

City of Gahanna

*200 South Hamilton Road
Gahanna, Ohio 43230*



Meeting Minutes

Monday, March 8, 1999

Immediately Following 8 PM Committees

8:30 PM

Council Committee Rooms

Committee of the Whole

*Debra A. Payne, Chairman
Karen J. Angelou
Sherie James-Arnold
L. Nicholas Hogan
Thomas R. Kneeland
Rebecca W. Stinchcomb
Robert W. Kelley, ex officio*

ADDITIONAL ATTENDEES:

Jim McGregor, Tom Weber, Sadicka White, Terry Jordan, Raleigh Mitchell, Karl Wetherholt.

Jim Russell, Greg Stypes, Bernie Meleski, Mark Kelby, Jim Langkamp, Sandy Smith, students, press.

Members Absent: Karen J. Angelou

Members Present: Debra A. Payne, Sherie James-Arnold, Rebecca W. Stinchcomb, Thomas R. Kneeland, L. Nicholas Hogan and Robert W. Kelley

ISSUES**980526**

MOTION RESOLUTION TO REFER TO PLANNING COMMISSION A REVIEW OF CHANGES TO CHAPTER 1171, FENCES, OF THE CODIFIED ORDINANCES.

Payne introduced Steve Gladman from the Columbus Apartment Association. Gladman stated he had spoken with Angelou and did some research regarding other communities; researched ORC, Columbus and BOCA among others; prepared a summary of research that was distributed; could find no reference to covers as a safety device; usually they are considered for maintenance not safety; heights vary - Columbus is 42"; Gahanna is 36"; BOCA recommends 48"; Ohio didn't adopt BOCA code; they leave to local authorities to regulate; best information came from US Consumer Products Counsel; most of the pool accidents are immersion accidents and most occur in single family residential; stresses education; they recommend 48" as well; also goes into how fencing can be designed like some type of wooden fence that children can't climb, locking devices, and self-closing gates; other safety devices mentioned include alarms in pools and motion detectors which are much better for a single family environment; response time for commercial or multi family would be greater.

Payne questioned if we had any legislation on the table. Kelley stated he had prepared legislation to get the discussions going; changed height and required a locking gate.

Tom Weber noted that Foxboro pool had been advised by their insurance company to have a cover. Hogan stated that at last Safety Committee talked about 3 different classifications that would be dealt with differently; under commercial apartment complexes the big thing is that it is unsupervised most of the time; requires a 6' fence; did discuss the possibility of covers as a lot of them are small, like hotels, and are unattended most of the time; community pools usually have attendants and most already have 6' fences. Kelley questioned if 3 categories and 3 sets of rules are over complicating the situation. Stinchcomb stated we are not talking about a lot of changes; only thing different is the cover issue; on the residential pools that are above ground changed 5' to 6'; residents would have a huge expense and there would be no expense for the commercial or community pools; talking about from the decking; goes to 42" if in an ground pool; no grandfathering in this.

In response to question from Kelley, Gladman reiterated that it is privately owned pools that cause the most problems; commercial pools have a higher design build to begin with; some states have no requirements for single family and here we're struggling with the level of fencing; Gladman continued that in his research on covers one of the difficulties was that there seems to be no standards for those covers; could find no reference to what is an approved cover; not trying to dissuade you but don't know what you will craft that will constitute a cover; could be there would need to be a weight limit

they could hold.

Kneeland noted it seemed we were looking at the dog legislation again; possible to get some kind of history from the Fire Department on pool accidents. Kelley noted he could remember 3 in about 30 years. Do they have something that is documented; have some kind of history; how serious a problem do we have; also do they have recommendations for us; don't want to put residents to a huge expense.

White there are various types of covers; could be something like a tarp up to others that have certain strength; in the case of where you have multi family, you have a greater attraction; there is more opportunity for outside kids to come in and be unchaperoned; is a greater attractive nuisance; know of condos that have a fence and a cover that several people can stand on; helps with the liability.

Stinchcomb stated that a number of new condo associations do have load bearing covers; up to now have only had a handful of commercial pools; in our growth phase are adding a lot of hotels, apartments and condos; this category will grow in our city.

Payne noted a procedural question at this point; was discussed in Safety; thought we would have legislation before it would come forward; are rehashing what you have already discussed; consider sending back to Safety and come up with a recommendation. Hogan noted it had been discussed; not sure we agreed on anything; did talk about 3 categories, fences, and covers. Stinchcomb requested that full time staff come forward with a recommendation. Payne requested that Jordan take the lead in this. Jordan noted he would have something for discussion at next Committee of the Whole in 2 weeks.

Stinchcomb noted that Foxboro has a cover; would be an astronomical expense for Swim Club to do; both of those have lifeguards when they're open; have limited access; may not be a need for bumping up the fence requirements for them.

Payne stated the administration will come up with a recommendation and will continue discussion in 2 weeks in Committee of the Whole. Gladman suggested taking a look at the State Health Code if we were going to use various classifications.

Right of Way Ordinance

Payne noted she had received responses from White and Jordan who is to talk to the consultant about the costing structure; each department received a list of tasks that fall into various categories; have not heard from Wetherholt or McGregor; review the list and is a formula to do costing structure; ask those that have not responded to get information back to me prior to next Committee of the Whole. Payne noted that there was a section for the Council Office which had been received but also a section for Council. Asked that copies of the memo be sent to Isler and Weber who did not receive them initially.

FAR Part 150 Update/Noise Compatibility Program

White noted her report dated 3/4/99 on the noise compatibility program update and what was being recommended in the Part 150 Update; gave you recommendations that are the crux of what's being proposed; also talked about the abatement issues; also listed a few questions specifically asked at Tuesday meeting of Bernie Meleski and Mark Kelby; asked them to attend this evening to explain directly; Bernie Meleski is Director of Planning and Mark Kelby is an Airport Planner.

Stinchcomb questioned the basis of the testing for the Part 150 update; appears that

portable noise monitors have not been used for some time and that permanent noise monitors are on their way; did you take actual readings or are they based on computer models. Meleski replied that they were based on computer models; is an accepted model of FAA; done this way at every airport; is state of the art as noise measurement models go; would be impossible for us to go out with portable monitors and replicate this information; would take hundreds of monitors over a long period of time and would not be cost effective and not sure data would be any better; there is a high correlation between the measurements in the fields and predicted measure of noise; am confident it represents the best we have in predicting existing noise exposure. Stinchcomb asked what assumptions are being made for the basis of where the dnl's are being drawn; did you assume flight paths or something else. Meleski stated information is put into a model as to type of aircraft, time of day they operate, direction they operate, where they fly, weather conditions, and a whole host of model input; results are based on historical actuals; looked at radar data and way planes fly to generalize flight tracks; concentric rings are then drawn and they are called noise contours. Kelby stated that there were 2 days of radar data in July; 48 hours and this is the result of that; good representation of east flow; NCP and NEM have been approved and are in the review process; public comment is due 3/19 and we will submit a final report; if acceptable by FAA then there is a 180 day review.

Stinchcomb stated that based on this chart there are several flight paths that are going directly over residential; don't see them as being sites where permanent noise monitors are being planned; only see 2 for Gahanna; would like to see permanent noise monitors in our Rathburn Woods and Hunters Ridge area as well as Goshen Lane; are none in those areas and am concerned about that; how was determination made on where they would go. Meleski stated that an acoustic consultant made recommendations; put together the program we bid; 8 sites will give us a lot of data over a year; will give us a good beginning point; are 2 sites in close and 2 out far; where the flights are going are not where the noise monitors are going. Meleski stated that the combination of noise monitoring sites and system we're getting allows us to match where planes are flying; will have the ability to track every plane that leaves airport and we will be able to match that flight track as it crosses a particular path; what this will do is try to match a noise event with a particular aircraft type and number; match a noise event with that; over a course of a year will know where they are flying and type of noise it generated when it flew over this point. Stinchcomb agreed that it would give good data for the future; request you consider most of the commercial are coming in along the two points noted are scheduled airlines; think the smaller aircraft overflying our residential areas are a bigger irritant; have more calls from the smaller lower flying noisier aircraft coming in over those 2 paths and as a city neighbor to the airport would like to see some permanent monitoring within our community. Meleski stated that the system is about \$550,000; can go to 100 sites although doing 8 initially; additional sites are \$10,000 to \$15,000 each; is not a particularly expensive item to do; felt we had a good mix on our initial sites and needed to learn from what we are installing before additional sites and data would be added; technology advances will take place also; 10 year plan shows 4 additional sites installed in the next couple of years; don't see why we can't work with you if there's a site you'd like to see; they look like aluminum telephone poles and need to be located near a telephone line and electric; maximum is about 100'; not necessarily the best in residential areas and they do need service; has to have easy access with truck to service; one reason we look at churches and schools for locations; safety issues also play a factor; can fence them if necessary; collected is real time data on a 24 hour a day, 365 days a year operation; there is battery backup so they continue to operate if power goes out; information is downloaded to a modem. Stinchcomb agreed that it was a great system; my ward gets more calls than anyone else; feel it would be a great help to have a monitoring site that I could have real data and real results actually in Gahanna not

something based on a computer model. Meleski noted they would start to look at a site; no requirement that we wait 2 or 3 years; a site in this general area would be a good candidate and can work with Sadicka on this; would need to have a perpetual easement so we would have access for service; already owned city property would be easier; contract is still open; may be a possibility; ask White to work with me.

Hogan stated commuters seem to be the bigger problem; was at Schmucke's home in Hunters Ridge and twin engine commuters revving up to climb were only 250' to 300' above the house; was one after another; there's a park right next to him; could be a good point for a permanent monitor; when we called the airport, was told that commuter flights don't fly that area; did come out and put a temporary monitoring device in back yard and found that they were flying over the area; some kind of monitoring in that area would be excellent. Hogan noted he was also concerned with the high decibel readings flowing into grade school at Goshen Lane; well in excess. Meleski noted there was a lot of misunderstanding on that; readings on that chart are single event readings; what's referred to as L-max readings; they are not the same as dnl which are 24 hour averages; shows the impact of an engine run up situation on Executive Jet ramp and surrounding noise impact; at mid point there are 80 to 90 decibels on street traffic; noise from I-270 will be quite a bit higher than from airport; needed some understanding of what the level of noise was and levels being produced in this area; look at the bulls eye and areas of concern in 65 range; 55 was based on study in 1991 on engine run ups at the airport with no barriers or restrictions; looked at the impacts of engine run ups and 55 was picked as the single level; 40 is generally an interruption and a house with open windows will give you about a 15 reading; we have a good outer ring for interruption; when we modeled that 55 outer ring felt there were ways that we could change the way noise could be barriered; can shift the way those contours looked and noise as experienced by people; this was the 55 at L-max for a DC9; on south edge of apron there is a barrier to essentially prevent that 55 from spilling over from going north; not that same type of plane; fleet that Executive Jet has is a Stage3 fleet which is much quieter; their type of aircraft won't be as loud as the DC-9; bulls eye doesn't incorporate any barrier system; can't model with impact of barrier; the noise barrier that is currently on south edge of terminal apron is 21' high by 161' long; building is 59' high and building line is 600' long; will be a barrier with the building; what you will see is that the bulls eye will not spill over the I-270 line; not asking you to take that on faith; said in the program that we will run up on the south edge of the building line; if that does not work will commit to build a barrier; that's in our program; not talking dnl; talking single event; looks at range of noise from human activity to know where those run ups are going to go and we believe that will be a proper barrier; will not be any noisier than that from I-270; lastly made a commitment that if this situation does not work will construct a barrier to mitigate; is one now located on the south edge and it runs east west; is a wall; aircraft depending on wind direction will face east and west; could be that the engines would point towards Gahanna; run ups last 2 minutes; this barrier is for night time engine run ups which are those between 10:00 p.m. and 7:00 a.m. Several members noted that Sunday morning at 7:00 a.m. seems to generate the most complaints. Meleski noted 274 complaints last year and about half were from Gahanna; general topics were vibration, noise, and overflights; typically receive more in summer months when houses are opened up and spring and fall before air conditioners are turned on; has been that way for 8 years.

Kneeland noted that Executive Jet is moving to north end of complex; have some concerns; not convinced that a steel building will work as a barrier; also have question on their Stage 3 engines; assume that they will stay in business long term; is there a condition that if someone else comes in that the Stage 3 engines are addressed; is it required that any new fleet would have to be Stage 3. Meleski noted that the plan would

be to look at night time engine run ups; look at what that operator does; buildings would be the first line of defense and barriers second; then we would look at restricting activity; don't think that would happen; airport would like to secure a tenant if that 180,000 sf of space was sitting empty; Lane Aviation could probably support that much space; most of EJA run ups are during the day; night is their maintenance time so it's ready for the next day; Lane doesn't work that way necessarily; if a Stage 2 operator went over there recommendation would be to restrict nighttime activity. Kneeland stated he would like to be pro active at this point so there are plans in place; kind of a guarantee to us; would feel much better if there was something addressed; some guarantee to our residents on the type of aircraft that would be allowed. Meleski noted that the President of the National Business Aircraft Association has called upon its members to phase out the aircraft; Airnet has been one of the sources of our problems; should be all gone in the 5 year phasing period.

Stinchcomb stated that an issue had come up recently on residential development south of Taylor Road. Meleski stated the outer ring of the 65 in 2003 is shown; shows the impact of a Stage 3 fleet on noise contours; major reduction in terms of noise exposure; over time, unless there is Stage 4, this contour will start to grow; still think Taylor Road is a good dividing line; from an airport operator perspective think we are most concerned about residential close in especially in the 65 dnl area; we are not seeing residential in that area; statistically did a lot of research when the Discover Card development was proposed close to or off runway ends; closer you get to runway ends more accidents there are; don't know if it is a safety issue in the area that was proposed for apartments; will be planes flying overhead so is more of a quality of life issue; apartment dwellers market generally creates people who could accept noise levels; many people would hate it and not live there; for those who it doesn't bother they still probably stay; not sure we know if it would be any worse north or south in terms of safety; am not an expert on aviation safety; can tell you that experience shows objections are to vibration and over flights; quality of life issue is there long term for single family residential but apartment dwellers come and go more; are not any less important but they have more options. Kneeland noted we were talking statistically but what about historically; have never seen an aircraft in a negative safety situation at end of runway; have been several aircraft crashes; was an Airnet fatality; the commuter plan in the Industrial area. Meleski noted we have to go with averages; Port Columbus has a good safety record; not a lot of obstructions or bad weather that causes problems in other areas; did that study when we looked at Discover Card; will check to see if we can pull together actual incidents in the last 10 or 15 years; will research and get back to you.

In response to question regarding Avigation Easements, Meleski noted they are given to the airport and grantor acknowledges the right of aircraft to fly over their property and make noise; also says that there will be no structures erected on the site that will affect the transitional surfaces; a cell tower or water tank tower might make a difference; last thing it says is you won't sue, molest, or bother the airport in relation to its ability to make noise; doesn't waive rights to recover damages in case of neglect; have done soundproofing of schools and homes; usually obtain easements through overlay zoning with Columbus and Franklin County as part of a zoning change or variance where we would get an avigation easement in the overlay zoning area; person acknowledges they are building or expanding their use; sometimes they obtain soundproofing in exchange; in the zoning sense they are receiving approval for change of use; they get something of value. White noted that airport has indicated as one of their recommendations that Jefferson Township and City change their zoning so it would model after Columbus and provide the airport environs overlay. Meleski stated that we would create a district in the zoning code; underlying code stays in effect and a new set of restrictions would appear under this noise contour; additional soundproofing in an office building is an

example. Stinchcomb noted that an avigation easement has been a request for several years and have resisted that due to the devaluing of our TIZ. Meleski noted that he has been happy with development pattern here; residential is north of Taylor Road; have talked about that for a long time; our goal was to keep 65 south of Taylor; would prefer to have something in place; has worked well and property owners have known what they're getting into; not everyone knows when they buy property.

Kelley asked for a brief discussion on the Buckles property. Meleski stated an action has been filed to take the property; our offer was rejected; has not contested our right of take; currently discussing the value of the property; court date set for November; as to the use for the property, don't know that we have an immediate use; very concerned that the development would go in would be compatible with something right off the runway; 150 acre or 120 acre tract there will always be pressure for someone to put a shopping mall or strip center in there; is an area that greatly impacts the airport is the short term reason for buying; to protect the airport is the long term reason as there is potential for development there; can't say what; do know we will be short of places to park cars, places for rental car activity; can see at some point in future an airport entrance from Hamilton Road side that mirrors International Gateway; don't know how that might be used; just want more control of the density of human activity. McGregor noted that the City has a consistent history of not allowing fill in flood plain in order to prevent down stream damage; have 50 good acres but rest is all flood plain; also hope you get rid of those billboards when you take over.

Hogan stated he understood that something will be built there; only concern is that if you do put something in there our tax revenue is not hurt. Meleski noted that the airport will be subject to whatever zoning and building codes Gahanna has; are not looking to annex to City of Columbus.

Jim Langkamp, 433 Xavier St., stated his concern is ground noise; overhead doesn't bother me; attended meeting last week; future plans include moving that short runway 400' further north; am concerned about that. Meleski stated that the building line for EJA has been placed to allow for a moving of the runway 400' to the north; those buildings would not be in the way but there is no plan to move the runway; next major phase will be the construction of a 3rd runway 800' to the south of the long runway to accommodate 450,000 aircraft operations annually; now around 220,000 operations annually; that's the kind of capacity that a third runway will provide; would cost \$110 million in 1998 dollars; not something that is easily and cheaply done; all we're doing on the north end is that in the case of ever needing to expand that runway buildings won't be in the way; third runway configuration provides the most flexibility; a new unit terminal with some 40 odd additional gates is a balance; looking at the 2050 time frame at this point; thing that would cause this to change would be some major increase in operations or airline activity; could be brought about by a hub; not a lot of decisions being made by the carriers at this point as they have already been made; in most industries they are doing a consolidation of business; potential for getting a hub is very remote; if that opportunity presented itself would look closely at it; is a potential for some wings built north or south side; those wings would require a shift in the runway; is not on the plan; is not on the horizon.

Payne thanked everyone for attending; City will be submitting a response. Weber requested a response be done in the form of a resolution stating the will of Council. White requested that Council members get back to her by Wednesday with concerns they wish included in order that a resolution could be drafted.

Recommended for Adoption, Consent to Consent Agenda (Duplicate)

TIF Proposal for Eastgate Properties

Payne stated that Council needs to give White direction on this issue before she can move forward; have Jim Russell and Greg Stype here tonight.

Russell noted that we potentially have 3 or 4 tenants; met with State today with regard to grant possibility; also about borrowing through the state infrastructure; is a 15 year loan opportunity and they encouraged us to borrow from State and City would pledge; have been looking at tapping a new revenue source and how to do that; Stype stated that he has taken some numbers given to us on development build out and translated that into TIF revenues; take that money over 20 to 30 years and what could you turn that into in terms of capital investment; looking at \$2million in public infrastructure improvements; TIF alone could support \$1,300,000 of those public improvements; was a calculation at 5% interest and state might make 4% available; shows some sense of the magnitude of what TIF could bring to the table.

McGregor asked if the TIF covered \$1.3 million where the \$700,000 would come from. Russell stated one company would be relocating from Michigan and state will make a direct grant of \$150,000 to \$200,000 to public infrastructure; last 6 months have had to get a little creative; this site is off the beaten path and not a typical development site to be pursued by the private sector; trying to utilize some state grant dollars to limit debt service or how else that might be applied; downsized from about \$2.8 million down to about \$2 million; from private sector side, a cash contribution on land sale side per acre directly if not able to fund some of that gap; look closer at TIF structure and where it could be expanded; may be a good possibility of these public improvements; phase that construction in and deliver on a quicker basis; really want to encourage you to look at this; have 4 active prospects; biggest problem is the timing of those projects; most want to be up and running by end of year or first quarter of next year; need a commitment so we can go forward and get hard numbers and still meet schedules; release some of the funds you have set aside in order to do engineering and design while we're putting together the fine tuning of the TIF; income tax generated and other revenue sources are portions of the project; pots of money are available to you; still some flexibility there; get something in place for us to sell.

White stated she would ask to begin the engineering and would need a supplemental; will also need to enter into contract with Stypes for legal work at some point. In response to question from Payne, White stated that in order to get moving would need the supplemental done immediately; can put together some estimates with EMH&T and get that information to you.

Recommend for Introduction

990106

MOTION RESOLUTION TO ADOPT THE RULES OF PROCEDURE FOR CITY COUNCIL, AS AMENDED AND DATED 3/15/99.

Recommended for Adoption, Consent to Consent Agenda (Duplicate)

ISOBEL L. SHERWOOD, CMC/AAE, Deputy Clerk of Council, reporting.