



City of Gahanna

Office of the Clerk of Council
200 South Hamilton Road
Gahanna, Ohio 43230

Meeting Minutes Committee of the Whole

*Thomas R. Kneeland, Chair, Karen J. Angelou, Ryan P. Jolley, Brian D. Larick,
Jamie Leeseberg, Stephen A. Renner, Michael Schnetzer*

Kimberly McWilliams, CMC, Clerk of Council

Monday, November 24, 2014

7:00 PM

Council Committee Rooms

Members -

Present 6 - Thomas R. Kneeland, Brian D. Larick, Jamie Leeseberg, Michael Schnetzer, Karen J. Angelou, and Stephen A. Renner
Absent 1 - Ryan P. Jolley

Additional Attendees -

Mayor Stinchcomb, City Attorney Ewald, Chief Murphy, Lt. Spence, Dottie Franey, Matt Holdren, Sue Wadley, Rory Gaydos, Tony Collins, Anthony Jones, Clerk McWilliams.

Kneeland called Committee of the Whole to order at 7:00 p.m.

ITEM - From the Director of Human Resources

[2014-0180](#) HR Supporting Docs

1. **Wellness Plan Service Agreement - Mt. Carmel Health Occupational Services**

Wadley explained Wellness Plan Service Agreement "Gateway to Health"; helps provide "brown bags" and an exercise physiologist for City employees; meets annually with wellness committee to survey employee interest for the following year; bringing forth agreement for Council approval in anticipation for 2015; requesting emergency so it can be effective January 1st after normal legislative process.

RECOMMENDATION: First reading, no need to come back, consent agenda, as an emergency

ITEM - From City Council

[2014-0186](#)

Recommendations of Legislative Committee 11-10-2014 Final

1. Legislative Committee

Renner met twice with Legislative Committee; discussed establishing framework and guidelines to evaluate the governance issue; considered a seven member commission with the essential idea to examine both sides of issue; commission would have six months like the Charter Review Commission; would document both minority and majority opinions; special committee was Leeseberg, Angelou, and Renner; recommending that Council form a special governance committee; Larick inquired if the intent is the commission members be paid; committee established commission unpaid; Renner clarified from a budget perspective, didn't consider the special commission to be allotted any more than the Charter Review Commission; Charter Review Commission is also unpaid; Leeseberg added only anticipated expense would be advertising; Larick inquired if the intention of the language would be to advertise and include members of the community for the commission whom would be selected by a majority of Council; Renner confirmed that was the intention; Angelou added previous members of the commission would be contacted initially; Council would still be selecting seven; Stinchcomb inquired the basis of Council deciding all seven members of the commission; usually some chosen by Mayor and some by Council; Renner clarified the intent was to eliminate bias from the issue by assigning Council the appointing authority; Angelou noted it is still important to hear both sides, intention is not to eliminate dissent, but foster an open discussion and be Council-driven; Larick noted the takeaway is to draft Resolution or Ordinance; Ewald recommended writing an ordinance; Larick recommended drafting an ordinance for first reading on Monday; Kneeland noted the legislation would authorize the creation of the commission and then Council could proceed with the steps and parameters of creation; Ewald discussed write up framework with intent to define the commission in depth and entail the scope of their authority; Kneeland clarified authority would be defined by the scope of the Legislative Committee's recommendation; Larick will work on legislation and will put together an ordinance; what the committee is, what it does, and how long it takes; noted the recommendation from the Legislative Committee and their recommendation can be fully adopted or completed amended based on Council's opinion.

RECOMMENDATION: First reading, back to Committee of the Whole

ITEMS - From City Attorney

[2014-0184](#)

City Attorney Supporting Documents

1. Legal Services Contract for Planning Commission

Ewald noted the end of year reviewing the contracts from the City Attorney's office; typically these contracts are single or multi-year contracts; after working with the Mayor's office consensus is to bring contracts to Council each year; decided to re-appoint Tom Weber as legal counsel to the Planning Commission, given his experience with Planning and City in general; overwhelming support from Planning Commission for Weber as well; intention is to take contract forward at this time; Angelou inquired salary; Ewald replied \$7,500 annually, paid on a monthly basis.

RECOMMENDATION: First reading, no need to come back, consent agenda

2. Prosecutor Contracts

Two firms that work with the City; could be divided into three contracts; currently have two prosecutors at work in Mayor's Court; one downtown; bulk of work takes place downtown; 65% to 70% of funds are allocated for downtown prosecutor; should have contracts by Monday; outline of the agreement that has been submitted is not changed; will name prosecutor and amount of expense; Kneeland inquired cost as current copy is devoid of amount; Ewald confirmed, but cost will not exceed appropriated amount, nor need an increase or supplemental. Kneeland inquired if it is the same amount for next year; Ewald confirmed.

RECOMMENDATION: First reading, back to committee

3. Amend COG 157.02 to allow "acting members" to appoint a designee to attend Records Commission Meetings, permission to vote and to add an additional citizen member appointed by Council.

Recently had a Records Commission meeting; currently one community member appointed to the Commission; Commission would like an additional community member; due to low member total and circumstances where acting members cannot attend, Commission would also like to permit designees to attend in place of acting Commission members; Mayor has a designee option and this would permit other members to appoint designees; Kneeland noted that would take the six member board to seven: Ewald confirmed; Larick inquired members; Ewald replied Mayor or designee, IT Director, Finance Director, City Attorney, Council Clerk, and Citizen member; Larick inquired how often they meet; Ewald replied twice a year and with intention to move to three; Larick understands adding a member,

but doesn't understand designee attending; Ewald replied due to quorum requirements and need to meet at least twice a year, commission recommended a designee change to avoid situations where if an acting member cannot attend, rescheduling is unnecessary; Ewald wishes Council to simply consider this recommendation; Kneeland inquired if commission would request action; Ewald confirmed, but would ask that these issues be separated, should contention exist with only one; Angelou inquired how long the meetings are; Ewald replied about one hour; Larick noted Records Commission is of high enough importance, but small enough required effort from the body; Ewald noted looking into other cities; City of Columbus permits a designee, majority do not; Kneeland inquired if a cancellation had occurred due to lack of quorum; Ewald replied once or twice, roughly a year or two ago; Angelou noted it wouldn't be difficult if the designee couldn't attend, but concerned designee may not have familiarity with the issues; Leeseberg inquired if we should separate the issues; Ewald replied if there's contention on one issue, yes; Kneeland noted drafting legislation with just the second citizen appointment; general inquiry about who appoints the new citizen member; language currently reads Council; Larick noted currently three administration, two Council; and one citizen; Council should appoint new member to create a 3-3-1 ratio of members; Ewald noted no need to rush legislation as City won't be codifying for a while.

RECOMMENDATION: First Reading; No need to come back, consent agenda

4. Amend COG 161 - Tax Code

Ewald proposed draft for tax code changes; has been working with Finance Department and submitted to outside counsel for review; model code with addition of new credit section; will be added to section fifteen from section eighteen; wanted Council with enough time to review and understand the changes; Leeseberg noted additional "4"; will be removed; Ewald noted the redlined copy has all changes and the final draft will remove that section reference; Larick inquired the objective, is it material, clarification or simplification; Ewald replied for tax credit it's clarification and for the rest it is to bring it within a model code used by the vast majority of municipalities and the State of Ohio; Larick inquired if it is intended to represent material changes; Ewald replied not from a tax review standpoint, but that's a primary reason for review by outside experts; Teal noted tax code became somewhat of a "patchwork quilt"; wanted the combined effect to accomplish and explain proper intentions in code; without changes, risk that code may become ineffective over time; found through

exercise of moving to RITA full comprehension of the code became cumbersome; Teal noted what is stated in code, how to utilize code, and how to teach a third party all became increasingly difficult; other entities have found clearer ways to explain and write code properly; RITA has worked across the State to form a model tax code; also added some Gahanna specific language as municipalities face individual obstacles; Teal worked with City Attorney to appropriately modify language; pleased to make progress and receive collaborative attention; will be beneficial to ensure code's effectiveness; noted Tax Uniformity Bill, may have to go back and amend further, but will be easier with proposed changes; Kneeland inquired when Ewald would like feedback on this matter; Ewald replied he will be available to go through the document; since extensive changes, we don't want to do it more than once; Stinchcomb requested final copy; redline is a lot to examine; Stinchcomb understands redline document is important to tell the whole story, will need final to properly evaluate; inquired timeline; Ewald replied we can take time on overall document except credit section; has to get it out to residents so that they can receive the clarification by January ; Clerk clarified it is on the second reading; Kneeland inquired if we are taking action on the code this year; Ewald confirmed for tax purposes would like to pass before the beginning of the year; Angelou noted three public hearings prior to changing; all confirmed; Angelou inquired changes; Ewald clarified in 1983 in section B that was effective for that fiscal year and then section C took effect from 1984 moving forward; Stinchcomb inquired if January 2, 2014 passage would be appropriate; Ewald noted legislation cannot be adopted before the 6th of January; can put effective date in legislation; Kneeland noted if it comes back to committee one more time, it would have to be passed as an emergency; Ewald confirmed; Angelou noted it will have to come back for the tax credit; Larick inquired if the section fifteen is intended to be a final document; Ewald confirmed; Kneeland raised concerns about adopting a small piece and coming back; Ewald noted best course of action would be to adopt as one package and give Council another two weeks; Larick inquired if passes on 15th what would effective date be; Ewald replied we would write in the code for an effective date on the 6th ; Renner inquired if outside counsel has submitted a verbal confirmation of changes; Ewald has received a verbal commitment, and will we receive a written commitment as well; Kneeland wishes to have written statement saying legal counsel has reviewed and is agreeable with changes; Ewald confirmed.

RECOMMENDATION: Postponed to the December 15th; will come back to last committee; will amend with emergency language for 15th passage

ITEM - From the Clerk of Council

[2014-0185](#)

Clerk of Council Supporting Documents

1. Records Management Update

Discussed moving forward with digital footprint at last meeting; storage capacity is a major issue; attempting to save money and be more efficient; asking for amount to include the listed departments for 2015; while learning new system and implementing software, departmental inventories would be taken off site and scanned into a digital system; requesting Council to authorize the Mayor to enter into a contract with Intellinetics for \$127,374 and ensure we have funds available to move forward; timetables and prices are hypothetical as larger documents and what state each document is in can vary; Kneeland inquired if the amount asked is for 2015; McWilliams confirmed; Stinchcomb inquired if the requested sum is in the budget document received; McWilliams replied not included, the request is in addition to the budget document, but is a one-time operating expense; Larick inquired if the amount covers back filing for everything in the City, with the intention to back file in 2015, 2016, and if not completed, pushed back to a later date; Teal clarified the \$127,374 amount is just for 2015 and the total amount is closer to \$300,000 for the whole City; McWilliams further clarified it is broken down by department; Angelou inquired what the 15% represents; McWilliams replied it takes into account the proposed RC-3 retention disposal; Kneeland clarified due to records destruction, the cost will go down each year; McWilliams requested Council's digestion of information and to incorporate request into 2015 appropriations; Stinchcomb clarified we have a budget document, but no appropriation document and we will have to add this into the appropriation document; Teal noted there are normally changes between the October printing of the budget document and the final appropriation; will provide a document outlining changes and an updated ordinance; McWilliams also asked for Tech Maintenance for the Police Department in the amount of \$6,000 to be included in the appropriation, due to Police Department proactivity, we can now include them in the training; Larick clarified the Police Department was originally included in 2016; Kneeland inquired if the offsite storage will decrease as well; McWilliams stated yes, but permanent documents will remain offsite where they are safer; Larick noted increasing accessibility; Stinchcomb inquired if we are putting the amount into appropriation, wouldn't it have to be separate legislation, and cannot

just be an appropriation; Ewald replied if you are appropriating the money now, you can appropriate, but not spend until the contract is solidified locking in terms and conditions; Larick inquired when we will have legislation ready; McWilliams replied she is working with vendor now and will move forward once the final contract is solidified.

RECOMMENDATION: Authorizing the Mayor to enter into a contract with Intellinetics for Records Software and Back Filing and add to an appropriation for 2015 to include both \$127,374 and \$6,000 amounts

Kneeland adjourned Committee of the Whole at 7:55 p.m.