



City of Gahanna

Meeting Minutes

Committee of the Whole

200 South Hamilton Road
Gahanna, Ohio 43230

Trenton I. Weaver, Chair
Merisa K. Bowers
Jamille Jones
Nancy R. McGregor
Kaylee Padova
Stephen A. Renner
Michael Schnetzer

Jeremy A. VanMeter, Clerk of Council

Monday, February 12, 2024

7:00 PM

City Hall, Council Chambers

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 February 9, 2024. All members were present for the meeting. There were no additions or corrections to the agenda.

B. DISCUSSIONS:

1. Public Arts Policy - Status Update and Discussion

Mayor Jadwin provided a brief update, noting her collaboration with outside counsel regarding the public arts policy. She mentioned having received a draft from the panel and discussed its critical section with the external legal advisor. The section aimed to define the parameters for displaying art in public spaces. To address this, Mayor Jadwin and the outside counsel are reviewing minutes from previous meetings where discussions on this matter occurred. The goal is to craft a policy based on the panel's prior analysis and discussions. Once completed, the mayor plans to share the revised policy with the Council for a more extensive public discussion.

Vice President Weaver inquired as to whether the Mayor had a sense of timeline for completion. Mayor Jadwin responded that she did not and noted having been a little behind due to illness.

C. ITEMS FROM THE DEPARTMENT OF ECONOMIC DEVELOPMENT:

[ORD-0008-2024](#)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN OFFICE & INDUSTRIAL INCENTIVE AGREEMENT WITH NUVIK USA, INC, DBA CROCODILE CLOTH FOR A PERIOD OF FIVE YEARS; WAIVING SECOND READING

Director Shannon Hamons provided an update, sharing a request for authorization for the mayor to enter into an Office and Industrial Incentive

Agreement with Nuvik USA for the expansion of its subsidiary, Crocodile Cloth, in the community. The company, an international entity with offices in various countries, has been based in Gahanna since 2019 and expressed interest in staying within the city. The proposed expansion involves relocating to a new building at 1800 Deffenbaugh Court, with growth plans to accommodate 70 employees within five years. The Office and Industrial (O&I) incentive would be applied, with an estimated \$100,500 incentive over a 5-year period, contingent on job creation and increased payroll. The Department of Economic Development sought council approval through an ordinance, requesting a waiver for the second reading to accommodate the company's immediate leasing commitments and anticipated machinery deliveries. The Department withdrew request for emergency declaration. Hamons noted the proposal received support from the O&I Advisory Committee. The director emphasized the company's comprehensive policies, including an EEO policy, 401k with a 4% match, healthcare coverage, and an HSA contribution of \$2,000 per employee. He assured the council that the company underwent a thorough background check, and there were no outstanding tax issues.

Following Director Hamons' presentation, Vice President Weaver thanked him and opened the floor for questions. Bryce Kenimer, General Manager of Nuvik USA, expressed appreciation for working in Gahanna and highlighted their commitment to staff development. He welcomed any questions from the council.

Councilmember Schnetzer sought clarification from Mr. Kenimer regarding the company's benefits, specifically inquiring about a companywide profit-sharing plan. Mr. Kenimer confirmed the presence of such a plan. Following this, Councilmember Schnetzer questioned Mr. Kenimer about the employees' participation in the company's projected rapid growth, which Mr. Kenimer affirmed. Councilmember Schnetzer then directed a question to Director Hamons, inquiring about the corporate profits of both companies. Director Hamons provided detailed information, stating that the corporate tax revenues for the next five years is expected to double, along with significant growth in both companies' payrolls. He highlighted the substantial economic impact, particularly with Benchmark's growth, making it a favorable scenario for the city. Councilmember Schnetzer acknowledged the substantial economic value that corporate profits add to the community, emphasizing the broader positive impact on the city.

Vice President Weaver stopped the discussion to note that the YouTube livestream had gone offline. Clerk VanMeter confirmed the status, but indicated the recording was still working and staff was working to reconnect the livestream.

Director Hamons sought additional insights into the company's growth factors from Mr. Kenimer. Mr. Kenimer highlighted that the growth primarily stemmed from the cleaning sector, with a focus on products distributed through retailers. He emphasized collaborations with retail partners like Home Depot and wholesalers such as Ferguson Plumbing. Mr. Kenimer outlined the company's growth-oriented approach, indicating a strong commitment to

expanding the business.

Councilmember Renner expressed gratitude for the company's growth in Gahanna and commended the profit-sharing aspect. He then shifted the discussion toward environmental practices, inquiring about any environmental programs or initiatives within the company. This question addressed the company's commitment to sustainability and its environmental impact beyond the product's distribution phase.

Mr. Kenimer acknowledged the significance of environmental programs in their company's planning over the past 24 months. He emphasized their commitment to a "3P promise" - people, product, and planet. In the context of environmental responsibility, the company focused on offering biodegradable cleaning products, including citrus and vegetable-based cleaners. They also considered the carbon footprint of raw material sourcing, with an aim to shift manufacturing to the United States. Mr. Kenimer highlighted their dedication to meeting the expectations of environmentally conscious consumers and maintaining high internal standards for sustainability.

Councilmember Renner commended the company's commitment to the triple bottom line - people, planet, and profit, commonly known as the three P's in sustainability circles. He expressed interest in scheduling a visit to the company's operations for a more in-depth discussion.

Director Hamons shared his positive experience using the company's product, particularly for painting cleanup. Councilmember Renner inquired about the disposal of the used product, to which Director Hamons mentioned placing it in a recycle bin, with the hope that it was being recycled.

President Bowers expressed appreciation for Director Hamons' thorough written report, highlighting the O&I incentive as a positive tool for attracting and retaining job growth in Gahanna. She directed questions to Mr. Kenimer regarding equal employment opportunity (EEO), non-discrimination statements, talent attraction, retention beyond incentives, and diversity, equity, and inclusion (DE&I) initiatives at the company.

Mr. Kenimer elaborated on the company's hiring process, emphasizing the importance of aligning prospective employees' core values with the company's values. He noted that the company values are self-evident during the hiring process, emphasizing commitment to productivity, quality, teamwork, and customer service. Beyond compensation, he highlighted the company's focus on fostering a sense of fulfillment by collectively striving for high growth and delivering the best cleaning products on the market. Regarding DE&I initiatives, Mr. Kenimer candidly shared that the company currently does not have a published DE&I program but acknowledged its inclusion in their outlook for the next 24 months, indicating their commitment to developing and implementing such a program in the future.

Councilmember McGregor expressed gratitude to Mr. Kenimer for expanding the family business and being a good partner with the city over the years.

Councilmember Jones inquired about the staffing situation, asking if the company considered itself fully staffed and seeking details about the makeup of the staff, including frontline warehouse and leadership roles. Mr. Kenimer provided a breakdown of the staff, mentioning warehouse, manufacturing, office, and traveling staff. He noted that the office staff includes positions in administration, and all staff are benefits-eligible. He confirmed that this structure would remain as the company grows to around 70 employees.

Vice President Weaver expressed satisfaction with seeing local businesses thrive and succeed, highlighting the positive development of a large spec building getting a tenant. He acknowledged the waiver of the second reading, suggesting it be placed on the consent agenda for the 19th and thanked everyone involved.

Recommendation: Introduction/First Reading with Waiver and Adoption on Consent Agenda on 2/19/2024.

[RES-0003-2024](#)

A RESOLUTION DETERMINING THE COMPLIANCE OF A PETITION FOR ORGANIZATION OF A NEW COMMUNITY AUTHORITY WITH OHIO REVISED CODE CHAPTER 349; AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING ON THE PETITION

Director Hamons presented item number two, a resolution approving the determination of compliance of a petition for the organization of a New Community Authority (NCA) and setting a time and place for the hearing of the petition. He provided background information, recalling that Gahanna City Council had previously approved a development agreement with CP Crescent LLC on November 11, 2022, outlining the Community Reinvestment Area (CRA), tax increment financing district, development standards, and the NCA program. The development agreement specified elements related to commercial and multifamily development within the 41-acre Crescent at Central Park area, adjacent to the I-270 and Hamilton Road interchange. Following the agreement, the developer submitted a petition for the organization of the NCA, aiming to encourage the well-planned and diversified development of the designated community. Director Hamons clarified that the NCA would only impact the properties within the 41 acres, excluding any existing school or city taxes currently collected. The NCA, once approved, could potentially increase the millage to contribute to repaying the SIB loan recently created. Acknowledging his limited expertise on the matter, Director Hamons invited outside counsel, Mr. Sean McCarter, to provide additional insights into the process.

Mr. McCarter explained that the council's role in this matter was akin to that of a judicial body. Their task was to assess whether the petition met the statutory requirements, serving more as a compliance check. In his opinion, the petition was deemed compliant as it contained the necessary information outlined in the statute. Once this determination was made, the next step involved scheduling a public hearing within 30 to 45 days to evaluate whether the petition met the standards of promoting health, safety, and the development of the new community. To expedite the process, Mr. McCarter recommended setting the hearing date during the current meeting. He suggested March 18th as a feasible date for the hearing and emphasized the

importance of this date to meet the statutory requirements. Mr. McCarter clarified the purpose of the NCA, highlighting that it provided the NCA board with the authority to add additional millage. In this case, it allowed for up to five mills on the designated property, emphasizing that this didn't diminish existing taxes but rather added to them. The generated fees, collected similarly to real estate taxes, would be directed back to the NCA for various uses, particularly to repay the SIB loan. This structure was established in alignment with the city's development agreement with the specific developer. Mr. McCarter encouraged any specific questions the council might have on the matter.

Councilmember McGregor inquired about the duration of the NCA and whether it was a perpetual arrangement. Director Hamons mentioned that there would be a set period for the NCA, possibly lasting around 30 years. However, Mr. McCarter clarified that the time period was not yet defined and would be contingent on the performance and financial obligations tied to the SIB loan. Mr. McCarter explained that the NCA was designed to cover the SIB loan's infrastructure expenses and would operate for a minimum period necessary to fulfill those obligations. The time frame would be influenced by the NCA's ability to accumulate funds, establish a reserve, and eventually repay the developer for SIB loan-related payments.

Councilmember McGregor sought confirmation that the NCA would eventually conclude, and Mr. McCarter affirmed this, emphasizing that the termination would be determined by the NCA's performance and fulfillment of financial responsibilities.

Director Hamons highlighted that the millage associated with the NCA was self-imposed by the developer and would not affect anyone outside of their projects. He clarified that the agreed-upon millage, typically up to five mills, was diverted into NCA payments, emphasizing its self-contained nature.

Councilmember McGregor recalled how New Albany utilized a similar approach with their school system for new developments. Director Hamons acknowledged this and mentioned that communities often employed NCAs for various purposes, such as fire departments, recreation facilities, or other defined areas.

Councilmember McGregor sought clarification on the composition of the board for the NCA and the process for determining its members. Mr. McCarter explained that the board would consist of members appointed by the council and the developer. The council would select three citizens, the developer would choose three representatives, and one local government representative would be selected by the council. Council would need to adopt a subsequent resolution defining reappointments. He further elaborated that the board's responsibilities were not overly active, primarily involving the adoption of certain measures initially, including the millage. The board's subsequent activities would be governed by contracts, and any remuneration decisions would be controlled by these contracts. Mr. McCarter emphasized that the ongoing considerations for the board would be relatively straightforward.

Vice President Weaver inquired about the bond requirements for NCA board members, specifically noting a mentioned \$10,000 bond. Mr. McCarter acknowledged that he didn't have the exact figure but clarified that any administrative costs associated with the board would be covered by the NCA. He added that if needed, the developer could front these costs on the front end with reimbursement later.

Vice President Weaver also acknowledged the restoration of the livestream and assured that the complete video would be uploaded to YouTube after the meeting.

President Bowers sought clarification regarding the nature of the NCA, questioning whether it is a public body or a quasi-governmental entity. Mr. McCarter explained that while it is a public body, it operates independently and is not directly affiliated with the city. It serves as a standalone entity with its own authority to manage the program.

In response to the second question regarding oversight and the dissolution of the NCA, President Bowers inquired about the auditing or monitoring process for SIB repayment. Mr. McCarter clarified that the NCA board is responsible for determining when it should come to an end. The auditing function, like other governmental entities, falls under the jurisdiction of the Auditor of State, who administers such programs. The audit process involves straightforward procedures, with the millage being collected and distributed semi-annually for the payment of obligations, primarily the SIB loan payments.

Vice President Weaver raised a question about whether the NCA would be included on the TIRC (Tax Incentive Review Council) report, considering its impact on property taxes. Director Hamons expressed uncertainty and stated that, to his knowledge, he had not seen NCAs included in TIRC reports in other communities. In response to the inquiry, Mr. McCarter explained that NCAs typically focus on employment-based goals or tax abatements, and since the NCA doesn't involve such goals, it may not follow the same reporting structure. He clarified that the NCA is self-incentivizing, meaning its success or failure is tied to the developer's interests, and there is no direct impact on others.

Vice President Weaver inquired about the procedural steps and timelines for setting a hearing and voting on the petition. Mr. McCarter clarified that a vote on the petition's compliance should take place during this committee meeting, setting the stage for further considerations. Vice President Weaver then suggested a special meeting on March 25th, which aligns with the necessary timelines. Mr. McCarter explained that during the special meeting, the Council would determine if the petition aligned with public health, safety, convenience, and welfare, leading to the declaration of organizing the New Community Authority.

Councilmember McGregor suggested having a special meeting earlier in the week to expedite the approval process. Director Hamons clarified that setting the time and place for the hearing within the 30 to 45-day window was what was at stake, and a resolution to accept the petition is separate from this

process. Mayor Jadwin reiterated that the 30 to 45 days run from the date the petition is filed with the clerk. Director Hamons further clarified that March 18th falls within the 30 to 45-day window, allowing for the acceptance of the petition by resolution during the regular council meeting next week. Mr. McCarter confirmed this timeline, emphasizing the importance of meeting the hearing notice period requirements. City Attorney Tamilarasan confirmed that passing a resolution on February 19th and having the final hearing on March 18th complies with the necessary timeline.

President Bowers inquired about the timeframe for appointing committee members after the hearing on March 18th. Mr. McCarter mentioned that the statute allows for a 10-day window for the appointment. President Bowers then asked if they could publish a solicitation for NCA committee members before the hearing, to which Mr. McCarter expressed no objection, framing it as in consideration of the proposed NCA. Director Hamons sought clarification on the acceptance of the petition and setting the date, confirming that both aspects complied. Mr. McCarter reiterated that it is a determination of the sufficiency of the petition. Director Hamons recommended placing the resolution on the consent agenda for the next week.

Recommendation: Introduction/Adoption on Consent Agenda on 2/19/2024.

D. ITEMS FROM THE CITY ATTORNEY:

[ORD-0069-2023](#) AN ORDINANCE TO ADOPT AMENDMENTS TO TRAFFIC CODE SECTIONS OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA; TO PROVIDE FOR PENALTIES; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

City Attorney Tamilarasan reported that she received proposed revisions and corrections to the city's ordinances from Municode, ensuring compliance with state statutes. She further reviewed and revised the proposals, eliminating redundancy and making substantive changes. One notable change involved updating bicycle ordinances, removing provisions related to bicycle permitting and licensing. The city was transitioning to a voluntary and free bicycle registration program, and requirements were accordingly adjusted. Additionally, cyclists were granted the ability to ride across crosswalks without stopping, aligning with other ordinances regarding autonomous vehicles. Updates to the motorized bicycle or moped sections were made for clarity and internal consistency, excluding electric bicycles as per their specific definition. Another significant revision was made to the texting while driving statute. While mirroring state prohibitions, the city opted for enhanced penalties to reflect the severity of the offense. The enhanced penalties matched the state statute for first-time offenders, with additional enhancements for multiple offenses and a provision for cases resulting in death or serious injury. City Attorney Tamilarasan mentioned that Ms. Sharon Montgomery was present to address the council on the issue of the texting while driving ordinance.

Vice President Weaver recognized Ms. Montgomery for comment.

Ms. Sharon Montgomery passionately conveyed her appreciation to the council for their dedicated time and effort in addressing the critical issue of distracted driving. She conveyed the challenges faced in advocating for awareness and solutions to this longstanding problem. Ms. Montgomery eloquently presented a poignant scenario where crash victims receive inadequate treatment due to the legal system's failure to recognize the severity of offenses related to distracted driving. In her detailed presentation, Ms. Montgomery provided four compelling reasons for the urgent implementation of stronger penalties in distracted driving laws. Firstly, she underscored the concept of justice, emphasizing that penalties should be proportionate to the gravity of the offense. However, Ms. Montgomery highlighted a significant loophole in current traffic laws, where offenses aren't considered crimes unless charged as felonies. This, she argued, leads to a lack of justice, exemplified by her own case where the charge was for a clear distance violation with a minimal fine, inadequately reflecting the severity of the incident. Secondly, she delved into the critical aspect of consistency in penalties. While drunk or drug drivers causing serious injuries or deaths face felony charges with correspondingly harsh penalties, non-impaired drivers do not unless specific felony charges are pursued. This inconsistency in legal consequences for similar outcomes raised concerns about the overall fairness and effectiveness of the legal framework. Thirdly, Ms. Montgomery meticulously highlighted legal precedents, citing the efforts of Governor DeWine's distracted driving task force and the introduction of Senate Bill 285. She detailed the legislative journey of the bill, which aimed to enhance penalties for distracted driving offenses. Despite the commendable efforts, the bill faced opposition and ultimately did not pass, leaving a void in the legal framework to adequately address distracted driving. Fourthly, she emphasized the paramount importance of safety and deterrent factors. Ms. Montgomery argued that stronger penalties could serve as a deterrent, potentially reducing the occurrence of crashes causing serious harm or death. By addressing the root cause with more robust consequences, the legal system could contribute significantly to preventing such tragic incidents. In response to an argument against stronger penalties based on accidents, Ms. Montgomery astutely pointed out the flawed reasoning behind this perspective. Drawing a parallel with cases of drunk driving, she underscored the conscious choices made by drivers to engage in dangerous behaviors, emphasizing the need for legal consequences that reflect this accountability. Ms. Montgomery concluded her comprehensive presentation by expressing pride in the city's proactive approach to addressing citizen concerns. She conveyed deep gratitude to the council for their attention and consideration, highlighting the importance of compassion and courage in navigating the complexities of distracted driving legislation.

Vice President Weaver expressed gratitude to Ms. Montgomery for her continuous advocacy, acknowledging her longstanding efforts and commitment to addressing crucial issues.

City Attorney Tamilarasan expressed her thanks to Ms. Montgomery and acknowledged the collaborative efforts involved in reviewing and updating

ordinances. She mentioned consulting with the police department during the process. To gain additional insights, she invited Chief Spence to provide any comments or thoughts on the substantive changes proposed.

Chief Spence shared his perspective on the reviewed code, noting that the bicycle-related amendments were addressed in the previous year. He highlighted the need to update outdated sections and align the code with operational realities. Regarding the changes to the distracted driving statute, Chief Spence emphasized the value of having escalating offense levels, providing the police department with additional tools based on driving records. He expressed appreciation for the collaborative effort in working through the traffic code, stating that the proposed amendments were favorable to the Department.

Councilmember McGregor expressed appreciation to Chief Spence for his comments and then shared her perspective on the proposed stiffer penalties. She indicated that she didn't oppose having stronger penalties but raised concerns about Gahanna being the only jurisdiction with such penalties. McGregor questioned how people would be aware of Gahanna's distinct penalties compared to other areas.

City Attorney Tamilarasan responded by explaining that the state envisioned local municipalities taking an interest in implementing stiffer penalties. She noted that Gahanna might be the first in the area to adopt such penalties, but it doesn't mean others won't follow. Tamilarasan mentioned that Gahanna already has stricter penalties in certain code sections, such as the reckless driving statute. She argued that having varied penalties is not uncommon and emphasized that the first-level offense in Gahanna's proposed ordinance aligns with the state statute. The primary focus of the ordinance is to target repeat offenders and those causing serious bodily harm or death. Tamilarasan concluded by stating that individuals are presumed to be aware of the road laws while driving.

Councilmember McGregor expressed concern about being the only jurisdiction with stricter penalties and questioned how widely known this would be. City Attorney Tamilarasan acknowledged the need for an education and public notice campaign in Gahanna to inform the community about the new penalties. She emphasized that while this change requires consideration, it's not an unprecedented move, and previous instances of altering penalties have been addressed.

Councilmember McGregor requested information on other occasions when Gahanna implemented different penalties compared to state law. City Attorney Tamilarasan agreed to provide that information, and Chief Spence mentioned a past instance when they adjusted penalties related to willful and wanton disregard for safety, incorporating distracted driving elements. Chief Spence estimated this change occurred around 2018 or 2019, and he committed to providing more detailed information.

Councilmember Padova suggested the need for communication regarding the proposed penalties, mentioning the possibility of including information in

the quarterly publication "Uniquely Gahanna." Councilmember McGregor suggested utilizing the high school for communication as well.

Mayor Jadwin suggested using the Gov Delivery system for effective communication, highlighting that alerts, agendas, and surveys are regularly sent out through this channel rather than the quarterly Uniquely Gahanna publication. She also mentioned the option of including information in water bills as inserts.

President Bowers shared insights from law school, discussing the four major goals attributed to punishment or sentencing: retribution, rehabilitation, deterrence, and incapacitation. She expressed gratitude for the proposed consequences, emphasizing that the escalating consequence structure allows judges appropriate discretion to consider all factors, including the impact on victims. President Bowers expressed support for the amendments to the traffic code and thanked City Attorney Tamilarasan, Chief Spence, Ms. Montgomery, Ms. Kovacs, as well as prior City Attorney Mularski and Mr. Roth for their hard work, research, and discussions on the matter.

Councilmember Jones expressed gratitude to Ms. Montgomery, Ms. Kovacs, and the city, expressing pride in the direction they are taking. She sought clarification on whether communication primarily targets residents and raised concerns about reaching all potential offenders. President Bowers suggested working with the Public Information Officer (PIO) to engage media outlets for coverage, promoting the change and inspiring other communities to follow suit.

Councilmember Padova highlighted that for a first offense, the penalties remain the same. City Attorney Tamilarasan confirmed this, specifying that a first offense within two years is considered a minor misdemeanor with identical penalties to the state statute. Councilmember Padova then clarified that the change occurs for a second offense, prompting City Attorney Tamilarasan to explain that a second offense within two years, as well as instances involving serious bodily harm or death, leads to an escalation of the offense. Councilmember Padova summarized that individuals could be notified after a first offense about potential consequences for subsequent violations, which City Attorney Tamilarasan confirmed.

Councilmember Renner expressed gratitude to Councilmember Bowers for the in-depth legal discussion and commended her for introducing the four theories of punishment. He emphasized the relevance of these theories to the ongoing narrative, addressing justice and equity in society. Councilmember Renner urged others to review the record of Councilmember Bowers' discussion, encouraging further examination of the content.

**Recommendation: Introduction/First Reading on Regular Agenda on 2/19/2024;
Second Reading/Adoption on Regular Agenda on 3/4/2024.**

E. ITEMS FROM THE PLANNING COMMISSION:

[ORD-0007-2024](#) AN ORDINANCE TO REPEAL AND REPLACE PART ELEVEN -

PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

Director of Planning Michael Blackford began the discussion on the zoning code, emphasizing that no action was requested this evening, and it would return in March for consideration. He highlighted the significance of Chapter 11 of the codified ordinances, governing the development process in the city. He explained that the zoning code, originally written in 1958, had grown over time, reaching close to 400 pages. The challenges included its complexity, making it difficult for users to navigate. To address these issues, the city aimed to create a more user-friendly, organized, and concise code, reducing it to about 200 pages. Director Blackford discussed the need for improvements, considering the challenges faced by both external and internal stakeholders. The goal was to make the code less intimidating and more accessible. He outlined the challenges and opportunities associated with the code, including the desire for more design standards, diverse architecture, and refined land use regulations. He mentioned that, after nearly 10 years of feedback, the community consistently expressed the need for enhanced design standards. Rather than imposing a specific architectural style, Gahanna sought something unique and improved. Additionally, Director Blackford touched on the importance of refining land use regulations to align with the evolving needs of a growing community.

Director Blackford continued his presentation, highlighting aspects that were not changing in the zoning code. He reiterated that the successes of the document were acknowledged, and there were areas of the process and uses where no significant alterations were proposed due to the absence of identified issues. He clarified that the vast majority of existing processes would remain unchanged. However, some applications were being combined or eliminated, such as removing a preliminary application requirement for plats. The introduction of a de minimis variance provision was explained, referencing a recent Planning Commission meeting where such a variance request was discussed. Regarding land use, Director Blackford emphasized that radical changes were unnecessary, as the community had not expressed a need for a complete overhaul. The existing zoning designations for residential, commercial, and industrial areas would largely remain the same, with adjustments made based on community feedback. To gather input, the city engaged with the community through various channels. Engagement events included the Mill Street Market, interactions with seniors at the senior center, open houses at City Hall, and participation in Business First breakfast events. Online engagement was also a component of the process, recognizing the importance of involving a broad spectrum of community members. Blackford acknowledged the multi-year duration of the process and the challenges posed by the COVID-19 pandemic. He emphasized the collaborative nature of the effort, involving workshops with the City Council and Planning Commission. The connection between the Land Use Plan and the zoning code was highlighted, with the Land Use Plan serving as an influential document guiding zoning decisions. Lastly, Director Blackford mentioned the involvement of a consultant, who provided expertise on national trends, best practices, and legal considerations, contributing to the comprehensive review and revision of the zoning code.

Director Blackford proceeded to outline some key differences between the proposed zoning code and the current one. He emphasized the significant change in design standards, particularly for Hamilton Road. Under the existing code, vague and subjective language regarding harmony between building colors is replaced with more specific regulations. Prohibited and permitted materials are introduced, varying based on the area's character. The goal is to move away from generic statements and provide more precise guidance without prescribing a specific architectural style. Addressing uses, Director Blackford noted that feedback from the community, especially at the Mill Street engagement, influenced the approach to zoning. While the majority of the city's residential zones remain unchanged, concerns were raised about 24/7 operations in residential areas. The proposal includes adjustments to neighborhood commercial zoning to align with daytime operations and reduce the allowance for 24/7 activities. This aims to foster a more neighborhood-friendly environment, moving away from auto-oriented and regional uses. The discussion then shifted to residential use permitted in commercial general zones, a significant change in the proposed code. Limited areas along major roadways would allow residential use, providing an opportunity for mixed-use development in established retail or office corridors. The introduction of residential use would be subject to conditional use approval rather than a staff-level decision, marking a notable shift in the proposed code.

Director Blackford proceeded to highlight several additional sections of the proposed zoning code. The zoning map underwent a significant overhaul, reducing the number of designations from 26 to 13. While it may still appear complex, the streamlined map reflects a more mindful approach to accommodate the city's growth without unnecessary complexity. Incorporating green initiatives, the proposed code includes language mandating EV charging stations in larger parking areas, promoting the installation of green roofs, and permitting renewable energy features such as solar panels on roofs. Director Blackford underscored the importance of these measures to align with environmental sustainability goals. Addressing the housing crisis, Director Blackford drew attention to the concept of Accessory Dwelling Units (ADUs). He encouraged council members to explore the proposed language related to ADUs, emphasizing their potential as a practical solution to housing challenges. ADUs are additional living spaces, often in the form of separate structures or units on a property, providing flexible housing options. Director Blackford then discussed some minor administrative changes to the zoning process. For instance, certain requests that previously required a public hearing, such as converting a parking space into a loading area, have been designated as administrative, aligning with the Planning Commission's perspective that such matters do not necessitate public hearings. This adjustment aims to simplify and expedite the approval process for specific modifications like changes to parking lots and lighting.

Director Blackford provided insights into aspects that were discussed during the zoning code review but ultimately not implemented. One such topic was green infrastructure, which had been extensively deliberated during workshops and community meetings. While green infrastructure is relevant to

development, it was deemed more fitting for other regulatory mechanisms than inclusion in the zoning code. The intricacies of bio swales and similar features were acknowledged as more in the realm of broader infrastructure planning rather than specific zoning regulations. The discussion also touched upon short-term rentals, recognizing that zoning codes typically don't delve into ownership types. The consultant recommended that if Gahanna were interested in addressing short-term rentals, it would be more appropriate within a licensing framework or business regulations, rather than zoning. Housing trends were another area of consideration. Director Blackford conveyed that while various housing trends, such as apartments, tiny homes, and townhomes, are prevalent nationally, the community did not express a strong desire for those specific trends in Gahanna. Therefore, these were not incorporated into the revised zoning code. The prospect of eliminating parking regulations, a trend in many codes towards not requiring parking minimums, was discussed. However, it was decided that, despite the growing trend elsewhere, maintaining parking requirements was deemed appropriate for Gahanna and consistent with the community's needs and expectations.

Director Blackford provided an update on the zoning code revision, highlighting the recent presentation to the Planning Commission on January 24th. The Planning Commission recommended approval with some modifications discussed during the meeting. Notably, hotels were allowed in the neighborhood commercial zone, an oversight corrected based on Planning Commission feedback. There was also a discussion about traffic circulation signage, deemed suitable but not included in the zoning code, and private schools in the Innovation and Manufacturing District, a change endorsed by the Planning Commission. In discussing the potential impact of adopting the revised zoning code, Director Blackford mentioned subtle changes in staff interactions, anticipating quicker and more straightforward explanations of processes. He emphasized that the Planning Commission could expect to see fewer applications due to consolidation, and the most significant change would be increased consistency and predictability. Predictability, he noted, is a critical factor influencing economic development. The revised code, by moving away from vague statements to specific regulations, aims to enhance clarity for developers and communities. Director Blackford concluded by addressing common misconceptions, clarifying that the new code wouldn't prevent property owners from making various requests or introduce rapid, radical changes. He emphasized that development would evolve gradually as new projects materialize. He invited questions and expressed readiness for further discussion.

Vice President Weaver expressed gratitude to Director Blackford for his hard work on the zoning code revision, acknowledging the efforts put into the project with the Planning Commission and public outreach. He commended the dedication of the director and his staff, recognizing the significant commitment involved in the process. Vice President Weaver opened the floor for questions or comments from colleagues.

President Bowers thanked Director Blackford for his presentation and directed the discussion towards accessory dwelling units (ADUs). She specifically inquired about the language around ADUs on page 52 of the

proposed code. Director Blackford confirmed the location and acknowledged the discussion on ADUs, describing them as smaller homes meant to alleviate some housing burden. President Bowers sought further insights into the rationale behind the recommendations for ADUs in the code.

Director Blackford explained that ADUs are considered a form of low-hanging fruit to address the housing crisis. He described them as smaller, detached units, comparable to living in a detached garage. The theory behind promoting ADUs is to offer a housing solution that can be open to anyone, providing a smaller, more affordable option. He highlighted that while Portland, a progressive planning city, has fewer than 50 ADUs, it is a measure that could be utilized without being extensively adopted.

President Bowers recalled a workshop discussion from the previous year regarding potential restrictions on ADUs, questioning if those were explored further. Director Blackford indicated that they were not pursued or explored any further. President Bowers raised concerns about the potential misuse of ADUs by out-of-state investors, increasing profitability without benefiting the local community. She expressed hesitation about proposing ADUs without restrictions and emphasized the need for short-term rental legislation. President Bowers hoped that these concerns would be addressed in future discussions. Director Blackford clarified that he hasn't started working on short-term rental legislation as he hasn't been asked to do so. President Bowers acknowledged the ongoing dialogue about the housing crisis and reiterated her concerns about ADUs and the need for restrictions, particularly regarding out-of-state investors and profitability. President Bowers concluded her comments, expressing hope that short-term rental registration or some form of restriction would be proposed in the future.

Director Blackford responded to President Bowers' question about ADUs, indicating that if there were restrictions desired, especially regarding size, they could be easily incorporated. He expressed a willingness to remove ADUs if it was not something Gahanna felt comfortable with. President Bowers mentioned that the consultant had suggested it might be legally permissible to restrict ADUs to relatives or family members, making them akin to mother-in-law suites. Director Blackford confirmed that such restrictions were common in codes and could be implemented based on the council's preferences. He acknowledged that restricting ADUs to family members might address some housing issues but wouldn't have a significant impact on the overall housing shortage.

President Bowers shared her concern, stating that she didn't believe ADUs would have a massive impact on the number of housing units in the region. She expressed her worry that ADUs might cause more problems for neighbors than provide a substantial housing solution. Director Blackford agreed, indicating that the issue could be brought back before the council for further discussion, potentially by the next meeting on March 4th. He emphasized the flexibility to adjust the proposal based on the council's preferences. President Bowers, acknowledging that she was one of seven council members, expressed her interest in hearing the opinions of her colleagues regarding the potential negotiation or ensuring that the proposal

didn't contribute to the short-term rental problem. Director Blackford affirmed his agreement.

Councilmember McGregor raised concerns about ADUs, particularly regarding the impact on infrastructure such as streets, parking, and utility lines. She highlighted the potential strain on neighborhoods that already face tight parking due to the increase in the number of cars over time. Director Blackford expressed his openness to adjusting the proposal based on the council's preferences for ADUs.

President Bowers mentioned her concerns about outside investors buying houses and adding additional units, exacerbating the housing problem. Director Blackford acknowledged the challenge of enforcement, especially when ownership changes. He explained that the initial approval might be straightforward, but enforcement becomes more complex later on. The consultant had discussed the option of restricting ADUs to family members, acknowledging the difficulty in enforcement.

Councilmember McGregor expressed her realization of the potential for outside investors to exploit the system, adding units and causing complications during ownership transfers. Director Blackford agreed, emphasizing that crafting more specific guidelines in the code could help address these issues. President Bowers supported the idea of legally restricting ADUs to family members, emphasizing the importance of intergenerational housing. Director Blackford suggested an incremental approach, starting with restrictions and potentially revisiting them in the future based on the evolving situation.

Councilmember Schnetzer provided data on the population of the Columbus Metropolitan Statistical Area (MSA) and emphasized the impracticality of solving the regional housing crisis solely through Gahanna's efforts. He suggested refocusing on what is best for Gahanna rather than attempting to address a larger regional matter.

Councilmember Padova proposed the possibility of requiring owner occupancy for the primary unit when considering ADUs. President Bowers and Councilmember Padova discussed the benefits of such a requirement, emphasizing greater accountability for the occupants of ADUs.

Mayor Jadwin acknowledged Councilmember Schnetzer's point about Gahanna's limited impact on the regional housing crisis but emphasized the importance of providing affordable housing options within the community. She expressed support for exploring the idea of requiring owner occupancy for ADUs, especially for creating affordable housing options for the older generation. Mayor Jadwin addressed the separate issue of short-term rentals, acknowledging that it is a significant problem that might require a separate evaluation and legislation. She mentioned previous conversations with Councilwoman Padova and highlighted the potential for collaboration with other municipalities and tourism organizations to find a long-term solution for regulating short-term rentals.

Vice President Weaver expressed gratitude for the efforts on the proposed zoning code changes and informed the public about the upcoming public hearings scheduled for March 4th and March 18th, with a potential vote on March 18th. He inquired about the desire to bring the proposed ADU revision back to the committee. President Bowers indicated a preference for the ADU revision to return to the committee, and Vice President Weaver sought confirmation on the timeline. President Bowers mentioned that bringing it before March 4th would avoid the need for an amendment after the first reading. Director Blackford assured that two weeks would be sufficient time for the requested change, and there were no concerns from the staff's end.

Recommendation: Held in Committee; Further Discussion Scheduled 2/26/2024 with new draft. Introduction/First Reading (with Public Hearing) anticipated for 3/4/2024 and Second Reading/Adoption (with Public Hearing) anticipated for 3/18/2024.

F. ITEMS FROM THE DEPARTMENT OF PLANNING:

[ORD-0009-2024](#) AN ORDINANCE TO AMEND THE CITY OF GAHANNA BUILDING AND ZONING FEE SCHEDULE

Director Blackford provided an overview of the changes to the fee schedule, particularly focusing on the zoning portion. He explained that the adjustments were necessary due to modifications in the zoning code processes. Notable changes included the elimination of certain applications like design review and preliminary plats. He outlined the reasons behind fee adjustments, indicating that the fence fee would increase from \$25 to \$50 to align with other applications, and the floodplain use permit fee would increase from \$100 to \$150 to offset technical review costs. Director Blackford mentioned that these fee adjustments were still on the lower end compared to other jurisdictions in the region. Additionally, he introduced a new addition to the fee schedule for the master sign plan application, which had been in process but was not previously on the fee schedule.

Councilmember McGregor inquired about whether the fence permit applied to new or replacement fences. Director Blackford clarified that the code exempted replacement fences of the same type, height, and location.

Vice President Weaver sought clarification on whether applications submitted under the current code would be grandfathered throughout the process. Director Blackford affirmed that submitted applications would adhere to the code in place at the time of submission.

Recommendation: Held in Committee; Introduction/First Reading on Regular Agenda on 3/4/2024; Second Reading/Adoption on Regular Agenda on 3/18/2024.

G. ITEMS FROM THE COUNCIL OFFICE:

[2024-0024](#) Ohio Division of Liquor Control Notice to Legislative Authority Permit NEW 2393331 EAGLE ACADEMY OF COLUMBUS INC DBA CAMPUS AND CO - COLUMBUS; 460 HAVENS CNR RD, GAHANNA,

OH 43230

Jeremy VanMeter, Clerk of Council, provided one piece of additional information, stating that he had shared the process with Council regarding objections to a liquor license permit as noted on the Department of Commerce's website.

President Bowers noted she had expressed a desire for the matter to return to the committee for further discussion. She highlighted some uncertainties around the entity in question and emphasized the proximity of the location to the new high school. President Bowers mentioned the presence of the applicant and invited them to address the application by stating their name and affiliation with the permit request.

Gavin Gooden, the applicant, identified himself and clarified that he was a former resident of Gahanna who had since moved to Blacklick. He explained that the liquor license application had been submitted by Eagle Academy, which operates a store named Campus and Co. The purpose of the application was to obtain a wine and beer resale license for their boutique store located across from the high school. Gooden described Campus and Co as a small store that sells groceries and household goods to members of a church community. Notably, he said none of the students at the school are members, eliminating concerns about alcohol access for minors. He assured that all regulations, including age restrictions, would be strictly followed. The request, according to Gooden, was comparable to what other local establishments, such as BP across the road, have.

President Bowers sought clarification about the nature of the store, specifically noting that it was a members-only grocery store. Gooden affirmed this and further explained that membership is tied to the Plymouth Brethren Christian church community, which has operated in the area for approximately 30 years at the corner of Stygler Road and Wendler Boulevard. The store's profits contribute to funding a local high school affiliated with the church.

President Bowers referenced information from the Campus and Co website, highlighting that the store is staffed by volunteers. Gooden confirmed this and explained that volunteers, mainly comprised of community mothers, undergo a certification process. The volunteers' training covers various aspects, including purchasing controls to ensure compliance with limits, cashier responsibilities, and knowledge of age restrictions, especially concerning alcohol sales. Gooden acknowledged there were unique intricacies involved in the checkout process.

Councilmember Padova inquired about the store's operational status, asking if they were already open. Mr. Gooden confirmed that they were indeed open. Councilmember Padova expressed surprise at the store already being in operation, thanking Mr. Gooden for the clarification.

Councilmember McGregor sought clarification about the store's accessibility, specifically asking if only members of the church could buy from the store. Mr. Gooden affirmed this, indicating that only members of their church

community could purchase items from the store.

Councilmember McGregor further clarified that students wouldn't be frequenting the store regularly. Mr. Gooden concurred, stating that students would not be coming in and out of the store.

Councilmember Jones sought clarification on the membership process, asking if there was a membership card or how someone from the church community would be identified upon entering the store. Mr. Gooden responded, stating that the church community is very small. Councilmember Jones further inquired if Mr. Gooden knew everyone in the community, to which he affirmed.

President Bowers expressed her gratitude to Mr. Gooden for providing additional information about Campus and Co. She reiterated her reservations about the liquor license and announced her intention to make a motion at the next meeting to object to it. President Bowers highlighted the challenges in monitoring compliance with liquor laws in a retail store setting like Campus and Co, emphasizing the impossibility of conducting controlled buys in such locations. She acknowledged the assurance that high school students wouldn't access the store but maintained her objection based on the saturation of liquor facilities in the area.

Vice President Weaver shared President Bowers' concerns and sought clarification on the process for raising objections in the upcoming agenda. Clerk VanMeter inquired whether a resolution specifying the objection would be appropriate, and City Attorney Tamilarasan suggested that a resolution would suffice but needed to research in order to confirm. Clerk VanMeter mentioned the need to understand the format used in previous objections. Chief Spence added that the information about the last objection is likely documented in the records of Council, requiring some investigation to retrieve.

Mr. Gooden proposed the idea of implementing a security protocol to address concerns about the sale of beer and wine at their store. He suggested sealing the alcohol and keeping it in a controlled area with limited access, possibly restricted to five people. Mr. Gooden explained that their focus was on providing wine to their community, particularly wines not readily available in local stores. He expressed a willingness to restrict access to a designated area in the back of the store, emphasizing the limited number of individuals who would have access. Mr. Gooden acknowledged the city's concerns and offered to facilitate a visit to the store for a firsthand look.

President Bowers responded by suggesting that Mr. Gooden consult with legal counsel for potential solutions. She indicated uncertainty about what solutions could be devised but mentioned the city's receptiveness to hearing proposals. President Bowers explained the objection process, emphasizing that if the objection passed through a council majority, a hearing process would follow (through the state's Division of Liquor Control), during which Mr. Gooden could present potential solutions.

Mr. Gooden expressed his willingness to keep the alcohol off-site if that would address concerns. However, President Bowers noted the absence of an enforcement mechanism once the liquor license was issued. Vice President Weaver concluded the discussion, acknowledging the need for further clarification from the Clerk on the form of proposed legislative action for an objection.

Recommendation: Consideration on Regular Agenda 2/19/2024 with motion to object and request hearing.

H. ADJOURNMENT:

With no further business before the Committee of the Whole, the Chair adjourned the meeting at 9:08 p.m.

Jeremy A. VanMeter
Clerk of Council

APPROVED by the Committee of the Whole, this
day of 2024.

Trenton I. Weaver
Chair