

City of Gahanna

*200 South Hamilton Road
Gahanna, Ohio 43230*



Meeting Minutes

Monday, April 25, 2011

7:00 PM

Council Committee Rooms

Finance Committee

Beryl D. Anderson, Chair

Shane Ewald

Brian D. Larick

John R. McAlister

Nancy McGregor

David L. Samuel

Isobel L. Sherwood, MMC, Clerk of Council

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

Additional Attendees:

Tony Collins, Terry Emery, Karl Wetherholt, Mike Andracko, Angel Mumma, Jennifer Teal, Kristen Treadway, Brandi Braun, Mayor Stinchcomb, Anthony Jones, Leah Evans, Brian Hoyt, Isobel Sherwood, Tom Weber, Chief Dennis Murphy, Tom Kneeland; Ron Jones, Jill Tangeman, and Jason Christoff representing Fifth Third Bank; Greg Mantor, resident; Shawn Bunt and John Oberle for JP Morgan Chase Bank; Press.

PENDING LEGISLATION:

ORD-0086-2011

TO REZONE .222+/- ACRES OF PROPERTY AS CC COMMUNITY COMMERCIAL; SAID PROPERTY LOCATED AT 470 HAVENS CORNERS ROAD; FIFTH THIRD BANK, APPLICANT.

Anderson called the meeting for Monday, April 25, to order; said the first item is pending legislation to rezone .222 acres at 470 Havens Corners Road for Fifth Third Bank.

Jones said the people from Fifth Third are here to answer any questions that Council may have; they acquired this strip of land from the church next door to provide an additional access point; it was approved at Planning Commission and it matches the use in the FDP (Final Development Plan).

Ewald said I went through the notes from Planning Commission and looked at the adjacent property on the east side in the back and saw the challenges here of ingress and egress; my question is why make this roadway. Tangeman said we are really just trying to make a bad situation better because the median is going in; this may not fix it, but this potential access will make the best of a difficult situation. Ewald said why not do this on the west side of the property. Tangeman said we discussed some options there like re-striping, but there were issues that affected the residential area. Wetherholt said the plans for this were reviewed every step of the way and we are in accord with them; the plan is all in compliance with requirements. Ewald said it is a difficult corner.

McGregor said (looking at the map) is this 2 lanes; it narrows as it goes down Havens Corner Road. Wetherholt said by the new access point, it is 4 lanes, 2 each way.

McGregor said I have a landscape question; you had said the trees lost would be replaced by an equal number; there are 16 and only 12 replacement; also I wanted to know the salt tolerance for this species of trees; is this a sub species that would be more salt tolerant because my research is not showing that. Christoff said we should not have a problem with salt tolerance for these trees; they are just like many other roadway trees we have used except they are a little more upright which was approved to overhang the roadway. McGregor said I have read about the salt effects on trees this close to the road and I wasn't sure that had been looked into; another question I have is with the Crown Vetch being using for ground cover. Christoff said there is Crown Vetch that is native and non native; some it has become invasive; but it is used for erosion control and works well for that. McGregor said I read that it is not being recommended for use anymore. Christoff said our experience with this as ground cover has been very good; the shallow roots take hold and it spreads quickly and effectively. McGregor said is it in the retaining wall. Christoff said no; it is on the slope. Tangeman said the landscape plan will be finalized with the Planning Commission so the City can see what is final. McGregor said so the extra trees will be addressed. Christoff said is it ok to plant them in another area (shown on map) as 4 down below. McGregor said sure; we just wanted tree for tree; it is a very creative plan; who knew a road would fit there.

Recommended for Adoption, Consent**ISSUES - From Public:****Use of Estate Tax Funds - Greg Mantor**

Mantor said thank you for letting me come talk to Council; my parents have passed away and money from their estate came to Gahanna in the form of the estate tax; I talked to various people about this and decided to ask you to use some of the funds received from them to purchase a memorial bench and tree in a park; I felt it was important to do something, and since Gahanna came into these funds and will benefit from them it would be appropriate to ask for this to honor them; I have talked to Collins and he suggested this be done in Hannah Park; so I am here tonight just asking for this to honor my folks. Ewald said do we have any parks that are slated for benches to be added. Collins said we have been working on the idea of a memorial garden at Hannah Park so we thought it might be appropriate to take this contribution and do this exact thing. McAlister said I think it is a great idea.

Samuel said so is additional money being donated specifically for this.

Mumma said we received the estate tax earlier this month; that payment from Mrs.

Mantor's estate, as well as some others, was in the amount of \$221,000; the City would need to do a supplemental request for \$2,500; then pay the money from the supplemental to the Park's Foundation who could then in turn purchase the requested memorial items; that would be the process. Anderson said is that the normal process for a request like this. Mumma said yes. Mayor said it is important to note that the tax money is not being earmarked; we are impartial; Mr. Mantor is making the request to the City for a memorial and we are trying to honor his request in the most appropriate way; this is the process we would then follow rather than have the City pay for it directly. Samuel asked if this has ever be done before. Mumma said no, but no one has ever requested it before. Samuel said so we would possibly be setting a precedent.

Weber said if the City wants to make a contribution in memory of these people that is fine; but that concept cannot be mingled together with the estate tax received; we get X amount of dollars from the estate tax for our use; if the tree and bench are a valid public purpose, we should purchase them; because we got the estate tax should not be the reason for the purchase; the parks recommendation is nice for Hannah Park, but I am concerned about tying the memorial purchase together with the estate tax we received; we get that money irrespective of what we do with it; if Council ok's this purchase it is not because of the estate tax; it is ok for the City to give money to the Park's Foundation; but because we got money in the form of estate tax should not be the basis for spending for this.

Anderson said I am not clear on if we have a process in place to donate to a non-profit; even if no one has asked before. Collins said Mr. Mantor approached us with this request; we thought about it, and because it had not been done, we had Mumma check the Auditor; suggested we look at it by funding with a percentage which is an issue that has to then go through Council; Mrs. Mantor's estate tax paid was over \$50,000 so the end amount would be about 5%; the administration did a review and we could not find where this had happened before; so I would say it is a policy we are setting. Samuel said I would like to know the Mayor's stand on this. Mayor said I have met with them and I am supportive of this; the estate tax may expire soon; the amount is less than 5% of funds received; and it could only apply to a few cases. Larick said so you created a set of criteria. Collins said with this as 5% we have to look at the time required over the amount requested; I am satisfied with it; then by making this type of donation to the Park's Foundation it became a charitable contribution; it is not a definite criteria for a policy; personally, I agree with it; that is why it has come to Council.

Ewald said would we be installing benches in Hannah Park anyway. Collins said yes; we do have a place for this in Hannah Park, as well as the planned memorial garden there

sometime in the future. Anderson said yes but this has a specific purpose. Collins said everything we do for the folks in Gahanna is for their purpose.

McGregor said if this was something out of the ordinary or unusual like a statue I would have a problem, but benches and trees, even with a plaque; we do that all the time; it is not that unusual and I think it is a great idea.

Mantor said I am not asking for much; I am happy Gahanna came into the money because of the estate tax and I am glad it went to Gahanna; this is just a nice little thing to do; I am not trying to set a precedent and if the estate tax is going away the precedent would go away anyway; it is not a statue, just a little bench with a Redbud tree; thought you could handle this easily.

Larick asked Collins how are Foundation requests funded now. Collins said by private contributions from donors.

McAlister said I am pleased you came to make this request; no one else has ever done this and I wish that they had; it is nice that what your parents did gives us this estate tax so I am for this 100%.

Anderson said much about this is laudable; it is just the process we need to think about as well as look at the criteria from Collins; and the estate tax may not go away; so we do need to think about it in terms of the end goal.

Weber said you are still not doing it so it is separate from the estate tax; it sounds like we are dedicating 5% of this person's estate tax directly to a memorial; we must indicate the proper use and flow of the funds; if we are making a donation to the Foundation that is ok; but it is not tied in with the estate tax money and really has nothing more to do with it; do not say you got \$50,000 from the estate tax ergo we are doing this; do not mix them. Anderson said we may or may not have an estate tax in the future to cause a similar situation. Weber then just make the decision based on the merits of this case; I have voiced my concerns to you. Anderson said do you have criteria you would suggest. Weber said we would just have to view the merits of each case; here it is just a bench and tree. Anderson said my concern is the next person; they may want something like this for their aunt or uncle or children. Mayor said this is getting convoluted; in my opinion if another individual left another gift and wanted this gift to do the same thing; we could again make a donation to the Foundation and I would continue to support it; we have to come to Council to move money; this is not a horrible precedent to set. Ewald said I support moving the money to do this; it is not costing that much; what do we need to do to move forward. Sherwood said you need to authorize an ordinance for a supplemental appropriation; is Council ready to move forward. Samuel said I would like this to go on regular agenda.

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

ISSUES - From Director of Development:

Office & Industrial Incentive - JP Morgan Chase

Jones said as it says in our report, this request is the application for an Office & Industrial Incentive for JP Morgan Chase Bank; it was in the paper on Friday so the process is public; they expect the operation here to employ 500 people at 800 and 825 TechCenter Drive; with an average annual wage of \$40,000 they will generate approximately \$20 million in payroll for Gahanna for up to a 5 year term; the agreement is for 2 years with 3 lease incentives to encourage them to remain here; at a minimum they are here 2 years; the incentive is \$150,000 for them; they will invest in the location and remodel and tap into fiber; we have been working with them for several weeks, and they could go anywhere; but this is a good location and good office space; like to introduce Shawn Bunt from the bank and John Oberle from Shottenstein, Zox & Dunn. Bunt said would like to thank the City of Gahanna and the Mayor and Council for your support; you have been fabulous to work with; Jones took all my bullet points about our

business here so I will just say I appreciate the City's eagerness for this project; Gahanna has an aggressive staff and everyone was great to work with; it is a great place to live, work and play. Samuel pointed out we are a one stop operation for businesses; our Development, Zoning and Building Departments are all in one place; our biggest employers are a closely guarded secret but I have to ask, does this make them our largest employer. Mumma said they will be one of our top employers. Jones said this location allows for expansion; they leased enough space to accommodate 1000 employees; they don't want to over promise, but this will have a significant impact on our revenue and take the place of some of the old Alliance Data location; we would recommend it for approval.

Ewald said thank you for bringing your business to Gahanna; and thanks to the Mayor and Development for bringing them here; this sounds like it will be good for Gahanna and have many benefits to us. McGregor said did you say you plan to demolish those buildings. Bunt said we are only doing the interior. Anderson said how does this location relate to Polaris. Bunt said Polaris is in Columbus and Delaware; it is a really big location; that building holds a lot of different lines of business for us like legal, technical and our retail operations for across the nation; the new facility will serve Chase home financing operations, chiefly mortgages; it is more contained to just this one line of business. Anderson said I see this as a great win that will create future opportunities and leverage growth.

Larick said as an employee of JP Morgan Chase, I will abstain from voting on this issue when it appears before Council.

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

ISSUES - From Director of Parks & Recreation:

Nob Hill Easement

Collins said as you read in the report, this ordinance is requesting authorization for a supplemental appropriation for the Nob Hill easement purchase; I tried to be detailed in the report attachments so I did not bring slides to the meeting; we have been working for a number of years to find the best way to bring the Big Walnut Trail through here; it will cross the street and go across Cherry Bottom Road then to Woodside; this gives us our connection point; I included the trail diagram with the easement agreement; we had hoped to trade for it but concluded the best way was to pay the appraised value for it; Porter has done a lot of Gahanna work and they gave us a price of \$7,446; so we are requesting a supplemental to Parks Capital Projects/Improvements to pay for the easement; we have applied for a Clean Ohio Grant and asked on the application for a waiver, which was granted, on the application to allow the expense of this easement to count toward our match; I hope that gives you a quick synopsis of where we are on this. Larick said (looking at the map) which piece is the easement; which color is used. McGregor said it is in yellow. Collins said it is where they all combine; see the pink line coming up through the yellow; it is the confluence of Section 3 and 4. Larick said so it is using roadway. Collins said only at Nob Hill are we away from the creek; we have to come up on the road because of the private property. Anderson asked how do the residents feel about this. Collins said the Nob Hill Association voted to approve it; there are a couple of residents that are still concerned about trails, but we do our best to mediate; one of the residents talked about how much they loved the trail and having it right here.

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

Rathburn Woods Playground

Collins said this is a supplemental request for the Rathburn Woods playground; last year we had to remove what was there as the beams had rotted and it was a safety issue; so they have been without a playground and a number of residents have called about it; we have appropriated \$15,000; the purchase came to \$19,000 so the request is for the balance; we have \$50,000 in the account; we just did not think it would come in that high. Larick said have you determined what added to the additional cost. Collins said we added swings; we have a lot of requests for swings.

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

Reallocation of Funds - Skate Park Sheathing

Collins said we had in our basic budget \$14,246 for the Trapp Park playground project; we have looked at it and it is safe and operational currently; in the meantime, we realized significant work needed to be done at the skate park; I included a photo and the material used here lasts about 6-8 years, so ours has outlasted its life span; we will have to close the park or replace the sheathing; we have been doing parallel work on the skate park financing and had hoped to find a private partnership to fund repairs; we do have more kids going out there so we need to get this done now; we would like to move the playground funds to the skate park and then Trapp Park would be next in line; we will continue to monitor it for safety; and we are hopeful for a partner at the skate park that will allow us to reimburse these funds; if not we will put it in the budget for next year. Samuel asked is usage up at the skate park. Collins said it has consistent usage. Larick said can you estimate how many kids a day use it. Collins said we don't track by the number but it gets used a lot; it is one of our higher used playgrounds; we went in with the modular surface because we knew we could add to it and vary it; we have never targeted the advance levels; felt this is what we could handle with funding; we have never addressed adding any more to it; we just want to keep what we have in good order. Larick said so this is a repair; not an installation of more or a rebuild. Collins said it is repair; it is hard to imagine from the photo but if you look at it you can see where a wheel could catch. Larick said what does the long term look like for this. Collins said no major changes here planned in the long term any time soon; we are focused on bringing in partners; we have a corporate partner interested and hope to get that into a long term relationship. Larick said what would be the cost to rebuild. Collins said depending on how you do it anywhere from 4 to \$5,000 to \$20,000; we did build it as modular; next is the resurfacing; then the black top on the inline hockey rink. Larick said is it about 8/9 years old. Collins said it was built in 2002.

Recommendation: Motion Resolution; Regular Agenda.

110 Mill Street

Collins said I asked to speak to Council to provide some information on 110 Mill Street; when the title search was done for the property, the deed had covenants placed on it in 2002; it is an historical requirement, as McGregor had mentioned, when it was willed to the Historical Society; when the Mill Street Partners purchased it, they left these covenants on the property (handed out copies); we had concerns about what was in the deed about the roof; this speaks to repairing the slate; we went to the Historical Society and were pleasantly surprised with good news; they talked about what the standards are and they are willing to work with us; they would allow the asphalt shingles and are glad to work with us knowing the intent of the Patton family is being upheld; and the better news is they left money in a Columbus Foundation account for the preservation of this house; some repair was done but the remainder of fund is still there and could fund the restoration and maintenance of the house; the best case is it would provide funding to do the slate roof; additionally they explained the certification program and how the

historical preservation code makes you eligible for more funds for preservation and education; we need to look into that additionally; first is the foundation money; I included a letter and they saw the roof; I just wanted to share this information as it was new to us and different than what I had said originally; it is a better deal now and it will make it a better historical asset. Samuel said I am glad we raised that question; always felt like there should be some money for that out there. McGregor said are they saying this also applies to the house next to it; I don't know who owns it. Mayor said Susie Applebaum owns it. Collins said we did find a small encroachment easement where it crosses over the property line. McGregor said I wanted to know if the Foundation money is for both properties or just 110 Mill. Collins said we pointed out the house next door and nothing was said; I believe it applies to us only. Samuel said do we know how much is available. Collins said \$75,000 was the original amount; in 2002 they used \$20,000 for improvements; did those with a \$3,000 installment payment; the base principal should still be there. Anderson said there may be federal money available for this somewhere as well.

ISSUES - From Director of Finance:

Auditor of State Letter of Engagement

Mumma said this ordinance authorizes the Mayor to sign a Letter of Engagement with the Auditor of State; I was provided with this information last week even though the audit has been underway for 2 weeks; it does need waiver and emergency so it is done before the audit is complete.

Recommendation: 1st Reading, waiver of 2nd Reading, Consent Agenda; Emergency Language.

ISSUES - From Director of Human Resources:

EAP Contract Renewal - HelpNet

Treadway said this request is for a contract for HelpNet; it is a renewal of the agreement with them to provide the City's Employee Assistance Program; we have been pleased with them and they have agreed to keep the rates the same; this agreement is good until December of 2014.

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

PRESENTATION - From Administration:

OCT Infrastructure Plan

Jones introduced a multi-departmental power point presentation; information was presented by Jones, Emery, Wetherholt, and Mumma. A copy of the presentation is available in the Council Office.

Questions and Comments:

Samuel asked who owns the school bus lot. Wetherholt said the schools, we have a lease for fleet maintenance.

Larick said looking at the developable land, how close does this get these areas to shovel ready so that an enterprise can just come in. Jones displayed on the map the complete area that will be ready in November; we are working to have some announcements by that time; some other areas need roadway access (shown on the map); that is a deterrent

right now. Larick said on the fiber map, does this dead end on Morrison Road. Wetherholt said it ties in. Andrako said there is conduit there (the black line on the map). Larick said so will fiber go in there. Andrako said phase 3 will tie all fiber back. Kneeland said that is necessary to provide redundancy and full spectrum of services.

Samuel said I would like to commend you; this is the best looking plan presentation we have had in several years; these projects put us in the lead to go after businesses and I am proud of you. Jones said with the addition of JP Morgan Chase the available office space in Gahanna has shrunk; we need these new sites for additional capacity; and they do need to be shovel ready; potential businesses don't want to hear a road could be there; it needs to be there for a business to come in to provide tax revenue. Mayor said thanks to Samuel for the compliment; we have taken Council's comments seriously on what they want to see from us; so instead of just doing random presentations by proposal, we made a serious effort to present this as a package; we put together the pieces and are glad you found this helpful to your decision making; as well as presenting it to you, we can use this to present to the public; that is also very important communication; I think showing it this way drives home how important it is to get this connector finished, provide access; and get this moving.

Larick said will the golf course, at the end of its 30 year lease, be a viable spot for development or is it always limited. Jones said even after 30 years, because it was a landfill previously, it would need a significant amount of work prior to undertaking any building on such a location.

Anderson said I would also like to thank you for putting it together this way; it provides us with the macro view; it was an effective collaborative effort; I do have a question; when a business says we are interested but not now; how do we address refusals. Jones said we do try to secure feedback on why we were turned down; I got some good information lately; one point that was made is the drive sequence; that would be what the employees see when they drive to a facility; we need to do beautification improvements in some areas; companies expect a lot in a place before they will call it home; in this plan, we are working toward that; we have ample amounts of infrastructure in place here; and some areas that need more; we could attract more with some improvements and we are serious about providing services to high end businesses.

ISSUES - From City Engineer:

Permission to Bid - TechCenter Science Connector

Information provided in OCT Infrastructure Plan Presentation.

Recommendation: Motion Resolution, Consent Agenda.

Science Blvd. Storm Outlet, Imp. #ST964

Information provided in OCT Infrastructure Plan Presentation.

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

Science Blvd. Landscape Plan - Design Contract

Information provided in OCT Infrastructure Plan Presentation.

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

Permission to Bid - TIZ Fiber Extension, Phase 1, Imp. #ST969

Information provided in OCT Infrastructure Plan Presentation.

Recommendation: Motion Resolution, Consent Agenda.

OSU Salt Tolerant Planting Study, Imp. #ST962

Andrako said this request is for the ODOT portion of the Salt Tolerant Plant Study; we need to enter into a maintenance agreement which specifies the responsibilities we have; we do need a supplemental in the amount of \$17,000 to proceed then we will be reimbursed through the program; so we are saying for this improvement ODOT will pay for the initial investment and we will maintain it; there are blanks in the report; that is information they are getting to me this week and then I will fill in blanks; we are asking for waiver and emergency so we can order the plants and get them in before the end of May as we are using all volunteer labor to plant; the only money is on this supplemental ordinance and it will be reimbursed. Sherwood said Council office needs the information for the blanks on the agreement by noon on Wednesday.

Recommendation: 1st Reading, waiver of 2nd Reading, Consent Agenda; Emergency Language.

Issues-From Council Office

Liquor Permits

Sherwood said I have received 2 liquor permit requests in the Council office; first is a transfer from Rotelli's to Piada for the D1 and D2 permits; the police have no objection; the second is a new request from Springhill Suites; the police have no objection; don't forget there is a special meeting tomorrow, Tuesday, April 26 at 5:55 P.M.

Recommendation: Motion Resolution; Consent Agenda for 2 Permits.

Meeting Adjourned.

Della Brandenberger, Reporting