

# **City of Gahanna**

*200 South Hamilton Road  
Gahanna, Ohio 43230*



## **Meeting Minutes**

**Monday, January 24, 2011**

**7:00 PM**

**Council Committee Rooms**

## **Finance Committee**

*Beryl D. Anderson, Chair*

*Shane Ewald*

*Brian D. Larick*

*John R. McAlister*

*Nancy McGregor*

*David L. Samuel*

**Members Present:** Beryl D. Anderson, Shane W. Ewald, John McAlister, David L. Samuel, Nancy R. McGregor and Brian Larick

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**Additional Attendees:**

Tony Collins, Dottie Franey, Terry Emery, Karl Wetherholt, Angel Mumma, Jennifer Teal, Kristen Treadway, Abby Cochran, Brandi Braun, Mayor Stinchcomb, Sadicka White, Anthony Jones, Brian Hoyt, Isobel Sherwood, Tom Weber, Chief Dennis Murphy, Gen. Jim Williams, CIC Members Andre Porter, Mike Arens, Jeffrey Kessler, Dominic Deluca, Press.

**PRESENTATION:**

**CIC Annual Report - Andre Porter, President**

Anderson called the meeting for Monday, January 24, 2011 to order.

First is the annual report from the CIC (Community Improvement Corporation) presented by Andre Porter, CIC President. Porter said thank you for the opportunity to present our report; would like to give you a brief background; the CIC is a non-profit organization established through Chapter 1724 of the ORC (Ohio Revised Code); we were created to advertise and promote the community and its surrounding area; we have focused on those functions for the city; to achieve this we were assigned broad powers; we do financial transactions, manage real estate, and many other things; Ohio law provides for us to be an agent to carry out a plan; we have a plan that was created January 19, 2010; we also made an agreement last year; that agreement requires us to provide an annual report of our activities which is what this presentation does for us; I would like to introduce the other individuals in attendance from the CIC; Jeff Kessler is the Treasurer; Mike Arens is the Vice President; Dominic Deluca is our manager of real property; I would also like to recognize that Mayor Stinchcomb is a trustee; Director White is a trustee; in 2010 Kneeland and Ewald were Council representatives and we now have from Council Larick and Samuel; and also from Development, Anthony Jones is the one that makes it happen for us; Porter provided a power point presentation; a copy is available in the Council office.

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

**PENDING LEGISLATION:**

**ORD-0012-2011**

TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH THE GAHANNA COMMUNITY IMPROVEMENT CORPORATION (CIC) FOR THE YEAR 2011.

Porter said we are requesting the same percentage of .0833% of the lodging tax revenue in this 2011 agreement.

Larick said he would like to thank the CIC for the work they do for the City; they present one of the best opportunities we have to bring in revenue like our agreement with Blue Mile; what is the gross percentage brought in by the lodging tax. Mumma said it is 6%.

Anderson said she would also like to thank the CIC; as the City moves forward we are grateful for what they do; we need to approve the 2011 agreement which requires an ordinance.

McGregor said could we see actual numbers for the financial data. Porter said we have a

monthly financial report available but I do not have it here; I will make sure you receive that detail.

**Recommended for Adoption, Consent**

**ORD-0018-2011**

TO AUTHORIZE THE MAYOR TO ENTER INTO LEASE-PURCHASE AGREEMENT WITH GAHANNA COMMUNITY IMPROVEMENT CORPORATION FOR PURCHASE OF PROPERTY AT 181 GRANVILLE STREET; AND TO DECLARE AN EMERGENCY.

McGregor said the original ordinance said we paid \$200,000 which would grant us an unrestricted perpetual easement; what does this mean and what did we actually purchase for the \$200,000. White said in 2008 we were approached to purchase this property; it had been identified previously as a property the City should buy, primarily for the right of way, to provide primary access to Friendship Park and our service center location to give us ingress and egress relief; when Yates, who was selling the building, approached the City, we were not in a position to accept the offer; we took it to the CIC; a down payment had to be made but engineering had not had a chance to look at it so we were unable to give the exact specifications of the right of way; so the general purpose easement was granted; Weber and I had several discussions about it; this doesn't mean we can legally go and put in a road in there; when we have purchased a right of way in the past, we had to pay at least the appraised value of the property; that is what we intended to do when we put forth the down payment; it now has a mortgage of \$750,000.

McGregor said if you put in the ordinance wording that says this is an unrestricted perpetual easement, we should be clear on what exactly it means. White said it means we have reserved the easement over the entire property with no restrictions; we negotiated with the property owner, but we have not satisfied the mortgage; the original mortgage was \$970,000; we purchased the building for that amount planning to make it work for 5 or 6 years to today's value with occupancy; in 2008 for the first appraisal, the building had more occupants which increased the value; and we were not in a recession; since then the value has changed; the CIC has agreed to our purchase at the appraised value; at the present value, they are not getting interest for the time we take to pay; the City wants the right of way and ideally this deal could be structured the same way we bought the old post office; that had a 7 or 8 year lease held on it and that paid the mortgage; for this building in 5 years nothing will be owed and we will have paid over time; any difference the CIC is obligated to pay so we will have it free and clear; it really benefits the City of Gahanna that the CIC is holding and managing the property; we are not using our capital but buying it over time with non general fund money; we are using an appropriate fund, the TIF, that was actually put on this district; it is making property values go up which is an opportunity to benefit the area; that is why it is structured this way; we did not have the price of the building so it was done with this easement language; in 5 years the City owns everything, the property and the building; in year 6, if we are still not ready for construction, our agreement with CIC is they continue to manage it; we know that there is a residual piece of land, like Beecher, where we built a fire station, that is a piece of land to be developed; we can realize a greater return on investment if we can sell or lease that or cause it to be developed; I would like to see a new signature building on that corner. McGregor said so if we don't buy it and someone else does, what happens to the easement then. White said we would have a lawsuit I suppose; we have some right because of the easement and that would prevent anyone else from receiving clear title. Weber said the easement goes with the property. White said we had the property appraised. McGregor said can we see the appraisal. Wetherholt said the Robert Weiler Company did it; it came in at \$730,000 and that is because of the right of way and because of what it does to the building, it is not really worth it to fix the building up; the difference is \$50,000 to \$60,000; we can do the whole thing for \$730,000 and get it all.

Ewald said from a Council standpoint; this would be good for the residents of the area;

the traffic at this corner is always a topic of discussion and the residents are looking for a long term resolution to this issue; I supported it; we are not really going to salvage the property building; it is all or nothing; I support moving forward; I made a commitment a long time ago to try to find a way to get traffic flow improved here. Samuel said my concern is if the TIF will provide adequate money. Mumma said the property tax value this is based on is variable; but we have made a conservative estimate that I am comfortable with; but having said that, remember there are no guarantees. Mayor said I would like to add to what Ewald said; right now we have only one way in or out of that community; we have had service issues that have gated and closed this area; if we need to evacuate we could be in trouble; we need another way in or out; it benefits the area and it is an excellent use of these funds. Samuel said is it in the Olde Gahanna Vision Plan. White said yes.

Anderson said I would like to share one item; all City departments met last Friday in a planning session; they looked at the budget and they will have a formal analysis presented to us; but the information was not ready for this meeting so we are unable to use it to justify going forward on any issues presented tonight; ask that you remember that we are in challenging times and as we move forward we need to look hard at what we are doing.

**Recommended for Adoption, Consent**

#### **ISSUES - From Chief of Police:**

##### **Municipal Fire Safety Inspectors**

Chief Murphy said this is an annual request for the Fire Chiefs of Mifflin and Jefferson Township to be appointed as Municipal Fire Safety Inspectors.

Recommendation: Motion Resolution, Consent Agenda.

#### **ISSUES - From Director of Parks & Recreation:**

##### **Contract - Century Equipment**

Collins said this ordinance is requesting permission for the Mayor to enter in contract with Century Equipment for the yearly maintenance of golf carts; as you know we now own our golf carts; this has been very worthwhile economically as we have projected a significant savings due to cost saving measures such as this.

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

#### **ISSUES - From Director of Human Resources:**

##### **Contract - Third Party Admin. Self Insurance**

Treadway said first I would like to introduce the new HR coordinator, Abby Cochran as this is the first meeting she has attended; as mentioned previously, we have been approved by the Bureau of Workers Compensation to be self-insured; this is a huge move forward for the City; it will save us a million plus dollars over 5 years; taking this in house will mean we need a TPA (third party administrator) to help us; we feel it would be a good move to stay with Comp Management at this time; if you have any questions about this please send us an email. Samuel said what other municipalities are using this TPA. Treadway said on the municipal side it is Dublin, Hilliard and Upper Arlington; they have tons of clients on the state side; I am also requesting emergency if you are ok with that.

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

## **ISSUES - From Director of Finance:**

### **Annual Fund Transfers**

Mumma said these are annual fund transfers; we appropriate money from each fund to pay the debt; we have been told by our auditors in past years that separate approval is necessary to complete the transfers; this request is to authorize these fund transfers; if any exceed what is appropriated we will come back to Council .

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

### **Supp. App. - Sewer Administrative Charges**

Mumma said each of the proprietary funds pays an administrative charge into the General Fund based on revenues; the revenue from the sewer fund exceeded the planned revenue so the General Fund is still due \$23,370; but there was not enough in the fund to make the transfer so we are doing a supplemental appropriation which when appropriated, will then be transferred to make up the difference that is outstanding.

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

### **Transfer - Workers Compensation Premiums**

Mumma said this request was removed from the agenda; an email was sent; got a last minute word from the auditors; will bring back the legislation when clarified.

### **PERS Early Retirement Incentive**

Mumma said the City has received 3 completed PERS (Public Employees Retirement System) early retirement requests; that is to say 3 people have completed the paperwork and submitted it to PERS; they will now submit an invoice with the cost to the City; we will use line item funds if the position is not being back filled; the number we are asking for at this point is what we think the pay out is which is \$135,000; clarify we are buying 2 years of service, not providing 2 years of salary; 2 of these 3 positions are not planned to be back filled so that will off set the costs.

McAlister clarified this move will save the City a million dollars over 5 years.

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

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

### **NPDES Control Measures**

Emery said we have 3 pieces of legislation required for the NPDES (National Pollutant Discharge Elimination System) program compliance; we are required by the EPA (Environmental Protection Agency) when we discharge to surface water to adhere to EPA standards; the first request is for permission to enter into agreement with FSWCD (Franklin Soil and Water Conservation District); we partner with them and they provide us assistance to meet the 6 Minimum Control Measures which are; Public Outreach, Public Involvement, Illicit Discharge Detection and Elimination, Erosion and Sedimentation Control, Post Construction Runoff, and Good Housekeeping; they have

provided this service in the past and the 2011 requirement is for \$18,350 which is in the budget. Samuel said how do you identify the places where this is needed. Emery said the next request is going to talk about that and what we do; we have to test the water and samples have to meet the EPA requirements; it takes a lot of time and effort and it is very detailed. Larick said so if someone dumps waste in a sewer, this a possible tracking for that. Emery said an example is when we wash fleet vehicles on a paved surface, we have to account for where the soap goes; I can see in 5 to 7 years where people in homes will have to monitor what they wash. McAlister said do you have a rough idea of what this will cost. Emery said it's not known outside of what we are asking for to meet the 6 control measures with FSWCD.

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

### **NPDES Illicit Discharge**

Emery said for this piece of legislation, we will partner with FSWCD for inventory of outfall locations, we will collect water samples and have them analyzed by the Franklin County Board of Health; based on this, we can go back and do additional research and stop sources of pollution from reaching the water; this Discharge Detection Sampling is in the budget as well at \$15,400; this is where we actually go to the Big Walnut and select specific outfalls that discharge into it. McGregor said is it just the Big Walnut. Emery said no, there are other areas as well. McAlister said would you check a drainage ditch. Emery said yes that could be included. McAlister said has the EPA indicated that there is more pollution on the Big Walnut south of Gahanna or north of Gahanna. Emery said this is difficult to answer; where there is construction they do that; but for the Big Walnut we all go through same thing for the EPA.

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

### **Contract Woolpert - NPDES**

Anderson said the next item is the contract with Woolpert for NPDES and it needs waiver and emergency. Emery said it does not need waiver and emergency; that should not have been on the request as it is not needed.

Emery said in this case we are in 2nd year of the 2nd generation of the City's NPDES permit; ready to implement Phase II of the program; we are required to prepare an annual report and to update the City Code and list that in a report; we need to make annual revisions to the storm water prevention plans; the manner in which we do business has to be adjusted due to these requirements; so the request is to enter into contract with Woolpert Engineering; they have successfully assisted other cities; we are asking you to authorize the Mayor to enter into contract with them to perform this reporting and code revisions; this is a budgeted item at \$15,000.

Mayor said I want to comment on this; all of this is required as unfunded mandates from the state; it is funded through the stormwater funds but we have to do it. Emery said it is a good thing to clean up the waterways and to do it correctly costs a little money.

Anderson said are other cities happy with their Woolpert contracts. Emery said yes; they have an excellent reputation; we did try to find a local firm but there is none that had this kind of experience.

Emery clarified for Samuel the attachment for Water and Sewer Internal Review Board is an update; not an agenda item; it provides a recap of cases heard.

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

### **ISSUES - From Director of Emergency Management:**

#### **Contract - Armada**

Williams said we need a piece of legislation authorizing the Mayor to enter into contract with Armada, Ltd. to plan and conduct a full scale emergency exercise scheduled for October of 2011; funds are in the 2011 appropriations; the funds will be reimbursed from Homeland Security but it needs this contract; it is a requirement of the Ohio Emergency Management and Federal Emergency Management for us to have this full scale exercise to receive funding; so in order to meet the 10 to 12 month timeline we are requesting waiver and emergency to get the process started; Armada can meet that timeline to do the exercise; last week we found out that we will also need an Intergovernmental Agreement; in 2009 we dealt directly with Armada; now the bureaucracy has grown and we need agreements for the funds to flow from the State to the County and then to the City; so the request is not only for the Armada contract but also an Intergovernmental Agreement.

Recommendation: 1st Reading; waiver of 2nd Reading; Consent Agenda; Emergency Language on 2 ordinances.

### **ISSUES - From Council:**

#### **Resolution To General Assembly - Requested by John McAlister**

McAlister said I am proposing we do a resolution to the Ohio General Assembly; this is prompted by an article in the Columbus Dispatch; it talked about how Kasich wanted to revisit the 1983 labor talks; I believe the political winds are changing; there is a new regime in the state house and there is interest in passing this kind of legislation; I would like us to do a resolution so a stronger message of support goes to the Governor that we are no longer going to be held hostage by unions; I provided a rough draft but I am open to changes; I couldn't remember the number of employees we have that are represented by unions. Treadway said I believe there are about 150. Mayor said I see one change; the personnel costs are not 75%; we are in the 40th percentile now. Treadway said I think it is about 52% but I will have to get the exact number and provide you accurate figures. Ewald said can we bounce this through email or do a phone call; did we just get this. McAlister said sure; but if you see anything glaring I can change it; this is a good forum to discuss this. Sherwood said I emailed this on Friday. Samuel said so you would like this sent to the Governor, legislators and surrounding communities. McAlister said yes, I sent out the Columbus Dispatch article; I think it should go to the Speaker of the House, to Nancy Garland; to Kevin Bacon, to other State Representatives and Senators. Anderson said I like the concept; outreach is key; it needs to go to the Governor; he needs to see it; hopefully we get some press out of it for Gahanna; the administration will provide corrected information.

Recommendation: Back to Committee of the Whole on February 14, 2011

### **ISSUES - From City Attorney:**

#### **Chapter 151, Department of Parks & Rec. and Chapter 153 - Parks & Rec. Board**

Weber said these are some actual companion changes from 2006 when the last Charter Review Commission met and the duties of the department heads were taken out of the Charter; we have been working on changes and these are some of the recommended changes; some are self explanatory; Chapter 151 specifically the Boards and Commissions under Parks and Recreation; there was some language deleted; because they are advisory boards, the decisions are made by the Director of Parks, not by the boards and commissions; some language about the succession of the City Engineer position; the Assistant Engineer can act as the City Engineer; both are civil engineers so it would be appropriate; the next changes are nothing very substantive except on the first

2 or 3 HR list of duties; these functions are not in Charter; under Chapter 138.03 it is a big list. Anderson said is it possible to take these one at a time for review of the changes. Weber said I think I kind of highlighted the changes; do you have any questions. McGregor said I just got this tonight; I didn't get it Friday so I haven't reviewed it. Ewald said can we have another 2 weeks on this; we need more time. Sherwood said we could do a first reading and then come back.

Recommendation: 1st Reading; Back to Committee of the Whole on February 14, 2011.

### **Chapter 137 - Department of Public Safety**

See discussion under Chapter 151, Department of Parks & Rec. and Chapter 153-Parks & Rec. Board.

Recommendation: 1st Reading; Back to Committee of the Whole on February 14, 2011.

### **Chapter 136 - City Engineer**

See discussion under Chapter 151, Department of Parks & Rec. and Chapter 153-Parks & Rec. Board.

Recommendation: 1st Reading; Back to Committee of the Whole on February 14, 2011.

### **Chapter 138 - Department of Human Resources**

See discussion under Chapter 151, Department of Parks & Rec. and Chapter 153-Parks & Rec. Board.

Recommendation: 1st Reading; Back to Committee of the Whole on February 14, 2011.

Anderson reminded Council that there is a Special Council meeting tomorrow, Tuesday, January 25, 2011 at 5:55 P.M.

Meeting Adjourned.

### **Della Brandenberger, Reporting**