



City of Gahanna

Meeting Minutes

Committee of the Whole

200 South Hamilton Road
Gahanna, Ohio 43230

Jamie Leeseberg, Chair
Karen J. Angelou
Brian D. Larick
Nancy R. McGregor
Brian Metzbower
Stephen A. Renner
Michael Schnetzer

Kimberly Banning, Clerk of Council

Monday, June 25, 2018

7:00 PM

Council Committee Room

CALL TO ORDER

Chair Leeseberg called the meeting to order at 7:00 p.m.

Present 7 - Brian Metzbower, Nancy R. McGregor, Karen J. Angelou, Stephen A. Renner, Jamie Leeseberg, Michael Schnetzer, and Brian D. Larick

UPDATES FROM THE FIRE DEPARTMENTS

Chief Kauser provided the following update: Referring to the period of May 25-June 24; had 1,000+ incidents, 80 motor vehicle accidents, 2 recent motorist fatalities; other emergencies are constant; consistent with summertime activities; was not here last month to report second fire; significant fire but no injuries; being investigated; Creekside Blues & Jazz Festival was heavily attended; well managed; saw 60-65 people for medical needs; Mayor received letter in May for third party insurance for public safety classification values so insurance companies can determine rates; Mifflin Fire Department was advanced to 3; reflection of hard work; graduate 5 new fire fighters; Council Woman Angelou attended; continuing to work with PD and schools on opiate condition discussions; will see more interaction once school year begins; currently preparing joint operations training with PD and fire department. Leeseberg thanked the Chief for the invitation for the fire fighter graduation; said he was out of town therefore unable to make it.

UPDATE FROM THE SAFETY DIRECTOR

[2018-0134](#)

Committee Report From Director of Public Safety for 6/25/2018

Thomas read from the attached report; said would he would be happy to

answer any questions; received a call from Council Member Michael Schnetzer regarding texting while driving; asked about citations; this year there have been 7 citations; very hard to enforce the state statute because it is not a primary offense; have section in code to address full time attention while driving; will have further discussion. Larick asked how many citations for failure to control have been issued; Thomas reiterated that was the 7 citations he mentioned. Schnetzer asked Thomas to explain the difference between a primary and secondary offense. Thomas explained that a primary offense is one that a police officer can pull over a person for such as weaving, running a red light; a secondary offense means someone can be charged by not pulled over for specifically for that reason, such as texting while driving. Angelou said that many cities are changing to have more strict and clear rules. Chief Spence said that he believes the full time and attention law as it is works; should have one standard in the entire state for clearer expectations for drivers. Angelou asked if we could have a campaign to educate the kids. Chief said at end of the school year we had a distracted driving event with a mock crash scene; had a lot of literature out; said Distracted Driving week will be an annual event. Thomas said will participate in the Maria's Message event in September. Larick asked to confirm that the full time and attention law is a primary offense; Chief confirmed that is easy to enforce and it works; not just for texting.

PENDING LEGISLATION:

[ORD-0053-2018](#) TO ENACT CODE CHAPTER 780, RENTAL PROPERTY REGISTRATION AND MAINTENANCE, OF PART SEVEN, BUSINESS REGULATION CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA.

Angelou said was thinking about a number of things; can have a building with 30 apartments and the only thing looked at would be the outside of the building; does this include condos that can be rented out or senior living facilities. Leeseberg said that private homes being rented out would be included. Angelou said believes in concept but thinks potentially having each apartment or separate unit fall under this code; wonders how we will get there. Schnetzer said fee structure was examined and copied from several other municipalities; the larger the facility the larger price break received; the most expensive fee is the \$100 per year per single family structure; there is some logic behind the idea of a greater nominal amount for a larger facility because there is more to inspect; have to include economies of scale; some other city codes exempted senior facilities from this process, but didn't want to exempt these facilities when they are contiguous to single family residences and therefore affect them. Angelou said that was the point of her bringing this up before we go

through implementing this; looking at the cost it would \$8.33 per month which makes it more reasonable; Schnetzer said and that is the maximum fee. Larick asked if Karen's concern was with facilities that offer medical care to seniors, or just senior living in general; Angelou confirmed that she's referring to both. Larick said senior residences without medical care should be more carefully inspected for safety of those residents. Schnetzer said primary factors here are that the rentals adjacent to property owners are affecting property values; trying to correct that. Larick pointed out an error for 780.05; also said general statement regarding administrative overhead; can the administration provide more info into timing; code enforcement needs very clear guidelines. Priestas said will rely on International Property Maintenance Code, will defer to that for all exterior maintenance issues; some examples include rotting wood, gutters hanging down, trash not in receptacle. Metzbower said on 780.13, there's a reference to Franklin County Common Pleas Court under the appeals sections; is that language acceptable or should add Municipal Environmental Court. Leeseberg said Ewald has looked into that; but will verify again.

[ORD-0054-2018](#)

TO ENACT CODE CHAPTER 732, MOBILE FOOD VENDING (MFV), AND TO REPEAL CODE CHAPTER 733, STREET FOOD VENDORS, OF PART SEVEN, BUSINESS REGULATION CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA.

Chief said there were general questions and a discussion about ROW fees; said the annual fee is for \$25. Priestas said ROW fees are free, we may need to name the Right of Way fee something else so as to not confuse people with the other ROW fee in the City. Chief said access to public roadways are not the same as for what would pertain to utilities. Mayor said there was a proposal to call it road way instead. Leeseberg said will get with Ewald. McGregor asked if people are going to be charged for using public property when it's not actually public property. Leeseberg said schools have food truck round ups and that would be considered private property, but food vendors still fall under code, but fee would not apply. Chief said one issue is the use of public space; concern for PD is when parking spaces are blocked and it could block flow of traffic. Schnetzer said he wonders if someone was not in public right of way and not mobile, would this code apply. Leeseberg said believes it is a matter of whether or not the vendor has the ability to be mobile as opposed to whether or not the vendor chooses to be mobile; referred to definition. Schnetzer asked if the code allows for any exemption for fees or option to prorate. Leeseberg said Columbus will be collecting the fees, but can look at when this goes into effect, but as of now does not have an effect date. Clerk said we have implemented an effective date to

a further date or the beginning of the year and a retro date for other items. McGregor asked Ewald about section regarding misdemeanors and traffic violations; concerned about that; Ewald did separate out trafficking in case the laws change; in separate section there's a point about employees not having a felony, misdemeanor, or code violation within the past 7 years, but no specifications about exclusions; Ewald made change to refer back to previous section for those specifications; also concern about operations that may not continue, if they want to just test out the area this is a large fee for a onetime thing; asked about grandfathering in mobile food vendors that have been doing business in the City for years. Angelou said going back to misdemeanors, section 732.09 states what the specifications are and it moves into 732.12. Larick asked if the \$100 is the ROW fee or is that a one year thing; Leeseberg confirmed that's for one year. Larick asked where the one year is defined. Mayor asked where the \$100 fee is going if Columbus is doing the inspections; Leeseberg said unsure if it was part of the registration fee. Chief said the fee acts as a gate keeper because Columbus works on a reservation system. Mayor asked how the fee helps with right of way spaces. Chief said some operations don't want to be in right of way, and prefer private spaces only; if no fee then there's a potential that there would be a lot of people vying for these spots, this helps manage those numbers. Larick said the way he interprets it is that if someone wants to put a vehicle in the public space, then they need to pay \$100 fee for a narrow span of time. Franey said we have a right of way code which allows an annual fee to be in the right of way, associated with maintenance; have permits but don't charge fee for the permit, only the annual registration fee. Priestas said an example is when a utility comes into the City to complete work; register and pays fee and then completes permit paperwork and has a year to complete the work. Franey explained the fee structure; said if we begin changing and charging for permits then we lose the grandfathering of the right of way code; then must justify what you are charging and what fees are going towards; would prefer to keep the old right of way code as is. Metzbower said to take poll from Council Members, do we think the \$100 fee is too high; McGregor said \$100 per year is fine, but if a vendor wanted to come to Gahanna on a one time basis to test out the market, could they pay a smaller fee to help profit margins. Chief said the range he saw was \$150-\$350, so wanted to create a smaller fee, so thought was that \$100 was fair.

Back to COTW for 7/9

UPDATE FROM THE CITY ADMINISTRATOR

[2018-0135](#)

Solid Waste Collection Bid Document

Franey said the consortium is going to submit a bid; all of them separating out prices; looking at different options for prices just for collection; one price if they supply the cart at the end of the contract or the city keeps the cart at the end of contract; cart contents only price; only pick up what was in the cart except for Christmas and the 4th of July where they allow refuse next to cart; fourth option would be if Reynoldsburg and Gahanna collect in zones; divided into different zones for pick up on yard waste and recycling on same days. Schnetzer asked if current contract ends at the beginning or end of 2019. Franey stated ends on December 31, 2019.

ITEM FROM THE POLICE DEPARTMENT[ORD-0057-2018](#)

SUPPLEMENTAL APPROPRIATION - ATTORNEY GENERAL POLICE OFFICER TRAINING ACCOUNT.

Requesting \$22K to be deposited in account for training police officers; this year while training requirements exist; legislator banked on a lot of casino revenue; sounded good initially; continually being eliminated from the budget; Schnetzer said he sees this in the industry; interesting observation that this should not be political.

ITEMS FROM THE DIRECTOR OF PARKS & RECREATION[ORD-0058-2018](#)

TO ACCEPT GRANT MONIES OF \$20,000 FROM THE OHIO HISTORY CONNECTION TO PAY FOR THE SLATE ROOF REPLACEMENT PROJECT AT THE OHIO HERB EDUCATION CENTER; AND TO SUPPLEMENTALLY APPROPRIATE SAID GRANT MONEY.

Barr said this is for roof replacement on the Ohio Herb Education Center; funds go back into account for Creekside Maintenance; reimbursement for pass through accounts; combination of park and tree donation money for memorial type things. Larick asked about constraints for \$20,000 grant. Barr said because this is a historical building, the repairs must maintain historical architecture; approvals were required by Ohio History Connection; replaced slate roof with slate roof. McGregor asked to change the titles of the ordinances to be more specific to the accounts. Barr said both accounts are Parks accounts.

[ORD-0059-2018](#)

SUPPLEMENTAL APPROPRIATION - INSURANCE CLAIM AND

RESTITUTION PROCEEDS.

[ORD-0060-2018](#) SUPPLEMENTAL APPROPRIATION - PARKS & RECREATION
DONATION PROCEEDS

ITEM FROM THE DIRECTOR OF FINANCE

[MR-0023-2018](#) MOTION RESOLUTION TO APPROVE THE 2019 TAX BUDGET AS SUBMITTED TO COUNCIL ON JUNE 25, 2018 AND TO DIRECT AND AUTHORIZE THE DIRECTOR OF FINANCE TO DELIVER SAID TAX BUDGET TO THE FRANKLIN COUNTY OFFICE OF BUDGET NO LATER THAN JULY 20, 2018.

Bury said the annual tax budget needs to be filed with the County by July 20; allows county budget commission to determine that we do need all the taxes levied for us; does not include one-time funds; wants to draw attention to page 5; has general fund with end result of \$2.6 million needed in cuts or some other alternative; that number is what is used when creating next budget; said no cap on millage; outside millage is when effective dates kick in; millage can only bring in what is was designed for. Schnetzer asked if that's what other municipalities are doing. Bury said yes; county has formula for pull back. Schnetzer asked if counties are the only ones allowed to hold back; Bury confirmed.

COMMITTEE REPORTS- No Action Required

[2018-0133](#) Committee Reports- 6/25/2018

ADJOURNMENT

8:10 p.m.