

City of Gahanna

*200 South Hamilton Road
Gahanna, Ohio 43230*



Meeting Minutes

Monday, August 15, 2011

Council May Meet in Caucus Beginning at 6:45 p.m.

7:00 PM

City Hall

City Council

David L. Samuel, President

Brian D. Larick, Vice President

Beryl D. Anderson

Shane Ewald

John R. McAlister

Nancy McGregor

Timothy W. Pack

Isobel L. Sherwood, MMC, Clerk of Council

A. CALL TO ORDER - Invocation, Pledge of Allegiance, Roll Call:

Gahanna City Council met in Regular Session on Monday, August 15, 2011, at Gahanna City Hall, in Council Chambers, 200 South Hamilton Road. President of Council David L. Samuel called the meeting to order at 7:04 p.m. Invocation was given by Vice President of Council Larick followed by the Pledge of Allegiance led by Council Member Anderson. Agenda for this meeting was published on August 11, 2011.

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

B. ADDITIONS OR CORRECTIONS TO THE AGENDA: None.**C. HEARING OF VISITORS:**

Haruna Cofer, 715 Affirmed Court, stated she was the coach of the team from Middle School East; 4 children out of a larger group to compete in a competition called the First Lego League; it is an international robotics competition for children ages 9 through 14; these children represent two time state champions; for Ohio they have competed twice on the international level, most recently at Legoland in California for the FLL North American Open Championship where they received a second place in research and a 2nd place in robot performance; only team to receive two awards like that.

Varun Vallabhaneni stated that the Christopher Columbus awards is a competition that encourages middle school students to find a problem in their community and then create a solution; chosen as one of 8 finalists in the nation and received an all expense paid trip to Walt Disney World; our community problem was the current trash collection system; with the help of City Engineer Karl Wetherholt and engineers from SWACO and Rumpke, we created the MOLE, a mechanically operated litter eliminator; basically it would be run by robots completely underground and then residents would deposit their trash in trash boxes located every couple of houses; the trash would drop down to the robots below and the robots would take the trash to the nearest transfer station.

Mayor presented certificates to Savannah Cofer, Wayne Stegner, Varun Vallabhaneni and Mackenzie Wilson for their achievement.

D. INTRODUCTIONS AND ASSIGNMENT TO COMMITTEE:**Ordinances - To Be Introduced and Assigned to Committee:**

Ordinances introduced, by title, by Larick.

ORD-0160-2011

TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO AWARD AND THE MAYOR TO ENTER INTO CONTRACT WITH SPEER MECHANICAL FOR REPLACEMENT OF THE CITY HALL CHILLER; AND TO SUPPLEMENTALLY APPROPRIATE \$49,890.

Introduced

ORD-0161-2011

TO AUTHORIZE THE MAYOR TO ENTER INTO PURCHASE AGREEMENT WITH MIKE BASS FORD, FOR PURCHASE OF A FORD F-350 PICKUP TRUCK, UTILITY BODY AND LIFTING CRANE, FROM THE STATE CONTRACT #RS 900411, INDEX GDC093E, ITEM 30A.

Introduced

ORD-0162-2011

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH NATIONAL TESTING NETWORK, INC., TO CONDUCT PROFESSIONAL TESTING FOR

ENTRY LEVEL POLICE OFFICER AND POLICE RADIO DISPATCHER POSITIONS FOR THE CITY OF GAHANNA, OHIO.

Introduced

ORD-0163-2011

TO ADOPT RULES AND REGULATIONS OF THE CIVIL SERVICE COMMISSION OF THE CITY OF GAHANNA, DATED AUGUST 2, 2011.

Introduced

ORD-0164-2011

TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH MT BUSINESS TECHNOLOGIES TO LEASE A MULTI-FUNCTION COPY, PRINT, FAX, SCAN MACHINE FOR THE COURT OFFICE.

Introduced

ORD-0165-2011

TO APPROVE THE RECOMMENDATIONS OF THE TAX INCENTIVE REVIEW COUNCIL

Introduced

ORD-0166-2011

TO AUTHORIZE THE MAYOR TO ENTER INTO SETTLEMENT AGREEMENT WITH ENGLEFIELD OIL COMPANY, FOR PROPERTY AT 407 GRANVILLE STREET, FOR RIGHT OF WAY NEEDED FOR THE HAMILTON/GRANVILLE INTERSECTION PROJECT; IMPROVEMENT NO. 883; TO SUPPLEMENTALLY APPROPRIATE \$220,230; AND TO DECLARE AN EMERGENCY.

Introduced

ORD-0167-2011

TO ZONE 13.175+/- ACRES OF PROPERTY AS OCT, OFFICE COMMERCE AND TECHNOLOGY; SAID PROPERTY LOCATED AT 655 TECHCENTER DRIVE; TRIVIMUM DEVELOPMENT, APPLICANT.

Introduced, to Finance Committee

E. CONSENT AGENDA:

Minutes - To Approve:

2011-0045

To Approve the Following Set of Minutes:

1) August 1, 2011

This Matter was Approved and Filed on the Consent Agenda.

Ordinance: Introduce, Waive Second Reading, Adopt as Emergency:

ORD-0159-2011

TO AUTHORIZE THE MAYOR TO ENTER INTO WETLAND MITIGATION PURCHASE AGREEMENT BIG DARBY HELLBRANCH WETLANDS MITIGATION BANK WITH THE OHIO WETLANDS FOUNDATION FOR WETLAND MITIGATION REQUIREMENT FOR THE MCKENNA CREEK DETENTION BASIN; AND TO DECLARE AN EMERGENCY.

This Matter was Introduced, Second Reading Waived, and Adopted as an Emergency on the Consent Agenda.

Ordinances on Second Reading:

ORD-0153-2011

SUPPLEMENTAL APPROPRIATION - Street PERS

This Matter was Adopted on the Consent Agenda.

ORD-0154-2011

TO AUTHORIZE THE MAYOR TO ENTER INTO TEMPORARY USE LICENSE AGREEMENT WITH INVESTORS WARRANTY OF AMERICA, INC., FOR USE OF

BUILDING AND PREMISES LOCATED AT 1600 EASTGATE PARKWAY, GAHANNA, FOR THE OCTOBER 20, 2011 EMERGENCY EXERCISE; AND TO DECLARE AN EMERGENCY.

This Matter was Adopted as an Emergency on the Consent Agenda.

ORD-0155-2011

TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH COLUMBUS FIBERNET, FOR THE INSTALLATION OF FIBER OPTIC CABLE FOR THE TIZ FIBER EXTENSION PROJECT, PHASE 1; IMPROVEMENT NO. ST 969.

This Matter was Adopted on the Consent Agenda.

ORD-0156-2011

TO AUTHORIZE THE MAYOR TO ENTER INTO PURCHASE AGREEMENT WITH VALLEY FORD TRUCK SALES, INC., FOR THE PURCHASE OF A FULL SIZE, 4WD, EXTENDED CAB PICKUP TRUCK FROM THE STATE CONTRACT #RS 900411, ITEM 22A.

This Matter was Adopted on the Consent Agenda.

ORD-0158-2011

TO ACCEPT THE FINAL PLAT FOR PROPERTY KNOWN AS TECHCENTER COMMONS; TRIVIUM DEVELOPMENT LLC, TIM SPENCER, APPLICANT; AND TO DECLARE AN EMERGENCY.

This Matter was Adopted as an Emergency on the Consent Agenda.

Motion Resolution:

MR-0039-2011

Motion Resolution to authorize the Director of Public Service to go out for bids for the Triangle West Sanitary Sewer, Improvement No. 740.

This Matter was Approved on the Consent Agenda.

MR-0040-2011

Motion Resolution that this Council has no objections to the new C1 and C2 liquor permits for Dolgen Midwest LLC, DBA Dollar General Store 645, 150 North Hamilton Road, Gahanna, Ohio, 43230.

This Matter was Approved on the Consent Agenda.

MR-0041-2011

Motion Resolution to confirm the Mayor's appointment of Dewitt Harrell to fill an unexpired term on the Income Tax Board of Review; said term expiring December 31, 2011.

This Matter was Approved on the Consent Agenda.

Passed The Consent Agenda

A motion was made by McAlister, seconded by Ewald, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Yes	7	President of Council Samuel, Vice President of Council Larick, Ewald, McGregor, Anderson, McAlister and Pack
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End of the Consent Agenda

F. PUBLIC HEARINGS:

President read Public Hearing Rules that would govern the public hearing this evening.

Z-0002-2011

To consider a Zoning application to zone 13.175 +/- acres located at the SW corner of I-270 and Tech Center Dr; current zoning SCPD (Select Commercial Planned District), requested zoning OCT (Office Commerce and Technology); Trivium Development,

applicant.

Anthony Jones, Director of Planning & Development stated item before you is a zoning change for Buckles office park which is located on the southeast corner of the tract just south of TechCenter Drive and north of Pizzurro Park; this development has gone through a rigorous process before Planning Commission and City Council; TIF has already been approved by Council for this development; this request is to change the zoning from SCPD to OCT; feel this use will spur additional development in the vein we think will be the most profitable and beneficial to the City; we have a prospect now to ensure that this will be beneficial; TechCenter Drive is currently being constructed; final plat was approved on consent agenda this evening; will allow 4 properties to be created with a small court established to allow for future development; request is to rezone 12+/- acres to OCT; the impact would be to encourage development of OCT uses; currently have a potential medical office facility looking to locate on 2.3 acres of the property; we have individuals here representing the realtor, property owner, and developer who can speak to more specifics; TechCenter Drive construction has spurred interest in this property; as mentioned previously we have a TIF district approved by Council earlier this month; should be ratified by the end of the month; zoning change is necessary to encourage development; code section 1133.03 says that Council should review zoning changes for adjacent land uses, topography of the site, access and traffic flow, and public health, safety and welfare; administration recommends your approval.

President opened Public Hearing at 7:13 p.m.

Tim Spencer, Trivium Development, 210 N. Lazelle St., Columbus, stated Jones did a fine job giving you an overview; couple things I'd like to point out; we have 2 or 3 items on the agenda tonight which is a culmination of 10 months to a year of work to get this before you; the 2.8 acres at TechCenter and I-270 is currently going through Planning Commission for a 40,000 sf medical office building called the Eastside Urologic Center of Excellence; this group is looking to consolidate a number of offices around town; projected employment of 86 employees and a \$9 million dollar payroll; is a large project; have been working with staff for a number of months.

President asked for opponents. There were none.

President closed Public Hearing at 7:16 p.m.

Heard in Public Hearing

G. STANDING COMMITTEES:

Committee of the Whole - Larick: No Report.

Finance - Anderson:

Anderson stated that Council just came out of a meeting with the State Auditors and we will be reviewing that material and more for you later.

SPECIAL COMMITTEES:

Expenditure Study Committee - Larick: No Report.

H. CORRESPONDENCE AND ACTIONS:

Clerk - Legal: No Report.

Council:

McAlister noted a draft resolution was distributed just prior to the meeting; this is for discussion at committee next week regarding opposing the charter change on term staggering; do not have the issue number yet but this will give us something to get started; thank Sherwood for putting this together.

I. SECOND READING OF ORDINANCES:**ORD-0157-2011**

TO AUTHORIZE THE MAYOR TO ENTER INTO AMENDMENT TO THE DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF GAHANNA, OHIO, AND VALUE RECOVERY GROUP II, LLC, RELATING TO THE BEDFORD I CORF PROJECT; TO EXTEND THE TERM OF THE DEVELOPERS AGREEMENT ORIGINALLY MADE WITH THE CENTRAL OHIO COMMUNITY IMPROVEMENT CORPORATION AND LATER ASSIGNED TO VRG II; FOR THE LAND KNOWN AS THE JUNKERMANN PROPERTIES; AND TO ENTER INTO OPEN END MORTGAGE.

McGregor stated several people are telling us good things about extending this agreement, but in my opinion this is a very bad deal; we have paid \$1.275 million for three properties on Taylor Road and now the best we can get is a second mortgage on the property; don't see anything creative or inventive about this process; don't blame the bank as they took the property as collateral; but the specifics of the ordinance we passed were not executed and now we have second position; no one wants to engage special counsel because it might cost \$10,000 but if I did my math right that's less than 1% of the total cost; VRG II is a sub-company of VRG: if the company fails and the bank takes the property back, the property taxes are paid and then we are next in line; this seems a horrible deal for the taxpayers; couple of instances where this has happened before; in early 2000s the City bought the property that the Old Bag of Nails and Pour House are on; we sold it to Ed Maddy and after it was developed the ordinance required the administration to receive a walkway and the deck of the Pour House; time passed and the administration did not perform its duty; Maddy sold it to Mike Purdum around 2004; he bought it without any obligation to give the City anything; generously in spite of the administrative failure, Purdum gave the City a permanent easement from Mill Street to the stairs down to the creek boardwalk; City did not follow up on the contract as required by ordinance and the taxpayers thereby lost fee simple ownership; in 2005 or 2006 a Mr. Williams asked to meet with Ewald and myself; had an issue regarding engineering; in the course of investigating his issue we found that there was something amiss on a property next to Williams; when Hamilton Road was rebuilt there was a small house right at the intersection of Vista and Hamilton on the east side; the property owner was going to have very little residual property after the right of way was acquired and asked that the City buy the whole property; the City appraised the property and came to an agreement with the owner and purchased it fee simple; the owners of the property to the south, Mercado, later asked about our property; was right at the light of Vista Drive and said they had plans to build a Mexican restaurant and our property would give them great access; they got pretty far in the process because I remember going to Planning Commission and they were discussing the outside materials; the City via ORD-0080-2003 said they would give Mercado the property if they would build a sewer on their southern property edge and build a stub road from the intersection to the north, hope was to create a service road for those properties and the Shagbark condos; the stub road when connected would give the condos south bound access to Hamilton Road which they don't currently have due to the median in the roadway; Mercado agreed and the deal was signed and property transferred; the restaurant never got built nor the road nor the sewer; Mercado decided to sell the property without completing the specifics of the deal; that's when Ewald and I came in; worked with Weber and he hired special

counsel to figure it out; sure a lien was filed against the property so that any potential buyers would know what was going on; Mercado couldn't easily sell the property with the lien and after several meetings and letters they complied and built the sewer and the road; this seems to be an ongoing pattern; this is the third time we have lost property or had to expend funds to make sure items in ordinances are properly executed; the COCIC took on the assignment of the Junkermann property and they agreed to pay us \$1.275 million in December 2010; VRGII took over the assignment with the same terms; glad that the landfill is properly closed; glad that we received grant money; glad that the golf academy is open; nevertheless the contract says that in December 2010 Gahanna was to get \$1.275 million; the agreement says nothings about leveraging or mortgages; it says in December 2010 the City will get \$1.275 million; everyone who signed knew the deal; decisions were made by VRGII to leverage the property; it matters that the taxpayer is due \$1.275 million; now we find out that the promissory notes were not executed; Council passes legislation that is to be implemented; this legislation was not implemented; don't know what all this really means; think we should hire Special Counsel to explain not only what we know but some things we probably don't know about this deal; each entity in this has an attorney to advise them; we do not have an attorney who is representing Council views; in my opinion the Council is the last bastion to determine what is in the best interest of the taxpayer and implement whatever is best for the taxpayer; maybe if we hired an attorney he would say this is the best deal we can get; but we don't know that; we are relying on individuals whose interest may be adverse to the taxpayer; we need someone objective to look at this and give us an opinion; will not be voting for this ordinance tonight.

Pack stated that Charles Lindbergh once said "we live today...in the dreams of yesterday"; today the citizens of Gahanna live without an onerous scourge of a landfill through the vision of others, the leadership of others; approximately \$4.5 million of taxpayer money spent to form business partnerships; the foundation of all business partnerships are legal agreements whereby each partner knows exactly what is expected of themselves and others; one of Gahanna's development partners is a well respected central Ohio corporation called Value Recovery Group; we congratulate them on recently winning a \$53.8 million federal contract; on December 20, 2007, VRG through a small limited liability holding company assumed the assets and business covenants of the COCIC; this Council agreed to that assumption with assurances that all covenants would be maintained; one covenant dictated a minimum development threshold to be met in lieu of cash payment, on a tract of land we commonly refer to as the Junkermann property; the Junkermann property is not part of the Central Park development; it has its own separate developers agreement; it has its own required separate developer's plan; it lies approximately 1,600 feet from Central Park's eastern edge; its development agreement is based on time from assignment from Gahanna to the COCIC; Central Park properties are based on time from when the EPA recognizes the closure of the Bedford Landfill; the Junkermann business covenant with our partner VRG has ended; per the covenant they are to pay our taxpayers and citizens back \$1,275,000 because the nonpayment thresholds in the developers agreement have not been met; this was the assurance given to our citizens through this Council that either tax monies through development or direct payment of \$1,275,000 would come back; direct payment was recognized as a contingency or fallback position should tough economic times not permit the required development threshold; we all know we are in tough economic times; our taxpayers expect that their monies be paid back to pay for things like rock salt, retention basins, police cruisers, City Hall chiller units, mitigation of the effects of the ash borer; I could go on and on; the proposed modified extension agreement is totally unrealistic; if a proposed business on Junkermann opened their doors 12 months from today, it takes 637 \$50,000 year paying jobs to fulfill the agreement; VRG has proposed that Junkermann could be used as a wetland mitigation bank; our own

professional staff stated that it may not even qualify as such due to it having naturally emergent wetlands and the costs would be too high to create such a bank; any proceeds from a sale to an end user may go immediately first to satisfy a primary lien or mortgage position on the property; if the holding company VRGII becomes insolvent we are subordinated by a second mortgage, but also backed by a promissory note by the same insolvent entity; repayment chances will be minimal if not impossible we have not even officially notified VRG in writing that our joint developer agreement has expired nor have we officially asked to be paid per the terms of the agreement; then why is an extension even necessary; VRG may be waiting to pay us; they have taken out \$7,280,000 in loans secured by Central Park properties and the Junkermann properties possibly in expectation of repayment back to the Gahanna citizens; an extension to this agreement without some value being immediately returned to the taxpayers would amount to a free, zero interest, uncollateralized loan; nowhere in our charter is this allowed; we do not even give the same consideration to our own citizens when their taxes are due; \$1,275,000 equates to approximately \$40 for every citizen of Gahanna; speaking for the Gahanna citizens and taxpayers who think a deal is a deal, who think we as a City should live by our covenants which we do, that they also expect those who make covenants with us to live by their deals and promises; so I will be voting no on this issue tonight.

McAlister stated when this issue first came before us months ago, it was my understanding that we had cut a deal with VRG and economic circumstances precluded them from living up to that deal; there is virtually no commercial development in the county in the last couple of years; was my understanding what we were doing was giving them some more time; nothing had changed as to what was originally proposed but that we were giving them more time; is that true or not. Anthony Jones stated the agreement calls for an additional 5 year period. McAlister stated they were on the hook for the \$1.275 million originally and they are still on the hook for that; therefore even though we are not getting the money when originally proposed because of bad economic circumstances, by giving them an extension we will get the money unless there are an additional 5 years of bad economic circumstances. Jones stated that in the proposed agreement there are four options for us to get a return on our investment for this property - sale of the agreement and City getting \$1.275 million; second is generation of income taxes equal to \$1.275 million, third is an acceptable development plan approved by Council, and the fourth is to receive the property back free and clear of all liens and encumbrances; more options than originally proposed. McAlister stated that's how I understood it and wanted to make sure of that before I vote yes on this.

Samuel stated there are benefits of extending the Junkermann agreement; speaking on behalf of the citizens who want Gahanna to continue moving forward; amending the agreement strengthens the City's financial security over and above the current agreement; City will have a mortgage position which currently is not the case; City will have the option to receive the property back at the end of the amended term which is currently not the case; amending the agreement keeps within the parameters of the current agreement; the City will be able to receive the \$1.275 million upon the sale of the property or from municipal tax generation as stated in the current agreement; amending the agreement continues the progress of developing Central Park understanding that the Junkermann tract is not part of the development; the Junkermann property was critical in helping to remediate the Bedford Landfill which was a tremendous hazard for our community; remediation was critical to development of Central Park; it is critical to our future economic success; not amending will severely hinder the progress made in developing Central Park; it will endanger the financial investment that the city, county, state and federal governments have made in developing this area; it will limit the liability; for the City to create jobs and generate municipal

income tax with the development of Central Park.

Anderson stated there was discussion in Finance Committee and recollection is that we did talk about having independent counsel; expressed a willingness to have that just like we have an outside finance audit; consider it and did not come to a resolve; City Attorney did express his view as well; ask him to address that. City Attorney Tom Weber stated he personally believes that hiring special counsel at this stage would not help the process and is not necessary; could have found ways to call this agreement in breach if that's what we wanted to do; all special counsel would achieve is say that yes they were in default and you could do "X," "Y," or "Z" to achieve payment; the City as a matter of policy wants to extend the agreement for what it considers good cause; hiring special counsel is quite frankly not advisable and would not accomplish a good purpose; you do have the option to do so but I advise the City as a whole; was asked questions as to what we could do, not what we had to do; tried to advise the Mayor and the Development Department on those issues; don't think it achieves a good purpose and would oppose it; if special counsel were hired and rendered some type of opinion, I don't know what the opinion would mean because I'm the official City Attorney and mine is the opinion that counts; would oppose it. Anderson stated that similarly if there was conversation about the fact that if this investigation was underway that it would be a hindrance to potential investors. Weber stated it would add a whole new layer of uncertainty which could impair the development; this thing is now time sensitive; believe that is a fair comment; this accomplishes nothing other than muddling the process; made a comment at committee meeting that we could hire all kinds of lawyers and get all kinds of opinions; don't think it will accomplish anything; what I think is in the best interest of the project is to vote on the ordinance in chief and not act on the issue of hiring special counsel. Anderson stated that did not foreclose the possibility of hiring someone in the future. Weber stated it is always Council's option but don't think it is advisable or necessary at this time.

McGregor stated that in reading the minutes of 2005, Hogan asked Director of Development Sadicka White if she was guaranteeing that we would have \$1.275 million; he asked 2 or 3 times and she said yes every time; and McAlister said he would vote for it because of the guarantee she gave; December has come and gone and we don't have \$1.275 million; you are saying that with the sale of the property we will get \$1.275 million but we are in line; we only have second mortgage not a first mortgage; is that correct. Jones stated we currently have no mortgage. McGregor said if this agreement passes the best we will get is a second mortgage. Jones stated yes the best we will get is a second mortgage; the bank currently holds the first position. McGregor said taxes would then be paid and then we will be in line. Weber stated that property taxes come first. McGregor stated then we have third position; because property sells does not guarantee we will get our money back; would have to be sold for more than what the bank has it leveraged for. Jones stated that the bank has many properties leveraged at this point in time; from that standpoint there are multiple properties involved with the repayment to the bank for that particular note; before a sale occurs we would understand what the sale amount would be and then an acceptable development plan would allow us to approve it or not giving us the ability to determine what return we would get; in that regard, this agreement gives us a say on how this will be developed; VRGII would have to come to us for approval. McGregor asked if they had to come to us to just sell the property. Jones said yes; one option is sale of the property so it is required to come to us for approval of any sale; if price is not what is owed we have the ability to say it is an unacceptable development plan.

Larick stated he thinks this has been clarified but the mortgage we are talking about is not a singular mortgage; it is an umbrella mortgage across all of the parcels that make

up; is part of a bundle. Jones stated our mortgage would be on the three Junkermann parcels. Larick stated that is true on our second mortgage; but the existing first is an umbrella on the entire development. Jones stated that was true. Larick stated we have talked about the potential tax revenue; don't know that we have recognized that tax revenue is an infinite revenue source as long as there are jobs of one or 1,000 on any particular property; don't believe I have seen in the documents what the time span expected or identified or obligated in the original statement for accumulation of \$1.275 million in tax revenue is; do you have a number for that as well as recognition that any tax revenue is infinite ongoing revenue source. Jones stated that the agreement states it would be for 5 years starting January 1, 2011; would be a definitive time frame for revenue to be generated on this site

Anderson stated that given that which you shared, if we were to vote it down tonight and the money was repaid, how does this impact that site. Jones clarified that she was talking about the site still owned by VRG but no financial obligations to the City; that would be hypothetical on how they would come up with the money; representative could speak more specifically as to how it impacts them; from my experience working with this organization they don't have \$1.275 million in their account waiting to be paid; they are very wise and smart investors; trying to ensure the investment they made in the property which is over \$7 million they are leveraging and paying interest on as we speak without development occurring; that mortgage would be in jeopardy if they were obligated to pay that money at this point in time; the foreseeable future of those properties would be uncertain. Anderson stated it would not just be those properties but all of Central Park. Jones stated that the one mortgage is tied to all of the properties; not a single property in and of itself; what happens to Junkermann will impact Central Park. Anderson stated if this is voted up the taxpayers, even if it is not paid immediately, will see and recognize in other ways potentially in the future even though it is not a certainty as well. Jones stated that was correct; allows the properties to be more competitive for future development purposes; the entire Central Park development if this agreement were to be extended as well as the Junkermann site which is currently paying taxes. Anderson stated we are getting and realizing some benefit through the taxes. Jones stated that was correct.

Pack stated he wanted to address one thing; heard in the past about people foretelling of apocalyptic events by simply asking for our taxpayers to be paid; think that is totally untrue; it is a legal requirement; we advise other party terms have expired and we ask to be paid; they can say here's your money, they can tell us to pound sand, they can say we can pay you back in incremental terms, the deal can be renegotiated, we can do an option agreement that is a possibility; we have very talented Development Director who can go back in and work a deal where some value is a certainty to be returned back to the taxpayers; by voting an extension down tonight does not foretell an apocalyptic event on Central Park.

A motion was made by McAlister, seconded by Ewald, that this matter be Adopted. The motion carried by the following vote:

Yes	5	President of Council Samuel, Vice President of Council Larick, Ewald, Anderson and McAlister
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No	2	McGregor and Pack
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J. FIRST READING OF ORDINANCES: None.

K. MOTIONS/RESOLUTIONS: None.

L. REPRESENTATIVES:

Community Improvement Corporation (CIC) - Larick/Samuel: No Report.**Mid-Ohio Regional Planning Commission (MORPC) - Anderson:**

Anderson stated there will be no meeting in August.

Bd. of Education, Gahanna-Jefferson Public Schools: Anderson:

Anderson stated everyone is excited about start of school; agenda started out with school and community reports and board reports; system is continuing with Chinese instruction; atypical as we are one of the few districts that recognize it; several human resource issues also addressed; talked today with Dwight Carter; asked that I make sure we shared that registration is today for seniors; will be a dance on 18th and parent orientation; community open house is at 7:00 p.m. on the 22nd and school starts on the 24th; school theme this year is "You Make it Matter"; remind Council that tomorrow is dedication for Clark Hall at 7:00 p.m.

Convention & Visitors Bureau (CVB) - McGregor:

McGregor stated she had sent financial reports from Blues & Jazz Festival; have no further information since then; has not been another meeting.

M. OFFICIAL REPORTS:**Mayor:**

Stinchcomb stated she urges citizens to continue to sign up for CodeRED; over 1400 residents so far; good show for that service; signups are on a continuing basis; can sign up at any time.

City Attorney:

Weber stated he had an announcement to make; after considerable consternation and a lot of angst, I am announcing I will withdraw my name from ballot as City Attorney; have had a 31 year tenure; became City Attorney in 1980; think the City would be best served by having new blood in this office; no one is entitled to have a position for life; think that's where I've been; will admit that part of my DNA is now wrapped up in this position; having said that it is time to move on; would still like to stay involved with the City maybe in some other position; but think it is time; think we have 2 very competent alternatives; called them both last week; talked to Mayor and Clerk and told them what I was going to do; wrestled with this over the weekend but my decision has not changed; what I want to do now is to arrange for a smooth transition; can best do that if I'm not involved in a race for the office; have 4 months to do this; can work with both Ewald and Leithart to answer any questions; will not be a part of the process; would hope my advice would be taken and would not be deemed to be trying to favor my own position; also think it would be wise to have somebody who is more of a 21st century person; having said that it is time to go; wish I had made the decision a little earlier; have thought it through now and want to be in charge of the process; don't want a last hurrah like an aging politician who doesn't know when to go; will be filing my letter tomorrow at the Board of Elections; over the next 4 months will be doing my job as best I can; wish you all well in you various campaigns but I will not be involved.

N. COUNCIL COMMENT:

McGregor stated they have had interesting house guests for the last few days; he is a legislator from South Dakota; his wife is a substitute teaches; he had 30 years in local

government before that; lot to talk about.

McAlister stated he had an unusual weekend; tragic murder in our adjoining neighborhood to the north; was very good friends with that lady's father; our hearts go out to him as he suffers greatly in that loss; been a sad weekend; her father is hoping to find some way to turn this very negative into a positive.

Pack stated he would like to recognize our fine Finance Director who has been recognized by Columbus Business First as a finalist for Chief Financial Officer of the Year.

Anderson stated she wished to add to McAlister's sentiment; also friends with the family; attended a funeral of another community leader from Columbus; seems to bring home that we each have the opportunity to make a difference; we don't know what our days are; bright light is that we have the opportunity to be here and share every morning we wake up to do the best of our ability using our unique gifts and talents; leave you with that; received information from Coalition of 100 Black Women that a new chapter is forming in Central Ohio; dedication and inaugural ceremony on the second Thursday in September; Council members are all invited; believe Mayor's office got invitation also; this is a national civic and community group that does many things; can tell you more about it as I get more details; event will be at Convention Center in Gahanna; always encouraging groups to invest their money in our city.

Samuel stated he wished to encourage everyone to take COTA to Ohio State home football games; safe and easy way to go; last week COTA had their bus rodeo at Cooper Stadium; I had the chance to drive the long bus through the course; did not hit one cone.

O. ADJOURNMENT: 8:00 p.m. - Motion by Anderson.

Isobel L. Sherwood, MMC
Clerk of Council

APPROVED by the City Council, this
day of 2011.

David L. Samuel
President of Council