



City of Gahanna

Meeting Minutes

City Council - Special

Office of the Clerk of Council
200 South Hamilton Road
Gahanna, Ohio 43230

*Brian D. Larick, President of Council, Thomas R. Kneeland, Vice President of Council,
Karen J. Angelou, Ryan P. Jolley, Jamie Leeseberg, Stephen A. Renner, Michael Schnetzer*

Kimberly McWilliams, CMC, Clerk of Council

Wednesday, November 5, 2014

5:30 PM

200 S. Hamilton Road, Gahanna, OH 43230

A. CALL MEETING TO ORDER - Roll Call.

Gahanna City Council met in Special Session on Wednesday, November 5, 2014, in Council Chambers of City Hall, 200 South Hamilton Road, Gahanna, Ohio. President of Council Larick called the meeting to order at 5:30 p.m. Agenda for this meeting was published on October 31, 2014.

Present 5 - Ryan P. Jolley, Thomas R. Kneeland, Brian D. Larick, Jamie Leeseberg, and Stephen A. Renner

Absent 2 - Karen J. Angelou, and Michael Schnetzer

B. PUBLIC HEARING -

1. Codified Ordinances of Gahanna - 161.18 CREDIT FOR TAX PAID TO ANOTHER MUNICIPALITY: The City of Gahanna is seeking public input prior to proposed legislative action.

[ORD-0162-2014](#) TO AMEND CHAPTER 161, INCOME TAX, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA.

President Larick stated introducing one item on the agenda this evening, a Public Hearing regarding the Codified Ordinances of Gahanna section 161.18 Credit for Tax Paid to Another Municipality; the City of Gahanna is seeking public opinion prior to proposed legislative action for Ordinance 0162-2014 a Draft Ordinance to Amend Tax Code 161.18 Credit for Tax paid to Another Municipality; I'll explain the rules of the public hearing while we are waiting; in the public hearing proponents will have seven minutes combined, opponents will have ten minutes combined, if there are opponents there will be three minutes combined for rebuttal; we will start out with proponents at that moment; that's about it; before we open the public hearing we ask the City Attorney for administrative comments.

City Attorney said this is the second Public Hearing we are holding in regard to the Tax Credit Section of Charter Chapter 161; opportunity for the public to participate in discussion prior to any changes to the legislation.

Larick declared the Public Hearing open at 5:34 p.m.; asked for any proponents; there were no proponents; called for opponents; one opponent to speak; asked speaker to step forward and give your name and address for the record and you have ten minutes.

Opponents:

Speaker, Doug LaBorde, 148 Academy Woods Drive, Gahanna, OH 43230; asked why the tax code being changed; is it only this chapter or the entire chapter and will there be other meetings to discuss other changes.

City Attorney responded that the City is in the process of re-writing Chapter 161; which includes 161.18; there will be additional opportunity for public input prior to any adoption of any legislative changes.

LaBorde wanted to know why the year 1989 was included in the language.

Council Member Kneeland asked for a point of clarification stating that the purpose of a public hearing is to gather input from the community; whereas a Committee Meeting is better suited to resolve questions.

LaBorde asked if the code changes are going back twenty-five years.

Mr. LaBorde's attorney from the audience asked for a clarification of the last sentence.

The City Attorney said he would be happy to answer the questions; City needs to be careful, because we are discussing potential areas of litigation with the claimant and two of his attorneys that are suing the City; must be cautious on behalf of the public on how the City responds; if you want an interpretation on why the code goes back to that time, it is actually the point in time that the changes were made to that code; if it is a direct question on why it occurred at that time, we can provide the legislative history to you; but in January 1989, this change in the credit section was passed by Council.

From the audience, Mr. LaBorde's attorney asked several additional questions about the code changes (Clerk Note: inaudible discussion).

President Larick called point of order, stating there is one person at the podium, if someone wants to speak they need to go to the podium and provide their name and address for the record.

Council Member Jolley also called for point of order, stating the discussion should be confined to comments regarding the legislation itself, the proposed change, not a question and answer session. The purpose of the public hearing is to receive the public's thoughts on the published changes only. If we could please limit the discussion to that, I think it would be appropriate.

LaBorde asked whether the public received notice of the meetings.

President Larick responded the public was provided notice.

LaBorde asked the meaning of certification, under section C in 161.18.

The City Attorney advised the Chair, not to address certification since it is an issue of litigation.

President Larick called for other opponents since there is some time remaining; no other opponents; called for rebuttal; there was none; declared the hearing closed at 5:40 p.m.

C. ADJOURNMENT - by Renner at 5:40 p.m.

**Kimberly McWilliams, CMC
Clerk of Council**

*APPROVED by the City Council - Special, this
day of 2014.*

Brian D. Larick