



City of Gahanna

200 South Hamilton Road
Gahanna, Ohio 43230

Meeting Minutes Property Appeals Board

*Sarah Pollyea, Chair
Matthew Pugh, Vice Chair
Jason Ruark
Elizabeth Smith
William Sweeney*

Jeremy A. VanMeter, Clerk of Council

Thursday, April 27, 2023

6:30 PM

City Hall, Council Chambers

A. CALL TO ORDER: Pledge of Allegiance & Roll Call

Property Appeals Board met in regular session on Thursday, April 27, 2023, in Council Chambers. Chair, Sarah Pollyea, called the meeting to order at 6:30p.m. Board member Ruark led members in the Pledge of Allegiance. Agenda for this meeting was published on Monday, April 24, 2023.

Present 4 - Sarah Pollyea, Matthew Pugh, Jason Ruark, and William Sweeney

Absent 1 - Elizabeth Smith

B. ADDITIONS OR CORRECTIONS TO THE AGENDA:

None.

C. APPROVAL OF MINUTES:

[2023-0074](#)

PAB Minutes 1.18.2023

A motion was made by Ruark, seconded by Pugh, that the Minutes be Approved. The motion carried by the following vote:

Yes: 4 - Pollyea, Pugh, Ruark and Sweeney

Absent: 1 - Smith

D. ADMINISTERING THE OATH:

No oath was administered due to the appeal having been withdrawn by the applicant.

E. APPEALS - PUBLIC HEARINGS:

[PAB-0001-2023](#)

SIDEWALK MAINTENANCE PROGRAM APPEAL 661 FAIRHOLME ROAD, PARCEL ID 025-001357, BASEM JABOULI, APPELLANT;

DEPARTMENT OF ENGINEERING, APPELLEE

Withdrawn by applicant.

A motion was made by Pugh, seconded by Sweeney, that fees for PAB-0001-2023 be refunded. The motion carried by the following vote:

Yes: 4 - Pollyea, Pugh, Ruark and Sweeney

Absent: 1 - Smith

F. UNFINISHED BUSINESS:

None.

G. NEW BUSINESS:

1. Update from Department of Engineering - Sidewalk Maintenance Program

Mr. Komlanc introduced himself to the board. He stated in the summer of 2022 the projected sidewalk maintenance program was introduced to City Council. It consisted of roughly 620 parcels and 24 streets. Shortly after the adoption and public town halls, a third party consultant was hired to perform inspections to obtain ADA deficiencies and formulate costs. That work proceeded in the fall of 2022 and into January 2023. Upon capturing the information and cost, which was based upon data collected as part of the 2021 program and indexed for inflation, an estimate was obtained for the program. It was in excess of what was appropriated for what was envisioned for the 2022 program area. The information was presented to City Council in February, and Council asked staff to look into a reduced program area. Staff revised the program into 260 parcels, 6 or 7 streets in a new program area. In March issue was noticed to those parcels with their deficiencies. Shortly after the notice was issued, staff began to receive concerns from residents. Issues included market conditions, income, and availability of contractors. He noted the program is still being adapted and there has not been a full year of year implementation. The original notice had been rescinded, however the City encouraged those in the program to acquire proposals from contractors if they wish to pursue the work themselves. He said they do intend to move forward with the program and reissue those notices.

There is a 3D laser scanning program traveling the city's sidewalks to capture the ADA defects. It will provide a baseline of sidewalk inventory and allow the city to plan. He hopes to have the information back to city staff over the summer. There is a high priority program

listing of the 2022 program area to provide the source data back to the city. The city will look at the original notice and compare with the new data, and then reissue the notice to the residents. Additionally, the overall criteria of the inspections will be looked at to determine what institutes a defect and what is not presenting a health risk at present. Further, staff is looking at code updates for general timelines that are currently prescribed.

Mr. Komlanc introduced Paige Wright, Transportation and Mobility Engineer, who is assisting with the project.

Pollyea asked what happened with the first group of property owners who were told they have to do work based on the determinations already made. Komlanc replied that the 2021 program is progressing, so the owners who opted out and had a contractor do the work have already. There was a deadline to do that by October 14th. What had not been done was bid out and the work is now commencing. It is anticipated to wrap up in June.

Pollyea asked whether the issues to be re-noticed would go out to the group of 260 parcels or the larger group. Komlanc said it will be sent to the 2022 program area of 260 parcels, but that proactive steps would be taken for future program areas based on the data received.

Ruark acknowledged that staff is looking into ways to make the program more affordable. He asked if there is an interest in pushing back the 2021 assessments to make it more equitable. Tomlanc stated that anything that is pushed out for the 2022 program, they want to be equitable to the 2021 program.

Pugh asked what the timeframe for code change updates would be and whether Komlanc could share specifics. Komlanc said that in 521.06 there are sections in the penalty section of code versus the 900 section of code. There are parts that should reside in the streets and utilities section rather than the penalties provision. As well as if they are prescribing dates and deadlines and want to have more flexibility in timelines, making those adjustments rather than having them rigidly set in code.

Sweeney asked about the substantial number of increases after the notice went out - is it anticipated that there will be fewer inquiries with the revision? Komlanc replied that in addition to the inquiries they've received, there have been several site visits to answer questions. They are now waiting on the Cole data to see where things are from the standpoint of the original assessments. He provided an example in which a city-installed ADA ramp that was put in many years ago now had a gap with the adjacent panel. The adjacent panel was marked for

repair at the owner's expense; however, it should have been the city's responsibility because it had happened when the ADA ramp went in. Sweeney added that the board has noticed the on-site visits by the city and they are well received. Komlanc said that out of the 260 parcels, around 58 or 60 residents have called in.

Pugh said that is about a 20% follow-up rate and asked if that was anticipated. Komlanc said if they had not rescinded the initial notice they could have received more inquiries. Pugh asked if the future programs are anticipated to be around the size of this one. Komlanc believes it will be revisited based on budget and progress of the street program in which mill and overlay and street rebuilds are taking place.

Attorney Mularski added comments directed to the residents. The first notice has been rescinded. The notice will be reissued, and that is the one that should be followed. Also, the criteria used will be less stringent and there should be fewer panels noted in the issue. They have looked at 20% of the involved parcels and the public is encouraged to work with the Engineering department to work out any issues that arise.

Ruark asked if the notices will go out in the beginning of next year. Komlanc said the hope is to reissue them later in the summer, allowing the residents to take action until around the time of Thanksgiving due to the weather. This will also prevent the work from being done at the same time as the city's contractors, so there are not multiple contractor's trying to do the work at the same time.

2. Livestreaming of Meetings

Ruark stated he was in favor of livestreaming so that future program residents could review the meetings and have some of their questions answers. Pollyea agreed that was a good idea. Pugh agreed and stated that as many meetings available as possible is a good thing. It promotes accessibility. Pollyea agreed that she would like to be as transparent as possible. Sweeney stated he had no objections.

A motion was made by Sweeney, seconded by Pugh, that the Property Appeals Board will conduct livestreaming of all future meetings. The motion carried by the following vote:

Yes: 4 - Pollyea, Pugh, Ruark and Sweeney

Absent: 1 - Smith

H. POLL MEMBERS FOR COMMENT:

Pugh thanked Komlanc for his insight and added he is very interested in learning more about the 3D laser scanning.

Ruark added that he is in the 2021 program and his street is being worked on currently. He said the work was well done. He thanked residents for coming out to the meeting.

I. ADJOURNMENT:

With no further business before the board, the chair adjourned the meeting at 7:03p.m.

Additional public comment to the board:

Resident Kenny McCoy, 416 Lincolnshire Rd., asked questions directed at Mr. Komlanc (inaudible due to no microphone being used). Komlanc stated that the 2022 program area will be reissued revised notices. The area includes Lincolnshire, Avonwick, Haymarket, Ashford Glen, Ashford Glen Ct., Riva Ridge, and Codet. The notices will include defects and revised timelines. There is not a target date yet. Property owners can self-perform the work with a licensed contractor. It will be inspected by the city to ensure it complies with ADA requirements. Alternately, residents can be a part of the program in which the city bids the work and has it completed.

Mularski clarified with the resident that deadlines have not been set yet, but the new notices will contain that information. If the work is completed by the city, the resident essentially receives a five-year, interest-free loan assessed to the property taxes.

Resident Basem Jabouli shared that his property is on a corner. He knows he needs to be fixed, but asked if there is consideration for more time to pay back the loan due to the large cost to fix a corner property's sidewalks. Mr. Komlanc replied that this is a known issue and has been presented to city council. It will require further conversations to determine if there is a mechanism to extend the assessment timeline. It would take council action to make any adjustments. Mr. Jabouli asked if, when Engineering sends the letters, there could be photos of the standards so that residents know how the comparisons are made. Komlanc replied that it is an excellent point and a visual standard would be helpful for residents to understand the process. He added that the city is going through a website update and as the Engineer gains website presence they would be looking to provide that information.

Ruark added that there was talk of splitting the streets for corner lots. For example, one street could be done in one program and the second street in another program.

Jeremy A. VanMeter
Clerk of Council

*APPROVED by the Property Appeals Board, this
day of 2023.*

Sarah Pollyea

DRAFT