

City of Gahanna

*200 South Hamilton Road
Gahanna, Ohio 43230*



Meeting Minutes

Monday, April 23, 2001

7:00 PM

City Hall

Finance Committee

*Karen J. Angelou, Chairman
L. Nicholas Hogan
Thomas R. Kneeland
Michael O'Brien
Debra A. Payne
Donald R. Shepherd
Rebecca W. Stinchcomb, ex officio
W. Jerome Isler, ex officio*

Members Absent: L. Nicholas Hogan, Michael O'Brien and Debra A. Payne

Members Present: Karen J. Angelou, Thomas R. Kneeland, Rebecca W. Stinchcomb and Donald R. Shepherd

ADDITIONAL ATTENDEES:

Press; Mayor; Tom Weber; Jerry Isler; Raleigh Mitchell; Tracie Davies; Col. Hall; Chief Murphy; Sadicka White; Karl Wetherholt; Isobel Sherwood

PENDING LEGISLATION

ORD-0094-2001

TO AMEND CHAPTER 931, COMPREHENSIVE RIGHT OF WAY, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA; AND TO DECLARE AN EMERGENCY

Davies asked if anyone had questions at this point; received letter from Ameritech. Davies turned it over to attorney Chris Miller. Miller addressed the concerns from the letter; for the most part they want changes in language; they would prefer some language being removed; the language that states they or anyone else agree to certain conditions; not really necessary that they agree; would like to request removal of the criminal penalty if something is violated; other municipalities have deleted this; seems very ominous; represented municipalities that have both left that in and out. Angelou asked if Columbus left it in their ordinance. Miller stated that he didn't think so; Hilliard deleted it from theirs; other municipalities have retained it; it is a somewhat powerful message; it is the decision of the legislative body to include it or not; Ameritech has expressed concern about the language that allows municipality to request or require a removal of their infrastructure for the public; such as removing lines; they would prefer to not have to pay for that if it is for the public purpose; as example if someone puts in a subdivision and there needs to be a lane widening, utilities feel that the developer that forces the widening of the right of way should be the responsible party or the City; the language in the draft is somewhat all encompassing; the utility would be required to pay for the relocation to beautify the street; their belief is that is for a public purpose; obviously this is a valid concern; up to the legislative body to reduce or limit in scope. Angelou stated that beautification or widening is an absolute public purpose; all of it is costing the City money; it is all to enhance the City; spent \$2 million to beautify the entrance to Gahanna. Kneeland stated that it would be a very difficult thing to draft; public purpose is very important. Miller stated that Ameritech has drafted some of that language; made a fair attempt to. Kneeland stated that the general accusation is that this ordinance means we involve ourselves in areas in which we do not belong; we are trying to protect our right of way; what do they mean by that. Miller stated that the utilities feel that in most cases they are regulated by the FCC or PUCO; their impression is that the municipality should attempt to do as little as possible regarding regulating; they should not create regulations that would differ from other municipalities. Weber stated that is the cost of doing business. Mayor stated that he thought the Ordinance is very reasonable; not a problem to delete the criminal penalties language; this is not something we ever used. Weber agreed that it is not critical. Kneeland stated that now we are talking about established utilities; what about new comers in the right of way. Shepherd stated that if someone is concerned with criminal penalties, they could be borderline companies; not as concerned with established companies. Angelou stated that this is a juggling act between the newcomers and established companies. White stated that in the permitting process we will do as much as we can to avoid borderline companies; will try to find out everything we can. Weber stated that it would still be difficult to impose

criminal liabilities; there is a burden of proof. Angelou stated that she had no problem with dropping the agree language; basically they have to agree with the ordinance regardless; there doesn't need to be language in there. Kneeland stated that if there is no way to enforce them, we need to maintain sanity in our rights of way; not worried about established companies; worries about new. Miller stated that should someone be in violation you can pull their certificate and deem the structure a nuisance. Angelou clarified that we would be taking out all of the agree language. Miller stated that by default they agree anyway. Weber agreed that the language was not critical. Davies stated that she will go through and make the changes and get them to the Council office this week.

Recommended for Adoption, Consent

MR-0014-2001

To acknowledge the Merger of Time Warner with AOL with notation that all terms of existing franchise with Time Warner, previously known as Warner Cable, will remain in effect.

Sherwood stated that she only brought it up as a tickler item; we were waiting until the right of way legislation was ready to move forward; strictly a Motion Resolution.

Recommended for Adoption, Consent

ORD-0092-2001

TO AUTHORIZE THE MAYOR TO ENTER INTO DEED OF CONSERVATION EASEMENT FOR PROPERTY LOCATED AT 533 EAST JOHNSTOWN ROAD; TO WAIVE TAP IN FEES AND ACCOMPANYING CHARGES FOR CITY WATER TO 533 EAST JOHNSTOWN ROAD AS COMPENSATION THEREFOR; AND TO SUPPLEMENTALLY APPROPRIATE \$7,110 TO REIMBURSE THE WATER FUND FOR SAID FEES.

Weber stated that he went over some things with the Mayor; made changes as to his concerns. Mayor stated that he thinks this is a good time to do this; it is very effective; people have been reinvesting on Clark State; the Heartland Plan gives people confidence; reason for doing this is to own a few key parcels to help somebody to hook up to water. Angelou asked if we are actually purchasing the easements and then waiving the fees; does this constitute the right amount of money for the easements. Mayor stated that he thinks it is; could have it appraised; this is what they need for the water; do not know what its worth. Weber stated that it's intangible. Shepherd asked if we are setting a precedent by doing this. Mayor stated he didn't feel they were; this is a value to the citizens.

Recommended for Adoption, Consent

ISSUES - From Director of Parks & Recreation:

Rails to Trails Lease

Mitchell stated that he had hoped to have a draft by now; does not have that; we will get back to it.

Purchase Pool property

Mitchell stated that he had sent a memo to Council and copied it to Father Noble and Pool Board; requested it because their sale of the pool soccer field, relies on us being willing to do this; proposing to purchase 3.3 acres from the pool board; realizing that St. Matthews is planning to buy 10 acres that include the pool soccer fields and includes the tennis courts; then we would work out a permanent easement that we would obtain from St. Matthews, so we would have permanent access. Stinchcomb questioned why a permanent easement as opposed to ownership. Mitchell stated that we could purchase it, they probably would sell it. Stinchcomb asked if we would have authority to build trails.

Mitchell stated that there will probably be a park road and bikeway. Stinchcomb stated that it is important that wherever we can obtain Creekside ownership it is a good investment. Mitchell stated that St. Matthews is planning on tearing out the tennis courts and making more parking and putting in a baseball/softball field.

RECOMMENDATION: 1st Reading; Consent

ISSUES - From City Engineer:

Clark & Oklahoma

Wetherholt stated that he was on vacation last week and didn't get everything done; cost overruns are primarily due to some concerns of the property owners; some adding driveways; wanted to see if we could go with a supplemental or deduct from some other project already in appropriation; the amount is \$52,000. Angelou asked if there was another project to deduct from. Wetherholt stated that he would have to get with Mayor on that; the consultant had some problems and did not alert us as to the overruns. Angelou asked if that is typical. Mayor stated that the firm has failed; they are going out of business; their key people have left. Angelou asked if the overruns are legitimate. Wetherholt stated that he has checked into it; the additional work is due to the design of the retaining walls; they appear to be legitimate. Mayor added that had they been well managed they would have asked for money a long time ago. Angelou asked if there is somewhere else to get the money. Mayor stated that in order to balance this budget they had constricted a lot of good projects; would recommend an additional supplemental. Wetherholt stated that he would get the Council Office the paperwork.

RECOMMENDATION: 1st Reading, Consent Agenda

Helmbright & Havens Corners

Wetherholt stated that the ODOT camera has been pushed back to Wednesday. Stinchcomb asked what time it will be there. Wetherholt stated he believed they would be there at 6:30 a.m. and was not sure for how long; we took a look at the previous counts and looked for where it went up; made the time match the time when the traffic was high.

ISSUES - From Director of Development:

DECA Group

White stated that the DECA group took a first and second place; their 1st place project was on Creekside; in their summary memorandum they interviewed over 407 residents; they did quite an extensive job; the citizens said they would come if it contained a mix of entertainment, shops and restaurants, and the international theme; feel this can be strongly tied into our nature setting; should tie in with a convention and visitors concept; the 2nd place project looked at our web page and analyzed it; they indicated there should be some organization and more interesting and up to date information.

TIF Legislation - Final Language

White stated that you should have a final copy of it; basically the changes in the 1st section on page 3 talks about the term you can have under the CRA; that term still exists, however we implemented a TIF on top of the CRA so that everybody gets money back; restricted the time on the CRA; that part of the Resolution restricts it to 10 years; we needed to clean it up; a couple of the developers wanted the actual ordinance to keep us

honest. Sherwood stated that it would be a Statutory Resolution. White added that they were in no hurry. Weber stated that he has reviewed it somewhat.

RECOMMENDATION: 1st Reading; Consent; Does not need to come back to Committee

Request to show Creekside Video at Council Meeting on May 7

White stated that they have Creekside video produced by Channel 10; it is approximately 11 minutes; would like to show it at some point on the May 7 meeting. Weber asked if that was the Student Government Day. Sherwood stated that it was. Angelou agreed that would be a perfect time to show it.

RECOMMENDATION: Show Video at May 7, 2001 Council meeting.

Bristol Tennessee Symposium

White stated that she will be attending the design symposium; there is going to be over 100 people there; should be nice.

American Economic Development Council Award

White stated that we won an award for 2001; Jennifer D'Ambrosio had put in to go to this conference; not sure if we will be sending anyone to pick up the award, since D'Ambrosio is ill.

Phase 850 Color Printer - Usage, maintenance & supplies

White stated that David Lee indicated that he will search ways to have this for specific users; right now we are able to absorb the costs of the new color copier; the ink is pretty expensive and you have to have maintenance every 10,000 copies; the ink costs about \$500; it depends if you do a full color; it is still less than what you can do at Cord; we need to come up with policies on what should be color; agendas do not really need to be in color; at some point the costs need to be reflected in our budget or reflected in networks, and then have some manner of control. Angelou asked Isler if it should be collective or individual. Isler stated that it should be individual so they will watch their costs. Mayor stated that he has asked Lee to put a keypad on it so only authorized people could use it. Stinchcomb asked if they could have some sort of card reader the machine can track. Isler stated that Lee is looking at that. Kneeland stated that for right now you could put a person in charge over it. White stated that everyone is already networked to it. Mayor suggested putting something in the server. Kneeland stated that we already have very elementary problems on the network; really do not need these kind of extended things. White stated that for right now we could absorb the costs; not asking for a supplemental; thinking in advance; need to figure out how. Isler agreed that doing it in house is saving more. Angelou asked to have a report as to who has access to it at this point; not all departments are using it.

ISSUES - From City Attorney's Office:

Supplemental Request - Negotiations Account

Sherwood that this account is down to \$9,000; started at \$40,000. Weber added that it has been a very difficult year. Sherwood stated that she talked to Isler; hope that \$50,000 more will be enough; if not we would have a better feel for the rest of the legal accounts later in the year.

RECOMMENDATION: 1st Reading, Consent, No need to come back to Committee

Supplemental Request - Office Expense

Sherwood stated that she underestimated; fees for membership went up dramatically; paid for a transcript out of that account; transferred money to keep it out of the red; have requested a transcript account for next year.

RECOMMENDATION: 1st Reading; Consent; Does not need to come back to Committee

Supplemental Request - Charter Review

Sherwood stated that she did not think about it last year; any recommendation that goes into the budget has to go into the paper once we know what the changes are; always in the Enterprise. Stinchcomb stated that we may want to preprint and insert it; look for less expensive ways to meet the requirement; would like to be a part of that discussion.

RECOMMENDATION: Carry as a monitor item for Finance Committee

ADDITIONAL DISCUSSIONS:**VISIONING:**

Stinchcomb reminded everyone about the visioning session scheduled for Monday, April 30; asked White if she had a chance to talk to Gen. Williams about it. White stated he has his own method; he is waiting to hear from Council and get the information from the Department heads. Stinchcomb asked the Mayor to ask the Departments to get that information to him as soon as possible.

AGLER ROAD PROPERTY

Kneeland received information at a recent Civic Association regarding an ongoing problem with a piece of property on Agler and 270; he was asked to talk about Creekside at the meeting; thanked Development for providing enough details to satisfy their quest for information; this property is in the township and is in deplorable shape; transients have visited it; property belongs to George Parker; would like to support to have him removed from the RFP list for Creekside; have already confirmed that it does belong to him; cannot get him to do anything with it; this affects people who are in the City of Gahanna. Mayor stated he will have White give him a call and ask him to bulldoze the property or he will not work for the City. Kneeland stated he just wanted support on this; the property is falling down. Angelou stated that she hopes that he will do something since the City is actually going to him; need to make that entrance to Gahanna a better place.

RECOMMENDATION: Put on as a monitor item in Development Committee

DISPUTE RESOLUTION CENTER:

Angelou asked about the Gahanna Dispute Resolution; very concerned about it; is this for sure. Stinchcomb stated that after the Charter Review meeting she was told that Shane had left and calls were not being returned. Angelou stated that she never got a call back. Stinchcomb stated that this opportunity came up quick; had concerns about transition; need to hold up the supplemental until we know where it is going and how it is being managed; we think that Elizabeth James is taking over. Angelou suggested having her come in for the next Committee of the Whole. Stinchcomb agreed that we

need to see that it is good hands.

2001-0023

Sherwood stated that a liquor permit had come in; Police Department has sent an e-mail that they have no problems with it; needs to be done at next meeting.

RECOMMENDATION: Motion Resolution

HEALTH CARE:

Isler briefed Council as to the potential problems with health care; ended up \$781,000 in the hole; there will be an assessment on all the group; based on claims alone; that did not count the runoff; Bexley will still have to share in the assessment even though they dropped out; just wanted Council to be aware of it; we have to be able to pay our bills.

COMMUNICATIONS DIRECTOR:

Mayor wanted to get Council's opinion; he talked to Gen Williams; Dave Mazeau will be starting May 14; he didn't find a home when he looked; Gen. Williams asked that we cover some of his costs for the 1st few days; we talked to Myrna and her new husband; they have a home by Big Bear; they are renting it on a weekly/daily basis; she would rent that to us for \$1,400 a month; actually pretty cheap compared to a hotel. Suggestion was made about the Hannah property. Mayor stated that it is not furnished; Reynoldsburg is paying for one big move; Hannah property has nothing; he doesn't know how long it will be. Isler stated that it will have to be reported for tax purposes. Mayor will investigate other possibilities.

SAFETY TOWN:

Presentation in Council Chambers at 8:15 p.m.

ADDITIONAL ATTENDEES: Wendy McKenna; Gregg Morris; Nancy White; Jim DeConnick

Carl Schmueckle, Dave Brizius and Becky Kidwell gave a presentation on Safety Town. This year's Safety Town is scheduled for June 18-22. The cost for residents is \$20.00 and \$25.00 for non-residents. The cost pays for a helmet and t-shirt. Schmueckle and Brizius presented their latest project which includes purchasing peddle cars and a trailer for storage of the equipment for Safety Town. The cost for this is around \$10,000. They have already received \$5,000 toward the costs. Angelou asked Council if they would be willing to share in the costs of this. Everyone agreed that they would like to get involved. Will check with Mifflin Township and see if they would be willing to share in some of the cost.

(SEE ATTACHED PRESENTATION)

RECOMMENDATION: 1st Reading; Consent after we know Mifflin Township commitment.

Stacey Bashore, Recording

