



City of Gahanna

Meeting Minutes

Committee of the Whole

200 South Hamilton Road
Gahanna, Ohio 43230

Merisa K. Bowers, Chair
Karen J. Angelou
Nancy R. McGregor
Kaylee Padova
Stephen A. Renner
Michael Schnetzer
Trenton I. Weaver

Jeremy VanMeter, Clerk of Council

Monday, August 22, 2022

7:00 PM

City Hall, Council Chambers

The previously announced Economic Development Training Series #3 was postponed to September 12, 2022.

A. CALL TO ORDER:

Vice President of Council Merisa K. Bowers, Chair, called the meeting to order at 7:01 p.m. All members were present for the meeting. There were no additions or corrections to the agenda.

B. DISCUSSIONS:

1. Salaries Discussion

Councilmember McGregor said the Committee had talked about the salaries for Council because OPERS has changed some of their requirements for qualifying for health care subsidy. One of the qualifications is \$1,000 per month salary. The requirements for regular retirement are not that high. The Clerk sent information on different salary items, including a comparison from around Franklin County. McGregor noted that the City would be higher than some and lower than some [city councils]. She said the City of Reynoldsburg had considered adjustment for the minimum salary for just retirement service but not for health care. She said Gahanna was fine in terms of meeting the salary minimums for retirement. McGregor indicated if the Committee did not want to move forward that was fine, but this was something she thought that if people were in the OPERS system for long enough, there might be an advantage during retirement. McGregor said Councilmember Weaver had asked about a way to purchase extra service when serving in elected office. There was a certain amount extra that could be bought toward retirement. She said this did not qualify for the health care subsidy. McGregor said this would not affect any of her ability, as she does not have enough years for the health care but reiterated it might be helpful to others.

Vice President Bowers said that for the record, according to the Clerk's

research, the councilmember and Council President salaries were last adjusted in 2006 for terms beginning effective 2008 and the salary is set at \$800 per month, with an additional \$100 per month for President. The Mayor's salary was last adjusted in 2011, with an effective date of 2012 and set at \$103,809 annually. The City Attorney's salary was last adjusted in 2019, with an effective date of 2020 and set at \$78,796 annually for full-time employment. McGregor thought that the council salary had been the same since the early 2000s and that the last change might have just been for the President. She added that Hilliard was higher, New Albany just under \$12,000 annually, and Dublin also about that same amount.

President Renner said he appreciated the information brought forth by McGregor and the Clerk for consideration. He said he did not have an appetite to do anything with salaries. He said he was probably in the wrong mindset and added that the subject, in fairness, is not appreciable much but to him it was a matter of principle. Renner stated the Council is still too close from having asked residents for Issue 12 and that the City is focused on capital projects. He wanted this to remain the focus.

Councilmember Schnetzer thanked Council Office and anyone else that had provided information. Schnetzer said it probably came to no surprise that he went to the [OML Salary Survey] spreadsheet with around 107 responses. He grouped the data by filtering populations of 25,000 to 50,000, with the predicate that the amount of work is somewhat correlated with the population (certain number of requests for service). In this cohort, the average population was 37,900 and the median was 36,200. He thought this was a fairly accurate cohort for the City of Gahanna. This listed 18 cities, excluding the City of Gahanna. The high salary was \$20,325 for Council (Cuyahoga Falls) and the low salary was \$5,000 (Middletown). Schnetzer said the amount for Middletown was surprising to him. The average salary of the cohort was \$10,770 and median salary \$10,020. This would put Council, excluding the President, within four percent of the median. He asked rhetorically whether an extra \$25 or \$50 per month to get to the median [was worth it]. He said he probably erred on the side of agreeing with President Renner, and this was probably not worth pursuing.

Vice President Bowers thanked McGregor for bringing the item forward.

2. Sidewalk Maintenance Program

Tom Komlanc, Director of Engineering, provided a general update on the City's Program. The individuals in the 2021 Program that were notified regarding corrective action that opted out of the Program have until mid-October to take corrective action. The City will be inspecting that work to see that they have made repairs in conformance with the requirements that are in the Program. The bid books are set to go out later this year. The City will receive the bids and have that work commence for the 2021 Program in March-April next year. For the 2022 Program, there was a Town Hall on August 2. The City notified the residents who were in that Program Area. Prior

to that Program, the City is conducting inspections in the 2022 Program Area. The plan is to notify the residents early in 2023 for corrective actions, giving the residents opportunity to opt-out should they wish to do so. This would give them the spring to act. The City will develop bid books to publicly bid the work and have the Program commence over the summer months for the 2022 Program.

Councilmember Weaver welcomed and congratulated Komlanc on his return to the City. Weaver said he received a couple emails asking about street trees, such as when those are getting replaced as part of the Program, when they do not qualify for replacement, and what residents can do on this front. Komlanc said as a part of the Program itself, if it is a street tree that is prohibited and that is causing an issue associated with the sidewalk needing maintenance or repair, the street tree is to be removed at cost to the City. Stephania Ferrell, Director of Parks & Recreation, said that if the tree is not a prohibited tree, the City will evaluate the tree to see whether any root pruning, or anything of that sort, could occur to help keep the tree. As far as replacement, Ferrell said that is not part of the Program, as it is not a requirement to replace the tree. If the property owner wants to replace it, that would be on their own cost and would still require the replacement tree to be on the preferred tree species list to help prevent any type of future damage. Weaver asked that in the creation of the Program generally, was there any conversation around replacing the trees when the City is removing them. Ferrell said there was a conversation. The City knows the street trees are not separate from the sidewalks in many cases. Ferrell added the City does have a desire to increase and expand its urban canopy. The way to do that is through street trees. A street tree program funded by the City is something the City is evaluating. Weaver thanked Ferrell for the information.

Vice President Bowers said she had similar feedback about being mindful of the urban canopy and the curb appeal and benefits that come with street trees. She said that it was important residents are planting the trees that the City has identified as not causing damage to infrastructure or as an invasive species. Bowers said she had an interest in a street tree program coming from administration and would support it coming forward in a budget. Mayor Jadwin said there had been multiple, extensive conversations around street trees. She shared that a program like this would involve adding several staff members and an estimated cost at \$500,000 per year in the budget. As the City works on a budget now, and when it gets to the Capital Improvement Plan, that will be something that will be discussed internally and then collectively with Council. Bowers clarified that in budget discussion there would be other types of roles within Parks & Rec and the Public Service Department that might be off-season where this type of staff add might be fulfilling. Bowers said it is clear to her that the City needs to add staff to City Hall. If the City can accomplish a goal, such as the street tree program, while also adding staff into other needed areas, this would make sense to Bowers in not putting all the cost into one program development. Jadwin said that is something the administration does. Anytime that it looks to add a position, the administration investigates seasonal-oriented types of positions and how it

can during an off-season use those personnel and other roles. She added that the administration also looks at existing staff, from the administrative assistants all the way up, to see what is on everybody's plate and how the City is using people in the most effective way possible based on their skillsets, who can take on more functions, etc. Jadwin said they try to economize the staff it currently has before making the ask for staff. She said she appreciated the comment recognizing the need for additional personnel because there is a lot of work to be done.

Councilmember Padova asked to put it into perspective, what was the percentage of sidewalks that are losing trees or the number of trees? Komlanc said he did not have numbers now but could find out and get back with Padova.

Councilmember McGregor said she had someone ask when the City replaces the sidewalks, do they have to get a permit to do the work? Komlanc responded that it is within the public right-of-way, so they would be required to get a permit. McGregor clarified whether they would need to get a permit for each sidewalk they fix. Komlanc said they would need to pull a permit (right-of-way permit) for the work within the influence of their property. Grant Crawford, Director of Public Service, asked whether McGregor was inquiring as to the City needing to get a permit or a resident needing to get a permit. McGregor asked that when the City is fixing a resident's property, do they have to get a permit to fix that property? Crawford responded, no, the City of Gahanna will not have to get a right-of-way permit to replace the sidewalk. A resident doing his or her own work within the public right-of-way would need to get a permit. McGregor confirmed that when the City was doing the work the resident would not need a permit.

Vice President Bowers said she had submitted a couple questions through the Mayor's Office. She asked whether the Mayor would like to address those now. Jadwin asked Bowers to review those questions again. Bowers said there has been a bit of feedback from residents about perhaps "liberal marking" of panels that may be on a line of whether they need to be replaced. She thought perhaps the City is going through a growth process on identifying what panels need included versus what maybe did not necessarily need immediate attention. She asked if Komlanc could talk more about the discussion around this issue. Komlanc said that as it related to any program, as you get started, the standard of care that is applied is an evolving process. He said providing an accessible accommodation for pedestrian pathway, trying to remove to the extent practical the barriers that may otherwise exist, such as defects in the surface, vertical separation between sidewalk panels, and taking those elements into account to correct and remedy, the City is attempting to address those through the course of the Program. Komlanc added that as each inspection is occurring considerations are made, such as, has spalling gone to the extent that it prohibits the safe means of travel for a pedestrian or those that may have a disability traversing across? Komlanc said the City is addressing that issue through the inspections. Bowers thanked Komlanc for the information. Komlanc said the City is attempting to

follow the ADA PROWAG, the Public Right-of-Way Accessibility Guidelines, and to the extent practical addressing those issues as part of the Sidewalk Maintenance Program and criteria, such as gaps, or deficiencies within the walkway. Bowers asked when the Committee could anticipate budget projections for the third cycle of the Program. Jadwin said she was not sure and could follow-up with Bowers. Bowers said that if she is understanding where the City is in the three-program cycle process, Council has already seen the projections for the second Program cost estimates if she recalled correctly. Jadwin said the City had not done inspections yet, so those would not have been presented. The City has adopted the Program Area. The inspections will begin, and once they are completed, they will look at the cost estimate. Bowers asked what the timeline would be for that estimate. Komlanc said that should be completed by the end of the calendar year to the beginning of January next year.

3. Demonstration: Hearing of Visitors Via Video Submission

Jeremy VanMeter, Clerk of Council, reviewed navigation to Gahanna.gov and the City Council webpage. Under "Important Links," there is the link to Hearing of Visitors - Video Upload. In accessing the link, individuals desiring to submit a video comment complete the online form that is modeled directly from the new Council rule. The form allows individuals to submit videos in .mov, .mp3, and .mp4 formats. Once the file is uploaded and the form submitted, Council Office receives an email notification that an item has been uploaded, as does the user. As of date, VanMeter noted that no one had submitted a video, but offered that it is available. He confirmed that testing of the video upload function was performed, and everything seemed to be working fine.

4. Demonstration: NextRequest Public Records Request Portal

VanMeter noted that Gahanna.gov/public-records now has the link to the NextRequest public records portal. As the City is transitioning to the portal, people can still email records@gahanna.gov, but the City's response will be through the NextRequest portal. This is a program that is split and funded between Council Office and the Division of Police. Within the portal, VanMeter said there is a current distinction between whether a requester is making a request for police records specifically or all other departments. There are helpful tips for requesters highlighted on the side of the page where they enter their request. VanMeter showed, for example, if an individual started typing in "minutes" for a request, an alert would pop up to show the person where the minutes are located on the website. This feature can also be expanded as more common requests come in for items that are already published on the website. He noted that requesters are not required to provide their contact information and can be anonymous but could provide contact information should they desire. Once a request is filed through this portal, the requester receives an email acknowledgment and then internally the process begins for reviewing and delegating possible response and fulfillment by a specific department or personnel. VanMeter said that so far, it appears to be easier to track requests throughout departments. Prior to the portal, the City was only

able to utilize email threads and Excel worksheet to log requests. There are automated reminders now so that things do not get lost, and staff is prompted with requests that are pending or needs tasks completed. There is an audit trail to the requests. VanMeter noted that when there is a financial audit, one thing the auditors ask is for the agency's public records policy and the request logs to ensure compliance with Ohio Sunshine Law. Additionally, there is no size limitation on records to release. VanMeter said that sometimes, if trying to send a video or other large file through an email attachment, there would be problems with transmitting the item in a timely manner, so this portal helps eliminate those problems. Redactions can be made within the portal as well. As of date, there are about 50 users that are City staff. The portal went live at the beginning of the month. VanMeter has had some one-on-one trainings with staff members in using the portal. There is a little bit of a learning curve. Overall, it seems straightforward and easy to navigate, and ultimately promotes transparency within the City.

Vice President Bowers thanked VanMeter, as well as Deputy Clerk Pam Ripley and Kevin Schultz, IT Manager, in helping to get these projects off the ground.

C. ITEMS FROM THE DEPARTMENT OF ECONOMIC DEVELOPMENT:

[ORD-0046-2022](#) AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO AN OFFICE & INDUSTRIAL INCENTIVE AGREEMENT WITH COLUMBUS AESTHETIC & PLASTIC SURGERY FOR A PERIOD OF 10 YEARS

Nathan Strum, Director of Economic Development, said that at the last Council meeting, the City received a request from the leadership at Columbus Aesthetics & Plastic Surgery (CAPS) to come back and have a conversation around the terms of the agreement. He introduced two members of the CAPS team in attendance, Kathy Borkowski, Chief Operating Officer, and Nelson Yoder, Principal with Crawford Hoying Development, to speak on the terms. Strum reminded the Committee that CAPS is exploring the opportunity of locating an expansion of their project to be in the former Penzone property at Cherry Way, near Morse Road. Their existing business is in Upper Arlington. They specialize in plastic surgery and augmentation. He said the return on investment (ROI) numbers remain the same. Nothing has changed in the project. The only thing being requested is adjustment of the final term. In the initial contract value, there was a 10-year compliance term. They are asking for a reduction of five years. In Strum's conversation with the CAPS team, this involved amortizing the costs tied to the project in the initial build-out as part of the first lease and incentives that kind of all ties together.

Mr. Yoder thanked the Committee for entertaining the request this evening. Yoder said CAPS is a fantastic company that his firm has had the privilege of working with for the last five years, beginning with an expansion in 2017 in the City of Upper Arlington. He said they have continued to grow and thrive. The practice combines aesthetics, medical aesthetics, dermatology, plastic surgery, and other things like Botox injections. They have been on a search

for a site on the east side of Columbus to serve the population. This is an expansion, as the company looks to grow. In meeting with Mr. Strum over the last couple months, Yoder said CAPS has been looking in the New Albany, Westerville, and Gahanna areas. The company is working through a 15-year lease, which is a long time, according to Yoder. He said usually leases of this type would be 10-years. The discussion on the payroll tax incentive is tying the length of the lease term to the payroll tax requirement. He stated a 15-year term would be coterminous with the lease term. This is requested as a critical element for CAPS as to not create a long-term liability that outruns their investment. Yoder said the investment is well over \$8 Million in a facility that is very obsolete. He said it was great when it was built in the 90s but has run its course. It will require complete renovation of all the electrical and mechanical systems, and refitting the interior and redoing the exterior of the building with new windows, etc. He said this could be a best-case scenario for Gahanna, as the building has been vacated and CAPS is willing to come in and make this type of investment. Yoder said he was open to any question on the economics of the practice.

Vice President Bowers asked whether Director Strum could speak to the terms of the incentive, specifically as they relate to employee benefits. Strum said that based upon what was presented to Council previously, the only change is the reduction of the compliance term. To reach the level of incentive CAPS was looking for in the project, the City looked at a 10-year tax credit. In doing so, the City would capture the balance. Specifically, all the Issue 12 dollars are being captured by the City. It is a 30 percent total credit, or about 50 percent credit against the non-Issue 12 funds. Strum said that historically under the City guidelines, the City would require a 1.5 to one year match. This would actually be a 25-year arrangement. It was reduced to 10, and in this instance, they are asking for a reduction to five. Strum said his statement internally is that one of the challenges with this program is that this had been drafted back in 2006 or 2008. It was revised in early 2010s. He added that a lot of the communities have begun implementing a sliding scale based upon payroll estimations and investment levels that allow lower levels of compliance, if there are higher levels of job creation opportunities. Strum said this exists in the City of Columbus. The City of Westerville has an aggressive payroll tax consideration. As the City goes through this process, understanding that time is critical to partners at CAPS and Crawford Hoying, as this project is finished (if Council decides to move on this project), Strum said he is going to ask that the Council consider something like a moratorium to allow time to reposition the program to be as effective as possible for the city and in supporting infill development opportunities. Strum reminded that the incentive as it is structured today, projects that are not receiving any other type of public incentivization, such as CRA tax credits or TIF dollars, this is the only thing CAPS is eligible for. If they had TIF or CRA inclusions, they would not be eligible for this incentive. Strum liked this language of the program, but thought it was important in being mindful of how projects move forward and the rapidness to which they move forward and evaluating the way the City judges these projects. He said it is arbitrary to have a 1.5 to one ratio on it. Strum said his office is in favor of this project as it stands. He asked the

Committee to consider whether the deal made sense. He said from his position as economic development director, yes, the deal makes sense for the City. This would create high-paying medical jobs. It would take a vacant building and turn it into a high yield opportunity. He directed questions on the benefits to Borkowski. Bowers said for clarification the proposal is not altering the term during which the credit would be reached. Strum said that was correct. It was just the five years that follows in the compliance period, reducing from 10 years to 5 years.

Councilmember Angelou asked where the building was. She was aware that it was Cherry Way. Strum said it was the former Penzone Spa and Salon on Cherry Way.

Ms. Borkowski said from CAPS perspective they are excited to come to Gahanna and hopes this works with the incentive program because there are a lot of employees. They are intending to grow. They are successful in Upper Arlington, and Gahanna, with medical practice for dermatology, plastic surgery, and ancillary services, would be part of that growth.

Councilmember Weaver thanked CAPS for the clarifications and Director Strum for his efforts in bringing businesses to the city and making sure councilmembers understand what they are looking at when moving something forward. He said he takes Strum's recommendations to heart. Strum said he appreciated that and reiterated he thought this to be a win-win across the board for the city. In going forward in this accelerated business climate, taking a breath with the program, and making sure it is competitive and effective for what the city is looking for in the future will be a key strategy.

Vice President Bowers said that one thing that had been important to her and expressed during the Incentive Advisory Board meeting was making sure employees' benefits were going to be provided at a competitive rate. She understood CAPS already pays competitive wages and is a competitive employer and wants to attract and retain talent but wanted to ensure that in creating the income tax refund to CAPS that the company could speak to the benefits.

Borkowski responded that all their employee benefits are paid for at 90 percent for their health. She asked if this is what Bowers meant. Bowers said that was correct, including health insurance and retirement. Borkowski said retirement is matched at three percent. She said the company is very competitive in this respect as an employer. Bowers said she thought this was also incorporated in the letter between the City and CAPS. Strum confirmed this to be correct. Bowers echoed Weaver's comments. She said she understood not wanting to extend the term of this agreement beyond the 15-year lease and appreciated CAPS bringing this to light. Overall, Bowers said she is excited to add these jobs and facility that will see major renovation and upgrades in a meaningful way. Bowers reiterated there are no abatements or other incentives associated with this project. She is happy the project will have no issues with property tax generated to support the city's

excellent school district.

Strum noted that he sent over to the Clerk a draft of the proposed changes to the terms (30 percent total credit against the City's income tax, with Issue 12 remaining whole and its 50 percent credit against the balance with the compliance period of 15 years instead of 20) in anticipation of the conversation. Bowers said the amendment would need to be made prior to taking a final vote at the next Council meeting. The Committee could not take a vote on the amendment at this meeting.

Recommendation: Second Reading/Adoption on Regular Agenda 9/6/2022, requiring an amendment.

[ORD-0054-2022](#)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN INFRASTRUCTURE CONSTRUCTION AND LOAN AGREEMENT WITH SCIENCE ONE, LLC, RELATED TO THE EXTENSION OF TECH CENTER DRIVE IN THE CENTRAL PARK AREA OF THE CITY OF GAHANNA, WAIVING SECOND READING AND DECLARING AN EMERGENCY

Director Strum invited Bob Behal and Sean McCarter to join him in explaining the item under consideration. Behal represents Fed One in this transaction and McCarter represents the City of Gahanna. Strum said that this item related to the State Infrastructure Bank (SIB) ordinance that was passed by Council about six weeks ago. Late last year, the Council approved a development agreement tied to the expansion of ADB Safegate. As part of that project, it was considered to have an extension of Tech Center Drive to service the property as a public improvement. Strum said the City was able to obtain dollars associated with the project from various state agencies, specifically the Ohio Department of Development (ODOD) and the Ohio Department of Transportation Jobs & Commerce Program. Since the development agreement and the SIB legislation, Strum stated there has been an upsizing of infrastructure tied to the project to meet redundancy needs for the city, as well as increased cost tied to inflation and various construction variabilities. The City was going to enter into an arrangement to introduce a SIB loan in which Fed One, the contractor, would guarantee that project through a personal line of credit by the owner of the group. Unfortunately, since that item was taken up by Council, the principal at Fed One passed away unexpectedly. This item is a revised construction and loan agreement that outlines from a high-level standpoint a security deposit and promissory note tied to a surety bond. Strum said the lawyers would talk more on the details, but the City's counsel and Fed One's counsel has come up with this plan to move forward. Strum said because time has been lost following the unexpected passing of Mr. Biondi, he is asking for a waiver and emergency declaration. He noted that from a logistical standpoint, asphalt plants will be closing very shortly, and there is a public safety component. If the building were to open without the proper access road, there could be potentially significant issues with school buses and truck traffic.

Mr. McCarter said that what the City needed to work with was assisting the

developer with these expanded costs that came into play to roughly \$1 Million. As Strum discussed, McCarter said that as of the fall, assistance with grants, TIF money, one of the cost increases was to take a water line from an 8-inch to a 16-inch line. The benefit of this is that the City will have increased the pressure and looping of the system, which will help serve a lot of other areas. McCarter said that cost pursuant to this agreement is funded at \$85,100, which is the cost of the line itself. This is based on an engineer's certification of cost. This is Water Fund money to pay for the oversized line to benefit others. McCarter added the other component to this was to work to come up with a loan issue (the SIB loan) to be repaid by the developer. There have been a few different machinations on this. The developer's lender did not do what was originally thought that they would do. The issue is to protect the City on that loan, or in other words, secure the City. To do this, McCarter said an affiliated entity is willing to put up a cash security deposit of \$1.5 Million. That is the total that could be drawn on the SIB loan. The agreement is set up that they would not incur any costs or be permitted to anything above \$1.5 Million. If for some reason there is a necessity, they would come back to Council. The expectation is that the \$1.5 Million is with contingency funds. So, it could be built with \$1.3 Million, but with contingencies it is \$1.5 Million. McCarter said there are then credits, the ability to get the grant money (this is reimbursement money), and other developer requirements to perform and do. There is potential risk that the developer fails to perform and that the grant money does not come through. If the grant money comes through, then the amount of the loan gets reduced. He added there is also the City's money, the TIF money, etc. McCarter said that at the end of the day this probably ends up with \$800,000 as the amount due. At the end, the City decides how much it has received from the other sources, subtracts that amount from any of the money that was lent, and if it comes out to be \$800,000 is still unpaid, the City is still holding \$1.5 million put up by the affiliated entity of the developer. The City calculates the payoff of the SIB loan. The SIB loan must be 37 months. It is bonded money. The payoff will be known at whatever time this happens. The City will refund from the deposit whatever it does not need to pay all obligations. If it is \$700,000, at that point this goes back to the developer's entity and the city keeps the \$800,000, and it is paid in full. The City is holding its own cash that it controls as security for this project. The cash is the maximum amount that can be drawn on the SIB loan, plus the grants to be processed through reimbursement and City's TIF and Water Fund money commitments. McCarter said that he, along with Behal and Attorney Mularski, worked with different scenarios as to how to secure the City. They proposed a mortgage at first. This would not fly with the bank. They then asked for a letter of credit. The bank could not figure out that. Ultimately, the developer, through a related entity, is essentially putting up a cash bond to protect the City from any default by the developer or any unexpected performance on the other programs. The agreement provides that the developer takes the project forward. It is road, water, sewer, and stormwater. This is what is all involved with the extension of Tech Center Drive.

Mr. Behal added that he is the attorney for Science One, LLC, which is the developer. He explained they have had unforeseen circumstances with delay

in time that it took to get things together, the associated increase in costs (in materials and labor) that occurred because of the delay and realizing the size of the job needed to be increased to meet appropriate standards. Behal added that they also had the unfortunate and shocking occurrence of Bob Biondi's death. Biondi was the managing member of Science One, LLC. Behal said everyone is very sad about this, and he emphasized the project needed to keep moving forward so that ADB Safegate gets into this building on a timetable that meets their needs and is operating in Gahanna. Behal stressed there is a safety issue involved here due to the way Tech Center Drive abuts the building and how traffic is going to be funneled in and out. The firm is interested in a fix for the safety of employees and citizens of Gahanna. Additionally, he said there is the problem of asphalt processing during a certain time, about mid-December when it begins to get too cold. They would very much like to get the road in and completed. There is also the bidding process to abide by. Behal said that without Director Strum, Mayor Jadwin, and Attorney Mularski, that this could never have gotten done because of all the problems. When financing a project of this size, the middle-size banks that are usually involved in these deals bring on other banks to co-lend with them. That complicates things with three committees and boards and every bank has lawyers that bring up multiple issues. Behal stated the group has worked its way through all this and the affiliated entity, Fed One, and their owners were able to come up with this idea to bypass the banks to put the cash on deposit with the City. The cash will be there until the job is completed and all the numbers are in with the grants and SIB loan balance due. The City is going to have to wait 37 months to pay it back, but then the remaining monies should be returned. Behal requested approval on the emergency basis to get this moving forward because of the safety and exigency needs.

Strum said that to distill this down to the heart of the matter, the engineer's estimate puts this project just under \$1.5 Million and the security deposit covers the entire cost of the project. If no grant monies or TIF monies happen, the City still has coverage tied to this construction project. All responsibilities for public compliance, such as bidding requirements, domestic steel utilization, labor, and everything is funneled from the City to Science One, LLC, as the sub-recipient. If they do not pass the "sniff test" with non-discrimination, or if they do not pass the bidding requirements, they become ineligible for reimbursement. The monies that have been set aside will be eaten. That is why they did the maximum value tied to the construction. Strum emphasized there was zero exposure to the General Fund tied to this agreement.

President Renner said in looking back in time a little bit, he recalled that in 2021 the City passed the CRA and a developer's agreement for this project. Now, the entity is putting up \$1.5 Million to keep this project going and worked out an agreement to where the monies, as Strum mentioned, provide no exposure to the City. Renner asked what was not to like about this. He emphasized he is grateful for the team effort. Even though the City gave the CRA tax abatement, the company is turning around and helping the City out, which is really appreciated. Behal responded they appreciated the CRA in the

first place, but he gave a lot of credit to the late Mr. Biondi who wanted to do whatever it took to make this work. Renner thanked Behal and said they were a model corporation that he wished others would exemplify. Behal remarked that he wished all his clients were like this.

Councilmember McGregor expressed her thanks as well. She said that there has been a lot of hurt and hurdles here, but that she appreciated there was someone getting over the hurdles. There always must be one person that can see the deadlines, make the deadlines, and get over the hurdles. She, again, expressed her thanks.

Vice President Bowers echoed sentiments expressed by colleagues. She thanked Behal, McCarter, and Strum. She said it was evident they problem solved their way through this after quite a few obstacles. It was much appreciated.

Recommendation: Introduction/First Reading with Waiver/Emergency Adoption on Regular Agenda 9/6/2022.

D. ITEMS FROM THE DEPARTMENT OF FINANCE:

[ORD-0049-2022](#) AN ORDINANCE AUTHORIZING A SUPPLEMENTAL APPROPRIATIONS AND WAIVER OF SECOND READING - Workers' Compensation Self-Insurance Fund

Joann Bury, Director of Finance, said the Self-Insurance Fund for Workers' Compensation is set up to identify a percentage of payroll to charge the City to fund any claims, rather than the claims being paid by the Bureau of Workers' Compensation. The City uses a third-party to process the claims. During 2022, to come up with what the claims experience might be, the City looked at historical data and claims outstanding. Going into 2022, the City was under the impression that one large claimant would fall off. Due to unforeseen circumstances, this claim remains open. There are also more than typical claims that the City is experiencing this year. Bury said the City is still good on its reserve balance. There is about five years' worth of reserve left based on claims experience. The Department will look at 2023 to see if that percentage needs to be increased based on what is coming down the pike. For 2022, Bury requested the supplemental appropriation in the amount of \$90,000 to the Fund. The waiver is requested due to August claims coming in and need to ensure enough coverage for these.

Recommendation: Introduction/First Reading with Waiver and Adoption on Consent Agenda 9/6/2022.

E. ITEMS FROM THE MAYOR'S OFFICE:

[ORD-0055-2022](#) AN ORDINANCE TO ESTABLISH SEPARATE DEPARTMENTS FOR PUBLIC SERVICE AND ENGINEERING

Mayor Jadwin said that in speaking with the City Attorney on this and given the activity on the deals being worked on late Friday, she was not able to get her

report to the Clerk of Council in time [for agenda publication]. To have all the l's dotted and Ts crossed, she preferred to move this to the Committee of the Whole for September 12, 2022, so that it could be attached as an agenda item. Jadwin said this is an item she had discussed with Council previously on separating the Public Service and Engineering departments. No amendment to Charter is required. She said this had to deal with the Charter language and clarifying existing language for compliance with this action.

Recommendation: Referred to Committee of the Whole meeting on 9/12/2022.

F. ITEMS FROM THE DEPARTMENT OF PUBLIC SERVICE & ENGINEERING:

[ORD-0051-2022](#) AN ORDINANCE AUTHORIZING THE MAYOR AND DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH AMERICAN ROCK SALT CO LLC FOR ROAD SALT FOR THE 2022-2023 WINTER SEASON

Grant Crawford, Director of Public Service, explained that the City is a member of the SWOP4G organization, which cooperatively purchases road salt each winter season. On July 14, bids were opened and reviewed for this new season. The lowest and best bidder for Gahanna's road salt needs is American Rock Salt, with a bid price of \$71.84 per ton and zero dollar per ton piling charge. Crawford noted this is about 36 percent higher than the previous year's salt prices. He said that this is due to factors such as inflation, gas prices, and availability of salt. Salt prices do fluctuate heavily and are dependent on the amount used in previous winters. There had been heavy winters last year and the year before.

Recommendation: Introduction/First Reading on Regular Agenda 9/6/2022 and Second Reading/Adoption on Consent Agenda 9/19/2022.

[ORD-0052-2022](#) AN ORDINANCE AUTHORIZING THE MAYOR AND DIRECTOR OF PUBLIC SERVICE ENTER INTO CONTRACT WITH THE RIGHTER COMPANY FOR THE CHERRY BOTTOM ROAD STABILIZATION PROJECT, AND WAIVING SECOND READING

Tom Komlanc, Director of Engineering, explained that this request to enter into contract involved slope stabilization along Cherry Bottom Road in two locations. One area is south of Academy Park at the entrance and the other location is just north of US 62 and Cherry Bottom near Springbrook and McKenna Creek. There is some slope stabilization needed for this area with sheet piling and rock channel. The City advertised for bids July 14 and July 21. The bid opening was July 29. There were three bids, with The Righter Company being the lowest and responsive bidder. The Department is requesting the contract with a 10 percent contingency in the amount of \$384,114. Komlanc noted that the City is receiving grant funds from the Ohio Public Works Commission (OPWC) in the amount of \$200,000. This will reduce the cost on the overall project.

Vice President Bowers asked whether Komlanc could describe what the sheet pile retaining wall would look like and what it does. Komlanc said the

sheet piling will be vibrated into the existing embankment to hold back the earthen material below or adjacent to the roadway offset. The stabilization will be on the backside of that. There should be very limited exposure to the sheet piling because it is driven into the ground to protect the soil from erosion. Crawford added there is existing sheet piling on Cherry Bottom by Springbrook. He said it is unlikely one would be able to see this if driving out there. It hides into the banks as it reestablishes after the work is done. Crawford explained the waiver was requested.

Recommendation: Introduction/First Reading with Waiver and Adoption on Consent Agenda 9/6/2022.

[RES-0025-2022](#)

A RESOLUTION AUTHORIZING THE MAYOR TO PREPARE AND SUBMIT AN APPLICATION FOR THE 2022 OHIO PUBLIC WORKS COMMISSION ROUND 37 GRANT/LOAN FUNDING OPPORTUNITY; AND AUTHORIZING THE FINANCE DIRECTOR TO ESTABLISH A SPECIAL FUND FOR THE PROCEEDS, IF AWARDED

Director Komlanc said the Department anticipates submitting a grant application for the Taylor Station and Claycraft Road intersection. Authorization is sought to allow the Mayor and staff to submit the application on behalf of the City.

Vice President Bowers thanked the administration for pursuing this.

Recommendation: Adoption on Consent Agenda 9/6/2022.

[ORD-0053-2022](#)

AN ORDINANCE AMENDING GAHANNA CODIFIED ORDINANCE CHAPTER 521.06(b) FOR CONSTRUCTION, REPAIR AND REPLACEMENT OF SIDEWALKS, INTEGRAL APPROACHES/APRONS AND RELATED AREAS

Komlanc said that historically within the street maintenance and street reconstruction program, the City has taken on responsibility for repair and maintenance of curbs and gutters. Within this section, it currently calls for it to otherwise be the property owner's maintenance. The City is attempting to clear up this section of Code to make it clear this is the City's responsibility to maintain curbs and gutters.

Mayor Jadwin said that when adopting Chapter 521 with the updated Sidewalk Code, Section 521.06(b) placed responsibility for maintaining curbs and curb gutters on the homeowner. This would remove responsibility from homeowners and instead place responsibility onto the City. Jadwin explained the City would be the ones preferred to do the work in the street, alleviating that financial burden from homeowners. Vice President Bowers clarified this would mean the obligation on the homeowner would be to keep the area free from obstruction but that the sidewalks and approaches or aprons would be the responsibility of the homeowner for repair.

Councilmember McGregor said this makes sense, as every homeowner being responsible might mean they might get it level and the next person

might not. One could be an inch higher or an inch lower than the next. To help the water flow, it makes sense to have someone do it with a continuous flow of water in mind.

Vice President Bowers asked whether a waiver was requested or just standard. Jadwin thought waiver and emergency was requested. Bowers noted this had not been included. Jadwin said this is fine. There are some homes subject to code enforcement violations on this. However, she believed moving forward the City can communicate with residents that this is in the pipeline.

Recommendation: Introduction/First Reading on Regular Agenda 9/6/2022 and Second Reading/Adoption on Consent Agenda 9/19/2022.

G. ITEMS FROM THE DEPARTMENT OF ADMINISTRATIVE SERVICES:

[ORD-0047-2022](#) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT WITH FJF OH GAHANNA, LLC FOR PROPERTY LOCATED AT 825 TECH CENTER DRIVE

Mayor Jadwin noted this marked the fifth public discussion the City has held with Council on this project involving the potential purchase of 825 Tech Center Drive. It had been discussed at length the various assessments that had been completed, the workshops, and the presentation last fall. She was not going to revisit the “what” about this, but rather the “why.” Why the City began to explore 825 Tech Center Drive is because it is trying to solve a problem - a problem that was the condition of the Police Headquarters. This building is functionally obsolete and has been this way for decades. The need for a new Police HQ has been in the capital needs assessments for about the last 15 years as something needing to be addressed. Jadwin said the HQ is in a condition where the City can no longer wait to address problems. Not only is it functionally obsolete, but also inadequate to meet operational needs of officers. It was through the City’s efforts in trying to find an economical solution in trying to solve this problem that the administration had identified the opportunity at 825 Tech Center Drive. That facility not only, as it turns out, provides a solution for Police HQ, but also solves long-term needs for City Hall and the Senior Center. She said it sets the City up for success with these three facilities for the next 20 to 40 years and beyond. This does so, she added, in the most cost-effective manner possible. As has been shared with the public, Jadwin emphasized this does absolutely nothing to people’s taxes. There will be no new taxes. Issue 12 was passed in May 2019. It is not a new Issue. It is old. It was passed for the purpose of addressing deferred maintenance on a litany of projects, including facilities. Regarding other questions that have been coming up, including from councilmembers, Jadwin turned the presentation over to Kevin Schultz, IT Manager, to review questions that have been received.

Mr. Schultz said the City has been talking about facilities in earnest for around eight months. On the public engagement side for this, since the July 20 Town Hall, 33 days had passed. In this time, there have been five Council

presentations, whether through Committee or before Council. There will be one more coming up on September 6, the third public hearing and second reading of the ordinances for purchase and sale agreement and short-term note issuance. The one part Council has not necessarily seen includes five different community presentations. Beyond the Town Hall, the administration has presented before the Planning Commission, the CIC, the Rotary, and the Senior Center. There will be a sixth presentation before the civic association meeting with Chief Spence this coming Thursday. There have been three print media articles in *ThisWeek News* on this proposal, 12 social media posts, and website postings with information on the Facilities page. Schultz said there would be more to come in terms of postings leading up to the third public hearing. Schultz noted that the social media engagement on City posts thus far have been fairly positive, although somewhat limited. He thought the most encouraging thing he has seen is that citizens within the community are answering other's questions based on the materials the City has been putting out there, such as from videos or website information. Each public session, all the PowerPoint presentations, and videos are all posted on the Facilities webpage. Schultz reviewed that the question of how the project will be paid for is the biggest question about the project the City gets. He said the Mayor made it clear that it will be paid out of existing Issue 12 monies and noted that the project will, in part, be funded by other means that the City has at its disposal, such as TIF and certain grant opportunities. This will help shrink the debt service and impact to Issue 12 dollars. While there is a \$61 Million budget, that does not necessarily mean that there will be a \$61 Million debt service for this project. He said that the second question that the City has received is what will happen to the existing 200 S. Hamilton property. Schultz replied that right now the City does not yet know. There was an appraisal that came in at \$4.8 Million for the property. He added there is a myriad of options, which could be working with the school district or selling it as commercial development. The administration does not yet know what option to pursue until it knows the City will be moving and a project is completed down the road. He said the decision also did not need to be made quickly, as the 825 Tech Center Drive project would involve about eight to nine months of design and then a construction process. So, there would be between 18 to 24 months that the City would need to function inside the existing property prior to moving from it. In sum, decisions on the existing property are yet to come. A third question is how the City has worked with the school district regarding its property and Clark Hall. Jadwin noted there have been extensive conversations with the schools as the administration has moved forward with this project. She shared that one of the first conversations occurred early on in her administration when sitting down with a school board member to discuss the work on the high school project and inviting a conversation. At this point, the schools were full steam ahead with the high school project compared to the City, which had nothing in the pipeline and did not know what it was going to do. There were concerns that timelines would not align. Jadwin stated the schools have a very tight timeline they are working on, and if the City knew then what it knows now with the opportunity at 825 Tech Center Drive, that conversation might have looked a little different. As the City continued to work on the assessments in subsequent months, part of the

assessment work involved identifying potential locations for a Police HQ and City Hall. During that process, Jadwin said Clark Hall surfaced as an ideal location for City Hall. That led exploration into conversations with the schools on Clark Hall. This included tours and meeting with Superintendent Barrett and comparing square footage needs, etc. Ultimately, this did not work out, as the schools wanted to keep the preschool in Clark Hall. Having a preschool and potentially a Mayor's Court on the same floor were not compatible needs or uses and took away from the square footage needed for City Hall. Therefore, this was no longer a viable option. Jadwin said that with where the City is with its facility project and the schools with their high school project, the parties are focused on those individual projects. She has monthly meetings with Superintendent Deagle and quarterly meetings including herself, along with President Renner, school board liaison Vice President Bowers, the school board president, superintendent, and their council liaison. They will continue to have conversations on what opportunities there are, if any, to intersect and partner, but right now both entities are on their individual paths. Until the City knows what it is doing with 825 Tech Center Drive, it is putting the cart before the horse to have a conversation around the school's interest with the existing City Hall property. The door could open once it is known what the City's decision on 825 Tech Center Drive is. Jadwin noted that some questions have involved intermingling the management of the City with the management of the school district. She reminded people to understand the school district and City of Gahanna are two distinct, separate legal entities. Schools are funded one way and the City funded another way. The schools are run by a school board and superintendent. The City is run by Council, the Mayor, and City Attorney. One does not control the other. She did not want people to be confused with the high school project and decisions on this facilities project, as one does not have an impact on the other in terms of financing. Schultz continued with additional common questions asked. Are there special requirements for the sale of the City property? He said the short answer is yes. The "reverse bid" scenario would need to occur, meaning Council would need to take the high bid for the property as one potential option. Council must authorize the marketing, bid allowance, and sale of the property. Schultz said other options could involve the CIC, but the form he just mentioned would generally be the easiest legal option to pursue. In terms of the question on how a future relocation would potentially impact police time, Chief Spence said that really there is no perfect location anywhere in Gahanna for a police facility. Each has its own unique challenges, but location really is not as crucial as police staffing. Officers are not tethered to the HQ in terms of deployments and how officers are circulating in the city. He said staffing bears more of an issue related to responding to crimes in progress than where the department is physically located. Spence said there are challenges with the existing building site: the size, the proximity to Hamilton Road, and being so close to the high school, which serves as a detriment with both pedestrian and vehicular traffic congestion in responding to situations. He added that the construction project with the high school is going to have a significant impact on Gahanna, with traffic and congestion, as well as keeping City Hall functioning. Spence stated that while he never would want to have a repeat of the teacher strike, they are dealing with one right now

in the City of Columbus. When the Gahanna teachers were on strike, Spence said this activity, while certainly permissible and something that was expected, did impact the police department's ability to respond because of the congestion related to the picketers' proximity to the building and in lanes of travel. This became very problematic, given the number of issues related to the teacher strike. Regarding the 825 Tech Center Drive facility, Spence said that it is much more conducive to public safety operations, strategically located next to several avenues of travel with easy access to I-270 north and south for the city. It also provides several strategic and tactical advantages in its positioning. Spence added that it allows the police to keep it secure in many ways. Schultz reviewed the last common question regarding what inspections had been conducted for the 825 Tech Center Drive property. He stated that Mission Critical Partners (MCP) was instrumental in guiding administration on which inspections it should be doing on this property to verify the purchase. They said that the City had two big components, one being the roof and its structural qualities and age and another being the mechanicals inside the building. They said that according to the property owner the roof was at the end of life and so was the HVAC system. With that known, Schultz said the recommendation was there was no sense inspecting things that the City was going to need to plan on replacing during the renovation project. Therefore, the \$61 Million budget calls for a complete roof replacement and complete replacement of the HVAC system. This takes two large inspections out of the mix. Schultz referenced the Terracon company located off Morrison Road had provided a complimentary 11-page report which reviews some general items that one would look for in a project like this. One of the items that the report recommends is a Phase I Environmental Assessment of the site itself. This would do things like describe the site and nearby properties, the historical uses of the property, environmental records like wetlands inventories and natural habitat, and a lot of things that are not necessarily germane to this developed site. Physical and historical records are reviewed in this process, involving whether any historical or archeological sites exist on the site that must be protected. Additionally, interviews with property owners and site recommendations are in this phase assessment. Schultz noted there were two previously conducted environmental Phase I assessments (September 2016 and August 2018). Both reports conclude the same thing, which is the assessment revealed no evidence of recognized environmental conditions issued in connection with the subject property. The City's internal facilities group evaluated whether additional monies needed to be expended to have another environmental report. He referenced the Terracon report's citation of Indiana bats. He said the back of the building could potentially house some Indiana bats and that some could also be inside the cracks/crevices of the building but that during renovation, these types of issues could be taken care of. Additionally, the Terracon report referenced potential hydric soils located on the property, but Schultz said that the previous two assessments have determined there were no environmental conditions that needed to be taken into consideration. The City would work under the same assumption that four years later there are still no environmental considerations that would have popped up since then. He said anything else in the Terracon report, such as geotechnical services, would go

into the architectural and engineering RFP that went out. That work would be done as part of the renovation and expansion project. Schultz ended by commenting that in all the five different public engagements the administration has done thus far, they have been met with warm receptions. He said the community seemed very receptive to the conversation. They met with up to around 50 seniors on Friday. He indicated the administration was not sure what type of room they were walking into. Schultz said the room ended up being very warm and engaged.

Vice President Bowers followed up on the inspections question. As she understood, the structural and engineering inspection would take place as the City would move forward with renovation. Schultz said this was correct. MCP stressed that any structural issue during the renovation project would be fixed at that point in time. Per Schultz, MCP indicated that anything structurally could easily be remedied during a renovation or expansion project space for the police department. Bowers thanked Schultz and reminded others in attendance that the last public hearing would occur September 6, 2022, where the items would also be considered for second reading and adoption. She shared that whenever she has been talking with residents about the project, she had also received fairly warm feedback. If this all goes the way it is expected to go, it seemed to be a good move for the City to be able to remedy the critical need of updated Police Department space while simultaneously providing a new, modernized City Hall.

Recommendation: Second Reading/Adoption on Regular Agenda scheduled for 9/6/2022.

[ORD-0048-2022](#)

AN ORDINANCE AUTHORIZING THE ISSUANCE OF NOTES IN THE AMOUNT OF NOT TO EXCEED \$8,500,000 IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, RENOVATING AND IMPROVING MUNICIPAL FACILITIES, INCLUDING CONSTRUCTING, RENOVATING AND IMPROVING ADDITIONAL PUBLIC SAFETY FACILITIES FOR POLICE DEPARTMENT OPERATIONS; FURNISHING AND EQUIPPING THE SAME; IMPROVING THE SITES THEREOF; ACQUIRING LAND AND INTERESTS IN LAND IN CONNECTION THEREWITH; AND ALL NECESSARY APPURTENANCES THERETO; AND APPROVING RELATED MATTERS IN CONNECTION WITH THE ISSUANCE OF THE NOTES

Recommendation: Second Reading/Adoption on Regular Agenda scheduled for 9/6/2022.

H. ADJOURNMENT:

With no further business before the Committee of the Whole, the Chair adjourned the meeting at 8:40 p.m.

Jeremy A. VanMeter
Clerk of Council

*APPROVED by the Committee of the Whole, this
day of 2022.*

Merisa K. Bowers