



# City of Gahanna

200 South Hamilton Road  
Gahanna, Ohio 43230

## Meeting Minutes Committee of the Whole

*Stephen A. Renner, Vice President, Chair*

*Brian Metzbower, President*

*Jamie Leeseberg*

*Karen J. Angelou*

*Brian D. Larick*

*Nancy R. McGregor*

*Michael Schnetzer*

*Krystal Gonchar, Deputy Clerk of Council*

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Monday, June 10, 2019

7:00 PM

Council Committee Room

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### \*Amended Agenda

#### CALL TO ORDER.

Chair Renner called the meeting to order at 7:00 p.m.

#### PENDING LEGISLATION:

[ORD-0042-2019](#) TO AMEND PART ELEVEN, PLANNING AND ZONING CODE, CHAPTERS: 1105, 1108, 1131, 1133, 1153, 1169, 1177, 1181, AND 1193, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA.

Crawford met with Leeseberg last week to answer his questions and was informed that City Attorney Ewald should have amendments to code changes to present. McGregor said green infrastructure is good but experimental should not replace stormwater detention policies; is ok to incorporate but not replace. Crawford said there are no intentions to remove stormwater detention, this would be in addition to; there are a few places where this could work. McGregor asked who would maintain these things like rain gardens, etc.; when HOA dissolves, they would not be able to ensure compliance. Crawford said we don't want to add anything extra that we can't manage; said Leeseberg was concerned about adding "if possible" to the language.

Metzbower said in regard to liability risks; are we at a risk of not being consistent. Ewald said yes, we do need to be consistent; onerous can be on developer. Larick asked how we create language. Ewald said we add "you must do it unless there is evidence that you cannot do it"; boring is an example. Crawford said if it is not constructible then you can't do it; very simple standards. Crawford said there are engineering standards. Larick said his intent is not to be difficult, just striving for clean and effective language. Crawford said he would have to look into it to see if it

fulfills the requirement; said there is no sense of urgency, but changes to pre development and post development needs to move forward quickly to be in line with current standards. McGregor asked if this makes it more strict or less. Crawford said more.

Metzbower asked for green infrastructure, are there already standards in place or are we defining these things. Renner said they are defined; said Franklin County came in and talked about this; may be a good idea to bring them back to refresh memories; 1193.06 talks about stormwater run-off control with technical jargon but talks about what run-off is for a given area. Larick said the valuation of capabilities is what he is referring to. Renner said engineers are aware of these things and it really depends on soils; there are some situations where rain gardens work very well and some situations where they do not; is a matter of trying to determine where the water will go. McGregor said high water and clay soils are not conducive to underground storage, and that's what Gahanna has here. Renner said he remembers a situation from across the street and agrees. Angelou asked if this was an EPA thing; Renner confirmed; said Jennifer Fish and John Ritter would be good people to bring out. Angelou said MORPC has some info up. Renner said they were taking a large regional approach at this. Larick asked what's the evaluation that determines if this is something to be asked versus "no this does not need to be done", that's what he's trying to understand, the process.

Crawford said FCS&W reviews site and recommends. Angelou asked if they do this for every one of these sites. Larick said they determine if it is possible. Crawford confirmed that FCS&W determines that. Barr said they also look at the surrounding area, not just the site. Larick said we are talking about a recommendation that turns into an obligation, this needs to be equitable; if it costs an extra 15% on a project, are we fine with this or is there an appeal of some kind. Metzbower asked Larick if he's asking if this has the potential for an unfunded mandate. Larick said yes. Renner said no, this is clearly written.

Blackford said city engineer is responsible for saying it is practical; if a developer has concerns, since it is in chapter 11, can ask for a variance from Planning Commission; now the wording is "shall" which means it is a requirement; financial is not grounds for a variance.

Ewald said if you follow Blackford's process, then yes, you follow a variance process. Larick said that's fine if it is an administrative policy. Ewald said "best practice" is not administrative policy; the variance request is very specific; it would be impossible and impracticable; must have various reasons for not being able to do it. Larick said for risk litigation, needs something to close the loop. Ewald said when code is in

place, policy will not rewrite that.

Angelou asked about Doug Maddy's property going up on Havens Corner, did they use these green infrastructures. Larick said yes and that's wonderful and not questioning the idea of green infrastructures. Metzbower asked if FCS&W comes back to inspect if it's done correctly. Crawford said yes, and they do erosion control etc. Metzbower said he would hate to find out 10 years from now that something did not work. Ewald said he is fine with it. There is a legal output.

Gonchar stated that all the code changes came forward from Planning Commission as one ordinance, but there were separate items: zoning changes, stormwater changes, public hearing notice changes, and the item for signs, which was pulled out as a separate ordinance at the last Committee Meeting; suggested that we pull the items out separately since there are still questions about some of these items; would hate to see something fail just because it is tied in with the others. Jones said the zoning items have some time sensitive projects associated. Renner said stormwater needs to still be on the regular agenda.

Larick asked where our primary location for notices is. Gonchar said Rocky Fork Enterprise. Metzbower said regarding suggested code changes for public hearing notices, there was one resident who spoke out against them during the public hearing and feels that even if one person is against it, then we should wait. Renner confirmed. Larick said he is unsure what is the right decision, but believes that we should not just think about what we do as a norm, but what others do as a norm; keep in mind that others do things differently. Angelou and McGregor agreed that the cost savings alone was not worth it. Gonchar stated that the cost savings was not the sole purpose for the changes; we now post notices online to reach more readers; that the delay for notices going out was based off the deadlines for the newspaper; that was less efficient than what we are proposing; will continue with the letters being sent to contiguous property owners which was the most effective form of communicating these things to the people most affected; said she does not care if this waits for some time in the future, or if it does not change, but would hate to see the other changes not go through because they want to vote down the changes to the public hearing notices and stormwater; again suggested breaking the items out; asked Ewald to confirm if that was possible. Ewald confirmed, and Larick said it could be amended by substitution since it was already introduced.

**RECOMMENDATION: Regular Agenda.**

**ITEM FROM THE DIRECTOR OF PUBLIC SERVICE & ENGINEERING:**

[ORD-0058-2019](#) TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH PIPETEK INFRASTRUCTURE SERVICES FOR THE 2019 CCTV & SANITARY SEWER CLEANING PROJECT.

Crawford said his department is requesting to award the contract for the 2019 CCTV project; explained the purpose of the project based off the report submitted; bid was opened last Friday. Pipetek won the bid; said he is requesting a 10% contingency; have checked completeness of bid and checked references. Angelou asked which area this is this for. Crawford said the Westside.

Crawford provided an update on the rental registration; code enforcement officers are in place; were hired 2-3 weeks ago and training is underway; permits completed and software updates in progress; will be working in the next few weeks to finalize the forms; will send out letters to properties the first week of July; will be sent in numerical order by parcel number. McGregor asked how the County knows who rents out their properties. Metzbowler said it's an honor system; there is a fee for failing to register.

**RECOMMENDATION: Consent Agenda.**

#### **ITEM FROM THE DIRECTOR OF PARKS & RECREATION:**

[ORD-0059-2019](#) SUPPLEMENTAL APPROPRIATION- ODNR Wildlife Education Grant.

Barr stated that the funds from the grant will go for summer programs for recreation materials; shared some upcoming events on their report; informed Council that the story this year at the Story Trail was about the Big Walnut Country Club; stated that the stories rotate out to other locations.

**RECOMMENDATION: Consent Agenda.**

#### **ITEM FROM THE DIRECTOR OF PLANNING & DEVELOPMENT:**

[ORD-0049-2019](#) TO AUTHORIZE THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT FOR PROPERTY LOCATED AT 496 EAST JOHNSTOWN ROAD; AND TO DECLARE AN EMERGENCY.

Jones stated that as discussed at the previous COTW meeting, Leeseberg had questions. Ewald said they asked for remediation and the owner said no; said we asked for title insurance so we can walk away if we find something within 2 years. Mayor said that's the purpose of Phase 1. Larick said we have a price, we do have the ability to do Phase 1 before closing. Ewald said within 90 days of closing; if phase one does not occur before closing then we can delay closing. Angelou asked if in

the areas of Sycamore Run Park, were there any environmental issues with that; this will connect to that. Ewald said he is unsure. Larick said we have no contract; we need to have the ability to do inspections and have a window of time to do those. Ewald said that would push the timeline, but will ask for that. Jones said the option expires on 6/13; can ask for consideration for additional time. Metzbower said we went through this with another property recently; it had asbestos. McGregor asked if a special meeting is possible. Renner asked the clerk to confirm how far in advance notice would need sent out. Gonchar said 24 hour notice is required for Special Meetings.

**RECOMMENDATION: Regular Agenda.**

### **ITEMS FROM THE DIRECTOR OF FINANCE:**

[ORD-0060-2019](#) TO AUTHORIZE THE ISSUANCE OF BONDS, OR NOTES, NOT TO EXCEED FIVE MILLION ONE HUNDRED THOUSAND DOLLARS (\$5,100,000); IN ANCTICIPATION OF BONDS, FOR THE PURPOSE OF PAYING A FINAL JUDGMENT, INCLUDING DEFENSE COSTS AND EXPENSES; AUTHORIZING AND APPROVING RELATED MATTERS; AND TO DECLARE AN EMERGENCY.

Bury said regarding the settlement for the tax lawsuit; we have the \$4.1m in the litigation reserve; we do not have the remaining \$5m; this allows Council to issue bonds or notes; when the judge makes the determination, we have 14 days to pay; based on current market conditions; there's either callable, callable at will, or non-callable option; non-callable are at 2.1%; call within 2 years is ranging around 2.5%; callable at will is 2.45%; 10 year bond gives maximum flexibility and is close to where notes are. Metzbower asked if July 11 was the scheduled date. Ewald said yes, for the fairness hearing. Metzbower asked about the likelihood of the ruling that same day. Ewald said probably not but depends on how soon the court wants to clear the docket; court will entertain for people to come in and notify them whether they oppose attorney fees, etc.; will review all info and make a timely decision. Angelou asked if it is possible that will happen on July 11. Ewald said again, it is possible yes, but is it likely, no; but we should be prepared. McGregor said we will have the first reading on 6/17 and then wait. Bury confirmed.

**RECOMMENDATION: Regular Agenda.**

[ORD-0056-2019](#) SUPPLEMENTAL APPROPRIATION- 2019 Funding.

Bury stated that she provided additional items today; based on recommendations, there were some changes to the ordinance; if you

look at the summary, it is the easiest to read; incorporated all changes from the last meeting; we still have a surplus; willing to answer any questions about how funds were projected. McGregor asked if the officer who retired, was that the lieutenant. Mayor said Murphy also retired, but she was funded through the entire year so no need for changes; Basso retired and didn't want to fill it due to budget constraints, but we are now asking to fill it.

Larick asked for the 3 funds, wants to talk about structure; believed 25% would be a single fund for operational with no carryover from year to year; do not understand this. Bury said when you budget, you never meet your target exactly; we budget conservatively so we plan for more spending and spend less; will usually always have some carryover from year to year; this ensures that the funds are being used as intended. Larick asked what's the impact of one fund; Bury said they are co-mingled and more difficult to see the spending.

Angelou agreed with 3 funds; we have specifically earmarked for 3 funds; will be very clear. Bury said going back to public safety, we pull over the entire SRO program; next year will be easier to determine the costs. Angelou asked what the auditors would say in advance. Bury said they won't tell you that; will tell you though "they don't see anything wrong."

Larick said for even distribution; what happens if there's a significant initiative for something normally small, which takes you out of ratio; now must be accounted for in a very specific fashion. McGregor said does not have to be divided evenly every year. Larick said on pg. 2, there has been a conversation around money saved and money is there; the reason those were put on the table was there was a need to make adjustments; we can function as a community without those positions; what value do those positions bring to the table. Mayor said when we went through the process, it was purely for the financial aspect only; to get more money to add to the street program for example, which is what Council wanted; we believe we need these positions; the P&R Director position for example, provides direction, is a CEO of sorts for the department; there are union implications and head count implications; we have shortages where work needs to be done; administration never made a recommendation to remove those positions, we never said that we don't need these.

Metzbower said that the need for urgency, and reason for moving issue 12 up to the May ballot was because we need these things. Larick said he wants a description, an outline for these positions. Mayor said the job descriptions and Charter state what they do and why; we need to function on a daily basis and need the positions filled in order to do that. Larick

said he can't fund a position if he does not know the value it serves; said there are reasons they exist but wants a list. Metzbower said that was not provided in the past. Angelou said she agrees with Kneeland that cuts were made because we were talking about levels of importance; but issue 12 passed and now we look at reinstating; we do have Charter issues; the people have said they want the community to grow and move forward; if not this year, within the next few years; does not want to defund places that have worth.

Larick said we are sitting at a time where funds are available and we need to maintain focus on where and when we spend funds; this is an ask of supporting the need for the position; asked what is the value of having a position in house rather than contracted out.

Barr said he is prepared to answer that question. Mayor said he understands where Larick is coming from but personnel staffing needs to be brought back up to levels where they need to be. Larick said there should be an expectation of evaluating positions. Mayor said there is and that's on the administration to do; we need to justify new positions, but not keeping current ones; have been on Council and those things never went to Council in the past.

Angelou said she would like to see the strategic plans; would like updates on those things. Mayor said he will share that, but there's a looming date of July 1. Renner said he hears talks about these things that should be going to budget discussions; this is to fix a deficiency; to stop the supplemental mid-year is changing the rules of the game; we publicly stated that we had a deficiency due to valuing streets more; residents said ok and passed issue 12; this is to just return funding to the end of the year; Council does not get all the info we need in a timely manner, that's a current issue when it comes to the budget. Mayor said we plan on providing the strategic plans but were not prepared to bring it tonight. McGregor said when issue 12 was put on ballot and funded positions to June 1, it was implied that funds would be there if it passed, in order to refund positions; it did pass, so it seems we should refund those positions. Renner said that balances the year out; the questions Larick is asking are for the 2020 budget. Larick said the ask is for the value of expenditure. Metzbower said from a fiscal stand point let's not forget that we have opened ourselves up to lawsuits. We have a Steelworker union position on here; we have a position that is specified in the charter.

Ewald asked from a procedural standpoint, does ORD-56 restore existing positions, it does not create or fund new ones, it replaces cuts. Larick confirmed that it replaces cuts. Metzbower asked if this is a

standard for each budget. Angelou and Larick said yes. Renner said that's the point he was making; this is just to continue with what we publicly committed to in 2019. Mayor asked if the memo sent out, if the contents in the memo are not sufficient. Larick said in short, that's probably a fair statement. Mayor said these things are more technical than a memo, that's what strategic planning is for; has a problem with applying a rule set for a product to people. Metzbower said that Larick keeps making the same points; let's just put this on the regular agenda and move on. Renner asked what Larick needs from the administration. Larick said he needs context and explanation for the expenditure. Vollmer said the reasons she stated are valid reasons; listed out reasons. Renner said the outputs of the job are included in the budget process. Larick said when he says "us" it sounds like he's referring to the 7 of us, what he's talking about is the community; no matter what, when looking through processes, there is a value.

Barr said with the blessing of the mayor, would like to make an attempt to answer questions about the forestry position. Hilliard contracts out the position; paid approximately \$49,000 in 2018 for 525 hours of work, or a quarter of the year; annual salary and benefits for Gahanna Forestry Foreman is approximately \$66,500; Hillard spent \$125,000 in forestry contract work compared to \$16,000 during the same year; parkland acres are similar and population of both cities are similar as well; we have the knowledge, skills, and abilities along with equipment we will almost always perform arbor work instead of contracting out saving additional City dollars; working with Dan Balsler from ODNR Division of Forestry Chief, he valued our urban forest infrastructure asset providing \$1.1 million annually in ecosystem services by using the USDA Forest Service iTree software program; these services include carbon sequestration, air pollution removal, and avoided storm water runoff; the ecosystem services would not immediately diminish if left unmanaged however they can only be maximized and sustained through long-term planning and management; as our community faces increasing urban population as identified by MORPC and an increasing need for cleaner air and water in urban environments, urban forests and the professionals that manage them will play a key role in providing solutions to these challenges; some arbor facts that add value to the City: healthy, mature trees add an average of 10 percent to a property's value; one large tree can provide a day's supply of oxygen for up to four people; trees properly placed around building and homes will reduce energy costs from 20 to 50%. Mayor said there are other responsibilities too for the Forestry Forman position, as they relate to Planning Commission.

McGregor said Julie worked with Villas when they lost ash trees; she



helped pick a different species; you could hire a contractor but there is a value in having someone who knows the city; do they take the time to pay attention to preventative things. Barr said that is a great point about customer service; received hundreds of comments from businesses last year. Larick said that's a good start. Renner said that was the first time he has ever heard such a well stated summary of asset management, of what we have inside the city and how it benefits; that's never been stated in a public meeting and it needs to be stated; we generically say we have this many acres of parks, etc.; that explanation stated in a quantitative way, the benefit of these ecosystems; thanked Barr. Barr said a summary of the benefits for the director position is more difficult; but there's not just the two positions that are being brought forward; does not want to be unfair to those departments who wish to speak.

Angelou said at MORPC it is interesting to see how many people who came from Gahanna and learned so much about how we do things and then move on to larger cities and positions; we have been doing a lot of things right; we now have more taxes so we can thrive; we are not a business, this is a service organization; we want to ensure we are using taxes appropriately; sometimes the budget book is too large and sometimes we need less information, but sometimes we need more. Mayor said just because issue 12 passed does not mean we need to add many employees, but employees that are critically needed; said there are even positions proposed to be eliminated in this plan; we are trying to do the best with what we have.

Jones said regarding to the value of employees, Emanuel Torres, Economic Development Manager, is tasked with being the salesperson for the city; has met with 282 businesses within the past 3 years; saw \$63m in new investment, brought in by those visits; the visits took about 4 touches for us to get in front of them; from those visits, 14 job projects were created; Torres' job was to get that program off the ground; being aggressive in getting visits was vital; Torres even convinced a project to take \$14k less in incentives by negotiation; that position ensures we get what we pay for with incentives; reduces abatement when not in compliance; he is well known throughout the city for being welcoming; 1,822 jobs created and retained within 3 years from the 14 projects; the position is critical for economic development; creates site selection packages. Angelou asked if Torres is on a Commission as well. Jones confirmed that Torres serves on the Ohio Latino Affairs Commission. Larick asked for, in simple terms, what Barr described. Renner thanked Jones. Metzbower said he's very passionate about this topic and apologized for losing his temper.

**RECOMMENDATION: Regular Agenda.**

**ITEM FROM THE DIRECTOR OF HUMAN RESOURCES:**

[ORD-0061-2019](#) TO AMEND ORDINANCE 0016-2019 TO ESTABLISH THE SALARIES FOR PERSONNEL OF THE CITY OF GAHANNA; AND TO DECLARE AN EMERGENCY.

Vollmer stated this was in conjunction with ORD-56-19; requesting 2.5% wage increase for unclassified; in addition, stated the items listed on the report submitted; requesting emergency/waiver. McGregor asked if the pay increase would be in one lump sum. Vollmer confirmed. Angelou asked if it would be retroactive. Vollmer confirmed.

**RECOMMENDATION: Regular Agenda.**

**ITEM FROM COUNCIL:**

[ORD-0062-2019](#) SUPPLEMENTAL APPROPRIATION- TEMPORARY WORK AT A HIGHER CLASSIFICATION FOR THE DEPUTY CLERK OF COUNCIL.

Metzbower said they met with and extended a job offer for the vacant Clerk of Council position so this would allow for interim pay for the Deputy Clerk to do the job as the Clerk; would provide funds for the job already done. Council thanked Gonchar for the work she's done in the absence of the Clerk of Council.

**RECOMMENDATION: Consent Agenda.**

**ADJOURNMENT.**

Chair Renner adjourned the meeting at 9:06 p.m.