



# City of Gahanna

## Meeting Minutes

### Committee of the Whole

200 South Hamilton Road  
Gahanna, Ohio 43230

*Trenton I. Weaver, Chair*  
*Karen J. Angelou*  
*Merisa K. Bowers*  
*Nancy R. McGregor*  
*Kaylee Padova*  
*Stephen A. Renner*  
*Michael Schnetzer*

*Jeremy A. VanMeter, Clerk of Council*

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Monday, May 8, 2023

7:00 PM

City Hall, Council Chambers

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#### **A. CALL TO ORDER:**

*Vice President of Council Trenton I. Weaver, Chair, called the meeting to order at 7:00 p.m. The agenda was published on May 5, 2023. Councilmember Schnetzer was absent at the beginning of the meeting. All other members were present for the meeting. There were no additions or corrections to the agenda. Vice President Weaver noted there would be a special council that will begin promptly at 8:00 p.m. regardless of where proceedings are in the Committee of the Whole agenda. He noted the Committee would recess at that time and then reconvene after the special meeting concludes.*

#### **B. DISCUSSIONS:**

##### **1. Presentation on Zoning Considerations**

[2023-0090](#)

The Influence of Exclusionary Zoning Policies - by Glennon Sweeney, Senior Research Associate, Kirwan Institute, The Ohio State University 5.8.23

Vice President Weaver introduced Glennon Sweeney, a senior research associate at the Kirwan Institute for the Study of Race and Ethnicity at The Ohio State University.

Ms. Sweeney started by discussing inequality and its spatial dimension, focusing on the patterns observed in central Ohio. She presented various maps showing the consistent presence of an upside-down T-shaped pattern in different indicators such as infant mortality, poverty/opportunity, incarceration, older adult vulnerability and density, and life expectancy. She highlighted the significant difference in life expectancies between different tracts in Franklin County, with Franklinton having the lowest life expectancy and a 26.7-year difference compared to Dublin. Ms. Sweeney introduced the concept of cumulative disadvantage, explaining how people in disadvantaged areas face challenges and lack access to services and benefits. She mentioned the work of the Kirwan Institute in spatial analysis and pointed out the focus of her talk on how policy shapes communities and can lead to inequitable outcomes. She discussed the origins of the suburbs in the early 20th century, where developers used large-scale land purchases to control who could live in the neighborhoods. She linked the funding of these suburbs to British colonial exploits and highlighted the framing of these suburbs

as safe, white, and healthy spaces. Ms. Sweeney contrasted the conditions of cities at the time, which were often considered dirty and overcrowded, with the suburban ideal. She mentioned King Thompson, a developer in Central Ohio who played a role in building the first suburbs, and his connection to real estate. The propagation of the myth that mixing racial and social classes harms property values was discussed, with realtors capitalizing on segregation for profit. Two housing markets are mentioned: one large, competitive, and affordable for whites, and another small, geographically constrained, and highly competitive for non-whites. The use of restrictive covenants in property deeds to control occupancy and ownership was explained, with examples from Central Ohio and the racial and use restrictions they imposed. Ms. Sweeney explained how restrictive covenants evolved into zoning laws, with setbacks, youth clauses, and size requirements being adopted. Racial zoning was briefly discussed, highlighting its proliferation in the early 20th century and subsequent adoption of exclusionary zoning practices. The impact of exclusionary and expulsive zoning on increasing property costs and maintaining segregation was explained. The creation of wealth through property ownership was emphasized, and the FHA (Federal Housing Administration) and the Homeowners Loan Corporation Act of 1933, which led to redlining, were mentioned. The specific purpose of the Homeowners Loan Corporation Act in response to the Great Depression and the promotion of homeownership was discussed, leading to the government's decision to support homeownership and prevent a repeat of the banking crisis. She emphasized connections between policy, wealth, and segregation.

Vice President Weaver asked Ms. Sweeney to pause. He acknowledged the late arrivals to the meeting and informed them about the ongoing regular Committee of the Whole meeting. He mentioned that the special council meeting would commence at 8:00 p.m., notifying the audience that the Committee meeting will be adjourned to start the special council meeting at that time. Weaver encouraged those who wished to speak at the special council meeting to complete a speaker slip.

Ms. Sweeney continued, highlighting the historical impact of redlining and how it perpetuated the association of black neighborhoods with risk. She noted that even wealthy black neighborhoods were redlined due to the racial makeup of the residents. She explained the continuation of discriminatory practices by the FHA after the end of redlining, using different strategies to maintain segregation. Sweeney described the Supreme Court case of *Shelley v. Kramer* in 1948, which declared racially restrictive covenants as a violation of the equal protection clause. She provided an example of a neighborhood using homeownership associations to enforce segregation through membership restrictions or right of first refusal clauses. Sweeney emphasized the importance of zoning in shaping a community and its values, including determining who is welcome and what businesses are allowed. She offered criticism of Gahanna's zoning code for its exclusionary nature, citing height restrictions, lot size requirements, and setbacks that contribute to the lack of diversity. She compared Gahanna's zoning with other suburbs like Westerville, Reynoldsburg, and Worthington in terms of residential land use percentages and exclusivity. She suggested ways to enhance equity while maintaining a healthy tax base, such as creating more mixed-use districts and mixed-income housing, incentivizing accessory dwelling units, and zoning corner lots for duplexes. Sweeney encouraged the loosening of development standards and reducing red tape to facilitate commercial development. She advocated for the update of zoning codes to align with the community's vision and to minimize the need for variances. Sweeney urged the exploration of incentives for affordable housing, such as bond packages, mandates for affordable units in new developments, and defining affordability based on area median income (AMI). Sweeney highlighted the importance of building a social service infrastructure and transportation networks to support

affordable housing initiatives. She concluded by inviting questions from Council and acknowledging the condensed nature of the presentation.

Councilmember Angelou thanked Sweeney for the information. She knew a little bit about Sweeney's work through MORPC. This was a great idea to have Sweeney present.

Vice President Weaver inquired about trends observed in other suburban communities as they update their zoning codes. He acknowledged the upcoming comprehensive review of Gahanna's zoning code by the Administration. He asked whether Sweeney could share any noteworthy trends or practices seen in other communities.

Ms. Sweeney highlighted the need for updating zoning codes in most suburbs, including Central Ohio, which have not been updated for at least 20 years, and some even up to 50 or 70 years. She pointed out the consequences of outdated zoning codes, such as requiring variances for every development and mismatches between zoning regulations and existing neighborhoods. She emphasized the importance of aligning the zoning code with the community's vision and needs. Sweeney recommended a visioning process with the community to determine their preferences and desires. She noted the demand for step-down housing for older adults who want to stay in their communities without the burden of yard maintenance or stairs and highlighted the need for affordable housing options to accommodate first-time homebuyers and young families. Sweeney discussed the impact of increasing home values on housing affordability and the potential for wealthier individuals moving in, altering the character and amenities of communities. She encouraged the Council to consider who they want to welcome and the kind of community they want to create when working on zoning updates.

Councilmember Bowers noted that one of the issues that she is seeing is corporations purchasing single-family homes and using them for short-term rentals. This is artificially inflating property values because the corporations can charge \$3,000 to \$4,000 per month for a single-family home, which is double or triple what a monthly payment on a 30-year mortgage would be.

Ms. Sweeney said this was a challenge. She asked whether the state had passed a law disallowing municipalities from addressing the issue.

Councilmember Bowers responded that she heard it got held up in committee but they were still interested in it. She believed the law had not yet been passed.

Ms. Sweeney proposed Council pass its own legislation first to add protections. Additionally, she asked the City to consider a land bank or a Community Land Trust to start buying up those houses or create an entity that can do that to compete on that level. Sweeney said one of the benefits of suburbs is that often there is wealth and individuals and families with wealth who might be willing to help seed something like that. Sweeney knew that this issue with these companies is a huge problem and believed this is where regulation comes in at every governmental level. She encouraged Council to lobby both at the state and federal level because the problem is not unique to Central Ohio or Ohio but is a national problem. However, she believed competing with the companies might be the approach now, as well as working with other communities to create a pool of money to start preserving some of those homes.

Vice President Weaver thanked Ms. Sweeney for her time in presenting.

**C. ITEMS FROM THE COUNCIL OFFICE:**[2023-0084](#)

Ohio Division of Liquor Control Notice to Legislative Authority Permit NEW 8340362 - SOCIAL NAIL BAR LLC DBA NAIL SALON; 362 S HAMILTON RD STE A, GAHANNA, OH 43230

Clerk VanMeter noted the Division of Liquor Control notice for a new permit for Social Nail Bar LLC at 362 South Hamilton Road Suite A. The Clerk sent this notice to the Division of Police. They had no objections to the permit.

Vice President Weaver noted no objections from Council to the issuance of the permit.

*Councilmember Schnetzer arrived at 7:48 p.m. and joined the Committee of the Whole.*

**D. ITEMS FROM THE PLANNING COMMISSION:**

Michael Blackford, Director of Planning, noted he did not have a formal presentation tonight but could share a couple updates. There were two items that required some level of follow-up from the previous meeting. One was a change to Chapter 1155 related to storage tanks. There was a typo with the 10 and the 20. Council now had the corrected version. Then, he noted, there was some discussion last time around temporary signs and political signs. That required some follow-up with the zoning code rewrite consultant. Blackford noted the consultant is an attorney and a planner. Blackford said that what the consultant articulated was that for purposes of signs with political speech, like any other speech, could not be regulated. He added there was no issue from a political sign standpoint but the consultant did have some concerns about regulating duration of signs. Blackford said that for that reason, the Administration would like to withdraw that section of changes, which is 1165.07 and tackle that as part of the zoning code rewrite.

[ORD-0023-2023](#)

AN ORDINANCE TO AMEND THE CITY OF GAHANNA CODE PART NINE STREETS AND PUBLIC SERVICES CHAPTER 914 - TREE PRESERVATION, PLANTING AND REPLACEMENT - Defining Hazardous Tree and Allowing for Hazardous Tree Removal without Permit

**Recommendation: Introduction/First Reading on Regular Agenda on 5/15/23;  
Second Reading/Adoption on Consent Agenda on 6/5/23.**

[ORD-0027-2023](#)

AN ORDINANCE TO AMEND THE CITY OF GAHANNA CODE PART ELEVEN PLANNING AND ZONING CHAPTER 1106 - SUBDIVISION WITHOUT PLAT - Allowing Applications to be Approved Administratively

Councilmember McGregor said she is not sure she agrees with this. She stated she would like to have the Planning Commission look over these. She did not know why the Planning Commission could not still have oversight with this. She said even a larger subdivision would have this. If it is only a couple of lots why could the Planning Commission still not be involved. She expressed she is concerned about that.

Director Blackford said this was a change that the Planning Commission requested

because there is nothing in the code for them to evaluate a subdivision without plat. He explained that the Planning Commission thought it did not serve any purpose to go for a public hearing.

Blackford said with the larger ones being new single-family development, when the City ever gets one of those with five lots or more, then it would have to plat. That comes before the City Council. He said this could include commercial lots as well. Blackford noted three out of four of these are for commercial properties.

Vice President Weaver said his intent with these code change ordinances would be, barring any objection, to put these on for first reading on May 15 and then consent for June 5. He asked Councilmember McGregor whether she would prefer this one to be on consent or regular.

Councilmember McGregor requested this one be put on the regular agenda for second reading.

**Recommendation: Introduction/First Reading on Regular Agenda on 5/15/23;  
Second Reading/Adoption on Regular Agenda on 6/5/23.**

[ORD-0028-2023](#)

AN ORDINANCE TO AMEND THE CITY OF GAHANNA CODE PART ELEVEN PLANNING AND ZONING CHAPTER 1123 - DEFINITIONS - Defining the Planning and Zoning Administrator

**Recommendation: Introduction/First Reading on Regular Agenda on 5/15/23;  
Second Reading/Adoption on Consent Agenda on 6/5/23.**

[ORD-0029-2023](#)

AN ORDINANCE TO AMEND THE CITY OF GAHANNA CODE PART ELEVEN PLANNING AND ZONING CHAPTER SECTION 1136.08 - YARD REQUIREMENTS - Clarifying Setback Language for ER-1 Estate Residential Districts

Vice President Weaver noted that ordinances 29 through 35 are all clarifying setback language for various districts.

Councilmember Bowers asked whether the City would be looking at getting rid of ER-1 anyway with the zoning code rewrite and maybe some other realignment with these zoning designations.

Director Blackford confirmed there will be new residential categories proposed in the rewrite.

Councilmember Bowers concluded this was more an intermediate step to clean up some language in the meantime.

Director Blackford responded that was correct. He said it would clean up the language to make it a little easier for people to find out what the setbacks and things like that are. This was one of the frequent struggles that the Department gets. The other is to reduce the rear inside yard setback for unattached accessory structures, i.e. sheds.

Councilmember McGregor asked which change was about the sheds in the side yard.

Director Blackford responded that it would be all of the sections.

Councilmember McGregor said she objected to sheds without a variance.

Director Blackford said this is to reduce the side yard setback.

Councilmember McGregor acknowledged that. She thought sheds in the side yard should be the exception rather than the rule because many houses' subdivisions have swales for stormwater to go between the houses. If somebody puts a shed in the middle, they block the drainage. She said she had seen this happen.

Director Blackford said that was part of the review process regardless of a variance. If there is a drainage easement, then the engineering team looks at that. They make comments related to that. Blackford does not believe that sheds are allowed whether there is a variance or not within a drainage easement.

Councilmember McGregor said she still believed that they should be the exception rather than rule because people looking outside at what used to be the plantings on their neighbor's yard could now be looking at a shed. She said a shed should be in the backyard except on rare occasions.

Director Blackford explained that it would still be required to be in the rear yard. It is allowed to be in the side yard setback of the rear yard. This is what that language is.

Councilmember McGregor asked Blackford to explain.

Director Blackford said every piece of property has a rear, front, and side yard essentially. In that side yard, setback runs along basically where the front yard stops. Front yards are not allowed to have buildings within there. He noted that wherever the front yard of a home ends, there would be a side yard that goes to the rear yard. For example, Blackford believed SF-2 says a 10-foot side yard setback for an attached accessory structure. The Planning Commission wanted that reduced because that was the frequent variance they have. Blackford said they were comfortable with five feet to the rear of the home. If this change is approved, Blackford explained that in the example he gave, instead of 10 feet from the side property line, still in the rear yard, it would now be five feet from the side property line but still in the rear of the house. He stressed that the shed still had to be to the rear of the house. It could be five feet from the side property line instead of 10 feet.

Councilmember McGregor said she was thinking of a shed in between the two houses. How is that handled?

Director Blackford stated that setbacks are only from your property, not someone else's property. That is a little bit challenging to answer because he does not know where that other house would be. Essentially, if they are on the same setback, that would be your house to house, that would be a side yard. That would require a variance to go to the side of your house.

Councilmember McGregor thanked Blackford for the explanation.

Vice President Weaver asked McGregor if she wanted these on the regular agenda.

Councilmember McGregor indicated she preferred a regular agenda until she had some time to think about it.

Vice President Weaver said this would be for ordinances 29 through 35.

Councilmember McGregor requested that instead, these be scheduled for consent agenda and if she had a problem with that later, she would ask for it to come off consent and onto regular.

**Recommendation: Introduction/First Reading on Regular Agenda on 5/15/23;  
Second Reading/Adoption on Consent Agenda on 6/5/23.**

[ORD-0030-2023](#) AN ORDINANCE TO AMEND THE CITY OF GAHANNA CODE PART ELEVEN PLANNING AND ZONING CHAPTER SECTION 1137.08 - YARD REQUIREMENTS - Clarifying Setback Language for ER-2 Estate Residential Districts

**Recommendation: Introduction/First Reading on Regular Agenda on 5/15/23;  
Second Reading/Adoption on Consent Agenda on 6/5/23.**

[ORD-0031-2023](#) AN ORDINANCE TO AMEND THE CITY OF GAHANNA CODE PART ELEVEN PLANNING AND ZONING CHAPTER SECTION 1139.08 - YARD REQUIREMENTS - Clarifying Setback Language for SF-1 Residential Districts

**Recommendation: Introduction/First Reading on Regular Agenda on 5/15/23;  
Second Reading/Adoption on Consent Agenda on 6/5/23.**

[ORD-0032-2023](#) AN ORDINANCE TO AMEND THE CITY OF GAHANNA CODE PART ELEVEN PLANNING AND ZONING CHAPTER SECTION 1141.08 - YARD REQUIREMENTS - Clarifying Setback Language for SF-2 Residential Districts

**Recommendation: Introduction/First Reading on Regular Agenda on 5/15/23;  
Second Reading/Adoption on Consent Agenda on 6/5/23.**

[ORD-0033-2023](#) AN ORDINANCE TO AMEND THE CITY OF GAHANNA CODE PART ELEVEN PLANNING AND ZONING CHAPTER SECTION 1143.08 - YARD REQUIREMENTS - Clarifying Setback Language for SF-3 Residential Districts

**Recommendation: Introduction/First Reading on Regular Agenda on 5/15/23;  
Second Reading/Adoption on Consent Agenda on 6/5/23.**

[ORD-0034-2023](#) AN ORDINANCE TO AMEND THE CITY OF GAHANNA CODE PART ELEVEN PLANNING AND ZONING CHAPTER SECTION 1145.06 - YARD REQUIREMENTS - Clarifying Setback Language for R-4 Residence Districts

**Recommendation: Introduction/First Reading on Regular Agenda on 5/15/23;  
Second Reading/Adoption on Consent Agenda on 6/5/23.**

[ORD-0035-2023](#) AN ORDINANCE TO AMEND THE CITY OF GAHANNA CODE PART ELEVEN PLANNING AND ZONING CHAPTER SECTION 1147.08 - YARD REQUIREMENTS - Clarifying Setback Language for MR-1 Residential Districts

**Recommendation: Introduction/First Reading on Regular Agenda on 5/15/23;  
Second Reading/Adoption on Consent Agenda on 6/5/23.**

[ORD-0036-2023](#) AN ORDINANCE TO AMEND THE CITY OF GAHANNA CODE PART ELEVEN PLANNING AND ZONING CHAPTER SECTION 1151.15 - PLANNED UNIT DEVELOPMENT DISTRICTS - Clarifying Setback Language for Accessory Use Structures

**Recommendation: Introduction/First Reading on Regular Agenda on 5/15/23;  
Second Reading/Adoption on Consent Agenda on 6/5/23.**

[ORD-0037-2023](#) AN ORDINANCE TO AMEND THE CITY OF GAHANNA CODE PART ELEVEN PLANNING AND ZONING CHAPTER SECTION 1155.03 - CONDITIONAL USES - AND CHAPTER SECTION 1155.08 - UTILITIES AND LIGHTING - Regarding Outdoor Storage and Storage Tank Size Requirements in OCT Office, Commerce, and Technology District

**Recommendation: Introduction/First Reading on Regular Agenda on 5/15/23;  
Second Reading/Adoption on Consent Agenda on 6/5/23.**

[ORD-0038-2023](#) AN ORDINANCE TO AMEND THE CITY OF GAHANNA CODE PART ELEVEN PLANNING AND ZONING CHAPTER SECTION 1163.08 - INTERIOR LANDSCAPING REQUIREMENTS - Revising Requirements for Parking Areas

Vice President Weaver said he spoke with Director Blackford on this one. He thought Blackford's comments might be helpful regarding the thought behind this change. Weaver said his concern was regarding drainage for these landscaping requirements. He asked if Blackford could share with the Committee his feedback.

Director Blackford showed an example of a previous final development plan for a project. It contained 444 parking spaces. He said that code has a number of landscaping requirements. There are a few different ones related to parking lot landscaping. He showed the Committee on the screen where code would say one needed to have a landscape island suitable to have a tree planted within that area. That was in our current code and not a change that was requested as part of this code change. Landscape islands in the zones pictured in the vast majority of projects, Blackford indicated to be 19 out of 20, it may be the landscape islands really are not sized and designed to have a drainage retention or detention component to it. All green spaces help promote that, but these are sized to have trees to beautify the parking area. He explained that the code change that requested to be eliminated is for areas where there are two rows of parking where headlights face each other. Code says you do not have to plant a tree there but you need to have a three-foot screen only in between the parking. Blackford said that is a variance that is requested 100 percent of time on commercial projects. Additionally, it is granted 100 percent of the time by the Planning Commission. Planning Commission prefers that there is not landscaping there because people will walk through that area and damage the landscaping. Blackford concluded that it does not really appear to serve too much of a purpose. He noted that what our code says in two of our zoning classifications and what the proposed change is to eliminate the area he just explained and then require landscaping around the perimeter of the parking area adjacent to right-of-way. Blackford shared the goal of the zoning code rewrite is to beautify parking areas. What the department sees, especially in some of the older commercial areas, is there's a lot of pavement and not a lot of green. He said people do not like the drive sequence down Hamilton Road where you look out the window and can see unattractive parking spaces. What the department is proposing is to now require some level of screening.



He said it would be a three-foot fencing wall of vegetation to soften the impact of paved areas from the roadway. That is something that some of our zonings allow but not all of our zonings. Blackford shared it seemed like this would be appropriate in commercial areas.

**Recommendation: Introduction/First Reading on Regular Agenda on 5/15/23;  
Second Reading/Adoption on Consent Agenda on 6/5/23.**

[ORD-0039-2023](#) AN ORDINANCE TO AMEND THE CITY OF GAHANNA CODE PART ELEVEN PLANNING AND ZONING CHAPTER SECTION 1165.07 - TEMPORARY SIGNS - Clarifying Sign Placement, Types and Duration

**No recommended action. Withdrawn by administration.**

[ORD-0040-2023](#) AN ORDINANCE TO AMEND THE CITY OF GAHANNA CODE PART ELEVEN PLANNING AND ZONING CHAPTER SECTION 1165.11 - PERMIT REQUIREMENTS AND REVIEW PROCESS - Allowing Multi-tenant Signage without Master Sign Plan under Certain Circumstances

**Recommendation: Introduction/First Reading on Regular Agenda on 5/15/23;  
Second Reading/Adoption on Consent Agenda on 6/5/23.**

[ORD-0041-2023](#) AN ORDINANCE TO AMEND THE CITY OF GAHANNA CODE PART ELEVEN PLANNING AND ZONING CHAPTER SECTION 1169.05 - CONDITIONAL USE APPROVAL - Extending Permit Validity Timeframe from One Year to Two Years

Councilmember McGregor said she thought this was for something like a building permit.

Director Blackford said that it would be handled by the zoning staff. The applicant would have two years instead of one year to go from your conditional use approval to basically the completion of that building permit process. He said a lot of times it takes over one year. That is what the code allows.

Councilmember McGregor said the only problem she sees with that is occasions where people drag their feet on a project and it becomes a nuisance. It can be a nuisance from the neighborhood standpoint with supplies out and things torn up. She had reservations about the two years. If it was an internal thing, this would not be so obvious but for external projects it seemed like a long time for a property to be torn up.

Director Blackford responded that it was more of a construction standard. He did not believe that this code would alleviate that issue McGregor was referring to. He said he could think of a couple of properties around the city that seem to be in some sort of state of construction. This would really be more of a building code or building permit. Blackford said the state had a lot of language on that. This would not be so much a zoning issue in his opinion. If something was under construction and the conditional use expired, they would have already been issued a permit to construct the work. That conditional use and that time period would have been satisfied. It would have been met in that case.

Councilmember McGregor asked if Blackford thought having the one-year limitation helped them speed things up on their part.

Director Blackford said no. Part of it is conditional use is a relatively easy step for a developer compared to a zoning change or getting entitlements from state agencies or something. A \$500 application does not really motivate them to speed things. Blackford concluded that they would want to move as fast as possible.

**Recommendation: Introduction/First Reading on Regular Agenda on 5/15/23;  
Second Reading/Adoption on Regular Agenda on 6/5/23.**

[ORD-0042-2023](#)

AN ORDINANCE TO REPEAL THE CITY OF GAHANNA CODE PART THIRTEEN BUILDING CODE CHAPTER 1311 - REGISTRATION - Removing Requirements of Certain Contractors to Register with the City

Councilmember Bowers said she would like to request this one to be on regular instead of consent. From what she understood, specialty trades are registered and certified by the state but general contractors have historically been registered at the municipal level. Bowers could not account for why the City was not seeing requests recently but said she had been told by people in the industry that requesting verifications for insurance is or was a common practice. With the city doing registration of these general contractors, Bowers concluded it protects residents and centralizes the process so that general contractors do not have to do it with every client. She added that she believed this protects the quality of construction and community assets and helps advance property values. She was open to learning more about the subject. However, based on what she had learned in the last week or so, it would be her position that the City maintain the registration requirement for general contractors.

President Renner asked Blackford to help educate him more on what other communities are doing on this front.

Director Blackford noted the time being close to 8:00 p.m. for the planned recess for the special meeting. He said they could pick back up on this after the recess with the City's chief building official who knows more about that.

**RECESS**

*The Chair announced the Committee of the Whole in recess at 8:00 p.m. and noted the reconvening would occur after the special Council meeting.*

*The Chair announced the Committee of the Whole was back from recess at 9:52 p.m. and reconvened the proceedings.*

Vice President Weaver noted that President Renner had a question prior to the recess.

Director Blackford said Ken Fultz, Chief Building Official, could speak to what neighboring municipalities were doing on this topic of contractor registration.

Mr. Fultz explained some of our neighboring jurisdictions do require registration and some do not. Fultz said the ones that do not feel the way he does in that it does not really have much effect on things. He said the City required liability insurance that the business owners and the homeowners cannot collect on, and that even if we were able to collect on it, we cannot give that money to anyone. Fultz said the City had not had any complaints of anything at all, unless it was regarding someone that was doing work on somebody's property that wasn't getting a permit for doing the work.

President Renner said he understood some of the problems that have been stated. He was just asking about other municipalities. How do they do it? Do they do this and

enforce it or do they do it and not enforce it?

Mr. Fultz said it was a variety. Some had registration and some did not. New Albany and Whitehall both had registration. Fultz said Worthington did not.

President Renner asked if Fultz knew enough about how they would enforce it or not.

Mr. Fultz said it was similar to the way Gahanna has it. For some of them, the reason they have done away with it is because they did not see the point in having it. It was not really benefiting anyone.

President Renner said that answered his question.

Mr. Fultz said it costs a lot of staff time in doing this, probably two hours a day is spent trying to control the registration where everything has to be done correctly in the software. He said it was not like the years before where all one had was a Steno book and just wrote their name down to keep track of it.

President Renner said he understood. However, to be fair, Renner said Fultz was pointing out a process problem. He understood that problem.

Mr. Fultz said it was not just a process problem. He explained the problem is the fact a lot of business owners cannot do their own work unless they get registered. For example, The Sanctuary could not do the work unless they got themselves registered. GRIN, or anybody like that that wants to do work on their own building, cannot do work without getting a contractor registration.

President Renner said he understood but from what Fultz has said, in New Albany, they do.

Mr. Fultz said that was correct.

Councilmember McGregor said she originally had questions about if there was a reason to have this because when her husband had his small business, they were registered. She said it is simple to do online but there is no skill requirement. There is no skill testing. It is just really the insurance declarations, which you as a homeowner can ask of any contractor you have in your house to show you. McGregor concluded that it almost seemed like an unnecessary step. She noted that the fee was \$100 a year. It was not a large amount but perhaps to a small business it would be. McGregor said she was not sure what the benefit was for this.

Vice President Weaver asked if the City had any sense of whether folks check out who's registered with the city. Do they call or is it available somewhere?

Director Blackford said they were not aware of there ever being any reach out for that unless it was by the business themselves to check and see if they needed to register.

Councilmember Padova said she understood that contractors were providing the proof of their insurance. It sounded like they were just giving this to the City. Was someone checking that or was it the same as if they came to your house to do work and showed it to you?

Mr. Fultz said the way it is right now, the City requires the liability insurance and the City verifies that they have it.

Councilmember Padova asked if there was something that the City can identify that maybe a normal homeowner would not be able to identify, such as if this was potentially fraudulent.

Mr. Fultz said no. They have liability insurance. The City accepts that. They become registered.

Councilmember Bowers asked if the City could streamline the process. Regarding the declaration page, she noted that was something not every homeowner knows to ask and but certainly something that we know is important and can help a homeowner in the event that there is an issue that arises. Is there a way to aggregate the permit? Could the department consolidate the registration process with the permit process so that the declaration page is filed at the same time they pull a permit?

Mr. Fultz said they have to have a current registration the way the software is now in order to apply for a permit.

Councilmember Bowers said that is what she is confused about. If we were getting rid of the registration process, how are they going to pull a permit?

Director Blackford said they wouldn't need to have a registration if we get rid of that. He described it as not a permitting software issue. He said he was not sure he understood or was not knowledgeable enough about the insurance piece Bowers was talking about with the declaration page.

Councilmember Bowers asked if that was what contractors file when they register.

Mr. Fultz confirmed that what is filed is their liability insurance.

Councilmember Bowers said the declarations page is usually just the first page of your policy that shows policy limits and terms. That is the piece of information that she believed was really important. It made no difference to Bowers if that was in an administrative system somewhere separate from pulling a permit. She cared about whether their liability insurance was accessible to residents. She said that information would be missing if we get rid of the registration process.

Mr. Fultz said that this did not benefit the homeowner. They cannot collect on that liability if the contractor failed to finish a project. Nobody can collect on that policy, and if the City was able, we cannot give the money to the homeowners to finish the project. Fultz thought perhaps the City Attorney could provide additional input.

Councilmember Bowers said she did not think that was what it would be used for. She said she thought it would be used as information for the homeowner.

Director Blackford said it could be. However, what was asked earlier was has that ever been asked of the City and it has never been. He stated that if we eliminated the registration process but we still wanted there to be some level of insurance, the City could modify the permit application to require some level of insurance documentation. He believed they talked about that already. He concluded there were other ways of achieving that if that was our end goal to have a piece of paper that says a firm has insurance. The City can collect that as part of the building permit process. If it is part of that permit record, then that would be a public record.

Councilmember Bowers said she thought as long as it is a permit that is being pulled by a contractor versus just oneself doing it for a DIY project, we can proceed that way if that is an option.

Director Blackford said absolutely that would be an option. It is something relatively easy because that is not code. That would be just modifying a building permit application to provide this and if you are the property owner, you can be exempt from that.

Councilmember Bowers deferred to President Renner. She added that this was her primary concern. She wanted to know if that streamlining could occur based on his experience of government.

President Renner said he thought it tracked. He added that just because no one had asked for it did not mean anything really. He thought it just meant that maybe people did not know to ask for that. Renner said what he wanted to do is to try to help chaperone what the overall benefit is for people. If they know that a contractor is a secured contractor, and it meets certain standards and is not a "Fly by Night" crew, that is probably overall what we are trying to hit.

Councilmember Schnetzer said one of the things he heard Mr. Fultz say was one of the factors or drivers behind bringing this forward was that it was the administrative burden that it was placing the department. With where it sounded like we were going now of doing away with the registrations but requiring proof of insurance at the point of pulling a permit, in Fultz's opinion did he believe that would reduce administrative burden and save time so that staff could do other active things?

Mr. Fultz said that would reduce the burden but it also ties up a lot of the contractors getting the permits because by having that registration issue they are not able to pull the permits online and then they have to go through the hoops of getting their registration, getting their liability insurance updated, plus their registration current. There is also the state license to track. He mentioned that contractors get frustrated with the problem of having to do not just one thing or two things but three things to keep things going in order to get their permit.

Councilmember Schnetzer said he wanted to clarify the question. It sounded like what was on the table, perhaps a consensus forming, was doing away with the registration aspect; however, in lieu of that, at the point of pulling a permit, which we are not talking about doing away with, the contractor would need to present some form of proof of insurance. Did Fultz think that would streamline the day-to-day functions?

Mr. Fultz said yes.

Councilmember McGregor asked if we changed it so they have to pull it at the time of the permit, would they still have to do the \$100 fee or would we not do that and just ask them to show their proof of insurance?

Mr. Fultz said the City could just have them show the proof of their insurance.

Councilmember McGregor concluded that would be a monetary benefit to the contractors.

Mr. Fultz said that was correct. It would be a benefit not just to the contractors but to anyone that was having work done that that fee is not added on to their project.

Councilmember McGregor thanked Fultz and added that he made a good point.

Councilmember Padova said if we do away with this, would it just be either a company coming to pull the permit and they would have to show the insurance or just a homeowner could come and pull the permit for a friend to do work for them? She wanted to be sure she was understanding this correctly.

Mr. Fultz said homeowners right now did not have to be registered to do their own work.

Councilmember Padova clarified if the homeowner could just proceed if they wanted a friend to do the work for them.

Mr. Fultz said that was correct.

Councilmember Padova said she was confused when he said that if GRIN, for example, wanted to do work, they had to pull a permit.

Mr. Fultz explained that currently they would not be able to do their own work. They would have to hire a contractor that was to get registered or register as a contractor themselves.

Councilmember Padova concluded that this was different for businesses.

Mr. Fultz said we do not have a restriction on who would be registered.

Director Blackford stated homeowners are exempt, not commercial property owners.

Councilmember Padova thanked Blackford. This helped clear things up.

Vice President Weaver asked if there was consensus for regular agenda for this item.

Councilmember Schnetzer clarified whether Weaver was stating as the ordinance currently is or is the Committee talking about some modifications. Schnetzer said he got the sense that members were coalescing around some changes.

Councilmember McGregor asked if the requirement is when they pull a permit, does that have anything to do with the code word changing here being proposed for elimination?

Director Blackford said he believed that code can still be eliminated. It would be updating applications and such. They did not need this formalized in code. With applications, Blackford said it was very easy to change. He just wanted direction on a few example situations with commercial properties, such as if it's a tenant, are we ok with that? The City has some exemptions already. Those folks would be exempt from having to provide that declaration. Blackford said his department would want to understand who's exempt from declarations.

Councilmember Schnetzer said in talking with Bowers, it sounded like just removing the registration is fine. Council has given some feedback to the staff of what Council may prefer to see. However, it sounded as though the ordinance can go forward as is.

Councilmember Bowers said just so we do not lose track of this, when could Council

expect to see that application revision?

Director Blackford proposed getting to the revision this week and have an application mocked up to show what it looks like and review the exemptions. He asked, for example, were people comfortable to change that the commercial property owners and tenants (GRIN is a tenant within a commercial shopping center) to be able to be their own contractor and therefore not have to provide the insurance or since they're a tenant, people would only feel comfortable if it is a property owner? He said it could be whatever Council wanted.

Vice President Weaver said this item is on for first reading on May 15.

Director Blackford said he thought there was already a first reading.

Vice President Weaver said, no, due to Charter provisions on zoning changes, we had to notice 30 days in advance.

Mayor Jadwin said she thought a first reading occurred last week.

Clerk VanMeter said there were no readings on the proposed Planning Commission recommended code changes. They were all requested to come back to the Committee of the Whole for further review.

Vice President Weaver reiterated needing to wait the 30 days before Council could do the public hearing.

Clerk VanMeter added that the Charter public hearing requirement would only be applicable to Part Eleven, the zoning code changes.

Vice President Weaver said there would be a first reading next week and there is an intervening Committee of the Whole and then a hearing for the zoning change. Was that correct?

Clerk VanMeter said that was correct.

Vice President Weaver asked if members were agreeable to regular agenda and having this particular item come back to the Committee.

Director Blackford asked if it was preferred to have this item as part of the public hearing or as another Committee of the Whole discussion.

Councilmember Schnetzer asked if Council needed to tie the permit to ORD-0042-2023 or could the Administration do that separately with an acknowledgment now that they are going to work on it.

Councilmember Bowers said she did not feel that it was necessary [to tie to the Ordinance]. She clarified that what she was trying to get at did not need to tie up the Ordinance and could be discussed at a later Committee meeting.

President Renner said he has not heard anything that was going to hold up the Ordinance. This was about the process. There is going to be a first reading and then a second reading.

Councilmember Bowers agreed and suggested maybe a separate discussion item [on

the permit application] in two or four weeks.

Director Blackford said that would be very easy and very quick to do as part of the public hearing or when there is a vote to show what [the application] looks like. That would be about four weeks. Blackford said the department could do that to make sure everyone is comfortable with this approach.

Councilmember Bowers thanked Blackford. She believed it would also help spread awareness about that resource being available.

Clerk VanMeter confirmed with Vice President Weaver that this item was not coming back to the Committee.

**Recommendation: Introduction/First Reading on Regular Agenda on 5/15/23;  
Second Reading/Adoption on Regular Agenda on 6/5/23.**

**E. ITEMS FROM THE DEPARTMENT OF ENGINEERING:**

[ORD-0043-2023](#) AN ORDINANCE AUTHORIZING THE MAYOR AND DIRECTOR OF ENGINEERING TO AWARD AND ENTER INTO CONTRACT WITH DIRT DAWG EXCAVATING LLC FOR THE EAST JOHNSTOWN ROAD DRAINAGE IMPROVEMENTS PROJECT (ST-1078)

Tom Komlanc, Director of Engineering, said the City recently opened bids for the East Johnstown drainage improvements. Four bids were received. The work consists of roadside drainage improvements along East Johnstown Road in the vicinity of Larry Lane, specifically 493 and 519 East Johnstown Road. Staff is recommending award of contract to Dirt Dawg Excavation and the amount of \$213,981 dollars and change plus the 10 percent contingency and looking for permission to enter into contract with Dirt Dawg.

**Recommendation: Introduction/First Reading on Regular Agenda on 5/15/23;  
Second Reading/Adoption on Consent Agenda on 6/5/23.**

**F. ITEMS FROM THE DEPARTMENT OF PARKS & RECREATION:**

[RES-0017-2023](#) A RESOLUTION OF AUTHORIZATION TO APPLY FOR NATUREWORKS PROGRAM ADMINISTERED BY THE OHIO DEPARTMENT OF NATURAL RESOURCES

Stephanie Ferrell, Director of Parks & Recreation, noted the Department is in progress on a mountain bike trail to be located at Academy Park. A trailhead was identified as a resource for that back trail to be a hub of education and an opportunity for lessons and bike repairs. She explained that the project is eligible for the Ohio Department of Natural Resources NatureWorks program for alternative funding. The Parks & Recreation Foundation has graciously supported the initiative by providing funding for a third party to provide a grant writer with the coordination of the Parks & Recreation Department. Ferrell noted that the application does require a resolution of authority in order to apply. Administration is respectfully requesting a resolution of authorization to apply for the ODNR NatureWorks program.

**Recommendation: Introduction/Adoption on Consent Agenda on 5/15/23.**

**G. ITEMS FROM THE SENIOR DIRECTOR OF ADMINISTRATIVE SERVICES:**



[ORD-0044-2023](#) AN ORDINANCE TO AMEND ORD-0078-2022 ESTABLISHING THE SALARIES FOR PERSONNEL OF THE CITY OF GAHANNA FOR THE PERIOD JANUARY 1, 2023, THROUGH DECEMBER 31, 2023, WAIVING SECOND READING, AND DECLARING AN EMERGENCY

Miranda Vollmer, Senior Director of Administrative Services, said she and Director of Finance Joann Bury were present to review staffing realigning in conjunction with the salary ordinance changes. The Department of Administrative Services, including human resources and finance, evaluate each vacancy that occurs throughout the year with the affected department to determine what role or position is needed to be filled. Vollmer explained they then determine the appropriate job classification to fill that vacancy. During this process, they look at current staff and their ability to grow and develop in the city. Then, they look to determine if there's an opportunity to realign staff for efficient City operations. Vollmer said that promoting and realigning current staff enhances the City's effectiveness in building services to businesses and residents. It also allows the city to retain talent and build culture. Vollmer proceeded with a request for amendment to the salary ordinance. She presented on requests for job reclassifications and pending job audits performed within various departments. Vollmer mentioned first the reclassification of a management analyst from level 1 to level 2 to become a business analyst for technology upgrades records and procurement as the Chief has talked during budget discussions, highlighting the need for a business analyst to assist with a brand-new CAD RMS system project. The second item was for reclassification of administrative coordinator from the Department of Planning to a management analyst level 1 under the Department of Administrative Services to assist with claims tracking with our risk insurance, business analysis for tech projects that enhance the City's operations, health insurance billing backup, processing requisitions and purchase orders for IT, Finance, HR, and Mayor's Court and assist with safety training and compliance. The third item on the reclassifications and job audit side was to reclassify current administrative assistants into administrative coordinators. She said those administrative assistants in three departments assist with department or division-wide projects, assisting the implementation and maintenance of our asset management system, procurement, and supplies ordering. She highlighted, for example, Angie Roth, Engineering Department's administrative assistant, who currently assists with our sidewalk program and answering residents' questions and inquiries. For the new requests, Vollmer discussed the need for a management analyst for records in the police department to centralize the collection and management of public records, including video redaction for cruiser and body worn cameras and preparation for new technologies. Vollmer noted organizational charts with color-coded markings for new positions (yellow), pending reclassifications (green), and existing positions (blue). The Department of Public Service requested the addition of a manager of public service to align operations, assist with sustainability, food waste programs, succession planning, traffic signals, utility management, contracts, and other responsibilities. This position would be the promotion of an existing employee and a backfill of a vacant position. Vollmer said there would also be a salary savings for this position, as we had a part-time manager vacancy that was funded in the budget and that employee is no longer with the city. The City has been conducting a staffing analysis dating back to quarter four of last year on the utility billing and customer service aspects of the City. Vollmer proposed the creation of a supervisor for customer service to manage utility billing, customer service operations, reporting, and service enhancement projects. Vollmer mentioned the administrative reclassification of an assistant to a coordinator and reclassification of vacancies into maintenance workers for cost savings. This concluded Public Service items. She reviewed that the next department, the Department of Planning, proposes to take the administrative

coordinator vacancy and realigning it into a manager of planning. She explained that this position would manage the day-to-day activities of the department, provide direct support for the employees, handle code enforcement, succession planning, and oversee the rental registration program. Vollmer assured that no supplemental funds from the General Fund are currently needed for the proposed positions, and any necessary transfers or supplemental requests for proprietary funds would be addressed separately. Vollmer noted the addition of new positions and reclassifications may result in approximately a one percent increase across all funds in 2024. She concluded with requesting an emergency and waiver to facilitate efficient recruitment and filling of vacancies within the standard operating procedure of 60 days.

Councilmember Schnetzer thanked Vollmer for the presentation. Could she repeat the budgetary impact? He thought he heard that nothing from the General Fund but one percent overall in the out years.

Joann Bury, Director of Finance, responded the City had quite a bit of salary savings this year due to slow recruitment of individuals. What she did was lay in what the potential was for hiring for some of those vacancies, or they may have been for a full year but we're now anticipating until June. There was also the onboarding of some individuals where we had budgeted for family insurance and possibly rates that were a little higher than what they were actually onboarded. Bury did a quick analysis before we do that mid-year projection once we get everybody in place. In just looking at all the movements and realigning the budget with what actually happened through the first quarter, there was salary savings available.

Councilmember Schnetzer said to get more granular, was one percent in 2024 just the salaries and benefits line item in the General Fund or was this enterprise wide, taking into consideration the special revenue funds as well as the enterprise funds?

Director Bury said the General Fund is one percent. For the others, it was about the same and then for two of the special revenue funds, Bury said there was actually a savings moving into 2024. She said Streets Fund is probably going to save about one percent, State Highway about one percent, but the others are increasing an average of about one percent of the salaries and benefits.

Councilmember Bowers clarified that what Bury was speaking of was just for these realignments and new positions.

Director Bury said that was correct. She explained that she took what was approved in 2023 and said if everything was status quo, we moved into 2024, here's what it would be adding with these new positions and realignments. It results in about a one percent increase.

Councilmember Bowers asked what the dollar figure was.

Director Bury said for the General Fund it is about \$300,000. For proprietary funds it is around \$81,000 for water and sewer and about \$23,000 for the stormwater. She said the City then has some savings in those other funds: Streets of about \$27,000 in savings and State Highway of about \$2,000. The engineering or public service fund will increase by not quite half a percent, or about \$7,000.

**Recommendation: Introduction/Adoption with Waiver and Emergency on Regular Agenda on 5/15/23.**

**H. ADJOURNMENT:**

*With no further business before the Committee of the Whole, the Chair adjourned the meeting at 10:26 p.m.*

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**Jeremy A. VanMeter**  
Clerk of Council

*APPROVED by the Committee of the Whole, this  
day of 2023.*

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**Trenton I. Weaver**  
Chair