



City of Gahanna

Meeting Minutes

City Council

200 South Hamilton Road
Gahanna, Ohio 43230

Brian D. Larick, President
Nancy R. McGregor, Vice President
Karen J. Angelou
Merisa Bowers
Jamie Leeseberg
Stephen A. Renner
Michael Schnetzer

Krystal Gonchar, MPA, Clerk of Council
Council may caucus at 6:45 p.m.

Monday, November 1, 2021

7:00 PM

City Hall, Council Chambers

A. CALL TO ORDER - Invocation, Pledge of Allegiance, Roll Call.

Present 6 - Stephen A. Renner, Michael Schnetzer, Brian D. Larick, Nancy R. McGregor, Karen J. Angelou, and Merisa Bowers

Absent 1 - Jamie Leeseberg

B. ADDITIONS OR CORRECTIONS TO THE AGENDA: None.

C. HEARING OF VISITORS: None.

D. PRESENTATIONS:

1. [2021-0228](#) 2022 Annual Budget for the City of Gahanna.

Mayor Jadwin introduced the newest member of Finance, Cory Wybensinger, Finance Manager. Finance Director Joann Bury presented the attached proposed 2022 budget (see presentation attached). There will be further discussion at the November 8th Committee Meeting.

E. CONSENT AGENDA:

1. **Minutes - To Approve:**

[2021-0229](#) Council Meeting Minutes for Approval.

These Minutes were Approved on the Consent Agenda.

2. **Ordinances for Second Reading:**

[ORD-0058-2021](#) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH THE DISTRICT ADVISORY COUNCIL OF THE FRANKLIN COUNTY GENERAL HEALTH DISTRICT, AND FRANKLIN COUNTY PUBLIC HEALTH FOR HEALTH SERVICES.

This Ordinance was Adopted on the Consent Agenda.

[ORD-0065-2021](#) AN ORDINANCE AUTHORIZING A SUPPLEMENTAL APPROPRIATION- Donations for Memorial Trees and Recreational Programs.

This Ordinance was Adopted on the Consent Agenda.

3. Resolutions:

[RES-0036-2021](#) A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS AMONG VARIOUS ACCOUNTS - CARES Act Funds.

This Resolution was Adopted on the Consent Agenda.

4. Motions:

[MT-0016-2021](#) A MOTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE & ENGINEERING PERMISSION TO BID THE CHERRY BOTTOM ROAD STABILIZATION PROJECT.

This Motion was Approved on the Consent Agenda.

End of Consent Agenda

A motion was made by Schnetzer, seconded by Renner, to Pass the Consent Agenda. The motion carried by the following vote:

Yes: 6 - Renner, Schnetzer, Larick, McGregor, Angelou and Bowers

Absent: 1 - Leeseberg

F. ORDINANCES FOR INTRODUCTION / FIRST READING:

Bowers Introduced the Items under Section F.

1. [ORD-0067-2021](#) AN ORDINANCE TO AMEND PART ELEVEN, PLANNING AND ZONING CODE, CHAPTERS: 1105, 1108, 1131, 1133, 1151, 1169, 1177, 1181, and 1187, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA.

This Item was Introduced.

2. [ORD-0068-2021](#) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO THE

AMENDED AND RESTATED AGREEMENT WITH THE CENTRAL OHIO HEALTH CARE CONSORTIUM (COHCC) FOR THE JOINT SELF-INSURANCE PROGRAM EFFECTIVE JANUARY 1, 2022.

This Item was Introduced.

3. [ORD-0069-2021](#) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO ADDENDUM TO EXTEND SERVICE AGREEMENT FOR A THREE-YEAR PERIOD WITH SEDGWICK CLAIMS MANAGEMENT SERVICES, INC., AS THE PROVIDER FOR THIRD-PARTY ADMINISTRATION SERVICES FOR THE SELF-INSURED WORKERS COMPENSATION PROGRAM AND STATE FUND CLAIMS.

This Item was Introduced.

4. [ORD-0070-2021](#) AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF GAHANNA; TITLE THREE PUBLIC UTILITIES - CHAPTERS 921, 927, AND 929.

This Item was Introduced.

5. [ORD-0071-2021](#) AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF GAHANNA; TITLE FIVE - OTHER PUBLIC SERVICES: CHAPTER 941 - GARBAGE AND RUBBISH COLLECTION.

This Item was Introduced.

G. ORDINANCES FOR EMERGENCY ADOPTION:

1. [ORD-0060-2021](#) AN ORDINANCE TO ADOPT A MORATORIUM ON APPLICATIONS FOR, AND THE GRANTING OF BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY FOR ANY BUILDING, STRUCTURE, USE OR CHANGE OF USE THAT WOULD ENABLE THE CULTIVATION, PROCESSING, DISTRIBUTION OR SALE OF MEDICAL MARIJUANA FOR A PERIOD NOT TO EXCEED ONE YEAR; AND TO DECLARE AN EMERGENCY.

Bowers stated the following:

We have had great discussions on this topic over the last several weeks. I am grateful to attorney Lloyd Pierre-Louis, an attorney whose practice is focused in government affairs and administrative law and particularly the legal cannabis and hemp industries, for speaking with us about the regulatory framework experienced by his clients in the medical marijuana and particularly dispensary industry.

In 2016, the State of Ohio passed laws to regulate the industry of medical marijuana and permit its operations. In the 5 years since, our neighboring communities have not reported significant concerns with

these businesses operating in their communities and the State has recently expanded the number of licenses for dispensaries. In 2018, Gahanna passed a 1 year moratorium to prevent the opening of dispensaries and claimed that research and information gathering would occur during the moratorium. Once that moratorium lapsed, the issue was effectively moot because more dispensary licenses were not available - until earlier this year.

As discussed, this is a highly regulated industry with many checkpoints to ensure public safety. The licensees are motivated to maintain their licenses and protect their investments, coupled with State requirements and heavy regulation and oversight. It appears from the lack of negative reporting, the State's actions to expand licenses, and other communities' acceptance of these businesses that the regulatory scheme is working as intended.

As with all consumer facing businesses, some are set up in locations that are less than ideal for traffic flow - whether it's an ice cream shop with the best Whitsers or the new brewery with a special theme night, parking and traffic flow can impact any business. We are a resilient and business-ready community, though, that can and should adapt with and seek to reasonably accommodate small businesses that drive jobs and serve our residents.

As discussed earlier in this process, the timeline from licensure to doors opening spans 9 months or more. With applicants submitting to the State this month, they may qualify for provisional licenses in January. They then have 270 days to meet State regulations to open doors. This builds in an extended timeline for us to review appropriate local ordinances such as the notice requirement or private security detail obligations that may be appropriate to set "guardrails"

Ultimately, though it's tempting to phrase this as just "extending time" - this really does have the impact of effectively barring dispensaries. Because the licensing window will pass while this is in effect, if passed, this moratorium will have the effect of prohibiting medical marijuana businesses in this round of licensing.

I am opposed to a moratorium in any respect because 1) medical marijuana businesses do not pose a significant risk to safety; 2) medical marijuana businesses create jobs and have a positive economic impact; and 3) they provide an important treatment that can reduce ailments of certain medical conditions.

Schnetzer stated that his thoughts should not be interpreted as being for

or against the concept of medical marijuana; it is in direct response to the Administration's request that they be allowed time to perform the requisite due diligence to look at the zoning code and to make sure that any of these uses are consistent with the community; would not be in favor of changing because it would seem the administration would review all of the above processes; does not want to support one or the other without allowing time for due diligence.

A motion was made by Bowers, seconded by Renner, that the Ordinance be Adopted as Amended:

Section 2. That this Council establishes a moratorium on the acceptance of any application for, or the granting of, any Building Permits or Certificates of Occupancy for any building, structure, use, expansion of use, or change of use that would enable the [STRIKE: cultivation, processing, distribution, or] retail sale or dispensing of medical marijuana in the City of Gahanna for a period of one year from the date of adoption of this Ordinance by the Council.

Section 3. That no existing business in the City of Gahanna may expand in any way that would establish the [STRIKE: cultivation, processing, distribution or] retail sale or dispensing of medical marijuana for the duration of the moratorium period established hereby.

The motion failed by the following vote:

Yes: 3 - Renner, McGregor and Bowers

No: 3 - Schnetzer, Larick and Angelou

Absent: 1 - Leeseberg

Renner stated that he recalled the City Attorney mentioning that "testing" should be added to mirror the Ohio Revised Code language. Bowers stated that she is surprised that we're going in the opposite direction, especially since laboratory testing would be science-based, high paying jobs to this region if pursued.

A motion was made by Renner, seconded by McGregor, that the Ordinance be Amended, to include "laboratory testing."

The motion carried by the following vote:

Yes: 5 - Renner, Schnetzer, Larick, McGregor and Angelou

No: 1 - Bowers

Absent: 1 - Leeseberg

Angelou stated that she would hope there would be enough time within the first few months, to try to not go beyond six months to review; would hope that's enough time for the administration to research. Schnetzer reiterated his earlier comments.

A motion was made by Renner, seconded by Schnetzer, that the Ordinance be

Adopted as Amended. The motion carried by the following vote:

Yes: 5 - Renner, Schnetzer, Larick, McGregor and Angelou

No: 1 - Bowers

Absent: 1 - Leeseberg

H. ORDINANCES FOR SECOND READING / ADOPTION:

- 1. [ORD-0064-2021](#) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AGREEMENT WITH VONAGE BUSINESS INC. TO PROVIDE UNIFIED COMMUNICATIONS AS A SERVICE.

Angelou asked if this was the least amount of money for the contract. Jadwin called upon IT Manager. Schultz stated that this was the middle; the lowest bidder was \$11k less but felt that company did not meet the qualifications of the proposal.

A motion was made by Renner, seconded by Angelou, that the Ordinance be Adopted. The motion carried by the following vote:

Yes: 6 - Renner, Schnetzer, Larick, McGregor, Angelou and Bowers

Absent: 1 - Leeseberg

I. CORRESPONDENCE AND ACTIONS:

Clerk

- 1. [2021-0227](#) Liquor Permit Request: #5897197; 111-119-125 N. Stygler Rd.; Mi Tradicion Inc.

Clerk stated that there were no objections from the Police Department; if no objections from Council then the permit would move forward. No objections noted.

Council

- 2.. [2021-0231](#) Mid-Ohio Regional Planning Commission (MORPC) Return on Investment (ROI) Final for City of Gahanna.

Angelou stated that the email was from Eileen Leuby from MORPC; discusses the return on investments for dues paid to the organization; we are getting a good return on our investment.

J. REPRESENTATIVES:

Community Improvement Corporation (CIC) - Leeseberg

No report.

Mid-Ohio Regional Planning Commission (MORPC) - Angelou

Angelou stated that there will be a meeting on Thursday.

Convention & Visitors Bureau (CVB) - Leeseberg

Larick read the following notes in Leeseberg's absence:

1. Visit Gahanna hosted the 2nd annual Creekside Pumpkin Crawl last Wednesday evening and we consider it a success. There were over 400 people in attendance, which was twice the amount from the year prior. Also, the amount of pumpkin entries doubled from 2020. Many Creekside businesses participated by offering specials, decorating pumpkins, and donating gift cards to the winners of the pumpkin contest.
2. The next event will be Holiday Lights on Sunday, November 21 from 4 to 6 p.m. Stay tuned for more details.
3. Passports for the Fall edition of the Herbal Cocktail Trail were released last week. There are six participating establishments this season.
4. Visit Gahanna and the Ohio Herb Center partnered with "Give to Gahanna" for their annual pumpkin sale by offering space on the front porch/yard and collecting donations. Previously, the Gahanna Area Arts Council made pumpkins available at their former location next to the Herb Center.

School Board (SB) - Schnetzer

No report.

K. OFFICIAL REPORTS:

Mayor

Jadwin stated that the written report will be sent later; The Sauce, a new business just opened; a first location here in central Ohio; Economic Development 101 will be held next week; will talk about trends and incentives; a representative from MORPC will be present; Justin Bickle from One Columbus will also be a speaker; will be live streamed; currently accepting applications for dispatchers at the police department; City Hall will be closed on Veterans Day; there are seven proposed changes to the Charter on the ballot tomorrow.

City Attorney

No report.

L. COUNCIL COMMENT.

Angelou said that she and her husband visited the new MECC Center and visited the dispatch area; is state of the art; asked Chief if he could provide some details. Chief Spence stated that the project is moving along; a portion of the project is an upgrade to the 9-1-1 system; some investigative staff will move to that location; where they were located had a space for three employees but housed 11; will offer an opportunity for Council members to tour. Angelou asked about the facilities assessment study, what the cost was. Jadwin stated that she took over the project from the previous administration and will find out and inform Council. Angelou wished all those running for office good luck.

Bowers reminded everyone to vote; don't take it for granted; we have an active democracy in this community; November is National Native American Heritage Month; a time to celebrate their rich and vibrant culture.

Renner applauded the students in attendance; this fall there are a lot of unprecedented discussions; echoed comments about getting out to vote; is up for election this year; getting out to talk to the constituents is very refreshing; hearing a difference of opinions is important.

McGregor stated that two new members of the Historical Society gave cemetery tours and they sold out in just a few hours; her and her husband toured the Greenlawn Cemetery.

Larick thanked the students for coming this evening; happy to answer any questions after the meeting.

M. EXECUTIVE SESSION.

A motion was made by Schnetzer, seconded by McGregor, to go into Executive Session under authority of Section 5.40(a) of the Council Rules of Procedure to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the public employee, official, licensee, or regulated individual requests a public hearing.

Council rose to report into Executive Session at 8:22 p.m. and entered the Council Conference room. They rose to report from Executive Session at 8:41

p.m. with no action taken.

The motion carried by the following vote:

Yes: 6 - Renner, Schnetzer, Larick, McGregor, Angelou and Bowers

Absent: 1 - Leeseberg

N. ADJOURNMENT.

Meeting adjourned at 8:42 p.m.