



City of Gahanna

Meeting Minutes

Committee of the Whole

200 South Hamilton Road
Gahanna, Ohio 43230

Trenton I. Weaver, Chair
Karen J. Angelou
Merisa K. Bowers
Nancy R. McGregor
Kaylee Padova
Stephen A. Renner
Michael Schnetzer

Jeremy A. VanMeter, Clerk of Council

Monday, March 27, 2023

7:00 PM

City Hall, Council Chambers

A. CALL TO ORDER:

Vice President of Council Trenton I. Weaver, Chair, called the meeting to order at 7:00 p.m. The agenda was published on March 24, 2023. All members were present for the meeting. There were no additions or corrections to the agenda.

B. DISCUSSIONS:

1. Annual Update of Gahanna Community Improvement Corporation (CIC)

[2023-0052](#)

Gahanna CIC Annual Report for 2022 and Financial Statements

Nate Strum, Director of Economic Development with the City of Gahanna, addressed the audience as the Director for the Community Improvement Corporation (CIC) of Gahanna. He serves as an ex-officio member of the board of directors for CIC. Other members of the board present at the meeting included Betty Collins as the board president, George Mrus as the board secretary, and Jeff Kessler as the board treasurer. Jody Carder was also in the audience. Council Representatives to the CIC include Mr. Renner and Mr. Weaver. Mayor Jadwin also serves on the board. Strum noted that a quorum of voting members was present in this meeting as well, but that no official action can be taken at the meeting pursuant to Ohio law.

Betty Collins, President of CIC, introduced herself. She expressed that it is an honor and pleasure to serve in this role. Collins mentioned that the CIC is a non-profit 501(c)(4) organization. The CIC's focus is on land bank services, strategic land acquisition, and supporting the administration, Council and the city planning and development.

Jeff Kessler, Treasurer of the CIC, introduced himself as a long-time member of the CIC. He provided a summary of the CIC's year-end 2022 financials. Kessler reported that the CIC had about \$348,000 in current assets and \$8,000 in additional assets, mainly in real estate in the Creekside area. He disclosed that the CIC's current liability is \$111,000, and the long-term notes payable is just under \$5 million, which comprises one note from Heartland Bank. Kessler clarified that the note from Heartland Bank was used to help the CIC acquire all the Creekside properties. He stated that as an

employee of Heartland Bank, he withdrew himself from all discussions and voting to avoid any conflicts of interest.

Director Strum followed up on Kessler's comments and talked about the activity around Creekside. His office led an initiative looking at financial solutions primarily targeted at banks and financial institutions in the City of Gahanna. The CIC was looking for help with both interim financing and long-term financing associated with any property acquisitions. They entertained offer letters from three financial banks and one credit union to understand the opportunities available to them from a percentage rate and overall capital opportunity line of credit perspective. The board independently made the decision to enter into a partnership with Heartland Bank, without Mr. Kessler's involvement, because of the overall percentage rate tied to the line of credit as well as the overall cap tied to that line of credit.

Ms. Collins noted a correction. Additional assets are not \$8,000 but \$8 million. She added that they have major projects centered around Creekside. The CIC engaged property owners and entered into a sales agreement for various sites. The CIC issued an RFP in Quarter 2 for developmental proposals and negotiated with a preferred developer in Quarter 3 and 4 for the project. They purchased various properties along Mill Street, South of Carpenter and North of Walnut by late Quarter 4.

Director Strum referred to the map in the annual report and pointed out that properties in green are owned outright by the Community Improvement Corporation (CIC). The areas in purple are under option arrangements. The CIC has an extended purchase agreement option arrangement with Interline property that expires in the end of June. Strum highlighted two property assets that are currently owned by the City of Gahanna: the existing Herb Center facility and the surface parking lot adjacent to the Sanctuary.

Ms. Collins said the map shown is the result of about two years of work done collaboratively with the administration, the CIC, and Council. The process came together in the last week of December, and there are a lot of opportunities to be excited about. The CIC will work with the preferred developer partner to create a sales agreement for the Mill Street Suites, and they will collaborate with the Council on the final project scope and opportunities. There are still many decisions to make that will involve Council and administration. The CIC will explore expanding to include a Workforce Development assistant position, and they have someone in mind who may join the board. With the opportunities presented by Intel, there will be tremendous opportunities for Gahanna students coming out of high school who may not be going to college or choose a career center. The CIC wants to drive and lead the conversation around these opportunities and ensure that Workforce Development and assistance are in place. Collins said strategic thinking will be done in late summer or fall to plan for what's next, as they had two years of planning to get this far, and they want an open conversation about it.

Director Strum offered to conclude and leave conversation open for more Q&A coming from councilmembers. He noted that Council should have received a copy of the annual report. This is available for anyone in the public as well. It can also be found online and on the website at GahannaCIC.com.

Councilmember Bowers thanked Director Strum, President Collins, and members of the CIC board. She directed her comments to Director Strum. She believes she heard this question answered in some of the comments that President Collins just made, but could Strum speak to why the CIC identified the key properties on the prior slide for redevelopment and why it was not just left to the free market?

Director Strum responded that, initially, the plan was to have extended purchase agreements and allow the conveyances to happen through the preferred development partner. However, it was determined that it was in the best interest of the project and the CIC to purchase about four to four-and-a-half acres. This decision was made in collaboration with the preferred development partner and Heartland Bank. By taking direct acquisition of those properties, they took one partner out of the equation and allowed other partners to sort out the balance of the project. Owning the initial four acres is important for the CIC to control future development activities on these sites and have a direct role in those activities. Strum said Mr. Mrus could speak about the aspirational goals of the CIC and why it's important for them to own these properties.

Mr. Mrus said the critical part in their diligence was site aggregation. In the past, CIC has looked at a couple of different properties on the west side, but at the end of the day, in multiple conversations, site aggregation was critical. Seeking a partner to support the CIC and economic development for the city was also important.

Director Strum added that part of this was also risk management and risk mitigation. Being able to remove a certain level of variability tied to this project was very important. If they had left it to the open market, they would have been working against a deadline that may have lapsed, and the free market could have adjusted the pricing. By taking control of the project, they can have a steady hand in moving it forward and be the ones engaging directly with the preferred development partner versus having another third-party landowner and development partner coming in. Strum thinks there is a higher level of trust in working through the CIC.

Councilmember Bowers asked about the Plant Library, which is one of the entities operating at the old car wash property. She mentioned the Plant Library's importance as a resource and community center for sharing and co-op. Bowers asked for a creative solution to protect the Plant Library in the short and long term.

Ms. Collins stated that vacating the properties is important for risk management and hopes that the properties will be sold to a developer. She noted that the city and development should work with any business that was on the properties and help them get relocated. Collins said the Plant Library should be relocated and kept going. She explained the CIC does not know if the relocation is their role, but they want to ensure that the Plant Library is not simply abandoned. Collins discussed the possibility of The Herb Center being a new location for the Plant Library.

Mr. Mrus stressed risk management. As the CIC owns the property, it is important to control the risk of the properties and safeguard assets. The CIC had a conversation about the issue Bowers pointed out and will continue to partner with the city to find a prudent solution.

Director Strum said the operator for the facility did not respond to inquiries about a right

of entry and insurance. The decision to vacate the property was made six days ago and short-term solutions are yet to be identified. Strum's office is trying to identify short-term solutions. Two non-profits have been reached out to for sponsoring the Plant Library. The biggest concern is liability and finding someone to issue a certificate of insurance to the CIC. That is paramount for them.

Mayor Jadwin noted that there is no organization that owns or oversees the Plant Library. She asked who will accept responsibility for relocating it. The city is willing to help and have conversations about potential locations for relocation. She mentioned previous conversations about relocating the Plant Library during the Mill Street Apartment project. Jadwin said that the conversation about relocation with the business owner never went anywhere. She expressed willingness to continue the dialogue around good locations for the Plant Library and understanding who will own it after relocation.

Councilmember Bowers said there is some leadership around the Plant Library that is not necessarily associated with the other business owner on the space. Conversations should continue with that leadership to find a solution. If there is a community organization with non-profit status and a liability policy, that could be an interim solution.

Director Strum said he is happy to sit down and talk to individuals who are interested in the Plant Library. Board members will also be brought to the conversation to understand the feasibility and functionality. He said engagement with preferred private developer is necessary to understand their interest in continuing on a temporary basis. They cannot operate the decision-making process in a vacuum. He noted struggles with communicating effectively with the underlying business owner. Strum said that having a direct conversation with those who are invested in the Plant Library operationally would be beneficial.

Vice President Weaver discussed his appointment to the CIC board and his efforts to understand the role of CICs in the community. He noted that CICs are creatures of statute, expressly permitted under the Revised Code, and many communities throughout the state have them. Weaver pointed out that not all communities call them CICs, but they have similar organizations with different names. He acknowledged that some communities have more active CICs than others and commends Gahanna's CIC for being active. Weaver plugged the Gahanna CIC's website, www.gahannacic.com, which is a valuable resource for information about the organization. He noted that not all CICs have websites, and Director Strum and the board are working to put more information up on the website, including minutes of meetings. Weaver thanked Director Strum for bringing up the topic and asked if anyone else had comments.

Director Strum added that minutes from the last five years are available on the website, along with the last five years of financial records and information on other projects and activities. The website also includes a property search feature for individuals looking for real estate opportunities in the city, as well as a small business resource page to support local businesses and workforce development resources.

Vice President Weaver directed a question to Mr. Kessler regarding revenue streams and the process of purchasing properties and vacating them to prepare for turnover.

Mr. Kessler said the revenue stream for the CIC included as follows: Gahanna Net rental income (around \$16,000 per month) and rental income from properties inherited in Creekside (about \$25,000 per month). They are trying to extend leases strategically without tying developer's hands. Cash flow is mainly from rental income of Gahanna Net and any acquired properties. Kessler noted that properties acquired and sold are few and far between at this point. He noted the CIC owns properties on the west side of Gahanna purchased several years ago. These properties were acquired as part of hopes of redeveloping the interchange at Agler and Stygler. Due to COVID, redeveloping the interchange has been put on the back burner. The CIC continues to lease these properties for rental income.

Vice President Weaver thanked Kessler. He appreciated Kessler's thorough financial reporting to the board.

President Renner expressed his appreciation for the leadership of the CIC, specifically President Collins, Treasurer Kessler, Secretary Mrus, Mayor Jadwin, and Director Strum, as well as Ms. Carder on the real estate committee. He commended the transparency of the CIC and is proud that the minutes and discussions are available on the website for everyone to see. Renner mentioned the Creekside project and expressed he is confident in the leadership's ability to find alternatives. He reiterated his faith in the CIC and their open, transparent process.

Ms. Collins remarked that it has been a unique experience for her since she joined the CIC, and she has been there for a while. Collins emphasized the importance of working together for the betterment of the city, whether it is the CIC, the city, the mayor's office, or the Council. She appreciated President Renner for emphasizing the importance of government working together. Collins noted that the CIC will have their bi-annual meetings with the Council in June and will ensure open communication. The CIC appreciates being involved with the Council and wants to work on the challenges that lie ahead for the betterment of the city.

2. Continued Discussion on Council Facilities at 825 Tech Center Drive

[2023-0050](#)

Items for Discussion on Council Facilities at 825 Tech Center Drive

Kevin Schultz, Senior Director of Operations, noted that President Renner sent an email to members to update on the events of the week. From Monday to Saturday, a lot has transpired. A meeting was held with the architect on Wednesday of last week. After the meeting, Schultz sat down with Clerk VanMeter to review insights. VanMeter tailored his email to Council to align with the discussion held with Schultz. Last week's architect meeting had many moving parts and pieces. The email sent has a different ask than last week. He received an email from one of the councilmembers about technology in public meeting spaces. Conference room technologies will be addressed inside of each of the conference rooms. Just because a conference can be held does not necessarily mean it can be live-streamed. Schultz oriented the listeners to the slide shown last week. The blue line around the building is the area that is zoomed in. The purple dots are the main entry points on the building. The current building's front lobby area is a new lobby area. When you walk into the building, you are walking in where the existing entrance is. The middle of the lobby is where people entered the building for State of the City event. The elevators and public restrooms are in the

middle of the lobby. Anything not outlined in the slide is considered new construction. Schultz pointed out the new construction that includes the double-story height ceilings for Council Chambers. Space on the first floor is at an extreme premium. Schultz emphasized that demand for first-floor space is critical. The question raised is whether Council Offices can be on the second floor.

Councilmember Padova expressed gratitude towards Clerk VanMeter for summarizing the previous discussion with Director Schultz. She appreciated VanMeter's input regarding the public-facing window and agrees with his suggestion to move it upstairs to avoid tying up the office. She indicated that if VanMeter was okay with moving the window upstairs, she would have no objections to it.

Councilmember Schnetzer asked for clarification on whether the Council Office is being evaluated for first-floor space. Specifically, he asked about other functions that may be competing for first-floor space and sought more information to make an informed decision about whether the Council Office deserves first-floor space.

Director Schultz provided a full floor plan and indicated that the new construction is largely being dominated by the Police Department, which needs to have holding cells, evidence storage, sallyports, and a lobby on the first floor. He explained that they are identifying spaces for code enforcement officers and long-term storage that do not necessarily need to be public-facing and could be moved to the second or third stories to shrink the footprint of the building. The city attorney is also anticipated to move to the second floor, and they are evaluating everything on the first floor that could potentially be moved to the upper reaches, keeping in mind the safety and security of the facility itself. Schultz mentioned that the level of walk-in traffic at the clerk's office is minimal, so their utility billing customer service desk, for example, should be capable of receiving property appeals or other materials that the Clerk needs to receive and process. Schultz indicated that not all materials need to be dropped off on the first floor. The goal is to evaluate everything that is eligible to be on the second and third stories and push those items upstairs to shrink the footprint of the building while ensuring the safety and security of the facility.

Councilmember Schnetzer thanked Director Schultz for addressing some of the concerns he had and noted that his comments are more of a general comment. He believes that a goal of the restructuring of where certain functions go should be to have public-facing items as close to the front and on the first floor as possible. He emphasized the importance of not sending someone up to the third floor and having them get lost. He also acknowledged the security and confidentiality concerns about access to certain parts of the building. Schnetzer asked VanMeter whether he was receiving a lot of passport requests or passport photos.

Clerk VanMeter responded the office does not process passport applications anymore. He thought the occurred prior to COVID.

Councilmember Schnetzer acknowledged that many records requests are now being made online, rather than in person. He asked if there are any other public postings besides the bulletin board planned and suggested orienting them in a public-facing area. That does not necessarily have to be outside Council Chambers.

Director Schultz responded his hope is to have digital signage and posted appropriately on the building, not necessarily in the form of a bulletin board, but in a public-facing area similar to what is outside of the existing City Hall.

Councilmember Schnetzer said a conference room is necessary for executive sessions. The conference room doesn't necessarily have to be Council Chambers but it should be located relatively close to it. Sending someone to the opposite end of the building for executive sessions is not practical. Executive sessions are a routine function for Council meetings.

Director Schultz said the conference room will remain on the first floor and in close proximity to Chambers for easy access. Council Chambers will remain facing north with the dais on the south side for safety reasons and to maintain two exits outside of the back side. Rotating the dais 90 degrees towards the main lobby would eliminate one entrance and defeat the purpose of safety and security of the facility. The design features of glass and such things on the front-facing facade will bring the outside in and the inside out. The ability for Council Chambers to be proximate to the street will give the same type of access and feel to the main lobby. The whole space that is outlined with the cursor actually goes away and can open up a side entrance to the lobby. Audio and video will also be displayed in this particular area at the same time. Moving and adjusting the location of Mayor's Court by flip-flopping it with Council Chambers may reduce the overall square footage of the program. Other options are possible if Council Offices can be moved to the second floor. It is possible to move Mayor's Court down into the right in the picture and make it more proximate to the red lobby with some adjustments and another window.

Councilmember Bowers suggested that if Council Offices are relocated to the second floor, there should be a stairwell close by for easy access. She thought that having the Council Offices at the other end of the wing would be more onerous and inconvenient. Her desire would be for Council staff to be able to run upstairs before or between meetings, so proximity to a stairwell is important.

Director Schultz responded that he thinks office would be right above and would alleviate any concern about being further away.

Councilmember Bowers acknowledges the consideration of bringing the outside in and the inside out when constructing the new library but feels it may not be as convincing in this setting. She suggested that it may be important to have a line of sight from an overflow perspective to the main lobby and asked if it's possible for the architect to re-look at orienting the Council Chambers towards the lobby area. She mentioned the importance of privacy in the Mayor's Court relocation and suggested that a secondary waiting room may be needed but acknowledged that it may come down to a budget question. From a security perspective, Bowers suggested aligning offices and allowing an emergency exit to the back wall of Council if possible and left it up to the architect to work out the details.

Schultz noted that the pink corridor is a 100% secured area. He explained that there is no public access to that area. Once someone is through the door, they are in a safe and secure area in the corridor. He mentioned that there are other doors for secondary security access, such as through Mayor's Court or elsewhere.

Vice President Weaver said as it pertains to the relocation of Mayor's Court down towards where Council Offices are, would that traverse the secure corridor?

Director Schultz said that there would be a completely different picture if the Mayor's Court is relocated towards where Council Offices are. He explained that he has played the game of Tetris all morning to figure out the potential changes in circulation in that particular area. He stated that the architects will deal with the changes and the pink

corridor would be rerouted but still in the same secure fashion that he described.

President Renner expressed his understanding of the safety concerns related to the orientation of Council Chambers. He expressed his struggle with the orientation of Council Chambers and suggested rotating it. Renner asked if people can still run down the hallway and get access to a secure corridor the way it is shown or adjusted.

Director Schultz suggested that if the Council Chambers were to be flipped 90 degrees, there would be no access to a secure area. He mentioned that adjustments could be made to make the area secure by adding a hallway behind the Council Chambers. Schultz said that if the Council Chambers were moved to the second floor and Mayor's Court reoriented, there would be more options for the architect to reorient the area and provide safe and secure access. He noted that if the left side of the building comes in from the left, the pink corridor on the screen would also be pushed to the left if Mayor's Court was moved and rotated a bit. Schultz believed that there are other options and a lot of moving parts in the design, but they would guarantee the safety and security that the Council currently has out the back doors of the Chambers in the new facility. He suggested that he needs to make general adjustments that alleviate some of the pressures on the first floor currently.

President Renner acknowledged that the visual aspect of the design will be a challenge, but architects are experts in creating continuity of flow. He emphasized the importance of ensuring a seamless transition for the public as they move from the lobby to the Chambers. Renner sought clarification on whether Schultz was suggesting moving the Council Chambers to the second floor or the offices.

Director Schultz responded just the offices.

President Renner said that is really going to be the challenge for a John or Jane Q. Public coming in to understand the flow. He looked forward to seeing the changes.

Schultz said the architect referred to the new space as being warm and welcoming for anyone entering the building. The design will allow people to easily know where they need to go to pay utility bills, attend Mayor's Court, or come to a city council meeting. There will be a prominent location for city business, and it will be quite noticeable. In the new design, there won't be hard walls that block visibility or make it difficult to find Council Chambers. The design will incorporate glass and other materials to aid in wayfinding and ensure people know where to go. Schultz reemphasized the architect had explained the idea of a warm and welcoming space for everyone to be able to find where they need to go. The overall goal of the design is to ensure that people can easily connect with city business.

Councilmember Padova asked for clarification on the location of the pink hallway and if it needs to line up with the new addition and current building. Can the pink line be moved to any location or is it a design requirement to be in that location?

Director Schultz said that the pink line is a design feature for the building. He stated that the pink line could be moved further south or reoriented if needed. Schultz clarified that there is no requirement for the pink line to be lined up with the existing building.

Councilmember McGregor asked with respect to the opposite side of Council as it sits in the visual, would there be windows on the other side of the red corridor?

Director Schultz clarified which side of the Council Chambers McGregor was

referencing.

Councilmember McGregor clarified she meant the north side.

Director Schultz confirmed there is glass that is intended to be there.

Councilmember McGregor indicated she does not see the necessity of bringing the outside in. Meetings are always held at night, so it doesn't matter if the outside is visible or not. McGregor is unsure if bringing the outside in is more expensive.

Director Schultz responded that the business of the city is not just done at night. The building's presence and visibility are important to people driving by. The building should convey that it is where city business is conducted.

Councilmember McGregor said she does not like the idea of glass to the outside of the building. She is concerned about the need to defend the glass. She suggested that having a straight corridor could help with orientation.

Director Schultz explained that the angled corridor design is a way to save square footage. He noted that squaring off the corridor would increase square footage. The angled corridor works with the design of the building.

Councilmember McGregor stated the waiting room for the court should be somewhat separate from the main lobby due to concerns about privacy. In previous discussions about a new building, there were concerns about having the waiting room in the main lobby, where people walk up and down. One example given was a scenario where a mother brings her little girl in for t-ball and sees someone in shackles walking down the hallway. To ensure privacy for everyone, it's nice to have the waiting room somewhat removed, and this could potentially be achieved with planters or some other type of barrier.

Director Schultz said anyone in holding who is waiting to be heard in court would not be coming through the main lobby. They would come through the pink corridor and the area just off-screen, which is the holding cell. They would then be brought into the backside of the court, as opposed to sitting in one of the chairs out front. The chairs out front would be for people who are not being detained in any way.

Councilmember McGregor asked how they would get to the waiting room as the layout is now.

Director Schultz said they would be coming in the backside of the courtroom.

Chief Spence said the intent is to conduct appearances via video as much as possible. Video appearances are more secure. There may be situations, such as trials, where in-person appearances are necessary. Most appearances can be accomplished through video arraignments and video appearances.

Councilmember Padova asked for clarification on the process for Mayor's Court. She asked if the court could stay where it is but still have people waiting in the bigger lobby. Padova wanted to understand how the process works and where people need to be.

Director Schultz said the process for those appearing in court involves checking in with the prosecutor's office. He said Mr. Mularski could elaborate as well. They may have a

brief sit-down with the prosecutors before going before the magistrate. They check in at a particular window and then wait to be called by the prosecutor's office. They would then go into one of the caucus rooms below before entering the courtroom to be heard by the magistrate. The same process could be happening if they were to check in at the main portion of the building as well.

City Attorney Mularski asked if the courtroom was going to be Council Chambers.

Director Schultz confirmed that it was.

Attorney Mularski explained, currently, people waiting for Mayor's Court are in the city council chambers. Defendants are called back to Mr. Mularski's office. Prosecutors talk to defendants at benches just outside Chambers. Some defendants can go straight to the magistrate, while others may need to talk to the prosecutor first. Certain cases, such as driving under suspension, have specific procedures agreed upon with the magistrate. After the case is over, defendants wait in front of the window for the clerk to process their case. He noted the proposed waiting area for Mayor's Court is to the right of the clerk's office, both before and after the case.

Councilmember Bowers asked Mularski to talk about some of the neighboring communities and whether this is a dissimilar setup to like Westerville, for example, or some other comparable communities.

Attorney Mularski said he has not attended those events since he became City Attorney and needed to think back several years. New Albany used to have a similar process to the current one, where people would come into the waiting room, wait in the Council Chambers, and then be called out to talk to the prosecutor. New Albany now follows the same process as the current one. Westerville has a similar process to the current one. Upper Arlington and Reynoldsburg are also the same.

Chief Spence mentioned that they have done tours of other facilities. Westerville has a separate courtroom adjacent to their police facility and it is not a council chambers. There is a distinction between the clerk's operation and the court. Dublin has its own courtroom that is not used as a council chambers. Marysville has a Municipal Court that is on one side. It shares the facility with the Marysville Police. The court is a little bit larger operation because it is the Marysville Municipal Court, but it is still a separate area or facility from City Hall and Council operations. Chief Spence noted that in these newer facilities they have seen, the courtrooms are constructed separately from the council chambers, either in a different area or facility altogether.

Director Schultz said there is no administration function in any of the three places visited. The facilities visited are basically justice centers, police department, mayor's court, or municipal court. None of the facilities have a city hall function.

Councilmember Bowers asked if there has been any consideration of building a separate courtroom as part of this current space. If not, why was that not considered?

Director Schultz indicated it was not considered due to the pressures on the first floor. The goal was to double up on some spaces, such as mass assembly spaces. The training room and EOC were combined into one similarly sized function. The EOC is now what you see in blue in the middle of the screen. The focus was heavy on mass assembly spaces. Putting a courtroom in this space is possible, but it may be prohibitive from a square footage standpoint. The plan is to move the Council Offices to the second floor due to prohibitions on the first floor.

Mayor Jadwin said the goal is to reduce the amount of additional square footage needed to be constructed. They are trying to push as much as they can into the existing building. They are looking for opportunities to duplicate the use of spaces to avoid additional costs. Creating a separate courtroom is an additional cost that they want to avoid. Mayor's Court is only used once a week, so creating a separate space for it doesn't make sense economically. It would be more economical to have Council Chambers on a Monday and Mayor's Court on Thursday with something else used during the rest of the week.

Councilmember Angelou asked how many people typically come [to court] on Thursday.

Director Schultz said he did not know how many cases they hear but the building's first floor is active all day between holding both Gahanna and New Albany's mayor's court.

Attorney Mularski said the average number of cases is around 180 to 200, including people asking for more time and those who pay tickets instead of contesting them. He said it is nice to have a separate waiting area to avoid the problem of people overhearing other cases and then all of a sudden, they are wondering why they are being treated differently and potentially having preconceived notions about their own case.

Councilmember Padova suggested the idea of putting a partition through part of the seats on Thursdays. The idea is to use the seating area that they wouldn't need for Mayor's Court to make that part of the lobby.

Director Schultz replied that a divider could be installed in the courtroom like the one in Westerville. The divider would be an expensive feature just to hide the dais or bench. It is possible to put a partition up to make the room feel different. However, in council chambers, partitioning may lessen the quality of the space itself. In other rooms, there will definitely be partitioning to allow for multiple uses at the same time.

Vice President Weaver supported the idea of moving Council Office upstairs if the clerk is okay with it. He requests that a readily accessible workstation be available [near Chambers] for last-minute printing needs. Weaver mentioned the possibility of extra agendas and items to be printed last minute.

Director Schultz jokingly offered to buy two printers for the Council Office if they move upstairs. He addressed staffing levels and clarified that the current plan is for a clerk, deputy clerk, records person, and an overflow spot. Schultz explained that the overflow spot could also serve as a workstation for one of the Council Office staff or an intern. He mentioned past conversations on adding additional staff, either shared or full-time. The plans include a 150 sq ft office that could serve as a conference room for four people or a future office.

Councilmember Bowers supported the concept of flexible space and long-term planning for the Council Office to accommodate changing staffing needs and standards.

Director Schultz said he needed a body count. Is he planning for one, two or ten more people in Council Office?

Councilmember Schnetzer asked what Schultz's current tally is for dedicated offices.

Directory Schultz said there are three dedicated closed offices and two workspaces. He referred to the three dedicated offices as for the Clerk, Deputy Clerk, and a future office, and then two workstations as cubicle workstations.

Councilmember Bowers asked where the records personnel fits in Schultz's tally.

Director Schultz responded they fit into the workstations. If it is not a closed office and it needs to be part of four workstations, that is fine, too.

Vice President Weaver said that he could easily see the need for a legislative aide or a PIO in the Council Office sometime in the next 10, 20, or 30 years of anticipated use of the building.

Mayor Jadwin asked if Weaver was thinking two PIOs, one for the city and one for Council.

Vice President Weaver responded he is trying to anticipate future growth as needs arise.

Mayor Jadwin said she knew there has been discussion on a legislative aide. That is up to Council, not her.

Councilmember McGregor recalled that previous staffing levels in the office consisted of a clerk, a deputy, and a records person who worked in the office but not necessarily for the Council. There was also a part-time clerk who took minutes at different meetings. The office space was designed to accommodate three and a half staff members. The staffing levels have fluctuated over time but there was never more than three and a half staff members.

President Renner suggested staying at a high level of discussion and looking at body count based on processes. He deferred to the Clerk about processes and whether another body will be needed for something. Renner thinks that the focus should be on processes currently in place and those coming forward, instead of trying to define what the needs of the Council Office may be and whether another body will be needed in the next 5, 10, or 15 years.

Clerk VanMeter thanked Renner for the invitation to speak. He acknowledged the need for the three positions currently planned for. VanMeter preferred the idea of having a two-person workstation that could accommodate interns or an additional records person.

President Renner said he thinks Schultz is asking if we needed to plan for another office space.

Clerk VanMeter said he agreed that is what Schultz was talking about. The Clerk, Deputy Clerk, and the third office that could be potentially used for the full-time records personnel.

President Renner said it seemed to be five for body count. That is the three offices and potentially a workstation for two other people.

Vice President Weaver thanked Schultz for all of his hard work. He believed Schultz had the most difficult job in undertaking this task and trying to predict the future for the next 20 to 30 years.

3. Capital Improvements Feedback

[2023-0053](#)

Draft Feedback Form - 2023 Gahanna Capital Improvements and Investments

Councilmember Bowers suggested exploring new tools and improving processes to engage residents. She discovered the City of Columbus's Capital Improvement and Investment feedback form, which can be a useful tool to supplement additional efforts. Feedback forms are easily created in Google and Microsoft Office Suites and can be hosted through Council's Microsoft 365 plan. Bowers understands that the administration has already gathered data and feedback to develop the plan but suggested the tool could be used by the collective body or individual members. Bowers confirmed with Council Clerk VanMeter that it is doable and that if it is the will of Council, he would be willing to maintain the data. She has written a proposed form with an introduction that explains the process, what is capital, source documents, and how people can be involved. She modeled the questions after the City of Columbus's questions, which are open and understandable. Bowers liked the idea of asking how people want to receive a copy of the Capital Improvement Plan. She considers this an option to test out and see where they could go from here.

Councilmember McGregor raised a question about the purpose of having a form in addition to the possibility of an open house and town hall on the Capital Improvement Plan.

Mayor Jadwin said she had planned to present the CIP draft plan at the meeting but after conversations with Council leadership, she delayed it. There is a CIP advisory committee consisting of Director Bury, herself, Senior Director Schultz, Senior Director Vollmer, President of Council, and Finance Chair. The committee has not yet met to review the draft plan. The CIP presentation will be made at the next Committee of the Whole meeting after the advisory committee has reviewed it. Public input will be discussed after the Council sees the information in the CIP and what information has been gathered. The Parks Master Plan gathered data on parks, trails, playgrounds, pools, and other quality of life capital issues that will be rolled into the CIP from the Parks and Recreation standpoint. There are a lot of capital projects that the public doesn't see or touch every day, such as water lines, water tower fleet vehicles, equipment, and what goes into police vehicles. It's important to discuss what's in the plan and what's the best way to gather public input to inform the CIP finalization.

Councilmember Bowers understood that the CIP is forthcoming but not presented yet. This could be timed in conjunction with the introduction of the CIP or rolled out separately. The language used in her proposal anticipates the CIP will be presented. The proposal is not soliciting direct feedback on the plan but instead soliciting feedback from the community on what capital is. Bowers expects public hearings and that the Mayor will have public presentations on the plan. The proposal is meant to supplement, not challenge, the CIP presentation.

Councilmember McGregor did not find the idea challenging but thinks it might be a duplication of services. She believed that the current timing might not be right. McGregor suggested waiting until they see the plan before deciding if it's necessary or not.

Councilmember Bowers appreciated Councilmember McGregor's perspective that the idea could be done later.

Councilmember Schnetzer commended Councilmember Bowers for taking the initiative to put forward the idea. He agreed with Councilmember McGregor and the Mayor that they should see the presentation for all of Council before having a broader discussion about public communication. He supported the idea of a survey but cautioned about how they digest the information from it. Schnetzer recalled the land use plan survey that had different outcomes between a statistically valid survey and an online survey that may have suffered from selection bias. He suggested that if they move forward with a survey, they pursue a statistically valid route to ensure accurate information.

President Renner appreciated that the topic is on the agenda and that discussions can begin. He had reservations since there is no plan yet, and the public won't understand. Renner did not like what the City of Columbus is doing but acknowledged that it may work for them. He thinks there are more creative ways to have discussions since Gahanna is smaller and nimbler with a history of talking to residents. He knows they talked about having public meetings and hearings for discussions, but not sure what to do right now. Renner wants to communicate to residents that there's a Capital Improvement Plan coming, but it's more than just parks and roads. Millions of dollars in facilities are needed to sustain the business as a city, and that's a missing piece in the City of Columbus' plan. He thinks we are scratching at the surface and talking about niceties but need to discuss big items like a new tower and a water elevated tank with pros and cons. Gathering input is great and Renner wants to talk to people, invite them in, and get them on record. He suggested newer methods like using hashtags and URLs to collect data. Renner wants to let residents know there's a big plan coming in concert with the Parks Master Plan and not let that story be lost. We are not going to be rushing anything, and there is no deadline for passing the plan yet.

Mayor Jadwin thought the plan can be passed with the 2024 budget. CIP projects will be rolled into the 2024 budget. She doesn't see any issue with adoption by the end of the year.

President Renner said we need to slow down and have a productive discussion about what we want to communicate to our residents. We need to discuss how the story will unfold and how we will communicate it more specifically. It's important to have a clear plan and message for our communication.

Councilmember Angelou added that we need to have conversations about why we are doing this and why we are not doing this. Columbus, Ohio has a much larger population than us and this may not be necessary for us. We need to go through the plan and understand why we are doing each step. We need to assess if there is a good reason for this plan.

Councilmember McGregor stated Schnetzer brought up a good point about the need for statistical data. An old citizen survey from 2016 gathered useful information and was statistically valid. A statistically valid survey can provide more comprehensive data rather than just relying on those who submit comments online.

Councilmember Padova said Bowers' work on the form is appreciated. We need to find ways to get feedback from the community on the plan. We should consider having a town hall to get feedback from those who attend. A town hall would provide feedback from a more focused group of people. The feedback would be more valuable than just collecting comments online. We need to clarify that the plan has already been created and the feedback will not be used to change the plan.

Councilmember Angelou mentioned the importance of town halls and bringing issues forward to the community. However, she expressed concern that the same people tend to attend these events, rather than a diverse group of citizens. Angelou asked how many people are working on the plan.

Mayor Jadwin said Director Schultz is leading the effort on the plan. Senior Director Vollmer, Director Bury, and the Mayor are involved in the effort. There is also a steering committee with the council president and finance chair that needs to be met with. Two consultants previously worked on the plan for over a year. Every department head and their teams are also involved in the planning process, with multiple meetings held to discuss the needs of each department.

Councilmember Angelou acknowledged a group is working on the plan and wants transparency from them. She is confident in people who are working on this who know what they're doing and are figuring out a plan. Council's job is to find a way to get the process going. Not all 36,000 people will come and want to be part of the process.

Vice President Weaver thanked Councilmember Bowers for putting effort into putting the form together. Finding ways to engage with residents is important. He acknowledged that there's still room for improvement and welcomed conversation on how to engage with residents. He wants to explore options and noted one option may not work for everyone.

Councilmember Bowers noted the second item on the PDF is the complete survey. The first item submitted was incomplete due to technical issues. She appreciated everyone's review of the second item.

C. ITEMS FROM THE DEPARTMENT OF PARKS & RECREATION:

[RES-0013-2023](#)

A RESOLUTION TO AUTHORIZE THE CITY OF GAHANNA TO APPLY FOR CLEAN OHIO TRAIL FUNDS AND RECREATIONAL TRAILS PROGRAM ADMINISTERED BY THE OHIO DEPARTMENT OF NATURAL RESOURCES

Stephanie Ferrell, Director of Parks & Recreation, said has found a promising funding opportunity for constructing a multi-use trail from Shull Park to the Metropolitan Library Gahanna Branch. The opportunity is through the Clean Ohio Trail Fund and the Recreational Trail Program administered by the Ohio Department of Natural Resources. The trail is being referred to as the "Link to Literacy." The application for this opportunity requires a resolution of authorization to be submitted. The administration is requesting the resolution of authority to seek alternative funding for the construction of the trail.

Councilmember McGregor expressed concern about the bridge over Rocky Ford Creek. The recent heavy rain caused the creek to rise, which raises some questions about the bridge's stability. Although she trusts that the engineers can handle it, she wanted to reiterate her concern on the matter.

Director Ferrell stated that Parks & Recreation has engaged OHM as their engineers for the project. OHM will conduct studies on both the environmental impact and the structure of the trail. The current evaluation is considering a steel pedestrian truss for the crossing.

Vice President Weaver asked if Ferrell had a target amount that she was hoping to be

awarded for this application.

Director Ferrell responded the max award is \$500,000. That amount could be intertwined between both programs. There is only one application for both. There are different requirements for each application, but due to the trail that the Department is envisioning they are thinking it is advantageous to apply for both to be able to pair funding together and get a max award.

Councilmember Angelou asked if Ferrell planned for any support letters to go out for this.

Director Ferrell said the resolution tonight will be part of the application as a requirement. The Department is seeking letters of support through Rapid 5, Clean Ohio Greenways, MORPC, BTAC, and anyone interested in multi-use trails.

Councilmember Angelou offered that perhaps there could be a letter that all of Council could sign.

Director Ferrell said ultimately the action item is for that support from Council. This is stating this is something that is considered advantageous for the City of Gahanna.

Councilmember Angelou said the more letters that could go out on this, the better it would be for the overall application.

Recommendation: Introduction/Adoption on Consent Agenda on 4/3/23.

D. ITEMS FROM THE DEPARTMENT OF PUBLIC SAFETY:

ORD-0020-2023 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH MIFFLIN TOWNSHIP FOR A PERIOD OF THREE YEARS FOR THE PURPOSES OF MENTAL HEALTH CLINICIAN COST-SHARING

Chief Spence discussed the addition of a mental health clinician position within the Division of Police as part of the 2023 budget. The position is meant to provide mental health resources both internally and externally. The Chief previously presented statistics related to mental health calls which have increased exponentially over the last three years. The Division of Police was pursuing a cost-sharing agreement with Mifflin Township to fund the mental health clinician position. The ordinance tonight marks the end of the discussion with the township. The cost share split is yet to be determined, but it will be approximately 60/40 with the city absorbing 60 percent of the cost. This split may trend downward once the position is filled. The mental health clinician position is a three-year term. The start date for the agreement is July 1, which gives time for the contract to be passed and for the position to be posted and filled.

Mayor Jadwin said she spoke with Trustee Stewart, Trustee Angelou, and Chief Kauser. Jadwin indicated that Stewart said she fully expected the contract to be passed by their board of trustees tomorrow.

Councilmember Schnetzer thanked Director Vollmer, Chief Spence, and others involved in crafting the mental health clinician position. Schnetzer noted that Chief Spence made a compelling argument for the position during last year's budget discussions. He believes that the mental health clinician is a great need for the community. Schnetzer thanked Mifflin Township for partnering with the city on this initiative and sees this as a

continuation of a great partnership with Mifflin Township.

Councilmember Angelou said this type of position is really necessary. She reflected on the tragic events that occurred in the city of Nashville, Tennessee with three children and school staff that were killed. Angelou thought that perhaps a position like this could make a difference for someone in a mental health crisis and help prevent such violence.

Councilmember McGregor mentioned that she thinks there is a good overlap between the mental health clinician position and Kenny King, who is the community paramedic. She believes that King has provided a need that was not necessarily known until he was brought into that position. McGregor asked how the scheduling for the mental health clinician position will work, particularly in regard to crises that may happen at night.

Chief Spence said the department won't be able to provide 24/7 response for mental health calls. Kenny King, the community paramedic, will be partnering with Kelie Moffitt, the committee liaison officer, to handle mental health calls. The department is trending down in mental health calls but still has a significant number of calls. Moffitt has done six probate referrals in 2023 alone, which is an example of the services provided in the mental health space. Having someone with expertise and training in mental health will expand the services the department can provide. The officers who respond to mental health calls in the middle of the night will have a resource to immediately follow up, instead of having to do those referrals themselves because of the lack of support structure in the mental health field.

Councilmember Schnetzer underscored the point that when this idea was previously discussed it was brought up that the position would be in lieu of sworn staff. Ultimately, it comes at a cost savings in addition to all the benefits for the community. There is nothing more expensive than the training for officers. Could the Chief confirm this would ultimately be a cost savings for the community?

Chief Spence said the department was tracking the staff hours of sworn officers dedicated to handling mental health calls. While sworn officers will still be responders, the mental health clinician will handle the coordination of effort and linking individuals with appropriate services, as well as follow-up. Sworn officers are currently spending a lot of time doing this work, which will now be reallocated to policing services, freeing up time. This will result in a cost savings for the department, as the hours previously spent by sworn officers can be reallocated elsewhere. It will also take the burden off sworn staff and allow the department to put the right skill set in place.

Vice President Weaver echoes thanks to the Department. He emphasized that sworn officers can still fully respond during a crisis. He asked for confirmation that the mental health clinician role would be more focused on follow-up and connecting individuals with appropriate services.

Chief Spence responded that the critical incident team training, crisis intervention, de-escalation, and mental health courses for officers will continue as usual. The addition of a mental health clinician position is just another resource that will be dedicated to mental health services. This position will provide a resource that speaks the same language as the mental health professionals in the community, which is important for coordinated efforts. Mental health is a national problem and having mental health professionals working in coordinated efforts across public safety is vital for providing the services the community needs. The mental health clinician will be the first line of service delivery for mental health calls.

**Recommendation: Introduction/First Reading on Regular Agenda on 4/3/23;
Second Reading/Adoption on Consent Agenda on 4/17/23.**

E. ITEMS FROM THE DEPARTMENT OF ENGINEERING:

1. Discussion on Sidewalk Maintenance Program

Tom Komlanc, Director of Engineering, said the purpose of the discussion is to reengage Council on the city's Sidewalk Program. Komlanc took the audience back to the Town Halls that were held last summer for the 2022 Sidewalk Program. He stated that inspections and assessments of the program area occurred over the fall, and that information was captured and correlated to cost. Bid openings for the 2021 Sidewalk Program helped further assess costs, along with an understanding of the 2022 program. The 2022 program had 619 parcels and 22% more defects than the 2021 program, which, with inflation, brought the cost of the program up to \$2.3 million. This information was presented to City Council in February. At the request of the City Council, a revised program area was proposed to reduce the cost of the program to the budget allocation of just under \$1 million. The information was presented to City Council, and the program area, and resolution of necessity were revised. In late February or early March, notice was issued to approximately 258 residents within the revised program area. To date, 43 inquiries related to the program area have been received. Many of the inquiries are related to cost. Costs to the residents range from \$120 to \$12,000, depending on the property's location. If a resident goes forward on the assessment side of things, they will see a \$2,400 tax increase over a five-year period, and some existing property taxes are around \$4,200. Komlanc requested an evaluation of the costs for corner lots or double-wide lots. Additionally, the current program does not account for individuals who are fixed income or low-income, and the Considerations could be made on a mechanism to account for these individuals. The other component is that residents are having trouble getting a contractor on board. They have until April 24 to pull a right-of-way permit, get a contractor underway, and have that work performed by June. The reasoning behind this is that the work needs to be completed by around Thanksgiving so that the 2022 program can be constructed. The bid for the 2022 program should take place this summer. If a resident wants to self-perform the work or opt-out of the program, the city needs to know whether or not they're moving forward or not. There can be some leeway in how that's otherwise done. The city can proceed with the bid and have an ad alternate for those who are still in the process of getting a contractor on board. Komlanc cautioned against having multiple contractors working in the same program area to avoid remobilization charges. The city is engaging with a consultant to evaluate the entire sidewalk inventory in the city. There are 174+/- miles of sidewalk in residential areas. The 2022 program was originally programmed to be around 10% of the sidewalk inventory. Komlanc said that maintenance activities may not necessarily take us up to full ADA compliance. Full ADA compliance has passable zones and meets cross slope criteria. If we were to look at the same 174 miles of residential sidewalk and the current present rate of a square foot of concrete of four to six inches in depth for the entire sidewalk system within residential areas, the City would be looking at spending in excess of \$72 million in replacement value. Komlanc notes all this because he thinks there are things the City is going to learn from going through the 2021 program. The question is can we get all of this done in time for the fall construction season for the 2022 program. Are there opportunities to engage with residents as to costs, particularly corner lots and those with low or fixed incomes? Staff's recommendation is to pause the 2022 program so that the Department can assess and put forward a plan that is on solid footing.

President Renner expressed his gratitude for the nice summary presented. He asked if there was an estimated time frame to “unpause” and come back with a new program. Renner acknowledged that this question might put Komlanc on the spot. Could Komlanc provide a rough guess?

Director Komlanc said the City has a contract with Cole for technology related to sidewalk scanning. The technology uses a Segway and three-point laser scanning to capture sidewalk information. The sidewalk scanning is scheduled to commence within the next week or two. The captured information will be provided to the City. He expected that information will be available in July or August of this summer to inform the 2024 budget and program cycle for the community.

President Renner expressed interest in seeing the engineers on Segways while doing the sidewalk scanning. He asked if there is any consideration for enforcing derelict sidewalks during the pause. Perhaps the Mayor could answer this?

Mayor Jadwin asked if Renner mean in terms of the program or with regard to the sidewalk code, which are two different codes.

President Renner said they are [different] but if the City was pausing this program, what happens with the enforcement?

Mayor Jadwin stated the 2021 program construction will go ahead as planned. The 2022 program will be put on pause until they gather better data and plan to make it more affordable for residents. The sidewalk code violation issue presents a challenge because of the burden it puts on residents to make these decisions in a short period of time. The goal of the program was to create an affordability tool for residents and to address the finding issued against the city by the federal government for not having compliant ADA sidewalks. The City was faced with a choice of just hiring more code enforcement officers to cite everyone and say “good luck” or try to create a mechanism by which the City could help residents make these repairs. Ultimately, under Ohio law, it is the homeowner’s responsibility for sidewalk maintenance. When the city introduced the program back in 2021, the conversation was that they wouldn’t fully understand all of the unintended consequences until it rolls out. Director Komlanc has brought great perspective with the Cole technology available, which will help them assess the entire community and X number of miles of sidewalks to better prepare for that. They still have a problem with people filing complaints against others for sidewalk code violations, which has to be enforced. Jadwin asked for Attorney Mularski’s input as to dealing with the code enforcement aspects.

Attorney Mularski noted the code regarding derelict sidewalks is a health and safety matter and cannot be ignored. The code would have to be changed or enforced. He can look into the matter further to see if there are any other options. The ADA situation still needs to be addressed, and Mularski is not sure how the current situation will affect it. The City will have to go back and communicate any changes to the ADA plan to the relevant parties.

Mayor Jadwin clarified that the 2021 repairs are still moving forward. The city is reassessing and reevaluating the sidewalk repair program. The city needs to have a conversation with FHWA to explain what they are doing and why. She does not want to mislead anyone, as the City is still addressing the sidewalk issues and not stopping the program.

Director Komlanc noted the city has planned for several street rebuilds in 2023. During

these rebuilds, the driveway aprons will be addressed, which provides an opportunity to adjust the cross slope and correct the sidewalk through the driveway. ADA ramps will also be addressed not only on the street rebuilds but also on the overlay streets. This is progress, but not the complete solution for sidewalk repairs.

Councilmember Angelou thanked Komlanc for mentioning ADA as it's a significant problem that needs to be addressed.

Councilmember Schnetzer thanked the Mayor and City Attorney for bringing up the FHWA issue, which is at the root of this. He acknowledged that the intent of the program was to assist residents in bearing the cost of the federal complaint. He had a question for Director Komlanc regarding the intersection between technical data and city-wide assessment, and how that information would feed back to policymakers. Schnetzer wants to understand if there are any program adjustments that might be appropriate and whether the technical data could theoretically lower the cost. He is concerned that if they pump the brakes, the cost may not go down a year from now. He asked Director Komlanc to give him more information and a pitch on why pushing pause on this program is the best course of action.

Director Komlanc noted the city is using technology to rate the roadways as well. There are over four and a half centerline miles of Detroit streets remaining to be reconstructed as a part of the 2023 contract. The reconstruction of the streets provides an opportunity to correct the ADA sidewalks through that avenue. There are areas where the point between maintenance and reconstruction is an opportunity to get a fully ADA compliant walk. He imagined a situation not out of the norm where a resident gets a notice of defects in panels 1, 3, 5, 7, and 9 that occurred due to deteriorated concrete, spalling, and vertical offset and through maintenance activities corrective action is taken. Taking corrective action on these panels might not be the best use of funds, as cross slope is a major issue in ADA compliance. Short of those that are in excess of 7-10% cross slope, taking corrective action only on deteriorated panels does not necessarily result in a fully compliant pedestrian accommodating route. The city will evaluate how far deteriorated the sidewalks on a given run of roadway are and determine the threshold by which they would make the decision to tear out the entire facility and make it ADA compliant, rather than simply performing maintenance.

Councilmember Schnetzer asked if Komlanc was saying that this forthcoming assessment will provide data that we currently do not already have with respect to the already identified target areas. In using Komlanc's example of the hypothetical 1, 3, 5, 7, and 9 panels, is our current manual way of grading those inadequate?

Director Komlanc said the manual way of grading the runs poses a challenge due to the timing of the evaluations and data capture. In June and July of last year, the program area was brought forward, assessments occurred in the fall, and data capture was done in the fall. There wasn't enough time to properly evaluate the underlying issues and get a great deal of granularity. The forthcoming assessment will provide information in advance to better inform the program going forward.

Councilmember McGregor wanted to discuss affordability. If the city was doing a corner lot, do we do it so half of it is on one street and half is on the other street. If Side A is on the target area, does the City do Side B, too?

Director Komlanc said the City is covering the entire parcel under the program. For instance, on Lincolnshire there's a handful of side streets. The City will be hitting those side streets as it makes the turn so that it's all covered within the program.

Councilmember McGregor suggested a possible solution to make the sidewalk construction more affordable for people who have corner lots. The suggestion is to only construct the sidewalk that's on the street and not the cross street, which would be done at a different time. McGregor is not sure if this is possible or not. In the short run, it might be less of a financial hit for them.

Director Komlanc explained that Empire may be one of the streets in the 2021 program. It would not matter for them because they would be billed one year and then get hit the next year with the second half. So, it would depend on how the program worked out but this was a great point.

Vice President Weaver asked Komlanc for help in understanding how the Cole technology data would translate to potential cost savings for residents.

Director Komlanc stated the accurate assessment of defects would be available to the residents. Residents can be proactive and take formal action on their parcel prior to the program commencing. Residents can look at the data and choose to advance the work on their property at today's cost versus whenever the City would get around to their programmed area.

Councilmember Bowers said as far as concrete costs and contractor availability, her concern would be whether deferring maintenance now would lead to higher costs later.

Director Komlanc responded that he did not have a crystal ball to foresee that but recognizes that with the growth and development occurring in Central Ohio currently, there is a high demand for labor and resources.

Councilmember Bowers suggested that the solution to the issue might not be pausing the program but looking at alternative ways to fund or support the residents. The 2021 Sidewalk Program has not been constructed yet, so the residents who would participate in it have not incurred any costs yet. Some residents were already out of compliance with code and needed to do repair work anyway, so they would have incurred costs regardless of the program. Bowers proposed exploring alternative funding approaches such as grants for low-income residents or infrastructure grants from the state. Another option could be a 10-year assessment program with a no-interest loan, where the maximum \$200 monthly payment is cut in half for residents if the project is over a certain threshold dollar number. Bowers mentioned that previously Council had discussed a five-year assessment program, but given the current costs, a 10-year program could be considered.

Director Komlanc responded that made complete sense. If those changes are otherwise made to address those issues, then that could be a practical method to move forward.

Mayor Jadwin mentioned considering alternative assessment periods, such as 7 or 10 years instead of the current 5-year assessment period. The pause in the program is to evaluate what options are available. To get outside grant funding for the 2022 program within the current timeline is not feasible. The opportunity to fully vet all additional options is part of the issue that needs to be addressed.

Director Komlanc added that the City's payback period would also be extended, getting that over 10 years as opposed to five. The self-funding would be over a longer period of time.

Mayor Jadwin acknowledged Komlanc's remarks and added that understanding the long-term impact on the city's finances and what that would look like is another component to this.

Councilmember Bowers expressed her concerns regarding the already enrolled residents in the program and wants to ensure they have the same access or additional consideration. She suggested exploring alternatives to support the 2021 program participants if the 2022 program is deemed too expensive. Bowers expressed concern about the potential increased costs in the future due to labor and concrete costs. She sympathizes with the residents, especially those on a fixed income, and wants to consider alternatives without risking ADA compliance or other considerations.

Director Komlanc noted that for residents who are part of the 2021 program, assessments have not yet been done. Before assessments are done, it is possible to explore mechanisms for providing additional assistance to those residents.

Mayor Jadwin asked Komlanc for help with regard to Cole and assessments. She mentioned a conversation with a senior citizen who lives on a large corner lot and received a bill of \$7,000 for sidewalk repairs, which she cannot afford. She questioned whether it is necessary to make people do all the repairs for a negligible difference, such as a quarter-inch difference. The Mayor wondered if Cole could help prioritize sidewalk repairs to be more strategic in what people are made to fix and budget accordingly.

Director Komlanc clarified that Cole will provide information on each sidewalk defect and their criticality. This information will allow for prioritization of sidewalk repairs based on their criticality. With a baseline of all defects, the budget can be better allocated to fit within programmatic budget for the given year. Budget allocation will be based on all information gathered, including street reconstruction program, street maintenance program and other utility work being done through the CIP.

Vice President Weaver said he thinks there's an ask in there. He believed Komlanc said it's staff's recommendation to pause the program. So, would the request be to then come back in several weeks with an additional update or do we need an action item from Council?

Mayor Jadwin said they do not have an action item. It was the recommendation of staff to pause the program.

Director Schultz said the request is to pause the 2022 program in order to create a more sustainable program for the future. The pause is not just for a few weeks but for the entire year of 2023, to reconstruct the program for 2024 and beyond. The goal is to create something that is more in line with the budget cycle for 2024. The city has learned a lot from both the 2021 and 2022 programs and wants to create a more sustainable program moving forward. Residents currently have until April 24 to opt out of the 2022 program.

Councilmember McGregor asked if we do that, can we change the assessment period to 10 years? This way, the people in the first year have that ability to spread it out if they want to for the 2021 program.

Director Schultz thought that would still be an option potentially. One of the conversations internally was what happens with people in the 2021 program. For people who have self-performed the work and with the bid underway and construction

going to happen in the next few weeks, it was determined that we would progress with the 2021 program.

Mayor Jadwin added that some of the streets in the 2021 program were the subject of the FHWA complaint. Therefore, the City had to move forward on the 2021 program.

Director Schultz said depending on the revisions made to the program, a retroactive remedy could potentially be requested for fixed and low-income individuals to make the program equitable across the board. It is important to create a sustainable program now to avoid revising programs in future years and having to go back multiple years to make them equitable. The goal should be to understand how to approach the program moving forward and to review the ADA transition plan, which references addressing sidewalks during capital investments in street rebuild programs.

Vice President Weaver asked what would happen with any appeals that have been filed. He believed at least one had already been filed.

Attorney Mularski responded that if we pause the program, we will pause the appeals.

Vice President Weaver noted that some sort of notice would need to be issued.

Mayor Jadwin added that we would need to do a communication to all the residents in the 2022 program explaining what is going on.

Attorney Mularski went back to the issue of code enforcement.

Vice President Weaver said he shared concerns that have been voiced by colleagues. He does not want to risk not being ADA compliant. That is the biggest obstacle here. He looks forward to hearing more about an updated program.

Attorney Mularski said his understanding is the City is going forward with the ADA compliance portion. He asked if it was correct that this is separate from the sidewalk program.

Mayor Jadwin noted the ADA transition plan is separate and distinct from the Sidewalk Maintenance Program. The Sidewalk Maintenance Program is part of the ADA transition plan. The City will still have the ADA transition plan. The ways that we will be dealing with the ADA compliance issues are in the street rebuilds, replacing sidewalks, addressing ADA curb ramps, aprons, etc., through that. Then, there are other repairs we do as Parks moves forward with upgrades to facilities addressing noted needs within the ADA transition plan. This plan covered a multitude of issues throughout the city, not just sidewalks. Sidewalks were a component of that. To reiterate, Jadwin stated we are still going forward with that. We have the construction on the 2021 program happening now.

Vice President Weaver said that clarification seems to speak to Mr. Renner's concern expressed earlier.

Councilmember McGregor asked if legislatively that is something we want to do.

Mayor Jadwin said the program itself she did not believe was legislated. There was some question as to what extent legislation had been involved with the program.

Director Schultz said there was the Resolution of Necessity to identify the area. If we

are going to pause the program, does this need rescinded or is the city obligated to do the work?

Councilmember McGregor said she was thinking about the assessment. Council had to change something when the City did not offer the option of paying everything up front. So, does Council need to change something else?

Attorney Mularski said we changed the ordinance to say this is how we are going to be doing this. That is what we need to deal with - the ordinance that states how this program is going to be run. Just as McGregor said, we changed it once already because we wanted to add a portion in there. He did not know about the program that is already going. How do we stop part of the ordinance and still enforce it against other people?

Mayor Jadwin said if we just stopped the program period this could be problematic. However, she does not share the extent of Mularski's concerns.

Attorney Mularski responded that part of it was talking about still going forward with the 2021 program. He does not know how we could do that and yet stop the program.

Mayor Jadwin said they are not stopping the program. The City is proposing to reevaluate the program for 2022, redefine the program area, and evaluate the sidewalks. Is that correct, Director Komlanc? We are not stopping the program.

Director Komlanc confirmed that was correct. They are proposing to reevaluate the program and put it on a more sustainable path. As alluded to earlier, we set the program area and then did the assessment not knowing what the costs were, what the defects were, to properly plan for the program. We will have data to forecast that and put a good plan forward.

Mayor Jadwin asked if this was any different from when the City delayed last year when it was running up against timelines with construction. The City is delaying here as well. It is not stopping. The City is delaying until July when it will get the Cole data back.

Director Schultz asked if the concern was the potential lack of equity from the 2021 program to a future year program.

President Renner said that was one of his concerns.

Director Schultz proposed to address the issue of equity by going back to the year in question and making it equitable through retroactive measures. For example, if there was a low-income provision or fixed-income provision, they could retroactively go back to the 21 program and ask those who are eligible to apply for the credit. The city could also kick in a certain percentage of the overall cost, and they could do the same assessment or reassessment of their costs to make the 21 program just as equitable as the 23 program. By applying these measures retroactively to a smaller group, they can avoid the issue of the problem getting bigger and bigger, and potentially facing hundreds of thousands of dollars in non-compliance or lack of equity.

Councilmember McGregor asked if once the City assesses the property, can it go back and change that assessment?

Director Schultz said he believed that the City did have the ability to go and change

any special assessment filed with the county auditor at any time.

Mayor Jadwin said she did not believe any assessment had been done. The work has not yet been completed.

Councilmember McGregor said she did not know if we decided to extend the assessment from five to 10 years, can the Council go back and do that?

Director Komlanc said for the 2021 program the work has been contracted. Once the work is complete, the City has tallied the costs, the residents will be provided the final cost. At that time, they can pay it all or go through the assessment process where it gets recorded with the county. That will then hit the property tax bill. If Council were to act on the affordability aspects for low-income or fixed income residents, or if there are corner lot provisions ironed out before those bills go out for the 2021 program, then the City can put the process on a more solid footing. For the 10 to 12 property owners that may have otherwise self-performed, the City would be going back to those residents potentially.

Councilmember Bowers appreciated the point that the sidewalk code and the sidewalk program were two distinct concepts. However, the sidewalk code informs the sidewalk program insofar as the program should be identifying sidewalk panels that are non-compliant with code. Is that a correct understanding?

Director Komlanc confirmed that was correct.

Councilmember Bowers said if we are going to be shifting to using the Cole technology, the Cole technology should still be identifying sidewalk panels that are non-compliant with code.

Director Komlanc said that was correct.

Councilmember Bowers said if the City was softening review of what panels are out of compliance with code, then we need to fix the sidewalk code to have fewer panels being addressed.

Director Komlanc stated that to be true potentially from the maintenance standpoint but other aspects of that are defined through ADA and PROWAG. The City otherwise would need to comply eventually.

Councilmember Schnetzer said if the data is anticipated to be received in July and there are preliminary discussions about changing payback periods and assistance to residents, Council is going to need time to see the financial impact of that. He stressed that Council needed that information ASAP, along with the pro forma and how it is going to impact City finances, if Council is making a long-term decision from which it cannot reverse, or if it would, it would complicate situations or create an inequitable arrangement. He conveyed to administration to get this information back to Council as soon as the data comes in. This needed to be on the front burner.

Councilmember Padova said when this technology comes in, the City will then have the condition of residential and commercial sidewalks. When the data comes in, are a bunch of people going to receive violations for their sidewalks? Is every violation going to be known and then code enforcement will proceed with their process?

Director Komlanc said he was not issuing a code violation against those individuals

that may otherwise be out of compliance.

Councilmember Padova said the information, then, is just going to be used for building this program. It is not going to serve as support for the person that goes around and does the code violations.

Director Schultz said the administration would not be using the data in order to issue code violations.

Councilmember Schnetzer offered to summarize some of the “breadcrumbs” that have been dropped across the dais and the floor tonight. It sounds as though what administration is proposing, while logical, is somewhat reversing the order of things. As stated earlier, we set the program area, then went out and did the analysis. Then, the bills are sent out. Depending on the defects, which were unknown from the outset, it could be a huge number. That impacts the budget. What it sounds like what administration is proposing is going out to assess the entire city. At that point, the City can take it in piecemeal. If we allocate \$1 million hypothetically to that, then we will get whatever five miles of sidewalk. If you want to do \$2.5 million in one year, that might be 10 miles of sidewalk. To the Mayor’s point, it might allow for the ability to prioritize the four-inch rises that are out there that are impassable for a wheelchair or walker as opposed to hitting the half-inch gap, which passes the “wagon test.” Is that an accurate summary of some of the objectives?

Director Komlanc said that was correct. In addition, considerations for weighted averages, or a weight behind proximity to schools or parks could be factored in. The city would have the capability to do that because the data is geo-referenced.

Councilmember Schnetzer said he supported the idea of pausing based upon the forthcoming data. Once the data is available, addressing the issue of payback periods should be a priority.

2. Requested Action Items:

[ORD-0016-2023](#) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH STRAWSER PAVING COMPANY, INC., FOR THE 2023 STREET PROGRAM ST-1101

Vice President Weaver noted Council already had a first reading of the ordinance. There was a request for it to come back to Committee for further discussion.

Director Komlanc reported back with some action items that were assigned to him. The first item was to take a look at the inventory of Detroit streets to be rebuilt. He shared that just over 4.5 centerline miles of Detroit streets remain to be rebuilt. The second item was to look at change orders during the 2021 and 2022 Street Program. He mentioned that there was a total of four issued change orders. The first change order was issued for a time extension due to labor, material, and other factors. The second change order was issued to add pavement markings where the thermoplastic pavement markings had worn on two streets that were not otherwise identified within the program area for 2021. The last two change orders were related to reconciling the bid plan quantities with the actual field measure quantities, which is a standard process.

Councilmember Bowers asked what the cost difference was on the last change order reconciling the quantities.

Director Komlanc said it was well within the 10 percent. It was probably one to two percent.

Recommendation: Second Reading/Adoption on Consent Agenda on 4/3/23.

[ORD-0017-2023](#)

AN ORDINANCE TO ACCEPT PUBLIC SANITARY SEWER IMPROVEMENTS AND ASSOCIATED EASEMENTS FOR THE EVERETT APARTMENTS DEVELOPMENT PROJECT LOCATED AT 307-319 WEST JOHNSTOWN ROAD

Director Komlanc reported that the West Johnstown Road Apartment Complex has passed its inspections for public sanitary sewer. The apartment complex is requesting the acceptance of the easement of 0.092 acres for the sanitary sewer work associated with the project.

Recommendation: Introduction/First Reading on Regular Agenda on 4/3/23; Second Reading/Adoption on Consent Agenda on 4/17/23.

[ORD-0018-2023](#)

AN ORDINANCE AUTHORIZING THE MAYOR AND DIRECTOR OF ENGINEERING TO AWARD AND ENTER INTO CONTRACT WITH DIRT DAWG EXCAVATING LLC FOR CONSTRUCTION WORK FOR HAVENS CORNERS WATERLINE REPLACEMENT PROJECT

Director Komlanc reported that bids were recently opened for the Havens Corners water line project. Dirt Dawg was the apparent low and most qualified bidder. Reference checks were conducted and came in okay. Although the company is not familiar with doing work in Central Ohio, they have done a lot of work in the Wooster and Wadsworth area. The project was budgeted a while ago, and material and labor expenses have gone up. Komlanc requested a supplemental appropriation of approximately \$346,000, which is the actual amount included in the request.

Mayor Jadwin asked when this was originally budgeted.

Director Komlanc said it was 2021.

Recommendation: Introduction/First Reading on Regular Agenda on 4/3/23; Second Reading/Adoption on Consent Agenda on 4/17/23.

[ORD-0019-2023](#)

AN ORDINANCE AUTHORIZING A SUPPLEMENTAL APPROPRIATION - Water Capital Fund for Havens Corners Waterline Replacement

Recommendation: Introduction/First Reading on Regular Agenda on 4/3/23; Second Reading/Adoption on Consent Agenda on 4/17/23.

F. ADJOURNMENT:

Jeremy A. VanMeter
Clerk of Council

*APPROVED by the Committee of the Whole, this
day of 2023.*

Trenton I. Weaver
Chair