

City of Gahanna

*200 South Hamilton Road
Gahanna, Ohio 43230*



Meeting Minutes

Monday, October 28, 2002

Immediately following Previous Committees or

7:30 PM

Council Committee Rooms

Development Committee

David B. Thom, Chair

Robert W. Kelley

John McAlister

Michael O'Brien, ex officio

Sadicka White, ex officio

Members Present: Robert W. Kelley, David B. Thom and John McAlister

ADDITIONAL ATTENDEES:

Weber, Isler, White.

Members Present: Robert W. Kelley, David B. Thom and John McAlister

PENDING LEGISLATION:

ORD-0212-2002

TO ADOPT THE CITY OF GAHANNA OFFICE & INDUSTRIAL INCENTIVE PROGRAM GUIDELINES PREPARED BY THE DEPARTMENT OF DEVELOPMENT

Thom stated this had been reviewed once; asked for review and explanation of procedures. White stated the application would be made in Development Department; gave you a copy of the application; if we need more information then would look at it and make a determination and base it on the guidelines; will look at a copy of the lease and the lease terms; will look to see economic impact; are we looking at 10 jobs or 1000 jobs; part of it is that they might be getting a state grant or a bond issuance; will be looking at county funding also; might be getting local funding as part of their financing package; will make a recommendation to CURC Board. In response to question, White stated Al McKenna and Gary Jones are on CURC Board; don't remember other members off the top; they will make a recommendation; will make sure that information submitted is appropriate; from there they will make that recommendation to Council; a presentation would be made to Council and Council would take final action by ordinance; will be an individual ordinance for that company. Thom asked if there is a set of guidelines when you make recommendation to CURC Board. White stated it will depend on what company does. Thom asked if we will make specific base guidelines as to from 2 to 5 years; percentages and so forth; want to know whether we are playing equal with everyone. White stated we need flexibility and adaptability; want to offer the least that it takes to get them here and no more than that. Thom stated that even with flexibility you need some guidelines; will Finance Director be a part of that recommendation. White stated that the Finance Director comes to CURC Board meetings but is not a member of the Board; as it is established there are no administrative people on it; was not established to have representation from administration as it could potentially be a conflict; if I am trying to get a loan and then voting on the same loan there is a conflict; my job is to present to the Board.

Kelley stated that in utopia we wouldn't have to do this for anyone; competition is out there and we have to do it. McAlister stated he was all for giving people tax breaks.

White reiterated that each individual agreement would have to come back to Council for approval.

Referred to Finance Committee

ORD-0214-2002

TO ZONE 3.9 ACRES OF NEWLY ANNEXED PROPERTY AS M-1, MANUFACTURING DISTRICT; FOR PROPERTY LOCATED AT 600 CROSS POINTE ROAD; DONALD R. KENNEY AND COMPANY, BY ROBERT E. ALBRIGHT, ATTORNEY.

White stated this was the odd lot left out of the original development; was in Jefferson

Township who said they would get water and sewer to them; haven't been able to do that so Kenney annexed the property; they do have a prospect for it; we will get the right of way with it.

Jill Tangeman stated she was an attorney with Robert Albright; here representing the applicant; glad to answer any questions.

Recommended for Adoption, Consent

ORD-0215-2002

TO ACCEPT THE ANNEXATION OF 1.3+/- ACRES CONSISTING OF ROADWAY RIGHT OF WAY FROM JEFFERSON TOWNSHIP TO THE CITY OF GAHANNA, OHIO, LOCATED ALONG HAVENS CORNERS ROAD; REQUESTED BY THE CITY OF GAHANNA.

Recommended for Adoption, Consent

ORD-0216-2002

TO ACCEPT THE ANNEXATION OF 1.1+/- ACRES CONSISTING OF ROADWAY RIGHT OF WAY FROM JEFFERSON TOWNSHIP TO THE CITY OF GAHANNA, OHIO, LOCATED AT 4545 EAST JOHNSTOWN ROAD; REQUESTED BY THE CITY OF GAHANNA.

Recommended for Adoption, Consent

ISSUES - From Director of Development:

St. Matthew:

White stated she was asking that Council accept a check for \$28,875 as settlement for roadway and other improvements for ultimate expansion of St. Matthew.

Kelley stated this came to Council before; thought it was about \$40,000 we were to receive; was reported in the paper that way also; what brought it down to this amount. White stated other negotiated improvements; \$40,000 was all verbal; they were going to donate to the City for the development in the area; in order for the church to develop - prior to the RID zoning being in place - had to follow residential code; one of the major contentious areas we negotiated was for a barrier between the church and the residents; church expanded under existing zoning which was residential to residential; could develop up to 7-1/2 feet from property line; to get it through there was a sidebar agreement that there would be assistance to get that accomplished; no further discussion on it and when the check was submitted they deducted that amount which was about \$13,000. Kelley stated then we paid for the fence; who negotiated that. Thom stated it was all negotiated. Kelley stated they first came to us; was in the paper; this is the first I knew that we agreed to help pay or buy the fence and think it is a shocker. White stated there was never a signed written agreement they would do anything towards the road improvement. Kelley reiterated that Council was never advised that this was changed; now that the check came we are being told. White stated when the check came we realized the adjustment had been made. Isler stated they were billed for \$40,000. Kelley stated they deducted the fence from the check and sent us the balance. White stated it was a handshake agreement.

Isler stated we billed them \$40,000; amount was put in as a receivable. White stated the that with the Mayor's authority made an agreement that we would assist in paying for the barrier in order to get the development accomplished that was verbal even though a bill was sent; they didn't come back to me until they made the deduct; brought it to you because Finance wouldn't accept.

Kelley stated that his thoughts may be out of left field; however, Church took \$12,000 off after agreeing to pay the \$40,000; my word is my bond; am uncomfortable. White

stated that in the sidebar agreement was stated that the City would help; did not say an amount; that's my agreement; when they took it off that way was a surprise; they said they'd give \$40,000 but didn't say how much we would contribute for the fence; Mayor said accept this; when we were negotiating the figure of \$40,000 was thrown out; church asked how much and engineering suggested \$40,000; this is a wish amount in a way; is a lot more than engineering thought we would get; until they sent the check and the letter we didn't know the cost of the fence. Kelley reiterated that it seems that we are willing to accept \$12,000 less; Council should have been informed before we got the check. White stated there was a misunderstanding in her statement; until we received the check and Finance asked for documentation, we didn't know the amount; this is as good as it is going to get; Isler said he had no authorization to accept the check without going to Council; really did not know; there never was any final negotiated amount on that fence. Kelley reiterated that it was a shock to him. White stated she couldn't sit there and say she didn't make the sidebar agreement; did say we would help with the fence. White noted we could ask for a check for \$40,000 from the church and they could then bill us for \$12,000; end up at the same place. Thom stated this verbal agreement goes back to Planning Commission discussion on final development plan and is not in writing. McAlister stated he agreed with White and should go with that. Thom stated we could ask them for "X" amount of dollars for the intersection improvement and they could have said no and there is nothing we could have done; is that correct. White stated we could have assessed them; is a mutual improvement to the area that the area wanted and the church happened to be doing their development at the same time; could have done their improvement without some of this being done; go back and look at the minutes and you will find how adamant those neighbors were; everything was approved but exact location; some wanted fence on church property; some wanted on neighbor's property; were still many issues to work out on placement of the fence. Kelley stated he realized this was one of the big factors; up until tonight thought church was paying for the fence; was a shock to see we were paying for the fence. White stated she had authorization to offer the sidebar; check came in August; just came to light in terms of the difference from billed amount. Kelley stated it appears to be a done deal. White stated can do whatever Council desires. McAlister stated it appears to be done and is time to move on.

RECOMMENDATION: 1st reading, no need to come back to committee, 2nd reading, consent agenda.

Contract - George Parker:

White stated they wished to do a sustaining contract as we proceed with Creekside; not prepared to submit at this time; will bring back after discussion in Committee of the Whole.

RECOMMENDATION: Postponed until brought back by Director of Development t.

Contract - Julia Faist:

White stated that in order to do anything with the fire station we don't have the appropriate documentation; needs to be some title preparation and deed documents; if we split out a part of it that is buildable needs some additional work done; will be a contract for less than \$1,000; don't have final paperwork to move forward with this contract.

RECOMMENDATION: Discuss again at next committee.

Columbus Steel Drum:

White stated she wanted to bring everyone up to speed on interdiction team; have been meeting on a regular basis; there is an odor complaint form on line; if you notice anything make that complaint; are keeping track and counting; letter from Environmental Supervisor at EPA; there are verified complaints; EPA Director must respond; one of the things during the course of all this was putting together a case against Columbus Steel Drum; they were sent the case and letter was sent to Ron Grannam, Manager of the facility; also is a letter from Attorney General's office on findings against them; gives them a final date of November 8; that's next week; they have been very adamant in pursuit of cases; she has won a lot of her cases; also pursuing ground water contamination violations and making that case; Jefferson Township and Gahanna filed a verified complaint; are pursuing in that fashion; attended the last meeting of the Public Interest Research Group; are getting a petition signed and attempting to meet with Mr. Paul; tells us he is doing things; Columbus Steel Drum is one of our longest standing manufacturing facilities; that's where we are; just wanted to give you an update; is better than it was.

White noted that the east wind takes a lot out to Jefferson Township; we escape a good part of it; is not as bad as the Flats in Cleveland; some days it is worse than others; ambient air conditions affect it; just because something smells bad doesn't mean it is poisonous or contaminating; don't feel that closing down is a solution; almost 400 people work out there and would immediately be out of jobs and perhaps we would have a contaminated facility that is not closed and not maintained. Weber noted they have to abate their order; have to make a more concerted effort to come into compliance; operate in a way that it is not creating a nuisance; that's what we've been wanting; they have expertise to do what it is and fix it.

O'Brien stated that EPA has capability of taking an air sample and taking what is in the air; why don't we see that in here; see reference to burnt paint and caustic cleaning materials; see no parts per million of carbon monoxide or benzene. White stated it is in further reports; have a huge file upstairs. O'Brien stated that some are health threatening; at this point we don't know to what extent; that's why we are asking for this; caused and created over a term of time; at the detention basin are there some loose carcinogens there; issue is if it's not leaching out and we have known cases of cancer where are we; what is liability; have to be careful about that; takes a lot to establish that; dealing with what they know they need to do to be in compliance; is huge endeavor because they haven't been in compliance for years. O'Brien stated it will be a superfund site someday. White stated that until we had the interdiction team we didn't even get these reports from the EPA and are just now beginning to understand the extent of the contamination and the problem.

CVB Ribbon Cutting Ceremony:

White stated she just wanted to remind everyone of ceremony; will be at 9:00 a.m. on the 21st and then there will be a public activity on the 30th to go along with Holiday Lights! and other downtown activities; officially opening as a welcome center.

ISOBEL L. SHERWOOD, CMC, Clerk of Council, reporting