

City of Gahanna

*200 South Hamilton Road
Gahanna, Ohio 43230*



Meeting Minutes

Monday, January 14, 2008

7:30 PM

Council Committee Rooms

Committee of the Whole

Thomas C. Evers, Chair

Beryl D. Anderson

Shane Ewald

Thomas R. Kneeland

John McAlister

Nancy R. McGregor

David L. Samuel

Members Present: Thomas C. Evers, Shane W. Ewald, Thomas R. Kneeland, John McAlister, Nancy R. McGregor, Beryl D. Anderson and David L. Samuel

Additional Attendees:

Angel Mumma, Tom Weber, Mayor Stinchcomb, Clerk Sherwood, Tony Collins, William Murdock, Jerry Isler, Karl Wetherholt, Chief Murphy, Terry Emery, Press.

PENDING LEGISLATION

ORD-0014-2008

TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT FOR THE SALE OF LAND PREVIOUSLY DESIGNATED BY THE CITY AS EXCESS LAND AND KNOWN AS 4545 EAST JOHNSTOWN ROAD FOR THE AMOUNT OF \$35,000; AND TO DECLARE AN EMERGENCY

Evers called the meeting to order.

First item is the Ordinance for 4545 E. Johnstown Rd. Clerk said it was introduced on Jan. 2 and brought forward by engineering; all legislation was recommended to come back to committee from the end of the year. Wetherholt said there is nothing new on this; land is beside Riva Ridge Ct; it was purchased for Riva Ridge Ct. and it is a triangle shape; as such it is not valuable; the adjacent property owner Mr. Shively wants to buy it; appraiser's report says it is worth \$5,000 stand alone or \$45,000 attached to the adjacent lot; we decided on a compromise price of \$35,000 for the purchase price; a side benefit is the property owner has to extend the sewer so he has that expense; we can pickup the extension and take it further east and we don't have to maintain his part. Kneeland asked how does the extension work; we were held up by money and uncertain how it would go with the township water and sewer; so now we get someone else to put in 20%; good for us; would like to know did we gain any ground on unserved property? Mayor said yes; know it is selling at a low value; but goes back to the platting process and how it is divided and zoned; is it attached now? Wetherholt answered no and by itself, unplatted, parceled out; a buyer has to attach it to one parcel to benefit. Ewald asked if there is a time limit for the sale built in. Wetherholt said not a contract; this is a flat out sale so no time requirements; we are not requiring him to do anything and he doesn't require us to do anything; but it has no value to us. Ewald said but he is required to put the sewer in. Wetherholt said only to develop it; just a straight up deal. Kneeland clarified that there is no mandate or timeline for sewer but he can't develop until he does take care of that; should we have a timeline and, say a year, be certain? Wetherholt said on what basis could we do that; no hold up on our part; if wants to do anything he has to do. Evers ask if would be rezoned; contingent on the City allowing rezoning to medical office.

Recommended for Adoption, Consent

ORD-0015-2008

TO ACCEPT THE ANNEXATION OF 2.523+/- ACRES FROM JEFFERSON TOWNSHIP TO THE CITY OF GAHANNA, OHIO LOCATED AT 5201 AND 5221 MORSE ROAD; REQUESTED BY PIERCE PARTNERS, LLC, BY AARON M. GLASGOW, ATTORNEY

Evers said next is to accept the annexation for 5201 Morse Rd. Clerk said the end of the 60 day hold for this was up December 30; first reading was held January 2; asking for a recommendation for adoption; there are two properties on Morse east of Sterling Pines; Pierce Partners owns a third property and they will be zoning all of them together; do have notice from the Zoning Administrator that a zoning application is on file and we do have a signed deed for the required right of way.

Recommended for Adoption, Consent**ORD-0016-2008****TRANSFER OF FUNDS - Various Accounts**

Isler stated this is for the salaries that are in the holding account; now that all the salary ordinances have been approved need to distribute to the various accounts; this is not additional money; we are just moving the money to the proper accounts.

Recommended for Adoption, Consent**ISSUES - From Clerk of Council:****Accept Parkland, Gahanna Grove**

Clerk noted the Gahanna Grove development was started several years ago; zoned in several increments over a 2 to 3 year time frame; was asked to wait until all zoning was completed until accepting the park land; realized last year that this process was never completed; worked with their attorney over a several month period including the need to obtain a subdivision without plat for the property before it could be deeded; all work has been completed and the land was dedicated to the City in November; this completes the park land dedication requirement for Gahanna Grove and am asking for our standard acceptance legislation.

RECOMMENDATION: 1st reading, no need to come back, 2nd reading, consent agenda.

Boards & Commissions Reception:

Clerk announced that our annual Board and Commission reception will be held from 5:30 pm to 7:00 P.M. 31 at the Gahanna Golf Course on Ridenour Road; Council is hosting; Mayor, City Attorney, and all board and commission members who served last year and will serving this year have been invited. McGregor noted we have done this for a couple of years now and is a good way to meet with the volunteers and recognize their efforts for the City.

Clerk asked for permission to put resolutions on the agenda for those members whose terms are up and are not serving again.

RECOMMENDATION: Resolutions, consent agenda, to be presented at Reception.

Legistar Demonstration - New Feature:

Clerk stated there is a new feature in Legistar. Showed web page on screen and as you go to the individual ordinances note the attachment line in the lower left of the screen; has always had the legislative file text; now if there is an attachment to the legislation it is also there; will take cooperation of department heads in sending me the information and will be discussing that in staff meeting tomorrow; specifically showed ORD-0002-2008 which has the legislative file text as one attachment and the legal description and survey map of the property as a second attachment. What you see in Legistar now matches your paper copies. Clerk noted that the intent is that in down time this year we will go back and add the attachments for the legislation approved last year; may take quite a while as we will be short staffed but the attempt will be made to complete this; please call if you have any questions regarding this.

ISSUES - From Development & Parks Committee:

Amendment to the Gahanna Area Chamber of Commerce Lease:

Evers stated this is being brought forward from Ewald's committee; was discussed briefly at the end of Service Committee as we had some additional time. Murdock stated Chamber is in a current lease with the City for property at 94 N. High; want to adjust from that lease to Granville; current lease goes through 2022; City can then use the land for other purposes; Chamber is in support of co-location; just want some guarantee; it is about cost; currently pay approximately \$850 in utilities; however, is not an ideal place; do have 17 years remaining and wanted some protection concerning the \$850 that is basically their monthly cost; would like to see some amendment to the lease so they have some protection. McGregor asked if they were tied to the \$850 for that time. Evers noted we would need to find comparable space for that amount. Mayor stated she had concerns for 14 years at that rate. Murdock stated the way it was worded they wanted us to guarantee space of a comparable size and cost; felt it was feasible to do a new lease; will cost more at 181; lease does say comparable. Anderson stated she was not comfortable with the paragraph concerning the guarantee and asked Murdock to read it. Murdock stated that the rental expense shall be comparable to most recent. Mayor noted that the next paragraph notes that any new space obtained for them shall be comparable to the most recent lease terms with CIC; feel that addresses the issue. In response to question from Kneeland, Evers noted the current sub-lease to Chamber from CIC is \$850 for 2 years; at the end of that 2 years CIC can raise that rent. Kneeland asked if we were looking to subsidize them. Anderson stated it should be at fair market value at that time; what if it doesn't go up; is it definite for every 2 years; in looking at this nothing seems to allow for inflation or fair market. Kneeland asked if something changes in the lease is the City on the hook to subsidize. Weber stated it says at comparable expense. Evers stated that if the CIC would force the Chamber out, then whatever they are paying at that time would be comparable. CIC and City would help them find comparable space. Samuel asked what would happen if we couldn't find space. Murdock stated the Chamber is putting the issue on the table; they have a lease and we are asking them to give it up; need some guarantee since they are giving up the \$1 a year plus utilities, taxes and upkeep which is considerable. Evers stated it does work out for all involved. Kneeland stated that in 1997 we pushed the issue and membership was stagnant; needed growth space; they were to look beyond that; was a leadership change; have all turned over; point is that due diligence was done; am not worried; still have to try to make sure we don't have risk and exposure. Kneeland stated that Isler had a good point about expenses going up and they are not going to improve the building. Evers noted that CVB, Chamber and GEI will be in the same space and sharing some expenses; Chamber should see a decrease; if Chamber is forced out then something would happen to GEI and CVB also; we would also have to help them; moving in as a group and should something happen they will move out as a group. Kneeland stated he was OK with it. Weber noted that Section 4 explains what Section 3 means and governs. Anderson stated she was concerned with the word guarantee; what about good faith effort; guarantee is a strong word. Weber stated that nothing about it we are breaking; no legal options that they won't sue us; would need to locate space near Olde Gahanna. Evers stated that if something happened we could look in a broader net; keeping everyone in Olde Gahanna would be desirable; bottom line is the Chamber has asked for our guarantee; support good relations but need to make whole lease that will go to 2022. Kneeland stated our experience is that the expenses are greater in the building they are in now; possibly instead of comparable could say reasonable; we are talking about 800 square feet in 2 offices and 2 years from now; not a great deal of space to be able to find if they are out in 2 years if they lease somewhere else. Kneeland stated that is the exit strategy. Murdock stated we can switch word to reasonable; Chamber has not approved it yes; have given verbal approval of this document; will need to run this

minor change through them if it is Council's pleasure. Evers stated he would like to see us make the revision, take it to the Chamber and put legislation on for first reading while it is being reviewed. Murdock stated he could get it to the Chamber this week but may not have comments back. Mayor noted that this item had not requested legislation but was for discussion only. Evers stated if we could get Chamber approval this week could give it first reading and ask for waiver and emergency at next meeting; they could get all moved in in February. Murdock stated Chamber can vote through e-mail so it is possible we would be able to get something to us; will need to look at adjusting the time frame. Samuel asked what if they are not amenable to using reasonable instead of comparable; can we go forward. Weber noted that CIC has a heavy public membership; is a risk that the City will bear some potential liability but it is not going to hurt the City. Murdock stated he will change comparable to reasonable and send it to the Chamber and have them vote so we can do so on Tuesday.

MONITOR:**2007-0060**

Monitor Items:

- 1) Wireless Communication Legislation
- 2) Winn Properties

Evers asked for a Winn Properties update. Murdock said most are now in compliance; we issued citations a week ago on those not in compliance. Evers asked if Development was looking at all property managers. Murdock said yes.

Clerk asked if the 2 monitor items should continue for 2008. Evers stated he would like to see wireless communication only stay on for monitor.

DELLA BRANDENBERGER & ISOBEL L. SHERWOOD, MMC, reporting