishing into general fund this year; with the roadway don't know what costs will be; if we fund the whole thing then that's another issue; didn't hear any one saying that we would cover everything. McGregor noted that we were proposing the district so property owners would pay the costs; don't want to deal with assessment when we don't need the road. Angelou questioned if we could get by without the road. Wetherholt stated that Shagbark development would only need the Hamilton access; Fairfield could get by with the Morse Road connection; all the other things that are moving to the front burner muddy the waters. Hogan stated this was a different conversation than last committee when it was stated if they don't pay it won't go. Wetherholt and McGregor agreed that developer will pay for the roads.

Weber reiterated that whether we go with CIC or City, there is an option to explore; question is are you willing to spend \$475,000; then we can get back to conduit issues. In response to question from Angelou, White stated that when they move to new building will maintain current income tax based on an annual payroll of approximately \$900,000. Hogan stated that would happen no matter what we do. White stated she came to Council with appraisals; was told to get appraisals and acquire the properties; these are critical properties; specifically said that there was one offer on the table; advised owner that this would need taken to Council and discussed in executive session which we did and then come back in a public session for final approval. Payne noted that we said yea; White was working under fact that she had initial authority to make this negotiation. White stated that the other part is that this is a crucial piece of property; is immediately adjacent to fire station and brings with it a second piece of property; in the original concept plan this was where the canal would go; if we bring mill race into Creekside one may come out there; could be a potential phase; could take the fire station and the Best property do an initial development there and begin to get something back for the money we have invested; just wrote the township trustees this month and asked them for an extension; telling them in 24 months we ought to have something turned around for them; the City being the facilitator for the overall development could change some factors also; believe that economically speaking we will not have to purchase all of the properties; looking at other ways and other partnerships; also looking at opportunities to save the buildings.

Payne stated this was discussed in Executive Session; gave White a directive to give a good faith proposal to move forward. Hogan stated that Executive Session was first we heard about appraisals; didn't know the amount or see the appraisals; never knew what the price was; no possibility of doing research prior to that; maybe Council was too quick in giving White authorization; can see now what he paid 5 years ago and it works out to a 66% increase; from a purely financial standpoint, if he wants to sell his property, sure he would take an option to purchase when his building is built; then we don't have to supply him with free rent. Angelou noted there were some intangibles; company is choosing to build in our industrial zone; will get truck traffic off Rt. 62 which we are attempting to do; have a vision or we don't; it's that simple; need to make it happen in Olde Gahanna; need economic development to pay for the creek area; am breathing heavy over these investments we are making; but this Council and with this project, we have vision and we are moving forward.

Payne stated that it will happen; have to believe in the fact you have a good idea and in

the premise that you will be bringing people down there; will add to the amounts of money we are spending; believe in yourself and your vision. McGregor noted we had spent \$60,000 just on condemning the old Executive Lodge and got none of that back; did get all of the crime associated with it out of town; on the west side of Mill there is only one commercial enterprise; one little restaurant - Coach's; do own the post office but there is nothing we can do for years; feel we need to move forward if we want to do anything in the year 2000. Angelou stated that EMH&T has committed to stay in this town when they were thinking of going to Easton.

Stinchcomb stated that Hogan sat in Executive Session when we gave White our word and our pledge to move forward; could have said then that you needed more time to do research; sent her out with criteria and told her to go ahead; felt we were all on the same page on vision; issue is that we gave her our word and she made a good faith offer; don't think we have any place else to go; maybe we should have done that before but we didn't. Hogan stated he was concerned that we were artificially inflating the price of land; what happens with next property and the next; if we don't buy it all and a developer comes in he won't be able to buy at a price that will make square footage affordable; number 2 issue is ownership and control; from a purely legal standpoint feel this should be with CIC and not city; reason to bring it up now is that when next parcel comes in want it researched. White stated there could be a next parcel; looking at proposals now that obviously would minimize the City's having to buy the land and maximize the opportunity because the City controls what can happen; could go to a business owner and show him a design to develop in the back of his property because we've changed some zoning criteria; could show him what he could do with building and option of moving elsewhere and opening up his Creekside land for rental because we have upheld our vision; can show them we could get a better appraisal and he could make more money; now that we may not be considering one master developer like Casto or Weiler, we may be looking for more local opportunity; are some real advantages to that; don't want City to have to put out; could purchase the properties and have Weber take the deed and transfer to CIC; can find out the tax consequences.

Kelley stated that Hogan has some good points; do have some deep reservations about all the finances over the next couple of years; is something you will need to work with; sat in Executive Session and should have had this discussion then; we let White believe she should do this and don't feel right about not moving forward at this point; need to look long and hard at future commitments.

Stinchcomb stated she felt we have given our word and gave her specific criteria; feel we need to go forward; having said that, don't disagree with Kelley; am anxious over our projects and do have some concerns.

Angelou stated that we did discuss price and should not lower but possibly do away with everything else. Kelley stated he felt that we should honor our word. Angelou stated that at CIC, Tiney McComb did not have concern over the appraisals he had seen; were not inflated from the post office purchase; hopefully that land is extremely expensive by the end of this; are making a great impact on our city; have given our thought that this is a key piece and have some partnerships where people will want to be landowner and be involved; will want to maintain their land; go ahead.

Kelley stated the question is do we want to live up to our agreement; feel we do; but from here on out think it will be difficult.

White noted a December 9 meeting had been scheduled to discuss master developers; in January another priority session was going to be held; take that time to seriously look at

what are your priorities; need to work according to those priorities; gets a little confusing; would still like to do that; would be amenable for December 9 or January meeting to do that; sit down and discuss the costs associated if we launch the Creekside development; need to decide if we are going to move forward or not.

Hogan stated property was worth \$253 but he paid \$307; can support this because we did make a deal but can only support if this goes through CIC; if we buy it first and transfer City still bought it; fruit of the poisonous tree; want this thing to go; if in hands of CIC no one can do nothing; if City purchases not everybody likes us and could see a taxpayers recovery lawsuit; if with CIC from beginning couldn't do that; have a concern.

Payne stated that Weber has stated that City is allowed to purchase for economic development; that is reason enough; everybody knows we are trying to do this; shouldn't be a surprise; having CIC take over is not selling to a developer; are statutory distinctions; have private and public essences to it. Weber stated he will look into it; have assigned contracts to them before; they have served as our agent before; what is right way; not sure it is only way; will come back.

McGregor stated this is a pretty good deal; when you look at Olde Gahanna it has been so depressed for 100 years; Executive was across from this.

Payne stated we are beating a dead horse; need legislation to authorize the Mayor to sign a purchase agreement and supplementally appropriate the money; put on for 1st reading consent agenda, come back to committee, and then second reading can be on regular agenda.

#### **Amend Ordinance No. 990120 - Crew Leader**

Angelou questioned what the top of the C-12 range would be. Mitchell, Isler and McGregor did not have information immediately available but McGregor stated he would get that information to Council; would estimate it would be about 5 years before the salaries would be comparable. (Clerk's Note: Top of C-12 range for 1999 is \$16.73 per hour and for year 2000 it is \$17.23 per hour)

RECOMMENDATION: First reading, consent agenda; come back to committee.

**ISOBEL L. SHERWOOD, CMC/AAE, Deputy Clerk of Council, reporting**