



# City of Gahanna

200 South Hamilton Road  
Gahanna, Ohio 43230

## Meeting Minutes Committee of the Whole

*Nancy R. McGregor, Chair, Vice President*

*Jamie Leeseberg, President*

*Karen J. Angelou*

*Merisa Bowers*

*Brian D. Larick*

*Stephen A. Renner*

*Michael Schnetzer*

*April Beggerow, MPA, CMC, Clerk of Council*

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Monday, November 23, 2020

7:00 PM

Virtual Meeting

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### Meeting Call-in Details:

513-306-4583

Conference ID: 493 895 921#

#### A. CALL TO ORDER

Chair Nancy McGregor called the Committee of the Whole meeting to order at 7:05 p.m. All members were present.

#### B. DISCUSSIONS

##### 1. ITEMS FROM THE CLERK OF COUNCIL

Mrs. Beggerow presented the Liquor License requests for Stadium Bar LLC and Sextons Pizza. There were no questions or requests for hearing on these items.

The Clerk will return the applications to the Division of Liquor Control marked accordingly.

- a. [2020-192](#) Liquor Permit Request: Permit 8478605, New, Stadium Bar LLC, dba Stadium Sports Bar & Patio, 101 Mill Street, Ste B105
- b. [2020-193](#) Liquor Permit Request: Permit 8003702005, New, Sextons Pizza LLC, dba Sextons Pizza, 943 E. Johnstown Rd

##### 2. ITEM FROM THE DIRECTOR OF PLANNING & DEVELOPMENT

- a. [ORD-119-2020](#) ORDINANCE TO AMEND THE BUILDING AND ZONING FEE SCHEDULE.

Mr. Blackford presented his legislative report. Details are attached to the minutes. He discussed the changes in the fee schedule said details

included in his departmental report.

Mrs. Angelou asked about the tree removal permit- if it was brand new.

Mr. Blackford said it has been around for about 3 years. Because it involves multiple departments to review a fee was initiated.

Mrs. Angelou asked if it applies if there is a storm.

Mr. Blackford replied no.

Mrs. Angleou asked if she wants to take a tree out in her back yard, does it require a fee.

Mr. Blackford replied no, it does not apply to residential areas, it is for commercial zones.

Mr. Leeseberg asked if it is per tree?

Mr. Blackford replied that it is per permit on an application basis.

Mr. Leeseberg asked on the zoning permit increase, would it apply to blanket rezoning requests.

Mr. Blackford replied that that was probably a city initiated process with no application so it would not apply.

Mr. Leeseberg asked if it applied to annexations.

Mr. Blackford said that if there is a request to rezone to something other than what the code would designated, it would apply.

Mrs. McGregor asked about small alterations, example Peace Lutheran did a project in a cemetery and they did a fence and had to pay a \$100 permit fee. Is there a way that fees can be adjusted for small projects.

Mr. Blackford said that fencing is simple but complex and the way the fee schedule is written, fencing requires two separate permits which is going to be combined. The project she referred to required variances and Planning Commission review as well. Code changes this past summer should help that.

Ms. Bowers asked about the \$1500 for the rezoning fee being well below the regional standard. What are the rezoning fees in neighboring communities.

Mr. Blackford replied as of 2018 and there are variables, but examples Dublin \$2500 single family and less than 5 acres, Westerville \$750, Columbus is min of \$3200 first acre \$320 each additional acre for a PUD, others in Columbus are \$1800 first acre \$20 each additional, Reynoldsburg \$1000, Upper Arlington is \$1500.

No further questions.

**RECOMMENDATION: Consent Agenda.**

### 3. ITEMS FROM THE MAYOR'S OFFICE

- a. [ORD-090-2020](#) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AGREEMENT WITH THE GAHANNA CONVENTION & VISITORS BUREAU (CVB) FOR THE YEARS 2021-2024 FOR THE PURPOSE OF PROMOTING TOURISM AND PRESENTING VISITOR-ORIENTED EVENTS TO ATTRACT VISITORS TO THE CITY.

Mayor Jadwin presented the updated legislative report. The updated contract is attached the file.

Mr. Larick thanked the Mayor for putting this extended contract together and stated that without the CVB there would be no bed tax for Gahanna, it would go to the County. This allows the funds to stay in the city and allows the CVB to work in a functional manner.

Mrs. Angelou asked how much funding is left for the CVB.

Mayor Jadwin replied that they are trending 50-60% down in lodging tax. For the year they have collected thus far about \$155,000.

Ms. Bowers asked Director Lori Kappas about projections for the hospitality and travel industry- that we won't see a return to the prior economy for about 3 years. Is that corrects.

Ms. Kappas replied that is what she is hearing.

Ms. Bowers: I guess my concern with this is that given the uncertainty and given the sort of instability of what happens next and where we go from here, I guess I want to be clear that I did not ask for a three year extension, although I know some of my colleagues did, or the one year extension as proposed, and that my concern is that with the instability of the budget and with us being in a pandemic, I don't know that it offers any certainty, any way to extend this. My other concern is that we have we have potential options for helping spur economic development with other organizations and spurring tourism to the area, as well as improving the

lifestyle and day to day experiences of our residents. My concern is that with an extended three year contract A. it doesn't give us any more certainty given the pandemic. And B. we have other organizations that we may very well want to consider in the future.

Mayor Jadwin: I would respectfully disagree with that. I think that providing a three year contract, first of all, to the CVB at a time when their projections are expected to be approximately 50 percent down is exactly what they need. The whole purpose of being able to collect the lodging tax dollars is because we have a CVB. If we do not have a CVB functioning and doing the work that they do, we do not collect the lodging tax dollars. They go back downtown to the county and we don't ever see them again. So right now, our business community, especially those that are the focus of the convention and visitors bureau and the work that they do to drive visitors here is our restaurants and shops, it's our events and activities which granted we cannot do events and activities right now. But that will change. But right now, our restaurants and our shops need as much help as they can get. And the convention and visitors bureau is the extended marketing arm of the city that is designed to promote and drive visitors to our business community. Tourism is, as you all have heard me say, for the last, I don't know, 10 years is an extension of economic development. And that is the whole reason why the lodging tax dollars were put into place by the Ohio revised code in the first place is because they were recognized to be a part of economic development. So to have the ability for that CVB to collect funds over the next three years when they were already looking and worrying about what their projections are going to be, will provide them with a level of stability. And I think I also mentioned the last time that the way the CVB's budget works and the way that their advertising works is they have to create a marketing plan now in the fall, starting September and October, commit to advertising for the following year by November of the preceding year. So if you're sitting here, it's it's already November 23rd they still don't have a funding contract right now for next year. They should have already signed contracts with the Tourism Ohio and all of those organizations. So giving them a three year contract gives them the ability to plan ahead, plan their marketing ahead, and to be able to commit and create strategic plans that will help to drive visitors here. So I would have advocated for a five year contract because that's what most clubs have, if not just an unending contract. So to go from one year to a two year now to a three year, particularly at these challenging times, I believe is exactly what the CVB needs. And I actually thank I think was Councilman Larick had propose the three year contract. So I'm going to thank him for that foresight in that.

Ms. Bowers: just to clarify my understanding that it would only be returned to the county if we didn't allocate at least 50 percent and that we

could still then allocate the remaining 50 percent among other organizations, or going back into the general fund. Is that right?

Mayor Jadwin: Under the Ohio revised code that would be correct. I would also say we have a handful of organizations in this city. I had actually proposed that the extra one percent at one point that that right now goes into the general fund be created for a grant program to be given to projects that actually would help to drive visitors here. Just because there are other organizations here doesn't mean that they actually are engaged in the business of tourism promotion. So everybody likes to think that when there's money on the table, that there are many other organizations around here that do lots of wonderful things for beautifying our city that aren't necessarily subject to lodging tax collection. So I think there are other funding mechanisms that we could pursue that could create more objective opportunities for multiple organizations in the city to participate down the road. But again, at a time when we are looking at 50 percent reductions, I don't know that now is the time to be looking at that.

Recommendation: Regular Agenda.

**RECOMMENDATION: Regular Agenda.**

**-Introduced/first reading on 11/16/2020**

- b. [ORD-091-2020](#) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AGREEMENT WITH THE GAHANNA CONVENTION & VISITORS BUREAU (CVB) FOR THE OHIO HERB CENTER (OHC)

Mayor Jadwin presented the updated legislative report. The updated contract is attached the file.

No questions from Committee members. Referred to Regular agenda for adoption.

**RECOMMENDATION: Regular Agenda.**

**-Introduced/first reading on 11/16/2020**

**4. ITEM FROM THE DIRECTOR OF HUMAN RESOURCES**

- a. [ORD-113-2020](#) ORDINANCE ESTABLISHING THE SALARIES FOR PERSONNEL OF THE CITY OF GAHANNA FOR THE PERIOD JANUARY 1, 2021 THROUGH DECEMBER 31, 2021; AND TO DECLARE AN EMERGENCY.

Ms. Vollmer presented the updated legislative report. The updated

salary report is attached the file.

Mrs. McGregor: if there is still a director of human resources and a director of administrative services, they're both still in the pay scale. Are there going to be the both of those positions?

Mayor Jadwin: There will just be one position, the same person will have that position right now, we left that in the ordinance just pending whenever the transition would happen.

Recommendation: Adoption on consent agenda.

**RECOMMENDATION: Consent Agenda; as an emergency.**

**-Introduced/first reading on 11/16/2020**

## 5. ITEMS REFERRED BY THE PLANNING COMMISSION

- a. [ORD-085-2020](#) ORDINANCE TO GRANT A VARIANCE APPLICATION TO VARY SECTION 1109.08 - PUBLIC AREAS, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA, FOR PROPERTY LOCATED OFF HAMILTON ROAD; PARCEL ID NO. 025-013767, CURRENT ZONING SELECT COMMERCIAL PLANNED DISTRICT; PROPOSED ZONING LIMITED MULTI-FAMILY RESIDENTIAL DEVELOPMENT; CRESCENT AT CENTRAL PARK; LARRY CANINI, APPLICANT.

Mr. Blackford stated that he would turn this over to Mr. David Hodge, attorney for the applicant Larry Canini.

Mr. Hodge: So David Hodge, attorney for the applicant, this is the third time this project has been before the committee. There was some initial discussion, I believe it was the evening of the first committee about the project exceeding the recommended usage in terms of the amount of property and we are in the process of evaluating that to try to reduce the footprint here, increase the commercial component that would ultimately be developed. And so, you know, I think it would be a little premature to discuss the merits of this rezoning this evening and would ask the council to allow us to continue to go to the drawing board and bring a new plan forward here over the course of the next month or so.

Mrs. McGregor asked how they would like to move forward.

Mr. Hodge: I think that there's a certain number of days under your charter within which the council has to act on a Planning Commission's recommendation. I assume it may take an act of council to allow us to go

into an additional 60 days. Otherwise, we have to go back to planning commission, which seems to be entirely unnecessary here.

Mr. Larick: Based on what I just heard, I interpreted what was being requested was simply an ask now to establish the extension of the 60 days. Personally I'm fine with moving to postpone to date certain whatever that 60 days is. We can do that at council at the next meeting.

Mr. Mularski: I'm looking at the charter. It says that that you have 90 days after receiving the recommendation. So whatever date in which the council received the recommendation from the planning commission, that would be the date, the 90 day period starts. It then says that at the next regular meeting, following the expiration of the 90 day period, the council may vote an additional 60 days.

Mr. Leeseberg: Would Mr. Hodge, would you like to, how would you like to handle that public hearing? If we're changing, I mean, if we're changing the plan, it doesn't make sense to have comment on it. We'll get a notice out on that one.

Mr. Schnetzer: I just want to say thank you to the applicant, Mr Hodge, for your willingness to kind of go back to the drawing board on this. Genuinely appreciate that. I do want to just add here that there was reference during the October 5th committee of the whole of possibly establishing a new community authority in conjunction with this project. My understanding is that was just kind of a suggestion, not necessarily a request at that time. But while we are in this maybe waiting period, I wouldn't mind seeing any projections that exist to the the impact of that NCA brought to committee just so that we can kind of fully examine the developer's entire value proposition. So just whenever you do come back, if you wouldn't mind, including a more robust financial package to the committee of the whole place?

Mr. Hodge: Yes, sir. We will actually submit that to the clerk of Council for distribution. And we'll have people a lot smarter than me on to discuss that with the council at that next committee meeting.

Ms. Bowers: Just to kind of piggyback on what Mr. Schnetzer said, and just so that I think some of the conversations that may have happened individually happened here as well. I think we would be doing a disservice to both our current residents of Gahanna and the future of Gahanna if we did not hold every proposed development to a high standard of sustainability and stewardship. And again, Mr. Hodge, I appreciate your willingness and Mr. Canini, specifically, your willingness to take a look at this again in in light of what has been discussed and in

light of the comprehensive nature of the Land-Use plan that we've been talking about so frequently. We need to be very aware that though the passage of Issue 12 was crucial to immediate municipal budget, to our immediate municipal budget, we thought a future focus on commercial development, I fear that the city will be in a poor financial condition or will just never get ahead. In short, this proposed property, I think, gives us an amazing opportunity to really look at a catalyst for commercial development and revenue for the for the community, particularly because it's an innovative area as well. I think that we need to make sure that whatever taxpayer subsidy occurs in this development, it is a benefit to the city as a whole. Thank you.

Recommend item referred to Council.

**RECOMMENDATION: Regular Agenda.**

**-Introduced/first reading on 10/19/2020**

b. [ORD-086-2020](#)

The same information for Ord 085-2020 exists for Ord 086-2020. Item recommended for postponement.

**RECOMMENDATION: Regular Agenda.**

**-Introduced/first reading on 10/19/2020, Public Hearing 12/7/2020**

c. [ORD-105-2020](#)

ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF GAHANNA ADOPTED BY ORDINANCE 198-96 ON NOVEMBER 19, 1996 AND AS SUBSEQUENTLY AMENDED: Changing the Zoning District of a 2.65+/- acre parcel located at 307-319 W. Johnstown Road; Parcel ID #s. 025-000848 & 025-000849 from Community Commercial (CC); proposed zoning Multi-Family Residential District (MFRD); Big Sky Realty; Mitch Rubin, applicant.

Mr. Blackford said he had no new information on this project and turned the floor over to Mr. Hodge.

Mr. Hodge said that he stands by that the proposal is consistent with the comprehensive plan and there are no traffic concerns and that the project will be a benefit to Johnstown Road. He said that this is a first step and that there is a design review and development plan review that will come to Planning Commission.

Mr. Renner asked Mr. Blackford to remind Council about the public

subsidy and TIF.

Mr. Blackford replied that the TIF isn't a subsidy, it will capture the increased property tax value of the property and the city will get 40% of that new dollar value which can be used for public improvement, generally infrastructure related- they're specified in TIF legislation. It doesn't offset costs to the developer but captures property tax difference.

Mr. Renner asked how many years is this TIF active.

Dr. Goss stated that she didn't know about this one specifically, but the typical Gahanna TIF is between 20 and 30 years.

Mr. Renner asked that it was only in the TIF not CRA area?

Mr. Blackford said it is.

Mr. Renner asked for the terms of the CRA.

Dr. Goss will supply that information.

Ms. Bowers: Yeah, I guess just for the benefit of the record and maybe to have further sort of at least my opinion on our thoughts about where we go from Dr. Goss as we move forward, overall, we have some significant concerns, again, with prioritizing residential development that does not contribute to the budget. As council members, at least from my perspective, we have a lot of factors to consider here, just as our mayor and just as our development director and planning director do. We are the gatekeepers on things like this, and especially as it relates to what does the hand look like in 30 years. There are a number of us who have been here for 30 years or more, and there are a number of us who will be here for 30 more or more years. And so our hope is that the developments that we are supporting that are being supported or subsidized, I think and, in my opinion, again, I think a CRA is is a form of a tool or subsidy that we use. And so I guess, again, my concern overall is that we need to be focused on what this comprehensive development looks like so that we are not stuck in a similar position in five or 10 or 20 years that we have then the last 10.

Dr. Goss: And I couldn't agree more in looking and reviewing the plan for this site. What really strikes me is this in the middle of a residential area. And so the current zoning and use of this property would actually have a greater impact, I think, on the neighborhood than what is currently proposed and turning it into a residential development. So for me and looking at the future use of the property, I see what's being brought

forward is actually less impactful to the neighborhood and really more respectful of the future development of that area.

Ms. Bowers: I guess my concern comes in is that, I believe as a body, as a city, we need to be re-evaluating where CRAs and TIF districts exist in this community and and re-evaluate whether or not we want, or whether we need to encourage residential developers to build wood frame on slab apartment buildings by using CRA areas.

Mr. Renner: When I brought up subsidy, I miss-stated TIF, so for the record, there is a subsidy there that CRA. And I think the question that our colleague Merisa Bowers was actually bringing up is is actually apropos because it's not whether or not the CRA exists. It's as to what standards do we want to apply to when we have our CRA, when we have a public subsidy there. This project, as I've already publicly stated, is outside the land use plan. So therefore, I'm asking and I'm pushing everybody to really, come back and think about the land use plan that we publicly put together. And is this something that we really want to give a subsidy for? So that's all I'm saying.

Mrs. Angelou: I actually I believe we got a email from the former mayor saying that this if this isn't what was supposed to be used here, well, we said it was you know, it it fits that because we're going to do this because we're going to have 60 means that we're not going to have three bedroom ones. Fifty four with three bedroom ones. And that and that's the whole part of this thing, is that is this going to not probably impact our schools very much because it's going to be one in two bedrooms. And typically you might have people coming in that are working in the area and they want to live in the area where they may be empty nesters that want to sell their houses and move into an apartment rather than having to deal with everything and everything. So I think this does fit within the plan, and I was happy to see that it did, because that now gives us a little more of the possibilities of this happening. It's a six and a half billion dollar project. It looks as though I was concerned about the width of Johnstown Road. However, when I heard the words that there were going to be parts, parts of this particular property that could potentially be used to expand that road, that makes me feel a little more comfortable as well. We have to have that. We are in a process in this region of going to many millions of people by 2050. And I want us to have our section of that those people coming in there. And it's going to have to be not in acre lots, not in really anything but some kind of communities, apartment communities, apartments are not a bad word. They're good work. They help people. There are a lot of people want to live in apartments, rather than if you go to New York City, I think you want to live in and you live in an apartment beside you don't live in a house. So again, I've never been there, so I

wouldn't know. But I do think that we need to we need to be looking at we want our portion of people to come here. I want them to be workers so that we can have at the Crescent, for instance, we can have medical medicals of parts that are working beautifully. And then you bring in people that they can live there and work there. That's what we want, live there work, there taxes.

Mrs. McGreogr: The only thing I would say on the density is that fifty four apartments would fit the parking restrictions because right now there are not enough parking spaces. And that's another, you know, it would be it would be, it wouldn't be totally within the parking restrictions would be a lot closer with the parking spaces than the current sixty apartments. Is pretty is about twenty percent short of parking spaces necessary for the development.

Mayor Jadwin: I thought I'd chime in. Everybody else was having comments. I don't want to be left out of the process here, too. I actually want to kind of a ps to what on to what council and Angelou was was speaking about, I can say, over the last 11 months, as we consistently have had dialogue with potential businesses about either locating here or an existing business about expanding here. The first question inevitably that we get is where will my employees live? And our development director, upon arriving here, did an evaluation of our housing stock and 70 percent of our housing stock was built 30 years ago. So you look at the young professionals, we all talk about wanting people to come here with higher paying salaries. Well, the people who are going to come here with higher paying salaries are not looking to buy a house. And I sure as hope they're not because there's a one percent turnover rate in housing and Gahanna and single family houses right now. Good luck finding a house here in Gahanna. So the young people who are going to come are the people who have those higher paying salaries are going to be looking for a place to live. They're going to be looking for apartments and they're looking for apartments with nice amenities, with a swimming pool or a fitness center or a park where they can walk or somewhere there's connectivity where they can go. And here we're talking about a blighted piece of property right now that if, you know, next week, somebody can come forward on that property and put a gas station, a retail store, a fast food chain or something else that is is not what we need in this property. And Councilman Renner, I know your heart is in the West Side. I know how dedicated you are to the West Side. But to say that people don't care about the West Side, here's a project that's six and a half million dollars that we're looking to put on the west side in an area of town that is not had any development. And it's going to meet an economic development need of ours because the next time, Dr. Goss or I have a conversation with a business that says, where will my people live, we can

go hey, we got brand new apartments coming in. I mean, it will add to that housing stock. We had Morsi give us an overview of their housing presentation approximately a month ago where they talked about what the growth is for the continuing growth, COVID has not gotten away. And the continuing growth of the the mid-ohio, the central Ohio region and the need for housing. And right now, the expectation and the growth that is happening is far exceeding what the housing what the housing inventory is here. We don't have diversity in housing. And I'd be happy to move out of my four bedroom house with the yard that my husband started mowing the grass for, but I don't have any place to move to here in Gahanna. I've been here for thirty years and I don't have a house that I can go. I don't have a piece of property that I can go to and allow another family to come in and take my house. So I want to ask us all to just take a step back and look at what the overall comprehensive need is for our community. I think this project is a great idea for the West Side, and hopefully it would be the first domino that falls in an area of town that desperately needs love and attention. So with that, I'm done.

Mr. Larick: If I could ask for the indulgence of the members of the council, I know several have their hand up. We're in committee and in what I'm hearing is a great deal of debate and positioning with regard to the legislation, that would seem to be more appropriate to Council. If that's the continuing discussion, then I would ask that we have that in Council.

Mrs. Angelou: I really do take exception to you saying something that we don't care about the West Side. I lived there for twenty nine years. I love the West Side today, like I loved it the first day I walked into it. You know that we have always wanted to do what we want to help the West Side and each time it logs itself up. So we want if if anybody thinks that this Council and I can't speak for the Council that I don't have, like the West Side want to do things for the West Side. It's one thing that's always on my mind, and I hope that it's true of all of our council members.

Ms. Bowers asked Dr. Goss if she would share the housing stock analysis that she performed with Council.

Dr. Goss: Yes, certainly. I gathered some metrics on the age of housing in Gahanna and the variety and the diversity of the housing versus single family versus multifamily and a few other metrics similar to what the MORPC study did, but a little bit more targeted and a little bit more in depth for Gahanna. I'm happy to share that with you.

Ms. Bowers: Yeah, my recollection was that we also did a fair amount of that as part of the land use plan development and that there was also a lot of discussion as far as sort of prognosticating about what millennials

want and when and and not just millennials, because millennials are already here. But what what Gen Xers, excuse me, GenZs, the next one coming in. So I think some good discussion to have there. That's that is a lot more nuanced than just young people want apartments.

Dr. Goss: Well, and to Mayor Jadwin's point about the type of housing that's that's really needed, actually, the type of housing that millennials will like is definitely the same type of housing the empty nesters will like. So there's very much a crossover there.

Ms. Bowers: Yeah, I think it has a lot to do with access to two things to do. Right. Restaurants, bars, that kind of thing, walkability, and that type of thing. So I think overall we're all sort of saying the same thing, but it's a matter of how does that process start? And I think we are really looking to you for that leadership in that direction in terms of, OK, here's this apartment project or here's this residential development. Now, how do we make that something special? How do we make that bridge park? How do we make that not what else exists in the community in the surrounding area, but how do we make that special and unique to Gahanna so that it's not a stand alone, isolated island of of a multifamily that probably won't be sustainable or look nice in 30 years. So I think that's what I think we're all hoping for.

Recommendation: Regular agenda- public hearing scheduled for December 7, 2020.

**RECOMMENDATION: Regular Agenda.**

**-Introduced/first reading on 11/16/2020, Public Hearing 12/7/2020**

- d. [ORD-106-2020](#) ORDINANCE TO GRANT A VARIANCE APPLICATION TO VARY SECTION 1109.08 - PUBLIC AREAS OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA, TO REDUCE THE PUBLIC AREA REQUIREMENT AT PROPERTY LOCATED AT 307-319 W. JOHNSTOWN ROAD; PARCEL ID #s. 025-000848 & 025-000849; CURRENT ZONING COMMUNITY COMMERCIAL (CC); PROPOSED ZONING MULTI-FAMILY RESIDENTIAL DISTRICT (MFRD); BIG SKY REALTY; MITCH RUBIN, APPLICANT.

Mr. Larick asked was this variance to waive public area or reduce public area? And if it is to reduce, reduce by what percentage?

Mr. Blackford said he didn't know at the moment but there were some fees in lieu and that there were some variables involved.

Mrs. McGregor said that there was a dog park recommended was that part of the area?

Mr. Blackford replied yes.

Recommendation: Regular agenda.

**RECOMMENDATION: Regular Agenda.**

**-Introduced/first reading on 11/16/2020**

**6. ITEMS FROM THE DIRECTOR OF PUBLIC SERVICE & ENGINEERING**

a. [2020-180](#) SIDEWALK PROGRAM PRESENTATION

Mrs. McGregor: The last week or last week we had the presentation but no talk. We had a long agenda. So we didn't have or comments two weeks ago. I guess we didn't have comments or questions. So we've had time to review the information presented. So this is the time for questions and comments.

Mr. Moorehead: We did get some public input as well from the presentation two weeks ago. So I have a little bit of a recap on what we went over two weeks ago, just as a refresher and then some additional details as a response to the public input we received to go through. And then I have a handful of items that I do want to seek some specific input from Council on as we make steps to advance this program to fruition, as well as tackle any questions that we had prop up from two weeks ago presentation. So if you'll bear with me, I'll work through some other slides. There's also an attachment to the agenda tonight, which is the PDF of the presentation two weeks ago, if you need to refer to those slides as well. And again, I'm going to be going through PowerPoint here so I don't see hands up. So feel free to chime in if you have a comment to add or to throw on here, but otherwise I'm going to go right into this and try to share my screen to this presentation. Again, we're here to talk about a sidewalk maintenance and repair program that the city has a goal of adopting and moving through so that we can do something about the condition of sidewalks across the city tonight in response to some of the public input we received. I want to go through and hit on a couple of points that were raised, as well as target some issues for discussion that we can get to in a little bit. I'll go through some of this, and you've heard some of this before, but a bit of this is new. One comment was, how does this interact with the actual ADA act? What does sidewalk maintenance have to do with that? And this stems from part of the federal law that states that a public entities will maintain in operable working condition, those features that are required to be accessible. So in summary, that just means that

we, the public entity, should be doing something to maintain sidewalk in our community. That's part of an overall action plan for Gahanna to achieve ADA compliance. Now, Ohio code, Ohio revised code and Gahanna's ordinances placed the financial responsibility for sidewalk maintenance on the adjoining property owner. The key distinction here is that we, it's our goal to make sure that that sidewalk is well maintained, but we're not dictated how we do that. So this program and its adoption covers the maintaining it part of it for the city. As part of that action plan, to work towards compliance with the Americans with Disabilities Act, we've been working with both the Federal Highway Administration and EMH&T so far to get sidewalk inspections conducted, as well as get a plan of action in place to fulfill this goal of meeting this requirement of federal code. We've been very closely communicating with FHWA lock step every step of the way in terms of how we do this, what we need to consider going forward to the extent that we've begun these inspections of sidewalk before we ever had an action plan finalized with FHWA to actually tell them how we're going to achieve these goals and we continue to meet with them on a quarterly basis and in between. Obviously, COVID occurred, is occurring still as we started down this road so there have been delays with that, but we continue to work through it. We're having video conferences with our local FHWA contact, who is based now in Florida trying to phone in so they can reach reach out with us. So that is how this is tied to ADA compliance. Back to kind of what we discussed on the 9th. We did this inspection across the city, targeting some primary corridors to get an overall idea of the condition of our sidewalks in Gahanna. Now, the list on the top right in the map. Those show you the corridors that we looked at, but we also addressed any cul de sacs or small stub streets that came off of those corridors. So the listing just the wall of text below that of all these other streets. Those are the other areas we hit, including Maybank Court, Granfield, others we went through and made sure those were inspected as well. So the list, the top rate isn't all inclusive. It's just the overview of the corridors that we went through. Our findings of that were that we had about twenty nine percent of our sidewalks had some defect. The majority of those were vertical offsets. A large portion were cracking and spalling and the remainder were filled in with a variety of other defects that can occur. And to address that, we're proposing that we adopt some new maintenance standards that are based off of the \*\*\* guidelines, which is the public right away accessibility guidelines. We apply these as our maintenance guides working through the city to see that all of our sidewalks are held to this standard. Now, in doing that, there's a couple of things that we want to discuss with Council and make sure that we're working together when we draft code and finalize this program. And one of those is the program term and the target area that we are actually going to be looking at in a given year. So we've set a 15 year goal of maintaining all of the public

walks and Gahanna through this program in that we'll do one fifteenth of the city's walks every given year. The reason we chose 15 is because it balances the financial ability of the city to fund this program while also addressing some of our other high priority needs, as well as just the workload of completing such a project in a given year. If we go for a longer duration term, I think we run the risk of never really catching up with the maintenance and by the time we get through the city, we will be encountering some of the same sidewalk conditions we did when we started out on this project. A shorter term would get us to the finish line sooner, but it would come at a greater financial cost there annually to the city. So this 15 year goal, we believe that we would target areas that were previous street program areas. We work through our streets on roughly twenty five to 30 year cycles. So we would effectively hit two street program areas in a given year and do the sidewalks there. And the reason that we like that is because we would be going in and getting the sidewalks repaired on a corridor where the city has previously gone in and repair the streets so that the residents along those corridors, both the all of the public right away infrastructure is being maintained on a similar time frame. We would propose that target area to and then council would authorize us to proceed with the program in that target area so we can work through and begin preparing the assessment notifications now in twenty, twenty one. We would focus this strictly on a handful of streets that were identified, by the FHWA that they would like to see maintained and funding, you know, being available, we can expand beyond these streets, but these would be our primary focus in 2021. And I guess at this point I would ask if anyone has a feedback about the area that we select or the term of the program from Council's perspective. We're going to go back and forth between the ninth presentation and tonight's slides as well.

Mr. Larick: Just to make sure I'm understanding the description, I understand the 15th at one 15th of the city. But are you saying a geography each year or you saying rating and then roughly a fifteenth of the worst sidewalk sections?

Mr. Moorehead: We are saying that we would not be reading the sidewalks on a scale like we do streets annually. What we would be doing is selecting a geographic area that coincides with previous year's street programs. And then assessing the sidewalks and maintaining those within on the streets that have been maintained by the street program.

Mr. Larick: Is that a proxy for condition?

Mr. Moorehead: I mean, I think all of the sidewalks are in need. It's not a

proxy for the condition of the sidewalks, but it is a way that we can build in a spread around geography to this program, because the side the street program itself occurs in kind of every corner of the city at any given time. So it's working through nearly all of our neighborhoods on a year by year basis. And mirroring the way that operates allows us to do the same with sidewalks.

Ms. Bowers asked about sidewalk lifecycle.

Mr. Moorehead: It's hard to give a life cycle for a general sidewalk along a corridor, concrete, generally fifty to seventy five years, sometimes up to one hundred years. Concrete will last. But a lot of the problems we're seeing, it's not because of the concrete failing. It's some outside force acting on the sidewalk, whether it's a tree or the ground settling beneath it. But we do see that even with streets that are maybe twenty five years old, we're seeing problems with those sidewalks. And so the 15 year cycle would be addressing sidewalks, hopefully, before they become a widespread problem along the corridor.

Mrs. Angelou: You have the 2021 program as Empire Drive, High Meadow Drive, Maybank Ct, and Grand Field Ct. You also have in our other thing that we have here, your your PowerPoint 12 like Beaverbrook Drive, Carroway Blvd, Darkstar, are those included in that or just those 5 streets.

Mr. Moorehead: Just those five streets were the focus of our ADA transition plan that we're working with the FHWA for. These other streets are really a representative sample of Gahanna's sidewalks.

Mr. Renner: I was stuck on the 15 year and I understand that you're doing it by geographic region of the city, and I know that you're still formulating an idea about this. But I mean, help me. So we're not saying that, if somebody asks, you know, we're not saying it's like, well, it could be one to 15 years before your sidewalk is going to be addressed that we're not saying that, are we?

Mr. Moorehead: Yes, we are saying that in year 15, we would have addressed every sidewalk in the city, but up to year 15, we would only be addressing a portion at a time. So there would be sidewalks that may not be maintained through this program at least until year 15.

Mr. Leeseberg: You also you mentioned the 15 year goal because of the cost of the program, if the sidewalk is the responsibility of individuals, why does the city have any cost in this program?

Mr. Moorehead: That's a good question, because the city would be administering this program up front and then assessing the cost of the repair back to the property owners. We ultimately fund it out of our annual budget and then recoup that investment through an assessment cycle. You also you mentioned the 15 year goal because of the cost of the program, if the sidewalk is the responsibility of individuals, why does the city have any cost in this program? The next one is the options of how the program operates. And this may get to part of Mr. Leeseberg's question as well. There's a number of ways the municipalities run programs like this in Ohio, and what we presented on the 9th is this middle of the road option. So under these headings, these are the items in the program that would be covered by public dollars that we would not be assessing to property owners. And there's three options depicted here. One is a full assessment, meaning that nearly every part of the construction of sidewalk maintenance is assessed back to the adjoining property owner. The only exceptions being our cost to inspect the project, administer the project, and then any handicap ramps or the landings that run up to those alongside a street. We already maintain those through our street program, so we wouldn't expect that cost to be borne by residents on this program. The middle of the road option here is what we presented our numbers on the 9th, and that's what we have prepared most of these findings around. What this envisions is, the city pays to remove street trees that are causing problems with sidewalks. So in a situation where a street tree has upheaved of the sidewalk panel or two, we would come along, remove that tree at our cost. But the resident would be responsible for the maintenance of the sidewalks affected by it. This last one that I have in quotes is the Westerville model, because we talked a little bit last time. They're changing their policies, but essentially they also pay to replace the street tree and they pay for the repair and replacement of sidewalks affected by those street trees. So at the bottom, I have a financial breakdown of roughly what this would work out to be on a 15 year cycle. And the annual budget item is what the city would have to budget in order to run this program in a year. The public share is the cost that would not be recouped through an assessment and the private share is what would be passed along to property owners as an assessment. So you can see that the full assessment in the middle of the road, the budget total, is the same because we're still doing kind of the same work. We're just not assessing the cost of the street tree removal in the middle of the road option. The Westerville option is a bit more expensive because we're also paying to replant trees. Just for some point of reference here in a 15 year cycle program, we're expecting to replace possibly three hundred and seventy trees each year and remove those trees. Now, this would work out to an average assessment per home based on the amount of sidewalk that you have. We have along with on the left side. And again, these are some of the standard lot with in

the city, with the exception that the last row is for, say, a corner lot, the numbers in the table, those are the average cost that a home might be assessed. And then the second number is what that would be annually for or five year assessment. So I know so much that they didn't like numbers. This is sort of giving a little more meat on the idea of what would these options, how would these reflect themselves on the budget for the program and what gets assessed to a resident? This is something that is really a big part of the annual program and we think we've worked up a proposal that is in the middle of what's occurring in the region here. But we want to talk to you Council, because this is also something that I'm sure everyone's going to have some opinion or input on.

Mr. Schnetzer: Can you help reconcile the numbers in that table right there under the column annual budget with what we've been presented in the actual budget request? We have a much smaller figure than that.

Mr. Moorehead replied that based upon budget numbers and the affect of COVID on the City's finances, this is based upon not doing a full 15 year project in 2021.

Mr. Schnetzer: Ok, so just to put a finer point on that, and I appreciate the information, the table that goes along with the the actual asking for 2021 shows that same figure for a five year span. Is it fair to say that those figures are not entirely accurate based on this table that we're seeing of this information that we're seeing?

Mr. Moorehead: I think that those figures are based on our latest estimates of what the city's budget might look like in the coming years as we come out of the recovery from the impact we've had from COVID, I would expect that we will be revisiting those in future budgets once we have a better handle on what recovery might look like for us.

Mayor Jadwin: If I could and also answering that as Mr. Moorehead just stated Mr. Schnetzer, I think we took a conservative effort in putting that number out in the five year period because of the COVID limitations. Certainly, if we are doing better, we can increase that. But we wanted to be more conservative, obviously, in spending and plan accordingly.

Mr. Leeseberg: So what I'm hearing is a 15 year program could be a 20 year program because we're not asking for the full amount in the next five years. Is that accurate?

Mr. Moorehead: It could take longer than 15 years to achieve the goal of getting all the way through the city. This is realistically a long term program that is going to continue to operate after the 15 year cycle as

well. So when we achieve this level of funding, we'd like it to be a 15 year program. But you are correct that with the current funding request, I don't believe we'll be at 15 years.

Mayor Jadwin: And that would be adjusted as we see how finances play out. If we if we have a better case scenario with a quicker recovery with COVID than we adjust that number up. But I think when at this point, when we still don't know what is unknown in the next few years, that it would be better to take a more conservative approach with this, at least from the outset, guaranteeing that there be some amount of work that's done. But as John just said, ultimately, planning that the overall program for its lifespan would be a 15 year program.

Mr. Larick: Two things, one is I'm concerned with not replacing the trees and I do recognize the financial piece. But over the term that just in simplest description of the term of the 15 years, that's five thousand trees, there is an aesthetic that comes with the trees that by definition, if it is not structured in the program, we're essentially wiping that out of the community. I don't have an answer for that. It's just an observation at the moment. But I think there should be an objective to incorporate it, whether that's at some point down the road. But it should be identified on how that becomes a path forward. The other piece is, when I'm struggling a little bit with is understanding this evaluation and process occurring on a geographic basis as opposed to a condition basis. In my head what I'm picking up in my thought here is that in the areas evaluated area is not evaluated or is not a part of the program until year 15, which actually has sidewalks that are well degraded on the first cycle. And if we're doing a geographic pass, that bad sidewalk on day one wouldn't be a part of the program until 15 years later. So I don't understand how a geographic process functions.

Mr. Moorehead: So on the first part, our city forester and Parks are working together to develop a tree replacement plan or just overall street tree policy in the city, and it will be a future project and it won't necessarily be tied directly to this program as we're currently envisioning it. But we do recognize that this will be removing a large portion of trees. In many cases, the trees that are planted street side are not appropriate to be there and the effect it had on our sidewalks as one sign of that. So our end goal would be to replace trees that are not suitable for that habitat with something that's a little bit better suited. I think we'll be hearing more about that in future meetings as the Parks Department works to prepare a policy for replacement. The geographic point and, it is a fair point and it's a realistic outlook that, that is not linked to the condition of the sidewalks, per say. One of the things that we did discover in doing this assessment is really that every neighborhood sidewalk do need

maintenance and there are some worse than others. That's true. In any given year, if we're matching the street program's policy of going through, we will be maintaining some of the worst sidewalks probably and some of the best sidewalks at the same time. It'd be a blended approach, but we don't have a strong ability to assess the condition of sidewalks outside of this general overview inspection that we've just done. And if there's a.. That's something we could look at in terms of how would we even structure a program that did look at conditions first.

Mrs. Angelou asked if this work would be done in house or via RFP.

Mr. Moorehead responded that it would be put to bid.

Mayor Jadwin: I just wanted to kind of, again, tag on to Mr. Moorehead's comments with regard to the street trees. So let's keep in mind that there are several homeowners associations around Gahanna that require street trees. So certainly there are some neighborhoods where if a tree comes out, it'll be up to the homeowner as to whether or not they want to replace that. In some neighborhoods, they may not have a choice because of the homeowners association, in which case we would work with them to actually plant something or to direct them to a tree that would maybe be more friendly, root wise to sidewalks. Plus, we are actually the street tree program is something that clearly intersects with the sidewalk program. And we are working with our city forester and our Parks Department right now to really get our arms around what that street tree program looks like. There are certainly other options. Even if we were to take a street tree out of a right away, that there are other options we could look at. Is it does it become a yard tree? And when we talked to the resident puts a yard tree on the other side that isn't going to infringe with the sidewalk or there's other programs where we look to plant them in other areas around the city instead. So there are other options out there. We're just in the middle of discussing those right now because certainly tree canopy and maintaining tree canopy is something that is very important for our health. And it's also an important part of the programs that that we want to continue to pursue. Here we are a Tree City, and we want to we want to do what we can to maintain that. We don't want to lose that either. So it's a careful balance between correcting sidewalks and making them affordable and accessible for our residents and also trying to maintain that balance of having an appropriate canopy. And that is something that we're working on, again, the street tree program as well.

Mrs. McGregor asked about a possible nomination process for self reporting of sidewalks in need of repair.

Mayor Jadwin said that that sort of thing would provide a challenge.

Mr. Moorehead added that nominations wouldn't identify which ones really were the worst. There are bad sidewalks in nearly every neighborhood. If there were a program that looked at condition, age would need to be the driving factor at determining what would need done.

Mr. Schnetzer: I am on that topic of bad or worse. I just want to keep in mind one of the perhaps the primary goal of this is to get us in to ADA compliance and while maybe a four inch upheaval is viewed in layman's terms as being worse off than a two inch upheaval, both of them are failing. And so, as the mayor has said, as Mr. Moorehead said, you know, every single neighborhood, virtually every single neighborhood in the city has sidewalks that are failing. And, you know, I would just advocate that we come up with the best way to remediate the issue as opposed to, I think, focusing on sort of relative levels of failing. At the end of the day, there's problems everywhere. In the most seamless way that we can get that done would certainly garner my support.

Mr. Moorehead: The important thing for compliance with the FHWA to point out is that just doing the program itself is compliance, having a maintenance policy that we follow. That is the goal of this compliance effort. It isn't fixing the whole city. That's just our larger goal that we'd like to see occur. I'm going to pull up something else this time to show you. I talked about on the 9th when we presented, we had a slide that looked at the age versus the condition of defects. So we were reviewing each of the primary corridors that we inspected and how many defects we found on those corridors and that varied by the street. But if we sorted those streets and it looks like my actual plot points on this chart didn't come through in the PDF, but we did find that with increasing age of the underlying street, we had more problems with sidewalk. And that was a relatively strong correlation. Now we have a lot of problems with our sidewalks, though, because even on the average of this chart, we're seeing roughly 30 percent of our sidewalks having some challenge to them. And if we push them 15 years into the future, yes, the worst sidewalks are going to get worse. But even those average sidewalks are going to begin reaching this point on the curve. So that's what I was referring to with the idea of working from our oldest infrastructure forward, as opposed to, say, soliciting public input on which sidewalks might be the worst.

Ms. Bowers: Are you able to tell us what percentage of sidewalks are more than 50 or 60 years old?

Mr. Moorehead said he didn't have that available at the moment.

Mr. Larick: Here's something that we would ask to give some thought to is as a post. And really what this comes down to is I think really we're all trying to do is figure out and effective or come together around some effective way to go to work through the streets. Anyway, a thought would be through streets working down into the smallest neighborhood cul de sac streets as a means of facilitating the ease of movement of individuals, more trap, more time up pedestrian traffic, more pedestrian traffic. Being on the main through corridors within neighborhoods or within the community impacts and has the best opportunity, even though it may be fewer sections on a longer segment of street may have the best opportunity of providing the most benefit to the largest population working down into that, even though they may be older, the smallest cul de sac in the neighborhood makes a little bit of a challenge to get out off that cul de sac. It's a thought. That they're all just different ways to attack the problem, but is that's a thought.

Mr. Crawford: If I may, that that's a very good and an interesting point. Every winter I get complaints from people saying, you know, my street isn't getting plowed. It's a bus route. And so that same argument can be made for bus stops, too. And as we as John has worked hours and hours through this and the rest of the administration, there's no perfect answer. We haven't found something that's going to be the perfect answer that's going to make everyone happy. We have decades and decades of deferred maintenance. It does appear that some of the older streets are worse, but there's also newer streets that have been drastically impacted by street trees and lifts. I mean, ultimately, we just got to catch up. We just got to start the process to move forward and get caught up.

Mr. Larick asked if this is to paid via the Capital Improvement Fund.

Ms. Bury replied yes.

Mr. Moorehead: I don't trust my PowerPoint to work anymore, but we had a couple of final things I wanted to touch on just before we leave this topic. And that is the way that we kind of move this to a conclusion and get this to an actionable program. The next steps that we have ahead of us are, I think we have more to discuss from what I've heard tonight, but we would like to find a way to get public input from the community as well on this. And we've posed this question to the FHWA as to how do we best do that in the times that we're living in right now. And I would pose the same question to two council. Typically, this would be a town hall type event where we might have, you know, boards up where we could talk about this with residents, but we could try to do a virtual open house town hall type operation, or we could make this a public hearing at council to actually hear what this program might look like. Thoughts on that?

Committee members discussed the merits of a Public Hearing vs. a town hall style meeting and determined that the town hall series of meetings would be a better option for public input on this topic.

Committee of the Whole meeting was adjourned at 9:00 p.m.