

# **City of Gahanna**

*200 South Hamilton Road  
Gahanna, Ohio 43230*



## **Meeting Minutes**

**Monday, June 13, 2011**

**7:00 PM**

**Council Committee Rooms**

## **Committee of the Whole**

*Brian D. Larick, Chair*

*Beryl D. Anderson*

*Shane Ewald*

*John R. McAlister*

*Nancy McGregor*

*Timothy W. Pack*

*David L. Samuel*

*Isobel L. Sherwood, MMC, Clerk of Council*

**PENDING LEGISLATION:**

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

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**ADDITIONAL ATTENDEES:**

Gen. Jim Williams, Brian Hoyt, Kristen Treadway, Dottie Franey, Brandi Braun, Tony Collins, Karl Wetherholt, Mike Andrako, Chief Murphy, Isobel Sherwood, Tom Weber, Anthony Jones, Angel Mumma, Jennifer Teal, Mayor Stinchcomb.

**ORD-0115-2011**

TO AUTHORIZE THE MAYOR TO ENTER INTO CodeRED WEATHER WARNING SERVICE ADDENDUM WITH EMERGENCY COMMUNICATIONS NETWORK, INC., FOR SEVERE WEATHER WARNINGS; TO SUPPLEMENTALLY APPROPRIATE \$3,750; AND TO DECLARE AN EMERGENCY.

Larick asked Williams if he had any further input. Gen. Williams said we have an opportunity to expand our existing CodeRED system to include weather warnings; can get at 50% of the cost for the first year; have seen the advantages.

McGregor said with cell phones, iPods, Internet, how many more systems are we going to need; know it is a small amount of money; just don't feel we need it; already have so many options; get alerts from news channels.

McAlister asked if we are just adding to what we have. Williams said alerts would come from the National Weather service before the news would post; automated system we don't have to record; we witnessed it here at last committees.

Pack said he did his homework; spoke with Gen. Williams and with people at Tallmadge Ohio who have the system; they had 500 sign up in the first day and 1,700 in the first 30 days; good program for senior citizens; asked my mother and she said she would want it; also we get it for one year and then we don't have to keep it if we feel it is not worth it; also is opt in program. Concerning tornado safety Franklin County and Lorain County lead the state in number of tornados; tornado sirens are meant as an outside audible warning; is a nominal fee; can save lives.

Anderson said she would second Pack's sentiments; when it comes to communication issues we need as many different ways as possible to reach our citizens; err on the side of caution if saving people's lives; is worth it.

McGregor said how many continual warnings do we have to have. Mayor said what if we have a power outage or the Internet is down; know we are trying to cut the budget, but if it saves one life it is worth it.

Recommendation: 2nd Reading, Regular Agenda.

**Recommended for Adoption**

**ISSUES - From Director of Public Service:****SWACO Management Plan Update**

Franey introduced Terri Merriman, Community Outreach Manager from SWACO; said they are required to have a 15 year plan and update it every 5 years; they need 60% of the communities they serve to approve their plan; the plan describes their strategies and

plan for waste reduction, recycling, and landfill disposal; asking for emergency legislation because SWACO needs our legislation by August 2, 2011; the Administration does support their management plan update. Merriman said that if SWACO would not get the 60% approval then the EPA could come in and take over and tell us how to spend your money.

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

### **Elevator Inspection Contract**

Franey said currently our elevators are inspected quarterly; we can enter into a 5 year contract with ThyssenKrupp at \$270 a quarter for the first year and a 2% cap on any increases in the remaining 4 years of the contract; this would reduce our cost from \$519 a quarter currently; since this is a savings for the City are asking for emergency legislation.

McGregor said that she is not in favor of the continued use of emergency language.

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

### **Replacement of Stolen Trailer**

Franey said the trailer that hauls our skid steer was outside the fleet maintenance facility overnight and was stolen; need to replace it; will receive approximately \$5,300 from insurance to replace it; asking for supplemental from 3 proprietary funds to make up the difference; approximately \$2400.

It was asked what was being done so this does not happen again. Franey said part of our new facility will be fenced area where we can park various equipment and trailers. Wetherholt said this is something that has been done for years and nothing was ever stolen before

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

### **Permission to Bid - City Hall Chiller**

Franey said our chiller unit that controls air conditioning at City Hall is 18 years old and costing us more and more to maintain; already spent over \$13,000 on it this year; we run it at least 10 months of the year to keep the 2nd floor from being too hot; we did put \$65,000 to cover it in the 2012 budget, but that was cut; would have to request a supplemental. It was agreed to go ahead and bid the chiller and go from there. Ewald said go ahead and go out for bids and see what our options are and come back to us. Mayor said she asked that this be added because when it was in the 90s last week it was very hot upstairs; also new chiller would be more efficient and save us money that way. McGregor asked how long the bids are good for and Franey said 90 days.

Recommendation: Motion Resolution, Consent.

### **ISSUES - From Clerk of Council:**

#### **Liquor Permit - Baileys Gourmet Baskets LLC**

Sherwood said we have had communication from a resident who lives in Woods at Shagbark near the lady who is asking for the permit; the PD has no objections and we don't have a lot of options. Weber said there are only certain statutory reasons for objecting to a liquor permit, and none of them are relevant; C2 is a permit for wine in

sealed containers; apparently she wants to make baskets and put a bottle of wine in them; there is speculation that deed restrictions would apply; under ORC we have limited authority; cannot really recommend against it. McGregor said she has never heard of a private home applying for a liquor permit. Weber said I don't think it can pass muster.

Recommendation: Motion Resolution that the City has no objections, Consent Agenda.

## **ISSUES - From City Engineer:**

### **Award Contract - TechCenter Dr/Science Blvd. Connector**

Andrako said we opened bids on June 10th and Savko and Sons, Inc. was the low bidder at \$840,737; are recommending legislation to award the contract; funding will be from the Eastgate TIF; will take funds sitting in the TIF and put into an expense account which will then reimburse the General Fund; hoping to start construction in October.

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

### **Award Contract - TIZ Fiber Extension, Phase 1**

Andrako said we also opened bids for the TIZ fiber extension, Phase 1, and want to award the contract to Gudenkauf Corporation, the low bidder with a bid of \$82,780 which was almost \$100,000 less than my estimate; not complaining; again this is funded by the TIZ which is then paying the general fund back; this will be used for leases to retain some businesses and offer more incentives. Jones said this is part of our business retention strategy; will focus on those that expire the quickest. Andrako said this is phase 1 of 4. Larick asked if there was a concern about the difference in pricing from the estimate and Andrako said this is one of the largest contractors that does this type of work and they are doing a large project for Columbus, so we are ready to proceed with them.

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

### **Property Purchase - 4427 E. Johnstown**

Wetherholt said this is the house in front of the YMCA with the vultures; has been abandoned; property owner has now offered to sell it for \$20,000; we would demolish the buildings and leave it in mowable condition; YMCA will add this to their ground lease and pay the City \$20,000 back over a 5 year period; need legislation to authorize the purchase and supplementally appropriate funds to pay for the purchase and incidental costs.

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

### **YMCA Reimbursement Agreement**

Wetherholt said this is to authorize the reimbursement agreement with the YMCA as discussed above for the purchase of the land at 4427 E. Johnstown to pay us back in 5 equal payments of \$4000.

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

### **YMCA Ground Lease Modification**

Wetherholt said this is to add the property at 4427 E. Johnstown to the YMCA's 99 year Ground Lease with the City; terms would run out at the same time as the 99 year lease;

need legislation to authorize the Mayor to execute an amended Ground Lease.

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

### **Hamilton Road Central - Agreement with County Engineer**

Wetherholt said we have been working on this for many years with the Franklin County Engineers as a partner; now that we have been awarded MORPC attributable STP Funds we need a new cooperative agreement; since we will be the lead this requires that we have a new agreement with the County as the roles and obligations of the City and County are redefined; have jointly written the revised agreement to split the local match for the project which also includes design; requesting legislation to authorize the Mayor to execute the new agreement.

McGregor asked what design we ended up with. Wetherholt said 5 lanes with 2 roundabouts and the County was good with that; will be future public involvement meetings; roundabouts would be at Clark State and the Northeast school.

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

### **Hamilton Road Central - Consultant Contract**

Wetherholt said this is the companion ordinance; MS Consultants is quite a way into the design and we want to continue the ongoing design with them; design will now need to meet the Federal design standards and the ODOT plan development process; have a proposal for this work for \$742,732; for many years the City has put aside funds for this design work; requesting an ordinance to authorize the consultant contract and the use of the funds; asking for emergency language to meet deadlines.

Samuel asked when we can expect this project to get underway, and Wetherholt said 2016.

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

### **Right-of-Way Encroachment - 132 Shepard**

Wetherholt said we had a call from a lady at 132 Shephard St. who is trying to sell the house and discovered that the house encroaches on the right of way of Walnut St; encroachment has been there for most of the 20th century and is not an impediment to the City use of right of way; proposing that we issue an encroachment easement to legally permit the encroachment until such time as the building is removed or substantially remodeled; Columbus has a ready made form for this; asking for legislation to authorize the Mayor to execute encroachment easement; asking for emergency because owner is in contract to sell the property and needs to clear the title.

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

### **Reimbursement Agreement - 93 Granville St., Site obstruction**

Wetherholt said the building at the southwest corner of Granville & High St. has a wing wall which partially obstructs the view of motorists attempting to exit S. High St. onto Granville; has been a safety concern for years; worked with owner, The Roby Company, and the grandson who is running the business now agreed to remove the obstruction if reimbursed; estimated cost is \$5,500 and \$1,000 to reconfigure the sidewalk; Ewald was instrumental in reaching this agreement, and it is a good deal; Roby went ahead and had the work done; were not expecting him to move so quickly; need the reimbursement

agreement and supplemental appropriation; asking for emergency as the owner is willing to finish the work immediately and will need to be reimbursed.

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

### **TechCenter Public Infrastructure Extensions - Consultant Contract**

Wetherholt said Tim Spencer of Trivium Development is here; now that TechCenter Dr. West is under construction there is suddenly considerable interest in the Buckles Tract; Spencer has a client that would like to develop a portion of the 12 acres; this will have a positive impact on City revenues and will require City utilities to be extended; have a proposal from Advanced Civil Design to design a public street, storm sewer, sanitary sewer and waterline extensions for the 12 acre site on the southwest section of the Buckles tract for \$61,800; developer hopes to go to construction around October 10th; asking for emergency to be ready for that construction; will be future legislation associated with this.

Spencer said he has been working with Wetherholt and Jones to get the timing down to go on this project; looking at lease option in excess of 45,000 square feet; will be submitting to Planning Commission very soon. Wetherholt said this is the type of operation that brings in a lot of income tax revenue.

Pack asked about possible height of buildings and problems with the airport; Wetherholt said we are on top of that; will not interfere.

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

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

#### **Big Walnut Trail Easements**

Collins said we are asking for legislation to authorize the Mayor to enter into purchase agreement with Nob Hill Civic Association for Big Walnut Trail easements; ORD-0091-2011 appropriated the purchase funds but we need to get authorization for the purchase; need to move immediately on this. Anderson asked if the residents are still okay with this, and Collins said they voted to approve the agreement.

McGregor asked about wording in report about authorizing the Mayor to sign any other required documents related to the purchase of the easement. Collins said it would be any other closing paperwork that may need to be signed. Weber said any ancillary agreements. Collins said we are asking for waiver and emergency.

Recommendation: 1st Reading; Waiver of 2nd Reading as emergency; Consent Agenda.

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

#### **Elected Officials Salaries**

Weber read from Section 4.17 of the Charter, Compensation; need to discuss compensation for the Mayor, City Attorney and Council for the next 4 years; compensation must be set not less than 120 days preceding the date of the next municipal election at which officers are voted on; we are running out of time here; need to address this; once it is set cannot be changed for the 4 years of the term. After discussion it was agreed to leave the compensation for the Mayor and City Attorney as the salary that they are currently making without any increases over the 4 years; same thing for Council; will require 3 ordinances.

Recommendation: 3 Ordinances; 1st Reading; no need to come back; 2nd Reading, Consent.

### **Miscellaneous:**

Weber said on another issue, in the OML newsletter there was information about what is in the Senate version of the budget bill; is very disturbing; they want to control our ability to manage where fast food restaurants would be located; is Draconian and appalling; would be interfering with our abilities to function; we definitely need to track this. Mayor said she is going to write a letter of objection and Council may want to do the same thing.

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

#### **2012 Budget**

Mumma presented 2012 Budget summary. (Available in the Council office.)

Mayor said the income tax revenue is turning the corner a little bit; need to see if the recovery will be sustained; have done some projects; innovative funding with grants; if not for the local government fund cuts we would not have the variance; able to see TechCenter started, Stygler Road and continued work on the Big Walnut Trail with the bridge over section 6; do not take the budget variance lightly; so much is in flux; like to thank our professional staff; will continue working on ways to reduce spending; citizens are beginning to complain; not getting same service they expect; delicate balance; want to ask the community for input; have special email address; want the public to be more involved; will share with Council; will ask citizens for suggestions; want to see what they recommend; we will be setting that up soon.

McAlister asked about complaints, and Mayor said people want more recreation services; improved ball fields; trails; street rebuilds; new street signs, which was a project not finished that we did not fund; programming cuts.

Anderson asked about a categorized compilation of all the feedback and any trends. Mayor asked how Council would like to receive the feedback; can do it weekly. Mayor said we are still figuring out details; Hoyt and Braun will be working on this.

Mumma said we are asking that a motion resolution to approve the budget be passed at the July 5th Council meeting.

Samuel said we need to have salary increases for the unclassified staff; will start losing people to other cities. Mayor said that has already happened; something to look at at appropriations time; will know so much more by the fall.

### **MONITOR ITEMS:**

#### **2011-0001**

Monitor Items:

- 1) Capital Improvement Fund

**Donna L. Jernigan, MMC, Sr. Deputy Clerk of Council**