

City of Gahanna

*200 South Hamilton Road
Gahanna, Ohio 43230*



Meeting Minutes

Monday, August 28, 2000

7:30 PM

Council Committee Rooms

Development Committee

Sherie James-Arnold, Chairman

Karen J. Angelou

Thomas R. Kneeland

Debra A. Payne, ex officio

Sadicka White, ex officio

Members Absent: Sherie James-Arnold

Members Present: Karen J. Angelou and Thomas R. Kneeland

ADDITIONAL ATTENDEES:

White, D'Ambrosio. Visitors: Lelton, Lancia, Press.

CHAIRMAN:

Angelou was elected as Permanent Chairman of this committee.

PENDING LEGISLATION

ORD-0201-2000

TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH THE DEPARTMENT OF LIFE AND EARTH SCIENCES, OTTERBEIN COLLEGE FOR AN ECOLOGICAL ASSESSMENT OF BIG WALNUT CREEK AND ITS TRIBUTARIES IN THE CITY OF GAHANNA

Recommended for Adoption, Consent

ORD-0205-2000

TO ZONE 30.377+/- ACRES, MORE OR LESS, AS L-AR, LIMITED OVERLAY APARTMENT RESIDENTIAL; FOR PROPERTY LOCATED AT 5099-5145 MORSE ROAD; TRIANGLE REAL ESTATE SERVICES, APPLICANT

Glen Dugger stated he was present along with Gary Schmidt, Bob Appel, Craig Boning, and Mark Disabato; couple of questions were raised last week; in response to Angelou's question on right of way on Morse Road, that right of way is in place as a result of the annexation of our properties; the amount we are supposed to do has been done; along the entire south boundary we are obligated by the North Triangle Plan to provide a 30' right of way easement for Riva Ridge connector in case it gets built; Komlanc asked for an additional 10' of right of way for bikeway. Angelou stated she was specifically asking about Morse Road and how that typically works with setback dedication. Dugger stated that in Harrison Pond it was done by a conservation easement to the City; Villas at White Oak also is a conservation easement; property owner takes care of but City has a preservation easement; the 2.7 acres that runs down to Johnstown Road is not part of this zoning; is being used towards the open space dedication; Planning Commission recommended we take that in lieu of fees primarily because that accommodated the Riva Ridge connector; code covers a fairly broad open space and park land ordinance; same open space along Morse Road we've had counted towards open space before; there will be a deed for the southwest corner of the property which is the land that went along with Shagbark development and 2.7 acre Evans house so as to meet the open space requirements; essentially won't be used as soccer fields but as a smaller pocket type park. Angelou noted we buy large pieces like Hannah and McCorkle for active parks. Dugger stated there was not a population mix for this development for soccer; will be people who would enjoy the neighborhood park like Rathburn Woods Park or Bryn Mawr Park; have open space and recreational space with 2 pools, 3 fitness facilities, and a Y almost next door. Angelou stated that the real need for the 2.6 acres is for a potential road system. Dugger stated applicant could keep and City would have to buy if the roadway developed; parks doesn't look at total picture; they are looking at appropriate park space.

Dugger introduced Craig Boning, wetland expert with EMH&T; noted that O'Brien had raised issues about downstream flooding and wetlands; Beem Ditch Creek is part of the

park land dedication; question of use of wetlands as park land was brought up; obviously have Gahanna Woods. Angelou noted Foxwood development where wetlands was tried; mosquitos were an issue; is not much around here; mosquitos don't travel very far. Boning stated that an issue in the past has been areas that have meant to be active parkland; you would not be able to use this as an active park; this would be a passive thing and would tie in to Shagbark in very similar situation; are 2 very small areas of wetlands; is determined somewhat by how much standing water there is on a yearly basis; jurisdiction requirements is 2 weeks worth; has to be on there for 2 weeks to be classified as wetlands. Angelou noted that concern was also raised on drainage; possibility they could be overloaded; don't want it to come back and haunt us; how far away is the closest building. Boning stated the distance is approximately 25' and is 4' to 5' below it along the whole route; planned for parking lot detention in these areas and will discharge into Beem Ditch; is detention not retention with a 2 year design storm post development so you don't inundate existing systems even downstream; goes into Beem Ditch and into Shagbark and downstream; crosses Hamilton towards Evangel Temple. In response to question, Boning stated storm water detention is designed to hold back; are doing on this site; is a requirement of the city. After discussion and review of map, it was decided that Beem Ditch and Shagbark would run down through Academy Ridge; doesn't go down as far as Castle Pines; crosses at Cherrybottom and goes to Big Walnut; was reiterated that they can't put any more off site then now exists. Angelou noted that there are some areas that are supposed to be working well that aren't; want to make sure it works well.

Angelou asked Mitchell if he had changed his mind on fees in lieu of land; since memo was written. Mitchell stated he would go along with what the Mayor has recommended; think in the long run it will be good for Parks & Recreation; but do disagree in the short term. White noted that the land does include a house that would be habitable.

Dugger reiterated the procedure they are currently going through; are working through the Final Development Plan issues concurrently with Planning Commission so we could keep Planning and Council in sync; will be no big long period of time before this would move forward; asked Disabato to go way farther into the process than is required before you signed off on it; is a fairly substantial commitment.

Angelou noted she would poll Committee of the Whole to see whether experts need to be there next week.

Recommended for Adoption

ORD-0206-2000

TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH ADELPHIA BUSINESS SOLUTIONS, FOR PUBLIC RIGHT OF WAY USE; AND TO DECLARE AN EMERGENCY.

White stated we were in discussions for a special contract until such time as we amend our ordinance to include telecommunications as part of the right of way; are 30 days into our needs assessment; thought we would have today but should have shortly; in the meantime Adelphia came to us several months ago and during the transition between Service Directors their request did not receive immediate attention; in consultation with City Attorney could have separate agreement with them until such time it is amended for telecommunications, what types of fees etc. Kneeland asked if Adelphia reported to PUCO or just FCC. Lelton stated that in part we do; those agreements are being worked on; is changing; limited reporting structure to PUCO; we provide everything; will not target residential customers at this point; looking at high line count businesses, Internet traffic, data dedicated services, some long distance; don't know how integral it will be on our network.

Question was asked if the agreement had changed since August 3; would have 180 days

to go underground once the right of way legislation is complete; will be on poles now; are there any kind of fees that would be needed and that they would be subject to. Lelton stated they will primarily be using AEP poles; is a stipulation in the original contract; believe we are in 200 cities now and can count on one hand poles other than AEP. White stated they met with AEP last week and one of the caveats in contract is that they must produce a written document showing permission by AEP to locate on their poles; AEP must go out and document strength of poles and separation and attaching; all needs to be provided to us.

Lelton stated that the documentation we give you will be copies of our make ready request or work order itself; do not enter into contract with them; standard structure they follow; will have document we can forward; we'll be up in the communications zone about 40" below lowest; will meet all height requirements; this is happening all over the place; if there is a problem can set a taller pole or rearrange certain communications carriers to accommodate; is at the same level as cable; they will dictate to us our exact position; as a courtesy normally keep 12" apart. Angelou noted that when the franchise was being discussed with Ameritech, there was an issue of where it was placed on the poles; height of the lines was too low. Lelton stated that cable television companies and Ameritech place a terminal at a pole; serve 5 or 6 or more; individual service lines run to each dwelling; that is not our intention; will take a single cable from wherever it will be to a structure; not placing drops everywhere; no more spider web; initial design is just getting us through the City by building a backbone for our network; sales people will come in at that point and build laterals. Kneeland stated that there are normally included in these agreements provision for maintaining OSHA regulations. Lelton stated it is built into their construction; can provide you our RFQ; our standards adhere to 99% of the Bell core standards; outlines this kinds of communications; Lancia is construction manager for Columbus; am a regional manager for Ohio, Indiana, and Wisconsin; constant supervision. Was noted that another issue when Ameritech Cable came in was sag; cables were too low; was moot at the end. Lelton stated they will be using a strand steel messenger and cable will be lashed to that; 10,000 pound strand; not that much tension on it; sag won't be a problem; with fiber optics we don't want to let it be cut or be hit.

White stated that Adelphia is looking forward to working with us; will be negotiating with us separately for our fiber project; sample project; wanted to keep those two separate.

Discussion held on franchise fees; question arose as to rights for telecommunications. Weber noted he would research. Was noted that cable TV franchising is based on revenue. White stated this also may be revenue driven and not linear feet; when they come back in, depending on what we pass, may be subject to; that's why the opportunities for public hearings; would have to negotiate separately; may not charge; fee we are talking about is for going into right of way and tearing it up; when first came up discussions were we could make money off that; now it is to cover your costs associated with right of way destruction; was not for revenue generation; we can in fact charge them a fee; that was the whole idea; would be funded for having to redo the road more quickly.

Was stated that another aspect was Fishel; they helped us with this agreement; was to do an inventory; will have that at needs assessment time; hope to have in another 30 days; didn't start until August 1. Adelphia requested that Fishel not be included in future discussions; are also in negotiations we have ongoing; feel they have a conflict of interest.

Recommended for Adoption, Consent

ORD-0208-2000

TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH SCHOTTENSTEIN, ZOX & DUNN, FOR LEGAL SERVICES TO DRAFT A MASTER AGREEMENT; AND TO DECLARE AN EMERGENCY.

White stated this was a reimbursement. Kneeland questioned the purpose of this legislation. White stated this was a request for sharing of costs with other communities; is separate from the City of Dublin request for financial aid. Angelou noted that Hogan had requested this be placed on the regular agenda.

Recommended for Adoption

ISSUES FROM Director of Development:**Housing Officer**

White stated that in our CRA's the Mayor is the designated housing officer; over the years things have changed; on actual petition we now have to send to the state it requires that the designated housing officer be a full time staff officer rather than an elected official; at this point ask Council to consider the Development Director position as the housing officer; should be someone who knows CRA's and is involved in that process; would be the position of Development Director, not the person itself.

In response to question, Weber stated he felt a motion resolution to designate a successor housing officer is sufficient for all legislation dealing with a housing officer; can't amend the terms of every CRA to name a new housing officer. White noted that the State had agreed the motion resolution would be sufficient.

RECOMMENDATION: Motion Resolution, Consent Agenda.

Staff Organization

White stated they had 2 resignations recently - full time zoning clerk and part time code enforcement officer; in development we did have a personal secretary position funded for this year but was taken out of 2001 budget; offered the position to someone who turned it down and then Mayor asked us not to fill it; are asking to combine those position and pay at the personal secretary rate; can't get people at \$23,000 to answer phones right and take messages and do the required work.

In response to question, White stated that 3 things have combined to cause current problems; are using substitutes in the form of interns who have been here just over a month and one is a high school student; phones have been busy. Angelou noted that if she was a business calling in, she would stop calling; knowing how it has frazzled me in trying to get through; would not continue to call if I was a business.

White stated they have a candidate they would like to hire who would accept the \$27,000 minimum; secretary range is \$27,000 to \$43,000; are 4 unclassified positions allowed in charter; currently have - Deputy Director, Administrative Assistant and the Secretary would be the third; leaves one vacant unclassified position and would like to fill the Clerk's position with the Code Enforcement Officer; Mayor is now agreeing to full time for this; Charter calls for specific positions and know that Charter Review will look at this next year but can't wait to fill the position. Discussion held on classified versus unclassified; code enforcement is a classified position; can hire in a provisional category until Civil Service can do their procedure. In response to question, White stated that the interns are being used to do the work now; means they are not getting to do the jobs that interns have traditionally done so are still behind in other areas; they are also filling in the Clerk's position until it is filled.

Discussion held on phone system and features it won't do - items like no ability for hold messages so you know you haven't been forgotten, ability to transfer to voice mail once you answer, voice mail per person instead of per department, etc. Kneeland suggested bringing the concerns to Communications Committee for future discussion; since we will be looking at phones for the second floor renovation, this would be the time to talk about it.

White stated concern with hiring part time people, creating full time position and part time personnel would not get the job. Angelou stated that was a risk they take. White noted that you have invested time because they have to be trained to do code enforcement and then you may have to start over. Was generally agreed that a full time code enforcement officer is needed; is a bad job; people do tend to be mistreated by public who never have anything nice to say; is a difficult job. Zoning Administrator is classified; that's important; is an ongoing process that is needed within the community for the life of the City.

Weber stated that the Code Enforcement Officer is not an unclassified position; hire someone on a provisional basis, they can take the test and would need to pass it; will make a better person for that job.

In response to question, Sherwood stated that Development Department should get together with Civil Service for a time line; can hire provisional for 6 months and feel that the Civil Service process could be complete by the end of the year if started shortly.

RECOMMENDATION: Create full time Code Enforcement Officer as a classified position. Work with Civil Service to complete the process.

Upcoming Events

White referenced her report which lists upcoming events for September; note specifically CIC which is scheduled for September 11 at 5:00 p.m..

ISOBEL L. SHERWOOD, CMC/AAE, Clerk of Council, reporting