



City of Gahanna

Office of the Clerk of Council
200 South Hamilton Road
Gahanna, Ohio 43230

Meeting Minutes Committee of the Whole

*Thomas R. Kneeland, Chair, Karen J. Angelou, Ryan P. Jolley, Brian D. Larick,
Jamie Leeseberg, Stephen A. Renner, Michael Schnetzer*

Kimberly McWilliams, CMC, Clerk of Council

Monday, July 14, 2014

7:00 PM

Council Committee Rooms

Present 6 - Ryan P. Jolley, Thomas R. Kneeland, Brian D. Larick, Michael Schnetzer,
Karen J. Angelou, and Stephen A. Renner

Absent 1 - Jamie Leeseberg

Additional Attendees:

Mayor Stinchcomb, City Attorney Ewald, Karl Wetherholt, Dottie Franey, Matt Holdren, Jennifer Teal, Joann Bury, Chief Murphy, Tony Collins, Rory Gaydos, Sue Wadley, Anthony Jones, Clerk McWilliams; from Lead Building Co. Adam Trautner, Scott Harper, Brian Hagemeyer, Todd Neuman; Press; residents.

PENDING LEGISLATION:

1. [ORD-0100-2014](#) TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO AWARD AND THE MAYOR TO ENTER INTO CONTRACT WITH RUMPKE WASTE & RECYCLING SERVICES, FOR RECYCLING PROCESSING FOR THE CITY OF GAHANNA.

Kneeland called the meeting for Monday July 14 to order; first item is Ord-0100-2014; 2 items having to do with Rumpke contracts; we are open for discussion on this. Renner said I would like to appeal one more time to Council to look at the pros and cons; I know that we would like to reduce litter and I also believe the 96 gallon container will promote recycling; we can promote now and bid next time; is this based on the potential to receive a rebate on the contract. Franey said the calculations save \$18,000; will only give back pennies to the residents. Renner said bulk pick up was about the same; would like to provide several choices; options for residents; big issue was the change of day; we are getting negative feedback; said I have talked to other Council members and Hilliard who did this; they got negative feedback for a month, then it went away; now they are saying it was a great idea; our discussion has been focused on the concerns of citizens but we are the same as these other communities; we should recentralize

talk on on the value of the proposal and support more recycling; another option is don't lock into 5 years; do 3 then another bid.

Angelou said what about ADA requirements; aren't the large containers unwieldy for older residents and people with disabilities. Franey said I don't know if these have ADA requirements; I believe wheel carts are easier; also it is good they have a size option. Angelou said right; if they can't handle a big can they can get the smaller one. Franey said if they choose smaller they can reduce the price; Rumpke said the 96 gallon will be the default but anyone can request a smaller recycle bin. Jolley said can you provide a refresher on the 3 can sizes. Franey said Rumpke would like the City to have a default for solid waste; residents can also choose; it is our intent to work with Rumpke when we implement where we advertise sizes ahead probably with a coupon and billing information to see the options so they get what they want. Jolley said can you go over the savings for the 3 sizes. Franey said any savings would be over the 5 years from what we currently pay; residents who go with 96 gallon solid waste can save a little more; the medium saves about \$65 dollars over the life of the contract; 1 can saves \$95 life of contract.

Jolley said I agree with what Renner said; the 96 gallon is a large container for saving money; save more with small containers; is the legislation contingent on a Monday, Tuesday or Wednesday pick up. Franey it is based on a Wednesday pick up. Ryan said we could not be locked into a Friday pick up. Franey said I have talked to Ewald and that cannot happen with the current legislation.

Jolley said this appears to be a no brainer; most people do yard work on weekends and some put it out when done, so code violations already occur; we can't not legislate on that fact; doesn't matter some people put it out early; the benefits far out weigh the negatives; not a reason not to go forward; the challenge is to inform the community of the changes and get folks to get the correct size.

Mayor said we have had questions about bulk pick ups; sometimes people move or clean up and put out lot of stuff; Rumpke has told us bulk pick up will not go away; you cannot just put out an extra bag as that is not bulk but when you move they will still provide bulk pick up.

Schnetzer said to confirm for the record, in 2015, this saves money; 96 gallon will pay more in 2015. Franey said every option saves money over the life of the contract; may elect an option where they pay more and have very little savings but it is still a savings.

Kneeland said we have had a large turn out of people who read about it; the feedback was this is not a well accepted plan; seniors suffer a burden for larger containers; however it sounds like they have options for trash but the recycling is locked in. Franey said they can also request smaller size for recycle; price is based on solid waste size; with the 32 gallon can they save the most.

Angelou said and if the 32 gallon should not be enough, can you change. Franey said yes.

Larick said in your email it says the savings is \$96.96 per household over the

contract; email also contains the savings for the other sizes.

Franey said the only option not discussed in the email is the automated option; for that they would pay more; that might have been a concern.

Kneeland said so we will move forward with this; regular agenda.

RECOMMENDATION: 2nd reading, regular agenda.

2. [ORD-0101-2014](#) TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO AWARD AND THE MAYOR TO ENTER INTO CONTRACT WITH RUMPKE OF OHIO, INC., FOR RESIDENTIAL REFUSE, RECYCLING & YARD WASTE COLLECTION IN THE CITY OF GAHANNA.

See discussion under Ord-0100-2014.

RECOMMENDATION: 2nd reading, regular agenda.

ITEM - From City Attorney

[2014-0087](#)

Gahanna Historical Society - New Lease Agreement

Ewald said this is back from the last meeting; it is a new lease agreement for the Gahanna Historical Society; attached is the draft; it denotes boundaries and provides an overview of the property; it is for a 1 year term with the option for a 25 year term; \$1 per year and we have the right to terminate it, and it gives access to the right of way; the City has worked with them in past to preserve the area with open space for the public; this works for Parks and Service.

Kneeland said so when is this ready for legislation. Ewald said next week; like to have first reading next week; we do have an original 1979 agreement to rescind.

Ewald said we can probably do one piece of legislation; McWilliams said should make them separate legislation but keep together.

RECOMMENDATION: 1st reading, regular agenda; 2 pieces of legislation.

1. **South High Street Lease**

ITEM-Lead Building Co.

Kneeland said we are adding an agenda item to Committee of the Whole; the Administration would like to discuss the property on Hamilton Road; representatives from Lead Building Co., the applicant, are here; Adam Trautner, Scott Harper, Brian Hagemeyer, civil engineer, and Todd Neuman, legal counsel. Collins said Parks and Engineering were requested to do a grading review; this is important to the public-private development. Kneeland said can you clarify the address. Collins said this is for 433- 531 Hamilton Road; this is a multi-family

development; the Sycamore Run Reserve is the location for the future park and needs a grading plan for the permanent easement implementation; problem when we met with developer to talk options and the current plan; we had a draft easement agreement contingent on Council agreement; needed to get input relative to where we are looking at construction and the cost of the easement; we hold the property owner accountable for this; there are parts that impact the public.

Kneeland said a potential easement agreement could be fairly costly; do you have any alternatives to this proposal. Neumann said we have not been informed of costs. Jones said Development is working on that. Kneeland said have you evaluated what are the options if this doesn't happen. Neumann said we believe this is approved by the zoning; the Final Development Plan cross section addresses that; we have details from Planning Commission on the SW area of land where there would be no conditions on that application; was discussed if it would affect the park area; always the intention to grade it; if you are asking if we are willing to pay for the easement, to modify the grade plan is not an option; can we work with the City on tiered grading, trees, or a retaining wall, we are open to doing that approach; when this came up, heard this was the first time you knew; grading on public property has not changed since 2008; have a copy; sent to Ewald.

Jolley said for Council and Ewald could we have the clerk pull Planning Commission minutes and the drawings and what we have from 2008; compile that. McWilliams said yes we can do that.

Trautner from Lead Building handed out a document; said there is some modification; the grading is all the same; the trail is on those and last fall we were asked to remove it from the plan; now not shown on plan; can put trail back in provided plan does work with grading; been working on this since January of 2013; I have documents I have shared with Ewald.

Kneeland said we are not in a position to give direction tonight; we are trying to understand data; will open this up to my colleagues for questions.

Mayor said I am not sure what we looking at; don't believe the administration does either; we will have to review.

Collins said with regard to the impact to public property that the Planning Commission has said they are ok with it; any entry on public property Council has to approve for private benefit; the public has the requirement to see it is reimbursed; there are 2 specific issues. Mayor said these say "plans not approved for construction"; even if it is the right thing, it does not mean you can build; still have to get an easement for plans to be approved.

Neuman said Lead Building knows the laws; we have already closed on our financing; permits were requested in May; now July and we have not started; this is not a small investment; it is over \$20 million and will be a significant impact to the community; we are looking for direction.

Kneeland said respectfully we are not saying no; we are asking for documentation

to move the project forward.

Collins said we have been in touch with the developer; we understand the urgency; we gave them a preliminary response; did insist on the easement language that is 3 or 4 pages long; since this goes to perpetuity it has to be done right; draft to legal then it goes before Council to complete the process.

Neuman said in Gahanna the planning application is 30 days; this process is double that; responsibility to tell us what you need to see for the easement; we are waiting to move on this and have our contractors lined up; talking about no permit over construction easement; permanent easement is not final at the outset. Mayor said yes it is; not our code. Neumann said not in code. Jones said we don't issue building permits until Engineering signs off.

Kneeland said the easement is necessary to satisfy the project; Gahanna does have to provide due diligence; Administration is working on the easement agreement; asked Ewald for a timeline. Ewald said next week; we probably could discuss next committee.

Angelou said they need this approval to move ahead; we don't want to hold back 2008 rezoning; it is clear we need to move quickly as well as protect public property; see this as a very good project.

Renner said I echo what Angelou is saying; want to thank you for investing in Gahanna; we want the project to happen; we just need to make sure on the park area and the easement.

Jolley said thank you for coming; issue came up quickly; we have had no time to review; I understand you are requesting we move with urgency; don't feel Council urgency expressed here; do we need outside counsel. Ewald said not for just 2 weeks. Neumann said when this went to FDP and we go in for permit we know fees; easements are after the finished project; we have submitted the budget to the bank and now we are being told of additional costs; closed on financials 45 days ago; have the contractor sitting around ready to go; if we miss this window it will cost us about \$200,000; this is not the correct way; after you put things in front of the financial institutions then all of a sudden it comes back; not sure how we even handle that; about the delays, this is 180 unit apartment complex not rented; average rental is about \$1000 a month per unit; we would encourage you to have the language to us as soon as possible including the cost information; that is an important item on our end because we had not heard about it until the last couple of weeks.

Kneeland said we will make sure to put this at the top of our list; as soon as we see something we will make sure you are notified.

Angelou said so you know, this is the first time we were made aware of this tonight at 6:30. Trautner said I am giving you the perspective of a developer that has filed an application; anything we can do to help speed up the process we are more than happy to do it.

ITEM - From the Clerk of Council**Liquor Permit****1. New Liquor Permit for Cameron Mitchell/1370 E. Johnstown Road**

McWilliams said this is a new liquor permit for the Cameron Mitchell restaurant that will be the Barn; formerly Hoggys; they assumed the liquor permit from the old restaurant; if no objections it will be a motion resolution on Monday's consent agenda. Kneeland said the Police Department had no objection. McWilliams said they have no objection.

A group of residents from Taylor Road Church attended the meeting about a water problem on their property; were advised to come to next Monday's City Council meeting and present the details of their problem at a Hearing of Visitors.

RECOMMENDATION: Motion Resolution, Consent Agenda**Della Brandenberger, Reporting**