

# **City of Gahanna**

*200 South Hamilton Road  
Gahanna, Ohio 43230*



## **Meeting Minutes**

**Monday, May 9, 2011**

**7:00 PM**

**Council Committee Rooms**

## **Committee of the Whole**

*Brian D. Larick, Chair*

*Beryl D. Anderson*

*Shane Ewald*

*John R. McAlister*

*Nancy McGregor*

*Timothy W. Pack*

*David L. Samuel*

*Isobel L. Sherwood, MMC, Clerk of Council*

**Members Absent:** Shane W. Ewald and John McAlister

**Members Present:** Brian Larick, Nancy R. McGregor, Beryl D. Anderson, Timothy W. Pack and David L. Samuel

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**Additional Attendees:**

Terry Emery, Karl Wetherholt, Mike Andrako, Dottie Franey, Angel Mumma, Donna Jernigan, Tom Weber, Chief Murphy, Tony Collins, Anthony Jones, Gen. Williams, Tom Kneeland, Mayor Stinchcomb, Brandi Braun; David Hodge from Smith & Hale and Jim Watkins from Watcon Engineering for Meadowbrooke; Dan Zieverink and Tammy Stang from Mitel; Press.

**PENDING LEGISLATION:**

**ORD-0096-2011**

TO REZONE 4.7+/- ACRES OF PROPERTY AS ROD/SF3, RESIDENTIAL OVERLAY DISTRICT/SINGLE FAMILY 3; SAID PROPERTY LOCATED AT 5593 HAVENS CORNERS ROAD; BROOKWOOD CONSTRUCTION COMPANY, INC., DOUG MADDY, APPLICANT.

Larick called the meeting for Monday, May 9, 2011, to order; said we have a large group in attendance; remind everyone this is a working session for Council members; we may have questions and ask for input from those in attendance but this is not a public presentation or forum; ORD-0096-2011 is to rezone +/- 4.7 acres; questions regarding this zoning from Council.

Samuel said I have a background as a certified accident investigator for the Columbus Public Schools and have received Peace Officer training; I have noticed several things here because of that; the speed limit is 45 MPH and there is no shoulder on Havens Corners Road; with the heavy traffic flow, it is hard to pull out if you are coming out at Farm Creek Drive; it takes a long time to get out since most cars are coming through there at 55 MPH; also in my background I learned to do routing; I would be concerned if a school bus goes into this development and has to pull out into that traffic; special education students have even stricter requirements for pick up so I am especially leery of bus safety in the area; I did check with Franklin County for crash statistics but have not received a reply yet; do you have any response to this.

Hodge said safety concerns for motorists in and out of Havens Corners is a Franklin County issue; this is a county road and not controlled by the City of Gahanna; we have met with the Franklin County Engineer about access; our agreement is to provide an additional 10 foot easement for additional improvements that could take place; we have taken steps for sidewalks or road improvements; we looked at a left turn lane to see if that was warranted but it was not warranted; if the question is about the sight line when they exit the subdivision and if they can see appropriately, Franklin County said they can see clearly; short of paving the frontage, we have taken every measure asked for to insure safe access to Havens Corners Road; I am not prepared to speak on school bus access issues as that has not come up or been investigated but I can say the Fire Department has investigated the area and there is adequate room for their trucks so it is reasonable to say the school bus could fit as well.

McGregor said the left turn lane would not be helpful because we are talking about turning out of the subdivision onto Havens Corners Road, not into the subdivision; any driveway out near the intersection would impede turning; that is the problem; a safety vehicle has lights and sirens and school buses do not; if they have to make a left turn out

it would be a serious condition; your organization has separated lots into parcels; is the original house separated off or is it part of the 4.7 acres; I guess this speaks to the density of the residual area; are there 13 lots or 14. Hodge said I do not have the density calculation in front of me; the original house is .95 acres; if you subtract that then average the 13 lots over the remaining acreage you have the density; it is about 600,000 square feet; Franklin County looked at it . Watkins said there is a report on the rationale; Hodge's company owns it. Larick said we would be interested in what studies have occurred if they could be made available. Anderson said we would like to know what helped them come to this conclusion. Hodge said this property is already zoned for 9 lots; we are asking for 6 more lots; the number of peak trips out of there a day will not amount to that much more traffic leaving during peak time.

Anderson said I have a valuation question; could you review the explanation given last week again; provide the valuation background and conclusion. Hodge said we were asked at the Planning Commission public hearing to consult an appraiser to determine the price points of the homes as we were being told \$250,000 was not consistent with properties to the south and east; Charles Porter was consulted; he concluded houses built at \$250,000 to \$300,000 would have a positive impact in Farm Creek; (map displayed) from the Auditor of State's Office it is the red area; every property in blue has the appraised information which is the value the Franklin County Auditor has placed on the property and what it is taxed at; every property in blue is under \$300,000 which is the vast majority of the properties. Anderson said and did Porter also do these appraisals. Hodge said we used that map at Planning Commission when they asked us to have appraisals; we hired him and will circulate that report. Anderson said I would like to see that. Hodge said we looked at the overall abutting 9 or 10 properties and they are \$262,000 to \$270,000; at our price point we are consistent with the vast majority. Anderson said and you are giving your buyers the same amount of space. Hodge said right; as part of the application and ordinance, these houses are all natural, brick, stone, and hardy plank; they are custom houses; we wouldn't be here if we could build as previously zoned; we are being asked to build more expensive homes; if we do they will sit; there is no market according to the BIA (Building Industry Association) for \$450,000 homes in Gahanna so we are not going to develop that; our purpose is to bring to the City of Gahanna a first class proven development; I know you heard heated testimony, and from that you would think we are bringing in a trailer park development of low quality; our development is coming in green with innovative storm water design and building materials; density has somehow become a bad word; look at cities like Upper Arlington and Bexley that have done well with developments like this located in the city.

Larick asked Weber can you baseline this. Weber said Council has total discretion on zoning issues; some issues have already been brought up, but you have wide latitude to evaluate standards.

Pack said is the shared driveway legal; how do they manage shared upkeep; is there a homeowners association who will oversee it. Hodge said on lots 8 and 9 the deed comes with the shared access and maintenance agreement; it is a common occurrence; I have written 25 of them; each of them, when they buy the property, will have the easement written in the deed. Weber agreed these are common.

Mayor said talking about price points, are they in the text. Hodge said they are not in there. Mayor said could we put them in there to ease the neighbors' minds. Hodge said absolutely.

McGregor said are these rezoned R2. Hodge said no; this is SF3; allows us to

incorporate language about the flood plain; make commitments to development and the City.

Anderson asked how will stream erosion affect these properties.

Watkins said if approved, we can provide specific information, but we think we are going to decrease it; it came up at the public hearing; need to recognize that there are 650 acres of property contributing to the streams; we are only 4.7 acres; the majority of this was developed in a different era; we are here with a green plan and using best practices; we are at the table and being responsible; we have worked with the Franklin County Water and Sewer Division and have approval from them and from your City Engineer. Anderson said can you talk about the green design. Watkins said I can walk through them. Anderson said I would like you to explain how each will decrease erosion. Watkins said I can give a summary; it is in the context of some other construction where we are dealing with the same issues; I don't want them upset down the line but we try to be proactive.

Watkins said this area has an established history as an erosion area; the total tributary area is 650 acres and 4.7 are ours, about 0.7 %; it took a lot of time and effort but we feel with 7 BMPs (best management practices) we can protect erosion; the green design will make this a low impact development; BMPs use slow flow and volume of water from all rooftops shown; have mini basins scattered throughout the development; BMP BIO-Retention Facility and a dry pond for water quality; rain gardens meander sideways; like my office on Shull Avenue, it has a French Drain Rain Garden; rain spout chambers are back to the rear of the property close to the stream that funnel rain to underground water wetland basin; not a point of discharge to the creek; dissipates into the creek; new rain garden here; look at this area (on map) these are pervious brick pavers; New Albany has used them successfully; water goes to an underground reservoir; funnels to a gravel base then dumped back into the wetland; Anderson said it sounds wonderful; how do we know it works. Watkins said there are areas where it is in place now; with our assumptions and proven engineering we plan for it to work. Hodge said at the end of the day it is not based on assumptions; it is a calculated design approved by your City Engineer and Franklin County Soil and Water. Mayor said those mini rain gardens, who maintains them. Hodge said there is a home owners association. Mayor said is it in the deed restrictions; we need that guaranteed.

Pack said what is the cost for the homeowners association; do you have figures for that or a cost analysis. Hodge said it will not be prohibitive; it will be a relatively small association and they will not have a lot to do. Mayor said the brick pavers, I know Planning Commission thought it was a terrific idea, but if it is a public road we would have to maintain that.

Larick said I have a question regarding code; we are prohibited from developing a landlocked parcel; what is going on there. Hodge said I can't cite chapter and verse of code but we had talked this through with Gard; access is the key and we are ok since we have common access. Jones said they have shared access; they don't have right of way access. Larick said (looking at the map) is this piece street or driveway. Hodge said it is a driveway. Larick said Code Section 1152.01(j)(3) talks about a landlocked lot fronting a private street; I am hard pressed to see this as a private street; is it a street or driveway. Hodge said we can circle back and look at it; as I said the section had been interpreted for us. Watkins said Clotts Road, as well as some other areas have been approved with similar concerns.

Larick said another of my concerns is the number of lots; they appear to be squeezed in. Samuel said there is no walkability; police pick up students and take them to and from school because there is no shoulder here; there is no bike path either. There was discussion about the property being able to handle this high density, and is it

appropriate.

McGregor said lots 12 and 13 are on the lines on top of each other. Hodge said they have had much discussion; we believe the most valuable lots go out to the stream. McGregor asked how will you build without fill. Watkins said with lots 4, 5, and 6 we will use a controlled fill (shown on map); there is a pond there now; at lots 3,4, and 5, the soil was pack tested.

Larick said we are hearing about 3 neighborhoods that were laid out in a similar fashion. Hodge said they are Rose Run, The Greens at Clarenton, and by the golf course, Rivers Edge; all subdivisions have 60 foot lots. Larick said I would like to go through those neighborhoods; are they economically similar. McGregor said the Greens of Clarenton is higher.

Larick said this has had first reading already so we are looking for a second reading. Jones said I would ask you to postpone this ordinance until the language requested can be inserted. Larick said so it will be postponed until June. Mayor asked are we under a time crunch. Larick said not that I am aware of. Weber said there is a timetable for the legislation; Charter Section 1106 says you have 90 days unless you vote to add 60 more; this was received March 23 so you are fine on your time frame. Larick said we will bring it back to Committee in 2 weeks and it can have second reading then on June 6. Jones said I will have the changes made for the next meeting.

Recommendation: Return to Finance Committee on May 23, 2011.

**Referred to Finance Committee**

## **ISSUES - From Director of Technology:**

### **Telephone System Upgrade & Lease Agreement**

Kneeland said this ordinance is the follow up to our conversation several weeks ago where the request was to move money to buy fiber; we have had the opportunity to work with our current vendor, Mitel, to upgrade the system; the new system doesn't get outdated and provides many upgrades; as my report stated, our current system will be going into manufacture discontinue and there would be no support next year to make changes; there are also many highlights to the new system noted in the report; chiefly there will be zero cash outlay and they will preprogram the new system; folks are here from Mitel to answer any questions you may have; it is in the lease agreement that we can add capacity over time, we will have voice mail to email, unified messaging, and other features we were lacking; it reduces what we pay for support by \$80; it will be \$1305 a month and this gives us a system with support and new features and reduces overall costs; another important thing, we are being offered 2 special deals; we get 2 months of no costs for full support so we get 62 months instead of 60, and we get a discount; for 4 months we are charged only 50%; good opportunity for us to save some additional dollars; any questions.

Samuel said what is the brand name. Kneeland said Mitel. Mayor said handsets don't change. Kneeland said this is only a back end change; equipment will be reused. Larick said with sets being digital, can we migrate to an environment where we will be VoIP. Kneeland said all growth will be VoIP but this conversion will add no additional sets; there are no capital costs since we are not changing devices. Larick said are we using SIP (Session Initiation Protocol) technology or capability. Kneeland said that would be proprietary; going forward we will have Mitel manage all our features; cost is just one reason to do so; we could put a Cisco work station in but probably would not see all the associated bells and whistles associated with IP. Larick said so they will maintain this as

a digital network. Kneeland said yes in the near term; they maintain the network. Larick said do we maintain any cross connects here. Kneeland said no. Samuel said do we have wireless headset capabilities. Kneeland said yes they are capable.

Pack said does the new lease rate cover us 24/7 for maintenance. Kneeland said yes. Pack said sounds like a good idea.

Kneeland said any other system would require a cash outlay; with no new equipment this won't; this legislation will allow the Mayor to go forward with the lease agreement; it does need emergency language.

Pack said when the network loses power do we go to generator power. Kneeland said we have started the process to determine generator load and do testing; it will run on battery back up as well. Zieverink said this is new technology and will draw a smaller amount of power; uses about 1/5 of power consumption; it is a very green initiative.

Weber said I want to point out to Larick Code Section 1122.02 that details the implementation of a zoning ordinance; it would be logical to consider when making zoning application changes.

Recommendation: 1st Reading; no need to come back; 2nd Reading, Consent Agenda.

### **ISSUES - From City Engineer:**

#### **Hamilton Granville Intersection - Imp. # ST883**

Andrako said AEP is relocating services in the City right of way; we are requesting funds initially then 90% of the cost will be reimbursed from an ODOT grant; asking for a supplemental appropriation from the Capital Improvement Fund with emergency to coincide with the relocation. Larick said all but 10% of the \$9,400 is reimbursable. Mayor said the First Service Credit Union Building is empty. Andrako said we still have to provide electric service to the building.

Larick said the poles in front of the schools with that wiring will stay where they are. Andrako said there has been a lot of confusion about those; the old poles had to be moved back; but we have a 3 story building right there; we had to see where they would work best so they are a foot and half behind the building facade at the curb; it is a happy medium; we moved them as close to the street as we could. Larick said I imagined it for a wider street. Andrako said we had to move it back but they said not too far; we all met and came to this solution.

Anderson said again I ask why is the building so close to street. Andrako said that is a development decision. Jones said it goes to walkability and urban design; it fits the plan for that corridor.

Recommendation: 1st Reading, no need to come back; 2nd Reading, Consent Agenda.

### **ISSUES - From Director of Human Resources:**

#### **FOP Contract Amendment**

Treadway said the 2010 contract had one article left; to speed resolution of sections 24.6 through 24.8 we added to the contract that a fact finder decision is binding; we all agreed to accept what is before you; we need an ordinance authorizing the Mayor to sign this as an amendment; we do need waiver and emergency.

Pack said what drove this. Treadway said a lot of issues; trying to make this in line with how we currently operate; costs; this would take care of a lot of things; since we have a small police force we have a lot of injuries; we have many officers who return to work on restricted duty; we wanted to use them elsewhere in the City; the main issue with this was how menial the tasks could be; what is appropriate work for them to do; battle of benefits in the City; they did recognize we are paying large amounts for injuries.

Recommendation: 1st Reading, waiver of 2nd Reading, Emergency Language, Consent Agenda.

## **ISSUES - From Director of Finance:**

### **1st Quarter Financial Presentation**

Mumma provided a power point presentation; a copy is available in the Council Office.

Larick said it was a good presentation; (refers to slide) there is a big spike in February; were there one time events in those numbers; expect they are from RITA (Regional Income Tax Authority). Mumma said we received \$175,000 from RITA which is a portion of that; this is primarily the net profit returns. Larick said so they are more or less a one time thing rather than ongoing. Mumma said I will know more when we go to month to month and I look at their returns; is it their new normal; we have to watch and see. Mayor said this is only against 2010. Mumma said when you total 2011 we are still ahead of 2007, 2008, and 2009.

Larick said near the end, are there any cost reductions in the first quarter that we will have to pay for. Mumma said we have seen a significant difference in this year's report; a good explanation was last year the school payment was in the second quarter; really skewed results; don't see any differences; there really wasn't anything else.

Anderson said is there a correlation on the color codes. Mumma said none; remember the fund balances show planned revenue and expenses; some look high; we have projects in the wings but the purchase order may not be pulled yet.

Samuel said it was a good presentation.

Larick said remember Saturday, May 21 is Herb Day in the Plaza; go out and enjoy that; Wednesday, May 18 is the Meet Your Gahanna City Council Event at Friendship Park; we will be there to talk and answer questions. Anderson asked for more flyers for that event.

## **MONITOR:**

### **2011-0001**

Monitor Items:

- 1) Capital Improvement Fund

### **Della Brandenberger, Reporting**