



# City of Gahanna

## Meeting Minutes

### Committee of the Whole

200 South Hamilton Road  
Gahanna, Ohio 43230

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

*Jeremy VanMeter, Clerk of Council*

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Monday, July 11, 2022

7:00 PM

City Hall, Council Chambers

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**The previously announced Economic Development Training Series has been postponed to July 25, 2022.**

**A. CALL TO ORDER:**

*Vice President of Council Merisa K. Bowers, Chair, called the meeting to order at 7:00 p.m. All members were present for the meeting. There were no additions or corrections to the agenda.*

**B. DISCUSSIONS:**

**1. Department of Parks & Recreation Update**

[2022-0205](#)

2022 P&R Council Update

Stephania Ferrell, Director of Parks & Recreation, addressed the Committee on seasonal operations. Senior Center and general recreation programming updates will occur at a later date. Regarding staffing, there is a new aquatics supervisor, Chris Simmons, who came from the Gahanna Y branch. He was recruited for this position with the City. Annette Baxter, former recreation coordinator, was promoted to a supervisor. This left a vacant position for the coordinator and administrative assistant. There are pending offers. There had been multiple offers but were declined due to pay and schedules. Ferrell hopes to get these positions filled quickly. The horticulturist position was filled. Miranda Gessner has started and is doing a phenomenal job. Aurelio Dismuke is the new general maintenance worker. This was a position that was open at the beginning of the year created by the transition of two part-time positions into a full-time position. The Department has been able to maintain those staff members rather than a lot of turnover with part-time staff. Chelsea Heppert has started as recreation coordinator II. There has been a lot of transitioning and orientation to the Department.

For summer camp, Ferrell noted there are three camps that are programmed internally. The Department staff are the ones who train staff and organize the program. The other two are by a third-party. Ferrell directed the Committee to the screen showing the age groups, number of weeks the camps are available, and the camp hours. She noted that the City has an accreditation through the American Camp Association which does require a ratio of campers to counselors. The Department had to reduce the total number of campers because of the total number of staff. She said the Department would typically like to see 25 to 30 counselors, but only had 11 this year. This reduction severely reduced the totals. Also, if there is any vacation requests or time off, recreation crew members are versatile with any type of program that the City has. For instance, they could work the paddle boats at Creekside, as well as a special event. Individuals are cross trained to help maintain ratios.

For aquatics, Director Ferrell noted that the attendance slide reflects the beginning of the aquatic season to date. The 2019 number is a true reflection. There were COVID-19 effects from 2021. The memberships from GSP and Hunter's Ridge allow individuals to go to either pool. Participation is tracked to identify who is going where and how often. Day passes are also tracked. New from 2021 is a non-resident rate included in the passes. Ferrell noted that memberships were starting to bound back from 2020-2021. In 2020, the pools were not open, so the numbers are not included. She said that it was also important to point out that there has been an incline in participation for this year. Specifically, there is a lot of people the Department is seeing, with over three thousand to date and quite a few weeks left in the season. The Department typically wants to staff 70 to 80 lifeguards. There were 56 in the queue; however, 35 of those were able to successfully go through a lifeguard class. The City hosts four lifeguard classes, consisting of a 40-hour session for the guards to be certified. Ferrell said the City does not have as many guards as to would like. Additionally, with vacations, the City needs to have as many as possible. Ferrell said that with a high volume of people, there are guards working a lot of hours and doing a phenomenal job. She also noted an influx of behavioral issues at the pools. One of the school resource officers (SROs) will come out periodically to have a presence there. It is not something that is only in Gahanna. Peer communities are also experiencing increasing issues. Some communities have gone to different ways of managing it. She shared that staff have been able to manage the situations, but it takes away from their ability to scan water and takes away from their work experience. For a lot of these staffers, this is their first job, and it is important for them to have a positive experience. Ferrell said this is something the administration is cognizant of and making sure the proper approach is taken in these situations.

For golf, Ferrell said that it appeared COVID-19 produced an incline in participation in the sport. In April there was a dip that was due to the available days the course was open. It was open for 18 days. Some of those days were not a full day. She noted that this past weekend there was a record for tee times at the course. The course supervisor Joe Hebdo does a

phenomenal job in making sure that the greens look great. The City gets a lot of positive feedback about how great the course looks on a regular basis and understanding that it floods. It is possible that it floods on Monday, and one comes on Thursday and would never know there had been an issue.

The Department is also in the process of the comprehensive Parks Master Plan. The City is on track to have a published plan to bring to Council in October. The Department has looked at demographics and trends. Pros Consultants have pulled information from Gahanna and trend data from Parks & Recreation as an industry. This has been completed and will be incorporated into the finalized Plan. Also, data from focus groups and interviews will be compiled later. There is a hardcopy and online survey that will request information and feedback of the Parks & Recreation department. This will help the City to know what the community is looking for with respect to parks and recreation. Pros Consultants did a site assessment of multiple parks, noting improvements and making certain ratings. The consultants will ask the City to do the same thing and then compare the ratings. Additionally, information was sent to five other agencies for parks and recreation for the City to compare what their agencies are doing to what the City is doing. The Plan includes a ten-year capital improvement plan, an operational maintenance review, staffing overview, and recreational programming all compiled into one document to be used for the next ten years or beyond.

Thanks to Issue 12 dollars, Director Ferrell noted some things the City has been able to accomplish this year that are in the works or completed in terms of capital improvements. With respect to the senior center sign that is damaged, there will be 12 park signs that will be improved of which the senior center is included. The Headley playground has been completed. There were some drainage concerns there. The City knew that the trail coming from the playground would need improved for walkability. The Splash Pad had a portable restroom which was temporary. The City was waiting on parts for the restroom outside the pool facility. That has been completed and is available outside the pool operation hours. This will also serve as a rest stop for the trail which runs alongside the pool property. Ferrell stated that there has been some feedback about the Splash Pad being able to be open outside the pool season. She provided some history on how the City arrived at where it is today with respect to the Splash Pad. At its inception, the Splash Pad was to be an amenity of the Gahanna Swimming Pool. The pool was something that the City acquired, not something the City built. She said it is not uncommon for pool facilities to have a splash pad as part of the amenity. The City of Pickerington did build a Splash Pad after the original pool opened. She said they coordinated with Pickerington on how they managed their project and how they moved forward. Ferrell said that the Splash Pad created an opportunity for young swimmers or non-swimmers to have something to enjoy. There is currently no zero-depth entry at the Gahanna pools, which is something that is common in a lot of community pools. The Splash Pad was created as a versatile option for families. With that, Ferrell said surveys to the membership and the Parks Master Plan published in 2006 and update in 2015 there were desired improvements to the pool infrastructure. The Gahanna

Swimming Pool closes once school goes back in session. The City only can staff one pool, Hunter's Ridge, on the weekends. Typically, the Gahanna Swimming Pool would just close. At this point, the Splash Pad will remain open for the entire month of August through September, weather permitting, and into October. Ferrell said this will provide additional opportunity for water play that is outside the typical season. She explained that since the Splash Pad was part of the swimming pool, the City had the opportunity to create fun features, such as the dump bucket as an interactive play feature of the pool. Ferrell stated that oftentimes, ground nozzles support a splash pad rather than features like this. The lifespan of this equipment is monitored as part of the swimming pool.

Ferrell explained on the presentation that "Placer.ai" shows the data from visits. Blue is from 2021. Red is from 2022. The data is from 8 a.m. until noon when the Splash Pad is open for free. There is an incline of participation during those time frames. The City does have the ability to utilize the Splash Pad in the morning hours. Monday through Friday, there is also increase in participation, as the City has more individuals coming to the facility [with the Splash Pad] during the weekdays because there is something for them to do. This is something the Department wanted to see and is happy that it is coming to fruition. Ferrell asked whether there were any questions.

Councilmember Angelou asked how much money Toyota contributed to the Splash Pad. Ferrell said Toyota Direct gave \$70,000 for the shade features. These are not yet installed due to shipment issues. The City hopes to see these by the end of July. Ferrell said that thanks to Toyota Direct, there will be four shade structures installed. There currently is not much shade, so if someone is coming for the afternoon, this will be a nice relief. Angelou said the City should be thanking them as this is a wonderful thing to have for the community.

Councilmember McGregor asked whether the statistics for the Gahanna Swimming Pool included the Greater Columbus Swim Team that practices in the morning. Ferrell said the numbers did not include this. The numbers were purely membership and day passes. Any type of groups would not be in the numbers.

Vice President Bowers asked about camp ages potentially being reduced from prior years. She noted there was a question about not as many spots open for pre-k children going into kindergarten. Also, on the other end of the age spectrum, there had been mention about the CORE Program being eliminated. Ferrell responded that the CORE Program has evolved into Level Up, which is available for individuals aged 12 and over and overlaps with the 12 to 16 programming. She said the reason it did not run was due to participation. The City has a minimum requirement to run a program. The City has summer camp program for age six to 12 years old. She said a five-year-old and six-year-old did not sound like a big jump but noted that if the student has not completed kindergarten or has not been involved in that type of setting, it did create some challenges for the child experience and

counselors. The ratios of counselors to campers are 1:8 for anyone aged five and under. The decision was to create Little Adventurers to incorporate the five-year-old child into the age demographic. This is only a half-day. The camps are outdoors, so the City wants to make sure the camp is appropriate for the age. There is a third party, Jump Bunch, that is optional for a full day. Bowers asked regarding staff reductions for camping whether it was due to unfilled positions or unposted or budget constraints. Ferrell said this is due to unfilled positions. The city recruits as early as December. There were extensive efforts that involved job fairs, marketing and communications postings, and human resources team coordination. Ferrell reiterated this is something industrywide. In speaking with peer communities, it was staggering how many communities were dealing with similar staffing issues. Some either had to reduce or completely cut programs. Ferrell said the City just brought on three additional camp counselors this week. Recruitment continued even after the season started. However, the problem with this is that the orientations and trainings are ideally happening before May (as early as March or April). Sometimes, the counselors are away at school or focused on their extracurriculars. Once school is over, there is a big rush to get the orientation done. The shortage is not due to less effort to try to get counselors. The City has wait lists. Once the City can get staff in place, there is the ability to add more campers. Bowers asked whether the City was still hiring guards and counselors at this point. Ferrell said lifeguards are challenging because there are no more classes offered (there were four previously offered). Recently, the City had an individual interested in lifeguarding. There was an open training in Delaware to obtain certification. The City was able to bring the individual on board as a result. City leadership staff do the trainings. This consists of 40 hours that is taken away from pool operation to train new staff once the season starts. When the Department already has reduced staffing, this creates a challenge. Once the season starts, there is a large focus on the operation. Bowers asked whether Ferrell could clarify whether the non-resident rates initiated in 2021 was just for membership or also day passes. Ferrell said that it was for both membership and day pass rates.

Councilmember Padova asked when the Comprehensive Parks Master Plan would be wrapped up. Ferrell said it should be wrapped up in October. This will be something Ferrell will present to the Council prior to its publication. Padova said she looked forward to seeing it. With no other questions, Bowers expressed her appreciation for Ferrell and the Parks and Recreation staff in the work they are doing. She hoped that the word would get out to more people about staffing for next year.

## 2. Animal Control Code

[2022-0207](#)

CN Legislative Research 7.8.22 - Central Ohio Community Animal Control Codes and "Leash Laws"

Vice President Bowers asked Chief Spence if he could speak on the current state of animal control in Gahanna, as there have been some issues that

have been brought forward to the attention of Council and administration particularly related to at-large dogs. Spence stated that historically, the City had a part-time employee that handled animal control issues. That transitioned at some point and was not able to determine when that had occurred. It became a contracted employee. In the late 2000s, that contract was reduced as part of budget cuts. Since then, for a decade or more, animal control issues have fallen entirely to the sworn staff to manage. In Gahanna, the complaints are call-for-service based. Spence said the response is within Section 505 of the Gahanna Code and Section 955 of the Ohio Revised Code. Generally, the current Code provides the Department with the tools for enforcement. He said the cases are very difficult to manage, time consuming, and not simple. There have been several long-standing cases. The City works with other resources, such as Franklin County Animal Care and Control and the Columbus Humane Society, depending on the situation. When it comes to animals, they are viewed as property. The police cannot seize them. Any control or taking must be pursuant to the Ohio Revised Code. There are search warrant provisions, Fourth Amendment protections, and due process all apply. Chief Spence said that these cases are generally processed through Mayor's Court. If the case warrants, or potentially involved multiple agencies like Columbus Humane or Franklin County Animal Care and Control, those cases would be heard at the Environmental Division of the Franklin County Municipal Court. The "at large" aspect is very broad in Code. It is an effective enforcement mechanism and provides the police flexibility in enforcement. It is a minor misdemeanor on first offense, and a misdemeanor of the second degree on subsequent offense. The City Code also addresses Dangerous and Vicious language in Section 505.14. There are nuisance conditions that are also prohibited in Section 505.09. Registration is also in Code and immunization and rabies vaccine requirements. This is also backed up in Section 955 of the Ohio Revised Code. Spence referred to the department Facebook Page and added that the biggest problems with "at large" are various posts of dogs wanted in their travels through the City. These are generally one-time. The Department approaches with humor, as their main goal is to get the animals reunited. The longer the animal is in custody, the more resources it takes. The Department would have to engage Franklin County, maintain temperature, make sure the animal has food and water while awaiting transit to the animal shelter, etc. Spence stressed that in dealing with these cases over the years, when you mess with people's pets, you mess with their "children." It can become a very adversarial encounter. He stated that no matter the amount of legislation, you are not going to legislate responsible pet ownership. People will continue to do what they do. He noted some habitual situations that the Department had been dealing with. The Chief showed a stack of paperwork on activity, offense reports, and citations generated well over a year on just one case. He said this is not neglect, indifference or other things that have been characterized as not taking the situation seriously. He shared it is very frustrating for the police to manage these types of cases. They have taken enforcement action in almost every one of these cases that is a misdemeanor of the second degree. Spence said that a violation of any one of the codes discussed is not an arrestable offense without a warrant, even if it is committed in the police's

presence. The Ohio Revised Code does not permit the Department to make an arrest without a warrant. Also, he said that in Franklin County and the way the bond schedule works, there is a presumption in most misdemeanor cases of recognizance in almost every case. Certain exceptions apply to that bond schedule in Franklin County, but they are far and few between. The City can ask for special dispensation. This is used very sparingly and usually there is some element of violence or potential violence. Chief shared the City struggled in cases where there are not obvious signs of abuse or neglect. If an animal is impounded in Franklin County (there are very narrow abilities to impound an animal), the owner can claim the animal. One of the requirements is the animal is properly registered and has a verifiable current rabies vaccination. If the animal is under a prescribed weight, the animal is not released. In sum, the animal with obvious signs of abuse and neglect will not be released back into that environment. Spence shared what the average person might consider abusive environments, there is a very high bar that must be met.

Chief Spence said that he went through the summary of various leash laws that had been compiled for Council. He said some are not direct comparisons. For example, the City of Pickerington had a lot lumped under 618.01, which is animals running at large, nuisance, dangerous and vicious dogs, and hearings. Under Code 505.14, Chief stated the City has a tether and leash requirement. He added the City had an extensive permitting process update in 2018. The permit fees were escalated, and the insurance requirements were expanded under the previous Council. He reiterated that those are not exactly like comparisons. Some of the other language that is in other municipalities is very vague. He said he thought the language favored the animal owner of an at large animal. In Gahanna Code, the language is very broad and amenable to citing someone for a violation. For Spence, the other municipalities had several "outs," or abilities to obtain a dismissal if properly scrutinized by legal counsel.

Vice President Bowers thanked the Chief for his work and especially for the enforcement on one particular property referenced earlier. Spence said he understood that this issue impacts the quality of life in neighborhoods. He shared that the last thing the City wants is to have an officer engaging with these animals to be bit. Spence stressed the Department would act when warranted, but whenever dealing with these chronic issues, it is taking sworn police officers into long-term habitual issues that are hard to solve. Officers are already tasked with a lot of things like crime reduction, trafficking, traffic management, crash response, and critical incident response.

Councilmember McGregor said she thought dogs are required to be on a leash if they are in a park. Spence said that is correct. McGregor added it seemed there had been a change also on dogs and sporting events in the parks. Spence said the parks are a little different. From the standpoint of a park, the park is like a "quasi-private" property, where rules such as closures at dark can be enacted. Likewise, while it is public property, people cannot go into the swimming pool at midnight. Spence said there is a reason a lot of

things can be codified that generally would not be codified in the public space, even though it is a public park. Spence said McGregor is correct that under park code, animals must be leashed and controlled. There are a lot of sporting events. Academy Park just over the weekend had tournaments and some parking issues arose because it was so congested. This is the reason that those things are in park code. McGregor asked if there was an issue with someone at a sporting event with a dog. She did not remember whether dogs could not be on the sidelines if there is a sporting activity. She thought this had occurred at McCorkle Park and something was changed so that if there was a sporting event, dogs were not allowed on the sideline. Spence said he did not remember this. He recalled changes being made to service animals awhile back. Director Ferrell said that if there is a tournament, the tournament can restrict for pets to not be there at all. She said this sometimes occurs with a high volume of people. McGregor thanked Ferrell for clarifying. Bowers asked whether the decision was made by the tournament scheduler to the league or up to the City. Ferrell responded that the City coordinates with the affiliate users. Ferrell stressed that with high volume this would be the case.

President Renner thanked the Chief, as well as the City Attorney, for helping understand what this involves. He also thanked Mr. VanMeter for putting together the summary for public documentation. Renner said Council does have constituents that are complaining about dogs running not just at large but also just not under control. He said that is the key here. Renner said he was probably in favor of a "leash law." However, while there might be a slant towards a leash, Code Section 505.01 and (b) that says, "where no person who is the owner or keeper of any domestic animal shall permit that animal to be out of control at any time or place, even running in its own yard." Renner said that is a *de facto* leash law. If people in the community have trouble when walking and a dog comes after them, Renner said he needed help on how to advise residents. He asked whether the residents should be instructed to call the police or work on another solution. To the Chief's point, Renner understood that sworn officers are tasked with a lot of jobs to do. He did not want to live in a community that is a police state. He asked where the balance was and what the communication should be to residents who feel threatened by a dog. Spence said this has been touched on through the years and ebbs and flows as potentially chronic issues become known. The key to enforcement action in 505.01 (b) is a broad-brush approach to determine a violation. All the other codes have caveats or counters that make it difficult to enforce and achieve what the City is trying to achieve. Spence said the City is never going to legislate responsible pet ownership. The Chief held up the stack of papers previously referenced and said it is clear in all of this that no matter how many steps the department takes, how many violations they write, or how many enforcement contacts they have with each a separate charge, they still are not a responsible pet owner. Spence did not wish to get more calls for animal-related matters. He said it is an area of business he wished the department was out of because it takes away from other things. In terms of getting the word out, he said the City can do more to educate the public in some of the department's various contacts. He did not want to over-police because this becomes an issue. People are very protective of



their animals and children. Chief did not know what the right answer was in terms of educating the public. He said the Department does follow-up with complaints. There was a meeting not long ago with an impacted resident and explained the steps it takes. The resident had reached their limit of frustration. However, Spence indicated the Department was still constrained by the law. The defendant in this case has their due process rights. The police do not have the impact on how the court handles this. All that can be done is filing the appropriate charge, backed up with solid evidence, for each one of these cases. There is body-worn video, in-car video, run records, and various other records attached to these cases. Even with the case referenced earlier with voluminous support documentation, the City is still not any closer to a resolution. Spence said it is not an easy answer.

Councilmember Weaver thanked Chief Spence for walking through the history. He said he could hear the Chief when he said the City “could not legislate responsible pet ownership.” In looking at surrounding communities, Weaver asked Spence whether he saw anything that could be beneficial to Gahanna. Spence said when it comes to legislation and putting a tool in the toolbox, he would like the simple tool. There have been other discussions in front of Council on how to attack a specific problem through Code or legislative solution. He said that it is not an easy answer because there are also unintended consequences of passing something or adding something. Spence looked at some of the research again. The City has a tether requirement and a lot in nuisance code. Some of the cities, like Pickerington and New Albany kind of jumble everything into one section. This was hard to parse out, and he’s not an attorney that could provide a qualified legal answer. However, Spence said Dublin had an exception for direct control. If he was practicing law and his client was cited in Dublin for any one of the incidents that he could pick out that had occurred in the City of Gahanna, he would have a dismissal waiting and could argue the case all day. He added there are a couple municipalities that have sections in code that state “approach in a menacing fashion.” If this is after the fact, how is the law enforcement officer able to determine “in a menacing fashion.” This could be in the mind of the person making the complaint, but how does this get proven in front of a judge or jury? Chief said he did not know what these cities’ success rates were with prosecutions and dismissals. As Renner pointed out, the Gahanna Code is “no person who is the owner or keeper of any domestic animal shall permit that animal to be out of control at any time or place, even running in its own yard.” Spence said this is very straightforward.

Vice President Bowers thanked the Chief and the Clerk for compiling information. She echoed sentiments shared by Renner. She has had some conversations with Chief Spence over the course of the year as off-leash dogs had caused her some concern in her neighborhood. Bowers said there were three different things that were being talked about. First, there are enforcement issues with an owner not doing the right thing with their dogs. Second, there is code, which upon review and compared to codes of other municipalities, she understands Gahanna tends to be stronger. Third, there is the issue of what is best practice. Bowers said that she thought a lot on

Council would agree the best practice to walk one's dog on a leash and that walking one's dog off-leash gives concern to passersby. She received feedback from residents who are runners that have been approached by dogs. Also, families with young children can be fearful of dogs off-leash. Bowers hoped for a way to use the dialogue to encourage best practices and people to remember that their dog might be a wonderful animal but that things might happen out of one's control while out in public. There could be stimuli that could not be controlled or accounted for. Bowers said she knows residents that are engaged on the subject and does not expect this to be the end of the discussion. Renner added that best practices can also mean having respect for one's neighbor. Spence stated that the City Attorney has reviewed the Department's work. If there is something that could be done better or documented better from an evidentiary standpoint, Spence is all about this. He stressed that these cases do take a lot of time.

Attorney Mularski said in reviewing other municipal codes, some of the laws are either identical or very similar to Gahanna's. Some of them mention having a leash but in the context of a dangerous, vicious dog under the same way that Gahanna does. The only one that he has seen [City of Bexley] says "no owner, harborer, keeper, etc. of any dog shall permit it to go beyond the premises of the owner unless the dog is on a leash, cord, or tether." Mularski said what does a leash, cord, or tether need to be made of. If it is twine, how does that help. A person who wants to have their dog under control could carry a twine leash that is a tether not more than six feet in length. He asked whether the police were going to stop and measure. Mularski added this code goes on to say, "is controlled by a person of such age, size and discretion." His former paralegal was four-foot, eight inches tall and weighed less than 100 pounds. She had a 110-pound dog. Would this mean she is not allowed to walk her dog? Would the police stop and say to her that she did not have a suitable age, size, and discretion? Mularski also was not sure what they meant by discretion. Regarding "menacing," if another animal is coming at someone are they allowed to defend themselves? What constitutes menacing versus barking? Overall, he said it brings up more problems when trying to put in restrictions to the Code. Bowers asked whether the members felt this needed to be on Committee again or satisfied with tonight's discussion. The consensus was that it did not need to be on the Committee agenda again.

### **C. ITEMS FROM COUNCIL OFFICE:**

#### [MT-0014-2022](#)

A MOTION TO AMEND THE RULES OF PROCEDURE OF THE COUNCIL OF THE CITY OF GAHANNA SECTION 6.30 HEARING OF VISITORS, ESTABLISHING SUBSECTIONS 6.30(a) "IN-PERSON" AND 6.30(b) "VIA VIDEO"

Vice President Bowers said based on the City Attorney's comments regarding the last version of the proposed rule, she and Mr. VanMeter worked on some edits (referring to the 07072022 version or the "clean" version attached). Bowers sent this to Mularski earlier today. He indicated that this addresses the concerns that he had, not speaking to the policy concerns but

to the legal concerns. Mularski said the part where it says “the chair reserves the right to end and/or not publish the video should it disrupt the decorum of the meeting or not comply with the requirements” is the weak link in all of this. He said that is where he could see if Council cut someone off, or do not let them say their piece, there could be a problem. Bowers said she could understand and thought that to the point Mularski and her had discussed before the meeting, there being another individual disrupting another municipality’s meeting by using strong profanity at multiple points, that this was the basis for disrupting the decorum. Mularski said one time it was for that reason and the other time it was loudly accusing the municipality’s city attorney of not fulfilling a public records request for repeated times. Bowers said noting there might be need for guidance on what the disruption of the decorum could be in the future, the intent of the rule is that if the video did not comply with the requirements of one, two, and three specifically, this would be the primary impetus for not publishing the video. The video would still be maintained as a public record even if it was not published. The discretion could be reviewed in the future and video could be published at a subsequent meeting. Bowers said it is her inclination to refer this for an up or down vote at the next meeting.

**Recommendation: Approval on Regular Agenda on 7/18/2022.**

[RES-0020-2022](#)

A RESOLUTION DESIGNATING JULY 2022 AS PARKS AND RECREATION MONTH IN THE CITY OF GAHANNA

Vice President Bowers asked for any discussion or edits. There were none. There was consensus on adding the Resolution to the Consent Agenda.

**Recommendation: Introduction/First Reading/Adoption on Consent Agenda on 7/18/2022.**

[ORD-0033-2022](#)

AN ORDINANCE TO ACCEPT THE FINAL PLAT FOR THE CRESCENT AT CENTRAL PARK SECTION 2; CONSISTING OF FOUR LOTS AND RESERVES "B" AND "C" LOCATED ON BUCKLES COURT NORTH; PARCEL ID NO. 025-013773; CURRENT ZONING SELECT COMMERCIAL PLANNED DISTRICT (SCPD); LARRY CANINI, APPLICANT; WAIVING SECOND READING AND DECLARING AN EMERGENCY

Larry Canini, Canini & Associates, said he appreciated the Council's opportunity to make the request for waiver and emergency reading. In constructing Buckles Court North, the newest phase of the Crescent with a section of the medical campus, adjacent to the two recent buildings that were done (Walnut Creek Wellness Center completed two years ago and Walnut Creek Surgery Suites completed two months ago), this area now represents what is the final formal plat and lot configuration that are along I-270. Canini said that prior to opening up this project, he, and the City development team (both prior and current teams), felt it was probably to their advantage not to pre-design the lot sizes because that tended to make the medical users to try to fit a square peg into a round hole. What was decided was to leave that open and not create the lots or have lot splits and excess work that comes along with those things. They decided to wait on the users and then allow the

users to have a palette to work from to size their buildings and the parking accordingly. He noted that medical uses are very parking intense. That said, the development had landed three different projects, and this final plat creates lots one, two, and three. Along with submission of engineering for the final section of the street, Canini said a stub street because they did not know how far they would take the street based on the configuration of lots. This has gone through engineering and will simply be a cul-de-sac termination. The three lots have been selected and designed by all the different architectural firms and engineers that are working on these three projects for all the tenants that have been secured. Canini added that the tenants really are owners. He explained they have been able to create a situation where doctors will be owning the buildings and will have made a big investment in the community by doing so. There were their own internal issues with getting behind in design to satisfy all the different medical practices and getting them to fit in the buildings. However, he said there were also delays at the City with the changing of city engineers and delay of some reviews. He said right now they have a project that is ready to put shovel in the ground and are requesting the emergency reading on the plat so they can prepare to start the first project that will be on lot two. This will be a 45,000 square foot building with a primary care group, three podiatry groups that are merging, and a vascular surgeon. Canini said they are very excited to get this project going as the design continues for the other two. He believed everyone would be extremely pleased with what they have secured in the way of practices, as well as the payroll and such that goes with it. He asked Council whether they had any questions.

Vice President Bowers thanked Mr. Canini for the comments. She said she had a question on the waiver of stormwater discharge. She said she was not sure if Canini or the City would speak to this. Canini responded that from what he recalled when working with the previous city engineer, there were previous agreements made prior to his involvement in the project and some history with the project, and along with this there was a commitment made by the City to allow stormwater discharge into the Big Walnut Creek. He reiterated this had been done in the prior project before he was involved, which was the Buckles Court South where Central Ohio Urology is located. Canini said they asked the City if that same premise could be applied to this portion of the project. He said they are not deviating from water quality. There is a basin in place that will serve as water quality for the entire street, as well as doing all the needs of not only the lots but the street itself. Canini said while he is not an engineer, this is his understanding on his engineer's proposal in the history of the project. Interim City Engineer Caitlyn Ridge stated that she knew through the Council Office there had been some questions that came in about this. Ridge did some digging to see what she could find on this. She said she had not been aware of this ahead of time but there is some documentation from 2010 where there was discussion as part of some dedication of Tech Center Drive that through the Buckles Court that it mentions in stormwater code 1193 allowing for a waiver for storm water quantity, not quality. If their stormwater does flow into the Big Walnut Creek, which for these sites it does, per Code they are eligible to get that waiver upon approval by the City

Engineer, Planning Commission, and Council. Ridge said as City Engineer, and the prior City Engineer, along with Planning Commission, this is recommended. She said they are now asking Council to approve so the waiver can be obtained. Bowers asked whether Ridge could speak on how the water quality issue is handled. Ridge replied that the stormwater waiver is just for quantity. The quality is still going to be taken care of through a basin that is already there near their site. That basin is what will take care of the quality control, getting the sediment and debris out before discharged into the stream.

Councilmember McGregor asked what the alternative was if the Council did not grant the waiver. What would have to be done? Ridge said they would have additional stormwater items to take care of, such as upsizing the basin, and this would probably affect the type and size of the developments that would have to be on the lots. They would have to take up some of the land that has been planned out dealing with the parking and building and all items Mr. Canini was talking about. McGregor asked whether this would be needed so that the discharge would be at a lower rate. Canini said what would have to happen is they would then need to lose probably one of the lots to create a larger basin than what is already there. He said that the Council should keep in mind that one of the things they had committed to when they first brought the project to the City was the preservation of the corridor of creek between the east side and the west side. One of the things agreed upon was to enlarge and create almost five acres of preservation of trees and creek. Had they not done that, they would have come to the City and said they would like to push the boundaries into those trees and boundaries into those creeks to give more room to do what they have been trying to do because they had been very limited when Tech Center Drive was built back in 2010-2012. This somewhat determined the course on whether it was all based on where the bridge crossed over to Morrison over I-270. Canini said this dissected the property into basically four quadrants. Part of what was predetermined before his firm was involved was that road configuration and where the traffic signal went to create Buckles Court South for Central Ohio Urology. This created an entry point to what they could do on one side of the creek and then the other side of the creek is what is on Hamilton, which is primarily flood plain. Canini stressed they were pinched in by the creek to the west and I-270 to the east for what they could do because of where the signal was already set for Buckles Court South. They agreed to not go into the creek area and into the woods and worked within the framework of preservation zone dedicated, so they are limited on what they can do on each side of Buckles Court North when it was built. Canini said they worked with engineering on creative ways to make sure they got the bang for their buck out of the land they had to work with. He said if they must go and enlarge a basin to accommodate 150,000 square feet of buildings, they are probably going to lose two more acres and lose one of their deals. He added therefore they are here and asking for this and that the legislation that was previously authorized when constructing Tech Center Drive was meant to work together the idea of the waiver option. McGregor said she had just wondered what the alternatives were and thanked Mr. Canini.

Bowers thanked Canini for coming before the Committee and for the work he is doing on this project. She thought it bodes good things for the community.

President Renner thanked Canini for his work on development of the Crescent, stating that it was coming out very nicely. He said that on this project, he wanted to state first that he was going to be “yes” vote and did not want that to tank with his comments that followed. Renner said he struggled because he was trying to trace down the stormwater documents inside Legistar because of references made to an agreement. He said he had asked the Clerk about it and now understood from Engineer Ridge. Mr. Canini said he had this on his laptop and could send it. Renner said the agreement sounded more informal. He added that he understood there is precedence now. However, speaking to the City, Renner stated that if the City did not get its hands wrapped around stormwater management in a better way with green infrastructure, there could be problems. He said bioswales starting to fail. Even if the City went larger on the basin, data shows bioswales and bio-basins are starting to fail because rainfall is larger than what is expected. As a city, Renner reiterated that it needs to look at green infrastructures that help promote the water going down in the aquifers. He appreciated everything that is being done to Canini’s point, which is why he was trying to draw a line in his comments. Again, this was a struggle to find documentation on the prior agreement. This went back a few administrations. Renner said he did not have a clear understanding on how the agreement occurred without it being a public document and by the elected body. Canini said that when he was asked to get involved in the project by the Buckles Family on behalf of their attorney, he spent six months digging into all the legislation, all the zoning, and finding all these documents that had occurred from those prior administrations. It was his duty and obligation to the family and to the attorney to present these documents to them and say this is the history. Renner said he understood that. Canini offered to email soil reports and said that location over time since the streets were built, the buildings put utilities in, one of the difficulties of doing bioswales or permeable surfaces is there is a lot of shale, a lot of rock in that corridor. He said, as a result, these would not serve the purpose under this type of geological underbody of the site. So, they went to great expenses to dig the current basin that is in place to accommodate the four buildings that they are going to be doing. Canini reiterated this became very expensive. The delay from a year ago when they were hoping to get these projects going to now, as everyone knows what has happened with supplies and inflation, they are looking at a 40 percent increase in the cost of extending the roads and putting in utilities that the Buckles are going to have to eat just to make these deals happen for the City. Canini said that he would hate to see this would go in a direction that would delay this any further legally or otherwise from the Buckles Family, let alone the amount of payroll they are talking about with this 150-180,000 square feet to be added to what is at the Crescent. He said there will be a significant payroll that he would hate to see everyone lose out on. Canini shared he has been doing this a long time and is very conscientious in what he does. He is not going to do anything that is going to reflect poorly on himself, the Buckles, or the City, but this is one of

those situations where they had to follow what was provided by the previous administrations and the previous two engineers that he worked with. With what he has gone through the last two and a half years, Canini said he should have thrown in the flag and said let's go to another city and work because it is a lot easier. He said he put up with a lot [with the City]. He said he appreciates the cooperation from the new team, the old team, Director of Planning Michael Blackford, but any more delays internally with this he is going to lose the Buckles' patience. He said he did not know how much more patience he had because he is excited to get this project going and is already working on the next phase of the 41 acres. He said they have users lined up that are similar in nature for medical services that are now interested. He is trying to keep the clients happy, the City happy, and the doctors happy. Renner said he understood Mr. Canini's point. This was the reason why he began with stating he was in support of this. He added he is in support of the waiver and emergency on the legislation. Renner said he was trying to divert a little, not speaking to his project specifically, that the City needs to understand some stormwater management in combination with what the climate is changing to. Canini said that a previous city engineer had worked on some residential projects where it makes sense. It is a little more difficult to do in a corporate or commercial type project and they will look at it again when doing the next phase where it makes sense economically. With inflation, the cost of pipe, the cost of fuel, Canini said they are lucky to have the developers and medical people who are taking an ownership in the business. They are not coming in and signing a five-year lease. They are putting their money where their mouth is and committing to own the building. They love this opportunity because a lot of developers do not want that, as they want rental income. They will be here for the long haul, beyond the CRA and tax abatement. Canini said the last thing he wants to do is to tell them to reduce the size of their building or buy an extra half-acre because the City is turning down the waiver. Canini said he appreciated the Council's understanding.

Councilmember Schnetzer asked about the wedge that is the Buckles tract north. How many total acres is it? Canini said it was originally 21 acres. The roadway takes up an acre and a half. The basin took up an acre. Schnetzer said topographically speaking it is 20 acres or so. Schnetzer said he would contend that much of those 20 acres, given the clay soil, the shale, and the topography, is all running off into Big Walnut Creek for the most part anyway. There is not going to be a lot of absorption, so he does not see this request as being unreasonable. If the City administration, including the engineer's office, has looked at this and is recommending then Schnetzer said he thought this was ok.

Councilmember McGregor spoke to Canini hoping that he did not misunderstand her original question. She said she was wondering what kind of alternative there was without the waiver. Canini said he is passionate about what he does and sometimes gets excited.

Councilmember Angelou stated this is probably one of the best projects the City has ever had. She said for the City to make this go any further it would be

a shame. She stressed moving forward on this. She said the City trusted Mr. Canini to come through. She asked when the housing component would happen. Canini said engineering plans (infrastructure and roadway) have been submitted and the City Engineer's staff are reviewing it now. Staff comments are expected to be provided soon. Canini said that he, along with the Casto organization, the residential developer, has signed an agreement to buy the Buckles out of the 41 acres so they will no longer be involved. They have agreed to the Buckles' price so that they can move more rapidly on the project and not be tethered by them. Angelou confirmed what would be the 41 acres. Canini said it is mixed use. The City approved 14 acres for residential, and 26 left to be developed. His firm shared a master concept plan with the City with hotels and retail, but as he indicated earlier, they are already getting inquiries from medical users who did not take advantage of the first location and are asking about opportunities here. Angelou said this is terrific. Canini said Mr. Renner was at the Planning Commission meeting a couple weeks ago when he presented lot two in the Final Development Plan for that. He had shared the information on those disciplines in that building. He cannot use specific names, but there is a large gastro group that will build their own building on lot one. A national cancer center has been secured for lot three. This is included in the plat under consideration for final approval.

**Recommendation: Introduction/First Reading/Waiver/Adoption as Emergency on Regular Agenda on 7/18/2022.**

**D. ITEMS FROM THE DEPARTMENT OF PUBLIC SERVICE & ENGINEERING:**

[RES-0016-2022](#) A RESOLUTION ADOPTING THE 2022 SIDEWALK MAINTENANCE PROGRAM AREA

Caitlyn Ridge, Interim City Engineer, said the Department is bringing forward the Program Area for 2022. The City is currently in the middle of the first Program. This would be the second Program. It is much larger than the first. The Department is requesting that Council adopt the Program Area as defined. Locations on the map are spread throughout the City. The City is starting by going back as far as 2010 to look at past street programs and determining how many could be completed with the budget that has been approved for the Sidewalk Program with the ADA funds. Multiple past street programs are included in this Program Area, with 619 parcels included. Upon approval of the Program Area, an inspection will take place for the purpose of maintaining in good order all the sidewalks in these parcels. This is to protect the health, safety, and welfare of the public. The property owners within the Program Area whose sidewalks need repair or replacement will be mailed a notification indicating there are sidewalk deficiencies and then that estimated cost will be assessed or paid in-full by the property owner as part of the Program. Information on how to opt-out of the Program or stay inside will be provided. This is like what the City recently discussed that is happening with the 2021 Sidewalk program. The reason the Division is going back to look at past street programs, the City is updating curb ramps and crosswalks. The intent is to follow them so that as the City goes through with the Sidewalk Program, it will have fully ADA compliant sidewalk or pedestrian path. In going as far back as 2010, there might be a few cases where the City will need to



update some of the ramps. They have been getting updated for the last several years. Within six years, the City hopes it will get up through the current year's program and everything will go smoother with compliant facilities.

President Renner asked when residents would be sent notice of this. Ridge said once the Program Area is approved, the Division will notify residents within the Program Area just that they are in the Sidewalk program. If this goes through next week and is effective next week, hopefully by Wednesday the Division is ready to send out the notifications in the mail. Then, in August, inspections will begin and hopefully completed before any winter weather. The notice for defects is projected to be sent early spring in February-March next year. These notices will provide for those who choose to opt-out to do this during the spring. The City will then by the summertime work on construction for those in the 2022 Program Area.

Councilmember McGregor asked how many parcels were in the 2021 Program. Ridge said it was just over 200 or so. Mayor Jadwin said as Ridge outlined what the timeline might be, if this is adopted by Council next week, just notice to those within the Program Area that they are within the Program and some information on the Program. Then, there would be a Town Hall to inform everyone within the Program Area of what to expect. This is projected to occur tentatively the first week of August based on when the notices go out.

**Recommendation: Introduction/First Reading/Adoption on Consent Agenda on 7/18/2022.**

[ORD-0034-2022](#)

AN ORDINANCE TO AMEND GAHANNA CODE CHAPTER 903 REGARDING SIDEWALK CONSTRUCTION

Interim Engineer Ridge said Code 903 requires that a sidewalk permit and a fee for construction of sidewalk that is within the right-of-way is collected as part of this sidewalk permit to perform inspection. The right-of-way construction permit is also required whenever someone wants to do sidewalk construction within the right-of-way. In other words, there are two permits required: the sidewalk permit and right-of-way permit. To eliminate redundancy of permits and improve efficiency overall for the applicants and within the City, the Division is seeking removal of the sidewalk permit and amend to state that the fee collected for the sidewalk permit to be an inspection fee for the sidewalk. As part of the right-of-way permit, the City would collect the inspection fee when someone does sidewalk repairs within the right-of-way. When someone opts out of the Sidewalk Maintenance Program to do the repairs themselves, instead of having to potentially get two permits, they would just get the right-of-way permit. The City does inspections before concrete gets poured. Then, at completion, there is inspection to ensure it meets the City's criteria. This would allow Engineering to perform the inspections and be paid to perform the inspections.

**Recommendation: Introduction/First Reading on Regular Agenda on 7/18/2022 and Second Reading/Adoption on Consent Agenda on 8/1/2022.**

[ORD-0035-2022](#)

AN ORDINANCE TO AMEND GAHANNA CODE CHAPTER 907

**REGARDING DRIVEWAYS AND CURB CUTS**

Ridge said that Section 907.03 is the inspection part. Like sidewalks, the permit section contains a driveway approach permit currently required for any work done in the driveway approach. Also, the City requires a right-of-way permit. Again, to eliminate redundancy and allow residents to just get a right-of-way permit, this change is requested. The section refers to an inspection fee for approaches. This will stay and be collected instead of as part of a driveway approach permit. With the Sidewalk Program, the City will have several people that will go through this type of permitting. This will help speed up the process for them. Additionally, there is an amendment to 907.03 that changes the responsible party of the inspectors from the Chief Building Official to the engineering department's responsible Director or designee. In 907.04, the section on width of driveway curb cuts, there is specific reference to commercial and industrial establishments only. This also applies to residential. The request is to strike out commercial and industrial.

Vice President Bowers said that it has been stated that this applies to residential currently but asked where in Code and was this being enforced on residential currently. Ridge said, yes, and added that it is per the City of Columbus standards that the City adopts and follows. Ridge said since she had been here, it has always been enforced in residential. She deferred to Grant Crawford, Director of Public Service & Engineering. Crawford said he does not have a specific date as to when the guidelines were updated. He indicated that as long as he has been with the City, they have followed City of Columbus specifications. He said he thought the Code lagged the process. Bowers said the concern she had was what if someone redid their driveway 10 years ago and they have no need to redo their driveway right now and they are a residential homeowner. If the Council changes the Code as proposed, is there ability for the City to waive the code requirement for the homeowner that does not need to replace their driveway right now? Crawford said he did not think a resident would be forced into replacing their driveway. There is a part of the Code that says, "unless otherwise approved by the City Engineer." He said there are always going to be circumstances to conduct further review by the City Engineer. Ridge said this would not be a code enforcement item. This is for making repairs to one's driveway and submitting for a right-of-way permit to make those repairs. Bowers thanked Ridge for the clarification. This would be for new construction or doing replacement.

**Recommendation: Introduction/First Reading on Regular Agenda on 7/18/2022 and Second Reading/Adoption on Consent Agenda on 8/1/2022.**

**[ORD-0036-2022](#)****AN ORDINANCE TO AMEND GAHANNA CODE CHAPTER 909 REGARDING DRIVEWAY DRAINAGE**

Ridge stated this change is for the part on fees that refers to Code 145.10. This code no longer exists. This would update the Code by striking the reference.

**Recommendation: Introduction/First Reading on Regular Agenda on 7/18/2022 and Second Reading/Adoption on Consent Agenda on 8/1/2022.**

[ORD-0037-2022](#)

AN ORDINANCE AUTHORIZING THE DEPARTMENT OF PUBLIC SERVICE AND ENGINEERING AWARD AND THE MAYOR TO ENTER INTO CONTRACT WITH GUDENKAUF CORPORATION, INC FOR BIG WALNUT CREEK FIBER LOOP ST-1095

Director Crawford recapped that this is the Big Walnut Fiber Loop Project that will install about 7,500 feet of new conduit and fiber while utilizing the existing 5,200 feet of conduit installed as the Big Walnut Trail Section 4 Project. This conduit is on the pedestrian bridge crossing the Big Walnut. This will create a redundant connection across the creek for city services, safety services, businesses on the network, and has become even more important with the Metropolitan Emergency Communications Center (MECC) location on West Johnstown Road and data center additions in New Albany. This will open the door for the City to potentially lease or sell, as there is not many crossing across the Big Walnut Creek. The City will have prime crossing to try and sell that to interested companies. Crawford added that bids were opened July 1, 2022. The City reviewed the four bids received. Upon review, it is recommended the City award Gudenkauf Corporation the contract, as they are the lowest responsive and responsible bidder. Crawford said that will all the City's construction contracts a 10 percent contingency is requested, bringing the total amount to \$533,145.

Vice President Bowers asked whether Director Crawford could explain the difference between the engineer's estimate and the contract and requested amount. Crawford said the engineer's estimate that the Engineer's Office puts together is the City's best guess as to what the bids would come in as. It gives bidders an idea of what the City is looking for but also protects the City should the costs exceed the estimate, which could potentially exceed the City's budget. The City would, in this case, be able to re-bid the contract. The 10 percent contingency is added on top of that as well for any unforeseen costs within the construction.

Councilmember Schnetzer asked about a map within one of the exhibits that is broader in view and some intersections identified. It appeared in Section 4 that it might be intended to go next to the bike path or underneath the bike path. Crawford said Schnetzer has identified existing conduit that is next to the bike path. He believed it does cross under the bike path in certain locations but that is the previously existing conduit that was installed as part of that project. Schnetzer asked whether the contractor would then just fish the fiber through that. Crawford confirmed this and added they will install components to slip in additional fibers and keep them all separate. This would allow greater opportunity to lease space to other carriers. Schnetzer asked whether residents should anticipate any disruption in the path as this is occurring. Crawford said there might be some minor impacts when the contractor is physically pulling it in but nothing substantial.

**Recommendation: Introduction/First Reading on Regular Agenda on 7/18/2022 and Second Reading/Adoption on Consent Agenda on 8/1/2022.**

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

[ORD-0038-2022](#) AN ORDINANCE TO AMEND THE CITY OF GAHANNA BUILDING AND ZONING FEE SCHEDULE

Michael Blackford, Director of Planning, said that as the Committee heard from Department of Public Service & Engineering regarding permit consolidation, the Building Division needs to update their fee schedule because there will no longer be a need for the driveway approach and sidewalk permit, as that would all be part of the right-of-way. There were no questions from the Committee.

**Recommendation: Introduction/First Reading on Regular Agenda on 7/18/2022 and Second Reading/Adoption on Consent Agenda on 8/1/2022.**

**F. ITEMS FROM THE DEPARTMENT OF ADMINISTRATIVE SERVICES:**

[RES-0021-2022](#) A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS - Finance Contract Services to Various Employee Wages and Benefits

Miranda Vollmer, Director of Administrative Services, said the City started implementing a complete Finance, Human Resources, and Payroll system in 2018. In 2019, the full-time payroll coordinator resigned. At the time, amid the system implementations, the existing antiquated systems still needed to be maintained to process payroll. The City contracted with a payroll consultant who previously worked in the Department of Finance to immediately cover this vacancy. The consultant understood the existing system and helped implement current systems that are fully functioning now, with exception of one, the police scheduler or "Telestaff." This is anticipated to be implemented by the end of the year. Vollmer said an analysis of the payroll analyst position was performed and it was determined that a full-time payroll analyst is needed to perform the payroll function, which includes processing payroll with proper withholdings and benefit deductions on a bi-weekly basis and all the associated reporting along with this. In addition, the analyst will assist with maintaining the payroll system and part of the HR system. This request is to transfer existing funds to make the change from a contracted service to an employee.

**Recommendation: Introduction/First Reading/Adoption on Consent Agenda on 7/18/2022.**

[ORD-0039-2022](#) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A BARGAINING UNIT AGREEMENT FOR THE FRATERNAL ORDER OF POLICE, CAPITAL CITY LODGE NO. 9 FOR THE PERIOD OF JANUARY 1, 2022, THROUGH DECEMBER 31, 2024, WAIVING SECOND READING AND DECLARING AN EMERGENCY

Vollmer spoke to both ORD-0039-2022 and ORD-0040-2022. These items are to have the Mayor signed the Fraternal Order of Police contract and request for a supplemental to ensure the contract is implemented correctly. She said the City of Gahanna and the FOP Lodge No. 9 reached a tentative agreement on the 2022-2024 contract and the bargaining unit, which includes the officers and the supervisors, have voted in favor of adopting this

successor agreement. Vollmer highlighted the big changes. Like the OLC contract, there is standardized nondiscrimination language. In the Internal Investigations section, the City was able to secure the complaint investigations received from a known source increased from 45 days to 90 days. Therefore, individuals have 90 days to file a complaint on a member of the FOP bargaining unit. In addition, the members will receive a copy of the complaint or summary of facts to be provided to them 24 hours prior to any internal investigation questioning. This is a practice that currently occurs and is being added. In Article XI, Corrective Action and Records, there was a change to how many years a suspension record can be kept in a file. Suspensions of five years or less will stay in the file for three years. Suspensions of more than five years will now remain in files for five years. This is an increase of two years. The Safety Director can also add an additional two years based on the seriousness of the offense. In the promotions language, the City has standardized the language between sergeant and lieutenant and removed the written exam component. In assignments in seniority, the City removed some non-existing language surrounding a K9 and allowed for interim shift bidding when a premium shift becomes available before a probationary officer is placed on that shift. Premium shifts are ones with days off that are around the weekend. Wages for 2022 is three percent retroactive to January 1, 2022, followed by 3.25 percent and another 3.25 percent in the out years. There is a signing bonus of \$750 in year two and \$500 in year three. This money can be added into a member's health savings account (HSA). There is a step three for the ranks of sergeant and lieutenant to be more competitive in the Lodge No. 9 agencies. In addition, the City added like the OLC the annual service credit can be added to a member's HSA. For hours of work in overtime there was some clarification and addition that to receive seventh day pay, officers must actually work three hours and not simply receive three hours of pay. Also, special mission-specific enforcement programs are not subject to seniority considerations when assigning overtime. For uniforms, it was agreed to create a pilot program to establish a Uniform Committee. Vollmer said police uniforms have come full circle in the past couple years, so it was important for both parties to add a committee so that uniforms can remain standard. For holidays, there was elimination of President's Day with the addition of Juneteenth. There was also a renaming of Columbus Day. She added that an insurance like unclassified in the OLC contract with a high deductible plan will begin in 2023 with HSA contributions from the City for \$2,000 for individuals and \$4,000 for the other three plans. After expiration of the agreement, the City agreed to provide at least half of the deductible or whatever other city employees receive. This is the same language that was in the OLC contract. For sick and injury leave, the City allowed for cash out of up to 120 hours of sick leave at half the rate of pay if members maintain an amount in their bank. Vollmer also referenced a list in her report of other articles that had no changes or minor word/clarifying changes. She said the estimated three-year cost impact to the City including estimates on overtime is between \$1.7 million to \$1.8 million. That includes cost savings from the sick leave buyout and insurance change. For ORD-0040-2022, Vollmer said this is requested to implement the new contract. The reason why there is not additional requests

for salary in the supplemental is due to the Division carrying three vacancies right now. These positions have been funded the full year. This is being used for the retro pay as well. To meet State Employee Relations Board deadlines, the waiver and emergency is requested and allow the terms to begin immediately upon passage.

Councilmember Schnetzer asked whether the change of the holidays was initiated by the City or initiated by the Lodge. Vollmer said that was initiated by the City when it added Juneteenth into the unclassified Ordinance. This is to standardize the holidays. Schnetzer said while it appears to be a done deal, the basis of his question was whether there was any consideration to when that holiday might fall on the Creekside Blues & Jazz Festival, potentially running up the cost for sworn staff. Mayor Jadwin said that, yes, this was a discussion. There was also discussion with Visit Gahanna about what the ramifications could be to them as the City might need to look at whether some of those additional added and above costs are passed along. Jadwin said they did look at the calendar for a few years out to see exactly how it would impact that.

Vice President Bowers thanked Director Vollmer for her diligence in negotiations and to the union members for their work on reaching an agreement on the bargaining table. She said she understood the health insurance issue was a sticky subject and was glad that the City was able to come to terms on that.

**Recommendation: Introduction/First Reading/Waiver/Adoption as Emergency on Consent Agenda on 7/18/2022.**

[ORD-0040-2022](#) AN ORDINANCE AUTHORIZING SUPPLEMENTAL APPROPRIATIONS AND WAIVER OF SECOND READING - General Fund Police Overtime, Workers Comp, Medicare, and Police Pension Fund

**Recommendation: Introduction/First Reading/Waiver/Adoption on Consent Agenda on 7/18/2022.**

**G. ADJOURNMENT:**

*With no further business before the Committee of the Whole, the Chair adjourned the meeting at 9:01 p.m.*

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Jeremy A. VanMeter  
Clerk of Council

*APPROVED by the Committee of the Whole, this  
day of 2022.*

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Merisa K. Bowers