



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

Krystal Gonchar, MPA, Clerk of Council

Monday, January 10, 2022

7:00 PM

Council Chambers

A. CALL TO ORDER.

Vice President of Council Merisa Bowers called the Committee of the Whole meeting to order at 7:00 p.m.

B. ITEMS CARRIED OVER FROM LAST COMMITTEE:

1. [ORD-0093-2021](#) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH GPD GROUP FOR PROFESSIONAL SERVICES FOR THE 2022 STREET REBUILD AND WATERLINE REPLACEMENT DESIGN PROJECT.

City Engineer John Moorehead gave an overview of the updated design proposal (Exhibit A attached). Moorehead summarized his previous comments made at the last Committee of the Whole Meeting. Moorehead stated that at the committee meeting in December the discussion included a conversation about above ground utilities. Staff requested the consultant evaluate it as part of the contract. The change has been highlighted on page three. The engineer is going to be coordinating with American Electric Power (AEP) to evaluate the cost of moving above ground utility lines to underground. This only applies to North Street which is the only street of the five that have above ground utilities in the right-of-way. This is different than a normal utility relocation as part of a project. When the city constructs a road, sidewalk, or a utility the city is the owner of that right-of-way. For utilities that conflict with the planned work, they have an obligation to move at their expense. It is their burden for being granted the right to be in the city right-of-way to operate their utilities. It is different because these utilities already have a home in the city right-of-way and asking them to move underground is a request. It is not an order. That request comes with a financial impact where the city would be financially responsible for paying that utility to move their lines underground. There are other utilities that lease space on the power poles from AEP. The city will have to request pricing from those utilities and find a place within the right-of-way to put those utilities

underground. Bowers thanked Mr. Moorehead and stated that the explanation exceeded her expectations.

Renner thanked Mr. Moorehead and asked as a follow-up how much of an impact does this have on the overall cost. Moorehead stated that there is no cost. The consultant is doing the service at no additional charge. Renner asked when going through the design phase at what point would it need to come before Council. Moorehead stated that staff structure design documents in percent completion; roughly a 30% complete design is about the first point where they would reach out to the utilities. Moorehead expects to have the information with a 30% design and then need to adjust course for the subsequent design applications. Once it is available it will be presented to Council. There are five streets in the project; the other streets will still move forward. Renner said Angelou wanted to know about the GPD Group which is out of Akron and why somebody closer could not have done the work for the City. Moorehead stated the city is working with the GPD Group's local office in downtown Columbus. They were selected through a qualifications-based selection process. No Gahanna firms presented an application.

Padova asked if the Rocky Fork Drive section got pushed back. Moorehead stated that is was part of the 2021 street program. In reviewing the field survey and plans there was a conflict with the driveways coming down from the homes; they are so steep if sidewalks were added a portion of the driveway would have to be flattened. It would create a conflict where the remainder of the driveway would become too steep. Staff is going to review options for adding sidewalks, possible reconfiguring driveways. Finding a way to meet the goal of getting a sidewalk without disrupting residents' driveways. Padova asked if it's just the Rocky Fork section or for all five of the roads included in this project. Moorehead stated it was only the Rocky Fork section and it was the only one pushed from a street program previously. Crawford stated River Drive wasn't pushed from the previous program, but it is was coming from the street rebuild list. It is not a street improvement project. It would have been on the 2022 program, however due to its unique condition it needed designed as well. Moorehead stated the streets program will be pushed forward and the goal is to get them designed so that they can be bid as part of the larger street program contract for 2023.

Weaver thanked Moorehead and Crawford for the thorough explanation and asked how would it impact the overall timeline to potentially burying the above ground utilities. Moorehead stated that if the city moves forward with burying the above ground utilities on North Street it is not uncommon for the work to take six to nine months to complete. He doesn't expect to be rebuilding North Street with the 2023 street program work.

McGregor asked if it has been considered to have sidewalks only on one side of the street on Rocky Fork. Moorehead stated it has been considered and is one of the alternatives.

Crawford stated that GPD Group is doing the evaluation and obtaining the quotes at no additional charge. However, the city would expect a charge for this type of service with other contracts in the future as well as if it is decided

to move forward with relocation of utilities underground, there would be additional design fees associated.

C. DISCUSSIONS:

1. Overview of the Council Legislative Process

Renner stated that with Krystal Gonchar as Council Clerk, Council Office functions well with the administration. Everyone needs to be aware of the process.

Krystal Gonchar, Clerk of Council presented an overview of the council legislative process (presentation attached). Gonchar stated that annually, Council Office gives administration a Council Action Timeline of due dates. It helps administration plan for when they need to bring an item to Council.

Renner asked if Council Office works with the administration on the dates. Gonchar stated the timeline is created by Council Office and is provided to administration. Gonchar did get the deadline from the Mayor on when she wanted items from her staff. The final report and attachments that are due to the Council Office are in Council Rules of Procedure. The deadline for publishing the agendas are based on Ohio Revised Code for meeting notices.

Renner asked if the Mayor is okay with the process as stated. Mayor Jadwin stated she is fine with it and that Gonchar has been a great partner to work with in the clerk's office. The calendar is very helpful for administration and allows them to work backward from the due date to when an item needs to go to Council.

Renner asked if resolutions come to Council what is the process. Gonchar stated that if a council member has a proposed resolution it goes on a committee meeting for Council to discuss. Then it would go on an agenda. That doesn't usually include the ones that are honoring or commending someone or recognizing a national day or month.

Bowers asked Gonchar when an item has had first reading and goes back to committee and it comes forward for second reading, what is the amendment process of what must be done. Gonchar stated that when an item comes before Council it's moved out of committee and introduced and then Council has requested that it returns to committee or be held in committee for further discussion; if there are any amendments made during that time, at the next meeting, before approving it, Council can request that the ordinance be amended and then vote on the amendment. If anything has changed it has to be amended before it can be adopted.

McGregor ask Gonchar to explain if something is passed by an emergency it is not subject to a referendum petition. Gonchar deferred to the City Attorney. Mularski stated that still can do it but can't do it before it goes into effect. They would have to file with the courts directly and not go forward with the

procedure. Gonchar stated there is an exception with an emergency; there are requirements that if something is passed as an emergency you must have a super majority of votes.

Bowers clarified that there's reference to 3/4th majority. Gonchar confirmed, that if 7 members are present then 6 yes votes are needed; if 6 members are present then 5 yes votes are needed. Bowers asked for circumstances in which an emergency is permitted, what are the requirements or parameters Council is permitted to pass those items. Gonchar stated there is a clause that says it must be for the health, safety, and welfare of the public

2. Council Rules of Procedure

Bowers suggested that if there are topics or areas that need to be addressed to work with Council Office on any of those changes. Bowers asked if anyone had anything to speak to. Renner stated there is one change not noted on the attachment; about the position on the Parks & Recreation Foundation that will need amended. Bowers stated that there has been some discussion about communication and how to address correspondence items that council office receives; it might be an ongoing discussion on how to address it as a body and how and when does it get presented as correspondence and action items at a regular meeting.

Renner stated that in these pandemic times it has heightened the awareness that sometimes Council Office and Council receives emails that the sender would like to be read in under the hearing of visitors. Council has a policy that you must be present for the hearing of visitors to be on the record and in the minutes. The question is in those cases does that become a correspondence and action and how does Council handle electronic information especially if someone requests that it's part of the record?

Weaver stated that it would be helpful to discuss Council representation on other Boards and how Council can get the list of representatives that are in the rules and perhaps what Council wants it too look like and encourage those bodies to come participate before Council.

Mularski confirmed Gonchar's statement about emergency legislation; cited Charter 4.15, which states that each emergency ordinance shall require the affirmative vote of at least six members of council if all members are present or the affirmative vote of at least five members if one or more members are absent.

3. [2022-0006](#) Suggested Council Resolutions for 2022.

Bowers stated attached is an overview of anticipated ceremonial resolutions for the year. It is not a restricted list; additional items can be submitted. Council office wants to partner with administration for potentially having joint proclamations and resolutions on appropriate items. Weaver asked how the joint resolutions and partnership would work in terms of the actual process of Council approval of the resolution. Mayor Jadwin stated she believes this is

an opportunity to work together on a joint announcement. It helps eliminate duplicative efforts but also strengthens the overall message. Bowers stated that if there is an opportunity for Council Office and the Mayor's staff to collaborate on the writing of the resolution once the Mayor approves, it can come before Council. Bowers sees it as a proclamation issued by the Mayor that then Council joins in with their vote. Bowers asked Mularski to weigh in on it. Mularski stated that once it is discussed and agreed on; if the Mayor wants to make a resolution and Council might want to make it different then at that point there shouldn't be a joint one. If it is agreed upon then that is a good way to do it. A joint resolution by the Mayor and then voted on by Council. McGregor asked if it would be called a joint proclamation-resolution. Mularski confirmed it would be.

Mularski stated that both President and Vice President of Council asked him about the Facilities Workshops the administration is presenting. Mularski stated that the workshops will be presented by the administration and there are going to be questions and answers from both the public and Council. Per the Sunshine Laws Council is not allowed to debate what is going on. Council can ask questions and if it comes to a debate it will need added to an agenda so that minutes can be taken.

D. ADJOURNMENT.

There being no further business the meeting adjourned at 7:51 p.m.