



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, January 9, 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 for the meeting was published on January 6, 2023. All members were present for the meeting. There were no additions or corrections to the agenda.

B. DISCUSSIONS:

[2023-0006](#)

Council Resolutions Calendar for 2023 (Anticipated)

Vice President Weaver asked Clerk VanMeter to print out the prior year's calendar of resolutions that had been circulated towards the end of the year. Weaver said he wanted to get a sense from Council if there were any additions, corrections, modifications, or subtractions from the list.

Councilmember Bowers noted she had an additional resolution she plans to work on with community members to recognize Urban Beekeeping Awareness Month. She is targeting July as the month for adoption.

Mayor Jadwin asked for the list of the resolutions so that she can compare with her proclamations for the year. Jadwin said she does not like to duplicate efforts but would also like to see if there is a possibility of joining in on one. Clerk VanMeter confirmed that he would send the list to Mayor Jadwin.

Councilmember Bowers asked whether the intention was to proceed with the same list or mostly replicate what was done in 2022. Weaver responded that he thinks that is the intention, unless there is a reason not to replicate. For example, he said there are a couple of different arts-related resolutions that he might prefer swapping out.

Councilmember Angelou suggested adding a resolution commemorating the library's grand opening coming up in March. Bowers thought that was a good

idea. Bowers added that she appreciated everyone's participation in these resolutions. Sometimes it might feel performative, but Bowers thinks that it means something to the people who are receiving them. It draws people into Council Chambers, and that helps encourage breaking down those barriers between people participating in their local government. She sees value to this.

C. ITEMS FROM COUNCIL OFFICE:

[RES-0001-2023](#) A RESOLUTION RECOGNIZING MARTIN LUTHER KING, JR. DAY AND NATIONAL DAY OF SERVICE, JANUARY 16, 2023

Recommendation: Introduction/Adoption on Consent Agenda on 1/17/2023.

[RES-0002-2023](#) A RESOLUTION RECOGNIZING JANUARY AS NATIONAL BLOOD DONOR MONTH

Vice President Weaver noted that he had put this one together. January is National Blood Donor Month. He encourages folks who are able and eligible to give blood. Weaver noted he had seen a lot of about the shortage in supply. He asked if anyone had any feedback. President Renner thanked Weaver for the reminder on blood donation.

Recommendation: Introduction/Adoption on Consent Agenda on 1/17/2023.

D. ITEMS FROM THE DEPARTMENT OF ENGINEERING:

[ORD-0001-2023](#) AN ORDINANCE ACCEPTING A DEED OF EASEMENT FOR PARCEL NO. 025-01376700 FROM CP CRESCENT, LLC, ASSOCIATED WITH THE PIZZURRO PARK WATERLINE IMPROVEMENTS, WAIVING SECOND READING, AND DECLARING AN EMERGENCY

Tom Komlanc, Director of Engineering, said that the first item is requesting acceptance of waterline easement in the Pizzurro Park and Buckles Tract area. This easement inadvertently was not recorded. The waterline improvements are in the ground and currently servicing the area. As the City was working through with the potential development along the Buckles Tract, it was uncovered that this had not been recorded. The Department is requesting the emergency and waiver so that the City can get this to the county to be recorded.

Recommendation: Introduction/First Reading/Adoption with Waiver and Emergency on Consent Agenda on 1/17/2023.

[MT-0001-2023](#) A MOTION AUTHORIZING THE DIRECTOR OF ENGINEERING TO BID CONTRACT FOR THE 2023 STREET PROGRAM (ST-1101)

Director Komlanc said he is requesting permission to bid the 2023 Street Maintenance Program. There is a visual map of the streets that the City is proposing for rebuild our asphalt and overlay and seal for preventative maintenance. The Department is also going to be assisting the Parks & Recreation Department with some parking lot work at Woodside Green.

Councilmember McGregor referred to a lot where the old FOP was. A church owns it, but a lot of people that use the lot for Park parking. Has the City looked at sharing a cost to have that lot repaved? She said it is in pretty bad condition. Is this something the City could do? Mayor Jadwin responded that the City attempted several times to have conversations with Stonybrook. When the City had reached out about that the church was just transitioning pastors. The church asked if the City could wait until the new pastor came. When the City reached out to the new pastor, the pastor was still getting settled. Jadwin said the City will pick up that conversation again with the church. Jadwin thought there is some concern around their future use and how that would prevent them for future use of the lot. That dialogue will continue. Jadwin knows that people think that the City owns that property because it is at a trailhead. If there is a way that the parties can work something out for use of that lot, Jadwin indicated this would be beneficial.

Vice President Weaver asked if this Program was on the same scale or scope as recent years. Komlanc responded this was around \$4 million in overall effort but depended on the bid environment. Mayor Jadwin said, yes, it is the same scope as the previous two years.

Recommendation: Adoption on Consent Agenda on 1/17/2023.

[MT-0002-2023](#)

A MOTION AUTHORIZING THE DIRECTOR OF ENGINEERING TO BID CONTRACT FOR THE HAVENS CORNERS ROAD WATERLINE IMPROVEMENT PROJECT (ST-1072)

Director Komlanc noted this item is for Havens Corners waterline replacement. This project was anticipated to be a 2022 project. However, given staffing and adjustments, the Department is now in a position to bring this project forward. There have been several waterline breaks on this line. The City is now wanting to replace it.

Councilmember Padova asked what the typical lifespan was of these water lines. Is 60 years about average? Komlanc said it depended on the material type. Waterlines that have been installed in the 60s have typically a 60-to-65-year lifespan when you have old cast iron pipe. The newer ductile iron pipe and some of the PVC pipe is extending well past 100 years of useful life. The Department is looking to go with a more modern material, such as ductile iron pipe, depending on material availability, or PVC pipe depending on availability of the waterline. He said all piping would be meeting American Water Works Association (AWWA) standards.

Councilmember McGregor asked what kind of material would be used. Was it the ductile iron? Komlanc responded the City will have it within its standards. The ductile iron pipe is one of the waterline materials and PVC is another alternative material that is used within the community. There will be a tracer wire added with those so that the City knows where they are for future locating. McGregor said if the county ever gets around to widening the road, would this be ok where the line is? Komlanc said, yes, it will.

Recommendation: Adoption on Consent Agenda on 1/17/2023.

[ORD-0002-2023](#) AN ORDINANCE AUTHORIZING THE MAYOR TO AWARD AND ENTER INTO CONTRACT WITH NEWCOMER CONCRETE SERVICES, INC FOR CONSTRUCTION WORK FOR THE 2021 SIDEWALK MAINTENANCE PROGRAM

Director Komlanc said the cost came in 9.7 percent over the engineer's estimate for the 2021 Sidewalk Maintenance Program. He said that in researching what was notified to the residents, the Department saw cost increase of a little over 13 percent to the residents. Given the timing of when that estimate was prepared (early spring of last year) and just getting the bid in December with construction activity slated to occur in in 2023, Komlanc said while it is about a 13 to 13.5 percent increase, not every parcel would necessarily see this. It is not an equal weighted distribution to each individual parcel. He explained that when the bids came in, the joint repair was nearly double the unit cost of what was originally anticipated. Some parcels had the joint repair. Others did not. Therefore, some parcels could see a significant increase within this. Given the time and delay (over a year now), Komlanc wanted to open conversation with Council on whether or not there would be an appetite for the City picking up the cost differential. The City has been working toward this project for a while. It is the first phase, which has been on the learning curve associated with establishing the Sidewalk Maintenance Program. Mayor Jadwin added that part of this is as Director Komlanc mentioned. There has been a delay from the time the City initially received the first estimates to when it went to bid. She reminded Council that the Engineering Department went through a tumultuous year last year. They City went from five engineers down to one. Finding engineers in Franklin County these days are like finding a needle in a haystack. Part of that delay was due to the transition in staff from losing Mr. Moorehead and Ms. Ridge and then hiring Director Komlanc and him being able to get his arms around the Department. She said that situation is not something likely to repeat itself going forward, but they did have the conversation internally on the City picking up the cost differential. What was the will of Council with regard to absorbing the approximate \$46,000 differential as the City works through this very first year of the Program given the staffing and implementation? Komlanc added that at the time the Department provided notice to Council in regard to the anticipated cost of construction for the City's portion, there were some omissions from that notice. For example, maintenance of traffic (MOT) was not included within that. There was roughly \$19,000 of expenditures associated with MOT, which is predominantly at the ADA wheelchair ramps at each intersection as well as the tree removals that will require some MOT to get vehicular traffic around while trees are being removed in in the area. That is all a City expense, as well as curb and gutter work adjacent to those ADA ramps. There were costs that were not recognized at the time it was brought forward in May. He referred to the screen showing the costs from the notice versus the bid for City costs at \$40,000 difference. Jadwin asked Komlanc to speak to the budgeted amount. Komlanc stated the engineer's estimate for the project was around \$503,000. The City has enough to cover the overall

project. When the City adds the traditional 10 percent contingency to the project, the City is going to need slightly more, between \$30,000 to \$35,000 worth of addition to bring appropriations up to cover the 10 percent contingency. Hopefully, the City will not need the contingency. Mayor Jadwin said the original amount covers all of this, but the \$30,000 supplemental would just be needed for the contingency. Komlanc said that is correct.

Councilmember Bowers confirmed that this is still year one of the Program that Council is discussing. She recalled that last year, Council received a list of every resident and each estimate that had been projected for each of the parcels at that time. She remembered this gave her a little bit of a “sticker shock” because it was higher than she thought the City was anticipating in terms of impact to residents. With the additional \$46,500, is that above that spreadsheet that Council previously saw with each identified parcel? Komlanc said that is correct. He reiterated that this additional cost is not an even distribution. Again, the joint repair was nearly double the cost that was originally anticipated. If a parcel had significant joint repairs, they could see \$1,000 to \$1,200 of additional cost from what the city originally was projecting. Bowers asked if this had gone on forward on the initial timeline that the City had hoped to be able to provide, would the residents not have seen that \$46,000 cost? Komlanc said the residents likely would have seen some of it. He thought that just with the material and labor escalations in the market now, the City could have seen a reduced cost. He cannot say what that exactly would have been, but the delay is part of it. Bowers asked that in going forward, would Council see quite as wide a discrepancy between those estimates and then the actual costs? Are residents going to maybe be able to have better confidence that those estimates are going to be close to those actual construction costs? Komlanc responded that now that the City had hard bids, the Department can utilize that information to help inform the 2022 Program, which will also be constructed within a calendar year 2023. These bids, as well as unit prices obtained from the Street Maintenance Program, will go to providing those cost estimates. Bowers said that given all of that information and that particularly residents had maybe already budgeted for certain costs, and that there is some responsibility on the City’s part, she thinks the cost differential should be covered. She appreciated the administration bringing this forward to Council and requesting this. This is an important aspect that Council can provide some support to residents. Bowers would be fully supportive of supplementing the additional cost.

Councilmember McGregor said she agreed. Considering that everything has gone up in price everywhere, was there a way the City could do a two or three percent increase? She added that even if the City did not have this long of a delay, it might have been different estimates or it might have been the same, a little lower, or a little higher. Would that be prohibitive to do a two or three percent increase and then the City just take responsibility for the rest? She said she is not proposing half and half, but just a little bit more of an increase than before. Komlanc responded that they would need to look into the data. As he mentioned before, there are some parcels that may have seen a decrease in their overall cost. However, there were a significant number of

parcels that had this joint repair where the cost doubled. He did not have the information right in front of him but said he could prepare this for Council. The cost associated with the six-inch thick concrete walk at the driveway approaches was slightly higher than the original engineer's estimate, as well as the four-inch walk. The biggest cost difference was associated with joint repair. Those that had joint repair on their parcel would see a significant increase. Therefore, giving them one, two, or three percent increase would be really small comparatively. Komlanc said he looked at one of the parcels, and it had \$1,200 to \$1,500 above what they otherwise would have had. This increase was based off of the joint repair that they had on their parcel. He thought this might have been a property on Daventry. McGregor stated that if it happens again and prices keep going up, she hates to give estimates and then every time Council is expected to pay the difference because the estimate is not quite as accurate as it should be. She said people say, "Well, you did it last year. Why aren't you doing it this year?" Mayor Jadwin responded that they had that discussion internally when they were discussing how to or whether to present this to Council. Jadwin thinks the differentiating factor with this year is it is the very first year of the Program. The City was going into it trying to sort through when the original estimate numbers came in. She recalled then Assistant City Engineer Caitlyn Ridge going back through the numbers and trying to totally understand them. Then, compounding that with the delay the City had with the staff transitioning, that is not likely to continue in future years. Jadwin shared that she had the same concern, too, on whether the City was setting a precedent but concluded this is a very unique circumstance given the fact that this is the first year of the program and the City has had these multiple challenges around this first year. With the new timeline that Director Komlanc has set out for future sidewalk programs, beginning with the 2022 program, Jadwin thinks the timeline will be much tighter.

Councilmember Padova referred to the unrecognized costs that Komlanc was talking about. Were those part of this 13 percent increase or outside of the increase? Director Komlanc said that the 13.4 percent increase is taking the original \$346,493 up to the \$392,962.75. That is a 13.4 percent increase above what they originally saw back in May. Padova asked if the \$46,000 number includes the nearly \$20,000? Komlanc said, no, the items down below on the sheet are all unrecognized costs that otherwise would have been attributable to the City. Padova indicated she understood. She confirmed with Komlanc that Council covering those unrecognized costs did not change anything for the residents. Komlanc added that the City's cost went up as a result of the bid, plus the costs that were not recognized in May of last year.

Councilmember Schnetzer said he agreed with the moral justification behind the Director's suggestion, but he is curious about some input from the City Attorney's Office on whether or not this is legally sets some precedent that might cascade or domino in the future years as the City looks at decades' worth of Sidewalk Maintenance Program years. Does Assistant City Attorney Roth have anything that contemporaneously that he can speak to regarding

this? Mr. Roth stated he has not looked into any of this specifically. Based on his prior experience, Roth noted there are always going to be claims that there is a precedent. Whenever you do something extraordinary in one part of town, another part of town is going to want that. However, Roth thinks there is justification here. The City is doing the 2021 Sidewalk Program in 2023. The City is not going to be doing that on each of the successive phases, hopefully. He concluded he did not think there was anything legally binding on the City to do this for anyone in the future but said there will be claims that the City should. He is sure of that. Komlanc said while the City needs to get the 2021 Program moving forward, it is his goal to bring forward to City Council in February the 2022 Program. On the heels of that Program, over the summer the City will be evaluating the 2024 Program and be in a position in late summer to provide notice to the residents that they are in the Program Area. This will then give residents the opportunity during the fall, up to around Thanksgiving, to perform that work on their own should they choose to do so. At this point in time next year, he outlined that 2024 would go out for bidding.

Councilmember Angelou asked if Komlanc had found that people who are doing it on their own are paying less than those in the Program. Komlanc said he does not have costs associated with private work.

Councilmember Padova asked how many people decided to do sidewalk maintenance on their own versus how many opted into this. Komlanc said he can get that number. It has been kind of a moving target. Folks have opted out, and then the City went to do inspections and they had not performed the repairs. So, those are now back in the Program. Komlanc will have that number available for next week. Padova asked if Komlanc thought with people opting out, that this made numbers go up or was it simply the cost of materials? Komlanc said he understands that there are some areas where a group of residents got together and hired a contractor to perform work in a given area to get economies of scale, but as a part of the permit process, the City did not capture the associated cost with that private work. He believed there were 219 parcels within the 2021 Program and would, again, provide to Council the number of those opting out.

Councilmember Bowers said what has been discussed is why it will be critical to have good estimates that are put out to residents for future Program years. Bowers said she is wondering if Komlanc had seen any kind of contracting with the City's contractor that would restrict or get them to agree to limit their cost, their final project cost, to encourage accurate bidding and accurate estimates. Komlanc said the City has unit prices associated with the scope and breadth of work. There will be construction administration taking the quantities of actual field measurements that will go against the actual installed work in the field. That is the quality assurance and quality control during the course of construction. Bowers asked, would there be any potential that a contractor would agree to limit their final cost to that 10 percent contingency? Komlanc said he is hoping that the City can keep it at cost. The contingency is there for unforeseen site conditions. He hoped the City does not encounter that.

Vice President Weaver said he believed the appropriate thing would be to cover the cost here, given the length of the delay. He hoped that as the City learns from the first year's Program, it will not have that significant delay in future years and have more accurate bids as Director Komlanc was saying. Weaver said he feels this is probably the appropriate path forward for the 2021 Program.

**Recommendation: Introduction/First Reading on Regular Agenda on 1/17/2023;
Second Reading on Consent Agenda on 2/6/2023.**

[ORD-0003-2023](#)

AN ORDINANCE AUTHORIZING A SUPPLEMENTAL APPROPRIATION - 2021 Sidewalk Maintenance Program

**Recommendation: Introduction/First Reading on Regular Agenda on 1/17/2023;
Second Reading on Consent Agenda on 2/6/2023.**

E. ADJOURNMENT:

With no further business before the Committee of the Whole, the Chair adjourned the meeting at 7:28 p.m.

**Jeremy A. VanMeter
Clerk of Council**

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

**Trenton I. Weaver
Chair**