



City of Gahanna

200 South Hamilton Road
Gahanna, Ohio 43230

Meeting Minutes Committee of the Whole

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

Jeremy VanMeter, Clerk of Council

Monday, May 23, 2022

7:00 PM

City Hall, Council Chambers

A. CALL TO ORDER:

Vice President of Council Merisa Bowers, Chair, called the meeting to order at 7:07 p.m. There were no additions or amendments to the agenda. All members were present for the meeting.

B. DISCUSSIONS:

1. 2022-0156 Council Proposed Rule Amendment - Hearing of Visitors

Vice President Bowers said that the proposed edit was developed out of conversations from the past five months. Bowers asked if anyone had comments. Council Member Padova said she is happy with the addition, and it is what she had in mind when she brought it forward. Council Member Weaver said he thinks this ticks a lot of the boxes of what the original intent was, at least from his end. Weaver asked for clarification on the proposed rule that talks about utilizing the form on the city website designated for this purpose. Weaver wants to make sure they are talking about the speaker slip and the required information from the speaker slip. Clerk VanMeter said that is correct. Bowers said the only edit she wants to propose is individuals wishing to provide public comment but unable to attend in person may submit a recorded video for council to view during the appropriate time on the agenda by 5:00 p.m. on the day of the noticed meeting. President Renner said he liked the idea. Padova asked IT Manager Kevin Schultz if that gave him enough time. Schultz said that he is not involved in the process. Everything goes to the Clerk of Council.

Council Member Schnetzer asked if the intent was that the videos would be previewed by Council Office or would it all just air on the screens during the meeting for the first time for everybody. Bowers said the intent would be that they are previewed by Council Office. Schnetzer asked VanMeter if that was enough time given everything that goes on before a meeting on Mondays. VanMeter said unless there was a rush of videos to view in the two hours that

5:00 p.m. should be reasonable.

Council Member McGregor said they could try it, and if it does not work or becomes too cumbersome, then it can be changed. Bowers said that anything received after 5:00 p.m. would be held until the following meeting. Mayor Jadwin asked if any and every video that was submitted would be played. Bowers said that is the way it is currently written, and the chair has the right to end the video if it disrupts the decorum of the meeting. Bowers said if Council would need to review this, they would do so. McGregor said she hopes this works. She can see it going way wrong. Renner said he is interested in trying. Bowers said she has gotten public feedback that has been very positive. People have been asking for alternative ways to communicate and have their opinions heard at public meetings. Assistant City Attorney Roth asked what happens if it does not disrupt the decorum but runs longer than three minutes. Bowers said the video can be stopped. Roth said he did not see that in the proposed changes, and it should probably reserve the right to play just the first three minutes of a video. Padova said it does say that the video comment is limited to three minutes. McGregor said that it might be worth saying the video will be stopped at three minutes. Bowers said that the information can be included on the website.

C. ITEMS FROM THE DEPARTMENT OF PUBLIC SERVICE & ENGINEERING:

1. SR-0001-2022 A STATUTORY RESOLUTION DETERMINING THE NECESSITY TO REPAIR OR REPLACE SIDEWALKS IN THE 2021 SIDEWALK MAINTENANCE PROGRAM AREA FOR THE CITY OF GAHANNA, WAIVING SECOND READING AND DECLARING AN EMERGENCY

Vice President Bowers recognized Caitlyn Ridge, Interim City Engineer. Ms. Ridge said that the maintenance and repair of the sidewalks is the responsibility of our residents. The 2021 Sidewalk Maintenance Program will allow the City to proactively maintain the sidewalks in the Program Area and increase the affordability for residence. There are several legislative steps that are required as part of the process. The first step is for Council to adopt a Program Area, which occurred on September 20, 2021. The second step is for Council to adopt the Resolution of Necessity, which identifies each of the properties that are in the Program Area and the anticipated costs of the improvements. Those costs are the costs for the residents. This allows the Program to advance into the next phase. They are requesting that Council adopt the Resolution of Necessity for properties that are in the 2021 Program Area to allow the Program to advance pursuant to Code Section 521.06. Attached is a list of properties and anticipated improvement costs for the program. Upon adoption of the Resolution of Necessity, each property owner will be given a notice that will identify the defects of each sidewalk panel identified along the property. It will identify the type of improvement that is needed, define the anticipated cost, and describe the next steps for the program. Ridge said that the Department met with the Clerk of Council and the City Attorney to go over the legislative process and schedule. At that time, all agreed that it was going to be a Resolution of Necessity that would require

a first reading. Based on that conversation, the Department developed a timeline that was presented a couple of months ago to Council. Last week, they found out through the Clerk of Council that the Resolution of Necessity needed to be a Statutory Resolution which required two readings and a 30-day waiting period. The new timeline would not allow residents to get the notices around June 6, 2022, and instead delay until late July 2022. It would also push the time in which they could do the repairs into late fall, which is not as conducive to concrete work due to the weather changes. To proactively maintain this infrastructure for residents and do so in a timely manner, they are requesting an emergency and waiver.

President Renner asked for clarification for the record. If this is adopted, then all the homeowners will then be given notice and they will have 30 days to contact the City. Ridge said there are several different steps. There are three different deadlines: 30 days to appeal, 45 days to opt-out, and 105 days to complete the repairs if they choose to opt-out of the Program. All the information will be provided in the notice. The date of the notice is when the time stamp starts.

Vice President Bowers asked about Exhibit A and if there were any type of door hangings or any other type of informal notice yet. Ridge said the only communications with residents was when the Program Area was adopted. The Department sent a letter to each of the property owners as well as the tenants letting them know they were part of the Sidewalk Maintenance Program. It included information about the Program and what was going to be done. There was an additional mailer that let them know about the Town Hall meeting. As far as the cost shown on the documents, none of it has been shared with the residents at this time. They just completed the inspection process and developed the notices and the cost estimates. The Resolution of Necessity needs adopted by Council before they can share the notices that has cost information with the residents. These are estimated costs and the costs could go up or they could go down. They are conservative costs to ensure that they have it covered. The Department is planning to bid this program later this year and by spring doing the construction. Bowers asked if the costs are in line with what was expected to see with what was projected last year. Ridge said that on tonight's agenda they are requesting supplemental funds for the construction. Costs are more than what was anticipated for the Program. Construction costs this year have significantly risen. They have gone through the inspection process and tried to make sure that what is shown is as accurate as possible to make sure they are not burdening the residents. The City understands this is a big cost for some residents. Some of them are thousands of dollars. The Department has tried to take great care in what they have provided to ensure that it is accurate.

Council Member Padova asked for the deadlines to be repeated. Ridge showed the deadlines. As soon as residents get the notice, they have 30 days to appeal, 45 days to opt-out, and 105 days to complete the repairs themselves if they choose to opt-out of the Program. Padova asked about the time between the appeal and opt-out. If somebody does want to appeal this, is

that enough time for them to get a resolution and then be able to still opt-out or is there a buffer if you are appealing it? Is there more time given? Ridge said that there is a little more time if someone appeals. There is 45 days from the decision of the appeal, but the work itself still must be completed 105 days from the original date of the notice.

Vice President Bowers asked how long the City has to complete the review of the notice if someone appeals. Ridge said the appeal goes through the Property Appeals Board. Bowers said the Property Appeals Board will need to convene quickly. Ridge said that once a decision has been made on the appeal, the resident has 45 additional days to opt-out. They still must complete work within the 105 days from the date of notice. Roth shared that the sidewalk ordinance does not have a time set forth for a decision on the appeal, just for filing the appeal.

Council Member Angelou asked what they would be appealing. Would it be that they do not think anything should be done? Ridge said they would be appealing the inspection results which says there is a sidewalk panel the City believes needs to be repaired and they disagreed. Bowers said she thinks that there is a need for some date by which the City would guarantee an outcome of that appeal so that they could still get the work completed within the 105 days. Bowers asked if that is something that the Department could look at. Mayor Jadwin said they could look at the timeline of what is allowed under the Property Appeals Board code and how it aligns with the sidewalk program and see if there is already time built in it. Jadwin said there might need to be a code change.

Council Member McGregor asked how the notices are sent and how does the City know that it gets to the property owner. Ridge said they are going through Franklin County tax records and using the most recent information from those records. The notices are being mailed. If there is no response, the next step is certified mail. The notices can also be hand delivered. Jadwin said another issue that needs considered is the mail issue that is currently happening, not only in Gahanna but in other areas. Jadwin has been in contact with both Senator Brown and Senator Portman's office regarding the mail issues. They are looking into the issue. The City has no control over the Post Office, but the City might have to adjust for that issue.

Council Member Angelou asked how many notices are going out. Ridge said there are over 250 notices being sent. Angelou said she thinks we need to be able to kind of roll with things since this is the first time doing this. We should be tender about this, especially with the cost of it. Ridge said it is part of code and the resident's responsibility. This is a way for the City to provide affordability, so they are not having to do it on their own. Through the City's program, they can pay over five years at zero-percent interest.

Recommendation: Introduction/First Reading/Waive Second Reading/Adopt as Emergency on Regular Agenda on 6/6/2022.

2. MT-0013-2022 A MOTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE &

ENGINEERING PERMISSION TO BID CONTRACT FOR THE 2021 SIDEWALK MAINTENANCE PROGRAM

Interim City Engineer Ridge discussed the next two items MT-0013-2022 and ORD-0027-2022 together. The engineer's cost estimate for the 2021 Sidewalk Maintenance Program is approximately \$557,000, which assumes that no property owners opt-out of the Program. The property owners who do choose to opt-out of the Program and make the repairs themselves will be removed from the contract. The estimate is a conservative estimate that accounts for the increase seen in construction costs and to ensure that the Program can move forward. Funding was appropriated for construction of this project during the past budget approvals; however, due to the escalation of costs for construction, the Department is requesting a supplemental appropriation of \$150,000 from the capital maintenance fund. The request for the additional funding will cover the increase in construction costs due to inflation. They are also requesting a motion permitting the formal bid of the 2021 Sidewalk Maintenance Program.

Council Member Padova asked if there is any idea of how many people might opt-out of the Program. Ridge is not sure of the number; some residents have already reached out to the City. They do know that there are multiple residents who are going to opt-out. If they choose to opt-out and do not make all the repairs themselves, she knows that some residents are planning to do that intentionally. The repairs that are not made will require the City to enter them back into the Program so the City can make the repairs. Having the cost upfront will ensure that no matter what residents choose to do the City will have the funds available to complete the Program, follow the timeline and complete the schedule. Mayor Jadwin added that given this is the first year of the program, the City does not know and can only go by the feedback already received from residents. Jadwin thinks that the first year will probably be a higher number that opt-out than in the following year. Jadwin and Roth have discussed this, given Roth's experience in a prior municipality with a sidewalk maintenance program. Initially it was a higher percent of people opting out, and then by the second year, it was around 90 percent that were in the Program. Padova said the bid is based on all of these with everyone in and asked how that will affect the bid if 50 percent opt-out. Ridge said the City will be reducing the bid. The plans are to put the bid out right after the opt-out timeline. There will be a contingency assuming that some of those that have opted-out do not do the repairs.

Vice President Bowers said that if they stay in the Program, they would be using the bulk rate contractor and they have the option to either pay their costs directly in full or they would be paying essentially a zero-interest loan over five years through an assessment. Ridge said that is correct, but the funds are funds that the City will use to do the construction up front. Even if residents choose to pay the cost up front, that cost is not going to be given back to the City until afterwards.

Recommendation: Motion to approve Regular agenda on 6/6/2022

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3. ORD-0027-2022 AN ORDINANCE AUTHORIZING A SUPPLEMENTAL APPROPRIATION - 2021 Sidewalk Maintenance Program

Recommendation: Regular agenda on 6/6/2022

4. ORD-0028-2022 AN ORDINANCE AUTHORIZING A SUPPLEMENTAL APPROPRIATION AND WAIVER OF SECOND READING - General Engineering Services

Interim City Engineer Ridge said the Engineering Division currently has two vacancies and there is also an increase in capital improvement projects and private development projects this year. There are some big private development projects and several capital improvement projects currently being worked on, including the Sidewalk Maintenance Program and the Street Program. The Department is requesting a supplemental to seek assistance for the review of engineering plans, planning applications, technical studies and to expand the services they already have with a consultant under the general engineering services contract to help ensure they are providing the best services to City customers and residents. This would require a supplemental appropriation from the General Fund for engineering professional services.

Recommendation: Introduction/First Reading/Waive Second Reading/Adopt as Emergency on Regular Agenda on 6/6/2022.

D. ITEMS FROM THE DEPARTMENT OF ADMINISTRATIVE SERVICES:

1. ORD-0029-2022 AN ORDINANCE TO AMEND ORD-0089-2021 AN ORDINANCE ESTABLISHING THE SALARIES FOR PERSONNEL OF THE CITY OF GAHANNA FOR THE PERIOD JANUARY 1, 2022, THROUGH DECEMBER 31, 2022, WAIVING SECOND READING AND DECLARING AN EMERGENCY

Vice President Bowers recognized Miranda Vollmer, Director of Administrative Services. Director Vollmer shared that in late 2021 Council passed the 2022 Salary Ordinance. This request is to amend ORD-0089-2021. The requested modification is a result from the establishment of the Department of Engineering and a review from the City's consultant for the roles in the Department of Finance and in Marketing and Communications. In addition, the consultant reviewed Fair Labor Standards Act (FLSA) overtime status for a few positions that are listed in the attached report and include as follows: management analyst, finance coordinator and marketing and communications specialist. As a result of those FLSA audits, these positions are exempt from overtime payment at the recommendation from the consultant, and in addition, a change in a couple job titles in the Department of Finance. Also recommended is to increase the pay grade from C10 to C12 for the position of Recreation Coordinator II. There are currently two vacancies in the position, including one at the Senior Center and one for special events. These positions have proven difficult to fill as three qualified candidates have declined job offers due to the pay levels. Based on the

compensation study in 2021, the Recreation Coordinator II position was one of the positions that was very low on the market scale. It was moved up to C10 but is still low compared to market. This request is to move it to a C12 to be more comparable with the positions in neighboring communities. To move forward in a timely manner with recruitment and hiring efforts, they are requesting an emergency and waiver for this amendment to the salary ordinance.

Recommendation: Introduction/First Reading/Waive Second Reading/Adopt as Emergency on Regular Agenda on 6/6/2022.

E. ITEMS FROM COUNCIL OFFICE:

1. RES-0014-2022 A RESOLUTION RECOGNIZING JUNE 2022 AS LGBTQ PRIDE MONTH IN THE CITY OF GAHANNA

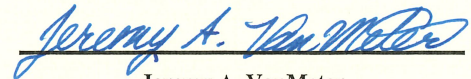
Vice President Bowers said the draft of the resolution recognizes June 2022 as LGBTQ Pride Month in the City of Gahanna. This resolution is like the 2021 resolution recognizing the contributions and the history of the LGBTQ community both in Gahanna across Central Ohio.

Recommendation: Regular Agenda 6/6/2022

F. ADJOURNMENT:

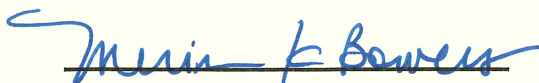
Vice President Bowers asked for clarification on whether there is a meeting on Monday, June 20, 2022 due to the Juneteenth holiday falling on Sunday, June 19, 2022. Ms. Vollmer said City Facilities are closed on June 20, 2022 in celebration of the holiday that was established in the benefits ordinance and recently negotiated in the FOP and OLC contracts. The meeting would be on Tuesday, June 21, 2022. The Clerk will provide a public notice of the meeting date.

The Chair announced the adjournment of Committee of the Whole at 7:43 p.m.



Jeremy A. VanMeter
Clerk of Council

APPROVED by the Committee of the Whole, this
6th day of *June* 2022.



Merisa K. Bowers