



City of Gahanna

200 South Hamilton Road
Gahanna, Ohio 43230

Meeting Minutes Committee of the Whole

Nancy R. McGregor, Chair
Brian D. Larick
Karen J. Angelou
Merisa Bowers
Jamie Leeseberg
Stephen A. Renner
Michael Schnetzer

Krystal Gonchar, MPA, Clerk of Council

Monday, April 12, 2021

7:00 PM

Virtual Meeting

Meeting call-in details:
Tel 513-306-4583, Conf. ID No. 718 031 450#

* Due to technical issues, no audio is available for the video recording in Legistar.

A. CALL TO ORDER

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

B. DISCUSSIONS

ITEMS FROM THE DEPARTMENT OF ECONOMIC DEVELOPMENT:

[ORD-0022-2021](#) ORDINANCE AUTHORIZING AN AGREEMENT WITH TAYLOR INDUSTRIAL PARK, LLC, FOR TAX ABATEMENT FOR PROPERTY LOCATED AT 6579 TAYLOR ROAD; PARCEL ID NO. 025-000008; PART OF COMMUNITY REINVESTMENT AREA #1.

Mayor Jadwin announced that Nathan Strum has accepted the position of Director of Economic Development, to fill the vacancy left by Donna Goss, who left to pursue work at The Ohio State University. Strum will be joining the city in May but was invited to attend the committee meeting tonight. Strum has served as the Executive Director for Grow Licking County for the past 5 years; prior to that he worked in the development field in Pittsburgh; has been doing a phenomenal job in Licking County; he is also the President of the Mid-Ohio Development Exchange and well connected in the Columbus region; excited to have him join our team.

Jennifer Syx, Interim Director of Economic Development, provided a summary of the Report to Council (see attached): stated that this request is from Robert LeVeck; this project is for approximately 193,000 sq.ft. of flex office and warehouse space; the developer is currently planning to build these on spec but the city receives frequent calls and interest in this type of development; this will not be speculative for much longer; requesting 100% for 10 years for tax abatement relief and property tax improvement; the city will share 50% of income tax generated by the development; will bring in 65 full-time positions and estimated payroll of \$3.6M; LeVeck has already began working with Planning; talks of constructing additional buildings on that site; this is a very popular prototype. LeVeck stated that we are excited to continue progress off Taylor Road; almost completely full; just a few small units left; happy to be creating additional jobs.

Bowers said last year we talked a little bit about a road plan about expectations set for properties that would receive abatements; things such as green or LEED sustainable certified; asked if they can give us insight into those types of green initiatives that will come along with this development. Syx said last year the city instituted a Clean Energy Initiative, which allows for more energy efficient measures to be installed in new buildings but also to renovate existing structures; also talked about walkability and pedestrian friendly; there is some connectivity now; looking at traffic control measures out there as well; will see more formality on those measures this year.

Council discussed the location of the site, and LeVeck clarified that there's still 5 acres on the corner, that this would sit closer to the west but will have a secondary entrance off Eastgate Pkwy. McGregor asked if that 5-acre parcel is the property left to the city, left in Junkermann's will. LeVeck said no, that's located somewhere else nearby; said the drive will be on the north side.

Recommended for Introduction; Regular Agenda.

[ORD-0025-2021](#)

ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A DEVELOPMENT AGREEMENT WITH CRESCENT AT CENTRAL PARK LLC, CP CRESCENT LLC, AND ANDRE M. BUCKLES, TO FACILITATE THE DEVELOPMENT OF A MIXED USE PROJECT ON 41.0+/- ACRES LOCATED IN THE CITY GENERALLY TO THE SOUTH AND SOUTHEAST OF AND ADJACENT TO THE INTERSTATE 270-HAMILTON ROAD INTERCHANGE, AND THE DEDICATION OF 34.0+/- ACRES LOCATED TO THE SOUTH THEREOF TO THE CITY FOR USE AS PARKLAND; WAIVE SECOND READING.

Jadwin explained that this agreement has been months in the making;

discussions began in October of last year when the rezoning request went before Council; reviewed impacts to the City and schools; was last at Committee on 3/22/2021; included is a provision that designates 4 acres to be used as office space only, for the next 7 years; a provision prohibiting multi-family development for the next 40 years; timing around the transfer of 34 acres for parkland. Syx recapped the financials, included in the attached agreement; school will not be impacted by this TIF; also creates a New Community Authority.

Jadwin said they are requesting a waiver due to the construction window now opening, so time is limited; no vertical construction is anticipated in 2021, but there's a lot of groundwork that needs to occur before that; will still have 30 day waiting period as no emergency is requested, but will allow the developer to lock in construction prices; we are receiving a lot of interest on this property; the additional growth that will result as part of this is exciting.

Larick asked about Section 6, regarding the NCA; there is a hard cap of 5 miles as a maximum; don't expect that a max will be used but expects the max to be at a higher level; mileage will be set by the NCA; would expect a higher rate; there is a hard stop at 10 years for residential, would expect renewals if not eliminate altogether those hard stops. Syx said those can be addressed when NCA moves forward. Larick concerned about this legislation going forward without those numbers being changed. Aaron Underhill, attorney for Larry Canini said those NCAs are voluntary under Ohio Law; client not asking for any of that money to reimburse infrastructure costs; given where Gahanna is with its total mileage, once the abatement burns off, adding another 5 miles would keep this site competitive; have put a lot of thought into these numbers. Canini said the CRA is not 100% for 10 years, it's 80%; property tax will still be levied.

Schnitzer asked Syx to clarify that this document is the appropriate place to discuss reimbursement to the developer. Syx confirmed. Schnitzer asked if anything in here discusses conditioning the reimbursement to certain uses. Syx said they took a long hard look at that request and feels that this project is in line; have not taken any other restrictions to legal counsel. Schnitzer said he feels misled that those items were said to be explored and yet are not included; if they want his support then they know what is required. Jadwin said they spent substantial hours discussing this and included outside legal counsel; this is straight forward; there are other ways to address concerns, such as through zoning. Schnitzer said he believes the record will support that there were emails and conversations that if we would just pass this then we could take a look at those items in the future; yet they are now absent

in the agreement; was led to believe that his asks would be considered and implemented. Jadwin said there was a provision added, to limit 4 acres to office space only, for a period of 7 years and to restrict additional multi-family for a period of 40 years; said he wanted additional measure explored for beyond that period, which was explored. Schnetzer said all a developer must do is wait out the clock and then build what they want; concerned with income tax being too low for other uses; two highest valued uses he can think of are office for income tax and hotel for bed tax. Jadwin said it would not benefit the developer to sit on the property for 7 years because he would not get money; markets change; looking back two years ago, flex space was not a high commodity like it is today; office space was a premium two years ago and yet not today. Schnetzer said he does not want to subsidize the lower value options; that is essentially what they would be doing here with infrastructure; will not be in support unless there's a claw back provision. Underhill said he is disappointed that Schnetzer believes there's been a bait and switch; has gone above and beyond for this project; if there were going to be some big retail center then it would have gone in by now; that is not Canini's intent; this is an investment in the area and will be more attractive for medical office space.

Bowers asked if the deed restriction on multifamily will impact anyone who owns the property from subsequent development. Underhill confirmed. Bowers said one of the concerns they had around multifamily is the issue of how income tax is structured in Gahanna, with 100% credit for taxes paid outside of Gahanna; without creation of jobs then the development could create a revenue deficit; the concerns were not meant to prohibit any residential use, but to prioritize use that would generate revenue; a 40 year prohibition on multifamily does not address the root issue. Underhill said they tried to do this because they believed that council would not support multifamily. Bowers said she appreciated the effort, but it is perhaps an oversimplification; believes 40 years is a long time. Jadwin asked what she would like in the agreement. Bowers said she would like to ensure that the rest of the project be developed the way it was conceptualized; overall just wants to make sure there are tools that align our interests; a deed restriction on a future owner 40 years from now does not align our interests; trying to get to the "why" behind it; there is a housing shortage in the area. Underhill said the deed restriction was effective immediately and for 40 years. Bowers confirmed.

Larick said the 40-year restriction is on all of the land west of the watershed. Underhill confirmed, said they were stacking on top of each other as it relates to the 4 acres. Larick asked what the value is of the 4-acre restriction. Underhill said for 7 years development is restricted to office space. Renner asked Jadwin to repeat the reason behind the

request for a waiver; is apprehensive due to the complexity of the project. Jadwin reiterated that they have been discussing this project for the past 5-6 months so this is not the first discussion on the topic and due to the construction season that is now upon us; if no waiver, this would not be voted on until May. Renner said he is still shaky on the waiver but thanked her for explaining again.

McGregor commented that as far as the NCA, Council did not ask for that and the developers did that on their own; no issue with the parameters set forth; asked about sidewalks and if those are included in the plan or does that come in further down the road. Underhill said new streets would include streets, gutter, sidewalks, trees, etc.; that was the intent; will go before Planning Commission as well and that will be included. Larick said an NCA is a legislated contracted organization allowable under Ohio Revised Code; it is not a handout from the developer; will have resources available to benefit the city and developer; wants to change the value from 5 mils to 9 mils, but not suggesting the minimum start out at 9M. Underhill said seats at the table will be negotiated as well; concerned that the developer would be left to the whim of the board; doesn't want to inhibit the marketability of the site. Bowers said to reiterate, her concerns with the deed restrictions are similar to Larick's; unsure how deed restrictions are terminated; asked Mr. Ashwari to explain. Ashwari said that deed restrictions can be terminated the same way they are created; because the city is the beneficiary, they can at any time remove those by council action. Underhill confirmed. Larick asked what the path forward is; said that roughly on a \$1M evaluation, the difference between 5 mils and 9 mils is about \$1,200 per million.

Canini said this has been debated for a long time; these discussions were even part of the rezoning request; does not sense that there's full support from council; believes there's some confusion about what a TIF is and where the funds come from; Syx sent out a request for comments and questions and only one was received; dismayed and angry that this continues to be debated; asked Underhill to formally withdraw the request because he does not believe there is any progress being made; losing money due to not having a definitive date for when sites will be ready; reminded them that for Buckles Court North, there was no ask for money for the infrastructure; asked for no TIFs; voluntarily removed SCPD zoning and made it all office; were looking at the global picture of the project and looked at how we could be competitive; the city's development team and my team came up with great ideas and a good project; cannot continue to put clients through this ever changing process; at this point would like to withdraw and move forward without any help from the city.

Angelou stated that this project is meant to be there; has been going on for 4 years; this is upsetting that Canini has worked hard on this; now it's time to move forward; had no questions on this; if we can't trust these people then we are never going to have anyone do anything on this property; at one point a Bass Pro Shop was going to go in but that never went through; everyone around us is moving forward with development; is ready to vote; wants to move forward; we had questions but they were answered; does not know if it's possible to address Larick's concern of raising from 5 mils to 9 mils, but understands that's the best that could be done; and council never even asked for that money; does not know if anyone else agrees but most of these have turned out well; let's let Canini and Underhill get ready for this which will be good for our community.

Renner stated that he understands the anger and frustration of Canini, but he has not heard of anyone else wanting to kill the project; is for the project, but just hears questions from his colleagues; asked Schnetzer if he needs restrictions past the 7 years on those 4 acres. Schnetzer said it has been a long time coming to get to this point; there are various concerns out there; appreciates Bowers' statement about alignment; a superior approach to ensuring highest and best use goes in this area is not so much about writing in restrictions and prohibiting certain things; but rather to reserve subsidies for those higher and best uses; the overall development has been piecemeal in nature. Renner said he appreciates the response; hopes Canini changes his mind about pulling this; believes this is the best and highest use for the property.

Leeseberg said he is frustrated; we postponed the public hearing, just to get to a 6-1 vote; as Angelou mentioned, this has been undeveloped; we can't guarantee office space for the future given the current state of the pandemic; office space isn't what it used to be; we have 9 houses for sale in the entire school district, we need residential; the developer backed off the residential component per council's request when it's badly needed in the area; bed tax is also not all that it used to be; those are minimum wage jobs; it's not just the hotel, but the event center space as well; we need customers; Creekside struggles because there is no residential down there making customers; we have all these experts saying this is the way to go; we have Planning Commission voting 7-0 on these projects; let's let the experts do their job and get something built in this town. Bowers said she hears 3 asks; increase the maximum mileage on NCA; have some clarity on the deed restriction in paragraph 9 on exhibit c to include that those restrictions can be removed by legislative action; concerns regarding waiver; just hearing some fine tuning. Canini does not want to continue to waste resources of the taxpayers; does not see an end to the asks for adjustments; those should have been asked 5

weeks ago.

Underhill said he needs to follow the request of his client and withdraw the request for legislation. McGregor said she has no concern with the waiver. Leeseberg said they just gave a waiver to their own Parks Department for playground equipment; this is not unreasonable to ask. Underhill said unless Canini reconsiders he must pull this. McGregor asked Canini to reconsider and let us get this to a vote. Jadwin said that it's unfortunate that Canini got off the call because she wanted to thank him and would request that he not withdraw; shares his frustration; this project has been going on for months under this administration; from the time it was presented Oct. 5, the developer addressed all concerns brought up; this agreement is about as straight forward as you can get; a non-school TIF with no impact to them, a new community authority volunteered by developer, a CRA; this generates income to the city; tries to assemble a phenomenal development team and yet development is so difficult in this city; our goals are the same to benefit the residents and the community; the development community is watching this project; the last time we had a development of this scale was Creekside; everyone around us understands the transformative nature of this project; every city around us is developing; this is a quality project from a developer who is invested in the city; this agreement gave the city some control over the development.

McGregor said she is comfortable putting it on the agenda with a waiver. Leeseberg said he does not believe that can be done unless Canini agrees. Renner concurs, would like to see this moving forward; let's put it on first reading if Canini wants to move forward. McGregor said Creekside had similar disagreements; this is so different from then; even back then it was a 4-3 vote; this process has been different in that the developer addressed their concerns. Bowers said there has been great discussion tonight and agrees that the developer has worked with us; hopes that Canini reflects on the positives during this process; some of the questions regarding deed restrictions are new because back a few weeks ago that was not part of the agreement; these seem like minor details that have been brought up; wants to remind everyone of the 6-1 vote at the rezoning. Underhill believes the changes are easy to make. Canini messaged him and said he is good moving forward with commitment that it will be voted on if you can move forward with the waiver. Leeseberg said a waiver is important for construction purposes; if not bidding soon, then you are forced to take the higher bids; if they lost this construction season, they lose a year. McGregor said they are not asking for an emergency, just a waiver.

Recommended for Introduction, Waive Second Reading, Adoption on next Regular Agenda.

ITEM FROM THE DEPARTMENT OF PUBLIC SAFETY:

[ORD-0024-2021](#) ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A SCHOOL RESOURCE OFFICER (SRO) CONTRACT WITH GAHANNA JEFFERSON PUBLIC SCHOOLS (GJPS) FOR THE 2021-2022 SCHOOL YEAR.

McGregor asked if this is a standard contract that has been done before. Jadwin confirmed; just an increase in officer costs. Chief Spence said the city picks up the total cost of the 3rd officer; the contract increase is little less than 4% for this upcoming school year from last year. McGregor said this is a great program and hears regularly how good the officers are.

Recommended for Introduction; Next meeting Consent.

ITEM FROM THE OFFICE OF THE MAYOR:

[ORD-0023-2021](#) ORDINANCE TO AUTHORIZE A SHARED SERVICES AGREEMENT BETWEEN THE CITY OF GAHANNA AND CITY OF NEW ALBANY FOR MAYOR'S COURT SERVICES AND TO DECLARE AN EMERGENCY.

Jadwin said this is a proposed agreement between New Albany and Gahanna Mayor's courts; these discussions began two years ago under the previous administration; New Albany would contract with Gahanna for processing court in our building; we will be responsible for administrative tasks while New Albany remains ticketing and policing; timing this to go into effect on July 1 and for a 3 year period. Amanda Parker, Clerk of Courts explained the logistics; said it would not have much impact on city hall; would hold Gahanna court during the morning and will have a later afternoon session for New Albany; will remain on Thursdays only; will not require additional staffing. Jadwin said that municipalities have been encouraged to pursue shared services; this is a cutting-edge agreement and a win-win for both cities.

Angelou asked about the yearly or monthly case load for New Albany. Parker said they have around 1,100 cases for last year and by comparison Gahanna had over 4,000. Leeseberg said when we talked about combining dispatchers we talked about the benefit of sharing staff; is there some availability for overlap for magistrates. Jadwin said she believes that would be the case.

Recommended for Introduction; Next meeting Consent with Emergency.

C. **ADJOURNMENT**

Meeting adjourned at 8:51 p.m.