



# City of Gahanna

## Meeting Minutes

### Committee of the Whole

200 South Hamilton Road  
Gahanna, Ohio 43230

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

*Kimberly Banning, Clerk of Council*

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Monday, December 11, 2017

7:00 PM

Council Committee Room

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#### 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 THE YEAR 2018.

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

**RECOMMENDATION: Consent Agenda.**

[MR-0039-2017](#) MOTION RESOLUTION 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.