



City of Gahanna

200 South Hamilton Road
Gahanna, Ohio 43230

Meeting Minutes Committee of the Whole

Jamie Leeseberg, Chair
Karen J. Angelou
Brian D. Larick
Nancy R. McGregor
Brian Metzbower
Stephen A. Renner
Michael Schnetzer

Kimberly Banning, Clerk of Council

Monday, December 11, 2017

7:00 PM

Council Committee Room

CALL TO ORDER

Chair Leeseberg called the meeting to order at 7:00 p.m.

Present 7 - Brian Metzbower, Nancy R. McGregor, Karen J. Angelou, Stephen A. Renner, Brian D. Larick, Jamie Leeseberg, and Michael Schnetzer

ITEM FROM THE DIRECTOR OF FINANCE

[MR-0040-2017](#)

MOTION RESOLUTION TO TRANSFER APPROPRIATIONS IN THE AMOUNT OF \$14,000 FROM THE POLICE OVERTIME GRANT FUND AND \$8,300 FROM THE POLICE HOLIDAY OVERTIME TO THE TO ACCOUNT NO. 101.211.5117, POLICE OVERTIME FUND.

Bury said one action item, transfer overtime within Police Department; have multiple accounts; putting overtime into regular account.

RECOMMENDATION: Consent Agenda.

ITEMS FROM THE CITY ENGINEER

[2017-0256](#)

UPDATE - Water & Sewer Internal Review Board Hearings 2017

Leeseberg asked about the sewer capacity fee; Franey said waiving capital improvement charges; capacity is when they tap in; Leeseberg said still paying Columbus even if water doesn't go back in sewer; Franey said allowed to write off any sanitary that did not go in; leaks can be deducted.

[ORD-0105-2017](#)

DETERMINING TO PROCEED WITH THE ASSESSMENT PROCESS FOR CERTAIN REAL ESTATE FOR SANITARY SERVICES FOR PROPERTY LOCATED AT 319 JAMES ROAD, PARCEL ID NO. 025-000821

Priestas said last piece required for this is ordinance to levy assessment.

RECOMMENDATION: Consent Agenda.

ITEMS FROM THE CLERK OF COUNCIL

[MR-0038-2017](#) MOTION RESOLUTION TO SET ORGANIZATIONAL MEETINGS FOR YEAR 2018.

Holbrook said standard annual item to set organizational meeting dates for January 2018.

RECOMMENDATION: Consent Agenda.

[MR-0039-2017](#) TO ESTABLISH CITY BOARD AND COMMISSION APPOINTMENTS FOR 2018.

Larick said last appointment listed is TBD; there were appointments to local board of tax review that are stale; not on list of regular appointments; that board has not met in a number of years; Bury can speak to their role; does not have to be an immediate appointment; Bury said getting ready to re-write those procedures; they meet for anything that RITA and a tax payer cannot resolve on their own; will bring procedures forward.

RECOMMENDATION: Consent Agenda.

[ORD-0101-2017](#) TO AMEND PART ELEVEN - PLANNING AND ZONING CODE, CHAPTER 1154, RESTRICTED INSTITUTIONAL DISTRICT, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA.

Jones said Planning Commission recommended Code Change; simple modification; will include use of parks in RID properties; there was not a clear allowance for parks space; would like to add that to the zoning category.

RECOMMENDATION: Public Hearing; Consent Agenda.

UPDATES FROM THE CITY ATTORNEY

1. HB 49 Litigation Legislation

Ewald said HB 49; Bill that centralizes portion of taxes from business profit; in negotiation with state of Ohio to address and resolve issues; we are the main plaintiff in central Ohio; supposed to go into effect end of January; asked by outside counsel not to do anything with it yet; may bring it back in January for review if we have not resolved that case; asking state to work with us; is a placeholder to be aware of; if required,

can get in place by the end of January.

2. Medical Marijuana

Ewald said Johnstown has embraced it; Grove City and others put a ban in place; various across central Ohio; licenses have been awarded; none in Gahanna; 5 in Franklin County; manufacturer portion due this week; dispensaries are up for grabs; if we do nothing and take no action or we can ban; open for dispensaries; OCT is a prime target for that; our zoning classifications seem to be in the south area; Buckles Tract and Tech Center Drive; ER-1 and ER-2 are open for cultivation sites; should the state decide to expand; giving an idea of where they could go; a lot of manufacturing would be OCT; if no action at this time, those are open for business operations; two types of product; academic side which cities have no control over; business operations side, city has option to limit or ban; restricted in park, school, playground, etc. cannot be within 500 feet; can own and operate in Gahanna; other option is moratorium; full go-live is September 2018; have time to address and deal with; can work with staff to put something in place for next year; a lot of cities limiting or banning; Angelou asked our size communities that have done a moratorium or ban; Ewald said moratorium is more prevalent; went through rule-making process; cities are taking a wait and see approach; some cities being more proactive; will this be an issue in our community; not for cultivating likely; those have been issued; Angelou asked about research; Ewald said can send that; asked GIS to put together map for where they can go; dispensaries will be primary concern; Angelou asked about info from Police Department; Ewald said haven't sat down with them; bringing options to Council today; ban, moratorium to gather more information, or allow; Larick said would like to see a map to see what is eliminated or allowed; Ewald said have that, but there is not a key to it; have a list of different parcels; Metzbower said dispensaries - looking at small shop; Ewald said could be any size; equivalent to other retail in Gahanna; comes down to distance as well; Leeseberg asked if that includes daycares; Ewald said can double check; tends to be public facilities; not private businesses; Mayor Kneeland said heard on news that there was problem with licensing and award process Ohio had; would that cause any delay; Ewald said not for us; they pushed date out far enough; nothing in the short term for Council action; will have data and map and zoning classifications out; Angelou asked for recommendations; Ewald said not today; Angelou asked for an option for the best of both worlds; Ewald said would it be more helpful to see a list of cities that have taken action; Angelou said yes; would look at our neighbors like New Albany; would want to collaborate with them; Ewald said some items fairly fluid; Metzbower said about state level control; Ewald said ORC carved out that cities can ban this; Metzbower said what is the difference of doing a moratorium or the ban; if you don't want

it, pass the ban; Ewald said can use moratorium to gather additional information; will prohibit some uses within a timeframe; if you decide to limit or control, allows you time to do so with code; Metzbower said Ohio's system mainly benefits from income tax; so our municipality would make money from whatever kind; Ewald said it is still illegal under federal law; Mayor Kneeland said knows Anthony Jones was getting inquiries about this; wanted to weigh the pros and cons; we need to understand this better to put us in a position for success; do not have enough information at this time; also do not have code to use to control this; Jones said prior to applications being submitted to Ohio Department of Commerce; brokers were looking for locations; entertained it as an option; said we have not stated our position on that matter; they drove us to have a position on it; want to respond in the way Council and the City wanted us to respond; Ewald said right now, would submit a zoning form; none have been submitted to City for approval; McGregor said moratorium would be appropriate to gather information; want to be ahead of applications; Renner said feels like hearing two different things; we are getting an update and hearing there is no sense of urgency; Ewald said fair question; do not see urgency at this time; have not received any applications; if they haven't filled out those forms, unlikely they will apply for those at this time; state can give additional licenses; Larick said if moratorium is put in place, is there a time limit; are there renewals; Ewald said would follow other municipalities; six months; Larick asked if there are restrictions legally; Ewald said our liability goes up with litigation if we go longer than 12 months; not a hard and fast rule; is a reasonableness; this goes live in September next year; if we go longer, looking at litigation.

COMMITTEE REPORTS - no action required.

[2017-0254](#)

Committee Reports - 12.11.2017

ADJOURNMENT

7:27 p.m.